Paper submitted to the

56th Annual Conference
of the

International Communication
Association

Dresden, Germany
June 19 - 23, 2006

The micro processes of Citizen Jury deliberation:
Implications for Deliberative Democracy

Yasmin van Kasteren
Bernard J. McKenna

University of Queensland Business School
Australia
Abstract

Despite the growing popularity of the citizen jury and other deliberative democratic approaches to public participation, there is no agreement on the method for evaluating them, nor even agreement on where evaluation should be applied, inputs, outputs or process. To evaluate its efficacy, this study convened a citizen jury to deliberate on waste management issues in a provincial Australian city.

After considering the theory of deliberative democracy, the paper identifies six criteria and applies relevant analytical methods. The primary form of analysis is a sample of transcripts of jury deliberations used to examine the micro processes of the deliberative processes. This was supplemented by pre- and post-jury surveys as well participant observation.

The outcomes reveal that the micro-processes of jury deliberation were often characterised by unequal forms of interaction, poor focus on outcomes, and limited use fo available knowledge. Nonetheless, the paper argues that deliberative processes do have a role to play in contemporary democracies.
Introduction

This paper reports on the first of three stages of a three-year project, the Anglia Waste Management Project. In the first stage we test a citizen jury (CJ) model of deliberative democracy; the second stage comprises an 800 household survey testing the outcomes of the CJ and other matters; in the third stage we undertake a large recycling behavior study to test the effects of two variables on household recycling behavior. This research will provide the first significant Australian data about the impact of meaningful citizen engagement in local government decision-making about waste management.

Deliberative democracy has emerged as a political communication issue as a result of two major concerns: the gap between technocracy and citizenry as well as a growing cynicism with parliamentary forms of democracy. Complicating this are two further concerns: the loss of social capital and a deep concern with social issues such as environment, terrorism, and biotechnology leading to a potential sense of citizen powerlessness. The Citizen Jury model was tested in the first stage to:

1. determine whether community understanding of a complex social issue, such as domestic waste management, can be enhanced;
2. test communication processes that enhance citizen participation in decision making;
3. identify whether public trust in government and corporations is enhanced when these processes are used.

Contemporary social, workplace, commercial, and technological development is occurring at such a phenomenal rate that citizens and governments are having difficulty in understanding and coping with the changes. The major concern about such developments is that people feel bewildered, alienated and disempowered because their social world seems to be constructed outside their control. This sense of powerlessness is engendered by such factors as complex knowledge, “busy” lifestyles, and modes of communication. A widespread sense of powerlessness by a disaffected citizenry poses a significant threat to democratic societies because it can lead to technocratic domination and lost commitment to socially shared values.

Waste Management as a Problem

Australia faces a major waste management crisis within the next twenty years. Australians consume more resources and produce more waste than at any previous time (Australian Bureau of Statistics, 2003). By 2000, Australian landfill sites received 21.2 million tonnes of solid waste from all waste streams, an annual disposal rate of approximately 1.15 tonnes / person (Australian Bureau of Statistics, 1999). This places Australians among the highest solid waste producers per
capita in the world (Organisation for Economic Cooperation and Development, 1998). Because the spiralling levels of solid waste production are likely to continue due to increasingly high standards of living and sustained population growth (Australian Bureau of Statistics, 1999), a major challenge confronts Australian governments to effectively manage waste production in a way that is both environmentally and economically responsible.

Local governments have primary responsibility for this. An average Australian’s production of 400kg per year of domestic waste (such as paper, glass, plastic and food wastes) is sent to local government or private landfill sites. Landfill sites are economically expensive and environmentally problematic because they produce toxic leachates, methane from organic decomposition, and greenhouse gas emissions by transporting waste (Newton et al., 2001, Souza et al., 2003), as well as absorbing near urban land (Bacot et al., 1994). Accordingly, preventing and minimising municipal waste is central to sustainably managing domestic waste in Australia. Anglia City, in 2002, adopted the South East Queensland Solid Waste Management Study. One key expectation of this is to update waste strategies and introduce alternative technologies.

Concepts of Deliberative Democracy

The community engagement approach eschews a technocratic (top-down) approach in favour of a participatory (bottom-up) model. This means that the normal adversarial approach to contentious political questions (e.g. waste management) is supplemented by a deliberative consensual approach where citizens are involved in decision-making (participatory democracy). This participatory democratic model has three fundamental features. It operates separately from the normal government processes by providing “forums for stakeholder involvement and the development of a stakeholder voice” (Deetz, 1999, p. 133). Secondly, it empowers people to change norms and standards for expected behaviour in a community (Rogers and Singhal, 2003). Thirdly, it strengthens community ties by building trust in and participation with local government (Shah et al., 2001) to solve community problems.

Technocracy & Expert Knowledge

From a Habermasian perspective, the tendency of citizens to defer to governments in implementing policies based on technocratic “expert” knowledge represents technocratic rationality. His concern is that technocratic rationality (the system-world) tends to colonise and occlude the life-world of social and community interaction (Habermas, 1987), thereby disenfranchising citizens from deliberating and participating in the processes of finding solutions to often complex issues. By contrast, participatory democracy provides opportunities for citizens to enter these technical discourses that affect their own lives. As experts respond to citizen scrutiny and engagement, communities “gain mastery over issues of concern to them” (Zimmerman, 1995, p. 581). This means that no discursive voice is privileged over another.
(Enslin et al., 2001) because deliberation is based on “an ongoing process of mutual justification” (Gutmann and Thompson, 1996, p. 161) among citizens and experts. Thus participatory democracy does not reject technical knowledge, but opens it to critique and informed and consensual application.

**Appropriate Communication Models**

An appropriate “communication ecology” (Friedland, 2001) is necessary for participatory democracy to flourish. Technocratic and educational approaches to public policy, which assume transmissionist communication (Shannon and Weaver, 1949), are inappropriate because they are not dialogic and because they privilege the powerful over the less powerful. A more appropriate model is one that is “upward, participatory, transactive, [and] open” (Servaes, 1996, p.40); “a domain of uncoerced conversation oriented toward a pragmatic accord” (Poster, 1995); and dialogic (Gutmann and Thompson, 1996). This means that citizens can question any proposal, submit proposals, and express any attitudes (Habermas, 1990, p. 89). Such a model is designed to minimise what Deetz (1999, p. 155) calls “discursive closure”: disqualifying certain discourses and repressing certain experiences because they do not originate in “expert” knowledge. Dialogical communication produces socially constructed knowledge that is built up and shared through communicative processes (Weisinger and Salipante, 2000, Dachler and Hosking, 1995). This could be characterized as a social constructionist model (Gergen, 1994b, Gergen, 1994a, Harré, 1986, Neisser and Jopling, 1996, Shotter, 1995, Shotter, 1993, Bourdieu, 1991).

