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Judging Technical Claims in Democratic Deliberation: A Rhetorical Analysis of Two Citizens' Initiative Review Panels in Oregon

John Rountree

Average citizens face difficulty evaluating competing expert claims in the public sphere, and the complexity of policy issues threatens citizens' autonomy in democratic governance. This study examines how participants in a rigorous deliberative setting judge technical claims, analyzing audio and transcripts from two intensive mini-public deliberations in the Citizens' Initiative Review in Oregon. The results show how lay participants in these meetings rhetorically co-construct a standard of verifiability to evaluate expert claims. The study then reflects on what this emergent standard of judgment reveals about the potentials and pitfalls of lay deliberation concerning technical policy issues.

Keywords: Citizens' Initiative Review; Democratic Deliberation; Expertise; Mini-Publics; Rhetorical Analysis

Democratic decision-making calls upon average citizens to render some level of judgment on complex policy issues. Topics such as net neutrality, tax reform, vaccination, and nuclear power all involve difficult technical matters. If democracy entails robust public participation, then one major challenge for democratic reformers is empowering citizens to judge policy issues that require expertise.

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Deliberative democrats hope that well-orchestrated discussions can help citizens to develop sound judgments on matters involving technical expertise (Christiano, 2012; Fischer, 2009). Deliberative democracy, the normative vision of politics driven by reasonable, inclusive discussion, is premised on the idea that everyday people can have sovereignty over their own affairs (Benhabib, 1996; Gutmann & Thompson, 2009). Indeed, based on two decades of experimental studies and other empirical research, deliberative democrats are optimistic about the reasoning capacities of citizens engaged in focused, facilitated discussions (Dryzek et al., 2019).

Given the pragmatic difficulties of getting the entire public to deliberate, many scholars and practitioners have become advocates of “deliberative mini-publics” (Curato & Böker, 2016; Richards, 2018). Deliberative mini-publics draw on samples of the population to engage in facilitated and time-intensive policy deliberation in small groups. Most mini-publics are not large enough to be statistically representative, but they provide a sufficiently diverse sampling of the broader public such that they can be pragmatic stand-ins (Ryan & Smith, 2014). In theory, mini-publics bring in the values, experiences, and perspectives of lay citizens while also having the time and institutional resources to deliberate on technical policy issues. While mini-publics offer a lot of promise, we need to know more about how mini-publics manage the problem of expertise within these settings.

In this essay, I address this need by examining mini-public deliberations from two Citizens’ Initiative Reviews in Oregon. I investigate how participants manage the expertise gap under time-intensive deliberative conditions. This is not merely a cognitive issue but an issue of communication, an issue of how citizens under such conditions rhetorically create standards of judgment. As Jasinski (1992) explains, advocates in public controversies construct both the objects and standards of judgment. Though they are often implicit, these standards become the yardstick by which rhetors suggest claims and counterclaims should be evaluated. It is these standards of judgment that concerns me here.

In what follows, I first review previous scholarship concerning citizen judgment of expert claims within deliberative frameworks. Then, an in-depth analysis of two CIRs reveals how expert-citizen interactions play out in context. I argue that citizens co-construct standards of judgment around the perceived “verifiability” of claims. Verifiability emerges as a god-term that dictates not just what claims citizens believe but what types of information can be known *at all*. Finally, I diagnose the benefits and harms that this emergent standard of “verifiability” entails for democratic deliberation.

Expertise and Citizen judgment in Democratic Deliberation

Although rhetoricians have long studied the intersection of public and technical discourse (e.g., Condit, 1996; Goodnight, 1982; Lyne & Howe, 1986), contemporary international politics has given a new sense of urgency to concerns about citizens’ understanding of and engagement with technical policy issues. Disinformation,

conspiracy, and manufactured controversies have stalled action on significant environmental and health issues, such as climate change and vaccination (Bricker, 2014; Bricker & Justice, 2019; Ceccarelli, 2011; Coleman, 2017, 2018). These controversies reflect a broader “post-truth” era in politics and policymaking where competing political factions cannot establish a common set of facts to build collective judgments (e.g., Cloud, 2018; Curato, Hammond, & Min, 2019).

Though rhetorical and policy deliberation scholars tend to focus on scientific controversies, the gap between experts and lay citizens problematizes a broad range of policy debates, not only scientific policy issues. There are many technical, but nonscientific, policy debates in the public sphere that involve contestations over what is true. Notably, the rhetoric and public policy literature has shown that policy debates often turn not on perceptions of scientific reality but on contesting constructions of *economic* reality (e.g., Asen, 2010; Conners, 2017). For example, Asen (2009) shows how President Bush in 2004 constructed a false “crisis” of the Social Security system, claiming that it would go bankrupt within a few decades without privatization, which contradicted the Social Security trustees’ annual report. Indeed, in his book on school board meetings, Asen (2015) argues that a construction of financial expertise disempowered community input in the school board’s decision-making process.

Deliberation offers a potential solution to help average people judge technical policy issues. Deliberative scholars often tout citizens’ capacities for making considered judgments when taken through a structured deliberative process with informational materials and expert witnesses. A significant amount of empirical research has examined how deliberation affects the analytic processes of average citizens. The results confirm many relevant salutary effects of deliberation, such as eliciting reason-giving and argumentation from participants (Black, 2012), increasing knowledge of policy issues (Kuyper, 2018; Pincock, 2012), and helping participants develop more internally consistent policy preferences (List, 2018; List, Luskin, Fishkin, & McLean, 2013).

Nevertheless, there is the danger that participants are not actually engaging closely with technical issues but instead echoing what they hear from expert witnesses. Some empirical work has been done on expert-citizen engagement within deliberation. On the one hand, some scholarship has shown that expert discourse can be deployed to shut out lay perspectives in broader public policy debates and in quasi-deliberative forums. Baekkeskov and Öberg (2017) demonstrate that experts in the public sphere can “freeze” the possibility for deliberation by presenting a united policy consensus. Even when expert-citizen engagement occurs, it may only act as lip service that does not fundamentally empower non-experts. Kerr, Cunningham-Burley, and Tutton (2007) analyze discourse from multiple public engagement events on genetics and conclude that even though lay knowledge was included in the discussions, these types of events privileged technical knowledge and only used lay perspectives to supplement rather than challenge genetics research.

