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Two Trust-Based Uses of Minipublics in Democratic Systems

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Abstract. Within democratic theory and practice, *minipublics*—small scale deliberative forums comprised of lay citizens selected to represent broader publics—have been identified with a range of democratic goods related to legitimacy, accountability, capacity building, and inclusion in policy development processes. In this paper we examine a different class of potential functions: those having to do with trust. Can minipublics function as a basis for citizens’ trust-based political judgments? We suggest that minipublics can serve in two important trust-based roles. They have the potential to function as trusted information proxies to guide citizens’ political judgments in situations characterized by limited information. And they can serve as anticipatory publics in rapidly developing policy areas that are likely to become public concerns in the future but which do not (yet) have public opinion attached to them.

An important success of deliberative democratic theory and practice over the last two decades has been to show that ordinary citizens are capable of sophisticated political judgments, if they participate in focused, deliberative processes. Among the most interesting of these processes are *minipublics*. A minipublic is a deliberative forum typically consisting of 20-500 participants, focused on a particular issue, selected as a reasonably representative sample of the public affected by the issue, and convened for a period of time sufficient for participants to form considered opinions and judgments. Examples of minipublics include deliberative polling, citizen juries, planning cells, consensus conferences, and citizen assemblies. Experience with these processes suggests that, on average, participants develop thoughtful, well-founded, judgments that can crystallize latent public opinion, complement expert judgments, and formulate politically-viable policy options (e.g. Blais, Carty, and Fournier 2008, Crosby 1995, Dienel and Renn 1995, Fishkin 1997; cf Amour 1995).

While the basic structure of these processes is already well developed, the question of what functions minipublics can and should perform within a democratic political system is less well understood. The purpose of one of the best developed forms of minipublics—James Fishkin’s deliberative poll—is to provide an alternative to conventional public opinion polling techniques. Rather than providing a reflective snapshot of public opinion, Fishkin has claimed that deliberative polling helps us understand what public opinion would be like on a given issue *if* the public was well-informed, *and* had subjected their beliefs to deliberative scrutiny (Fishkin 1997, Fishkin and Luskin 2005, Fishkin 2009). Other kinds of minipublics have been justified as ways of providing advice to decision-makers that represent considered public opinion. Minipublics have also been justified in very generic terms, as devices to increase citizen participation in public decision-making. The most complete surveys list the potential functions of

minipublics within encompassing political systems. These potential functions include contributions to the development of citizens' civic dispositions and capacities, inclusion, representation, popular control of political agendas, informed decision-making, accountability, effectiveness and efficiency, and legitimacy (Bohman 2007, Fung 2003, Gastil 2008, Goodin and Dryzek 2006, Smith 2009, Warren 2008; cf Chambers 2009).

Here we examine a different class of potential functions: those having to do with trust. We suggest that minipublics can serve two important trust-based roles. They can serve as *trusted information proxies* to guide citizens' political judgments in situations characterized by limited information. And they can serve as *anticipatory publics* in rapidly developing policy areas that are likely to become public concerns in the future but which do not (yet) have public opinion attached to them.

In developing these potential functions of minipublics, our framework is that of democratic theory: We are interested in the potential roles of minipublics within the broad institutional ecologies that comprise democratic systems. But our approach departs from the democratic theories that frame received expectations for minipublics in one significant respect. These expectations hold that minipublics contribute to *active citizenship* by enabling better and more effective participation. Although we hold that they can and do, here we build on the proposition that citizens' political resources—particularly their time and attention—are *scarce* (Bohman 1999; Warren 1996; 1999). Thus, a key question for democratic systems—one not often addressed by democratic theory—is that of how they allocate or maximize the scarce political resources of citizens. In the first section, we argue that democracies should design institutions that enable citizens not only to actively engage in the matters that affect their lives, but also enable them to make credible judgments about when and how to remain passive—to

trust that others will decide and act in their interests. That is, citizens need to make good decisions about how to best allocate their political resources—particularly their time and attentiveness—between participation and trust. In the second section, we frame the problem of trust in government. Democratic systems use trust selectively, organizing distrust into the more political functions of government, while reserving trust for relatively settled areas of consensus. The separation of powers between legislative functions (where distrust is dominant) and executive functions (where agencies are custodians of public trust) reflects this selective channeling of trust and distrust. In the third section, we note two common trouble-spots for trust in government. One has to do with institutional incapacities to handle issues beset by political and technical complexities of a kind that leaves citizens without the capacities to judge, but also without trustworthy proxies to judge on their behalf. The other trouble spot has to do with the inability of agencies to anticipate future threats to public trust in rapidly developing issue and policy areas. In the fourth section, we specify the general conditions under which minipublics might be conceived of as objects of trust. In section five, we build on this conception of minipublics as objects of trust and suggest that one of their potential functions is to serve as a new kind of *information proxy*, enabling citizens to make robust but low-cost decisions. In the sixth section, we argue that minipublics can be constructed as models of informed deliberative opinion which can then monitor and guide the decisions of nominally trust-based institutions, particularly in sensitive or divisive areas that have the potential to undermine public trust. By fulfilling this role, minipublics can serve a second function as *anticipatory publics*, signaling potential problems and indicating solutions to erosions of public trust within the executive functions of government. Though our purpose is to develop normative democratic theory, we illustrate these two extensions of democratic theory with two examples of minipublics: The

British Columbia Citizens' Assembly and a Deliberative Public Engagement on establishing biobanks in British Columbia. We conclude by suggesting that minipublics have, potentially, a uniquely innovative role in enabling citizens to maximize the democratic impact of their political resources by enabling warranted forms of trust.

An economic problem: dividing labors between participation and trust

If we understand the good of active citizenship in very basic terms—as a key dimension of the democratic goods of self-development and self-determination (Young 2000)—we can also say that modern societies support an increasing demand for this good. On average, modern societies enable and emphasize individual self-determination and self-development. But they do so within a context of increasing interdependencies, such that these ideals require collective cooperation and action. Modern societies also provide many of the conditions of these ideals, including a production of wealth sufficient for most people to engage in learning (at least in principle), as well as high degrees of toleration for individual difference and pluralism. In economic terms, we might say that the demand for self-development and self-determination is increasing (Dalton 2008, Inglehart and Welzel 2005).

