

Can Deliberative Minipublics Address the Cognitive Challenges of Democratic Citizenship?

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Democracy asks its citizens to make informed judgments about collective matters. Given the scale and complexity of modern polities, however, even the most attentive citizens cannot engage knowledgeably with most of the collective decisions that affect them. For this reason, democratic theorists increasingly conceptualize democratic systems as requiring divisions of cognitive labor, in which citizens trust others to make decisions on their behalf. Modern democracies have long relied on such trustees, yet institutional supports for good trust decisions by citizens are often weak or missing. We argue that deliberative minipublics can serve as trusted information proxies that help citizens make the most of their scarce cognitive resources. These kinds of trustees cannot close the gap between the demands of complex societies and citizens' capacities for informed judgment, but they may be able to narrow it.

Democracy, understood as collective self-rule, requires much of its citizenry. Citizens should exercise informed and thoughtful judgments about how their interests relate to issues and policies and about how they are represented in deliberation and decision making. Given the size, scale, and complexity of government and governance in modern polities, however, even the most attentive citizens cannot knowledgeably engage with most of the collective decisions that affect them. For this reason, democratic theorists increasingly conceptualize even ideal democratic systems as having complex divisions of cognitive labor, in which most citizens trust others to make good judgments on their behalf on most issues that affect them (Bohman 1999; Estlund 2008; Mackenzie and Warren 2012; Mansbridge and Parkinson 2012; see also Gauker 1991).

Like all decisions, trust judgments can be made well or badly. It follows that under conditions of large scale and high complexity, democratic systems should have institutions that support sound trust judgments in ways consistent with democratic norms. Political theorists have focused extensively on the quality of deliberative judgment within dem-

ocratic systems (e.g., Chambers 2003; Fishkin 2009; Landemore 2013), but they have little to say about when citizens should trust the arguments and decisions made on their behalf. But we should ask about the quality of these decisions too: trust decisions are ubiquitous, and yet the institutions that might support good trust judgments are often weak or missing (Mackenzie and Warren 2012; see also Warren 1999).

Here we offer a theory of political trust focused on the questions as of what kinds of trust decisions citizens should be able to make, where institutional deficits exist in existing democratic systems, and what kinds of institutions might address these deficits. We illustrate the institutional possibilities by looking at the potential trustee roles of *deliberative minipublics*—bodies comprised of ordinary citizens chosen through near random or stratified selection from a relevant constituency, and tasked with learning, deliberating, and issuing a judgment about a specific topic, issue, or proposal. While deliberative minipublics have mostly been considered as contributions to the deliberative dimensions of political systems (Chambers 2003; Dryzek and Niemeyer 2010; Fung 2003; Gastil 2000; Goodin and Dryzek 2006;

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Parkinson 2006; Warren and Pearse 2008), here we focus on their potential roles as trusted information proxies that might enable citizens to make better trust judgments.

We begin our argument by distinguishing different kinds of political trust in democracies. Some of these kinds are relatively well supported by institutions—for example, trust in many kinds of experts and professionals. But institutional supports for good trust judgments are deficient or missing in the more political and contested domains of governance. Because good trust judgments in these domains are both cognitively demanding and risky, citizens often withdraw into a generalized distrust, which in turn undermines their capacities for democratic self-government. We specify the theoretical qualities of trustees that could help to extend citizens' scarce cognitive resources, even in complex and contested domains of politics. We then show why and how deliberative minipublics might serve in this kind of trustee role. We illustrate our case by reviewing the recent history of the British Columbia Citizens' Assembly on Electoral Reform and the Oregon Citizens' Initiative Review. These experimental institutions appear to have functioned as trusted supports for cognitive divisions of labor among broader publics. New institutions such as these, we conclude, might narrow the gap between complex, large-scale societies and the cognitive demands of democratic citizenship.

CITIZENS' POLITICAL TRUST JUDGMENTS IN A DEMOCRACY

Political systems are democratic just to the extent that they empower citizens to govern themselves, in part through their judgments as voters, petitioners, advocates, deliberators, and jurors. In a democracy, political institutions should support citizen judgments with free speech and association, widely available information, public education, and public deliberation. For their part, political institutions should be responsive to citizens' judgments. In theory, these powers, protections, and connections will contribute more to citizens' self-government the more they are based on good understandings of citizens' interests, collective decisions, policies, and the relationships among them.

It has long been recognized, of course, that actual citizens come up well short of these ideal capacities for judgment (Berelson 1954; Kuklinski et al. 2000). These expectations have never been realistic in complex, large-scale polities in any case. The standard approach has always been to view systems of representation and professional specialization as compensating by enabling cognitive divisions of labor (Bohman 1999; Page 1996). Citizens elect representatives to make and oversee public policies. Once laws are set, their execution requires further divisions of labor through bureau-

cracies, legal systems, and specialized administrative agencies. These divisions of labor allow representative legislatures, judiciaries, and administrations to manage highly complex collective governance processes that far exceed the cognitive resources of citizens.