On the other hand, deliberative scholars have good reason to believe that lay participants will critically examine expert claims within structured group deliberation. When engaging with experts, participants in structured deliberation have been shown to interrogate expert claims by asking critical questions, scrutinizing evidence, and raising new perspectives or concerns (Chen & Deng, 2007; Maclean & Burgess, 2010; Sprain, Carcasson, & Merolla, 2014). Indeed, in their analysis of an expert “going rogue” by trying to assume a dominant role in a group deliberation, Sprain et al. (2014) reveal that lay participants repeatedly challenged said expert’s conclusions. Roberts, Lightbody, Low, and Elstub (2020) analyze the incorporation of expert witnesses into various mini-public processes. While they found that expert witnesses in these processes doubted lay participants’ ability to examine evidence and understand technical issues, the authors conclude that lay participants closely scrutinized evidence and asked challenging questions of experts.

Furthermore, expert judgment is unstable in deliberation—rather than a defined role, expertise is socially constructed and emerges from the deliberative process (Candlin & Candlin, 2002; Sprain, 2015). For instance, Davies and Burgess (2004) examine how participants discuss expertise in citizen panels in the UK in discussions over organ transplant shortages. They reveal that participants construct a hierarchy of expertise based on experts’ perceived relationship to patient experiences and cooperative approach to other forms of expertise. In turn, what counts as “expertise” emerges from the forum. In addition, Sprain and Reinig (2018) show that participants in public deliberations will perform different types of expertise, such as local or issue-expertise. Thus, participants “co-produce” expertise by questioning another’s expertise, calling up expertise, or showing deference.

In sum, the empirical scholarship on expertise in deliberation strongly suggests that ordinary citizens are willing to critically interrogate technical claims under deliberative conditions. The question is how lay participants, through this process of interrogation, construct and apply standards of judgment to competing technical claims within a rigorous deliberative event. Further, analyzing how people judge technical claims within a structured and focused deliberative setting could better give us an understanding of the boundaries of democratic autonomy within a system that emphasizes division of labor with mini-publics taking on more cognitive, time-intensive responsibilities.

Case and Method

This study examines the Citizens’ Initiative Review (CIR) in Oregon. The CIR is a deliberative mini-public modeled on citizens’ juries, which have been effectively implemented and studied internationally in countries such as the UK, Denmark, and the U.S. (Gooberman-Hill, Horwood, & Calnan, 2008; Henderson et al., 2013). Particular scholarly attention has been paid to citizens juries’ uses in health and environmental decision-making (Anauf, Baum, & Fisher, 2018; Crosby, 1995; Kenyon, 2005). Citizens’ juries are comprised of a microcosm of a community that

spends several days delving into difficult policy problems, speaking with expert witnesses, and making recommendations (Smith & Wales, 2000). They have been praised for facilitating more productive engagement between citizens and experts (Flynn, 2009).

As a type of citizens' jury, the CIR was specifically formed in Oregon to help the larger public understand ballot issues. Ballot measures are susceptible to misinformation campaigns; therefore, the CIR was developed to provide reliable and relevant information to voters on propositions under consideration (Gastil & Knobloch, 2020). Organizers convene a citizens' jury—in the case of the CIR, a panel of 24 stratified randomly selected citizens from across the state to deliberate on a statewide ballot measure for 5 days. The process demands a lot from panelists. They spent 40 hours learning dialogue and deliberation skills, reading documents, hearing from advocates, questioning experts, deliberating among themselves, and group editing a Citizens' Statement.¹ At the end of the process, the citizen panel creates a one-page document highlighting key findings, arguments for and against the measure. Oregon includes the CIR statement in its voters' guide, which is mailed to every registered voter's household.

The CIR has received increased scholarly attention in the last few years, largely because scholars have had significant access to data that can be comparable across cases. Previous studies have shown that reading the CIR statements improves citizens' knowledge more than reading prepared summary statements from the government or paid pro and con explanations (Knobloch, Barthel, & Gastil, 2019). They even have been shown to increase the likelihood of citizens to vote on ballot measures (Gastil, Rosenzweig, Knobloch, & Brinker, 2016). Warren and Gastil (2015) describe CIR panels as "facilitative trustees" who help the broader public to participate knowledgeably and effectively in the political process. Indeed, the CIR's ability to divide cognitive labor has been its central appeal for deliberative researchers and practitioners. Essentially, the idea is that a small group of individuals in the CIR can take the time and care needed to sort through competing claims.

I draw on audio recordings and transcripts from two CIR panels² and take a deep look at how CIR panelists manage the expertise gap in context. Both CIRs intersected with technical expertise around economic issues. The first panel convened in 2012 to address Measure 82 (hereafter "The Casino Measure"), which would have authorized privately owned casinos to operate within Oregon, stipulating that a percentage of the revenue go to the state lottery. Advocates touted the tax benefits that could be reaped for the local economy, while opponents disputed the economic benefits, arguing that private operations would hurt Oregon's tribal casinos.

The second panel also convened in 2012 to discuss Measure 85 (hereafter "The Kicker Measure"), which would have repealed the corporate kicker tax credit and designate that funding for K-12 education instead. Oregon's "kicker" law stipulated that any tax revenue in excess of 2% of state projections must be returned, or "kicked" back, to corporate and individual taxpayers. Concerns abounded about the stabilizing function of the kicker on state spending and the effect it would

have on Oregon businesses and K-12 schools. In both instances, average citizens were called upon to evaluate sources and make judgments on technical questions through a rigorous deliberative process.

I employ rhetorical analysis to examine deliberations from the two CIRs. Rhetorical analysis operates within an interpretive tradition of studying public discourse and deliberation (Ercan, Hendricks, & Boswell, 2017) and reveals how discourse within public deliberation constructs justifications for policy outcomes to make some policy options seem preferable or necessary. What Goodnight (2010) calls “justificatory trajectories” can hinge on many constructions during deliberation, such as a redefinition of policy history (Goodnight & Olson, 2006; Rood, 2019; Rountree, 2018), representations of policy stakeholders (Asen, 2002; Gring-Pemble, 2003), the deployment of key framing terms or metaphors (Asen, 2012; Zarefsky, 1986), or the standards of judgment created through the deliberative process (Levasseur, 2000; Levasseur & Carlin, 2001; Wilson, 2002).

Rhetorical analyses seldom include methods sections. Yet, CIR deliberations push the boundaries of a typical rhetorical dataset; therefore, a more extended discussion of my dataset and analytic approach is warranted. Rhetorical analysis examines discursive fragments that are thematically pieced together by the critic to create a cohesive “text” for examination (McGee, 1990). Rhetoricians employ a fluid analytic procedure for choosing segments of discourse to analyze and rarely rely on a “rigid methodology” to analyze a dataset (Condit & Bates, 2009: p. 110).