But many of the same trajectories subject individuals to so many collective interdependencies that no individual can hope to influence more than a small fraction of them. This will be so even in a society that maximizes the democratic “all-affected principle” by opening *every* collective decision to the influence of those potentially affected (Goodin 2007). Again, casting this situation in economic terms, we might say that the *relative* supply of opportunities for influencing the sum total of effects to which individuals are subject will tend to decrease, *even* as the supply of opportunities for participation increase, as they do in modern democracies (Cain, Dalton, and Scarrow 2003; Warren 2002). For each individual, this means

that participatory resources are scarce relative to the collective interdependencies that, in theory, constitute the democratic demand for them. So when individuals are politically active they also are making allocation decisions: they choose to attend to some collective decisions and not to others. As a result, every decision to engage is, by default, also a decision *not* to engage—to remain passive—with respect to the majority of collective decisions to which individuals are subject. Choices for passivity are necessarily dominant owing to political resource scarcity, and they will comprise the vast majority of decisions by even the most active of citizens.

For the most part, democratic theories that emphasize active citizenship fail to theorize this inevitable division of political labor, with the cost that they fail to theorize its better and worse forms. Good democratic institutions should, on average, encourage high-quality (effective, deliberative, appropriate, etc.) participation in areas of contention: those areas in which a citizen's interests and/or values are either not held or not considered by decision-makers. But individual choices to remain passive with respect to particular issues can themselves be made on better or worse grounds. So when democratic theories overlook the dominant choices for passivity that most citizens *must* make in favor of active citizenship, they also overlook the chance to enable better forms of passivity. The bad forms of passivity are those that follow from individuals' ignorance, apathy, or disaffection from arenas in which their interests are not congruent with those of decision-makers. In contrast, *good* forms of passivity are *trust-based*. They occur when individuals have good reason to allow others to act on their behalf, and to do so without monitoring and other forms of active engagement. It follows that a good democracy should provide institutions that not only enable individual political activity, but also enable *good passive choices*—that is to say, warranted decisions to trust individuals or institutions to act on their behalf. It also follows that a good democratic system should not only support good passive

modes of citizenship, but should also enable citizens to make good choices about when to trust rather than participate (Warren 1999).

When decisions to trust are warranted, they constitute a good form of passivity in a specific sense. When an individual makes a decision to trust, he is entrusting a good in which he has an interest to another agent—to an individual, a group, or an institution. In deciding to trust, he is also deciding to forego any direct judgment about the use or protection of a good. All problems of knowing about the good—how to maintain, protect, further, or develop it—are off-loaded onto the trustee.

In making a trust decision, the truster is, of course, taking a risk: because a trusted agent is entrusted with a *good*—the education of a child, a retirement plan, a means of transport, oversight of nuclear weapons, etc.—the trustee can cause harm to the truster. A child's potential may be retarded, a retirement fund can be lost or embezzled, an airplane can crash, or a nuclear weapon could end up in the hands of a terrorist. It is because trust can be abused or betrayed that judgments about whether to trust can be better or worse. At the very least, a truster must decide whether a trustee is (a) motivated to act in his or her interests, and (b) competent to act in his or her interests. So trust-based judgments are not passive in the sense that disaffection and disengagement are passive. Rather, trust-based judgments are *active choices to remain passive*—to hand over powers of decision to others and to forgo monitoring. Such choices can be made for better or worse reasons. When trust decisions are made for good reasons, they enable the truster to assume a passive relationship to their specific interest, confident that they will be well handled by the trustee.

Here is the challenge for democratic theory: Because the vast majority of matters that affect our lives are in the hands of trustees, it would be best if citizens could make judgments

about when, where, and who to trust. It would be best if citizens had good grounds for making these judgments. But trust-based judgments are challenging in themselves. All trust judgments are risky: just because trustees are agents, they can decide to abuse the trust placed in them. They can change their minds, engage in deceit, and act in ways contrary to the character they portray. So when individuals decide to trust, they are also making a judgment about a trustee's *trustworthiness*: whether she can be counted upon, in terms of her motivations as well as her competence, to act in her truster's interests. The social baseline for this kind of judgment is interpersonal knowledge about character. Perhaps unsurprisingly, such judgments fail to extend to risky interdependencies in complex societies. Most of the agents who have an effect on citizens' lives are strangers to them, operating at vast distances of space and time. In theory, the very judgments of trust that are most important in complex societies are also the most risky, since most individuals will have little knowledge upon which to base their judgments of character of those who would act on their behalf (Hardin 1999).

It is this challenge that makes the presence of credible institutions so important to enabling citizens to make good choices about when to trust. Individuals can infer trustworthiness from a variety of sources. The most important of these sources in complex societies are institutions. An institution is a set of sanctioned norms which defines roles and purposes of positions and offices. The norms indicate the duties of the office holder, while sanctions provide incentives for office-holders to act in accordance with the norms that define the position. The job description of a bank employee entrusted with money includes the norms of honesty, proper accounting, and so on. The institution adds to this norm by regularly monitoring the employee — balancing the accounts at the end of the day, audits, etc.—and enforcing sanctions should he fail in his duties. The bank itself may be subject to the sanctions of a competitive market in trust, the

failure of which can destroy the institution itself. Under these conditions, individuals can easily infer the trustworthiness of a bank employee or an online banking system from their knowledge of the institution. In short, when they are working properly, institutions enable individuals to make well-founded trust judgments.

Trust in government

But if we were to import this simple concept of institution-based trust into the domain of government and politics without modification, we would have glossed over the complexities of trust judgments that are particular to politics. One of the constitutive features of politics is that it occurs in areas of disagreement which, typically, follow from underlying conflicts of interests or values. So as a general matter, the conditions for trust do not hold in politics: just because politics is marked by conflict, individuals should, on average, distrust those with whom they disagree, and particularly distrust those who hold power (Sztompka 1999; Warren 1999).

Democratic institutions address this problem by organizing distrust in such a way that it does not disable collective decision-making or become corrosive within the larger society. They do this in three important ways: (1) by reducing the risks of power through distributions of rights and protections; (2) by reducing the risks of conflict by constraining participants to the use of voice and votes; and (3) by organizing conflict into institutions that encourage bargains and consensus. Democratic institutions work best when they align or realign interests and values, enabling issues to move out of overtly political domains and into trust-based organizations and systems.

