

Participation Bias, Durable Opinion Shifts and Sabotage through Withdrawal in Citizens' Juries

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We analyse a citizens' jury experiment held in Dublin on the 'hot-button' issue of waste incineration. The jury was a random sample drawn from the 2002 Irish Election Study (IES), and we compare jurors to non-jurors in the 2002 IES, and in 2003 and 2004 panel studies. Large opinion shifts were observed in a representative jury; these shifts remained observable nine months later. However, as a direct consequence of our choice of a contested issue, the jurors' verdict was framed by the unwillingness of key stakeholders to participate. Stakeholders who expect to be on the 'losing' side, including public representatives and officials, may obstruct and delegitimise citizens' juries by withholding participation. This informal gatekeeping power undermines the potential of citizens' juries to empower citizens.

Citizens' juries and deliberative polls, promoted as innovative ways to identify the true 'voice of the people' (Fishkin, 1997), are increasingly popular. We analyse a citizens' jury experiment which included aspects of deliberative polling, held in Dublin on the 'hot-button' issue of waste incineration. Jurors were randomly selected from respondents in the Irish Election Study (IES) of 2002, which had panel waves in 2003 and 2004. We explore the process of attrition in the recruitment of jurors, and go on to investigate opinion change and its durability in the nine months following the event. Beyond this, our substantive concerns arise from the refusal of key public representatives and officials to cooperate in the jury event. We consider how this may affect the outcome, giving stakeholders an effective veto on issues that can be considered. We begin, however, by outlining the theoretical background to and research design of the Dublin experiment.

Theoretical Background and Research Design

Citizens' Juries and Deliberative Polling

Citizens' juries¹ and deliberative polls² are two of a number of formally organised deliberative fora that are increasingly familiar in real-world decision making. Others include: citizens' assemblies,³ citizens' summits,⁴ consensus conferences,⁵ deliberative mapping,⁶ issues fora,⁷ planning cells⁸ and scenario workshops.⁹ To these can be added one-off participatory events like the Oregon health forum,¹⁰ and participatory governance processes such as community policing in Chicago¹¹



or annual municipal budgeting in Brazil.¹² These fora are inspired by the direct democracy of ancient Athens and US town meetings. They use various methods to recruit citizens to panels of a size suitable for face-to-face deliberation. Participants are typically given balanced briefing materials in advance and are then brought together at a single site over one or more days, usually with experts and political leaders to inform their discussions. They engage in intensive discussion on the issue, in some cases with the objective of reaching a group conclusion, or agreed set of recommendations, to which the commissioning body may be required to respond (in the case of UK citizens' juries for instance: see Coote and Lenaghan, 1997; Hall and Stewart, 1996; Smith and Wales, 2000) or even implement (municipal budgeting: see Wampler, 2004). Print and broadcast media are often invited to cover the event for the wider public.

The background to these initiatives has three main components. The first is an *administrative* trend for public bodies to engage in *public consultation*, in the context of statutory obligations, customer service guidelines and so on. While public consultation has its own background and history, and derives in part from attempts by state agencies to maintain public approval and legitimacy (Harrison and Mort, 1998; Langton, 1978a; 1978b; Lowndes *et al.*, 2001a; 2001b; Pratchett, 1999a; Rosener, 1978; Rowe and Frewer, 2004; Webler and Renn, 1995), deliberative fora are regarded as providing opportunities for more in-depth and inclusive consultation than referenda and public meetings. They are typically defended on the grounds that citizens with 'no axe to grind' are capable of reaching informed and sophisticated conclusions about public policy when given the opportunity (Bennett and Smith, 2007; Coote and Lenaghan, 1997; Crosby *et al.*, 1986; Iredale and Longley, 2007; Iredale *et al.*, 2006; Lenaghan, 1999). The provision of such opportunities facilitates communication to decision makers of otherwise overlooked lay priorities and values (Coote and Lenaghan, 1997; Davies and Burgess, 2004; Fischer, 1993; Pickard, 1998; Pratchett, 1999a; Rowe and Frewer, 2004). It is also argued that such opportunities may help address trends of declining political participation, efficacy and trust (Bloomfield *et al.*, 2001; Coote and Lenaghan, 1997; Pratchett, 1999a; Simrell King *et al.*, 1998).