A social constructionist-critical discourse paradigm (Gergen, 1994b, Gergen, 1994a, Fairclough, n.d., Stone and Hughes, 2000), construes communication as an organic or systemic process where varied levels of power and access, largely based on knowledge and the ability to affect the course of events, are understood. “Reality” is not seen as something best determined by the experts, but as a social process of jointly constructing understandings, and where meaning is negotiated. Thus, it is a two-way dialogical process, although in some instances ethical elements may be in dialectical conflict (eg, someone who believes that life begins at the point of fertilization will be dialectically opposed to someone who believes otherwise).

**Social Capital and Community**

Deliberative democracy, it is argued, strengthens community bonds because it deploys and builds up social capital, and it enhances trust. The concept of social capital is now well established in social theory. By social capital we generally mean “networks of social relations characterised by norms of trust and reciprocity, and as a resource to action. Similarly, Falk and Harrison (2000) define social capital as “the networks, norms and trust which constitute the resources required for individuals, workplaces, groups, organisations and communities to strive for sustainable futures in a changing socio-economic environment”.

5 of 33 pages
Trust

There is evidence that deliberative democracy processes enhance public trust in governments and public agencies (Priest, 2001, Einseidel, 1998). Lasting significant social change is not possible without community trust (Gergen, 1994, Neisser and Jopling, 1996, Shotter, 1995). Trust, in turn, is contingent on effective dialogical communication. Through dialogue, citizens jointly socially construct the nature of their community, the problems they face, and the potential for change (Hamstra, 1995). These types of deliberative models have been successfully applied in a range of policy contexts including waste management (e.g. Petts, 2001).

Citizen Juries and CCCs

The two major forms of deliberative democracy are community consensus conferences (CCCs) and citizen juries (CJs)

Community Consensus Conference

The community consensus conference (Kluver, 1995, Grundahl, 1995, Hamstra, 1995) involves the formation of a small panel of persons drawn from the general public, followed by a number of briefing weekends on issues raised by the technology being investigated, and culminating in a public conference at which the lay panel is able to control the agenda and to interrogate various invited experts (Davison et al, 1997). The process concludes with the preparation of a report by the lay panel. Although originating in the U.S. "science court" system of technology assessment, it has been most fully developed and implemented in Denmark and the Netherlands (Davison et al 1997; see also Joss and Durant 1995). In Denmark and the Netherlands, this more "interactive" form of public consultation is one of a range of measures through which the wider public is able to contribute to policy making on science and technology issues (Sagoff, 1988). For example, the Danish Board of Technology has organised consensus conferences to provide public discussion on such issues as food irradiation, animal biotechnology, and infertility. The Dutch held their first consensus conference in 1993 to discuss the genetic modification of animals (Davison et al, 1997; Joss and Durant 1995). Although the U.K. has held consensus conferences – the first, on plant biotechnology, in 1994 – it has been less used there.

A major concern about consensus conferences is that they effectively exclude people from "interested publics" actively involved in ongoing debates about biotechnology policy (Davison et al, 1997). However, this problem can be overcome to some extent by using "interested publics" as "experts". Despite this limitation, in Denmark, "where a more open, consultative political culture exists and where there is a significantly greater level of public trust in political institutions", the consensus conference has been quite an effective way to incorporate community concerns, according to Hamstra (1995).
A citizen jury is one form of deliberative democracy that allows a small panel of persons drawn from the general public to investigate, with expert access, and make determinations about, significant social issues, particularly technological and environmental one (Schudson, 1998).

The CJ is based on random selection of citizens who over a number of days are presented with a wide range of views from experts who are selected on the basis of their expertise and as representative of the issues at stake. The proceedings are moderated to ensure fairness and jurors are encouraged to question experts without the obligation to be guided by their counsel. Following a process of deliberation, the jury then makes non-binding recommendations to the jury convenors or sponsors (Smith and Wales, 2000). The principle of the jury is drawn from legal where ordinary citizens are deemed competent to make decisions on often complex legal issues.

The Anglia Waste Management Citizen Jury Project

Methodology

This paper is based on a case study of a citizen jury held on the 28th of August, 2005. It was a one day jury on the subject of waste management in the local authority of Anglia. Citizen jury members were recruited through various community-based organizations (e.g., schools, senior citizens, sporting clubs, service clubs, etc.) within the Anglia City Council area. Direct approaches (letters and follow up phone calls) were made to local civic groups, as well as selective letter-box drops, and a number of participant were recruited through word of mouth.

Because funds were not available to compensate citizens, recruitment proceeded on the basis of voluntary participation through open invitation to all Anglian citizens. Twenty-four people registered to attend the jury of which twenty turned up on the day. There were also 5 experts, two representing the city council and 3 external experts, representing organic waste, recycling and waste management. There were 3 researchers/organisers one of whom acted as moderator for the day, and a local councillor as a guest speaker to welcome the jurors.

As the jury was to be of short duration, jury members were expected to read an information pack with some local reports and some broad ranging materials from recycling/environmental websites including Australian local, state and national government websites and they were also encouraged to access a dedicated website prior to the jury day.
The day was structured with an agenda and pre-planned worksheets directed towards completing a 5 section report. There were two types of sessions. One was the plenary session to allow for expert presentations, procedural issues and reporting and feedback. The second was the breakout sessions, which allowed for individual discussion in four groups of around five persons each. Breakout groups were selected through random assignment in numbering, which did not necessarily ensure a truly homogenous mix.

Participants were provided with Guidelines for Making Discussions Work Better, which was intended to balance efficacy with democracy. Thus each group was to have a chairperson and a scribe, but no one was to chair or scribe twice. The chair was encouraged to be a “Time Nazi, but a Participatory Democrat”. Participants were encouraged to call on an expert when information was needed, but were advised to not consider this as “the right answer”.

Experts were given pre-jury instructions in a document entitled “Guidelines for Experts” referring to the rules of free speech and specified that the jurors should be free from influence from or coercion.

Data Gathering

In addition to a registration form, jurors were asked to fill out a pre jury questionnaire on the morning of the conference (n=18) and a post jury questionnaire (n=16) which was returned by post in reply paid envelopes. Additionally all plenary and breakout sessions were recorded and are in the process of transcription. This breakout session data for this paper is based on a random sample of 5 of the 12 breakout sessions.

Does Deliberative Democracy Work?: Criteria

Criteria for Evaluating Citizen Juries

Rosener (1981) identifies four issues in conducting evaluations of citizen juries: they are complex, they are value laden, there are no agreed upon criteria of success or method of evaluation, and there exist few reliable measurement tools. Guston (1999) takes this further by pointing out that there is no agreement on where evaluation should be applied: inputs, outputs or process (Guston, 1999).

By using language as an empirical resource, in the form of a sample of transcripts from the CJ day, the opportunity arises to explore a process approach to evaluation. In particular, the microprocesses of deliberative democracy was our primary concern. This can help us to determine whether small groups of citizens, assisted by expert information and opinion, can produce informed, non-selfish judgements about complex public issues as determined by the outcomes.
From the discussion in concepts of deliberative democracy and after a review of the literature (Kenyon, 2005, Rowe et al., 2004, Petts, 2001, Santos and Chess, 2003) and with particular reference to (Petts, 2001) we have distilled six characteristics that should be present in a CJ process if it is to fulfil its charter as a viable form of deliberative democracy; representativeness, fairness, learning (which we label as knowledge), independence, procedure, and beneficial outcomes.