But because of the risks of trust, individual decisions that enable this kind of productive transformation of conflicts are more complex in political domains than in most other social domains. The ways in which trust is organized into democratic systems is likewise more

complex. To illustrate this complexity, we can redescribe the standard theory of the separation of powers among the legislative, executive, and judicial domains of government. Within separated power systems, the most overtly “political” domain is the legislative one: conflicts of interests and values are to be expected, and so the underlying alignments of interest necessary for trust in legislative institutions should not be expected. Insofar as warranted trust exists in the legislative domain, it can be found in the trust that citizens place in the rules that govern legislative processes and, correspondingly, trust that legislators will follow these rules in the conduct of conflict (Warren 2006). In addition, citizens may also trust their specific representatives. As Mansbridge (2009) has argued, an individual might select representatives based on the judgment that the representative shares her values, and can be trusted to act upon them. So rather than monitor and sanction representatives with their votes, in this situation individuals simply trust them to do the right thing. Despite this, individual trust is not blind: elections provide individuals with opportunities to periodically monitor and sanction the conditions of trust. But on this model, the primary judgment that a voter makes is to select a representative in whom she can place trust. She only “checks in” with her representative come election time to ensure that her trust has not been misplaced. Similarly, an individual may judge that an advocacy group embodies her values, and that she is warranted in trusting this group to insert her voice into the political process. Individuals can monitor and sanction the conditions of trust they place in advocacy groups through entrance and exit—choosing, that is, whether or not to retain their membership. Finally, individuals use many kinds of trusted agents—family, friends, networks, and groups—as information proxies to guide their political activities of voting, monitoring, and voice (Lupia and McCubbins, 1998). So divisions of labor between participation and trust occur even within the

“political” domain of government, which most certainly supports a greater level of citizen influence than could occur on the basis of participation alone.

We should expect trust within executive agencies to follow a different pattern. When legislation is completed, it embodies a majority bargain or consensus. The textbook theory of representative democracy extrapolates from political process an alignment of interests and values. This alignment is expressed in the purposes of the legislation, which is then entrusted to the executive branch to carry out through its agencies. These agencies are, in the textbook theory, proper objects of public trust because their employees are keepers of the public trust with respect to the purposes and duties of their offices (Warren 2006). In the standard theory, the conditions of trust in an executive agency are monitored and sanctioned horizontally through legislative oversight and auditors general. The judicial branches of government are subject to similar expectations of trust, with the exception of those who are party to the conflicts adjudicated by courts.

Two trouble spots for trust-based citizenship

There is something right about the textbook theory. Suitably interpreted, it reveals that existing democracies do much of the work required of them by dividing participation-based relationships from trust-based ones, and then allocating participation (in the forms of voting, advocacy, etc.) to domains which lack conditions of trust. It also reveals that trust-based relationships are accompanied by devices—voting, oversight, auditing, and transparency, for example—that (ideally) ensure that citizens’ trust-based judgments remain warranted. In short, when democratic systems are working well, they also provide citizens with the tools that they need to divide their own political labors between active and passive forms of citizenship.

But once we highlight these features of democratic systems, we can also see that there are trouble-spots not covered by the textbook theory. Some of these trouble-spots revolve around issues of corruption. In these situations, the trust that citizens place in institutions and individual office-holders is betrayed. Other trouble-spots, however, are not the consequence of malfeasance or conspiracy, but rather, simply, the failures of representative systems to support the judgments citizens must make when dividing their political labors.

A first trouble spot can be found in issue areas that combine *technical* and *political* complexity, such as reforming healthcare in the US or addressing global warming. Such issues are *technically* complex because they require a great deal of expert knowledge in order to formulate an informed opinion or judgment. So, although most individuals can understand the importance of these issues, even the well-educated have little hope of mastering their multiple dimensions. Such issues are *politically* complex because they involve so many interests, protracted conflicts, and overlapping jurisdictions that there are no institutions (nor officials within them) that have both the mandate and capacity to fully address them. Such issues often combine complex trade-offs in such a way that elected officials have few political incentives to propose agendas or solutions. In the case of health care reform, for example, any one set of proposals tends to mobilize intense interests in opposition that outweigh, politically speaking, the more compelling but diffuse public interest. From the perspective of citizens, the combination of technical and political complexity often means that few have the capacities necessary to relate their interests to policies. We might say that, at least for these kinds of issues, current forms of representative democracy do a poor job of relating decisions to the judgments of affected publics.

For some political issues, an increasingly common political response to legislative incapacity will be (for politicians) to put an issue to a referendum, or (for groups) to push their interests through an initiative. In many cases, ballot initiatives put propositions to voters that are too complex for many to judge unaided by information shortcuts, as was apparently the case with the recent electoral system reform proposal in British Columbia (Cain and Miller 2001, Lupia 2001, Cutler et al. 2008). In other cases, citizens find themselves simply overwhelmed with the quantity of judgments they must make, as is clearly the case with ballot initiatives in California (Ferejohn 2008).

A second trouble spot exists with respect to the conditions of public trust in the executive agencies. Of course, the textbook model (famously) underplays the extent to which bureaucracies make policy. Much of the recent innovation in democratic theory and practice has revolved around these policy-focused “governance” processes, which occur within nominally undemocratic domains of government (Hajer and Wagenaar 2003, Richardson 2002, Warren 2009). There is still yet another kind of issue that threatens public trust, but for which there is no democratic solution. These are issues that are not yet politicized and have no meaningful public opinion attached to them, but which are driven by imperatives—often technological—that might undermine public trust. These issues, we might say, combine technical complexity with *temporal complexity*. An example would be genomics-related research funded by public agencies, particularly the kinds of research that are relatively unknown, but which have the potential to generate conflicts of interest which undermine the conditions of public trust. In these cases, the increasingly popular “public engagement” devices are of little use because there is little public opinion available to guide policy development. But many such issue areas eventually *will have* public opinion attached to them, but often long after they have developed a high degree of path

dependency as a consequence of decisions that policy elites will already taken in the absence of public guidance. If elites guess wrongly about future public interests, policy will diverge from public interests, eroding the conditions of public trust.