A second intellectual stream informing use of such fora is *normative* interest in *deliberative democracy*. Deliberative democrats oppose a view of democracy conjoining majority rule with pluralist competition and self-seeking, uninformed or 'adaptive' (Elster, 1997; Sunstein, 1993; 1997) voter preferences. Instead, it is argued, a democratic *process* should involve interpersonal and mediated deliberation whose 'transformative' aim is the identification of mutually acceptable *reasons* for choices. On one hand arguments for deliberation are presented in terms of expectations about the benefits of *actual* deliberation: decisions are improved by revealing private information and producing *better-informed citizens*; citizens are encouraged to reason on terms *justifiable to others* with quite different interests; individuals *clarify their own interests*; a rationally motivated *consensus* may emerge; the ultimate decision may appear *legitimate* in the eyes of the entire decision-

making group, including those on the 'losing' side (Benhabib, 1996; Elster, 1997; 1998a; 1998b; Fearon, 1998; Gutmann and Thompson, 1996; Manin, 1987; Miller, 2002; Sunstein, 1993; 1997; Warren, 1992). On the other hand, theorists may have in mind a *regulative ideal* of deliberative procedure or norms (Benhabib, 1996; Cohen, 1997; Gutmann and Thompson, 1996; Habermas, 1992; 1996a; 1996b; 1997); or a duty of public reason or 'answerability' (Bohman, 1996; Rawls, 2005). The implication of deliberative democracy is the need for extensive deliberation in formal and informal fora in which preferences are formed or decisions taken, including those in which the general public may participate.

Finally, within the *public opinion* literature, there are the arguments for a deliberative form of *opinion polling*. When opinion polling was first developed, George Gallup claimed that it would enable the public to gather, virtually, 'in one great room' (Gallup, 1939; compare Luskin *et al.*, 2002). The combination of media and polling could enable the public to discuss issues together and communicate their views to government. However, decades of research have shown that respondents are often both uninformed and unstable in their opinions (Bishop *et al.*, 1980; Converse, 1964; Delli Carpini and Keeter, 1991; Luskin, 1987; see Fishkin 1997; Luskin *et al.*, 2002). 'An ordinary poll', Luskin, Fishkin and Jowell write,

is designed to show what the public actually thinks about some set of issues, however little, irreflective, and changeable that may be, and generally is. A Deliberative Poll is designed to show what the public *would* think about the issues, if it thought more earnestly and had more information about them. It is a glimpse of a hypothetical public, one much more engaged with and better informed about politics than citizens in their natural surroundings actually are (Luskin *et al.*, 2002, p. 458, emphasis in original).

Biased Representation and Issue Framing in Deliberative Fora

Clearly, inferences we draw from any deliberation depend on the extent to which the views and interests of deliberators reflect those in the wider population they are taken to represent. As James Fishkin (1997) notes, this requires a trade-off between difficult-to-reconcile goals of widespread participation and intensive deliberation.¹³ One solution is to choose deliberators at random from the population, recalling the ancient Athenian method of selecting for the *boule* and larger popular juries and revived by John Burnheim (1985) and Robert Dahl (1989), in addition to the originators of the current wave of practical experiments: Ned Crosby (1995; Crosby *et al.*, 1986), Peter Dienel (Dienel and Renn, 1995) and Fishkin (1991; 1996; 1997; Fishkin *et al.*, 2000).

