GENERATING DEMOCRATIC LEGITIMACY THROUGH DISRUPTIVE DELIBERATIVE INNOVATION

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1 Introduction: deliberative democracy as a theory of legitimacy

From the beginning of the 1990's onwards, political analysts in all Western European countries discovered the contours of a widespread crisis of democracy. The alleged decline of political trust and public participation, and the rise of electoral volatility pointed out that the gap between politicians and citizens had never been wider. This political climate, characterized by a deep-rooted crisis of democratic legitimacy, offered an excellent breeding ground for critical reflection on the role, shape and function of democracy in modern societies. It gave rise to a fruitful quest for new and innovative ways of governing a democracy.

It is in this turbulent period that the ideal of a deliberative democracy was coined. A community of international scholars and philosophers, inspired by the work of Jürgen Habermas, advocated the idea that a vibrant democracy is more than the aggregate of its individual citizens. The quality of a democracy and the quality of democratic decisions, according to them, did not depend on the correct aggregation of individual preferences, but rather on the quality of the public debate that preceded the voting stage (Dryzek, 2000). The quality of democratic decisions was thus determined by extensive and inclusive argumentation about political choices before voting on them.

This deliberative model was widely heralded as a theory of democratic legitimacy (Cohen, 1997; Dryzek, 2001; Parkinson, 2006). By including everyone who is affected by a decision in the process leading to that decision, deliberation has important political merits: it is capable of generating political decisions that receive broad public support, even when there is strong disagreement on the aims and values a polity should promote (Geenens & Tinnevelt, 2007, p. 47).

However, these beneficial effects do not come about easily. What is often overlooked is that, if deliberative democracy wants to contribute to the legitimacy of the political system as a whole, it has to be legitimate in itself. In other words, deliberative processes have to reflect the principles of legitimacy in their own functioning before their outcomes can contribute to the legitimacy of the wider democratic system. It is therefore crucial to assess how internally legitimate deliberative mini-publics are, and also to gain insight in how we can design deliberative mini-publics in such a way as to maximize their positive externalities. After all, even the most basic features of deliberative mini-publics, such as their institutional embeddedness and their disruptive potential, can affect their wider societal and political impact. Our research question is therefore: what are the favorable conditions under which deliberative mini-publics can live up to the criteria of democratic and political legitimacy?

In this contribution, we argue that the deliberative mini-publics' institutional embeddedness improves their outputlegitimacy, and their disruptive potential improves their input legitimacy. In order to reach this conclusion, we will compare four carefully matched deliberative mini-publics: the British Columbia Citizens Assembly on Electoral Reform, the Belgian G1000 Citizens' Summit, the Dutch Burgerforum, and the Irish We, the citizens in a most similar design.

However, we need to start this paper with the development of criteria for measuring the legitimacy of a deliberative event. Many things have been said and written about deliberation and legitimacy, but very rarely have the philosophical and theoretical premises been translated into operational terms. This is what we attempt to do in the following section. Thereafter, we discuss which factors might be considered favorable or unfavorable to the legitimacy of deliberative mini-publics. In the fourth section, we develop the methodology and discuss the cases under investigation. The fifth part offers the comparison, and tries to link the specific design choices of deliberative mini-publics to their contributions to democratic legitimacy.

2 Deliberative processes and their internal legitimacy

In one of the most cited articles on the issue of deliberative legitimacy, Cohen contends that "outcomes are democratically legitimate if and only if they could be the object of free and reasoned argument among equals" (1997, p. 74). As most deliberative scholars (Dryzek,

2001; Manin, 1987; Parkinson, 2006), Cohen thus offers a very proceduralist view that links inputs from citizens to political outputs through a certain deliberative procedure. This means that, in order to assess the quality of the deliberative process and its legitimacy, we should rely on a conceptualization of deliberative legitimacy that can fully distinguish between two dimensions of democratic legitimacy[1]. Building on previous studies on democratic legitimacy (Bekkers and Edwards, 2007; Edwards, 2007) we argue that deliberative decision-making procedures have to live up to their claims to legitimacy in the input and output phases. We discuss these two dimensions of deliberative legitimacy hereafter.

2.1 Input legitimacy

Input legitimacy is a measure for the openness of the deliberative events towards demands and needs from the public. It is high when citizens have the chance to make their diverse viewpoints known and to weigh all the information. The inclusive reflection of the authentic preferences of the population at large is thus the central principle, whereas selectivity in demands and participants has to be avoided. This type of legitimacy has to meet three central criteria in a deliberative setting, namely discursive representativeness, complete information, and the openness of the agenda. We develop each of these three dimensions below, and explain how we operationalize them for the empirical part of the paper.

2.1.1 Discursive representativeness

One of the main problems faced by deliberative democrats is the scale problem. The kind of argumentative interaction between ordinary citizens that deliberation entails is very difficult to achieve in mass democracies, and "meaningful participation in collective decision by anything more than a tiny minority is inconceivable in contemporary nation-states" (Dryzek, 2001, p. 652). Citizen deliberation is therefore usually scaled down to a type of mini-public. In doing that, it is crucial to take into account that the opinions of the

[1] This two model, which distinguishes between input and output legitimacy, is often used in studies on democracy as such (see e.g. Nordbeck & Kvarda 2006; Papadopoulos & Warin 2007; Risse & Kleine 2007; Schmidt 2013), i.e. without the deliberative attribute, and its conception dates back to David Easton's (1965a; 1965b) seminal work on political systems. Even though the conceptualization of legitimacy we develop later builds on these more generic theories, it is designed specifically to assess deliberative events.

participants are in some way representative of the socio-demographic and discursive diversity in the larger population from which they are drawn.

