

Deliberative mini-publics: citizens' assemblies and other models

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A citizens' assembly could break the politicians' Brexit deadlock

Rowan Williams, Damon Albarn, Ruth Lister, Laura Janner-Klausner, Jonathan Coe, Ian McEwan, Caitlin Moran, Neal Lawson and 13 others propose a way forward

Letters
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- 2 The Government must enact legally binding policy measures to reduce carbon emissions to net zero by 2025 and to reduce consumption levels.
- 3 A national Citizen's Assembly to oversee the changes, as part of creating a democracy fit for purpose.

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Commons Select Committee

Citizens' Assembly considers best way of funding adult social care



22 April 2018

A group of people from across the country brought together to consider the best way to fund adult social care in the first citizens' assembly commissioned by Parliament.

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MPs alone won't solve the Brexit deadlock. We need a citizens' assembly

Lisa Nandy and Stella Creasy
Wed 16 Jan 2019 14:57 GMT

1,349 582

• Lisa Nandy and Stella Creasy are Labour MPs



Towards a citizens' constitutional convention

PAUL FELDMAN 3 May 2016



What will it take to create a genuinely citizen-led constitutional convention for the UK? A meeting in Parliament on May 10, convened by Assemblies for Democracy, will aim to find out.



Calls for a convention on the constitution, which emerged strongly in 2014 around the time of Scotland's independence referendum, have taken on a new lease of life since last year's general election.

They are driven by a growing recognition that system-level change is needed if

About the author

Paul Feldman is a writer and democracy campaigner. He helped initiate the Agreement of the People for the 21st century project and the Real Democracy working group of Occupy London. Paul is the author of 'Unmasking the state - a rough guide to real democracy'

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BLUEPRINT FOR A UK CONSTITUTIONAL CONVENTION

ALAN RENWICK AND ROBERT HAZELL

The Constitution Unit

What is a “deliberative mini-public”?

- Random selection
- Facilitated deliberation
 - Learning – consultation – deliberation – decision
- Sponsored by public authority
- Steering committee representing different interests
- Run and facilitated by independent body
- Experts and advocates present and questioned
- Plenary and small table deliberation
- Produces recommendations

	No of participants	Time	Output	Example
Citizens' jury / reference panel	12-43	2-5 days (or longer)	Recommendation in a citizens' report	Oregon Citizens' Initiative Review, US MASS-LBP, Canada NewDemocracy, Australia
Planning cell	25 run in parallel or series ➔ 100s	2-7 days	Citizen report collates findings from different cells	University of Wuppertal, Germany
Consensus conference	10-24	3 days (plus prep weekends)	Recommendation in a citizens' report	Danish Board of Technology
Citizens' assembly	(50) 99-150	Series of weekends	Recommendation	British Columbia/ Ontario, Canada, Ireland
Deliberative poll	200+	Weekend	Post-deliberation survey	Center for Deliberative Democracy, US
G1000	1000	1 day	Series of votes on proposals	Belgium (Netherlands)

Emergence of Citizens' Assembly model

- Citizens' Assemblies on Electoral Reform
 - British Columbia (2004); Ontario (2006-7); Netherlands (2006)
 - Recommendations of Canadian CAs defeated in referendums
- Ireland
 - Convention of the Constitution (2012-14) – hybrid body; Citizens' Assembly (2016-18)
 - Recommendations on same sex marriage, abortion and blasphemy carried in referendums; presidency age reduction defeated
- Poland
 - Require mayors to agree to adopt recommendations
- UK
 - Citizens' Assembly on Brexit (2017); Citizens' Assembly on Social Care (2018); Northern Ireland Citizens' Assembly (2018).
- Institutionalisation
 - City of Madrid; Eupen

Why citizens' assemblies?

- Informed and reflective public judgement
 - Diverse body – c.f. any other political institution...
 - 'What the public would think, had it a better opportunity to consider the question at issue' (Fishkin)
- Deliberative logic
 - Alternative to party competition, negotiation between interest groups, etc.
 - 'the legitimate exercise of political authority requires justification to those people who are bound by it, and decision-making by deliberation among free and equal citizens is the most defensible justification anyone has to offer for provisionally settling controversial issues' (Gutmann)
- Random selection defence against economic and social power

Mini-publics and the constitution

- Constitutional agenda-setting
 - Collating and prioritising issues (Iceland)
- Generate constitutional recommendations
 - To be considered by parliament (Mongolian Law on Deliberative Polling)
 - To be subject of binding referendum (Canada, Ireland)
- Review constitutional proposals in run up to referendum
 - Generated by citizens' initiative (Oregon Citizens' Initiative Review)
 - Generated by government or parliament
- Constitutional decision-making power
 - C.f. Debate over legislature by lot (see Gastil and Wright 2019)

Key design criteria

- Task
- Time
- Demos

CITIZENS' ASSEMBLIES IN CONSTITUTION-MAKING: A SYMPATHETIC CRITIQUE

Udit Bhatia

Jesus College, University of Oxford



1. THE 'INCLUSION' WORRY: CITIZENS' ASSEMBLIES?

- Participation rights should not just be the exclusive preserve of citizens. Individuals who have been resident in a polity for a non-trivial period of time should be able to participate.