In theory, random selection serves several purposes. First, assuming a complete sampling frame, it gives *all citizens an equal chance* of being selected. Second, it *prevents manipulation* of the composition of the citizen panel. Third, it ensures *social groups are represented in proportion to their size*.¹⁴ In practice, the situation is less clear-cut since random sampling of deliberators is subject to the same problems

that confront ordinary opinion polls. All randomly drawn invitees do not agree to participate, and all who agree do not actually show up. This is important given the claim that deliberative fora address social inequalities in participation. Self-selection and attrition of deliberators have been investigated (Hansen and Andersen, 2004; Luskin *et al.*, 2002; Merkle, 1996), and found to be significant issues.

In addition to potential bias in the choice of deliberators, there is potential bias in the precise question put to jurors, in the content of information materials and in the selection of witnesses. Jacques Mirenowicz (2001), for instance, compares a French *Conférence de Citoyens* on genetically modified organisms (GMOs) in agriculture to a Swiss *PubliForum* on electricity and society. In the former, gene technology 'was presented as a central inevitable fact, rather than one option among many' (Mirenowicz, 2001, p. 58), while in the latter, citizens 'put themselves in a position to exercise their right to choose amongst different energy options' (Mirenowicz, 2001, p. 58). Peter Glasner (2001) writes that organisers of the Welsh Citizens' Jury on genetic testing for common disorders failed to include a witness from an ethnic minority susceptible to a particular inherited gene disorder, and failed to include a witness opposed to genetic testing.

The recognised potential for such biases has led to recommendations on the independence of the convening body (Rowe and Frewer, 2000), and the involvement of a balanced panel of stakeholders (Crosby, 1995; Lenaghan, 1999; McIver, 1998; Satya Murty and Wakeford, 2001; Stewart *et al.*, 1994; Smith and Wales, 2000; The Jefferson Center, 2004). Nonetheless, published reports of citizens' juries and deliberative polls often provide little if any information on the *witnesses* who make presentations to deliberators.¹⁵ Nor do they systematically investigate and/or report the degree of balance in witness presentations, and the effects any imbalances might have.¹⁶

Design of the Dublin Citizens' Jury Experiment

The field experiment we report here combines elements of both citizens' juries and deliberative polling. There are three major differences between these models. First, juries usually involve a small number of participants (between twelve and twenty-four), chosen by quota sampling to represent a rough cross-section of the target population. Deliberative polling involves a random sample of several hundred participants. In juries, small size places a severe upper bound on ability to generalise, in a statistical sense, from sample to population. The typical practice is to attempt to recruit a group that is diverse to some degree, involving a mix across standard demographic criteria. Although probability sampling is often used, in many cases non-probability sampling is employed to fill quotas for particular groups. This may involve selection via public meetings or voluntary groups, or the placing of invitations in newspaper advertisements (see Abelson *et al.*, 2003; Bennett and Smith, 2007; Coote and Lenaghan, 1997; Crosby *et al.*, 1986; Dunkerly and Glasner, 1998; Hall and Stewart, 1996; Iredale *et al.*, 2006;

Kashefi and Mort, 2004; Kuper, 1996; 1997; McIver, 1998; Timotijevic and Raats, 2007). The problem is that we have little or no idea of the extent of selection bias if details are not provided on original quotas, the number of substitutes needed to fill these and failures to fill the quotas. In deliberative polls, in contrast, larger and formally random samples allow such biases to be estimated (see Hansen and Andersen, 2004; Luskin *et al.*, 2002; Merkle, 1996).

Second, while attitude change is often measured in citizens' juries using various survey instruments (see Aldred and Jacobs, 2000; Bennett and Smith, 2007; Coote and Lenaghan, 1997; Hall and Stewart, 1996; McIver, 1998; Kuper, 1996; Timotijevic and Raats, 2007), small sample size makes it difficult to measure statistically significant shifts, when this is attempted at all (Abelson *et al.*, 2003; Goodin and Niemeyer, 2003). Third, juries are expected to reach a consensual collective decision; deliberative polls do not seek any such collective 'verdict' (Fishkin *et al.*, 2000).