The reason why such representativeness is crucial is that all of the problems democracies are faced with are unevenly distributed among the citizenry. Different experiences lead to different perspectives on what constitutes a social or political problem, and if certain problems disproportionately affect certain social groups, these groups and their opinions should be reflected in the deliberations (Bohman 2007; Fearon 1998). As such, high levels of representativeness are often equated with high levels of inclusion and input legitimacy. We therefore distinguish between the following coding categories:

1. **Discursive inclusion**: The mini-public is characterized by a fair socio-demographic and discursive representation. Diverse opinions and discourses represented.
2. **Discursive bias**: There is a drop out or self-selection among traditionally vulnerable groups, and opinions are skewed.
3. **Discursive inbreeding**: There is a strong drop out and self-selection among all groups. The median views dominate, and there is little substantive contestation.

2.1.2 Epistemic completeness

Deliberation is an epistemic practice. By talking to each other, participants ideally come to identify good arguments and sound information, which eventually leads to better decisions. The main problem is, however, that much of the information is unevenly distributed among the citizenry. Politically knowledgeable citizens are usually better informed and know what is at stake when discussing a certain issue.

In order to guarantee equal speaking opportunities for all participants, and to avoid that knowledgeable individuals have more power in deliberation, it is a common practice to offer the participants the opportunity to get their facts straight and to grow their competence in dealing with the issues by offering them information. From an input legitimacy perspective, however, it is important that the information offered is complete, and offers balanced and objective views. We therefore code the epistemic qualities of the deliberative designs as follows:

1. **Full information**: The participants have access to all relevant information, and are competent to question independent experts, policy makers, and witnesses.
2. **Balanced information**: Trustworthy and comprehensive information booklets are available to the participants.

3. **Minimal information**: The discussion allows the participants to pool their private information, but no other information is available.

2.1.3 Open agenda-setting

Mini-publics that appeal to deliberative legitimacy also require an open agenda. If the agenda is fixed and closed, the diversity in the group will not be able to manifest itself, because citizens' opinions will be restricted to a very narrow set of items. When the agenda is open, mini-publics will be able to approach the issues more holistically. Selectivity during the agenda setting of the event will thus undermine the input legitimacy because issues are banned from the discussion (Edwards, 2007). Since policy problems are often multifaceted and interdependent, a closed agenda and very narrowly defined topics hinder the inclusivity of the event on the input side. Allowing the participants to explore new and adjacent problems could thus increase the input legitimacy. The coding scheme for the openness of the agenda is the following:

1. **Open agenda**: The entire population or all stakeholders are able/invited to set or vote on the agenda in an open-ended process.
2. **Semi-open agenda**: The agenda is thematically fixed, but participants can introduce adjacent issues, and question the assigned issues.
3. **Closed agenda**: The organizers set the agenda, and there is very little room for introducing new issues.

2.2 Output legitimacy

Finally, deliberative events also have to live up to the legitimacy requirements on the output side. Their outcomes have to be in some way connected to the formal decision-making arena, and public officials have to be held responsible for what they do with the results. This means that two specific criteria have to be met: political uptake and accountability.

2.2.1 Political uptake

In order for the outputs to be legitimate, they have to be effectively implemented or at least set the political agenda (Edwards, 2007). This means that the outcomes of deliberation have to be in some way linked to formal political decision-making processes. Otherwise the process is merely a form of democratic experimentation with no practical use whatsoever.

This means that the output legitimacy increases when the effective impact of the deliberative outputs and the participants on real world politics is high. It also means that the output legitimacy increases as the deliberative outcomes become more strictly binding: outcomes with mere advisory function score lower than when government has expressed its commitment to implementing the final decisions. We therefore distinguish between the following operational codes:

1. **Implementation**: The decisions taken by the mini-public are implemented, or the choice about implementation is given to the wider public.
2. **Agenda setting**: The decisions set the political agenda and inform policy makers. There are references in policy documents and parliamentary debates.
3. **Information**: Party and government officials publicly take note of decisions, and acknowledge the value of the decisions, but do not initiate action to turn them into policy.
4. **No uptake**: The deliberative outcomes in no way affect the formal decision-making sphere.

2.2.2 Accountability

Decisions taken through deliberation should not only be connected to public institutions, there should also be regular feedback to the participants (Bekkers & Edwards, 2007). Those who put their heads together to come up with solutions, should be kept in the loop on what happens with these solutions, what changes were made, and what problems the government agencies encountered. Moreover, there should be a clear chain of responsibility. It should be clear to the participants in deliberative events who is going to implement their decisions, who is going to report on the progress made, and who can be held accountable for the results achieved. Operationally, we will code the deliberative events as follows:

1. **Regular feedback**: Government agents report on decisions and progress made to participants and general public.
2. **Feedback on demand**: Feedback is provided only after the participants or the wider public explicitly ask for it.
3. **No feedback**: Public and participants are kept in the dark about the take up of their proposals. Government agents remain irresponsive.

3 Embeddedness and disruptiveness

Whether or not deliberative mini-publics have a high input or output legitimacy theoretically depends on many factors. Basic design factors, such as the size of the events,

their length, and their funding, all impact on their potential deliberative legitimacy. In this contribution, however, we will focus more closely on two specific structural factors: the mini-public's closeness to the political system and its disruptive potential.