Minipublics as objects of trust

Could minipublics address these two kinds of trust-related trouble spots? In principle, the answer should be “yes”, *if* minipublics can be constructed as objects of public trust in their own right. Minipublics can serve trust-based roles if they are representative of affected publics, *and* if they screen against conflicts of interest, *and* if they are deliberative, *and* if they have an identity as a collective agent. More specifically, minipublics can meet the conditions of trust if they include the following:

- *Representativeness*, which when combined with deliberativeness, will enable a minipublic to articulate interests that express those of the public from which it is selected.
- *Screens against conflicts of interest* to provide checks against particularistic motivations that undermine a minipublic’s attentiveness to the interests of the public from which it is selected.
- *Deliberativeness* to produce competence within the minipublic, as well as to define interests that may be identified and judged by the broader public.
- *Identity* to provide publics with an object to judge trustworthy.

Representativeness: With respect to their representative qualities, most minipublic models follow Robert Dahl’s concept of a “mini-populous”, which is a body of citizens selected from a larger population, in such a way that it is a representative sample of that population (Dahl 1989, 342, Fishkin 1997; Goodin and Dryzek 2006, Smith 2009, chap. 3; cf. Fung 2003).

Examples of such minipublic designs include deliberative polling, citizens' assemblies, citizen juries, consensus conferences, and planning cells (Smith 2009, Chapter 3, Goodin and Dryzek 2006, 223-24), and have been used by AmericaSpeaks, the National Issues Forums, GM Nation, the BC, Ontario, and Dutch Citizens' Assemblies, and multiple science and technology related consensus conferences around the world.

The justification for representative sampling is that it produces a body that is, literally, a *mini*-public, or a representation of the larger public from which the sample is drawn, including differing kinds of persons, experiences, perspectives, potential arguments, and visions in proportion to their (expected) presence in the population. A minipublic should represent "the diversity of social characteristics and plurality of initial points of view in the larger society" (Goodin and Dryzek 2006, 221). By way of contrast, the two other common methods of constructing representative bodies, election and self-selection, are unlikely to reflect the larger public. Election is biased in favor of those who have the means to stand for election, and whose characteristics reflect the dominant culture. Elections tend to produce representative bodies that are homogeneous relative to the publics that elect them. Self-selection is biased toward those who are well organized and intensely interested in an issue, and favors vested and well-resourced interests. In contrast, representative sampling tends to include interests and perspectives that are unorganized, inarticulate, and latent in proportion to their presence in the larger public. Although representative sampling is often achieved through random sampling, randomness is only one means of producing a representative minipublic. For smaller minipublics, stratified sampling may provide better representation than random sampling, since the smaller the sample, the greater the chances that random sampling will produce an unrepresentative body.

The integrity of a representative sample will depend not only on the selection method, but also on initial decisions about the relevant public, which, under democratic principles, would include all who are potentially affected by an issue (Goodin 2007). Sometimes the affected publics are obvious: all users of a public health care system, for example, are potentially affected by health policy decisions. Sometimes the affected public is diffuse or even (necessarily) absent: global warming, for example, affects far-flung publics as well as future generations. In these cases, the representative qualities of minipublics will be constrained by feasibility.

Screens against conflicts of interest are standard in public trust-based offices. The logic here is prophylactic. As it is difficult for citizens to monitor the motivations of public office holders, offices should be structured in such a way that their occupants are not tempted to act against the public interest. Insofar as minipublics are structured as objects of trust, the same considerations hold: although members of minipublics will have interests in the issues they are considering, they should not have vested interests. As a description of Danish-style consensus conferences on technological issues states, members are:

everyday folks who *do not* have a direct stake in the issue being reviewed; however, they have an *indirect* stake in the issue as taxpayers who subsidize R&D, and as community members and world citizens who live with the good and bad consequences of technological change. Because their interest in the issues is general rather than pecuniary, they are more likely to be objective about specific projects and proposals than the researchers, policy advocates, and private companies that typically promote technological change (Loka Institute 2009).

When screens against direct or vested interests are in place, members of the broader public should have greater confidence that interests within a minipublic are not impeding deliberation

or causing its members to harbor ill-will toward those they represent—both of which would be good reasons for distrust.

Deliberativeness serves two trust functions. The first, *competence*, is straightforward: the more minipublic participants learn about an issue, the more competent they are in their judgments, which in turn increases their trustworthiness. The second function is more complicated, and once again goes to the question of the alignment of interests and values between truster and trustee necessary for a warranted trust judgment. When minipublics are selected from a broader public, their composition should reflect the diversity of interests and values within that public. Under these conditions, it makes no sense for any member of the broader public to trust a minipublic, just because the minipublic lacks any specific interest or identity that an individual might judge. However, over the course of deliberation, a minipublic may develop that identity. In the case of deliberative polling, for example, the purpose of deliberation is to represent what public opinion *might* look like, if it were the result of information and deliberation (Fishkin 1997, Fishkin and Luskin 2005). From the perspective of trust, it is precisely this development of opinion within minipublics that can transform it into an appropriate object of trust-based judgments. Deliberation may transform a collection of diverse interests and values into an expression of public interest of a kind that fails to congeal in the broader public, members of which will often lack time, knowledge, proximity, and interests that are pressing enough to override everyday obligations. In principle, minipublics can overcome these constraints to produce an alignment of interests and values with the broader public that would support trust judgments. Of course, the emergence of an identifiable expression of a supposed public interest is contingent rather than necessary, and will depend upon the nature of the issue as well as the design of the process. So what sampling-based representativeness

achieves is an *initial* alignment between the diversity of interests within the public and their presence within a minipublic. But because interests may be diverse and conflicting in both minipublics and the broader public, sampling-based representation on the input side is not sufficient to generate the conditions of trust. What it does provide are the conditions for finding latent public interests, which, if then articulated through deliberation on the basis of broad initial inclusiveness, may then produce a sufficient condition for trust.

Identity: If minipublics succeed in representing the interests and opinions of the broader public and encouraging deliberation, they also create a fourth condition of trust, namely, *identity*. Identity is necessary for minipublics to be objects of trust because individuals can only invest trust in an identifiable agent—in this case, a collective agent—capable of holding interests/values and exhibiting competence. This condition is necessary precisely because a minipublic is a collectivity of humans, and only certain kinds of organized collectivities will develop an identity—a purpose and organization—that can be judged. In this case, deliberation is what enables an initial diversity of interests and values to emerge as an identifiable set of interests or values, which can then function as the core of a minipublic's identity. From the perspective of trust, of course, it is not the *substance* of a minipublic's judgment itself that is at issue, since if a minipublic is trusted, its judgment will be accepted. Rather, a substantive consensus within a mini-public enables its members to conceive of themselves as a unified agent with a unified identity. This consensus provides members of the broader public with an identifiable agent that they can judge as more or less trustworthy.

