



# Do Voters Trust Deliberative Minipublics? Examining the Origins and Impact of Legitimacy Perceptions for the Citizens' Initiative Review

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## Abstract

Deliberative theorists argue that democracies face an increasing legitimacy crisis for lack of effective representation and robust decision-making processes. To address this problem, democratic reformers designed minipublics, such as Citizens Juries, Citizens Assemblies, and Deliberative Polls. Little is known, however, about who trusts minipublics and why. We use survey experiments to explore whether minipublics in three US states were able to influence the electorate's policy knowledge and voting choices and whether such influences hinged on legitimacy. On average, respondents were uncertain or tilted towards distrust of these minipublics. We found higher levels of trust among people of color compared to Whites, poor compared to rich, and young compared to old. Specific information about minipublic design features did not boost their perceived legitimacy. In fact, one result suggests that awareness of balanced partisan testimony decreased trust. Finally, results show that minipublics can sway voters and improve knowledge, above and beyond the effects of a conventional voter pamphlet, but these effects were largely independent of minipublic trust.

**Keywords** Democracy · Deliberation · Effect heterogeneity · Legitimacy · Minipublic · Public trust · Survey experiment

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In the early years of modern democracy, scholars worried about what Tocqueville (1835) called the “tyranny of the majority.” Consistent failure to consider the interests of disenfranchised populations in policymaking could exacerbate social and economic inequalities (e.g., Martineau, 1837; Du Bois, 1903). Similar themes continue to this day, with recent research reintroducing the idea that American democracy functions as a plutocracy by over-representing the views of wealthy elites (Gilens & Page, 2014) and allowing persistent racial injustice (Bonilla-Silva, 2017). Democracy’s legitimation crisis may stem from this failure to gain the trust of groups it never fully represented (Dryzek et al., 2019).

Deliberative democratic theory arose in response to this looming legitimacy crisis (Habermas, 1975), yet deliberation itself now faces a legitimacy challenge. Critics question deliberative theory’s epistemic assumptions (Ingham, 2013; Bagg, 2018), its primacy over participatory democracy (Mutz, 2006; Parkinson, 2006; Lafont, 2015), and its overall efficacy (Lee, 2014; Spada & Ryan, 2017; Jacquet & Does, 2021). Deliberative innovations earn high marks for procedural quality (Grönlund et al., 2014; Himmelroos, 2017), and some have addressed real political dilemmas (Goodin & Dryzek, 2006; Fishkin, 2018a; Farrell & Suiter, 2019; OECD, 2020). Most influence neither policy nor public opinion (Karpowitz & Raphael, 2014; Johnson, 2015; Lee et al., 2015; Paulis et al., 2020). Even the renowned Canadian Citizens’ Assemblies on electoral reform show that an empowered deliberative body of citizens can fail for want of a public willing to follow its guidance (Fournier et al., 2011).

In spite of these limitations, deliberative theory retains the potential to reverse the “incipient decline” in democracy’s public legitimacy (Diamond, 2015). To see why, consider the causes of this decline. As the editor of the *Journal of Democracy* argues, “The real question now is no longer *whether* democracy is at risk but *why* the condition of democracy has become so troubled” (Plattner, 2017, p. 7). The problem lies not in a declining number of democracies but in the declining scores of quality indicators within democracies (Norris, 2017; Repucci, 2020).

Deliberation might correct some of the underlying causes of democracy’s malaise. Its ability to bolster civic attitudes and capacities (Gastil et al., 2010; Pincock, 2012; Felicetti et al., 2016; Boulianne, 2019) could push back against the recent rise in authoritarian sentiments (Foa & Mounk, 2017). If deliberation reveals hidden common ground on policy controversies (Gutmann & Thompson, 2012; Neblo et al., 2018), it could bridge demographic divides and cool affective polarization (Iyengar et al., 2012). When integrated into the wider political system (Curato & Böker, 2016), deliberation could dampen democracy’s plutocratic tendencies (Fung, 2005; Karpowitz et al., 2009; Gastil et al., 2010). Finally, public-facing deliberative bodies improve voter knowledge and engagement in public affairs (Pincock, 2012; Fishkin, 2018a; Boulianne, 2019; Gastil & Knobloch, 2020), which counters the worsening trends toward misinformation (Lupia, 2015; Kavanagh & Rich, 2018) and political alienation (Knobloch, 2011). To date, however, the empirical findings on these “spillover effects” from discrete deliberative bodies to mass publics remain inconsistent (Jacquet & Does, 2021).

Nevertheless, none of these potential benefits can be realized on a large scale unless the public views deliberative governance itself as appropriate and effective.