It has also been long recognized that these divisions of labor place other kinds of cognitive demands on citizens. Every division of labor introduces principal-agent relationships, each with their own costs. As principals, citizens must first select their agents and then periodically judge how well their agents are representing them in decision making. Ideally, democratic institutions empower these kinds of citizen judgments: elections provide opportunities for selecting and removing representatives who make decisions on their constituents' behalf; transparency and press freedoms provide the information necessary for monitoring; and legislative committees and independent agencies scrutinize the civil service through rules, auditing, and oversight.

From the standpoint of individual citizens, however, monitoring the many agents on which a citizen depends requires more time, attention, and knowledge than even the most attentive can muster (Devine 1970; Kuklinski et al. 2000). These cognitive resources are also scarce. For this reason, citizens can, and often do, rely on yet another kind of division of labor—and it is this kind upon which we focus here. Citizens can focus their participatory resources on monitoring some agents, while simply trusting others. If A trusts B with regard to good C, A is judging that B has his or her interests in view and is competent to oversee good C with respect to A's interest. A judges that B is worthy of trust with respect to C; B is trustworthy if, in fact, B meets these conditions. Under these circumstances, A can forego the costs of monitoring B, and direct scarce cognitive resources toward less trustworthy relationships (Warren 1999).

And yet because A must judge both whether B's interests converge and whether B is competent, even a trust decision require sound judgments based on good information. With respect to *competence*, decisions to trust agents requires knowing something about their relevant skills, knowledge, and judgment. Institutions often make these decisions both easier and better: medical doctors must be trained and certified; auto mechanics receive online customer ratings and comments that build their reputations; and blind peer review helps to vouch for the quality of published research.

With respect to *interests*, citizens must judge whether a trustee's interests are congruent with their own such that the trustee is motivated to be trustworthy (Baier 1986; Hardin 1999). A variety of institutions support judgments of interest-based motivations. Well-regulated professions operate under rules that align the duties of professionals with

the interests of their clients. In other kinds of cases—judicial institutions, for example—the object of trust will be the impartiality of a process. Rules that prohibit conflicts of interest aim at avoiding partiality on the part of the judges who oversee such processes. And, ideally, competitive elections align the interests of representatives in their job with the interests of their constituents. When voters view the interests of their representatives as congruent with their own, they may forego further oversight and monitoring (Mansbridge 2009), with the next election providing an opportunity to judge whether their trust was misplaced (Healy and Malhotra 2013; but see Gastil 2000).

More generally, institutions that enable citizens to make good trust judgments do so because they incentivize and certify both competence and interest convergence. They can do so directly, as when they serve as trustees who make decisions on citizens' behalf. Or they can do so indirectly by supporting citizens' decisions as trusted information sources. In framing the problem this way, we set aside the Burkean view of trustee representation ([1789] 1970). Whereas Burke's model of trustee representation depends on deferential citizens who suspend judgment so that representatives might exercise their own, we are arguing that a decision to trust is a judgment (not a suspended judgment). As a *judgment*, it can be made well or badly. Thus, a decision to trust is fully consistent with active democratic citizenship, provided that the trust itself is well-founded. Reliance on trust in some areas helps citizens make the best use of scarce participatory resources by freeing more time, knowledge, and attention for those areas in which trust is unwarranted (MacKenzie and Warren 2012; Mansbridge 2009).

KINDS OF POLITICALLY RELEVANT TRUST

Democratic institutions should support citizens in the variety of judgments they must make about when, where, and whom to trust when deciding where to invest their limited participatory resources. To see where and why actual political systems come up short, we need to better differentiate the kinds of trust relevant to citizen judgments. Conventional approaches are insufficient because they make an overly broad distinction between horizontal social trust (generalized and particularized, depending on the domain of social relations to which trust extends) and vertical political trust or trust in government (Cleary and Stokes 2009; Zmerli and Newton 2011; cf. MacKenzie and Warren 2012; Warren 1999, 2004). By contrast, we identify four kinds of politically relevant trust according to the cognitive demands they place on citizens with respect to judging competence and interest convergence, as well as institutional supports for these judgments. These kinds include: (1) trust in ex-

perts and professionals; (2) trust in public institutions; (3) selective trust in political representatives; and (4) trust in information proxies that facilitate citizen judgments.

Table 1 maps these distinctions. As we move across the four kinds of politically relevant trust, the trust judgments become more *cognitively demanding* of citizens, yet the institutional supports typical in democratic systems become *weaker*. We are especially interested in the fourth kind of political trust—what we are calling *facilitative trust*—that would ease the cognitive demands on citizens' trust judgments and yet typically lacks institutional support in democratic systems. We shall argue below that deliberative minipublics could provide this support.

Trust in Experts and Professionals

The most straightforward kind of trust judgment is substantive trust in experts and professionals to deal with complex areas of policy, as when the Geological Society of America weighs in on earthquake readiness or the American Psychological Association provides context to legislative questions regarding mental health policies. In such cases, the truster's interests typically align with those of the trustee, as they share broad interests in, say, safety and public health, even if policy specifics remain politically contestable. To make these kinds of substantive trust judgments, citizens do not need topical expertise. Rather, they need much less demanding knowledge about the institutions that select, certify, and regulate experts and professionals. They need to know that individuals who fail to meet professional standards for competence or become entangled in conflicts of interest will be decertified, recused from providing advice, or otherwise discredited. Of course, generalized distrust of institutions can undermine even robust expert and professional trust systems, as witnessed in public controversies about immunization and vaccination (e.g., Saks 2013).