The first structural determinant of the legitimacy of deliberative innovations is their embeddedness within the political system. This refers to the extent to which the deliberative mini-publics are tied to the political or administrative machinery through governance networks (Barth 2006). The institutional embeddedness of democratic innovations is bound to affect their legitimacy. After all, the closer the innovation is to the political system, the more likely it is to be cooptated by the political elites. When deliberative practices are embedded in the decision-making infrastructure, because they are initiated by governments (Ansell & Gash 2007, p. 544) or because politicians and civil servants , they are more likely to be assimilated into the established institutions. As such, they will have some influence in pushing their agendas and getting their decisions adopted in some form by policy makers.

Deliberative innovations that function outside of the formal decision-making realm, will also try to maximize their substantive impact on the elaboration of public policies, but the cooptation of their decisions into those policies will be less successful. After all, the liberty that comes with avoiding institutional embeddedness inevitably has a backlash, in that it will be very difficult to influence the political elites or process. Deliberative innovations dissociated from the formal decision-making sphere will at best be seen as a precursor to the real decision making and have very little real impact on policies. Or, as Edelenbos (2005) argues: "[i]nteractive governance needs better institutional embeddedness in order to prevent the interactive process from becoming meaningless and useless in formal decision making" (p. 111).

The level of embeddedness will thus mainly impact the output legitimacy of deliberative innovations. When there is no real power sharing arrangement between the elites and the innovators, and when the innovators have to make themselves heard from the outside, elites are unlikely to listen. However, when funding comes from official instances or when politicians and public servants are part of the mini-publis, the willingness on behalf of the elites to listen to the demands of citizens and to yield to their decisions will be greater. Under such circumstances the weight given to the results of the mini-public will be greater. Deliberative innovations that are institutionally embedded will thus have a higher output legitimacy than their counterparts that have to function dissociated from the system (Smith 2009).

H1: Embedded deliberative innovations will have a higher output legitimacy than dissociated ones.

Besides the embeddedness of mini-publics in the wider political system, we also look at their disruptive potential. The idea of innovations being potentially disruptive stems from the business literature where firms enter the marketplace and redefines the standards. Much like firms on the market are sometimes incapable of generating appropriate functionality, so too do democratic institutions often experience a failure to provide the public services and goods that the democratic market demands. When the traditional players in a democracy experience such stress, there are opportunities for challengers – in our case: "innovative democratic challengers" as Saward (2008, p. 408) calls them – to enter the democratic market and disrupt the process of public goods allocation.

The disruptive potential of democratic innovations can take two forms: high-end disruptions are revolutionary and radical, whereas low-end disruptions are rather evolutionary and incremental. The essence of closeness is thus the extent to which the innovation is able to fit within the mainstream political system. The more the innovation resonates the core values and interests of the democratic (representative) institutions, the less its potential to offer an alternative and be disruptive. Moreover, at this point it is important to stress we deliberately use the term disruptive *potential*. Much like new entrants in the economic market place might never shake the foundations of their more established competitors (Yu & Hang 2009, p. 5), nothing guarantees that democratic innovations will effectively lead to genuine disruption of the democratic system.

Deliberative innovations can be disruptive either by explicit aim or by implicit design. Many deliberativists explicitly aim to set up events that openly challenge politics as usual. They find fault with the political elites, and frame their initiatives as being radical alternatives to the existing power structures. Others do not make their disruptive aims explicit, but design their events in such a way as to maximize the value of their alternative to mainstream politics. Big, long, and highly mediatized participatory events can create ripples in the democratic pond strong enough to revise the political status quo.

The disruptive potential of deliberative events will most likely impact their input legitimacy. If these democratic innovations want to fundamentally challenge the political status quo, they have to tackle what is often perceived as the democratic deficit of the

political system. As such, a high level of discuptiveness means that the traditional power relations should be revised, and that the inclusion of ordinary citizens in political decision-making processes should improve. The disruptive potential is thus a measure for the ferocity with which the deliberative innovation shakes things up in the democratic market place, and the radicalism with which it wants to alter existing power relations. Disruptive innovations break with the dominant, exclusive decision-making interactions and empower groups that are traditionally cut of from the decision-making arenas. They will therefore be characterized by a high input legitimacy.

Low-end disruptive events, on the other hand, build on a more incremental logic, and do not fundamentally contest the status quo. They are not challengers but followers in the sense that they primarily have no intention of offering a viable or radical alternative to the democratic business as usual. Such incrementally innovative events are more often sustain the existing equilibrium than to redefine the contours of democracy and active citizenship. The same power dynamics and the same stifling smell of backroom politics that often characterize representative institutions will also be likely to haunt these events, causing the input legitimacy to be rather poor.

H2: Radically disruptive deliberative innovations will have a higher input legitimacy than incrementally disruptive ones.

If we combine these two independent variables, we reach the following scheme of hypotheses:

Table 1: The hypothesized impact of embeddedness and disruptiveness on legitimacy

		Institutional embeddedness	
		Embedded	Dissociated
Disruptive potential	Radical	**Inside challenger** High input High output	**Outside challenger** High input Low output
	Incremental	**Inside follower**	**Outside follower**

		Low input High output	Low input Low output

4 Research design

To determine whether embeddedness and disruptiveness induce higher or lower legitimacy, we will analyze four deliberative experiments, one for each combination of independent variables. A comparative method is generally considered to be ideal in order to answer questions of a causal nature (Rihoux & Ragin 2009), because it allows us to single out those factors or configurations of factors that are conducive to a high or low level of legitimacy.