Whereas rhetorical analysis has often been used to study the texts of broader public sphere “deliberations,” it has rarely been employed to examine highly focused interactional deliberation that involves both facilitators and ordinary citizens.³ The cases rhetoricians examine are often institutionalized, quasi-deliberative meetings, such as legislative debates, hearings, or school board meetings (e.g., Asen, 2015; Levasseur, 2000; Wilson, 2002) or broader public discourse surrounding an issue including speeches, public interviews, or media representations (e.g., Asen, 2009, 2012; Hogan & Rood, 2015; Rood, 2019). These types of discourse shed significant light on how a policy is being justified in public debate, but they are substantively different from the interactional and cacophonous discourse of ordinary citizens in small-group democratic deliberation.

Because the CIR deliberations present an atypical text for rhetorical analysis, they require a different strategy. Small group deliberation is a productive but messy process such that panelists often interrupt one another, make decisions without full discussion, or do not fully articulate their thoughts. Making sense of these texts requires viewing them not as a communicative *product* but as a disjointed *process* that results in moments of insight from participants (Gastil, 1993; Sprain & Black, 2018). Such instances can provide key segments for rhetorical analysis.

Because the concern here is one of the analytic functions of deliberation—“creating a solid information base” (Gastil & Black, 2007, p. 3)—particular attention is paid to instances of articulated disagreement on factual issues in these case studies. The research team studying the CIR recorded audio from the deliberations and

Table 1 Most Saliently Disputed Factual Questions in 2012 CIR Panels

Casino measure (M82)	Kicker measure (M85)
What will be the economic impact of private casinos in Oregon?	Will the kicker money actually be spent on education or will it be backfilled by the legislature?
What will be the effect on crime rates and gambling?	What effect will the measure have on businesses in Oregon?
Would the Oregon Lottery lose money?	What effect will the measure have on future tax reform?
Will tribal casinos be hurt by the measure?	Will the extra kicker funds impact the stability of Oregon revenue?
Does the Oregon constitution prohibit private casinos?	Will the extra kicker funds impact the stability of Oregon spending?

commissioned transcripts from the recordings.⁴ I took detailed notes while listening to the full audio from the meetings and following along in the transcripts. I created a schema of five of the most saliently disputed factual questions for each CIR (see Table 1). Salience was judged by the topic's recurrence in the discussions and its prominence in the panelists' final statement. Creating a schema was an iterative process of going back and forth among the transcripts, the abundant documents the panels produced, and my own notes from analyzing the data.

For each issue under dispute, I traced key instances in the CIR process where the panelists did or did not find resolution, paying special attention to those occurrences where panelists gave justifications for their disagreements and worked together to co-construct standards of judgment. Two features of the CIR made matching disputed issues to relevant sections of the transcripts a simpler analytic procedure. First, the panel created documents to summarize and track progress as panelists worked through key factual disputes. Second, the panelists divided their labor by assigning small groups to work on specific key claims throughout the deliberations.

In the next section, I analyze the deliberations from both CIR panels. The analysis shows how panelists in the CIR, when assessing competing factual claims, relied on a standard of "verifiability" that emerged from their discussions.

The Emergent Standard of "Verifiability"

Facilitators in these CIR cases relied on participants to create their own standards for judging information. Facilitators on the first day walked panelists through a 45-minute hypothetical case study to help create standards of judgment. The case study described a controversy regarding tearing down a historic courthouse; participants read a summary of evidence surrounding the issue, and facilitators and panelists used the example as a provocation to create evaluative standards for evidence. Panelists in both CIRs created long lists of criteria for judging whether information

is “strong and reliable,” including relevancy, neutrality, verifiability, clarity, nonpartisan sourcing, historical data in support, or currency. The panelist-generated lists were hung on the walls and facilitators reminded them to panelists throughout the CIR.

At a glance, this exercise seems to answer the question of this study neatly and concisely by providing a laundry list of judgment methods. Nevertheless, deliberation is a transformative process, and these criteria cannot be taken at face value. Standards of judgment morph during the deliberative experience as panelists compare and contrast claims, evidence, and reasons. Many standards fall away as less important, and even those that remain part of the conversation are altered through the process.

Panelists in both CIRs evaluated disputed claims based on a co-constructed sense of the “verifiability” of said claims. In this section, I highlight three recurring communicative practices from these deliberations that panelists used to help identify strong, credible information: (1) constructing verifiable claims as stronger, (2) subordinating motives and biases to other standards of judgment, and (3) declaring uncertainty of certain information types when they could not meet high standards of verifiability. Through these three practices, “verifiability” transformed from one standard of judgment among many, to the standard of judgment *par excellence*.

Constructing Verifiable Claims as Stronger

In the CIR, panelists construed the strongest claims as “verifiable.” These claims were more likely to gain assent from panelists and appear in the final Citizens’ Statements. Importantly, this assessment as “verifiable” does not mean that panelists always verified claims, but rather, that they perceived that the claims *could* be verified if necessary. For panelists, this meant that claims had clear referents to back them up and that a direct, definitive line could be drawn between evidence and claim.

Verifiability surfaces in two distinct ways. First, panelists look for quality external sources to either support or undermine assertions. For example, on the Kicker Measure, the panel debated a claim that businesses would not be impacted by the repeal of the corporate kicker tax credit. One panelist insisted that there would be an effect on businesses and that the claim was incorrect. Another panelist defended the claim because it was sourced from the Sierra Institute of Applied Economics: “the entire reason I think we went for this quote in the first place was that it was verifiable with a source that is a reputable source.” Two other panelists chimed in to defend the claim specifically because of the existence of a stated source, which one panelist said meant “it’s factual.”

Also on the Kicker Measure, the panelists debated whether the money from the repeal of the kicker would be guaranteed to go to education. They concluded by the third day that there was no legal guarantee for the funding to go to education based on an e-mail they received from the Chief Deputy Legislative Council for Oregon.

A discussion ensued about whether this e-mail was a reliable source. One panelist objected that “it just feels like using Wikipedia as a source,” but another panelist persuaded the group that “emails are a legal document these days” and could be trusted as reliable.

The second way verifiability emerges concerns the nature of the claims. Some claims have a tangibility to them that make them appear more certain because they have a clear referent to support them. For example, on the Casino Measure, opponents insisted that agreements existed between the tribal governments and the state of Oregon to prohibit private casinos. The panel found the threat of violating an agreement to be an important issue, and they could “easily verify” this piece of information. Repeatedly during the process, the panelists asked for “verification” of these agreements. As one person put it, “I want to see it in writing,” and another exclaimed, “I want a hard copy.”

Eventually, the Native American Affairs Coordinator for the state government supplied them with an example compact that the state of Oregon has with one of the tribes, which stipulates that the tribes no longer have to operate a community benefit fund “if the Oregon Constitution is amended to allow the operation of casinos in this state.” Over the objections of the tribal advocates, panelists decided that the compact as written did not explicitly promise that Oregon would not allow private casinos but only outlined consequences of changing the constitution.