We retain the term 'citizens' jury' for the deliberation we describe, but we sought a middle ground between juries and deliberative polls. We wanted a group small enough for face-to-face deliberation but large enough to yield the possibility of statistically evaluating results. We thus set out to recruit 50 randomly chosen deliberators, to hear all evidence collectively but then to split into four groups for face-to-face discussions of this. In essence, our experiment involved four parallel juries, all subject to the same treatment.

We deliberately chose for deliberation a 'hot-button' issue that remained undecided. We did this because we felt that the deliberative method could only be validly investigated if deliberators: came to the process with real attitudes on an issue that mattered to them; felt that they were contributing to a real public debate on this issue; and felt that key decisions on this issue had not already been taken. The issue we selected concerned a proposal to build an incinerator/thermal treatment facility for the disposal of household waste generated in the Dublin area. The policy context is that Ireland has a serious problem in managing household waste. Landfills are filling up and local citizens' groups have been very effective in opposing proposed new landfill sites. Recycling rates are very low by European standards. There was no thermal treatment facility for dealing with household waste in Ireland and deep opposition to any proposed site for such a facility. Ireland is nonetheless obliged within the current EU regulatory environment to do something about all of this.¹⁷ The Irish government's 'integrated waste management strategy', set out in *Waste Management – Taking Stock and Moving Forward* (Department of the Environment, Heritage and Local Government, 2004), states that:

While most plans envisaged the provision of thermal treatment as a long-term objective, the time that can be required in order to procure such projects ... and to complete the necessary planning and environmental licensing processes means that *those regions which have yet to show progress in this regard need to initiate action in the shorter-term* (p. 18, emphasis added).¹⁸

A proposal had been floated by Dublin City Council, the responsible public authority, for a thermal treatment facility to be built in the Ringsend area of Dublin.¹⁹ Ringsend is about three miles from the centre of Dublin. Essentially a traditional working-class area close to substantial port facilities and the region's main power station, its proximity to the city centre, combined with high Dublin property prices, has led to considerable gentrification in recent years. At the time of our jury, the proposal had been mooted but the process of obtaining planning consents and an Environmental Protection Agency licence had not commenced. The 'population' was defined as the group of citizens whose household waste would be in the area to be serviced by the proposed treatment plant. This was because it is precisely this group that faced the hard choice under current EU regulations between opting for thermal treatment *somewhere* in their area, and opting for some alternative solution to the disposal of household waste, given the rapidly declining and increasingly regulated option of landfill.

We posed two questions for deliberation, one dealing with waste management in general and one with the Ringsend proposal. (1) Is there a role for household waste incineration in an integrated waste management strategy for Ireland? (2) If so, should an incineration plant for Dublin household waste be built in the Ringsend area?

The Dublin Citizens' Jury Experiment

Selection of Jury and Control Group from Election Study Respondents

We randomly sampled jurors from respondents to the Irish Election Study of 2002 (IES), themselves a rigorously random sample drawn from the population of Irish voters. The IES used a three-stage clustered sample design based on the electoral register.²⁰ It had a response rate of about 60 per cent and yielded 2,663 interviews, of which 625 were respondents from Dublin constituencies. Known demographic aspects of IES sample bias were corrected by weighting survey respondents before sampling for the jury. However, survey respondents, as opposed to non-respondents, have already shown an appetite for a particular type of participation and expression of attitudes. Thus our jury may have been 'biased towards participation' and our findings on jury attrition are thus conservative. This disadvantage is balanced by the overwhelming advantages, discussed below, of sampling the jury from the population of IES respondents.