Of course, while identity development is possible, and often even likely, it is not *necessary*. Identity is contingent. Depending upon the issue and the composition of the relevant public, a minipublic might also clarify disagreements and solidify underlying cleavages. When

minipublics evolve in this way, it makes no sense to trust them because there is no identifiable interest upon which a trust judgment can be made. However, it may make sense for citizens to trust identifiable positions or perspectives within a minipublic, if they are sufficiently articulated.

The chances that a minipublic will develop an identity are, in part, a function of the initial design decisions that frame the topics and issues. If a topic is too diffuse, then a minipublic is likely to reproduce the diffuse qualities of broader public conversations and it will fail to develop an identity. But if a topic is focused, the chances that a minipublic will come to a limited number of identifiable conclusions are likely to increase, and with this so does the opportunity for a minipublic to satisfy the identity condition of trust.

These conditions for trust may seem so restrictive that it might appear that no minipublic could ever hope to satisfy them. But, in fact, they are satisfied by two cases we discuss below: the British Columbia Citizens' Assembly on Electoral Reform (BCCA), and a "deliberative engagement" process about biobanking in British Columbia. Though we do not examine other cases here, the qualities of these cases are not atypical of issues beset by technical, political, and temporal complexity.

Minipublics as trusted information proxies

Let us assume that minipublics might, in principle, satisfy the conditions necessary to become objects of trust, and that minipublics might be constructed around some non-trivial set of issues. As we argued above, because citizens need to allocate their participatory resources, they also have a need for trust. A good democracy would provide institutions that support warranted trust-based judgments. One way minipublics can underwrite trust is by serving as *trusted information proxies*, particularly in areas where standard trust-ensuring mechanisms fail.

Such a possibility fits nicely with Lupia and McCubbins' (1998) understanding of how citizens make reasoned judgments about their political agents (both elected officials and unelected delegates). Although citizens' capacities for learning are constrained by the "twin scourges of scarcity and complexity," they maximize their capacities by relying on third parties such as political parties, friends, media personalities, associations, and trusted politicians for guidance (Lupia and McCubbins 1998, 37). On Lupia and McCubbins' model, individuals learn from third parties when they are persuaded to do so. Persuasion has two key conditions: (1) individuals must perceive that the third party has *interests in common* with their own; and, (2) they must believe that this third party has *relevant knowledge* of the issues that concern them.

Recast in the terms we use here, these two conditions of persuasion closely parallel the two kinds of judgments—interests and competence—that warrant trust. On Lupia and McCubbins' model, individuals can infer the existence of these conditions if (a) there are external sources of verification that the third party holds in view to guard their reputation; (b) there are penalties for lying; and, (c) the third party has put "costly effort" into their judgments (Lupia and McCubbins 1998, 9-11, 53-54). When these conditions exist, individuals can infer that third-party information is trustworthy, and can credibly use third parties as information proxies.

Can minipublics meet the conditions of trusted information proxies? Well-designed minipublics can, in theory, meet not only the four conditions for trust listed above (representativeness, screens against conflict of interest, deliberateness, and identity), but Lupia and McCubbins' conditions for trusted information proxies as well. The British Columbia Citizens' Assembly on Electoral Reform (BCCA), provides an example (Warren and Pearse 2008). The BCCA was created by the government of British Columbia in 2004. The body was

charged with the task of assessing British Columbia's electoral system, and, if they believed it could be improved, recommending an alternative system to the voters in the form of a referendum question. The BCCA was comprised of 170 citizens selected through a near-random process, with a screen against elected or party officials who might have conflicts of interest on this topic. The assembly was given a budget, a staff, and ten months to work, which it divided into three phases: the first devoted to learning about electoral systems, the second to public hearings and submissions, and the third to deliberation and decision-making. The assembly returned a recommendation for a Single Transferable Vote system. Put to voters in May 2005, the referendum garnered a 57.7% "yes" vote, which fell short of the legislated supermajority threshold of 60%.

The process through which a minipublic is constituted should function as an initial cue to individuals as to whether the body represents their interests. Random processes combined with screens against vested interests, for example, should signal both that participants should, in aggregate, hold the public interest in view, and that the body is unlikely to include self-serving factions. Under these conditions, cue-takers would be warranted in concluding that the interests of the body align with the interests of the broader public from which it was selected, even if they do not attend to the substance of its work and recommendations.

For cue-takers that look for further verification of interest alignment, Lupia and McCubbins note the importances of environments that are favorable to transparency, including mechanisms for oversight, competition between information providers, and opportunities to openly challenge statements, claims, or positions. These factors help ensure that cue-takers could, in principle, verify that the basic idea or "good" of an institution is indeed aligned with their interests. Transparency also allows those who are willing, in principle, to forgo the

efficiencies of passive trust, to actively verify whether a minipublic is competent or sufficiently knowledgeable, *and* whether deliberations were substantive and sufficiently well conducted to allow for the emergence of an identifiable expression of public interest.

The BCCA process met these conditions: learning materials were made available on the website, the plenary sessions were open to the public, interested observers were encouraged to send written comments to assembly members, and public meetings were conducted in all areas of the province. The expectation, of course, is that those who might use a minipublic as an information cue will *not* engage in these monitoring activities; but the fact that these verification opportunities exist, and that some citizens make use of them, is a cornerstone condition for maintaining warranted trust in these institutions.

Lupia and McCubbins' *penalties for lying* condition would appear to apply only when there are obvious incentives for actors or speakers to engaging in lying to their principles or potential trusters. In the case of the BCCA, these incentives were missing, in part because of the initial screen against vested interests—that is, political officials who had career interests in the outcome. Where screens against conflicts of interest are feasible, the minipublics mitigate concerns about deception. But questions may remain about whether judgments are made in good or bad faith. In the case of minipublics, these concerns are mitigated by the fact that if they have any influence at all, it is influence generated by the advice and recommendations they render. Citizens should be able to infer from this strategic interest that minipublic participants will have an overriding interest in maintaining their credibility.