Table 2: Case selection

		Institutional embeddedness	
		Embedded	Dissociated
Disruptive potential	Radical	**Inside challenger** Case: BC Citizens' Assembly	**Outside challenger** Case: Belgian G1000
	Incremental	**Inside follower** Case: Dutch Burgerforum	**Outside follower** Case: Irish We, the Citizens

For our purposes, we have selected four deliberative events in a most-similar design. These four events are the *British Columbia Citizens' Assembly*, the Dutch *Burgerforum*, the Irish *We, the Citizens*, and the Belgian *G1000*. Each of them is similar to a large extent. They are all sizeable and highly mediatized deliberative events gathering ordinary citizens to discuss salient political issues. Moreover, they were all organized in a comparable political climate, i.e. a context where there was a strong sense of democratic deficit and political dysfunction. The cases are, however, matched on the independent variables, meaning they differ in their embeddedness and disruptiveness (see figure 2). This allows us to draw some conclusions on which factors affect the legitimacy.

In the upper left cell, we find the British Columbia Citizens' Assembly (BCCA). Following up on an election promise, the government of the Canadian province of British Columbia empowered an Assembly of 160 ordinary citizens to deliberate on the province's electoral system. The BCCA qualifies as an inside challenger because it was strongly

embedded in the decision-making infrastructure. The provincial government paid and set up the assembly. Politicians and civil servants were invited to talk at the events, and the idea was that the BCCA would be a complementary decision-making circuit. Despite its embeddedness, the BCCA also had a high disruptive potential. After all, it challenged the existing power structures and empowered citizens by letting them set the rules of the political game, a task that the legislative body normally reserves to itself. Moreover, the BC government also gave the citizens some real decision-making power by pre-committing itself to putting the proposition of the Citizens' Assembly to a provincial referendum. As such, the BCCA can be considered a relatively embedded insider able to potentially disrupt the political game.

In the upper right case, we have the Belgian G1000 Citizens' Summit as an outside challenger. We consider it a challenger because its explicit aim was to challenge Belgian politics as usual at a time when the Belgian government witnessed one of its most severe crises in history. In this climate of severe government instability, the organizers even explicitly stated in the media that the aim of the event was to empower citizens. Citizens would be able to reach an agreement where politicians had failed to find any common ground for over 500 days. Moreover, in a country, notorious for its highly elitist political culture, which had not witnessed any participatory initiative since 1951, any bottom-up event would have been perceived as an open challenge to the political balance of power. The G1000 was, however, an outside challenger because it had no ties with the political elites. The organizers explicitly chose not to depend on government funding and not to involve politicians until the very end. The budget was sourced through crowd-funding, and the organizers were all volunteers. The experiment was therefore completely dissociated from the formal decision-making structures.

In the lower left corner, we see the Dutch Burgerforum Kiesstelsel. After the 2002 and 2003 elections, the vulnerability of the Netherlands' extremely proportional system became obvious. Rightwing populist parties rose and fell in very short periods of time, and a thorough public discussion took place on the breach between citizens and politicians. This debate was further propelled by the fact that the D66 would only join the coalition government in 2003 on the condition that deep changes to the country's electoral system would take place (van der Kolk & Thomassen 2006). The government proposed its 'Agenda for Democratic Renewal' which would fund a citizens' assembly that would reflect on the Dutch electoral system for the Second Chamber. To a large extent, the Burgerforum is based

on the design of the BCCA. It was also government initiated and sponsored, which makes it an embedded insider. However, contrary to the BCCA, the Burgerforum had very little potential to fundamentally disrupt the political system. It was not framed as an alternative to Dutch politics as usual, and no final endorsement through a referendum was foreseen, which was the case with the BC referendum. The Burgerforum thus only constituted an incremental disruption.

The final case, an example of an outside follower, is the Irish We, The Citizens project. In the peak of its financial crisis, Ireland was experiencing an ongoing democratic crisis with a generalized lack of trust in politics and institutions. To explore possible response to this political context, a working group was set up by the Political Studies Association of Ireland in 2009, and with the financial support of Atlantic Philanthropies, a pilot deliberative process, entitled "We, the Citizens", was organized in association with the Irish Universities Association. The event was thus clearly an outsider in the sense that it was conceived in academic circles and did not rely on government funding. Moreover, the idea of the WTC was not to fundamentally review the democratic status quo. "The rationale for this project was to very deliberately and publicly feed into the political reform agenda, the principal objective being to demonstrate the value of citizen-oriented, deliberative approaches to achieving large scale political reform" (Farrell et al., 2012, p. 17). Its aim was primarily to test whether a more participatory form of democracy could work in Ireland and not to radically overturn the power dynamics of Irish politics and empower the Irish citizens. This makes it an ideal example of an outside follower.

MIN: from here onwards, I need to rewrite the text. It shouldn't be too much trouble because the essence is already there. Just make it a bit more readable and add the epistemic completeness issue. I did change the individual tables for each of the projects as you'll see, and the table on p. 22 is also correct. I'll try to finish by next week, now that I've got some more time.

5 Assessing the projects' legitimacy

5.1 The British Columbia Citizens' Assembly on Electoral Reform

In 2003, the Canadian province of British Columbia empowered an Assembly made of 160 ordinary citizens who were near-randomly selected to assess the province's electoral system and possibly recommend a new system, should they believe it necessary. The government pre-committed itself to putting the proposition of the Citizens' Assembly (CA) to a provincial referendum and to implementing it in case of approval by the population.