The IES post-election study of 2002 was supplemented by a panel study of the entire IES sample, conducted by postal questionnaire in summer 2003. The survey yielded 1,197 valid responses (a response rate of 45 per cent), of which 287 were from Dublin. We designed substantial parts of this, focusing on environmental issues and including questions using the precise wordings of questions to be deliberated by the jury. The panel study was also completed before jury selection began.²¹ This panel study was critical because it allowed us to establish

the demographic and attitudinal profile of the full set of Dublin-based IES respondents, uncontaminated by any 'treatment effect' from our experiment, since both surveys were conducted before any invitation was sent out to any potential juror. Crucially, *this allows us to treat unsampled IES respondents as the control group in our field experiment* – exposed to everything except the jury deliberation treatment. This is particularly important in light of the fact that we repeated the panel study on the entire IES sample in June 2004,²² nine months after the experiment, allowing us to measure long-term attitude shifts among jurors, compared to those of the control group.

As noted, our intention was to select a panel of 50 deliberators who were a random sample of electors in the parliamentary districts serviced by the proposed incinerator. On the advice of researchers from the Economic and Social Research Institute (ESRI) – the organisation responsible for the fieldwork of all aspects of the IES – we invited 221 of the original IES 2002 Dublin respondents to participate in the citizens' jury, with a view to eventually recruiting 50.²³ This reflected the ESRI researchers' estimate, based on long experience of recruiting participants for focus groups, of the 'wastage' rate we could expect when inviting people to come to a central location for a substantial period of time. On the strong advice of ESRI researchers, we abandoned plans to make the deliberation a two-day event with an overnight stay in a hotel. The rationale was that the wastage rate for a two-day event would introduce huge biases in the jury – which would be skewed heavily towards younger and older single people, and away from people with families. Indeed ESRI researchers felt that they would be quite unable to promise us an unbiased jury for a two-day event with an overnight stay. Additionally, and also on the advice of ESRI researchers based on their experience of focus group work, we supplemented the sample with a small number of additional invitations randomly sampled from the electoral division within which the Ringsend facility was proposed. The aim was to get an over-sample on deliberation day of five jurors from the affected area, to remove the possibility – not negligible when selecting 50 people at random from the entire Dublin area – that there would be absolutely no juror with local knowledge of the area likely to be affected by the proposal. This gave a revised target size for the jury of 55 citizens.

Incentives for Jurors

The invitation letters sent to those drawn as the random sample described the event and set out the incentives offered. Jurors were told that, while deliberations would take place away from any publicity, the results of deliberation would be widely publicised.²⁴ Thus one incentive can be seen as the chance to have some input, however small, into decision making. Our informal debriefings suggest this was a significant incentive in itself. The moderator was announced as Olivia O'Leary, a household name in Ireland and a very widely known and respected current affairs journalist with no track record of having taken a position on the

issue for deliberation. The intention in picking a high-profile moderator was to signal to jurors that this was a major event and informal debriefing suggests this was important for some. Jurors were offered €100 to cover 'out-of-pocket costs' and the 'trouble they took in taking part in the day's events'.²⁵ They were also promised a ticket for a prize draw at the end of the event. The prize, guaranteed to be won by one of the jurors, was a €2,500 credit for a holiday booked through an internationally famous travel agent.²⁶ Jurors were also offered free hotel parking, lunch in the middle of the day, and a 'nice dinner' in the hotel at the end of it all, during which the prize draw for jurors would be held. This dinner was also intended as an informal setting for the research team to debrief jurors.

Deliberation Day

The jury deliberation was a one-day event held on a Sunday from 10 a.m. to 7.30 p.m. Jurors met together for all information and briefing sessions; had lunch together; broke up for small-group discussions; and then returned to a plenary session for a final discussion and 'verdict'. The small-group discussions were monitored by experienced non-participant observers who coded each intervention in sequence, allowing us to plot the ebb and flow of the discussion towards consensus and relate every intervention to demographic and attitudinal data about the speaker, collected in the IES and summer 2003 panel studies.²⁷

One innovation we tried in this experiment was to use professional 'questioners' of speakers on either side of the debate. These were well-known barristers (trial lawyers) experienced in cross-examination. The rationale was that they would ask speakers tough questions and quickly open up the debate while at the same time keeping it structured and leaving the moderator in a fully neutral position. In addition, after all speakers had been heard, the small groups of jurors met to decide whether they wanted to ask further questions of the speakers, who were then recalled and asked these questions. In informal debriefings of jurors after the event, it became clear that they regarded the use of barristers to question the speakers as a very effective technique and we feel this is an innovation worth exploring further.