In addition to legal agreements, countable items gain significant credence for their verifiability. The second key finding on the Casino Measure reads: “For every dollar of revenue from Video Lottery Terminals, about 65 cents goes to the State lottery. In addition, under Measure 82 for every dollar of revenue produced by private casinos, 25 cents would go to the State lottery.” Presumably, this would not be a point of contention. It points to specific allocation amounts from the Oregon state lottery terminals and a hypothetical private casino. This information could be useful for voters to know, but it does not relate to the underlying issue that motivated its authors. A central point of contention during the Casino Measure CIR was whether a private casino’s lottery machines would make up for losses that the state lottery’s Video Lottery Terminals would accrue. The implication of this second key finding is that they would not, but the panelists did not reach this conclusion. During the discussion of this key finding, one participant suggested that they could state the private casino would have to make 2.5 times as much as the VLTs to make up for lost revenue, “but that’s assuming just straight substitution and not any other factors. So, I think the way that—because we were going to do 2.5 times, but then you’re including substitutions and economic theory, which gets a little less ... I guess ... ” Rather than appeal to “economic theory,” they relied on offering the countable items—how much VLTs contribute to the state budget versus private casinos.

Previous research shows that quantifiable data are rhetorically powerful in policy debates. Miller (2003) warns of the rhetorical appeal of quantification, as it seemingly detaches experts and advocates from their evidence. As she explains, the rhetorical style of impersonality obfuscates the partiality and limitations of

quantified data. Numbers seem objective and transparent. In the case of school board meetings, Asen (2015) has shown that interlocutors make problematic distinctions between quantifiable “hard” evidence and anecdotal “soft” evidence. In Asen’s case, numbers seem to hold sway because of what they are being compared to: specific experiences relayed by stakeholders at the meeting. Asen’s (2015) case is different for two reasons: first, it is a case of imbalance in terms of expertise. Parents were forced to argue for a school program on their own, while advocates of eliminating the program had financial experts and sophisticated software to assist them. Second, the types of conflicting evidence presented in the school board meetings Asen analyzed—*anecdotal experiences versus quantitative projections*—are more distinct from one another than in the CIR where both sides leveraged similar types of evidence. In the school board meetings, the dichotomy between two types of evidence allowed one side to appear to have a stronger case.

The CIR addresses both underlying issues and brings the standard of verifiability into clearer relief. Both sides have organized advocates and experts for their positions, and they draw on similar types of evidence. Under this scenario, CIR panelists are barraged with statistics from both sides, requiring them to scrutinize the numbers more closely. Rather than a dichotomy between anecdotal and quantifiable data, a tension emerges between “estimated” and “concrete” (verifiable) numbers. For instance, when panelists were faced with different predictions on the economic impact of the private casinos, one person expressed frustration that “everybody’s got a different number. It’s frustrating. So, what numbers are reliable?” In response, another panelist termed the information a “SWAG”—“A scientific wild-assed guess.” Throughout the process, other panelists regarded some evidence with less certainty based on it being “hypothetical” or “just estimates.”

Subordinating Motives and “Bias” to Other Standards of judgment

Based on previous theorizing, one might expect that “motives” or an analysis of a source’s “bias” become central to discussions about the trustworthiness of information. Paliewicz (2012) argues that along with scientific consensus, the public should look for research that is “uncontaminated with insincere motives” and “consistent with the epistemic purpose of producing knowledge” (p. 233). Chambers (2017) suggests that citizens should interrogate experts’ policy framing to reveal whether they are attempting (consciously or not) to bias the agenda and rob citizens’ ability to participate meaningfully. Throughout the deliberative process in the CIR, however, panelists subordinated bias to other standards of judgment, such as verifiability or source expertise. It is worth considering how panelists actively constructed bias as less important in their deliberations.

One could argue that in the CIR, the facilitators frame the deliberation to implicitly encourage the standard of verifiability and not bias. Facilitators persistently refer to panelists’ activities as searching for, evaluating, and curating “information” for voters. The focus on “information” rather than “claims” or “testimony”

frames the starting point of inquiry not in human agents (who may be biased, lying, or inexperienced) but in isolated facts.

However, this explanation does not account for the equally strong bias framework that facilitators promote for evaluating claims. Panelists hear from two types of witnesses in the CIR: pro and con “advocate” teams and “background presenters.” Advocate teams are prepared ahead of time, but panelists have the opportunity to choose from a list of background presenters. Although background presenters are not necessarily neutral, they are framed as less biased than the organized advocate teams. Panelists are provided with summaries of the background presenters, including their areas of expertise, their job, any relevant affiliations they have, and any existing position on the measure. In other words, the standard of verifiability may have been implicitly suggested by the CIR design, but bias was one prominent alternative standard of judgment available to panelists.

Explicit discussions of bias came up frequently when panelists debated which witnesses to bring before the CIR. For example, in the Kicker Measure, panelists were deciding whether to bring in a witness from the Oregon Education Association. Her bias quickly became a point of discussion:

W I’m going to guess without looking that she’s very biased.

E Yeah, [she] has positions to support the measure.

G She wants to pass it, yeah.

E And she’s also the one who works for Our Oregon too, right? Or at least, they’re affiliated with it—

P They’re affiliated, yeah. I think that might be a good person to hear from because we’ve been hearing from a lot of people on the other side [...] That’s why I think it might be beneficial to hear from [name] because, even today, when we tried to think of pros, we were at a loss to think of anyone that spoke to us today that tried to convince us.

G Well, we have very specific questions about what reserve funds are out there.

E Right, yeah, and that would be her.

G And she’s an expert in budget and finance for schools, so it seems like she’d know that stuff.

In this moment, the panelists evaluate whether her bias should impact their decision to call her in as a witness. While there seems to be agreement that “she’s very biased,” they also invoke other considerations that should outweigh that concern. Panelist P suggests that her bias would help them better see the pro side of the issue, and G indicates that she would be able to answer their questions about school reserve funds, which potentially concern the stability of spending and revenues for education within Oregon. Later in the discussion, one person suggested that her bias “is not a problem as long as we know what her position is.” Bias became subordinate to the need to get their questions answered.

Panelists sometimes invoke bias, but they do not consider it a deal breaker on witnesses or claims. Instead, they construct it as a reason to be suspicious and more

closely scrutinize the evidence for claims. For example, panelists referenced “bias” frequently when discussing the testimony of a former police chief on how casinos could impact crime. The chief was clearly against the measure from her testimony, and a few panelists complained about her “bias.” This bias, however, was not the only justification offered for rejecting her statement; the discussants instead shifted to consider the quality of her evidence. One participant noted that the statement was “a biased statement made by her, with no support, information about it,” and another reasoned that “that’s a biased statement, because it wasn’t supported by no facts [sic].”

