How We Reason: A Statewide California Deliberative Poll Revealing Opinion Change on California’s Legislature

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Abstract
In the 2011 California Deliberative Poll, a representative sample was asked to deliberate about various proposals about the future of California. One relatively popular proposal, to make legislatures part-time and pay them part-time salaries, dropped from 45% approval before deliberations to 27% after deliberations. Through qualitative and quantitative analyses, this study aims to ascertain what factors fueled this large opinion change. This paper found that arguments concerning the complicated nature of legislation, the relative costs of a part-time legislature, and the historical performance of legislatures are significant predictors of opinion change.
Introduction

Democratic institutions often face a paradoxical dilemma concerning public opinion. On the one hand, if the institutions consult the public, the public may give a largely uninformed, non-deliberative opinion. Most citizens do not devote much time to politics and are often uninformed or apathetic about the issues. Citizens in large democracies often have little incentive to become a well-informed citizen, because in large democracies individual votes are unlikely to make much of a difference in the outcome of an election. On the other hand, democratic institutions are based around the principles of public consultation. If one disregards the value of public opinion, then one begins to doubt the value of democracy. Often democratic leaders are forced to choose between the uneducated opinion of the masses or the more refined opinion of the unrepresentative elite.

Pragmatically, the process of selecting whom to consult exacerbates this problem. Self-selecting methods of consultation (e.g. town hall meetings, reading letters, watching protests) create a representational bias to those that are passionate about the subject at hand. In contrast, a representative sample will collect the views of a representative sample of the population, but many of these opinions will be uninformed and in some cases non-attitudes (people choose to answer a question they are actually indifferent towards.)

Deliberative Polling is intended to neutralize this dilemma. Deliberative Polling achieves both equal political representation while allowing for opinions to be educated and deliberative. Through the use of scientific random sampling, participants in a Deliberative Poll very closely mirror the population from which they were chosen. Additionally, by creating good conditions to motivate participants to learn context, form opinions, and deliberate with others, it can create a more refined and educated opinion that is representative of what the public would think if they too had been placed in such conditions.

Thus far, there have been over seventy Deliberative Polls in the U.S. and abroad. This paper concerns the Deliberative Poll conducted in California, "What's Next California?" The poll took place in June 2011 in Torrance, CA to bring together Californians and seek their opinions on the statewide initiative process, legislative representation, local government, and tax and fiscal policy. This poll allowed for citizens of California to form deliberative opinions on how to efficiently manage state government.

Participants

A representative sample of 412 people gathered in Torrance, CA on June 24-26, 2011 to participate in a Deliberative Poll. Participants were paid an honorarium for the weekend participation plus all travel expenses. The 412 participants were compared to a separate sample of 300 registered voters. There were no significant differences between the 412 and the 300 in gender, age, education, employment status, ethnicity, political party or political ideology. However, there were small differences in income and religious attendance and some significant differences in attitudes toward some specific policy proposals. To ensure that any differences in specific policy attitudes did not affect our results, we conducted a further matching analysis to establish weightings for the participant sample and then reanalyzed the changes in attitudes. The results remained substantially unchanged as detailed in the section on representativeness in this report. Hence, we report the unweighted results for the participants here and we only note significant changes for those questions, which yielded similar results whether the sample was weighted or unweighted.
Of the 412 participants, 337 were used in the analysis of opinion change regarding part-time legislatures. The 412 participants were randomly divided into 25 groups for deliberation. In four of the twenty-five groups, the audio recording was not audible enough to form clear transcripts of the deliberations. As a result, only 21 of the 25 groups were analyzed for this study.

**Data**

Before deliberation, designated as t2, and after deliberation, designated as t3, participants were asked to complete a survey on a number of proposals. The dependent variable in this analysis is a participant's response to the question, "On a 0 to 10 scale where 0 is 'extremely undesirable', 10 is 'extremely desirable,' and 5 is exactly in the middle, how desirable or undesirable would you say each of the following is?... n. Making the State Legislature part-time and paying legislators part-time salaries." For the analysis, participants who did not answer this question were coded as "5" for indifference.