Lupia and McCubbins' knowledge condition (our deliberativeness condition) is satisfied if cue-takers perceive the minipublic to be collectively competent. Lupia and McCubbins are dismissive of deliberative mechanisms, noting that they often fail to achieve public

enlightenment (1998, 226-27). True enough. But the claim is easy to make—too easy, as they fail to examine the deliberative models, minipublics among them, designed precisely to generate enlightenment, both among participants, and between the minipublic and the broader public. Minipublics that involve intensive learning processes extended over several weeks or even months and backed-up by deliberation, provide grounds for trusting the quality of the information emanating from these processes. Cue-takers may or may not be convinced that final recommendations or outcomes are worthy of support, but they will have good reasons for believing that they might be, given the signal of “costly effort” that minipublic members put into participation without the possibility of a direct return.

In the case of the BCCA, members dedicated almost a year to a process that involved regular weekend deliberations, reading, some independent research, public meetings, and travel. After the process was complete, many members continued to participate in an “alumni association” that actively promoted the BCCA’s recommendation during the subsequent referendum campaigns (Warren and Pearse 2008). Furthermore, information cues emanating from minipublics might be considered trustworthy *because* these recommendations have been tried, tested, and accepted by informed participants in a discursive arena. Deliberation is what democratic citizens might be *expected* to do when they have the time, energy, interest, and motivation to pay attention to public affairs. Passive citizens can hardly do better than to rely on information proxies that do exhibit these characteristics, especially if there are good reasons to believe that minipublics are (collectively) competent, designed to encourage enlightened discourse, aligned with the public’s interest, reasonably transparent, and expending costly efforts.

The BCCA met our final condition for trust—achieving an identity as a body, such that it could be an object of trust—by issuing a single recommendation for a STV-based electoral system backed within the assembly by a near-unanimous vote.

Did the BCCA actually function as a trusted information proxy? While our references to the BCCA are exemplary rather than empirical, the BCCA has been the most carefully studied minipublic experiment to date. Findings reported by Cutler, et. al. (2008) suggest that a significant proportion of voters treated the BCCA as a trusted information proxy. An overwhelming proportion of voters knew little about the proposed STV electoral system. But rather than vote “no,” they appear to have asked themselves a second question: Who is proposing the system? The more voters knew about the proposer—the BCCA—the more likely they were to vote “yes.” One group of voters that Cutler, et. al. called “distrustful populists” simply wanted to know if the BCCA consisted of “people like us” who have 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 the populists when it came to considering interests, but 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. In short, it appears that a significant number of voters used the BCCA as a trusted information proxy (Cutler, et. al., 2008).

The impression that the BCCA functioned as a trusted information proxy in May 2005 is reinforced by a rerun of the referendum in May 2009. Whereas in the 2005 referendum the BCCA had a relatively public profile (Cutler and Fournier 2007), this time the BCCA had almost no presence in the public discourse. Indeed, the issue had little visibility until the final weeks of

the campaign. During this period, public discourse was structured in an adversarial style by publicly funded “yes” and “no” campaigns. This time, public debates focused on the substance of the choice between the current single-member plurality system and the proposed STV system rather than the information proxies. The “yes” vote fell to 39%.

One possible interpretation of the large fall-off in “yes” votes is that inattentive voters—most voters in this case—lacked the trusted information proxy they had in the previous referendum. In the 2005 campaign, the organized political interests—the political parties—remained silent, perhaps because they are widely distrusted by British Columbia’s citizens, and left the field to the BCCA. The government-funded “yes” and “no” campaigns dominated the 2009 campaign, with organizers on both sides using the negative, adversarial style common in BC politics. With the BCCA out of the picture, voters lacked both the information for informed votes, as well as trusted information proxies. Lacking both information and trusted proxies, they voted conservatively, when they bothered to vote at all (turnout in 2009 hit an historical low). This interpretation is consistent with findings from a similar process in Ontario (Cutler and Fournier 2007). It is also consistent with research that shows that in situations of perceived distrust, individuals will make the decisions that require less cognitive complexity—in this case, a vote for the status quo (Burnstein, et. al. 2004).

This case is one example of a minipublic which appeared to function as a trust-based information proxy. There are other possible examples—though most remain speculative. In California, for instance, ballots are routinely overloaded with multiple measures, some essential to the basic functioning of state government, many others placed on the ballot by advocacy groups and various vested interests. Citizens lack basic information about the choices they make in the ballot box, and most citizens for most items lack trusted information proxies. One proposal

calls for a citizens' assembly process to vet ballot initiatives, which would, in effect amount to a trust-based use of a minipublic as an information proxy (Ferejohn 2008). Proposals also exist for a citizens' assembly to recommend reforms to California's increasingly unworkable constitution (New America Foundation 2009).

Of course minipublics are highly artificial constructions, and are themselves costly of time, attention, money, and sometimes political capital for the organizer. Given the many other kinds of information proxies already in existence, we should think of their potential functions in terms of the particular niches they might fill within democratic systems. As suggested above, such niches exist in issue areas where no other information proxies meet the conditions of trust: common interests and credible knowledge. Such deficits occur most typically in issue areas that combine high political complexity with high technical complexity, which has the effect of leaving the field of trusted proxies empty and citizens without trusted information resources. The BCCA addressed precisely this kind of politically and technically complex deficit. A similar deficit can also occur when the demands on citizens to make judgments exceeds the availability of trusted proxies, as is so clearly the case with California's initiative and referendum process (McCubbins and Garret 2009, Ferejohn 2008). In cases such as these, minipublics may be able to fill these information proxy vacuums.

Minipublics as anticipatory publics

In the case of minipublics conceived as information proxies, the democratic function is to *mediate* citizens' political judgments by expanding a relatively small amount of information about the credibility of the minipublic into political judgments. In a second class of trust-based uses, however, minipublics might *substitute* for citizen judgments by anticipating concerns in contexts within which public trust is the norm. Substitution within such contexts is already an

entrenched feature of the division of labor between participation and trust in the developed democracies. If substitution occurs within domains in which public trust is already the norm—primarily within the many public agencies that are custodians and beneficiaries of public trust—then it is consistent with democracy. In the standard theory, these kinds of institutions are not themselves democratically organized; their role, rather, is to operationalize the output of the “political” branches of government. So the baseline expectation is trust rather than democracy.