The CA met from January to November 2004 to learn about electoral systems, consult with experts and politicians, deliberate, and finally recommend in December 2004 that the British Columbia's electoral system changed from single member plurality vote to single transferable vote, a form of proportional representation. This experiment was "the first time a citizens' body [had] ever been empowered to set a constitutional agenda" (Warren & Pearse, 2008, p. 6).

The CA was designed to approximate a descriptive representation of the people of British Columbia, with one woman and one man from each of the seventy-nine ridings in the province drawn from the voting rolls. In addition, two Aboriginal members were selected, resulting in a body of 160 plus the Chair (British Columbia Citizen's Assembly on Electoral, 2004), of which only one participant was reported to drop out. In addition to gender and regional parity as well as age diversity, this "near-random selection also resulted in diversity of ethnicity, formal education levels, and employment within the CA" (Warren & Pearse, 2008, p. 10). Given the low drop-out and the randomization, we can say that the discursive representativeness of the event was good. There was a fair inclusion of diverse opinions and discourses.

This diverse body was asked to assess the electoral system of the province. In this regard, the agenda was not open. Because of the event's embeddedness, the organizers had to stick to a rather narrowly defined agenda set by the provincial government. However, the agenda was not set in such a way as to be conducive to one proposal or the other. The deliberants knew what issue they had to discuss and where they had to start from, but they were not told where to go. There was thus a thematically fixed agenda, but with sufficient openness for the participants to seriously consider all alternative electoral formulas. This

openness contributes positively to the input side of this deliberation, and we would qualify the agenda as being semi-open.

What's more, the length of the process (almost a year) allowed the participants to investigate deeply into the issue(s) at stake, to consult the public and experts and finally to propose a long-discussed and well-thought recommendation. This was done throughout with the support of both the Legislative Assembly and the Government of British Columbia that set up a secretariat with a budget of $5.5 million. This covered the costs of eight full-time research, logistical, administrative, and communications staff, as well as part-time facilitators and note-takers, whose role was to ease the deliberation. An honorarium of $150 a day was paid to each participant; their travel costs were also covered.

In May 2005, the provincial government followed-up on its promise and the CA's proposal was put to referendum. It failed to meet the double threshold set by the government for approval: 60% of the province-wide vote and a majority in 60% of the electoral districts. While the latter was reached easily (passing in seventy-seven out of seventy-nine districts), the former fell 2.3% short gaining 57.7% of the vote, even though less than 60% of the public was aware of the CA and its recommendation (Cutler and Johnston 2008). A second referendum was organized in 2009 but the proposal's support did not meet the thresholds, this time gaining less support than in the first referendum. It seemed the momentum around the British Columbia Citizens' Assembly was over.

Table 3: Legitimacy of the BC Citizens' Assembly

Dimension	**Subdimension**	**Coding**
Input	Discursive representativeness	1 → Discursive inclusion
	Open agenda-setting	2 → Semi-open agenda
	Epistemic completeness	1 → Full information
Output	Political uptake	1 → Implementation
	Accountability	2 → Feedback on demand

a. The Dutch Burgerforum

Much like the British Columbia case, the Dutch Burgerforum grew in a climate of political crisis. After the 2002 and 2003 elections, the vulnerability of the Netherlands' extremely

proportional system became obvious. Rightwing populist parties rose and fell in very short periods of time, and a thorough public discussion took place on the breach between citizens and politicians. This debate was further propelled by the fact that the D66 would only join the coalition government in 2003 on the condition that deep changes to the country's electoral system would take place (van der Kolk & Thomassen 2006).

However, there was strong opposition among MPs against a new electoral bill, which eventually led to a short government crisis. As a response to this enduring crisis, the newly appointed Minister for Institutional Renewal and Kingdom Relations, Alexander Pechtold, created his Agenda for Democratic Renewal. Among others, the Dutch government decided to fund a citizens' assembly that would reflect on the Dutch electoral system for the Second Chamber.

From its very inception, the project seems to be shaped crucially by the government's agenda, and the Minister imposed several criteria for the project in his inaugural decree. The project had to deal with electoral reform. It also had to consist of 140 citizens, and each adult inhabitant should have an equal chance of being selected (van der Kolk 2008). The need for randomization was thus considered an official requirement for a qualitative process, and it was also explicitly considered a condition for a legitimate process (Pechtold, 2006). In practice, we see that a random sample of 50.000 citizens was drawn from the official citizens' registry, 3.000 among which attended an information session, and 1700 among which submitted their candidacy to participate. Of those candidates, 140 were finally selected taking into account socio-demographic and territorial quota. The selection was a multistage process because at several times did the randomly selected citizens have the chance of dropping out (van der Kolk, 2008a). This of course leads to a final participant pool that was strongly self-selected (Broekmeulen, 2006), even though the final quality of socio-demographic representation was still relatively good because of the quotas that were imposed on the final participants' sample.

The decision making at the Burgerforum combined elements of deliberation and aggregation. The initial phases of the forum consisted of information gathering and consultations of external experts. After those, the participants went to work to draft several proposals for changes to the electoral system. In the final weekends, votes were held in order to come up with the concluding report that would be presented to the government. Given the very large number of votes, the Burgerforum relied much more strongly on aggregation and votes than the two other cases under scrutiny (van der Kolk, 2008b).