Huge efforts were made to line up speakers and briefing materials that presented a balanced view of the issues involved. Despite these efforts, which extended to many months, this aspect of the experiment must be judged something of a failure, since speakers on one side of the debate presented what everyone judged to be a much more effective case, while Dublin City Council, the responsible public authority (more specifically the Dublin City Manager's Office) eventually boycotted the event and refused to participate in any way. The implicit rationale, communicated to the authors in private, was that they did not feel they could 'win' a debate conducted in this type of forum – and that they would prefer not to participate at all than to participate and lose. The Irish Minister for the Environment wished us well, but declined to participate

on the ground that he might eventually have licensing jurisdiction on the issue. All technical consultants used by the City Council found that they had intractable timetabling clashes on every one of the very flexible set of (Sunday) dates offered for the jury schedule. In the end, we were very grateful that a former mayor of Dublin, who is a prominent member of the main government party, did at the last minute agree to present what was both the City Council and government's official policy on integrated waste management. If he had not done this, we would have been left with nobody to present and defend official government policy on this issue. The other 'establishment' speaker in favour of thermal treatment was a prominent executive of IBEC, the Irish Business and Employers' Confederation. We had to go as far as the Netherlands to find a technical specialist prepared to present (very comprehensive) research findings on safety standards for modern waste incinerators. We had no problem whatsoever, however, in finding a team of highly proficient speakers to present arguments against the thermal treatment of household waste. In the event, at the end of the day the jury found unanimously against both the building of an incinerator in Ringsend, and the use of incineration as part of an integrated waste management strategy for Ireland.

Jury Attrition and Selection Bias

As it transpired, the ESRI's experience in the recruitment of focus groups proved directly relevant for the selection of citizens' juries. Of the 221 people invited, 61 gave a firm promise to attend the day-long event, and 49 presented themselves on the morning of the jury. In addition, seven of the over-sampled citizens from Ringsend also presented themselves. One juror failed to complete questionnaires, leaving 55 participants. Hitting our target jury size so precisely was a combination of the ESRI's detailed local knowledge of attrition rates and pure luck. Nonetheless, it is significant that the attrition rate well known to those experienced in recruiting focus groups also appears to apply to citizens' jury experiments, which must understandably appear similar to those being recruited. The bottom line is that 22 per cent of those invited actually turned up for the jury, while 89 per cent of those who promised until the very last minute they would turn up actually made an appearance.

Table 1 analyses jury attrition in terms of standard demographics. Comparing invitees with Dublin IES respondents, both groups had essentially the same demographic characteristics (columns 2 and 3). Table 1 also shows significant biases in attrition rates from the original sample of invitees, in terms of age, gender and educational level (columns 3, 4 and 5). People aged 24 or less were under-represented in the jury; this was not because they were less likely to *agree* to participate, but because they were less likely to *turn up* for the jury on the day, having agreed to do so. In contrast, people with lower levels of educational attainment were under-represented, but this was because they were less likely to agree to participate in the first place. People with college or university education