Of course this sketch needs to be modified by the (well-recognized) fact that much of the activity of democracy is shifting into administrative agencies. This trend is driven by the fact that agencies must engage in a large amount of political work as part of their missions of transforming legislated purposes into actionable agendas (Warren 2009). It should be noted that although trust in administrative agencies is typically necessary for their effective and legitimate operation, the politicization of these agencies creates the conditions for warranted *mistrust* to develop (Warren 1999). Over the last several decades, legislatures have increasingly recognized these political functions, and have directed agencies to engage affected publics as they develop and implement rules and regulations. Although most of these directives are vague (requiring “community engagement” and “public engagement”), there are recent cases of more specific directives. The *21st Century Nanotechnology Research and Development Act of 2003*, for example, directed the implementing agencies to develop “mechanisms such as citizens’ panels, consensus conferences, and educational events, as appropriate” (Goodin and Dryzek 2006, 241). In practice, agencies increasingly use advisory committees of interested citizens, activists, and stakeholders to solicit public input and test policies, and do so with increasing sophistication (Dietz and Stern 2008; Brown 2006).

Most such processes, however, are designed for uptake from publics that have already been formed, so their purposes are nominally participatory and democratic. However, agencies increasingly face a class of problems that cannot be covered even by well-specified and appropriate democratic processes—those characterized by *temporal complexity*. These are issues that are potentially but not yet “political”: that is, they have not yet generated attentive publics. But as these future oriented issues play out, latent and potential public concerns will become manifest, while the current decisions of agencies create path-dependencies that may prove to be very costly in the future.

Temporal complexity exists in most policy arenas, but it is found particularly within areas of rapid scientific, technological, and organizational development that agencies must generate and regulate in order to carry out their public functions. Environmental regulation, use of public lands, transportation planning, regulation of food supplies, public health, innovations in education, and new technologies generate new issues simply as a consequence of their development. The most future oriented dimensions of these issues are not appropriate for democratic processes in any traditional sense, mostly because their potentially affected publics are not yet interested and organized publics. In these cases, agencies must *anticipate* responses from *future* publics that will maintain the conditions of public trust, by ensuring that new policies continue to align with public interest. The temporal challenge is that, if they have an interest in maintaining the trust invested in them, agencies must anticipate the concerns of future publics. The potential political problem is that substantive expertise accumulated within an agency will not, on average, equip it to anticipate future public responses. Left to their own devices office holders can, at best, make educated guesses about the political problems they might avoid by anticipating future public concerns.

The challenges of temporal complexity are even greater in case in which partial interests are attentive and organized, but general publics are not. Under these conditions, policy-makers will find that responsiveness to existing publics will tend to undermine the future conditions of public trust, even when decision-makers in administrative agencies genuinely desire to maintain the public trust in their decision-making processes.

Under these circumstances, a minipublic convened on an issue that meets the conditions specified above—that is representative, screens against conflicts of interest, is deliberative, and forms an identity—can function to anticipate *in the present* future threats to public trust. In this use, a minipublic simulates publics that are not yet present, initially through selection of a group that is likely to represent a range of potential concerns, and then through processes of learning and deliberation that develop and articulate potential public interests and concerns. Insofar as this kind of minipublic guides the decision-making of public agencies, they enable agencies to align their decisions with current approximations of future publics. Insofar as they are able to do so, they are better placed to reproduce the conditions of warranted public trust than they would be without credible representations of these future publics.

This kind of anticipatory public was demonstrated in a recent deliberation on the topic of biobanking in British Columbia (Burgess, O’Doherty and Secko 2008). Biobanking involves collecting tissues from multiple patients—tissues typically collected during surgeries and biopsies—into a few sites for research purposes. A biobank catalogues tissues and serves as a one-stop site for permissions to use the tissues in research. The research demand for such a system is driven by advances in genomics that enable researchers to link genetic materials to probabilities of diseases. But because of the low incidence of many gene-linked diseases, researchers require a large sample sizes. Current privacy and consent regulations require,

however, that permission to use tissues be sought from each tissue donor with each new use. The process is so cumbersome that it effectively stunts “large-n” genetic disease research.

Biobanking not only consolidates and catalogues tissues, it also offers opportunities to simplify permission and consent procedures, thus enabling a new generation of gene-related disease research.

Biobanking is an example of a policy driven internally by the development of a public mission within public agencies. It is also an example of policy area that, almost literally, has no public opinion attached to it—attentive publics are not, or at least they have not yet, developed and they certainly have not gained a voice. Indeed, most people have never even heard of biobanking. And yet the area harbors numerous possibilities for ethical, economic, or political abuses, any of which would undermine public trust in the public agencies administering the system. What if genetic information were to become available to private insurers? Should the information be made available to for-profit pharmaceutical companies? Could tissues be used in ways that violate the religious or traditional norms of aboriginal peoples? What kinds of processes would provide publics with the confidence that agencies will guard against potential abuses? It does no good to survey the public on such matters, or to convene public hearings or stakeholder meetings, or to develop any other process that depends upon expressions of interests—voice—for none yet exists. But it might, especially if the design of biobanks goes wrong in ways that leave the public trust open to abuse.

The minipublic design is well suited for this purpose precisely because it is capable of manufacturing counterfactuals: it can be understood as a simulation of a larger, more inclusive, public discourse that cannot happen, or at least cannot happen in the current period before an attentive, affected public emerges. In a case such as this, minipublics are not evoking *latent*

opinion or predicting what public opinion might look like if it were more deliberative and better informed. Rather, they are manufacturing *anticipatory* public concerns, interests, or rationales that have been deliberatively tested, and which in turn enable future oriented elites to craft institutions—biobanks in this case—that are worthy of public trust.¹ Moreover, this kind of trust problem is unique in ways that probably *require* some kind of minipublic-like process to solve: for the conditions of trust to be put into place, potentially pivotal public concerns and emergent considerations or values must be anticipated with reasonable accuracy.

For this kind of process to work, representative sampling is important even if an extensive range of population characteristics cannot be matched in a small-scale deliberative forum. Nonetheless, a minipublic *can* be a description of a population that is sufficiently fine-grained to include potentially unknown issues—though designers will face some guesswork here, as unknown issues cannot serve as a guide. Likewise, the processes of learning and deliberation are necessary. Participants must learn about the issue just because those who are selected to

¹ We do not think that small deliberative groups can be used to *predict* what public opinion on a particular issue would look like if some temporally complex issue were to become the subject of a more inclusive public deliberation at some point in the future. What they *can* do is simulate an affected ‘future public’ in the current period. Decision-makers can use minipublics to gain insight into the concerns and rationales related to policies that will only have impacts at some point in the future. These deliberatively formed concerns and rationales can anticipate the types of concerns and arguments that *might* be considered relevant if and when a future issue becomes part of a wide-spread public discourse. At that point, active citizens in future discourses may consider, accept, or reject these rationales; they might even reorder their concerns. The point is that we cannot predict what deliberative public opinion will look like in the future but we can anticipate concerns which are likely to be pivotal dimensions of future discourses.

participate are unlikely to know anything about it at all. Then, through deliberation, participants must begin to identify potential issues and to form their opinions around them.