After all, any procedural solution to democracy's crisis must contribute *its own legitimacy* via preexisting public trust in the remedy (Cutler et al., 2008; Liu, 2018). The most prominent remedy advanced by deliberative democratic theory is the “minipublic”—a randomly selected body of citizens that typically meet with advocates and experts to make recommendations or provide a report on a matter of public concern (Fung, 2007; Grönlund et al., 2014).

As Farrell and Suiter (2019) argue, minipublics can reveal a hidden public consensus on controversial issues by virtue of the legitimacy their process brings to a policy debate (e.g., Friedman & Schleifer, 2019). For example, deliberative polls have offered guidance to public officials, who can use the “recommending force” of such events to legitimize their decisions (Fishkin, 2018b). More broadly, Warren and Gastil (2015) posit that minipublics serve as a “trusted information proxy” for voters by giving them an efficient and reliable peer-to-peer information source during elections. Even the endurance of the jury system hinges on the legitimacy of its deliberative process (Dzur, 2012; Hale, 2016). Most reforms focus not on shoring up jurors' deliberative capacity but on the fairness of how they are chosen and the evidence they hear (Vidmar & Hans, 2007).

Given legitimacy's centrality to the theory and practice of deliberation (Lafont, 2015), it is surprising how little empirical scholarship has addressed this question. Existing studies lie scattered across political contexts, such as high school classrooms (Persson et al., 2013), crowdsourced policymaking (Christensen et al., 2015), and sortition legislatures (Vandamme et al., 2018). For example, a recent study in Finland (Christensen, 2020) found that respondents prefer minipublics to be randomly selected, hear expert input, and meet for a limited duration.

We add to previous studies by examining the Citizens' Initiative Review (CIR), a minipublic that provides guidance to a wider electorate through a voting guide. We present three studies using survey experiments fielded alongside CIR processes in California, Massachusetts, and Oregon. The first study explores whether certain demographic or partisan groups differ in their trust towards minipublics. Second, we test whether learning about key features of the CIR increases respondents' receptiveness to its recommendations and their trust in minipublics. Finally, we test the hypothesis that the impact of CIR's findings depends, in part, on voters' confidence in minipublics more generally.

## Theorizing Minipublic Legitimacy

Deliberative democratic scholarship spans from political conversation (Black, 2008) and public meetings (Adams, 2004) to legislative bodies (Steiner et al., 2004) and entire political systems (Parkinson & Mansbridge, 2012). Herein, we focus on minipublics, a category that encompasses small Citizens' Juries (Crosby, 1995), large Deliberative Polls (Fishkin, 2018a), ongoing Citizens' Assemblies (Warren & Pearse, 2008; Farrell & Suiter, 2019), and numerous other variants that employ random samples of citizens who deliberate and offer advice or exercise authority on public policy questions (Grönlund et al., 2014).

Setälä and Smith (2018) describe how minipublics can confer legitimacy on governing institutions. Conventional designs for minipublics treat them as consultative processes that confer legitimacy on governing institutions, which get credit for convening such processes. Alternatively, public officials can authorize a minipublic to address an issue, then gain legitimacy by acting on its recommendations. A third approach links minipublics to the wider deliberative system. In this model, the minipublic informs an engaged public, which influences policymaking through candidate and referendum elections.

The latter approach is embodied by the Oregon Citizens' Initiative Review (CIR), which uses a small deliberative body to draft one-page issue analyses that appear in the official state *Voter's Pamphlet* in advance of a statewide election. (The Oregon CIR's report is published as a "Citizens' Statement," but we refer to it as the CIR Statement.) A review of this process from 2010 to 2018 found that it had achieved a high level of deliberative quality on the panels it convened and a modest level of influence on the wider electorate's policy knowledge and voting decisions (Gastil & Knobloch, 2020). An earlier study found broad public support for the CIR in Oregon, as well as in another state testing the process (Gastil et al., 2016). A large-sample mail survey conducted on a pilot test found that the CIR changed voters' empirical beliefs in ways contrary to motivated reasoning theory (Már & Gastil, 2020).

These studies do not show, however, what underlies the legitimacy of such a minipublic, nor do they explore the role legitimacy plays in a minipublic's success. A public frustrated by the alienating character of politics (Eliasoph, 1998; Knobloch, 2011) might see a deliberative democratic design as a legitimate alternative, but such procedural legitimacy may not spread evenly across the public (Lafont, 2020). First, given the public's general unfamiliarity with novel political processes such as the CIR (Gastil et al., 2016), ascribing legitimacy to minipublics may require awareness of its basic features, such as the use of random selection and studying an issue for several days. Second, given the association of deliberative innovation with progressive politics (Lee, 2014), conservatives may be suspicious of deviations from representational democracy (Ney & Verweij, 2014). Third, if public spaces privilege dominant social groups, underrepresented groups might harbor more doubts about ostensibly deliberative processes (Sanders, 1997; Levine & Nierras, 2007; Lafont, 2020).