The openness of the agenda, on the contrary, was rather low. As we said earlier, the Dutch government decided from the start that the Burgerforum had to present a final report on what system the citizens preferred for electing the Second Chamber. The initiative was thus strongly tailored to this one theme, and it was obvious to the participants from the information sessions that only the electoral system, and not the wider functioning of democracy, was to be the issue (Fournier et al., 2011).

Unlike the British Columbia case, the policy suggestions in the final report were not submitted to the public vote (Smith, 2009). The event ended with a large-scale publicity campaign, and during the course of the meetings, there was a website that offered news on the discussions that were taking place. The level of public endorsement was thus fairly limited.

As regards the weight of the results, we can see that very little was done to implement the suggestions of the Burgerforum. From the start of the project, the academic team was critically aware of the fact that the results of their efforts depended largely on the goodwill of the politicians to change the rules of the electoral game (Broekmeulen, 2006). They therefore put much effort into informing the political elites of the ideas of the Burgerforum as the process evolved. In the end, the results were discussed in the Parliamentary Committee for Interior Affairs, but the overall responsiveness from the politicians was limited.

Table 2: Legitimacy of the Dutch Burgerforum

Dimension	**Subdimension**	**Coding**
Input	Discursive representativeness	2 → Discursive bias
	Open agenda-setting	3 → Closed agenda
	Epistemic completeness	1 → Full information
Output	Political uptake	3 → Information
	Accountability	3 → No feedback

b. The Belgian G1000 Citizens' Summit

The G1000 Citizens' Summit was launched in Belgium in a climate of crisis. After the 2010 electoral victory of the Flemish nationalist party, the coalition formation went very difficultly. For over 500 days, party elites from both sides of the linguistic border sat together to form a government, resulting in little more than a complete political stalemate (Deschouwer & Reuchamps, 2013). It is in this context that a group of citizens – writers, journalists, academics… – launched the idea of organizing a large citizens' summit, the G1000.

Because of its timing and its idea of bringing Dutch-speakers and French-speakers together, the G1000 witnessed a nationalist headwind. Many public opinion makers framed the project as a pro-Belgian event, thereby delegitimizing it in Flanders (Rondas, 2011; van den Broeck, 2011), and undermining its contextual independence. This is the reason why the organizers did not rely on public money. The G1000 was a completely grassroots organization: it gathered hundreds of volunteers and the budget was crowd funded. With small donations from private citizens or companies, the organizers succeeded in gathering the budget (€ 500.000) in just a couple of months time. Grassroots funding was considered important because research had shown that there was (and is) a wide gap between the political and public agendas (Deschouwer & Sinardet, 2010), with politicians focusing much more strongly on the issues of state reform and federalization. Accepting funds from government institutions in the heated context of nationalist deadlock would prioritize these issues, so the G1000 relied on crowd funding to create a setting, which was open to what the citizens themselves found important.

The G1000 therefore started with an open process of agenda setting. The organizers launched an online idea-box in which every citizen could suggest issues (Caluwaerts & Reuchamps, 2013). This online consultation resulted in a total of over 2000 ideas. These were subsequently clustered into a top 25, which was once again put to vote in order to determine the three most salient items to be discussed at the summit.

In a second phase, the G1000 Citizens' Summit itself took place. Even though one thousand participants were selected through Random Digit Dialing, the event witnessed a strong self-selection bias, especially among ethnic minority groups (Caluwaerts & Reuchamps, 2013). The organizers therefore decided to reserve 10% of the seats for participants who were snowball sampled through minority organizations (G1000, 2012). 90% of the participants were thus randomly selected, whereas 10% came from a targeted recruitment in order to maximize the inclusion of different perspectives. In addition, the

event experienced a dropout rate of about 30%. The final number of participants therefore amounted to only 704. These dropout effects are comparable to those of other mini-publics, and we should take into account that the participants of the G1000 did not receive any financial compensation for their participation (Ryfe, 2005).

Despite these setbacks, the ex-post checks showed that the final participant sample was socio-demographically perfectly representative of the entire population, and a team of international observers even thought the diversity at the tables to be one of the most impressive features of the event (G1000, 2012). The overall quality of representation thus remains positive.

The Citizens' Summit in Brussels was also flanked by two side projects: G'Home and G'Offs (Caluwaerts & Reuchamps, 2012). G'Home was a parallel online discussion open to everyone, whereas the G'offs gathered citizens at discussion tables all over Belgium. There was thus a much larger group than the randomly selected participants in Brussels discussing the three main issues, and analyses have shown that the conclusions reached by the G'Home and G'Offs had a striking resemblance with the proposals formulated by the participants in Brussels. We could consider these satellite events as forms of public endorsement because they offer some crucial inputs from the wider community, but even with the large media attention, the overall level of wider public assent remains quite weak.

The decision-making process was characterized by an alternation between deliberation and aggregation. All the arguments that were formulated at the tables were collected and clustered by the central desk. These clusters were then resubmitted to a plenary vote at the end of each discussion round. Such a combination of substantive depth and elaboration of citizen deliberation with the clarity of a final vote significantly improves the throughput legitimacy (Bekkers & Edwards, 2007).

In order to give everyone the liberty to utter his or her opinion, the organizers relied on a structured script with changing interaction styles, ranging from 1-on-1 discussions to large plenary sessions. In order to lower the threshold for participation, the event started with an introductory round so that the participants had an opportunity to get to know each other. However, the quality of participation was seriously limited by the fact that three large themes had to be discussed in just one day, meaning that the participants didn't get the chance to dig deep into the issues.