Trust in Public Institutions

Trust judgments become somewhat more cognitively demanding when they have to do with public agencies and officials that oversee processes, such as judiciaries, independent commissions, and regulatory agencies. These contexts are "political" in the sense that they more frequently involve conflicting interests. Yet even if citizens do not (and usually should not) trust partisans, they should be able to trust that the processes regulating partisan conflict are fair and impartial and that public officials respect the duties of their office and avoid conflicts of interest (Warren 2008). In the vernacular, officials hold a "public trust" in positions that oversee actors with conflicting interests. Examples in-

Table 1. Kinds of Trust that Support Cognitive Divisions of Labor in Democratic Systems

	Trust in Experts and Professionals	Trust in Public Institutions	Selective Trust in Political Representatives	Facilitative Trust in Information and Judgment Proxies
Cognitive demands on citizens	Low	Moderate	High	High
Interest convergence and bases for judgment	Selectively convergent, inferable from professional duties, ethics, or reputation	Broadly agreed public purposes defined into public offices, impartiality inferable from office-based duties	Public statements of interests, values, and principles, inferable from electoral motivations and reputation	Common interests in credible knowledge, but variable and limited bases for inferring credibility
Sources of trustee competence	Expertise	Expertise and deliberation	Reputation and performance	Learning and deliberation
Institutional support in representative democracies	Certifications, professional oversight	Certifications, transparency, insulation from “political” processes, oversight, and auditing	Elections, transparency, public sphere information, and debate	Little or none

clude systems of appellate and supreme courts that consider how laws and regulations apply to conflicts, independent auditors such as the US General Accounting Office, and independent electoral commissions, such as those in Canada. Citizens need to trust that these institutions—and the officials who populate them—make decisions in ways that are impartial, fair, and balanced with respect to the partial interests they oversee. Surveys suggest that citizens desire precisely these qualities (Hakhverdian and Mayne 2012; Lind and Tyler 1988; Rosanvallon 2011, Part 2; Rothstein 1998; Van Ryzin 2011).

For these kinds of public agencies and bodies, citizens can infer competence from professional certification as well as from judicial and regulatory processes that deliberate the merits of a case. Interest alignment (in this case, commitments to impartiality) can be inferred from prohibitions of conflicts of interest and insulation of processes from “political” influence. Citizens can also infer competence and impartiality from institutions comprised of other lay citizens. In the case of juries, for example, impartiality can be inferred from selection processes that screen for bias, while competence can be inferred from the fact that members of the jury learn about the case during the trial, then deliberate to reach a supermajority or unanimous judgment (Dzur 2012; Gastil et al. 2010).

Conversely, trust in public institutions erodes if citizens suspect that interests are influencing decisions in ways that are nonpublic, partial, or unfair. Backroom deals, private economic pressures, or other such factors can undermine the

impartiality and deliberative integrity of processes or offices. Even bodies composed of fellow citizens such as juries can engender skepticism if the public has doubts about the selection process, the rules for evidence, or deliberative procedures (Dwyer 2002; Dzur 2012).

Selective Trust in Representatives

The fully “political” arenas in democratic systems almost always involve conflicting interests and values, represented by political parties, partisan elected officials, politically aligned advocacy organizations, and partisan media. Within political contexts, the cognitive costs of making good trust judgments are high because citizens must judge the credibility of competing claims for their allegiance. Those who can bear the costs can select among these agents (using the currencies of votes, voice, membership, or contributions) for those with the most congruent commitments, then trust those agents to represent their interests without further monitoring or oversight. Thus, as Mansbridge (2003, 2009) has argued, voters are sometimes able to elect a representative they judge to have convergent interests and values. Then, rather than monitor performance in office, constituents judge that their representative’s “moral gyroscope” will lead them to make consistently trustworthy decisions even through the fog of adversarial decision-making processes (Fisher, van Heerde, and Tucker 2010, 178). The selectivity of these trust judgments explains the common finding that partisans’ “trust in government” fluctuates with the party in power (Keele 2005).

Even when selective trust is warranted, however, the context of conflicting interests continuously tests the bond between truster and trustee. Representatives may find that doing the political work their job requires exposes them to charges of inconsistency, selling out, and even betrayal by those who have selectively trusted them. House Majority Leader Eric Cantor's 2014 primary defeat at the hands of a Tea Party challenger provides but one clear example. Because the cognitive costs of selective trust are high, trusters can make mistakes. Their judgments are easily affected by bits of information that can appear to signal compromised or betrayed principles (Kuklinski et al. 2000; Lau and Redlawsk 2006; Yankelovich 1991). Nonetheless, selective trust generally produces ideologically coherent voting choices (Gerber 1999; Gerber and Lupia 1999). At a deeper level, selective trust also functions as an expression of one's political-cultural orientation (Kahan 2013), even for those with limited general political knowledge (Gastil et al. 2011).