In the absence of sufficient legitimacy, the guidance of minipublics might go unheeded. In this view, only those citizens who view a CIR as a legitimate part of the democratic process will accept its findings when deciding how to vote on a ballot measure. Past research using real and hypothetical minipublics has found mixed evidence of such influence (Boulianne, 2018; Gastil et al., 2018; Ingham & Levin, 2018a, b; Már & Gastil, 2020; Suiter et al., 2020). To date, no study has tested a potential moderator variable that could explain these uneven results. We test the extent of minipublic influence (a) over and above alternative information sources and (b) across voters who confer more (or less) legitimacy on the CIR.

## Research Context

We examine the sources and necessity of minipublic legitimacy through online survey samples collected in the final weeks of the November 2018 general election in three US states. Each survey collected public responses to pilot tests of the Oregon CIR model. One survey ( $N=203$ ) interviewed residents of the Portland metropolitan area regarding a bond measure to provide affordable housing, which ultimately passed with 59% of the vote. A second survey ( $N=613$ ) asked Massachusetts voters about Question 1, a technical measure that would have regulated hospital staffing levels but was rejected by 70% of voters. The third survey ( $N=745$ ) queried California voters on Proposition 10, which would have authorized local rent control regulations but won only 41% of the ballots.

Different designs in these survey experiments permitted testing a series of questions about minipublic legitimacy. We present the details of our hypotheses, methods, and results in a series of three studies. The first explores variations in minipublic trust across different demographic and partisan groups. The second uses experimental information exposures to test whether key features of the CIR shape respondents' receptiveness to its recommendations and their trust in minipublics generally. Finally, we test the hypothesis that the impact of the CIR's findings depends on how much legitimacy voters ascribe to minipublics.

## Study 1: Sources of Legitimacy

We begin by describing variation in minipublic legitimacy across demographic and political groups. Prior research has shown a mix of weak demographic predictors of public support for minipublics and empowering citizens to govern directly (Bedock & Pilet, 2021; Garry et al., 2021). For the present study, we expect that minorities will be more skeptical of minipublics because such bodies might be dominated by socioeconomically advantaged groups (Sanders, 1997; Levine & Nierras, 2007; Pape & Lim, 2019; Lafont, 2020). As for partisan self-identification, we noted earlier that deliberative democracy often gets advocated using liberal rhetoric that contests existing hierarchies (Lee, 2014; Ney & Verweij, 2014). As a result, conservatives might be more suspicious of deliberative bodies of citizens.

## Methods

To measure Minipublic Legitimacy we used a scale that consisted of eight items. This survey section began by describing minipublics as “assemblies made up of randomly selected citizens that study issues carefully, then make recommendations or decisions.” After additional description of this concept (see Online Appendix A), eight randomly ordered questions asked, “How much TRUST would you place in a minipublic” that had different responsibilities, such as one that could “force public officials to vote up or down on specific laws.” Across the three states, these eight

items produced a consistently reliable scale ( $\alpha=0.92$ ), which we recoded to span from 0 to 1 ( $M=0.49$ ,  $SD=0.21$ ).

Linear regressions tested whether demographic and political variables (age, race, gender, education, income, and party identification) predicted Minipublic Legitimacy scores. First, we ran bivariate regressions for each predictor. We then employed multivariate regression, including all the variables from the bivariate models to test for overlap. Finally, we made a multi-model robustness check on our full regression model (Young & Holsteen, 2017). This ran all possible combinations of variables used in the full model to produce a mean coefficient and rate of statistical significance for each of the independent variables.

## Results

Before addressing differences in Minipublic Legitimacy scores, consider the following descriptive statistics. On average, respondents were uncertain in their opinion toward minipublics or inclined to distrust them. Between 33 and 42% said they were “unsure” whether they trusted minipublics on our eight survey items. Nevertheless, a substantial number of people trusted these bodies to evaluate public policies. For example, 25% of respondents said they trusted minipublics to “make decisions on behalf of the wider public,” with 39% airing the opposite opinion, and the rest uncertain on that question.

Turning to systematic differences, bivariate analyses found significant but small differences in Minipublic Legitimacy across all demographic groups—age, gender, race, education, and income—and political identity. (See Online Appendix B for full results.) Given that these predictors were intercorrelated, we ran a multiple regression including all of them. Results showed that age, race, gender, income, and political identity all had independent associations with Minipublic Legitimacy. Multi-model robustness tests revealed that—except for gender—these findings were stable across all 32 possible models. (The relationship between gender and Minipublic Legitimacy was unstable, with only 69% sign stability and a 13% significance rate.)