Representativeness

Many researchers insist that the jury be representative of their community (Stewart et al., 1994) either through representation (Jefferson Institute in (Stewart et al., 1994; O’Neill, 2001), or through random sampling (Renn, 1999; Dienel, 1989). Low take up rates, says Kenyon (2005) indicate that there is a strong voluntary element to participation, irrespective of the system used. Other researchers such as Guston (1999) have combined representation with invitation. Stewart et al. (1994) refer to “symbolic” rather than statistical representation, whereas Pimbert and Wakeford (2002) argue that statistical representation can be unnecessary depending on the purpose for which the jury is convened.

Arguments for representativeness are neutralized by the fact that citizens are not representing their own personal interests or that of any section of society but are being asked, whilst reflecting on “their own values and experiences” (Smith and Wales, 2000), to reach a consensus through deliberation and that further more these deliberations can fairly represent “the conscience and intelligence of the community” (Pimbert and Wakeford, 2002).

Fairness

The criteria of fairness draws on Habermas’s ideal speech conditions and relates to the “equal ability of all participants to be a part of the process, freely initiate and participate in the discourse, and participate in the decision making” (Renn and Webler, 1995).

Knowledge

The knowledge criteria takes into account the appropriateness and relevance of information on the topic (Rowe and Frewer, 2000), as well as how it was obtained and absorbed. It also includes the issue of social inclusivity and how the jurors were able to consider information from a wider perspective, one of the assumptions of the Habermasian principles of discourse.

Independence

Independence refers to the way in which the jury is organised and conducted to ensure that the issues are fairly represented and no bias is introduced by the conveners or sponsors of the CJ. This should be an open and transparent process which frequently involves a steering committee (in this case the project committee, comprising of academics and Anglia Waste Management). The free and open debate can be biased through the agenda and more specifically through the
selection of experts. Habermas’s conditions of ideal speech provide conditions for reaching consensus via the rational communication based on uncoerced discussions (Santos, 2003) and in this respect the management of power relationships between jurors and experts (Irwin 1995, and Fischer 2000) is a key to ensuring an independent outcome as “although jurors are encouraged to scrutinize expert testimony the power relations favour the expert” (Kenyon, 2004).

**Procedural**

Both fairness and independence rely heavily on conditions of ideal speech, which must be maintained throughout the jury process. Initially this is through briefing of witnesses and jurors, then through the role of the moderator, who must ensure “that everyone gets their say, rather then ensuring the issues are covered” (Petts 2000). This process-based approach aligns with normative theory (Renn and Webler, 1995), and puts the focus on measure of process such as: in what form participation occurs, how participation is promoted and how decisions are made?

**Beneficial Outcomes**

Beneficial outcomes of the CJ include potential impacts on social policy, politics and people (Guston, 1999). Petts (2000) refers to three types of changes: changes in participants; changes to decisions; and contribution to public benefit. Guston acknowledges the difficulty in capturing the learning and impacts which may result from the lived experience. People may draw on procedural or substantive learning at some point in the future: “the analysis cannot control what people will learn from it” Guston (1999). Thus the evaluation is limited because it is conducted at a specific time and “will necessarily fall short of comprehensiveness” (Guston, 1999).

**Evaluating The Anglia Waste Management CJ Project**

**Representativeness**

In this set of criteria, the following questions are asked:

1. How appropriate was the method of selection?
2. How representative of the population is the jury?
3. How inclusive was the jury of minority issues in terms of the jury selection?
4. How inclusive of minorities was the jury when deliberating?

Information for this section was drawn principally from the registration forms and the pre-jury questionnaires.

As stated in the methodology, CJ members were recruited from within the Anglia City Council local authority area. For pragmatic purposes, jury selection was based on voluntary participation through open invitation. Thus the jury was self-nominating.
Consequently, it attracted a preponderance of people motivated by civic responsibility or interest in the subject. The reasons that jurors cited for participating are primarily civic: concern for the environment (n = 6, 33%) a sense of citizenship or community (n = 4, 22%), interest in recycling (n = 3, 17%) and education (n=2,11%). There were also a considerable number of teachers (n = 9) in the group, a further sign of unrepresentativeness.

The demographics also reflect a predisposition towards those with less time pressures, in particular seniors: 75% of the jury were older than 50 compared to only 22.6% of the total population in Anglia (ABS, 2001). As noted by previous researchers, it proved difficult to recruit young people (Petts, 2001;Local Government Information Unit, 1998).

It can be said, however, that these biases are, to a greater or lesser extent, present in a random sampling approach, which can have acceptance rates as low as 5% (Kenyon, 2005).

Although the jury was gender balanced (M=10, F=10), they were more educated than the population of Anglia: 61% of the jury had postsecondary education qualifications, with 50% holding University degree, substantially higher than the 27.3% of the overall population of Anglia (Department of Local Government and Planning, 2001).

Jury members displayed an active interest in the environment and could also be described as highly active members of the community. Jurors reported reasonably high levels of environmental activity around their homes and more moderate levels of environmental activity in their community (M = 5.53, M = 4.28, respectively, scale ranged from 1, not very active to 7, very active), as displayed in Table 1. However they reported having spent little money to make their homes environmentally friendly (M = 2.76, scale ranged from 1, no money at all to 7, a lot of money).

| Table 1. Means and Standard Deviations of pre-jury questions about jurors’ environmental and social engagement, and environmental friendliness of the council. |
|--------------------------------------------------|------------------|
| Environmental activity around the home | 5.53 | 1.19 |
| Environmental activity in the community | 4.28 | 2.37 |
| Money spent to make house environmentally friendly | 2.76 | 1.75 |
| Environmental friendliness of the council | 5.00 | 1.03 |
| Social activity | 5.17 | 1.89 |
| Participation in clubs, associations or groups | 2.71 | 1.45 |

Note. Responses to all questions except participation in clubs, association or groups were made on 7-point scales (e.g., 1, not very active, 7, very active; 1, no money at all, 7, a lot of money). Responses to participation in clubs etc were made on a scale from 0 to 6.
The pre-jury questionnaire clearly indicates that jurors are active members of their community (see Table 1), reporting reasonably high levels of social activity (M = 5.17) and high levels of engagement in clubs, associations or groups. Ninety-four percent of jurors were members of at least one community group, and the majority (55%) were engaged in three or more groups. In addition, the majority (55%) held an official position in the groups they belonged to.

**Fairness**

In this set of criteria, the following questions were asked:

1. Was there equal access to debate?
2. Within the deliberation were there powerful agenda setters?
3. Was there unrestrained access to raise and object to amendments?
4. Was there a sense of freedom for all jurors to express their own attitudes, wishes and needs?
5. Were all participants able to participate in the decision making?