The subordinate status of “bias” is intriguing for two reasons. First, contemporary public debates over science and expertise frequently reference “bias” and ill-motives of scientists (Bricker & Justice, 2019; Ceccarelli, 2011). Second, both panels included variations on “unbiased” or “objective” as some of their first criteria for strong and reliable information. This is one reason to look beyond the initial “strong and reliable criteria” developed by the CIR panels. When working with a hypothetical case and absent the very real information needs of the CIR process, “unbiased” seems like a reasonable standard. Nevertheless, I suspect panelists downgraded “bias” as a standard for judging information throughout the process because of the CIR’s task-oriented nature. The panel creates a set of several “core issues” that organize the entire deliberation, each with its own set of questions, and much of panelists’ time during the process becomes a quest to “find answers” to their most persistent questions. The need to find answers is the panel’s motivating force, and it is within that context that panelists recognize that the “biased” witnesses may be the best equipped to answer some questions.

Declaring Uncertainty Due to High Standards of Verifiability

To understand how lay deliberators evaluate claims, we must also look to those claims they cannot resolve. The co-constructed standard of verifiability creates a high burden for empirical claims made before CIR panelists. Consequently, these citizen deliberators can have difficulty resolving factual disputes in the CIR. When faced with such irresolution, panelists do not blame themselves but declare the information itself as uncertain or even unknowable. This problem was far more common in the Casino Measure than the Kicker Measure; therefore, I will focus on that CIR in this section.

Uncertainty is evident in the Citizens’ Statements where panelists take a “teach the controversy” approach to many key findings by outlining the disagreements rather than resolving them. They are especially hesitant to make predictions about the future. Notably, the first key finding in the Casino Measure states that “Economists disagree on the long-term economic impact of private casinos in Oregon.” CIR panelists followed this up by providing possible outcomes on both sides of the issue, accompanied by the hedging language of “could” or “may.” A similar pattern ensued on the Kicker Measure where panelists used “may” in their statement. These

are not incidental word choices—they reflect deliberate choices of panelists who spend hours wordsmithing the document (Gastil & Knobloch, 2020). During a large group discussion about the private casinos' effect on tribal casinos, for example, the full panel voted to change the language of the following statement: "Private casinos would negatively affect the gaming revenues of the tribal casinos and the communities they support." The "would" was eventually replaced with "could" because, as one panelist argued,

We've been given a lot of conflicting information, a lot of ambiguous information, and I think that the most accurate statement that we can make is to draw people's attention to the fact that this could happen. It is probably an unfair statement to say that it will happen because we don't have evidence that supports "will" or "would," but "could" is probably the correct way. It draws attention to what might happen specifically without actually guaranteeing that.

Although advocates from a tribal casino objected to the "could" language, the panel opted to keep the uncertain wording. Their reasoning was based in the lack of verifiability. According to one panelist, they had no "evidence that supports 'will' or 'would.'"

Hedging language arises when panelists are faced with no means of verification. Both sides brought in economists to testify for their cases, and it resulted in "a lot of conflicting information," as one panelist stated. During a small group discussion on the second day, panelists relayed that they were seeing major "disparities" in the projections that were being presented:

Q I think that I still would like clarification on the financial impact, specifically on the revenue projections for a private casino and the anticipated impact on the Indian casinos; the new revenue versus the shifting of existing revenue notion. I'm still having trouble getting my head around the disparity between the numbers or if there is a disparity at all. I think I just need to see more information on are we talking about new money that is actually coming in or not because I think that really makes a big difference on the impact on how I would sign on—

L From the economy guy that the Indians have?

Q The economist, yes. And I'm asking for clarification on what he said.

L Are you talking about—yeah.

Q Yeah, because they each have an economist and they're essentially saying different things.

L Different things, you're right.

Q Those are my two questions.

L And what documentation do they have to justify what they're saying.

Q I'd like to see the research.

Two patterns are worth noting here. First, rival experts have the ability to sow confusion among panelists. Second, in the face of this confusion, the panelists wanted documentation as potential resolution to the dispute.

Citizen deliberators could potentially resolve this uncertainty by more clearly establishing a burden of proof. For example, one discussant on private casinos

pushed his fellow panelists to justify why they believed a private casino would increase problem gambling:

V What I didn't get from my specific question to the doctor was if there was any research. He did not know of any research that supported the allegation that the presence of a casino or access to gaming increased the prevalence of problem gambling behavior. In other words, it's almost like people could be predisposed to it. But they're not just necessarily because a casino's in your backyard you're more likely to become a problem gambler.

F Mm-hmm.

V He had no research and could not cite any research that supported that.

H Logical, isn't it?

V Well—

H If I'm a potential problem gambler and there's no casino, then I don't become a problem gambler. You put the casino there, then I become the problem gambler.

V But the access to gambling activities is here in Video Lottery Terminals.

H Ah, that's true.

V So, that's already here. So, access to it isn't—the question I had was if you build more, is it going to create more of that behavior? And there's no statistical—

H Percentage-wise?

V —yes. And there's no research that suggests that it does.

The panelist's framing of the issue situates the burden of proof against an affirmative claim that casinos increase gambling behavior in their communities. The panelist V creates a higher standard of evidence whereby the claim has not passed muster and does not deserve to be ranked among the panel's key findings. When H pushes back that the claim is "logical" and seems to be true, V points out that gambling activities are already available via lottery terminals and restates that the burden of proof has not been met. Ultimately, V was not able to sway the full panel on this point, but the standard could provide an alternative to simply declaring uncertainty.

Of course, uncertainty does not necessarily reflect a problem with the CIR, with individual panelists, or with verifiability as a standard of judgment. Some outcomes may be legitimately uncertain and provoke disputes among experts. Nevertheless, the prevalence of uncertainty should cause concern for advocates of deliberative mini-publics. Mini-publics were intended to give citizens' greater capacities to engage in deliberation on technical issues. If even focused mini-publics that grant citizens the time and resources to deliberate still run up against an expertise barrier, that barrier may pose a greater difficulty than deliberation advocates would hope.

Conclusion

Through a close examination of two focused, time-intensive citizen deliberations, I have shown how citizens co-construct "verifiability" as a standard of judgment

when coping with technical claims. I outlined three communicative practices that evidence the significance of this co-constructed standard: constructing verifiable claims as stronger, subordinating motives and bias to other standards of judgment, and declaring the uncertainty due to high standards of verifiability. Verifiability emerged as its own deliberative epistemology for helping lay deliberators judge competing technical claims.