Despite all good intentions, the G1000 Citizens' Summit scored very poorly in terms of output legitimacy. The G1000 grew as a truly grassroots initiative but this inevitably

meant that the organizers could not secure any commitment from the political elites. Rather, the final report was looked at with relative skepticism by political parties and media alike, and apart from the presidents of the different Belgian parliaments saying that "it is important to listen to citizens", very little specific action was taken by politicians to take up the ideas of the G1000 in the policy process.

Table 3: Legitimacy of the G1000 Citizens' Summit

Dimension	**Subdimension**	**Coding**
Input	Discursive representativeness	1 → Discursive inclusion
	Open agenda-setting	1 → Open agenda
	Epistemic completeness	2 → Balanced information
Output	Political uptake	4 → No uptake
	Accountability	3 → No feedback

c. The Irish We the Citizens

The fourth deliberative mini-public discussed in this paper follows the Citizens' Assembly model of the first two cases but finds its root in a similar political context of democracy's crisis as in the third case. In fact, like in Belgium and most other West European countries, Ireland's democracy was experiencing an ongoing crisis with a generalized lack of trust in politics and institutions (We, the Citizens, 2011). To explore possible response to this political context, a working group was set up by the Political Studies Association of Ireland in 2009 and suggested to test whether a more participatory form of democracy could work in Ireland. With the financial support of Atlantic Philanthropies, a pilot deliberative process, entitled "We, the Citizens", was organized in association with the Irish Universities Association. "The rationale for this project was to very deliberately and publicly feed into the political reform agenda, the principal objective being to demonstrate the value of citizen-oriented, deliberative approaches to achieving large scale political reform" (Farrell et al., 2012, p. 17).

From the outset, it was decided that the agenda would be very open and set by the people of Ireland. To this end, seven meetings were organized around the country between May 14th and June 10th, 2011, with an open invitation, aired by radio and local media

channels, to anyone willing to attend. The outcomes of this open door, open agenda platform – where 700 people shared their ideas on how to renew Ireland – helped to determine the agenda of the national Citizens' Assembly held on June 25th and 26th 2011 (We, the Citizens, 2011, p. 16). The themes gathered from the regional sessions were put to a national poll of 1,242 people from whom 150 were selected to attend the national Citizens' Assembly. 100 actually attended; they represented a cross-section of Irish society in terms of age, gender, region and socio-economic background.

The 100 participants were distributed into tables of eight, each having a facilitator and a note-taker. Two main themes – political reform-related issues and taxation vs. spending – were discussed (one per day) following a typical mini-public format. "At the start of each session the expert witnesses gave brief presentations summarizing their main points. There then followed an initial period of deliberation at each table, with the experts on hand to provide answers of fact or detail as required. Once these discussions concluded there was a brief round of plenary discussion, the objective being to give CA members an opportunity to hear about the tenor of discussions generally. The tables were then asked to complete another round of deliberations at the end of which they could make a series of recommendations. These were gathered together, and put on a ballot paper for the CA members to vote on" (Farrell et al., 2012, p. 18).

We the Citizens was a pilot Citizens' Assembly, with no legal standing or remit. With the results of a series of independent surveys on the participants as well as on control groups who had not take part in the experiment, the organizers showed that such deliberative mini-public could enhance democracy, especially at a time when Irish people felt adrift and disconnected from power (We, the Citizens, 2011). But what's more, the initiative led the Oireachtas (the Irish Parliament) to set in July 2012 the Irish Constitutional Convention, made of made of 66 citizens and 33 parliamentarians, with the task to make them recommendation on future amendments to be put to the people in referendums.

Table 4: Legitimacy of We, the Citizens

Dimension	**Subdimension**	**Coding**
Input	Discursive representativeness	2 → Discursive bias
	Open agenda-setting	1 → Open agenda
	Epistemic completeness	1 → Full information

Output	Political uptake	3 → Information
	Accountability	3 → No feedback

5 Comparison

The four cases we discussed above are all similar in that they gather a diverse set of ordinary citizens to discuss salient political problems. In that their goals and their means are the same, but the design of their respective deliberative processes differed greatly, even in the most fundamental choices the organizers had to make. And these design changes also impacted upon the legitimacy of the projects, which is why it is interesting to determine which are the favorable conditions for deliberative legitimacy.

We initially attempted to do a fuzzy set Qualitative Comparative Analysis, but given the relatively large number of variables, and the limited number of cases, the fs/QCA proved not to be the most adequate analytical technique[2] (Rihoux & Ragin, 2009). We therefore resorted to a thick cross-case comparison, and the results are quite interesting.

A first striking finding is that randomization, which all of the projects used but in different forms, does generate a high quality of representation. The BC Citizens' Assembly is a case in point. However, what the Dutch, Belgian and Irish cases show us is that randomization alone is not enough. The quality of representation suffers when there is self-selection and drop-out. The Dutch case shows that self-selection is fostered when you leave the participants to many moments to change their minds and decide not to participate. The Dutch multistage process therefore should be avoided as much as possible. The Belgian and Irish cases, on the other hand, show that randomization should be combined with a financial incentive for participation, otherwise the drop-out will be great. The only reason the G1000 with its strong self-selection and drop-out redeemed itself, is because of its targeted recruitment of minority groups, which made the mini-public very diverse.

	Institutional embeddedness	
	Embedded	Dissociated

[2] The aim for subsequent papers is, nevertheless, to add a sufficient amount of cases in order to be able to draw strong causal inferences using fs/QCA.