Contrary to our expectation that minorities and less powerful groups might be skeptical of minipublics, people of color trusted them *more* than did Whites, though the difference was small ( $\beta=0.08$ ,  $p=0.021$ ). Likewise, more affluent respondents trusted minipublics *less* compared to low-income groups ( $\beta=-0.12$ ,  $p=0.001$ ). Furthermore, older people had lower Minipublic Legitimacy scores than did younger respondents, but again the difference was small ( $\beta=-0.09$ ,  $p=0.002$ ). The largest difference was between Democrats and Republicans. As predicted, Republicans had less confidence in minipublics ( $\beta=-0.18$ ,  $p<0.001$ ).

To summarize, respondents were uncertain about the trustworthiness of minipublics. We found significant, but small, differences in Minipublic Legitimacy across age, race, income, and partisanship. The evidence was mixed on whether disadvantaged groups trust these bodies less than do dominant groups. The largest difference was between Democrats’ trust levels and the lower levels of trust among for Republicans.

## Study 2: Do Minipublic Descriptions Influence Legitimacy?

Whereas the preceding analysis looked for associations between legitimacy and respondents' demographics and partisanship, the second study examines whether the descriptive framing of minipublics can influence legitimacy perceptions. In other words, we shift our focus from individual differences in legitimacy to potential *influences* on such trust. If deliberative designers can boost a minipublic's legitimacy and impact by foregrounding certain features, that could increase their efficacy. Thus, Study 2 tests whether key pieces of information about the CIR influence minipublic legitimacy perceptions and the impact of the CIR's findings on policy knowledge and voting decisions.

Theoretical accounts of the origins of deliberative legitimacy often point to factors far beyond experimental control, such as institutional embeddedness (Johnson & Gastil, 2015; Caluwaerts & Reuchamps, 2016) and cultural context (Böker, 2017). Studies on the impact of minipublics provide more guidance. These surveys typically provide respondents with succinct descriptions of a minipublic's design before exposing them to its findings (Boulianne, 2018; Gastil et al., 2018; Ingham & Levin, 2018a, b; Már & Gastil, 2020; Suiter et al., 2020).

Scant research, however, has investigated the legitimacy effects of these factors. Exceptions include two survey experiments, which showed that random selection had no advantage over self-selection in conferring legitimacy on a citizen body in the US (Jacobs & Kaufmann, 2021) and Northern Ireland (Pow, 2021). Such findings are striking for being at odds with theoretical accounts in which random selection is crucial for establishing a deliberative body's representational legitimacy (Crosby, 1995; Warren & Pearse, 2008; Landemore, 2013; Fishkin, 2018a). Christensen (2020), however, found the opposite in Finland, where respondents favored randomly selected minipublics. Respondents in that study also slightly preferred minipublics that were exposed to expert advice and that met only a few times.

Our predictions take into account this handful of studies, as well as the rhetorical choices made by democratic reformers who deploy minipublics (Nabatchi et al., 2012). Deliberation's advocates present their discursive designs using language meant to maximize public receptiveness (Lee, 2014). In particular, minipublic advocates emphasize that their designs have four features: random selection, sufficient time for deliberation, access to neutral experts, and testimony from pro and con advocates (Gastil & Levine, 2005; Grönlund et al., 2014; Fishkin, 2018a). Empirical studies of minipublics' effects on public opinion use similar emphases when describing these deliberative bodies (Pow et al., 2020). Thus, we predict that including each of these pieces of information in a description of the CIR should bolster the legitimacy of the process. Beyond this direct impact on legitimacy, we also expect the inclusion of these four design features to enhance the CIR Statement's influence on respondents' policy knowledge and voting decisions.

**Table 1** Influence of CIR description on minipublic legitimacy, voting choice, and policy knowledge

	Minipublic legitimacy	Voting choice	Policy knowledge
Random selection	-0.03 (0.02)	0.14 (0.10)	0.10 (0.08)
Duration of deliberation	-0.00 (0.02)	0.02 (0.10)	0.01 (0.08)
Neutral experts	-0.01 (0.02)	0.03 (0.10)	0.09 (0.08)
Partisan testimony	-0.04* (0.02)	-0.09 (0.10)	-0.11 (0.08)

Table shows coefficients regressions (OLS for Minipublic Legitimacy and Policy Knowledge, ordered probit for Voting Choice) which include all four terms shown in the table.  $N=554$ . Two-sided tests, HC3 robust standard errors in parentheses, levels of significance: \*  $p < 0.05$

## Methods

To test the impact of these four minipublic descriptors, respondents in the California sample who were shown the CIR Statement ( $N=554$ ) were randomly assigned to conditions that varied the information provided about the CIR. We randomly varied four types of information in a factorial (conjoint) design ( $2 \times 2 \times 2 \times 2$ ): (1) whether the minipublic was “randomly selected” (or simply “chosen”); (2) whether it ran “over four consecutive days using a well-tested discussion procedure” (or was simply “convened” for an unspecified duration); (3) whether the process included “advocates and opponents” of the ballot measure, and (4) whether the panelists had access to “independent policy experts.” (Full wording available in Online Appendix C.)