The independent variables were collected through coding participants' arguments related to part-time legislatures during deliberation. Participants' arguments were coded into seven distinct categories and seven rebuttal categories. The seven categories are: "legislation is too complicated to understand easily," "part-time legislatures would increase the amount of nefarious influences on policy," "part-time jobs are too difficult to also work in the legislature," "legislators need to understand their constituents better," "examples of successful part-time legislatures," "a part-time legislature saves costs," "legislators are incapable of creating good legislation and should be prevented from over-legislating." These categories were derived from reading through each group's transcript once and determining the most common arguments. The transcripts were then read once again to code the occurrence of each type of argument in each group. Below is the coding scheme employed in this analysis.

**Method**

This coding scheme was applied to any and all comments that are commenting on the pros and cons of part-time legislatures and/or shorter legislative sessions. Below are the criteria for coding the transcripts into reasons for and against part-time legislatures, shorter legislative sessions, longer assembly terms, and term-limits. Employing the coding scheme, the transcripts of the deliberations were coded into fourteen categories. Each variable represents the number of comments per category present in a group's deliberation. The variables were then applied from the group level to the individuals in the group to allow for a larger sample size.

*Legislation is too complicated to understand easily:*

Code "1" for each comment that discusses how complicated legislation has become. This includes comments about the size of California and how complicated legislating for so many people might be. Additionally, this category includes arguing that legislators need more time to understand legislation and become acquainted with the political system.

*Note:* This category is distinct from "Part-time jobs are too difficult." Code this category only if it is a reference to how difficult it is to understand legislation, not how difficult a part-time job would make it to have time to understand legislation.

*Examples:*
"I mean, what, whereas I appreciate the importance of the concept of-a citizen legislature, people that actually come from the real world to serve, nevertheless, I know that just given running, I-I forget who I was talking to, but the-the observation is often made that as a economic power alone, California could be in the top 20 countries of the world, if we can ever turn it around. That’s a fairly complicated operation to oversee."

"I don’t want somebody part-time handling the decision that’s gonna _____ affect my life during the long term."

"Our districts are so big they need to be full time in order to truly represent such a big district."

Rebuttal- Legislation is too complicated to understand easily: Code "1" for each comment that attempts to rebut claims that California's legislation is too complicated or that the state is too big to govern effectively. This category might overlap with other categories.

Examples:

"Well I-I believe that everybody, any position is replaceable. And we have enough people to draw on that we don’t have to keep these guys in forever. There’s somebody else who can do the job."

"You know, I don’t know. I think most people who came here today and we took time out or we don’t have our weekend, I think most of us, if we were called on, it’s not going to be fancy salaries, I think like for me, my company, I know this, that you’re gone every Friday or whatever it is. I know that. It’s true, I’m not the smartest guy on everything, but there’s some issues I know about. And I think if you drew enough of concerned citizens who were experts in this area and that area, I think you’d get more done _____.

Less time in the legislature creates opportunities for nefarious influences: Code "1" for each comment that explains that lobbyists, staffers, the wealthy, or part-time legislators’ bosses will gain influence over policy with a legislator spending less time in the legislature, or that there will be less nefarious influence if legislators spend more time in the legislature.

Examples:

"What they didn’t realize is that when you tell somebody that after six years, they can no longer run for assembly, they get very close to lobbyists. And they say, well, okay, I either have to run for state senate when my six years have expired, or I become a lobbyist. So it gives the lobbyists a lot more power and control than they had before term limits."

" And they’re gonna be biased towards whatever job they are working."

" But what about – I mean look at – I know in my personal life I’m so busy right now doing things, I don’t know how I can do a part-time job. I mean and the average person go and work
part time at this complex job in Sacramento and still maintain some sort of other life. I mean, does it just favor the wealthy people who can afford to go work for a small salary?"

Rebuttal- Less time in the legislature creates opportunities for nefarious influences:
Code "1" for each comment that rebuts the influence of lobbyists, staffers, the wealthy, or part-time legislators' bosses over policy.