Table 1: Demographic Characteristics of Jury Attrition

	Column 1 Dublin Census 2002 n = 860,773 ¹		Column 2 Dublin IES 2002 n = 625		Column 3 Random invitees n = 221		Column 4 Willing jurors n = 61 ²		Column 5 Actual jury n = 55 ³	
	%	n	%	n	%	n	%	n	%	n
Marital status										
Married	44.6*	347	55.5	136	61.5	43	70.5	35	63.6	
Separated /divorced	5.1*	28	4.5	5	2.3	1	1.6	1	1.8	
Widowed	5.6*	50	8.0	19	8.6	4	6.6	5	9.1	
Never married	44.7*	198	31.7	61	27.6	13	21.3	14	25.5	
Age										
18-24	17.7	95	15.2	35	15.8	9	14.8	5	9.1	
25-44	42.7	211	33.8	73	33.0	19	31.1	19	34.5	
45-64	26.4	217	34.8	71	32.1	25	41.0	22	40.0	
64+	13.2	97	15.5	42	19.0	8	13.1	9	16.4	
Gender										
Male	47.6	303	48.5	115	52.0	34	55.7	33	60.0	
Female	52.4	322	51.5	106	48.0	27	44.3	22	40.0	
Education level										
Pre-leaving cert.	37.5**	221	35.4*	84	38.0**	16	26.2	12	21.8	
Leaving cert.	28.8**	141	22.6*	54	24.4**	18	29.5	11	20.0	
Post-leaving cert.	33.7**	262	41.9*	83	37.6**	27	44.3	32	58.2	

* Difference in proportions compared to proportions in actual jury significant at 0.05 (chi-square goodness of fit test, exact sig.).

** Difference in proportions compared to proportions in actual jury significant at 0.01 (chi-square goodness of fit test, exact sig.)

¹ Education computed on n = 706,392. Excluded are those respondents whose education has not ceased, or is not stated.

² Plus five people of unknown characteristics from DEEs (District Electoral Divisions) in Ringsend: of whom four are male and one is female.

³ Including 7 Ringsend jurors.

were strikingly over-represented, both because they were more likely to agree to participate, and because they were more likely to show up on the day, having agreed. The net result is that the final jury was older, more male and better educated than Dublin respondents in the IES. Statistically significant differences in proportions were observed, however, only for educational level. Comparing the final jury with the the 2002 national household census,²⁸ however, we also find statistically significant differences between the jury and the Dublin population in terms of marital status and educational level. This arises because the IES itself was unrepresentative in these areas. Women and younger people are also under-represented on the jury, although these differences are not statistically significant.

It seems plausible *a priori* that those who participated in the jury were more generally inclined than the typical citizen to participate in political decision making. A series of questions relating to political efficacy were asked in the IES, which also asked whether respondents had voted in each of the three opportunities to do this at a national level in the twelve months prior to the survey – the 2002 general election and two national referenda. Voting turnout in these three polls was aggregated to create a four-point ‘voting rate’ scale that ranged from 0 (no turnout in any of the three elections) for the most lethargic voters, to 3 (turnout in all three elections) for the most avid. Table 2 compares jurors who turned up on the day with the general Dublin citizenry on each of these measures. Note that all of these attitudes relate to responses in the IES collected long before the start of any ‘treatment’ of the jurors, by writing to them asking them to participate in a jury. Jurors were no more likely than non-jurors to think they were better informed about politics, and no more likely to think politics makes a difference. But they were significantly *more prone to vote* than Dublin citizens in general, and significantly *less likely to agree that politics is too complicated for people like them* to understand. Jurors may thus have a higher sense of *personal* efficacy, perhaps making them open to other forms of political participation.

A priori, it seems plausible that those jurors who presented themselves were more interested than the general population in the issue to be deliberated. We thus compared environmental attitudes and political activity of jurors²⁹ with the control group of Dublin citizens who completed the IES panel survey. We found that the jurors, while not representative demographically, were nonetheless representative attitudinally, at least as far as relevant attitudes prior to the beginning of the jury process were concerned. Jurors were *not* more interested in the environment and did *not* have distinctive attitudes on this, compared to the control group.

Aggregate Opinion Before and After Deliberation

Studies of deliberative polls typically report statistically significant opinion shifts between pre- and post-treatment questionnaires, at both aggregate and individual

Table 2: Attitudes on Participation/Efficacy among Jurors and Dublin IES Respondents

	Dublin IES 2002 (n = 625)		Jurors completing IES 2002 (n = 44)	
	Mean	Std. Dev.	Mean	Std. Dev.
Politics is too complicated for people like me to understand*	3.84	1.88	3.16	1.46
The ordinary person has no influence on politics	3.56	1.84	3.18	1.53
I'm better informed than most people about politics	3.56	1.58	3.48	1.58
The Irish government can't influence what happens in this country	2.94	1.56	3.07	1.37
It doesn't really matter which political party is in power	3.91	1.83	3.95	1.75
Times voted 2001–02 (0, 1, 2 or 3)*	2.14	1.03	2.43	0.846

Note: All items except 'Times voted' scored on a seven-point scale with 1 strong disagreement and 7 strong agreement.