Disruptive potential	Radical	**Inside challenger** Hypothesized: High input/ High output Effective: High input/High output	**Outside challenger** Hypothesized: High input/Low output Effective: High input/Low output
	Incremental	**Inside follower** Hypothesized: Low input/High output Effective: Low input/Low output	**Outside follower** Hypothesized: Low input/Low output Effective: High input/low output

Table 5: Comparing favorable conditions for deliberative legitimacy

	British Columbia Citizens' Assembly	Dutch Burgerforum	G1000 Citizens' Summit	We, the Citizens
Number of participants	Medium (160)	Medium (140)	Large (704)	Large and medium (700 and 100)
Selection method	Random	Multistage random	Random + Targeted	Random
Length event	Long (12 w-ends)	Long (10 w-ends)	Short (1 day)	Short (2 days)
Funding	Govt.	Govt.	Crowd-funded	Private foundations
Public endorsement	Strong (referenda)	Weak (media campaign)	Weak (G'Home, G'Offs & media)	Weak (media campaign)
Quality of representation	++	+	+	+
Openness agenda	--	--	++	++
Quality of decision-making	++	+	+	+
Quality of participation	++	++	-	0

Contextual independence	0	--	--	--
Weight of the results	++	--	--	++
Responsiveness & accountability	--	--	--	--

With regard to the openness of the agenda, the data indicate that the two programs that are government initiated and funded (the BC Citizens' Assembly and the Dutch Burgerforum) are also the ones that score worst in terms of open agendasetting. Both projects were set up by their respective governments to come to a conclusion on one very specific issue, whereas the two crowd funded or privately funded projects (the G1000 and We, the Citizens) rejected government interference, and therefore had the freedom to opt for an open agenda.

The same can be said with regard to the quality of participation. The two government funded projects also scored highest with regard to the quality of participation, mainly because the participants had enough time to talk and deliberate. Hence, the effect here is conditional: government funding gave the organizers sufficient financial security to organize a long and deep deliberative process covering 10 or more weekends. The G1000 project was only sure that it had sufficient funds two days before the project took place, and this lack of financial security meant that it was considered very risky to spread the event over several weekends. The three issues were therefore crammed into one day, which significantly lowers the quality of the participation, and we can see the same result in the Irish case, where the quality of participation is medium at best due to the short duration of the event.

As for the contextual independence, we see that there is very little variation on this variable. Interestingly, however, the case studies have shown that the two large, privately funded initiatives (the G1000 and We, the Citizens) are strongly contextually dependent because they attract much media attention. Because of their large numbers of participants, they stir public opinion, and they are often portrayed as being anti-institutional. This leads to heated debates. In the case of the Burgerforum, the reason why the event was also contextually dependent, was that there was a large disagreement between the cabinet parties on the usefulness of a citizens' assembly on issues that directly affect how politicians can get reelected. In the British Columbia case, there was a large political will and a large public support to make the project succeed, which made that the deliberations took place in a more serene public atmosphere.

In our hypotheses, we assumed that government funded initiatives would have greater access to the political arena, and were therefore likelier to receive some serious backing from the elites. The results seem to disconfirm this: the Burgerforum was government initiated, but the results were only looked at from a distance. There was a parliamentary debate and an official letter from the cabinet, but the project died a silent death. The only project that did succeed to set the political agenda was the BC Citizens Assembly, and the main reason for that was that the project was government initiated and received a strong public endorsement. Admittedly the results were not confirmed by a referendum, but that was due to the participation quota not being reached, rather than the proposals not being supported. The referenda thus allowed the mini-public to put pressure on the political leaders to hear them out.

Finally, the data offer very little variation between the cases with regard to the quality of decision-making, and responsiveness and accountability. All of the events combined deliberative and aggregative techniques, even though the Dutch Burgerforum relied on votes somewhat more strongly, and after the events had finished, there was no real feedback to the participants. For the most part, this was of course because there was no real implementation of any of the proposals, and as such there was very little need for feedback to the participants.

6 Conclusion

In this paper, we set out to determine the conditions under which deliberation can add to the legitimacy of the political system. As the critical reader might have noticed, we focused primarily on the most basic design choices that every organizer has to make. Within the framework of these basic issues, there are of course a myriad of new choices to be made on seating arrangements, moderation styles, interaction formats etc. A good way forward would be to figure out how these more detailed choices affect legitimacy.

However, our results do show that even the most basic choices deliberative designers make, have an impact on the legitimacy of the event. How many people they want to gather, how long the event will take, how it's funded… all these questions have a profound impact upon the contributions we can expect from deliberative events to the legitimate functioning of democracy as a whole.

From a theorist's perspective these findings are telling, but especially from a practitioner's perspective, it seems important to keep these basic design features under control. For instance, a designer wanting to set up a deliberative assembly in order to arrive at some legitimate policy proposals might be better off lobbying for money from a government agency and giving his/her event a strong final endorsement, than when he/she crowd sources funds to keep a very open agenda. In the latter case, there will be a bigger input legitimacy, but in the former case, the results are more likely to have a political impact.

This also shows that there are in essence trade-offs in deliberative legitimacy. Larger groups might be more representative (high input legitimacy) but harder to manage (low throughput legitimacy). Crowd funded events might score very well in terms of input legitimacy with their open agendas, but their chances of actually penetrating the political realm will be slimmer. An important job for deliberative theorists is then to normatively assess these trade-offs and to decide which dimensions take preference.

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