In completing their surveys, respondents saw the experimentally determined CIR description twice to increase the strength of this exposure. They saw it first as a preface to the CIR Statement itself. They saw the description a second time in a preface to a battery of post-exposure questions regarding the CIR.

To test the effect of each CIR design descriptor, we ran two regression equations. The first included all four information factors to test their independent effects on Minipublic Legitimacy. The second equation used Policy Knowledge as the dependent variable to see if the knowledge-impact of reading the CIR Statement varied depending on how the CIR was described. We created a Policy Knowledge variable following procedures used in a prior study (Már & Gastil, 2020). This variable was measured via a battery of six factual claims (e.g., “Prop 10 establishes rent control boards in every California county”). For each claim, respondents rated it as “definitely true,” “probably true,” “probably false,” “definitely false,” or “don’t know.” Correct answers with certainty were coded as +2, incorrect certainty was coded as -2, “probably” correct and incorrect responses coded as +1 and -1, respectively, and “don’t know” was coded as 0. We standardized this variable such that it had a mean Policy Knowledge score of zero and  $SD=1$ . Voting intentions were measured with a single survey item, which recorded the intent to vote for or against the ballot measure.



## Results

As Table 1 below shows, we found little evidence that respondents were influenced by descriptions of the CIR's design. The lone exception was contrary to the directional prediction. Learning that the CIR met with pro and con advocates on a ballot measure had a significant *negative* effect on Minipublic Legitimacy ( $b = -0.04$ ,  $p = 0.024$ ).

Additional post-hoc analysis broke down these findings by party affiliation. Results suggested that Republican respondents responded more strongly to the experimental treatment. Telling these respondents that the CIR included partisan advocates for and against the ballot measure resulted in lower Minipublic Legitimacy scores ( $b = -0.07$ ,  $p = 0.037$ ). The equivalent coefficient for Democrats was smaller and nonsignificant ( $b = -0.03$ ,  $p = 0.23$ ). This difference between Republicans and Democrats was not significant (Online Appendix D, Tables D1-D3).

Beyond legitimacy, it is noteworthy that the pro/con advocate descriptor had a pattern of similar negative (but nonsignificant) effects. Those who learned this piece of information about the CIR had lower Policy Knowledge scores than the rest of the sample ( $b = -0.11$ ,  $p = 0.19$ ). Respondents in this exposure group also had voting intentions that ran contrary to the other three treatment conditions ( $b = -0.09$ ,  $p = 0.36$ ).

These findings suggest information about the deliberative qualities of the CIR did not increase trust in minipublics, change voting intentions, or improve policy knowledge. On the contrary, there is evidence that noting the role of pro/con advocates decreased minipublic legitimacy and undermined the influence of the CIR Statement. To this point, we have found that minipublics cannot take legitimacy for granted, especially among Republicans (Study 1). Moreover, information meant to generate trust in minipublics can have the opposite effect, especially for Republicans (Study 2). This underscores the importance of Study 3, which examines whether the CIR requires public legitimacy to serve as an "information proxy" for the electorate (Warren & Gastil, 2015).

### Study 3: Does Minipublic Impact Depend on Legitimacy?

The central concern in Study 3 is whether the CIR Statement's effect on respondents' policy knowledge and voting intentions hinges on trust. A handful of previous studies have considered minipublic effect heterogeneity (e.g., Már & Gastil, 2020; Suiter et al., 2020), but this is the first to explore minipublic legitimacy as a potential explanation for such effects.

Our hypotheses are straightforward. Writings on the public impact of minipublics assume that such influence stems from trust in the minipublic itself (Cutler et al., 2008; Warren & Gastil, 2015). After controlling for effect heterogeneity associated with demographics and partisanship, we predict that respondents who perceive minipublics as more legitimate will exhibit greater increases in their knowledge about the ballot measures addressed by the CIR. Likewise, respondents with higher

legitimacy perceptions will be more inclined to align their voting choices with those of the CIR panelists.