Data for this section were mainly drawn from the transcripts of 5 of the 12 breakout sessions, with some post-jury comments from the jurors. Some of the issues examined include gender balance in discussions, dominant and reticent personalities, self-assigned roles, expert knowledge and dialogic practice. These tended to show problems in the microprocesses of democratic deliberation.

One measure of gender balance was the proportion of words uttered by men and women in the 5 breakout sessions. Women jurors represented 54% of the debate and the men 46% (see Table 2). However, these proportions varied from group to group, depending on the group composition and also the personalities present. For example, one group of 4 women and 1 man resulted in 85% of the conversation dominated by the women, while in another (2 woman and 3 men), the men represented 75% in consideration.

<table>
<thead>
<tr>
<th>Group</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Female</td>
<td>85% (4)</td>
<td>81% (3)</td>
<td>49% (2)</td>
<td>25% (2)</td>
<td>57% (3)</td>
<td>54% (14)</td>
</tr>
<tr>
<td>Male</td>
<td>15% (1)</td>
<td>19% (2)</td>
<td>51% (3)</td>
<td>75% (3)</td>
<td>43% (2)</td>
<td>46% (11)</td>
</tr>
</tbody>
</table>

Note: Only refers to citizen involvement (not experts)

The presence of dominant personalities significantly influenced who dominated the discussions and the agenda setting (see Table 3).
Table 3. Word count per person in the breakout sessions

<table>
<thead>
<tr>
<th>Group 1</th>
<th>Group 2</th>
<th>Group 3</th>
<th>Group 4</th>
<th>Group 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unknown Female</td>
<td>12%</td>
<td>Unknown Female</td>
<td>0%</td>
<td>Unknown Female</td>
</tr>
<tr>
<td>Unknown Male</td>
<td>2%</td>
<td>Unknown Male</td>
<td>0%</td>
<td>Unknown Male</td>
</tr>
<tr>
<td>Dora</td>
<td>13%</td>
<td>Louise</td>
<td>2%</td>
<td>Barry</td>
</tr>
<tr>
<td>Queenie</td>
<td>30%</td>
<td>Michael</td>
<td>15%</td>
<td>Martin</td>
</tr>
<tr>
<td>Sadie</td>
<td>31%</td>
<td>Steve</td>
<td>68%</td>
<td>6%</td>
</tr>
<tr>
<td>Ray</td>
<td>12%</td>
<td>Sadie</td>
<td>18%</td>
<td>Greg</td>
</tr>
<tr>
<td>Clarice</td>
<td>10%</td>
<td>Wilma</td>
<td>28%</td>
<td></td>
</tr>
<tr>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
</tbody>
</table>

Note: Only refers to citizen involvement (not experts)

From Table 3, we can see that Wilma dominated the conversation in terms of time (68%). She also dominated the agenda, describing herself as "[laughs] I’m that big mouth that doesn’t know when to shut up [laughs]". At the end she apologises to the group, "Sorry I’ve held the floor guys, it’s a pet hobby horse of mine," referring to the re-use of printer cartridges which she discussed at length. She often differs or disagrees with others’ opinions, even experts, and uses "but" to turn the conversation back to her agenda and to have the last word.

Wilma And this is where like when you take into consideration, I’m just talking with what I know, it takes anything up to three litres of crude oil to manufacture one plastic cartridge case, three litres of crude oil, that’s a hell of a non renewable resource being wasted.

XCharlie See one of the things I said this morning too which is probably impacting on that is that the price of plastic to sell.. [explains how the value of PET Plastics is currently high which raises a conflict between recycle and reuse]

Wilma But reuse it first then recycle

XCharlie Yeah

Wilma Right because we can’t renew that energy resource that we’re using up to manufacture it just to be recycled every time. We’ve got to …

She speaks loudly and forcefully, and expresses her opinions strongly

Steve Now, I’m going to jump in here because they say what will happen if we continue on our current practice, what can I right down?

Wilma One hell of a mess, no not quite that way but that’s about it

Steve A big mess?

Wilma One hell of a mess

Steve You want to use those words, okay

Wilma Well we may as well say what we think. It’s no good you know sweeping it up cos we are heading for disaster really if we don’t.

In Group 3, she comes up against another forceful character with strong opinions, Michael. They dominate the conversation (Michael 44% and Wilma 28%), each trying to impose their agenda even on relatively trivial matters, with Susan who was the scribe (18%) trying to get agreement.
Michael: To make sure that it does go to every person, they have computer lists of everybody who pays rates because they make sure their rates get collected every year.

Susan: So we could distribute it with the rates maybe?

Wilma: No that would make it a bit awkward

Male: Why?

Wilma: Well the envelope size to start with. See once again, you’ve got to look at costs and it would up the postage cost of the rates

Michael: No, it wouldn’t. It would be under 70 grams.

Wilma: But it would be a different size envelope which is not the standard size envelope

Michael: No, they don’t just make it for that unless you are trying to capture like….

Wilma: Well for people like myself that’s got old eyes

Michael: Well that’s a simple matter on the rates notice that that information is provided by the ratepayer back to the Council that they want a visually impaired or a large and you could have two sizes

Wilma: No I think that makes it too complex, too complicated

Michael: Well if it’s highlighted, it’s the same as ticking yes on one box in any sort of notification

Wilma: Well I’m saying from the council and the council’s point of view

Michael: What to have two different sizes?

Wilma: You’ve got the printing costs, seriously

Clearly there are voices we do not hear, in particular Wally who is an elderly retired engineer and very softly spoken, whose voice is quite often over-ridden by others’ voices.

Wilma: Well it’s like we’re always chasing, like we’re always chasing scrap lead but nobody collects it anymore.

Wally: It’s because the acid is a …

Wilma: No, I’m just about ordinary scrap lead. We’re always chasing it and we’re paying up to $100, like $1 a kilo for it yeah cos we make sinkers from it for fishing and like on a commercial scale and we’re finding hells own trouble getting it but I feel a lot is going into the land fills

At one point, Susan, as mediator, intervenes to pick up Wally’s point about education which is taken up by Steven, only to be quashed by Wilma who introduces a new idea:

Wally: Well they do work with the school kids

Michael: I mean I don’t know. I mean I don’t know the cost of producing a magnet. I mean with business cards, you can get 500 for you know $10 or whatever

Susan: [asks Wally] So what were you saying about work in schools?

Wally: The Council does run education deals around the schools

Wilma: Yeah the Anglia Waste Services

Susan: Is that the mobile van that goes round?

Wilma: Yeah
Steve  So it could easily be done with community groups? I think would that be beneficial or is that...we've got a lot of people here from the senior ?? for example

Vince  We have had lectures from....

Wilma  See there's one area of the community we're overlooking too. Your major media outlets [continues]

Wally frequently confines his discussions, which are very pertinent, to side discussions with the expert Charlie, who listens and responds to him.