Examples:

"But you have that now, pretty much. Most of us poor guys aren’t going to run for office, or average Joe."

"I have something to say about that, though. I think that corruption – there’s a saying that says: Absolute power corrupts, and absolute power corrupts absolutely. And so when they ________. Corruption is just something you can never completely get rid of. But I think that we’ve had full-time legislatures for so long and ________ corrupted, anyway. I think really that we should go to part-time maybe for ten years. And after ten years we need to change it up and go back to full-time."

Part-Time Jobs are difficult:
Code "1" for each comment that comments on the difficulty of both working a job and legislating. Note: This comment must discuss how difficult working is and/or how difficult working two jobs might be. Comments about how complicated legislation is and how difficult legislating is belong under "Legislation is too complicated."

Examples:

"I have to say I disagree on the part-time. I mean as I sit there and think about my family, and most people out there that you’re trying to earn a living. And so are you going to have a part-time job to support your family, and be able to take the time and the energy to properly serve – I don’t think it’s possible."

"I don’t think there’s enough companies out there that are flexible."

"Congress can’t work ________, but the doctors lose their licenses because they can’t get insured. ________ in the U.S. Senate. In a state they’re allowed to work, but some people can’t have jobs. My assemblyman has a construction job, contractor. So he can do it part-time. But he says that he won’t do it ________. So there’s – people are getting hurt because they aren’t in a profession where they can work part-time and that way they don’t have to pay ________."

Rebuttal – Part-time jobs are difficult:
Code "1" for each comment that rebuts the difficulty or time-commitment of a part-time legislators’ second job.

Examples:
"But what about – I mean look at – I know in my personal life I'm so busy right now doing things, I don’t know how I can do a part-time job. I mean and the average person go and work part time at this complex job in Sacramento and still maintain some sort of other life. I mean, does it just favor the wealthy people who can afford to go work for a small salary?"

"I have to jump in and say, it really is – I _____ part-time. For those of you who live in Los Angeles, remember _____ called the neighborhood council? And this was a system that was installed in LA after half of LA, the San _____ Valley _____ lost narrowly _____ because people don’t _____ . So they installed this system with local-elected boards that represent local issues and advise the city council. In our case, we have three city council persons that overlap our area. So we are, what AA baseball is to major leagues, that’s kind of what we are. And _____ really, really _____. But I’m a volunteer. And we get involved in some real controversial stuff, especially around land use."

Legislators need to get in touch with their constituents:
Code "1" for each comment that argues that legislators need to spend more time with, or get to know, their constituents.

Examples:

"The theory was government should not be a career. It should be something that people do for a time and then they go back into the private sector."

"What the average em-state of California or the average American is feeling or going through and if they went up and read and-and you know we were supposed to send our person up there for a couple years or send our person to Washington D.C. and then they were supposed to come back. They left their farms and that was the original Constitution, is they-they went up there and they represented all their group and their little community and then they came back to their community and worked in it. They never forgot their community. They've forgotten their communities cause they're career politicians."

"There’s a competing one here about cutting them to part time. That’s the exact opposite, which I think would be great since – in legislatures, that’s the way ______. You, obviously, had to go back and live under the laws that you create."

Rebuttal – Need to get in touch with their constituents:
Code "1" for each comment that rebuts an argument that legislators need to spend more time with or get to know their constituents.

Examples:

"Our representative for a long time was Leonard Panetta and he's gone on to bigger and better things but I can remember when my daughter graduated as Valedictorian, she got a personal phone call from him congratulating her. Maybe he makes 15 of those phone calls a year in Monterey County, depending on what the student does but and it was followed up with a letter. Now here again I guess I'm sort of bragging on my kid but that-that's not what I meant. What I
meant was he provides… and always has provided town hall meetings that he doesn't get paid for that people go to that where he brings in guest speakers. He's brought in Bill Clinton. He's brought in republican speakers, Bainer. It's-it's-I-I think at least in our county we have a real good communication line between our representatives and us."