## Methods

As for the samples, each state survey used a slightly different design that resulted in imbalanced cell sizes. Most of the participants in the California sample saw the CIR Statement ( $n=554$ ), with only one-quarter being exposed to the voter pamphlet ( $n=191$ ). This imbalance provided the larger CIR-exposure group necessary for Study 2. In Massachusetts, roughly half of respondents ( $n=241$ ) saw the pamphlet only, with the remainder ( $n=235$ ) seeing both the pamphlet and the CIR Statement. Oregon was split into thirds, with 70 respondents seeing only the pamphlet, 66 seeing only the CIR Statement, and 67 seeing both.

To assess the impact of the CIR Statement on knowledge, we used the same approach described in Study 2. Within each state sample, we created a standardized Policy Knowledge metric ( $M=0.0$ ,  $SD=1$ ), with higher scores indicating confidence in correct answers and lower scores showing confidence in incorrect ones.

The test of voting impact required a different approach. To set our expectations for how CIR Statements influenced voters, we reviewed CIR panelist responses to a questionnaire they completed on the Review's final day. These data showed that after deliberating, CIR panelists planned to vote against the ballot measures in Massachusetts (10–7) and Oregon (12–8), but in favor of the initiative in California (12–8). Though voters did not see a panelist vote tally, we presumed that the balance of panelist sentiments would shape the content and ordering of the main findings that begin each CIR Statement. Thus, we predicted that exposure to the CIR Statement—relative to an official pamphlet—would have a negative effect on support for ballot measures in Oregon and Massachusetts but a positive effect in California.

We took two approaches to testing whether knowledge and voting impacts varied in relation to minipublic legitimacy. First, given that Study 1 found variation in Minipublic Legitimacy across age, race, income, and political identity, we tested for effect heterogeneity. Thus, we ran a series of regressions interacting these factors with treatment exposure. Second, we tested whether the effect of exposure to a CIR Statement varied across high and low levels of Minipublic Legitimacy. To test that relationship, we started off with a bivariate model with Minipublic Legitimacy as the only independent variable. We then ran a multivariate regression model interacting the treatment variable with a median-split of Minipublic Legitimacy, while controlling for age, education, gender, race, income, and party identification. Finally, we ran a multi-model robustness test (Young & Holsteen, 2017) including all 64 possible combinations of the full model. This yielded a mean coefficient and showed the percentage of models that crossed the  $p < 0.05$  threshold for statistical significance.

**Table 2** Effects of CIR statement on vote choice and policy knowledge

	Voting choice <i>M</i> (SD)			Policy knowledge <i>M</i> (SD)		
	Oregon	Mass	California	Oregon	Mass	California
$M_{\text{Pamphlet}}$	0.27 (.87)	-0.23 (0.92)	-0.13 (0.82)	0.03 (0.92)	-0.17 (1.03)	-0.05 (1.04)
$M_{\text{CIR}}$	0.06 (0.91)	-	-0.01 (0.82)	0.10 (1.10)	-	0.02 (0.98)
$M_{\text{CIR+Pamphlet}}$	-0.13 (0.92)	-0.21 (0.89)	-	-0.09 (1.10)	0.19 (0.94)	-
Significance	$p=0.032$	$p=0.218$	$p=0.053$	$p=0.578$	$p<0.001$	$p=0.402$

Voting variables have three values: 1 (“yes”), 0 (“undecided”), and -1 (“no”). Factual accuracy is an indexed variable ( $M=0.0$ ,  $SD=1.0$ ).  $Ns=203$  (Oregon), 613 (Mass.), and 745 (California). Significance tests: ANOVA for Oregon and *t*-tests for Massachusetts and California. Directional *t*-tests were one-tailed and ANOVA two-tailed

## Results

Starting with overall effects, the CIR panels sometimes—but not always—influenced respondents’ voting choices. The largest effect occurred in Oregon, which had three experimental conditions. An ANOVA test found an overall effect,  $F(2, 200)=3.50$ ,  $p=0.032$ , with a post-hoc Tukey *t*-test showing a significant contrast between the pamphlet-only condition and the condition showing both the Pamphlet and the CIR Statement ( $p=0.024$ ). Expressed in percentages, a majority (54%) of those in the pamphlet-only condition favored the measure, with only 27% opposed, but in the pamphlet-plus-CIR condition, a plurality (49%) opposed it, with only 36% in support.

The California sample produced a CIR effect in the opposite direction. Though this difference stood just outside the boundary of conventional significance ( $p=0.053$ ), it once again aligned with the post-deliberation voting preferences of the CIR panelists themselves. In this case, the pamphlet-only condition yielded a plurality opposed to the measure (40%, vs. 28% in favor), whereas those exposed to the CIR Statement ended up divided evenly, with 33% in favor, 34% against, and 33% undecided.