It is worth noting that the broader justification of this use of minipublics is not “democratic” or “participatory” at all. Instead, its justifications are to be found in the specific functions that can reproduce public trust in institutions. The point of forming an anticipatory public is twofold. In the first place, basing decisions on the articulated, and deliberatively tested, concerns of an anticipatory public should help to *keep* political issues – in which the interests of affected publics no longer converge — from forming by ensuring that agency policies continue to align with the public interest. The deliberative outcomes of minipublic processes — the concerns, considerations, and rationales articulated in these deliberative environments — are the products of the thoughts and considerations of potentially affected publics. These concerns may be weighted differently in subsequent and more inclusive deliberative processes (if these happen to occur) but they are nonetheless likely to resonate with future publics if they are salient to current period representative minipublics. If public agencies have an interest in maintaining the trust that is invested in them, they must anticipate the concerns of potential or future publics and incorporate these concerns into their current-period decision making processes. Minipublics can serve as a reliable source of anticipatory concerns, considerations, and rationales.

In the second place, select but attentive anticipatory minipublics help underwrite the public trust by ensuring that decisions which are made have been influenced, or at least monitored, by an institution whose interests can be plausibly (and transparently) aligned with the general (inattentive) publics’ probable interests. As mentioned above, this is especially important with respect to issues that display temporal complexity because on these issues affected publics have not yet developed (on account of the fact that they have not yet been affected) but invested

interests may be well organized and articulate. These conditions are ripe for warranted mistrust and the mere presence of minipublics can help insure that decision-making processes on future oriented issues are worthy of the public trust. In this sense, anticipatory minipublics function as check-ups on trust, particularly in areas where the conditions of trust are in danger of erosion — that is, on future oriented issues characterized by uncertainty, unpredictability, and unorganized or yet-to-be-affected publics.

Although the biobanks minipublic that was conducted at University of British Columbia Centre for Applied Ethics in the spring of 2007, was billed as a “deliberative public engagement” (Burgess and O’Doherty 2009), it may be more appropriate to think of it as a trust-based, and hence limited participatory exercise. The project convened a relatively small (21) but representatively-stratified sample of BC citizens with the aim of anticipating potential ethical concerns with the idea of establishing a regional biobank in BC. Although the process may not have had a sufficient duration to fully develop the issues—particularly given the steep learning curve for participants—one outcome is significant: participants were less interested in having democratic input into biobanking than they were in constructing institutions that would be self-regulating with respect to the public interest. Thus, participants were primarily concerned that biobanking would have oversight and checks sufficient to align the process with the public interest (Burgess and O’Doherty 2009, 11). This is not a surprising result: the public interest served by biobanking, like many health-relative issues—is not complex, in that almost all citizens have a shared interest in advancing the understanding of diseases. The issues, rather, have to do with ethical boundaries, economic trade-offs, the efficient generation of innovation, and the equitable distribution of benefits—all issues with the potential for politicization, but relatively easily addressed in the case of a discrete issue such as biobanking, where a clear public

purpose can be identified and served. But because it was not clear to the agencies which of these potential issues might undermine public trust, it made sense to build, as it were, an anticipatory public.

Furthermore, given that the development of a regional biobank in BC is a future oriented issue which has not (yet) generated organized and articulate publics, the minipublic process can be understood as a means by which to simulate that missing element, particularly as a check to ensure that the decisions made by administrative agencies are aligned with potential public concerns. This check is especially important in terms of generating the conditions for warranted trust to emerge because the issue of biobanking is surrounded by well organized and articulate interests — such as those of for-profit pharmaceutical companies — which may or may not be aligned with a broader conception of potentially affected interests.

In summary, we argue that, in general, *anticipatory* trust-based uses of minipublics might be both a necessary part of constructing institutions to manage complex, fast-paced issue areas, and a robust method for checking to see whether the institution is including the information it needs to anticipate trust from its affected publics. In this case, minipublics underwrite warranted trust judgments, ensuring the citizens' political resources are properly and effectively allocated. For their part, public officials need these kinds of trust checks to avoid potential political gridlock and over-politicization of basic public functions—which can disable democracy by depriving a people of effective collective agents of their purposes.

Conclusion

We know more about how to construct and conduct minipublic exercises than we do about their potential functions within democratic systems. Part of the blame can be laid at the feet of democratic theorists. We have done a poor job of thinking through the implications of the

fact that citizens' political resources—their time, attentiveness, and knowledge—are scarce. But when this scarcity is recognized as an inevitable condition of doing politics in modern societies, we are compelled to think about how citizens should divide their political labors. Under conditions of political resource scarcity, a good democratic society should not only support citizens' active political choices by providing opportunities for voice and influence. It should also support their passive choices—their decisions *not* to engage with a particular issue or institution. Once we grant this possibility, it is clear that there are better and worse passive choices. Poor passive choices follow from apathy and disaffection in areas beset by political conflict. Good passive choices are based on warranted trust in areas where citizens' interests align with institutional purposes. A good polity will provide citizens with the means for making these trust-based decisions. These trust-based needs within a democracy become visible, theoretically speaking, when we understand the ways in which democratic institutions enable citizens to direct their scarce political resources towards the issue areas that are most political, and thus most deserving of their attention, while relating to other, less political, issues through trust.

Minipublics can provide some of the means through which citizens can make better judgments about when and where to be passive. They can serve as (1) trusted *information proxies* in political arenas; and (2) *anticipatory publics* to ensure the future conditions of trust in those domains of government (or any other collective organization) that depend on public trust. Minipublics can perform these functions because their composition through representative sampling creates a deliberative body that (ideally) includes all potentially affected interests without the biases of election or self-selection, and because learning and deliberation-based processes enable these interests to form and become articulate. For certain kinds of problems,

such as those that are technically, politically, or temporally complex, this combination of features can produce bodies that fulfill trust functions within complex democratic ecologies of institutions and practices in ways that no other institution can.

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