Facilitative Trust in Information and Judgment Proxies

The final kind of trust, which we call *facilitative*, addresses the need for trusted agents and institutions that facilitate, enable, and support citizens' capacity for political judgments by lowering their cognitive costs. Facilitative trust agents provide distilled information and other kinds of heuristics—functioning as information proxies—that can ideally help citizens make good political judgments with limited cognitive effort (Lupia and McCubbins 1998; Sniderman, Brody, and Tetlock 1993).

Whereas informal and partisan examples of trusted information proxies are ubiquitous (Lupia and McCubbins 1998), examples of institutions that facilitate good judgments for broad publics are hard to find. The public journalism movement sought to support citizenship as a facilitative trust agent not only by providing information, but also by providing guidance on issue prioritization and policy deliberation (Dzur 2002). Voter guides drafted or organized by state officials provide another example, though these often fail to do more than provide nondiagnostic analyses or collections of explicitly partisan pro and con arguments (Gastil 2000). As we shall suggest below, however, new institutions—deliberative minipublics, in particular—could help to fill the facilitative trust void.

DISTRUSTFUL CITIZENS, MISSING TRUSTEES, INSTITUTIONAL DEFICITS

We have been describing the political trust judgments citizens *should* be able to make to maximize the utility of their scarce cognitive resources. Ideally, institutions in demo-

cratic systems should help citizens make each of the four trust judgments we have theorized. In practice, contemporary democracies provide good (although sometimes variable) support for trust in professionals and experts, fair support for trust in public institutions, but little support for trust judgments in the political arenas where trust is risky and the cognitive demands of good trust judgments are high.

Rather than increase their cognitive investments or resort to trusting naively, citizens often respond to complexity, conflict, and risk by generalizing their distrust of government. Engaged skepticism is a democratic virtue, but when citizens assume the attitude of *generalized* distrust, they often withdraw from participation altogether (Cook and Gronke 2005; Neblo et al. 2010), or they participate only when political entrepreneurs opportunistically mobilize their distrust.

If we look more closely at generalized distrust, we find a telling pattern. Public opinion research shows that citizens differentiate among professions and public agents in ways that correspond to the four kinds of trust we theorize (Smith and Son 2013). Institutions that deliver public goods about which there is a high degree of consensus receive considerable public trust. Likewise, institutions such as the US Supreme Court are relatively well regarded, probably owing to their perceived deliberative and impartial qualities (Rosanvallon 2011, chap. 5). By contrast, few citizens trust the judgment of Congress, which stands as the most political branch of the US government (Norris 2011, 69).

The problem is not simply one of warranted distrust of representatives who hold opposing interests. Rather, citizens consistently rank politicians as less trustworthy than almost any other professional group. For example, a recent survey in the United Kingdom found that only 13% of respondents said they could trust politicians to be truthful (Campbell 2013), which throws into question even the basic conditions of selective trust in political representatives. A related trend toward ever more independent-minded voters also suggests that political parties have become less effective at cultivating selective trust. In the United States, a 1990 Gallup survey found a public divided evenly between Democrats, Republicans, and nonpartisans, but by 2012 a plurality (42%) embraced neither major party label (Jones 2014).

These trends are simply indicative, but they do point to a specific kind of institutional deficit in contemporary liberal democracies. Recall the dimensions of competence and interest convergence that underwrite (or undermine) trust judgments. With respect to competence, the standard view is that democracies lighten citizens' cognitive burden by professionalizing the business of politics: we elect profes-

Table 2. Trust-Relevant Qualities of Political Agents within Democratic Systems

		Goal-Oriented Motivated Reasoning	
		Low	High
Issue Knowledge and Deliberative Competence			
Low		Apolitical or “independent” citizens	Highly partisan citizens, fringe advocates
High		(empty)	Legislators, political advocates, interest groups

sional politicians who can devote most of their time, attention, and learning to politics. Yet competence translates into trustworthiness *only* when there is interest convergence. Thus, citizens can attribute competence to political professionals while at the same time distrusting their motivations (Kuklinski et al., 2000).

The problem can be illustrated with the concept of *goal-oriented motivated reasoning*, which has proven useful in political psychology (Chong 2013; Druckman 2012; Kahan 2013; Nir 2011; Redlawsk 2002). Our psychological investments often produce cognitive biases that screen out nonconforming information or spur interpretations of information that reinforce our preexisting goals. Because their emotional investments lead them to seek out confirming information, motivated reasoners often rate as well-informed, but their interests drive their reasoning processes. Since their judgments are likely to be self-serving, they make poor trustees for anyone whose goals do not align with their own.

What citizens need in the more political domains—where cognitive demands are high and trust judgments are risky—are *facilitative trustees* that underwrite their political judgments with trustworthy issue framing and information. In the terms we are developing here, such agents would be high in competence, but *low* in motivated reasoning, thus increasing the chances of interest convergence. But these are exactly the kinds of agents that are missing within democratic systems, as we indicate in Table 2. Most political institutions select for and reward motivated reasoners, agents high in knowledge that they use to support their prejudgments (Richey 2012). So even when they are competent, such agents are likely to fail the interest-convergence bases for trustworthiness. In short, the institutional ecologies of our existing democratic systems do little to help citizens maximize their scarce cognitive resources, while pushing many into a generalized distrust that leads to disengagement.