This study analyzed deliberation in the context of adversarial advocate teams attempting to rebut claims from the other side. This adversarial framing seems to lead two directions for lay panelists deliberating about technical matters. On the one hand, it elevates the standards of judgment. This is a positive development. When both sides utilize an army of statistics, often conflicting with one another, the mere presence of an expert or supporting statistic is no longer sufficient to warrant judgment. In the CIR, panelists co-constructed a standard of verifiability that questioned the process by which statistics were created and tried to connect them to concrete referents. This is a similar process to some suggested in the scholarly literature, which advocate that citizens scrutinize the quality of the process that produced information and judgments (Holst & Molander, 2017; Moore, 2017).

On the other hand, the deliberative process also may struggle to produce complete resolution on what information is strong and reliable. Deliberators in this case were adept at outlining the contours of technical disagreements, but they often could not resolve questions of fact. It may be the case that verifiability, in its focus on concrete evidential referents, leads participants away from casting judgment on complex causal relationships. If so, this result would lend credence to the concern among rhetoricians and scientists about the ability for mercenary or outlier experts to “manufacture” controversy (Ceccarelli, 2011). However, a failure to produce resolution on technical claims does not necessarily reflect a problem with lay participants in these deliberations. In many cases, the panelists established standards of verifiability that could have resolved these competing claims, but they were met with a deficit of research and documented evidence that they could match with specific claims. Future research should examine how lay deliberators construct and apply standards of evidence on highly studied topics where ample research can be mustered by experts and advocates.

Another important finding is that a source’s motives may be a less important criterion than previous scholarship has suggested (Chambers, 2017; Paliewicz, 2012). I argue that motives or bias were simply not useful standards of judgment in the actual practice of these deliberations for two main reasons. First, the term “bias” has loose usage in colloquial discourse to the point that it loses its usefulness. Panelists in the cases examined here used “biased” to name almost any information they thought was not reliable. Second, favoritism for “unbiased” sources presumes an information- and resource-rich environment that is consonant with national or international, highly studied problems. On local issues where information may be harder to come by, deliberators may not have the luxury of setting aside all information that accompanies a policy opinion.

The contemporary moment has made it more exigent to understand how citizens construct and employ standards of judgment to evaluate competing technical claims. As of this writing, we are in the midst of a global pandemic that has disrupted every aspect of our society. As local, national, and global citizens during this pandemic, we are called upon to judge competing technical claims in the public sphere in a way that directly affects our lives and our livelihoods. It is important that we consider not only *what* technical claims we are being asked to believe but also *how* we are being asked to evaluate such claims. This study highlights standards of judgment in a specific deliberative context, but it is important that we remain reflective of what standards of judgment are constructed in the broader public sphere.

There is currently a risk in democratic life of being pulled down two problematic paths: one that defers policy judgment to experts and another where partisan allegiances motivate the evaluation of technical claims. The former risks lapsing into a type of crisis-driven technocracy, the latter partisan epistemology. Deliberative mini-publics, like the CIR, carry lessons for how we can make informed decisions and safeguard democratic participation at the same time. Such processes have the potential not just to empower mini-public participants but also to inform public debate, as the CIR strives to do by providing voters with salient information about ballot measures. It is incumbent upon scholars and practitioners of democratic deliberation to continue to chart this middle path through research and experimentation. Such work will help promote a healthy relationship between democratic institutions and expertise over the long run.

Rhetorical scholarship can make important contributions to this work. Previous rhetorical research has already provided valuable insights into the public discourse around policy controversies, but this essay has also modeled an analytic approach for employing it in the study of group deliberations. Future rhetorical scholarship on deliberation should examine small group processes as a productive complement to the robust social scientific work on small group deliberation in the field of deliberative democracy.

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Notes

1. . I observed two different CIRs firsthand in 2016 and 2018 in Oregon and Massachusetts, respectively. Unfortunately, we did not get full audio from those events, so I have opted to use data sources from 2012 meetings.

2. . The two panels I use are among the few that we have full audio from. Others, such as the pilot projects in Colorado and Massachusetts, only have partial video.
3. . For exceptions, see (Carlin, Schill, Levasseur, & King, 2005; Levasseur & Carlin, 2001).
4. . The 2012 data was collected prior to my joining the CIR research team in 2016. The team is led by John Gastil and Katherine R. Knobloch, and it includes a large group of research collaborators.

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References

- Anauf, J., Baum, F., & Fisher, M. (2018). A citizens' jury on regulation of McDonald's products and operations in Australia in response to a corporate health impact assessment. *Community Empowerment, 42*(2), 133–139. doi:10.1111/1753-6405.12769
- Asen, R. (2002). Visions of poverty: Welfare policy and political imagination. East Lansing, MI: Michigan State University Press
- Asen, R. (2009). Invoking the invisible hand: Social Security and the privatization debates. East Lansing, MI: Michigan State University Press
- Asen, R. (2010). Reflecting on the role of rhetoric in public policy. *Rhetoric & Public Affairs, 13*(1), 121–143. doi:10.1353/rap.0.0142
- Asen, R. (2012). Lyndon Baines Johnson and George W. Bush on education reform: Ascribing agency and responsibility through key policy terms. *Rhetoric & Public Affairs, 15*(2), 289–317.
- Asen, R. (2015). *Democracy, deliberation, and education*. University Park, PA: The Pennsylvania State University Press.
- Baekkeskov, E., & Öberg, P. (2017). Freezing deliberation through public expert advice. *Journal of European Public Policy, 24*(7), 1006–1026. doi:10.1080/13501763.2016.1170192
- Benhabib, S. (1996). Toward a deliberative model of democratic legitimacy. In S. Benhabib (Ed.), *Democracy and difference: Contesting the boundaries of the political* (pp. 67–94). Princeton: Princeton University Press
- Black, L. W. (2012). How people communicate during deliberative events. In T. Nabatchi, J. Gastil, G. M. Weiksner, & M. Leighninger (Eds.), *Democracy in motion: Evaluating the practice*