2. TECHNOCRATIC DRIFTS IN CITIZENS' ASSEMBLIES

- Gatekeeping: Selection of Experts
- Interpreting the Mandate
- Influencing the Flow of Debate
- Sabotage Consensus



GATEKEEPING: SELECTING EXPERTS

A part of the French scientific élite directly involved in GMO research gave an intensive course to the citizens. Gene technology was presented as a central inevitable fact, rather than as one option amongst many to produce food. The 13 citizens heard no less than 28 experts give evidence.

Mirenowicz, J. (2001) 'The Danish consensus conference model in Switzerland and France: on the importance of framing the issue', *PLA Notes*, 40, 57-60.



INTERPRETING THE MANDATE

There was no explicitly stated limit on the number of seats in the official mandate of the Assembly. Clarification of this issue was important because limiting the number of seats would bias the process against choosing an electoral system that needed a larger number of seats to work well. One of the two most likely candidates – mixed member proportional – would not work as well in British Columbia with only seventy-nine seats. When Assembly members raised the question of whether or not the number of seats was limited, they received mixed responses. At first the Assembly staff took contradictory positions, with the research staff saying they could potentially recommend a change to the number of seats, and the Chair saying they could not. Subsequently, the Chair's word became final

-Lang, Amy. 2008. *Agenda-setting in deliberative forums: expert influence and citizen autonomy in the British Columbia Citizens' Assembly*. In: M.E. Warren and H. Pearse, eds. *Designing deliberative democracy: the British Columbia Citizen's Assembly*. Cambridge: Cambridge University Press, 92.



INFLUENCING THE FLOW OF DEBATE

In the deliberation phase, the first procedure on their decision-tree involved affirming core values that the Assembly members had identified in a previous weekend. The three core values they had chosen were scheduled to become the touchstone for all subsequent debate on electoral systems. However, Assembly members had good reasons for wanting to revisit these values – they had not understood the import of the exercise used to pick these core values

-Lang, Amy. 2008. *Agenda-setting in deliberative forums: expert influence and citizen autonomy in the British Columbia Citizens' Assembly*. In: M.E. Warren and H. Pearse, eds. *Designing deliberative democracy: the British Columbia Citizen's Assembly*. Cambridge: Cambridge University Press, 94.



SABOTAGE CONSENSUS

Facilitators may be tempted to 'sabotage consensus', where 'a facilitator enhances a difference in articulations or introduces a critical perspective that alters a previous group decision without discussion of the merit of the reasons'

Burgess, Michael M. Personal Communication. Cited in Alfred Moore (2012)
Following from the front: theorizing deliberative facilitation, *Critical Policy Studies*,
6:2, 146-162



3. THE PROBLEM OF AGENDA-SETTING

- The problem with mixing agenda-setting and decision-making:

Agenda-dropping/deprioritisation → No pressure to keep going.

- The problem separating agenda-setting and decision-making:

Agenda imposition → Favoured agenda not on the list/too low on the list. May affect motivation?



4. THE EPISTEMIC QUESTION

- Two perspectives on the value of democracy:

(1) Proceduralist: Democracy is a fair procedure for decision-making between free and equal members of a society

(2) Epistemic: Democracy is an instrumentally valuable process for arriving at 'better' outcomes, where outcomes are judged by procedure-independent standards



WHY THE EPISTEMIC PERSPECTIVE MATTERS

- The epistemic perspective is a plausible account for why we value democracy
- The epistemic perspective underpins at least some accounts of the value of citizens' assemblies
- The epistemic concern about ordinary citizens' competence is likely to persist: needs addressing.



JUDGING THE EPISTEMIC QUALITY OF CITIZENS' ASSEMBLIES' OUTCOMES

- Test 'the factual forecasts on which these judgments are premised against the actuality of what has happened'.

Landemore, H. 2013. *Democratic Reason: Politics, Collective Intelligence, and the Rule of the Many*. Princeton: Princeton University Press

Tetlock, P. 2005. *Expert Political Judgment: How Good Is It? How Can We Know?* Princeton: Princeton University Press

(1) Are factual judgments of constitution-makers about consequences appropriate?

(2) Hindsight takes long: citizens' assemblies unlikely to be ready for epistemic evaluation anytime soon.