"The devil’s advocate to part-time, though, is what do they do in their off time? They’ve got to work another job. They’re not gonna _____ constituents as much." (This statement was also coded for part-time jobs are difficult.)

"That’s a good point. Because even if we cut the length of the legislative session, and we’re not telling them what they have to do in their spare time, that doesn’t mean they’re going to go see us."

Success examples:
Code "1" for each comment that points to another state's part-time legislature as an example of the viability of part-time legislatures.

Examples:

"But that’s where I was going to – I was leading to. The State of Texas is part-time representatives, and they meet once every two years _____"

"In Nebraska the legislature meets once every two years."

"Hey, if other states can get it done, why can’t we? Texas is in the black, and their economy is not as big as ours, but their – "

Rebuttal – Success examples:
Code "1" for each comment that rebuts the success of another state's part-time legislature or argues that California has different conditions than the example state.

Examples:

"Texas is different."

"They’re an oil state. Oil."

Less time in the legislature saves costs:
Code "1" for each comment that argues that a part-time legislature will save money for the state budget – either directly by paying legislators less or indirectly by reducing the amount of legislation the legislature can produce.

Examples:
"I am not against them getting a per diem, I’m just saying that the length of the process, it can’t be that they’re getting a per diem for nine months because that’s ridiculous. If you’re getting a per diem for nine months, then you should live there. That’s enough for you to get an apartment because they’re getting paid well enough."

"It makes it more affordable for those people who want to get into politics, like the average person, and what he was saying about having a part-time Legislature, that makes it feasible. Because now, instead of having, I don’t know, 50 representatives for the whole thing, now you have let’s say 100 or 150, well, now you can go part-time and just spread the cost out through those people."

"Yes, that they have – I’d like to say that you have to pay them to be there, which is why I was so in favor of the part-time thing. But now I’m actually starting to be swung in the direction of maybe they should be working on this a little bit more because there really is a lot of work to do."

Rebuttal – Less time in the legislature saves costs:

Code "1" for each comment that argues that less time in the legislature, whether through a part-time legislature or shorter sessions, does not necessarily save costs, or that more time in the legislature could actually save more costs.

Examples:

"Well, but this is also – I remember reading that all the expense of the legislature is ¼ of a percent of the state budget."

"_____ is on the basis of cost though, isn’t it? Just a drop in the bucket you’re talking about, like 50,100 individual salaries?"

Legislators are incapable of creating good legislation and should be prevented from over-legislating:

Code "1" for each comment that argues politicians should be punished for their incompetence or corruption. Also code "1" for each comment that argues that legislators should be prevented from legislating too much.

Note: This category might overlap with elements of "Saves Costs." If someone argues that legislators should be prevented from legislating too often because they cost the state money, the comment would be counted in both categories.

Examples:

"And I also think it-it would help or at least in my thinking, is help the legislature focus on the more important issues that-that really need to be solved. An example recently is somebody brought up something about scanning alcoholic beverages at a self checkout. Is that important
business for the State of California? So you, to me that’s a frivolous, a frivolous issue. They’re-they’re bypa-, and that came up during budget discussions. So to me, the-the budget should be looked at over somebody’s trying to scan a can of beer or something. So if it’s part time, to me, that would help focus or help them focus on the more important issues to the state. "

"I like part time because I don't think they're really listening the ones that are full time now aren't really listening. I think they're doing part time already. They're-I don't think they're there all the time. I think they're on vacations, or here, they're there. But they're not listening to the people."

"That way, they're not looking to make a career out of it."

"I want them to be in Sacramento as less as possible – 30 days a year. The less they do, the more we’re left alone to do our thing, to raise our family, to do our jobs, to live our life. I live it when gridlock, when they say they’re gonna shut down government, which it really doesn’t. I love it when they’re in gridlock. I mean a 50-50 percent, left and right, that’s great. Just leave me alone. "

Rebuttal – Legislators are incapable of creating good legislation and should be prevented from over-legislating:

Code "1" for each comment that rebuts arguments that politicians should be punished, that politicians are incompetent, or that legislators need to legislate less.