MINIPUBLICS AS FACILITATIVE TRUSTEES

It will not do, of course, to imagine a political system without professional politicians who are motivated reasoners. A robust democratic system requires the strategic incentives

generated by competitive elections and ongoing political conflict. These incentives have essential roles in accountability, advocacy, issue prioritization, and agenda setting. Nonetheless, we can and should ask whether this institutional ecology might be supplemented with institutions that generate facilitative trust, which may help to increase the reach, depth, and focus of citizens’ cognitive resources. Less partisan citizens might simply trust the guidance of this kind of body. More partisan citizens might use information to make better selective trust judgments. All citizens might use facilitative trustees to make judgments based on better information and more thorough consideration of arguments (Cappella, Price, and Nir 2002; Fishkin 2009; Gastil and Dillard 1999; Landemore 2013).

Can such institutions exist in a partisan political system? The empty cell in Table 2 suggests that we should look for institutions structured so that those who populate them are *high* in substantive and political competence yet *low* in the motivated reasoning that undermines trustworthiness. An institution that fits this profile would be a good candidate for trustees that facilitate citizens’ cognitive divisions of labor.

One institutional design that meets these criteria is the *deliberative minipublic*, examples of which include citizens’ juries (Smith and Wales 2000), citizens’ assemblies (Warren and Pearse 2008), and deliberative polling (Fishkin 2009). These bodies are comprised of anywhere from 20 to 200 or more ordinary citizens selected (rather than elected or self-selected) through near-random or stratified sampling. Once they are assembled, the citizen participants study an issue, deliberate, then provide advice on a policy issue or proposal to broader publics, to elected bodies, or to executive agencies. Minipublics are typically created or underwritten by an authoritative body, such as legislature, agency, or city council, and they supplement more familiar political processes. It is often the case, however, that the authorizing body will designate an NGO or independent secretariat to establish and run the process, presumably to insulate the body from ordinary partisan politics that would undermine its impartiality (Gastil and Richards 2013).

The idea of deliberative minipublic was first suggested by Dahl (1989, 342), who argued that a randomly selected “mini-populace” could provide a better representation of public opinion than is possible in elected or self-selected institutions. Such bodies should serve “one of the imperative needs of democratic countries,” he argued, which is to improve “citizens’ capacities to engage intelligently in political life” (1998, 197–98). Minipublics should deepen the deliberative dimensions of democratic systems (Goodin and Dryzek 2006; Smith 2009; Warren and Pearse 2008), but their legitimacy also hinges on being more descriptively representative than bodies populated by election or self-selection (Fishkin 2009; Warren 2008). Beyond its symbolic significance, descriptive representation can also bring lay public perspectives or discourses into deliberative processes that are likely to be absent in elected or self-selected bodies (Dovi 2007; Dryzek and Niemeyer 2008; Landemore 2013).

Here we stress another, potentially complementary contribution: Deliberative minipublics might serve as *facilitative trustees* that help citizens make good judgments by compensating for their scarce cognitive resources. This kind of trustee role should help to connect the resource-intensive learning and deliberation that occurs *within* minipublics to mass publics by functioning as trusted information proxies. Under some conditions, especially when minipublics offer a consensus (or supermajority) recommendation, they may also serve as trusted decision proxies.

The institutional features of deliberative minipublics are well suited to these kinds of trustee roles. With respect to *interests*, their most important feature is a selection process that avoids adverse selection for motivated reasoners through near random selection (or stratified sampling for small bodies) from the relevant constituency or public (Carson and Martin 1999). Selection through near-random sampling should come close to representing a full range of interests and perspectives in the relevant population. Importantly, these interests and perspectives are likely to be less intensely held relative to bodies resulting from election or self-selection (Crosby and Nethercott 2005). Sometimes the reason will simply be that publics lack interest or the issue is relatively obscure (MacKenzie and Warren 2012). In the case of hotter issues, however, the diversity of a body itself can reinforce participant commitments to hearing and respecting the views of others and to looking for common ground, especially if a process is well facilitated. These dynamics can push a minipublic toward public interests or compromises, if they can be found (Crosby and Nethercott 2005; Fishkin 2009). The modest payment often offered for participation also increases the likelihood that those who are selected will agree to serve, even if they are not highly motivated by the issue itself. Mini-

publics can also be constructed to screen out participants with conflicts of interest. Moreover, because minipublic members are not competitively elected, they are less likely to have strategic interests in representing partial constituencies.

Because minipublics are structured much like juries, they should also tend toward impartiality. They hear and learn from advocates, interest groups, and stakeholders but then deliberate and decide among themselves. So while minipublics will include motivated reasoners at least in proportion to the public from which they are drawn, their deliberative processes should produce a body that is less affected by motivated reasoning than other kinds of political institutions.

When we turn to the question of *competence*, however, selection processes that tend to screen out motivated reasoners *also* tend to screen out those most motivated to learn about an issue. This effect of selection brings us to the second key design feature: minipublics include learning and deliberation processes aimed at developing member competence (Cutler et al. 2008). Although there is no exact formula, a minipublic should convene for an amount of time that allows members to learn and deliberate about an issue sufficiently to develop thoughtful, informed opinions.