XCharlie  Yeah, and it's deriving an economic benefit out of it as well which is a good thing.

Wally  And that will just be with the material ?? converting it into methane?

XCharlie  Yeah

Wally  I wonder how long that will keep up?

There are clear roles developing (irrespective of the official roles), derived from personalities and situations, as illustrated above where Susan plays the peacekeeper between Michael and Wilma and, as in the case of Rose, who takes a very supportive role by frequently commenting, “yeah, yeah, that's right” or “course it is, course it is”, and who, although not having an official role as chairperson or scribe, tries to facilitate and summarises in a very quiet way, the discussion which is going astray.

Rose  Do we have a sort of comment we can make for the cost of the waste at this stage before we move on to the others. … Is that possible?

Dennis  [ignores Rose’s request] [CLEARS THROAT] I worked as a sports [??] and was away from the school and we didn't even have a rubbish bin. ....

Greg in Group 4 (who is not chairman) but is leading the discussion, has some claim to expert knowledge which, like Wilma before, with her printer cartridges, he displays:

Greg  I got a lot of stuff here because I got involved in it. Trash heat and ash. Now basically this is a French idea. Your high temperature incinerator ..coal grates which just gives off a gas, which is hot air rising and the ash is cooled and consolidated and there are scrubbers to get different chemicals of it and the ashes are consolidated into building bricks, nothing left over clean .... You need to have, first of all you need a coal source, well we have the coal sources here, we have an industry ourselves producing this sort of stuff . So there are different tools available to us.

Dennis, in the same group as Greg, is another strong character who is quite obstinate and uses his power as scribe to try to force issues

Dennis  Could the scribe point you to point four … on the white sheet which says … ah “each group has a scribe. The scribe writes .. [details read out] the scribe waits till the group comes to some consensus before he writes

And as nothing has been written down, one of the organisers, Yoko, questions him. However, he is not deterred, using a projection “can I just say” to announce his intention to continue talking.

XYoko  Are you writing it down because we are going to collect the sheets ?
Dennis When we get consensus.

XYoko OK

Dennis Can I just say. My wife and I live in our house. Sometimes our green bin has two plastic bags full of stuff in it.

The instances of dominating time, dominating personalities and lack of clarity with regard to roles, indicate the paucity of dialogical practice. In other words, jurors do not appear to be effectively engaging in a conversation where various ideas are synthesised or negotiated towards a unitary outcome. Nonetheless, there were some instances of this dialogue occurring: for instance, in the following:

Qlady One of the suggestions there is setting up a sort of a shop I suppose, like a reverse garbage like they do in Sydney, I think that would be an excellent idea so you know the schools and ??? materials

[Talking together]

Slady So let’s put that….

Slady I agree with you like at the transfer station, I think we should have a reverse garbage centre. I wasn’t aware that those things were being broken down and sent off now, that’s not made…..

Qlady I imagine most of the cardboard is just being recycled in bulk, it’s not being divided into what we use at schools for arts and crafts which is what most garbage does

Qlady Is there one already in Brisbane?

Slady There is yeah at West End and they run workshops out of their as well and all sorts of things.

Knowledge

In this set of criteria, the following questions were asked:

1. Did the process expose jurors to a wider range of points of view than would be possible if individuals were left to private contemplation?

2. Did this encourage a shift from a personal point of view to a wider, socially-inclusive perspective?

3. In what ways did the jurors obtain information/able to absorb the information?

4. Was this an outcome of the jury?

Information for this section was derived mainly from the transcripts and the pre- and post-jury questionnaires as jurors were asked to provide feedback on the initial information pack, the web site and the expert input. The jurors were certainly exposed to a wider range of views than would be possible if the individuals were left to themselves, these were principally acquired from the experts.
The post-jury questionnaire assessed jurors’ experience of the citizen jury and the materials provided to them before engaging in the process. In terms of the information sent to jurors, the majority (72%) thought that it covered the waste management issues well, and there seemed to be moderate use of the information by jurors (M = 4.69, scale ranged from 1, very little use, 7, a lot of use). On average, there seemed to be quite low usage of the web site (M = 2.81, scale ranged from 1, not at all to 7, a lot). Given the older age of the group, it was perhaps not surprising that the web site was not accessed so much.

The experts were all considered very approachable and greatly appreciated as reflected by a post-jury comment, “thank you for your selection of interesting and engaging speakers”. Jurors rated the speaker from the Anglia Waste Services and the experts on the panel very highly (Ms = 6.50 & 6.44 respectively, scale ranged from 1, not helpful to 7, very helpful). Moreover, all jurors thought that the speaker from the Anglia Waste Services had presented a balanced view of the situation.

Jurors felt able to question the experts, with regard to issues, as evidenced by this exchange:

Barry: with, with, something like this system, would it mean that we cannot go to this system, till the cities that the other waste that coming into Anglia change to the same system?
XGrant: No but you could, you wouldn’t get the full benefit from it till the other cities adopted a similar system, as well, which might take a full cycle
Barry: yeah
XGrant: of a contract period, contract periods for this sort of thing are usually about seven years

They also sought factual information or facts

Male: Have we ever thought about using glass again instead of plastics, like glass milk bottles and glass again and, you know, so we can wash them and reuse them and all that sort of thing?

The issue of whether the jurors were able to adopt a wider socially inclusive perspective in their discussions, in particular, with regard to those people not represented at the citizen jury such as large families, youth, and indigenous populations, is less clear. Such concerns rose obliquely. For example, Queenie in Group 1 introduces a concern about the needs of large families. However, her intention was diverted, and distorted to conform with the user-pays issue promoted by Dennis who is from a 2-person household.

Man: that all depends on whether you live in a unit or not
Woman: The other thing is you’ve got large families. Some large families, their weekly bin is overflowing.
Rose: That’s right
Dennis: OK. User pays.

Michael makes a point about differing viewpoints according to generation
Michael ... I mean, is there any difference between someone my age, someone your age and someone that's younger than me how they think about how communities and society interact to ascertain like what's the highest priority?

Wilma But this is where we need the education, need something to be sorted out that is relevant to today, but also relevant to tomorrow and tomorrows after.....

Michael Yeah but what's relevant to you and your perspective is different that's relevant to me and my perspective, it's different to everybody and as soon as you have all these individuals then what you end up with is like you know someone might get parochial and vote for that idea over here and over here and then....

Wilma Well that's what happens every day

Wilma has not acknowledged Michael’s point about how age might affect the way that people prioritise issues, and so dismisses the idea, rather than exploring it further. The role of children, school education, and the dynamics of family interaction is discussed and acknowledged in some groups:

XNick Can I tell you something because I know that was raised earlier. Now, I haven’t seen the report but people in Toowoomba and also ?? they’re claiming that the main decision making when it comes to recycling is the mother. Right?

Queenie Yes, but she needs to know and she needs to be hounded by the children

XNick No but we’ve got to say our education, we’ve got to say how do we get to the decision makers because they’re the people that do the recycling. The kids might do it for a day or two...