In Massachusetts, however, we found no significant difference in voting intentions between those who saw the official pamphlet versus those exposed to both the pamphlet and the CIR Statement. This was a striking finding because, as shown in Table 2, Massachusetts was the *only* state sample that showed a significant Policy Knowledge effect for the CIR Statement. Using the standardized Policy Knowledge scale, average scores in that state were -0.17 in the pamphlet-only condition and 0.19 in the pamphlet-plus-CIR condition ( $p<0.001$ ). In other words, the average respondent in the control group gave incorrect answers, but the average respondent in the treatment group tended to give correct ones.

Second, despite significant differences in perceived minipublic legitimacy (Study 1) we found almost no evidence of the CIR Statement exposure effect varying by respondents’ demographics or partisanship (see Online Appendix E Tables E1-E48). Third, we found no significant differences between those who had low versus high scores on Minipublic Legitimacy. In Table 3, this is shown in the nonsignificant and

**Table 3** Difference across levels of minipublic legitimacy

	Voting choice			Policy knowledge		
	Oregon	Mass	California	Oregon	Mass	California
	Minipublic legitimacy	- 2.66** (0.74)	- 1.35** (0.43)	- 1.48** (0.41)	0.64 (0.59)	1.00** (0.33)
Treatment	- 0.41 (0.59)	- 0.05 (0.31)	- 0.11 (0.26)	- 0.05 (0.44)	0.73** (0.24)	0.04 (0.21)
Minipublic legit. X Treatment	0.24 (1.14)	- 0.06 (0.58)	0.02 (0.48)	- 0.12 (0.84)	- 0.77 <sup>†</sup> (0.46)	- 0.03 (0.42)
N	137	476	745	137	613	745

Table shows main-effect and interaction-term coefficients between Minipublic Legitimacy and exposure to CIR Statement and Voter Pamphlet in Oregon and Massachusetts, but only CIR Statement in California. Robust or HC3 robust standard errors in parentheses, levels of significance: <sup>†</sup>  $p = 0.09$  \* $p < 0.05$ , \*\* $p < 0.01$

relatively small interaction coefficients. In fact, the direction of the interaction coefficients ran *counter* to our expectations for policy knowledge. Thus, the evidence suggests various groups are similarly influenced by the curated information provided by minipublic panelists.

## Summary Discussion

Study 1 showed that respondents were, on average, uncertain about the legitimacy of minipublics. We also found that minipublic legitimacy varied somewhat by age, race, income, and partisanship, with Democratic Party supporters trusting the process moderately more than did those who identified as Republican. Contrary to our expectations, however, people of color trusted minipublics *more* than Whites. Finally, relatively affluent and older participants had stronger reservations about minipublics than did lower-income groups and younger cohorts. In sum, there was no strong demographic predictor of legitimacy, nor did a clear pattern emerge that aligned with previous studies on this question (e.g., Pilet et al., 2020; Bedock & Pilet, 2021; Garry et al., 2021).

Study 2 tested whether learning specific pieces of information about the CIR's design could improve its legitimacy and boost its effects. Deliberative theorists and the convenors of such processes have argued that certain design features are critical for producing informed judgment reflective of the deliberative sentiments of the general population (Crosby, 1995; Warren & Pearse, 2008; Landemore, 2013; Fishkin, 2018a). Our findings, however, suggest that minipublic legitimacy does not depend on providing such information. In one instance, we found the opposite: learning that a minipublic had consulted with a balanced set of partisan advocates made Republican voters trust the minipublic *less*.

Study 3 explored whether the effects of CIR Statements hinged on minipublic legitimacy. We compared the voting and knowledge effects of information from minipublics versus more traditional voter guides. The findings replicated and extended results from previous studies showing that information from minipublics can both shift voters' choice and improve factual accuracy influence (Boulianne, 2018; Gastil et al., 2018; Ingham & Levin, 2018a, b; Már & Gastil, 2020; Suiter et al., 2020). In one state, exposure to the conclusions of a minipublic flipped the majority vote intention. In another, it brought the pro and con voters close to parity. Furthermore, those who read the official voter pamphlet were, on average, factually wrong, whereas those who read information from a minipublic were, on average, correct. Nevertheless, the effects of these fledgling minipublics were inconsistent across our three state samples, with the salutary knowledge effect occurring only in Massachusetts. Finally, we found no evidence of these effects varying across demographics or partisanship or even across different minipublic legitimacy perceptions.

## Limitations and Future Research

To date, only a handful of studies have used experimental designs to investigate the origins of minipublic legitimacy. One study found that respondents favored randomly selected minipublics (Christensen, 2020), whereas our study and two others did not (Jacobs & Kaufmann, 2021; Pow, 2021). Another suggests that the random selection process is less important than citizens' beliefs that a minipublic shares their particular views (Pilet et al., 2020). These findings call for further exploration. Future studies should obtain larger samples to detect smaller effect sizes and provide more detailed descriptions of minipublic qualities (to boost treatment impact). Researchers should also explore alternative conceptions of minipublic legitimacy. A broader focus on the different ways minipublic's gain legitimacy could prove fruitful as investigators seek to understand why citizens trust *or distrust* deliberative bodies such as minipublics.