When combined, these basic design elements—near-random or stratified selection and learning/deliberation—should generate an institution that fills the empty cell in Table 2 comprised of knowledgeable individuals who are less likely to be motivated reasoners than professional politicians. Owing to these qualities of their members, deliberative minipublics should be good candidates for trusted information and decision proxies—that is, the kind of trust that facilitates citizens’ political judgments by helping to maximize their scarce cognitive resources.

THE BRITISH COLUMBIA CITIZENS’ ASSEMBLY ON ELECTORAL REFORM

Although our argument is primarily theoretical, we now have two cases with enough information to illustrate its plausibility. In 2004, the Government of British Columbia, Canada, created the British Columbia Citizens’ Assembly (BCCA) for the purpose of assessing the province’s single member plurality electoral system and, if necessary, proposing an alternative in the form of a referendum question to be put to voters (Warren and Pearse 2008). The 170 members of the BCCA were selected using a near-random process, initially stratified by region and gender, with one woman and one man from each of BC’s ridings (electoral districts) (Warren and Pearse 2008). The BCCA operated for a period of 10 months divided into three phases: the first was devoted to learning about electoral systems, the second

to public hearings and submissions, and the third to deliberating about the current system and possible alternatives. The assembly decided that BC's single-member plurality electoral system could be improved and recommended to voters a somewhat complex single transferable vote (STV) system as a referendum question. Put to voters in May 2005, the referendum garnered a 57.7% "yes" vote, just short of a legislated supermajority threshold of 60%.

According to the theory we have been developing, the BCCA possessed the qualities that should have enabled BC citizens to treat it as a facilitative trustee (a trusted information and decision proxy), even when they did not fully understand the STV proposal. With respect to *interests*, the near-random selection process combined with screens against vested interests (politicians and party professionals) produced a body that was, in aggregate, unlikely to include organized factions and likely to approach its task with impartiality. Under these conditions, citizens would have been warranted in concluding that the interests of the body aligned with the interests of the broader public from which it was selected. Those citizens who were more interested in verifying interest composition and competence were supported with transparency. The BCCA was open for public observation, input from advocates and experts, and opportunities to challenge statements, claims, or positions. The materials used by the BCCA were also available to the public through a website. A further design element is relevant to inferences of interest convergence and/or impartiality. Because the BCCA was empowered *only to propose a ballot question* to the citizens of British Columbia, it had a collective interest in developing and maintaining its credibility as a body. Finally, the BCCA's recommendation benefited from a near consensus support within the assembly (over 90%). Given this consensus, citizens would have been warranted in concluding that the BCCA's interests were convergent with broader public interests and thus likely to converge with their own.

With respect to *competence*, the BCCA process transformed 170 lay citizens into relative experts on both electoral systems and the relevant interests of BC citizens. The learning phase included lectures by experts, small group learning and discussion, and presentations by advocates. During the public phase, members returned to their ridings to understand better what people might want from a new electoral system. In the final deliberation phase, the assembly ranked values such a system should embody (e.g., proportionality, fairness, and inclusiveness) and then recommended an electoral design (STV) more likely to further these values relative to other designs. The amount of time the BCCA took to learn and deliberate—meeting every other weekend for two days over two three-month periods,

as well as another three months of public outreach (Pearse 2008)—suggested a credible commitment from which citizens could infer competence (Lupia and McCubbins 1998). But those who wished to check the competence of the BCCA could do so, as the process was open, and all materials were publicly available in real time.

Though the BCCA met our theoretical conditions for serving as a facilitative trustee, did citizens actually see it that way? Survey findings by Cutler et al. (2008) suggest that a significant proportion of voters did so. An overwhelming proportion of voters knew little about the proposed STV electoral system, but rather than voting "no," they appeared to have asked themselves, "Who is proposing the system?" One group of voters that Cutler et al. (2008) termed "distrustful populists" (roughly three-fifths of voters) simply wanted to know if the BCCA consisted of "people like us" who had the public interest in view. If they could answer "yes" to this interest-convergence question, they were then more likely to support the proposal. A second, more educated group asked the same question as distrustful populists when it came to considering interests, but they also appeared to ask themselves about the competence of the BCCA. Following the same pattern, the more these voters knew about the BCCA, the more likely they were to answer "yes" to both questions, which then predicted a "yes" vote in the referendum (Cutler et al. 2008). In short, it seems that most voters asked the first trust-threshold question about interest convergence, but many more also asked the second question about competence (Cutler et al., 2008). More knowledge of the BCCA predicted more affirmative responses to *both* trust questions. It appears, then, that the BCCA functioned as a new kind of *facilitative trustee*, with the potential to support citizen judgments in ways consistent with their interests. Our conclusion is supported by a rerun of the referendum in May 2009. The BCCA had disappeared from public view and memory and thus could not function as a facilitative trustee. This time, the "yes" vote was only 39% (Carty, Cutler, and Fournier 2009).