Queenie No I’m not saying they’ll do it. They’ll tell her and they’ll say Mum no you don’t do that

Given the age and gender demographics of this CJ, it was not surprising that the issue of the aged and the role of women emerge from the discussions. The role of women is introduced by the expert in the above excerpt, but further developed by the women in this group and in others, who in the reporting back sessions, refer to the principal caregiver.

The specific needs of the aged are also addressed, in this and other excerpts:

Rex Why is number one a special concern?

Slady Well because it’s not being addressed at the moment for older householder and people without trailers and that sort of thing.

However, there is no reference to the indigenous, the handicapped or minority cultures, even though the initial information pack contained one page referring to the development of specific programmes to incorporate ethnic communities in waste education.

Independence

In this set of criteria, the following questions are asked:

1. To what extent did experts overwhelm lay citizens.
2. Was a “collective understanding” achieved?

3. Was existing policy legitimized?

4. To what extent did the procedure and organization of the jury organizers set the agenda, and pre-determine outcomes?

5. Were jurors presented with a fait accompli?

Information to answer these questions was drawn from an analysis of the transcripts and feedback provided in the post-jury evaluation sheets. The third question is not dealt with here as it was clear that the Anglia Waste Management Manager was keen to use this exercise to generate ideas and to “test the waters” of public opinion. Thus, the organizers did not feel any political pressure to limit the outcomes to the current orthodoxy.

In terms of actual time spent talking in group activities, the relative proportion of the experts is high. There were 8 experts (representing 29% of the participants), yet their contribution to the group discussions in this sample (of 5 from 12 discussions) was 30%.

Table 4. Gender and expert representation in breakout sessions

<table>
<thead>
<tr>
<th>Group</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Female</td>
<td>45%</td>
<td>41%</td>
<td>41%</td>
<td>25%</td>
<td>33%</td>
<td>38%</td>
</tr>
<tr>
<td>Male</td>
<td>8%</td>
<td>10%</td>
<td>44%</td>
<td>75%</td>
<td>25%</td>
<td>32%</td>
</tr>
<tr>
<td>Expert</td>
<td>47%</td>
<td>49%</td>
<td>15%</td>
<td>0%</td>
<td>41%</td>
<td>30%</td>
</tr>
</tbody>
</table>

Note: expert opinion is not separated into gender

The type of expert interventions varied. In the following excerpt, the engineer expert, Grant, interrupts Ray’s proposition that $25 per year would be an acceptable price to pay for having an extra “green” bin. He then speaks over Barry again, and then Ray, with an oblique oppositional voice.

Ray Honestly if it costs $25 a year I think that’s dirt cheap and I’d be in it straight away, in terms of costs that seems incredibly cheap.

Grant [overlapping the above] Just be aware that that may not be the true cost that’s what they have decided to charge the

Ray [interrupts] I don’t think that anyone would quibble with 25 a year for an extra collection, that’s

Grant … No, just having once been an employee of a local authority, councils often make the decision to, to

Barry [interrupts] The fire levy is higher than that isn’t it

Grant [continues] to to charge a fairly nominal cost. That $25 may not be what it costs to deliver it.
Barry  No, no you know, but if we are trying to evaluate...
Grant  [interrupts] it also depends on how frequently the service is provided
Rose  That's right

Grant also later pointed out that the $25/year levy operating in another city is probably subsidised, a factual matter, rather than a matter of political opinion that occurs here. It was clear from Grant's opening remarks and his interventions throughout the day that he was a relatively conservative and technocratic in his approach to waste management. Thus his interventions tended to be directed towards relative inaction rather than citizen and council activism.

On the other hand, Ludwig, another expert-advocate specialising in green waste management, kept his interventions to the level of fact giving, rather than advocacy.

Basil:  We’re getting into solutions there. We’re trying to identify what we think are the crucial issues that are problems at the moment.
Dennis:  Can I say. Can I ask the expert … what happens to soiled cloth nappies.
[pause] Not cloth
Ludwig  [Explains details about cloth nappies]
Dennis:  Can I ask a second question?
Ludwig Sorry, there’s a fairly high proportion of … [explanation]
Dennis My wife went and bought some water crystals the other day and someone said “just buy a nappy and it acts as water crystals”. Now is there any plan, or has anyone done any thought to turning used nappies into water crystals.

Ludwig  [provides answer]

In fact, there appears to be a hint that Grant may have opened up a line of discussion in his breakout group, in which he intended to criticise the proposition proposed in a plenary session by another expert:

Grant  what do to you thing of Ludwig’s suggestion that home composting should be voluntary, because someone said why don’t we just give everyone a home composting bin
Lucy  [cutting in] yes, I think it has to be voluntary because
Grant  [cutting in] because a lot of them were given out in other cities and households took them on and a lot people thought it was easy, it was just like a wheelie, bin, you stick it in the top and it becomes compost at the bottom but it doesn’t
Lucy  [cutting in] and over it does require, turning
Grant  and adding water
Rose  we late.. what we do, I don’t understand this, rating on recommendation
Barry  all that there is you write down the notes of what you’ve got there and talk on these notes.

In terms of reaching a collective understanding, it could be argued that the process did achieve the intended objective of producing a report that could be presented to the Anglia Waste Service and to the local council.
The researcher-organizers were reflexively aware of the way in which their organization of the jury procedure could set the course in favour of pre-determined outcomes. At a functional level, we certainly arranged the day in a way that would produce sufficient material to produce an informed report that provided recommendations. We also provided large amounts of relevant information including government documents, recent studies, information about the environmental impact of waste, and measures adopted in other places. It is hard to see how this could be regarded as manipulative. Nonetheless, if a process appears manipulative, then clearly people’s trust in the deliberative democratic procedure will be reduced. The open-ended question in the post-jury evaluation revealed only one person who was unhappy with the process, stating, “I felt that the jury was guided to achieve the outcome desired by the organizers” [ER12]. It should also be mentioned that a change to the advertised procedure during the jury day evinced one negative comment from the same person Q.9 (How might the CJ process be improved?): “Most suggestions were eliminated during the lunch break and only the preferred options were left on the table”. The circumstances leading to this comment warrant some consideration. The organizers, at lunch, discussed the progress of the day, concluding that the participants were too quickly getting to the recommendations before having been through the process of identifying the key issues, prioritising them, and then seeking information on possible courses of action. For example, in the very first session where the participants were asked to identify “Which issues are of major concern to you?; “Why?”; and What will happen if we continue current practice?”, the following exchange took place:

Tom The thing is, I think education is a really important factor, the whole system.
XBasil We’re getting into solutions there. We’re trying to identify what we think are the crucial issues that are problems at the moment.