- and impact of deliberative civic engagement (pp. 59–81). New York: Oxford University Press
- Bricker, B. (2014). Feigning environmentalism: Anti-environmental organizations, strategic naming, and definitional argument. *Western Journal of Communication*, 78(5), 636–652. doi:10.1080/10570314.2013.835065
- Bricker, B., & Justice, J. (2019). The postmodern medical paradigm: A case study of anti-MMR vaccine arguments. *Western Journal of Communication*, 83(2), 172–189. doi:10.1080/10570314.2018.1510136
- Candlin, C. N., & Candlin, S. (2002). Discourse, expertise, and the management of risk in health care settings. *Research on Language and Social Interaction*, 35(2), 115–137. doi:10.1207/S15327973RLSI3502_1
- Carlin, D. B., Schill, D., Levasseur, D. G., & King, A. S. (2005). The post-9/11 public sphere: Citizen talk about the 2004 presidential debates. *Rhetoric & Public Affairs*, 8(4), 617–638. doi:10.1353/rap.2006.0005
- Ceccarelli, L. (2011). Manufactured scientific controversy: Science, rhetoric, and public debate. *Rhetoric & Public Affairs*, 14(2), 195–228. doi:10.1353/rap.2010.0222
- Chambers, S. (2017). Balancing epistemic quality and equal participation in a system approach to deliberative democracy. *Social Epistemology*, 31(3), 266–276. doi:10.1080/02691728.2017.1317867
- Chen, D., & Deng, C. (2007). Interaction between citizens and experts in public deliberation: A case study of consensus conferences in Taiwan. *East Asian Science, Technology and Society: An International Journal*, 1(1), 77–97. doi:10.1007/s12280-007-9003-8
- Christiano, T. (2012). Rational deliberation among experts and citizens. In J. Parkinson & J. Mansbridge (Eds.), *Deliberative systems: Deliberative democracy at the large scale* (pp. 27–51). Cambridge: Cambridge University Press
- Cloud, D. L. (2018). *Reality bites: Rhetoric and the circulation of truth claims in U.S. political culture*. Columbus, OH: The Ohio State University Press
- Coleman, M. C. (2017). Rhetorical logic bombs and fragmented online publics of vaccine science. *Journal of Contemporary Rhetoric*, 7(4), 203–216.
- Coleman, M. C. (2018). The role of patience in arguments about vaccine science. *Western Journal of Communication*, 82(513–528). doi:10.1080/10570314.2017.1294708
- Condit, C. (1996). How bad science stays that way: Brain sex, demarcation, and the status of truth in the rhetoric of science. *Rhetoric Society Quarterly*, 26(4), 83–109. doi:10.1080/02773949609391080
- Condit, C., & Bates, B. R. (2009). Rhetorical methods of applied communication scholarship. In L. R. Frey & K. N. Ca (Eds.), *Routledge handbook of applied communication research* (pp. 106–128). New York: Routledge
- Connors, P. (2017). Constructing economic and civic values through public policy debate: The case of the national housing act of 1934. *Rhetoric & Public Affairs*, 20(3), 421–452. doi:10.14321/rhetpublaffa.20.3.0421
- Crosby, N. (1995). Citizens juries: One solution for difficult environmental issues. In O. Renn, T. Webler, & P. Wiedemann (Eds.), *Fairness and competence in citizen participation: Evaluating models for environmental discourse* (pp. 157–174). Boston: Kluwer Academic Publishers.
- Curato, N., & Böker, M. (2016). Linking mini-publics to the deliberative system: A research agenda. *Policy Sciences*, 49(2), 173–190. doi:10.1007/s11077-015-9238-5
- Curato, N., Hammond, M., & Min, J. B. (2019). *Power in deliberative democracy: Norms, forums, systems*. Cham, Switzerland: Palgrave Macmillan
- Davies, G., & Burgess, J. (2004). Challenging the “view from nowhere”: Citizen reflections on specialist expertise in a deliberative process. *Health & Place*, 10(4), 349–361. doi:10.1016/j.healthplace.2004.08.005

- Dryzek, J., Bächtiger, A., Chambers, S., Cohen, J., Druckman, J. N., Felicetti, A., ... Warren, M. E. (2019). The crisis of democracy and the science of deliberation. *Science Magazine*, 363(6432), 1144–1146. doi:10.1126/science.aaw2694
- Ercan, S. A., Hendricks, C. M., & Boswell, J. (2017). Studying public deliberation after the systemic turn: The crucial role for interpretive research. *Policy and Politics*, 45(2), 195–212. doi:10.1332/030557315X14502713105886
- Fischer, F. (2009). *Democracy & expertise: Reorienting policy inquiry*. New York: Oxford University Press
- Flynn, B. (2009). Planning cells and citizen juries in environmental policy: Deliberation and its limits. In F. H. J. M. Coenen (Ed.), *Public participation and better environmental decisions: The promise and limits of participatory processes for the quality of environmentally related decision-making* (pp. 57–71). Enschede, The Netherlands: Springer
- Gastil, J. (1993). *Democracy in small groups: Participation, decision making and communication*. Philadelphia: New Society Publishers
- Gastil, J., & Black, L. W. (2007). Public deliberation as the organizing principle of political communication research. *Journal of Public Deliberation*, 4(1), article 3. doi:10.16997/jdd.59
- Gastil, J., & Knobloch, K. (2020). *Hope for democracy: How citizens can bring reason back into politics*. New York: Oxford University Press
- Gastil, J., Rosenzweig, E., Knobloch, K. R., & Brinker, D. (2016). Does the public want mini-publics? Voter responses to the citizens' initiative review. *Communication and the Public*, 1(2), 174–192. doi:10.1177/2057047316648329
- Gooberman-Hill, R., Horwood, J., & Calnan, M. (2008). Citizens' juries in planning research priorities: Process, engagement and outcome. *Health Expectations*, 11(3), 272–281. doi:10.1111/j.1369-7625.2008.00502.x
- Goodnight, G. T. (1982). The personal, technical, and public spheres of argument: A speculative inquiry into the art of public deliberation. *The Journal of the American Forensic Association*, 18(4), 214–227. doi:10.1080/00028533.1982.11951221
- Goodnight, G. T. (2010). The metapolitics of the 2002 Iraq debate: Public policy and the network imaginary. *Rhetoric & Public Affairs*, 13(1), 65–94. doi:10.1353/rap.0.0132
- Goodnight, G. T., & Olson, K. M. (2006). Shared power, foreign policy, and Haiti, 1994: Public memories of war and race. *Rhetoric & Public Affairs*, 9(4), 601–634.
- Gring-Pemble, L. M. (2003). Legislating a “normal, classic family”: The rhetorical construction of families in American welfare policy. *Political Communication*, 20(4), 473–498. doi:10.1080/10584600390244202
- Gutmann, A., & Thompson, D. (2009). *Why deliberative democracy?* Princeton: Princeton University Press
- Henderson, J., House, E., Coveney, J., Meyer, S., Ankeny, R., Ward, P., & Calnan, M. (2013). Evaluating the use of citizens' juries in food policy: A case study of food regulation. *BMC Public Health*, 13(1), 596–604. doi:10.1186/1471-2458-13-596
- Hogan, J. M., & Rood, C. (2015). Rhetorical studies and the gun debate: A public policy perspective. *Rhetoric & Public Affairs*, 18(2), 359–372. doi:10.14321/rhetpublaffa.18.2.0359
- Holst, C., & Molander, A. (2017). Public deliberation and the fact of expertise: Making experts accountable. *Social Epistemology*, 31(3), 235–250. doi:10.1080/02691728.2017.1317865
- Jasinski, J. (1992). Rhetoric and judgment in the constitutional ratification debate of 1787-1788: An exploration in the relationship between theory and critical praxis. *Quarterly Journal of Speech*, 78(2), 197–218. doi:10.1080/00335639209383989
- Kenyon, W. (2005). A critical review of citizens' juries: How useful are they in facilitating public participation in the EU Water Framework Directive? *Journal of Environmental Planning and Management*, 48(3), 431–443. doi:10.1080/09640560500067558
- Kerr, A., Cunningham-Burley, S., & Tutton, R. (2007). Shifting subject positions: Experts and lay people in dialogue. *Social Studies of Science*, 37(3), 385–411. doi:10.1177/0306312706068492