THE OREGON CITIZENS' INITIATIVE REVIEW

A few hundred miles due south of British Columbia, the State of Oregon instituted a series of deliberative minipublics that appear to be functioning as facilitative trustees for the Oregon electorate. The Oregon state legislature created the Citizens' Initiative Review (CIR) in 2009 intending to help voters make better judgments about the overwhelming number of statewide ballot initiatives and referenda that appear during even-numbered years. Based on the Citizens' Jury model pioneered in the 1970s (Crosby and Nethercutt

2005), the CIR was used twice in 2010. The Oregon legislature made it a regular institution in 2011, with two more CIR panels convened during the 2012 and 2014 elections (Gastil and Knobloch 2010; Gastil, Richards, and Knobloch 2014; Knobloch et al. 2014).

For each CIR panel, nongovernmental organizers under the direction of the Oregon CIR Commission convene a near-randomly selected group of 24 registered Oregon voters for five days to study and deliberate about a statewide ballot measure.¹ After hearing from both sides of the issue, selecting and talking with impartial witnesses, and deliberating intensively as a full panel as well as in small groups, the CIR panelists write a one-page statement for the official Oregon State Voters' Pamphlet, which the Secretary of State delivers along with mail-in ballots to every registered household. This CIR Statement consists of "Key Findings," "Majority" and "Minority" arguments, pro and con, as well as the final panel vote.

In theory, CIR panels can serve as trustees that facilitate the voters' task of making informed judgments on ballot initiatives. With respect to *interests*, the stratified near-random selection process roughly matched panel composition to Oregon demographics and thus should tend to select *against* motivated reasoners and *for* a diversity of opinion. The bodies signal their impartiality by hearing from advocates and then representing differences of opinion. The panelists write the Key Findings section together, usually with large supermajorities supporting each element thereof. After splitting into pro and con caucuses to draft arguments, each caucus revises its wording to reflect constructive criticisms. In some cases, panelists have even offered suggestions to opposing sides for improving their arguments (Gastil and Knobloch 2010; Knobloch et al. 2014).

With respect to *competence*, the process is designed around learning and deliberation. It begins with a day-long orientation, followed by a day of advocate presentations and question-and-answer sessions. Neutral witnesses requested by the panelists provide more context and information on the third day. The fourth day begins with closing arguments, after which the panel begins to write the CIR Statements, which carries over into the fifth day. The deliberative competence of the CIR has been, by all accounts, very good. An intensive evaluation of the 2010 CIR used a team of observers, analyzed transcripts, and scrutinized

CIR Statements to judge the quality of both process and output from the CIR. The team awarded high marks, with the only weakness being the extent to which the CIR examined the value questions underlying each ballot measure (Knobloch et al. 2013). A replication study of the 2012 CIR yielded similar results (Knobloch et al. 2014). Oregon citizens would, in theory, be warranted in viewing the CIR panels as trusted facilitators of their voting decisions on ballot measures.

As with the BCCA, it is a separate question as to whether the public CIR process is actually functioning to generate facilitative trust. The most striking evidence of the CIR's potential as a facilitative trustee comes from its work on a 2010 initiative. That year, a mandatory minimum sentencing measure had tremendous pre-CIR popularity, approaching 70% support. Nonetheless, the majority of CIR panelists reported that they entered their weeklong meeting without a preset position on the issue. By the end, the panelists had swung 21–3 against the measure, with political conservatives lining up firmly against an initiative favored by the Republican Party (Gastil and Knobloch 2010). An online survey experiment that exposed a subsample of voters to the CIR Statement showed a dramatic shift away from support from the measure. Whereas two-thirds of those receiving no treatment or just official information about the measure favored it, only 40% of those who read the CIR Statement gave it their support (Gastil et al. 2011).

An additional detail from that survey also merits note. Reading the CIR Statement did not make these voters more certain of their position but instead made them more likely to believe they needed more information and to feel uncertain about how to cast their ballot (Gastil and Knobloch 2010). This finding suggests that a trusted body may not always serve as a direct or immediate information and decision proxy so much as a trusted signal to citizens that they should invest further investigation and reflection.

That said, the CIR appears to be functioning as a facilitative trustee for many citizens. Experimental online survey data from 2010 to 2012 show that reading the CIR Statements produced during those years yielded increases in objective voter knowledge on the issue (Gastil and Knobloch 2010; Knobloch et al. 2014). From medical marijuana to tax reform to sentencing laws, aggregate voter knowledge increased when respondents were shown the findings of the respective CIR panels.

Voters' subjective assessment of the CIRs also supports the view that deliberative minipublics can serve as facilitative trustees. Telephone surveys of Oregon voters during the last week of the election period show that overall

1. To reduce the cost per panel, in 2014 the CIR gathered only 20 voters over three-and-a-half days, and they heard from pro and con advocates but not from neutral witnesses as in previous panels.

awareness of the CIR rose from 40% in 2010 to 52% in 2012 and 54% in 2014.² Of those aware of the CIR by the time they voted, fully two-thirds chose to read the CIR Statements in 2014—the highest proportion to date. When asked about the utility of the Statements, a majority (as many as three-quarters) of readers rate them as “somewhat” or “very” useful. The 2014 survey asked specifically if voters found the Statements to be “informative,” and 67% found a CIR Statement on genetically modified food labels—the topic of one ballot initiative—at least “somewhat informative,” whereas 63% gave equivalent ratings to a CIR Statement on a ballot initiative to establish a “top-two” primary (in which there is a single primary ballot, with the top two candidates advancing to the general election).³

A final detail from the 2014 phone survey is also relevant: 58% of those surveyed said that they learned of the CIR from the Voters’ Pamphlet, in contrast to the 25% who learned from the mass media, underscoring the importance of information distributed directly to voters by the Secretary of State.