Given this tendency, the organizers felt that the CJ would simply produce relatively uninformed pre-determined recommendations. As a result, after lunch, the organizers told the participants that we had noted the recommendations so far (they were included in the final report), but that we wanted them to consider the issue more broadly and in the longer-term so that other recommendations would be directed in this way. It could be argued that the natural conversational process was not allowed to ensue, and so was manipulated from above. However, if organizers are seen as custodians of the process then the notion of manipulation is no longer relevant so long as the organizers in a sense push participants to their limits of information acquisition, understanding, synthesis, and policy formulation.

Procedural

In this set of criteria, the following questions are asked:
1. Did the formalized procedures and conditions assist citizens in achieving free and fair deliberation between them.

2. Was there mutual respect?

3. Were the rules of engagement maintained?

4. Was there sufficient time to deliberate effectively?

Data was obtained from transcripts and post- jury survey.

It is hard to imagine how a deliberative process directed to making recommendations based on informed judgement could take place without a well defined procedure.

It was perhaps difficult for this cohort of Australians, given their propensity for egalitarianism and a playful disrespect for authority, to impose order on the discussions. In some groups, the chairing role was rejected, while in others, jokes and banter surrounded attempts to impose order:

Martin* Are we looking at both green waste and recyclable waste?

Basil* Yes, the whole domestic waste.

Tom So what's our number two? … Mr Nazi [laughs]. … [explaining in case of possible offence] I know him well.

Martin [laughs] Five minutes.

Rose He’s too nice, our lovely …

As a result, converting discussion into reportable statements for the feedback plenary sessions was not always effective. In this following group, the scribe had not written anything until about 40% of the time elapsed, and then only three words were written:

Martin once we come to an agreement, once we come to an agreement we start writing it down, so what, are we on the costs now still

Rose yes we are

Martin OK

Rose OK. I'll start. Cost of waste, basically it is cost, in money terms, to the user, the user will pay, and I think it has to balanced against what we want to do … It's the only way we can get this sorted. And the environmental impact too. As George says "It's the legacy": look at the future implications of what we're doing now and the cost to us health wise, to the environment … degradation

Dennis Cost of waste … user pays

Rose Hmm, cost wise the user pays

Dennis OK. I'm led to believe that we're on the next turn around that says, they'll be able to weigh our garbage cans as they put em onto the truck

Rose Yes, yes

Dennis So it’s user pays
Clearly, this slim record of outcomes was largely the result of Dennis’s insistence on the “user pays” concept (which he had identified early on and repeated several times), and not really the outcome of deliberation by the group. Then at the half-way mark, a second point (two words) was recorded:

XGreg … we need to get away from that [user pays] because that’s only monetary things and look at the cost of waste to health

Rose health and land degradation … future land degradation

Greg Yeah, … So we probably need to move off that one now

Rose I think we should

Max yeah

Dennis Degradation. How do you spell that. D E G

Man R A … [Waiting for scribe to write, sounding out letters]

Dennis Landfill

Greg Landfill, just put, Anglia has … ahhh Anglia has … many ex-mining voids that can be well utilised under correct management procedures. … Now … We should take or Anglia should take the opportunity to utilise the voids … ahhh … ex-mining voids under … under strict management philosophy.

Abbie* Dennis that’s wonderful though we really need to start wrapping this up… [instructions to wrap up]

Rose Landfill?

Dennis Umm … I think we need to go further than that … you know, the liners, and the pipes through, and recycling the … ahh … fluid

Man the fluid yeah

This exchange suggests that one person can dictate the outcomes of a free ranging discussion. Dennis had stated very early on his concern to have a “user-pays” system. The repetition of this common phrase eventually led to its adoption as the first point. When Greg at the half-way mark tactfully closes off that line of discussion, Rose interposes with another common phrase, “land degradation”, which the scribe immediately begins to write down without any discussion having occurred. Before the scribe has managed to write that, Dennis proffers another issue, “landfill”, which the knowledgeable Greg is able to articulate in technical discourse. The ability to speak in this discourse apparently influenced the group to incorporate this even though it had not been well debated. In fact, ignoring expert Abbie’s attempt to wind up the discussion, Dennis suggests that they actually elaborate the topic (see extract above).

At no stage did it appear that tempers frayed, nor were people ridiculed or criticized, although there was an instance of satirical mocking. Insufficient time was a concern, with five people who listed “more time” as a way to improve the process (Q. 9). Five people also identified procedural control as an issue needing improvement. They suggested providing a recorder for each group, better clarity on objectives and procedures, and more control.
Beneficial Outcomes

In this set of criteria, the following questions are asked:

1. The deliberative process produced good decisions?
2. Did it enhance public trust?
3. Did it change policy?

The information for this section was taken from the pre- and post-jury survey.

These questions cannot be answered very fully at this stage because the CJ process has not yet been completed. However, in terms of whether good decisions were produced, survey results are positive. When asked what they gained personally from the experience, the jurors responded (total responses = 24): Information (8, 33%), learning (5, 21%), reinvigoration of citizenship (3, 13%). Other responses included an appreciation of the debate and the deliberative process, networking and personal validation.

Both before and after the jury, participants were asked to evaluate the likelihood that the CJ could generate good ideas. On a scale ranging from 1 (not likely) to 7 (very likely), jury members thought, before the jury, that there was a reasonably high likelihood that they would be able to generate good ideas (Mean = 5.00). This evaluation became somewhat stronger after the jury was completed (Mean = 5.63). Although the increase is not statistically significant, it certainly does not indicate a loss of belief in the value of the process. This inference is strengthened, we claim, by the finding that the belief that citizens are capable of making a meaningful contribution to decision-making on complex issues was reasonably high before the jury (M = 5.30, scale ranged from 1, not capable to 7, very capable) and became significantly stronger after the jury (M = 5.87, t(15) = -2.24, p<.05). Overall, these responses suggest that participants came into the citizen jury with the belief that the deliberative decision-making process would be taken seriously by the council and could make a difference, and these beliefs were generally strengthened by participation in the citizen jury.

A practical outcome is that a 6000 word report was completed and posted to all participants. A copy has been provided to the councillor who chairs the Waste Management portfolio for the local council as well as the Manager of Anglia Waste Management. Discussions with the Anglia Waste Management Services Manager afterwards indicated that he was very happy with the outcome because it had provided some interesting and useful ideas that the council might adopt in a more ambitious waste management policy. A positive disposition towards the process, we claim, enhances the likelihood of CJ-based policies being adopted by the council and the company.
We further argue that the process also enhanced public trust. We draw this conclusion from the survey result that assessed beliefs about the responsibility of the Anglia City Council and Anglia citizens for waste management both before and after the citizen jury. There was no change in participants’ beliefs about how much the council should be responsible for waste management (Before Jury Mean = 5.63, After Jury Mean = 5.81; scale ranged from 1, not responsible at all, to 7, completely responsible). In contrast, participants’ beliefs about the responsibility of citizens for waste management was significantly lower after the jury than before (Ms = 5.31 vs 5.81, t(15) = 2.74, p < .05). This finding, at first, seems anomalous given that participants were actively engaged in a process to address waste management issues. However, we infer that a plausible explanation is that the slight lowering in the citizens’ sense of responsibility may reflect heightened confidence in the council and the council’s experts’ ability to successfully address the issue. In a similar vein, participants thought it moderately likely that the council would incorporate the jury’s recommendations before the jury (M = 4.59) and this belief increased after the jury (M = 5.19), although this increase was not significant.