- Knobloch, K. R., Barthel, M. L., & Gastil, J. (2019). Emanating effects: The impact of the Oregon citizens' initiative review on voters' political efficacy. *Political Studies*, 68(2), 1–20. doi:10.1177/0032321719852254
- Kuyper, J. W. (2018). The instrumental value of deliberative democracy—or, do we have good reasons to be deliberative democrats? *Journal of Public Deliberation*, 14(1), article 1. doi:10.16997/jdd.291
- Levasseur, D. G. (2000). The rhetorical construction of economic policy: Political judgment and the 1995 budget debate. *Rhetoric & Public Affairs*, 3(2), 183–209. doi:10.1353/rap.2010.0142
- Levasseur, D. G., & Carlin, D. B. (2001). Egocentric argument and the public sphere: Citizen deliberations on public policy and policymakers. *Rhetoric & Public Affairs*, 4(3), 407–431. doi:10.1353/rap.2001.0045
- List, C. (2018). Democratic deliberation and social choice: A review. In A. Bächtiger, J. S. Dryzek, J. Mansbridge, & M. E. Warren (Eds.), *The Oxford handbook of deliberative democracy* (pp. 463–489). New York: Oxford University Press.
- List, C., Luskin, R. C., Fishkin, J. S., & McLean, I. (2013). Deliberation, single-peakedness, and the possibility of meaningful democracy: Evidence from deliberative polls. *The Journal of Politics*, 75(1), 80–95. doi:10.1017/S0022381612000886
- Lyne, J., & Howe, H. F. (1986). “Punctuated equilibria”: Rhetorical dynamics of a scientific controversy. *Quarterly Journal of Speech*, 72(2), 132–147. doi:10.1080/00335638609383764
- Maclean, S., & Burgess, M. M. (2010). In the public interest: Assessing expert and stakeholder influence in public deliberation about biobanks. *Public Understanding of Science*, 19(4), 486–496. doi:10.1177/0963662509335410
- McGee, M. C. (1990). Text, context, and the fragmentation of contemporary culture. *Western Journal of Communication*, 54(3), 274–289. doi:10.1080/10570319009374343
- Miller, C. R. (2003). The presumptions of expertise: The role of *ethos* in risk analysis. *Configurations*, 11(2), 163–202. doi:10.1353/con.2004.0022
- Moore, A. (2017). *Critical elitism: Deliberation, democracy, and the problem of expertise*. Cambridge: Cambridge University Press.
- Paliewicz, N. S. (2012). Global warming and the interaction between the public and technical spheres of argument: When standards for expertise really matter. *Argumentation & Advocacy*, 48(4), 231–242. doi:10.1080/00028533.2012.11821774
- Pincock, H. (2012). Does deliberation make better citizens? In T. Nabatchi, J. Gastil, G. M. Weiksner, & M. Leighninger (Eds.), *Democracy in motion: Evaluating the practice and impact of deliberative civic engagement* (pp. 135–162). New York: Oxford University Press.
- Richards, R. (2018). Deliberative mini-publics as a partial antidote to authoritarian information strategies. *Journal of Public Deliberation*, 14(2), 1–32. doi:10.16997/jdd.305
- Roberts, J. J., Lightbody, R., Low, R., & Elstub, S. (2020). Experts and evidence in deliberation: Scrutinizing the role of witnesses and evidence in mini-publics, a case study. *Policy Sciences*, 53(1), 1–30. doi:10.1007/s11077-019-09367-x
- Rood, C. (2019). *After gun violence: Deliberation and memory in an age of political gridlock*. University Park, PA: The Pennsylvania State University Press.
- Rountree, J. (2018). Gridlock and rhetorics of distrust. *Rhetoric & Public Affairs*, 21(4), 607–638. doi:10.14321/rhetpublaffa.21.4.0607
- Ryan, M., & Smith, G. (2014). Defining mini-publics. In K. Grönlund, A. Bächtiger, & M. Setälä (Eds.), *Deliberative mini-publics: Involving citizens in the democratic process* (pp. 9–26). Colchester, UK: ECPR Press.
- Smith, G., & Wales, C. (2000). Citizens' juries and deliberative democracy. *Political Studies*, 48(1), 51–65. doi:10.1111/1467-9248.00250
- Sprain, L. (2015). Expertise discourse. In K. Tracy, C. Illie, & T. Sandel (Eds.), *The international encyclopedia of language and social interaction* (Vol. 1, pp. 574–579). Boston: Wiley.

- Sprain, L., & Black, L. (2018). Deliberative moments: Understanding deliberation as an interactional accomplishment. *Western Journal of Communication*, 82(3), 336–355. doi:[10.1080/10570314.2017.1347275](https://doi.org/10.1080/10570314.2017.1347275)
- Sprain, L., Carcasson, M., & Merolla, A. J. (2014). Utilizing “on tap” experts in deliberative forums: Implications for design. *Journal of Applied Communication Research*, 42(2), 150–167. doi:[10.1080/00909882.2013.859292](https://doi.org/10.1080/00909882.2013.859292)
- Sprain, L., & Reinig, L. (2018). Citizens speaking as experts: Expertise discourse in deliberative forums. *Environmental Communication*, 12(3), 357–369. doi:[10.1080/17524032.2017.1394894](https://doi.org/10.1080/17524032.2017.1394894)
- Warren, M. E., & Gastil, J. (2015). Can deliberative mini-publics address the cognitive challenges of democratic citizenship? *The Journal of Politics*, 77(2), 562–574. doi:[10.1086/680078](https://doi.org/10.1086/680078)
- Wilson, K. H. (2002). *The reconstruction desegregation debate: The politics of equality and the rhetoric of place, 1870-1875*. East Lansing, MI: Michigan State University Press.
- Zarefsky, D. (1986). *President Johnson’s war on poverty: Rhetoric and history*. Tuscaloosa, AL: University of Alabama Press.