Example:

"Person 1: ______ 90 percent of the budget is considered essential services. They just didn’t announce it for when they were trying to shut down the_____ Sacramento during Schwarzenegger. I think it’s great when nothing happens, personally.

Person 2: ______ we’ve gotta have progress. We’ve gotta have progress. I mean are you gonna grade your own roads? Upgrade the rail system ourselves?"

Findings
This analysis sought to test which arguments about part-time legislatures significantly affected participants' opinions on the issue. The fourteen categories of opinions were tested against participants' post-deliberation opinions about a part-time legislature using a linear regression. Figure 1 shows the results of the regression.

Figure 1

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Arguments about the complicated nature of legislation appear to significantly lower participants' evaluation of the proposal for a part-time legislature ($p = .015$). Similarly, rebuttals to arguments about how legislators need to get in touch with their constituents significantly lower participants' evaluation of the part-time legislature proposal ($p = .003$). Meanwhile, both arguments about how a part-time legislature would save the state money ($p = .022$) and rebuttals to this argument appear to significantly raise participants' evaluation of a part-time legislature ($p = .032$). Finally, arguments that legislators are incompetent significantly increased participants' approval of the part-time legislature proposal ($p = .025$).

**Discussion**

The findings provide several interesting insights into the deliberative process about part-time legislatures. First, arguments about the complicated nature of legislation have a small, but statistically significant negative effect on participants' opinions about part-time legislatures. The directionality of the coefficient ($B = -.206$) appears rather intuitive – the more one discusses how difficult legislation is to understand, the less likely one is to think that a part-time legislator can sufficiently address California's problems. Often these arguments would stress the size of California's economy, the increasing difficulty of legislating in the technology age, and the need for institutional memory. Interestingly, this argument was the most pervasive of any argument recorded, constituting 28.24% of the recorded arguments about part-time legislatures.
Second, rebuttals to the argument that legislators need to get in touch with their constituents proved very significant ($p = .003$) and possessed a relatively large negative coefficient ($B = -1.072596$). Rebuttals to arguments about out of touch legislators generally consisted of personal stories about how a legislator interacted with a community or an individual. Interestingly, while rebuttals to arguments that legislators need to get in touch with their constituents were only present in nine out of the twenty-one groups it still proved to be rather significant as a predictor of after-deliberation opinions. Perhaps, the power of this argument rests in the intensely personal anecdotes that generally constituted these comments.

The two arguments discussed above were the two arguments that significantly influenced people to be more likely to reject the idea of a part-time legislature. Thus, if one is attempting to sway someone against part-time legislatures, it might be prudent to argue that the job of legislators is very difficult and only becoming more difficult as technology progress or relate a touching anecdote about the compassion of a legislator.

Third, punitive arguments about the incompetence of legislators also proved significant ($p = .025$) in creating a positive opinion about part-time legislatures ($B = .313661$). Punitive arguments generally consisted of statements about how all legislators are inept and should be prevented from legislating to the extent it is possible. These arguments were the second most pervasive in the study constituting $18.07\%$ of the total comments about part-time legislatures. These arguments seem to mirror "outsider" politicians arguments against the establishment – people are likely to want to limit government's power when they are presented with arguments about the government's incompetence.

Finally, both, arguments that a part-time legislature would save costs and rebuttals to these arguments proved to significantly increase participants' opinions regarding part-time legislatures ($p = .022$, $B = .736$; $p = .032$, $B = .740$ respectively). These results are rather surprising, as one would assume that a rebuttal to the argument that part-time legislatures save costs should create a negative directionality. Perhaps, rebuttals to cost saving arguments are not particularly convincing, but rather serve to more prominently focus participants' thinking on costs.

Ultimately, this data suggests that if one is attempting to convince someone that part-time legislatures are beneficial one should argue that legislators are incompetent and also try to focus on the potential costs or savings of a part-time legislature. Additionally, opponents of part-time legislatures should be wary about engaging their opponents on the issue of costs whatsoever, as simply discussing the topic proves to increase positive perceptions of part-time legislatures.
References