The slight shift away from citizen responsibility is echoed in the data relating to Jurors’ priority waste management issues. Jurors were asked to list waste management issues of greatest concern. The same question was asked pre and post jury. Pre-jury, participants identified three main issues (Total responses = 54, 18 jurors listed up to 5 issues each): domestic waste strategies of reduce, reuse, recycle (3Rs) (24.1%); issues surrounding green waste (20.4%); and education/information (18.5%). There was a range of lesser concerns, each individually scoring no more than 6% and collectively representing 37%). When the same question was asked of the jurors post jury (Total responses = 41, 16 jurors listed up to 4 issues each), the principal issues were education/information (24.4%), green waste (22.0%) and the 3Rs - reduce, reuse, recycle (17.1%) , with plastics and environmental issues achieving 7.3% each and the remaining responses totalling 22.4%. This represents a change in priorities, from pre to post jury, a finding consistent with previous findings (Smith and Wales, 2000). As a result of the deliberations, in the Anglia context, there is a shift away from domestic-based waste strategies towards council based waste strategies. This could explain the shift in responsibility towards the councils but not the lessening of the responsibility of the citizens.

Implications for Deliberative Democratic Processes

There are a number of concerns that this project raises about the possibility of achieving the objectives of deliberative democracy. At the most basic level, the CJ was not representative of the Anglian population. Given such small numbers for a CJ, in this instance twenty, it is impossible to represent all major demographic groups in terms of gender, ethnicity, socio-economic status, and education, as well as allowing for considering equity concerns such as
disabled people. Voluntariness and lack of financial incentive will clearly predispose CJ towards a particular demographic mix, older people with strong community commitment.

A second concern is the degree to which participants actually read and understood the preliminary documents as there did not appear to be much reference in jurors’ discussions to the information they contained. Instead, jurors appeared to adopt ideas that were well articulated by not just experts on the day but also other CJ members who appeared knowledgeable and/or were relatively articulate. Virtual interaction (jurors could ask questions of the experts, and answers were posted) prior to the CJ day was almost non-existent. This may have been related to the older age of the group, but could possibly be a useful form of interaction with a different demographic and with more incentives to use the internet.

Thirdly, it would seem that, in order to achieve more democratic outcomes it is important to have well defined structures and to ensure that the purpose and objectives of each function during the course of deliberation is clearly spelt out and to some extent surveilled. Feedback indicates that people are prepared to accept fairly defined structures for the deliberative process. Procedural control and clear objectives, as well as the possibility of an expert organiser at each of the discussion tables may be advisable, although this may need to be balanced with participants’ desire for greater autonomy.

However, the major findings from this study were derived from the micro-processes of CJ deliberation. When considered from this perspective, it is clear that there are concerns for its claims to validity as a democratic process. In the first place, the participants’ personalities (especially dominance and submission) and the manner in which they resolve difference (dialogical vs dialectical assertion) impacted strongly on the plenary reports of group discussion. This power differential does not appear to be gender-based, although this could be further analysed. Secondly, discussions appeared to be quite desultory in many instances, despite occasional attempts by jurors to respond to the tasks assigned to them for that particular session. Discussions often began with personal narratives or expressions of particular interests, followed by assertions and claims. There did not appear to be much evidence of focusing on the discussion topic and adopting a forensic approach to it by calling for opinions supported by evidence. Perhaps with less time pressure, these fairly loose peregrinations might simply become preliminary talk that allows people to begin conversationally before settling into the task at hand. Thirdly, reported outcomes of group discussions did not always correspond with the actual discussion. This distortion happens for two reasons. One is that people who are insistent about their agendas (e.g. Dennis with “user pays”; Wilma with her used ink cartridges) tend to have them incorporated, perhaps more out of politeness and conciliation than the strength of their argument. The second cause of this potential distortion is that certain people may be particularly knowledgeable and or articulate on a particular topic (e.g. Greg’s knowledge of landfill), and so
impress people to the viewpoint without much scrutiny. What these micro-processes showed also is the various unofficial roles played by people in different groups, particularly those who tactfully foreclose irrelevant or repetitive talk, or are supportive of people expressing opinions. These were important communicative roles that assisted fairer participation and helped to meet objectives.

This process seems not to have allowed sufficient time on the day for the issues to be fully developed and discussed, even though this seemed to be only a minority opinion of the participants. This may have been as a result of not allowing for people to be rambling and protracted in the initial stages of discussion when talking on a topic about which they lack knowledge. This prolixity may be circumvented to a certain extent by the use of briefing sessions and site visits as occurred in Petts (2001) research.

Despite these concerns, it is clear from the findings that people were quite happy with the outcomes of this process and enjoyed the interactions of the day. Furthermore the belief that their ideas and recommendations would be taken seriously positively reinforced this sense of satisfaction.

It is important that governments think creatively about how to enhance the processes of deliberative democracy, so that their own deliberations as they make and administer laws governing the development of information technology, biotechnology, waste management and the like are enriched by the complex range of perspectives that the populace has. This instance of CJ showed that people are actually prepared to cede more authority to government to intervene where only governments can do things (e.g., providing infrastructure or collecting green waste for energy production) to achieve a desired social outcome. This did not mean that the participants were giving up power to government in the manner spurned liberal advocates of small government. In fact, the jurors seemed enthused to continue their individual practices within the household to recycle, or re-use, or reduce their levels of consumption. The hope that governments would supplement their individual actions with collective actions seemed to be positively received.

While it is no longer acceptable for governments to say that the public, in general, cannot be given the responsibility afforded by deliberative democratic procedures, the processes for enabling such forms of democracy to occur are still to some extent untested. It is the responsibility of deliberative democracy advocates to look closely at how this form of democracy gets done in reality in order for them to confidently advocate its introduction to supplement parliamentary processes.
References


Poster, M. 1995, *CyberDemocracy: Internet and the Public Sphere*, University of California, Irvine.


i The name of the city has been changed to Anglia.

ii Various models of deliberative democracy exist, of which CJ is one form. The two major forms (CJ and CCC) are explained later in the paper.

iii The Lowood Community Consensus Conference used an “expert” from the Australian Gene Ethics Network as part of the expert panel in their consensus conference project. This project will be reported in another paper.

iv Although no Australian governments have employed this device, Agrifood Awareness Australia, who claim to be ‘an industry initiative, established to increase public awareness of, and encourage informed debate about, gene technology’ (http://www.afaa.com.au/) provided a consensus forum. In March 1999, Australia’s first Consensus Conference, sponsored by AFAA, discussed Gene Technology in the Food Chain.

v All names have been altered

vi All experts names are preceded with an X, eg XCharlie, XBasil