Both conceptually and operationally, future research might also benefit from breaking legitimacy into more than one dimension. Public trust and confidence in institutions can take different forms (Braithwaite & Levi, 2003), and these are distinguishable statistically (Hamm et al., 2011). A future study could measure separately whether a minipublic took public concerns into account, made fair decisions, sought to serve the public interest, and performed its task competently. These sub-components of public confidence/trust are often labeled, respectively, as perceptions of government's responsiveness (Craig et al., 1990), procedural fairness (Herian et al., 2012), integrity (Murtin et al., 2018), and competence (PytlíkZillig et al., 2012).

Our particular approach to measuring minipublic legitimacy asked respondents to consider the different roles such a body might play. Though the responses to different questions were highly correlated, the institutional power of an actual minipublic may also factor into whether and how it gains legitimacy. For years, theorists have considered what will happen to deliberation's legitimacy when minipublics gain real power (Levine et al., 2005). As such bodies become more widespread and influential, such criticisms have become more forceful (e.g., Lee et al., 2015; Lafont, 2020). The CIR model may sidestep some of these concerns by merely providing voters with information (rather than substituting itself for their judgment), but other bodies aim to go much further (e.g., Warren & Pearse, 2008; Farrell & Suiter, 2019).

Future studies must also balance a desire for ecological validity—evidenced in this study by our use of actual ballot measures—with the need for systematic examination of different contexts (although see Christensen, 2020). The policy issue under consideration may affect who trusts a minipublic and what design features matter most to them. A future study might juxtapose issues that vary in their level of controversy, as well as whether the issue foregrounds conflicting values versus competing technical judgments. More broadly, we focused on a particular kind of minipublic—one that provides guidance to voters. There are many other boats riding what

the OECD (2020) called the “deliberative wave,” and these different deliberative designs might generate legitimacy in different ways.

Finally, the most provocative and unexpected finding herein concerned partisanship. Republicans distinguished themselves by conferring somewhat less legitimacy on minipublics (Study 1). Republicans lost even more confidence in deliberation upon learning that a balanced panel of partisan advocates had appeared as witnesses before the CIR (Study 2). Such results warrant replication before over-interpretation. Our finding may prove to be an artifact of the particular political context of Study 2, which took place in a state with twice as many registered Democrats as Republicans (44% vs. 24%).<sup>1</sup> Even so, future studies should take partisanship into account.

## Conclusion

Democracies face a legitimization crisis, which some scholars believe opened up a space for illiberal populist leaders. This crisis follows Western democracies’ inability to fully include minorities in decision making or produce egalitarian social and economic policies (Hacker & Pierson, 2010; Achen & Bartels, 2017). Deliberative democrats argue that the use of randomly selected citizen panels can help restore democratic legitimacy (Landemore, 2013; Fishkin, 2018a), but to do so, minipublics need to gain the trust of underrepresented social groups. Our results showed broad—but modest—public legitimacy, the origins of which were difficult to discern. This raises important questions for deliberation scholarship, which needs a stronger account of the origins and impact of minipublic legitimacy.

As a practical matter, our study gives more reassurance than guidance to deliberative practitioners. The innovative processes created by democratic reformers may get the benefit of the doubt from the public, regardless of the descriptions given them. Perhaps it is enough to simply offer citizens a seat at the table, no matter how they were chosen or what discussion procedure they followed. By analogy, the general public’s trust in the jury system has persisted in spite of its limitations, with concerns about its fairness hinging on outcomes more than procedural adjustments (Gastil et al., 2010; Hale, 2016; Chakravarti, 2019). Likewise, trust in minipublics may grow in particular contexts by virtue of their accomplishments, as shown in political contexts such as Ireland and Belgium (Farrell & Suiter, 2019; Reuchamps, 2020). Institutionalized processes might hit a plateau in their public trust and visibility, as appears to have happened for the Oregon CIR (Gastil & Knobloch, 2020). In spite of this, minipublics might still achieve their intended purpose if they lead to better self-governance and more public confidence as a result of such achievements.

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<sup>1</sup> Statistics from <https://elections.cdn.sos.ca.gov/ror/15day-gen-2018/historical-reg-stats.pdf>

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**Declarations**

**Conflict of interest** The authors have no relevant financial or non-financial interest to disclose.

**Ethical Approval** IRB approval from Penn State University.

**Consent to Participate** Implied consent obtained via Qualtrics online survey portal.

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