More intensive online surveys of Oregon voters in 2014 shed additional light on the credibility of this unique institution when compared to other political bodies. When asked to rate the “quality of judgments” made by different public bodies,⁴ 19% rated Congress as “good” or “very good.” Thirty-six percent gave these ratings to the Oregon state legislature. In contrast, 48% gave equivalent ratings to both “criminal juries” and to the CIR. The latter two institutions also had the fewest “poor” or “very poor” ratings (14% for juries; 13% for CIR). Judgment quality ratings were even higher for those voters who reported being “very aware” in contrast to those only “somewhat aware” of the CIR process.

A parallel online survey was conducted in conjunction with pilot CIR projects in Colorado and Phoenix, Arizona in 2014. These data offer a glimpse of how these voters would view a CIR minipublic as a supplement to their elec-

toral processes.⁵ For both populations, clear majorities preferred that the deliberations take place face-to-face (versus online), incorporate both pro/con advocates and neutral witnesses (not just one or the other), and produce a final statement that includes all three elements used in Oregon—essential factual findings, important pro and con arguments, and a tally of how the panelists voted. The only near-even split was on the question of whether to use “smaller and more cost-effective” panels versus “larger and more representative” ones, a debate reflected in two divergent models of minipublics—the smaller citizens’ juries (Crosby and Nethercott 2005) versus larger deliberative polls (Fishkin 2009) and citizens’ assemblies (Warren and Pearse 2008).

Taken together, these findings suggest that the CIR functions as a trusted and effective information source for many Oregon voters, who are tending to view the still new institution as having a judgmental capacity akin to a jury, and judge it more trustworthy than state and federal legislative bodies. Results also suggest that voters outside Oregon could embrace such a system, though citizens might differ in what they consider the ideal size for such a body.

CONCLUSION

In a healthy democracy, citizens should be able to rely on information and judgments from trusted agents in deciding where to focus their scarce cognitive resources. Citizens need trustees to facilitate their participation, but in modern liberal-democratic political systems, these are few and far between. Especially in the more political domains in which citizen participation and judgment are most important but also most cognitively demanding, most political agents are likely to be motivated reasoners and thus poor candidates for anything but partisan forms of selective trust. Without the right kinds of trustees, many citizens lapse into a disaffected distrust of all things “political” and withdraw from public life altogether.

Democracy needs to complement existing institutions with new ones that better meet citizens’ cognitive needs, including trustees that facilitate knowledgeable and effective participation. In theory, such institutions should exhibit the two characteristics necessary for warranted trust decisions: competence and interest convergence. Deliberative minipublics can often meet these conditions. Their principles of selection will tend to avoid adverse selection

2. The phone survey results from the 2014 CIR, along with comparisons with 2010 and 2012, are detailed in a memo from the second author to the Oregon CIR Commission. Complete results from 2010 appear in Gastil and Knoblock (2011) and Knoblock et al. (2013). Full item wording, data, and memos are available on request from the second author.

3. For both of these questions, three scale points were offered (not useful, somewhat useful, very useful, no new information, somewhat informative, very informative).

4. The online survey used a Qualtrics-recruited panel of registered voters who had already turned in their ballots or reported an intent to do so. Minimum $N = 1064$. Full item wording and data available on request from second author.

5. Qualtrics panels were also used for Colorado (minimum $N = 1043$) and Phoenix (minimum $N = 715$). Full item wording and data available on request from second author.

for motivated reasoners, and their deliberative processes will tend to develop competence. Examples from British Columbia and Oregon illustrate this theoretical possibility that deliberative minipublics can serve a facilitative trust role within broader ecologies of political institutions. In British Columbia, a citizen body designed and recommended a substantive constitutional reform—a new voting system. The more citizens learned about the body, the more they trusted it. Higher trust predicted more support for its proposal. In Oregon, large numbers of voters have begun to trust the information and analysis provided in one-page statements created by Citizens' Initiative Review panels and distributed through the state's official Voter's Pamphlet. Since 2010, this deliberative minipublic process has given voters stronger grounds for making judgments on important statewide ballot measures.

The systemic implication of our argument is that democratic systems *can* develop institutions that respond to citizens' generalized distrust. Such institutions should not replace existing ones, but they can and should function as supplements that enable citizens to use their limited participatory resources more effectively. The qualified successes in British Columbia and Oregon suggest that we can imagine improvements in democratic performance without making unrealistic assumptions about citizens or political processes. The facilitative trustee roles of deliberative minipublics cannot by themselves close the gap between complex societies and democratic citizenship, but they may help to narrow it.

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