*Difference of means test significant at <0.05 level.

levels (Fishkin, 1997; Goodin and Niemeyer, 2003; Hansen and Andersen, 2004; Luskin *et al.*, 2002; Merkle, 1996). In some cases a control strategy is built into the research by means of self-administered or telephone surveys of non-attendees in the original sample, or with separate random samples (Hansen and Andersen, 2004; Luskin *et al.*, 2002; Merkle, 1996). Here, we report aggregate-level opinion shifts during the Dublin field experiment, relative to the untreated control group of Dublin IES respondents. Table 3 makes two sets of paired comparisons on four attitude questions. The first compares attitudes in the summer IES 2003 panel, before any mention had been made of the jury, with attitudes on the morning of the jury. This picks up any treatment effect arising from being selected as a juror and deciding to participate. The second pair compares attitudes in the morning, before the event, with attitudes in the evening, after the event was over and the jury decision had been reached. This picks up the treatment effect of the deliberation itself. The earlier score is subtracted from the later score and a negative sign implies a shift against incineration in pairs 1 to 4, while a positive sign implies a shift against incineration in pairs 5 to 8.³⁰

The findings are unambiguous. There was *no significant treatment effect from having been selected as a juror and having decided to participate* (pairs 1, 3, 5 and 7). But there was a *strong treatment effect following participation in the day's events* (pairs 2, 4, 6 and 8). Jurors showed a substantial and statistically significant shift of opinion against

Table 3: Opinion Shifts during Citizens' Jury Experiment

	<i>Question</i>	<i>Mean shift</i>	<i>t</i>	<i>Sig.[†]</i>
Pair 1	Waste incinerators are essential to waste management in Ireland: (morning) – (panel)	0.02	0.13	0.895
Pair 2	Waste incinerators are essential to waste management in Ireland: (evening) – (morning)	-2.42	11.59	0.000
Pair 3	A waste incinerator should be built in Ringsend: (morning) – (panel)	0.30	1.15	0.260
Pair 4	A waste incinerator should be built in Ringsend: (evening) – (morning)	-2.04	9.64	0.000
Pair 5	Waste incinerators harm the environment: (morning) – (panel)	-0.13	0.63	0.536
Pair 6	Waste incinerators harm the environment: (evening) – (morning)	1.18	5.99	0.000
Pair 7	Waste incinerators are a threat to the health of people living nearby: (morning) – (panel)	-0.03	0.14	0.893
Pair 8	Waste incinerators are a threat to the health of people living nearby: (evening) – (morning)	1.19	6.57	0.000

Note: All attitudes are measured on seven-point scales, with 1 strong disagreement and 7 strong agreement.

[†]*Paired samples t-test.*

waste incineration. Substantively, the shift on each scale was large, from a mean position of neutrality on the attitude statement (scale position 4) to a position between disagreement (2) and strong disagreement (1) on the two central questions. The strong opinion shifts observed in other deliberative experiments were replicated in the Dublin field experiment.

Considering the extent to which such opinion shifts are representative of the more general citizenry is of course an artificial exercise since the more general citizenry could not conceivably engage in small-group deliberation of this type. We can, however, test whether distinctive opinion shifts occurred among demographic groups in the jury for which we know there is biased representation. We find no significant gender or age effects on measured opinion shifts. However, all opinion shifts were significantly greater, in a statistical sense, for jurors with lower levels of education, who were under-represented.³¹ It is thus likely that opinion shifts following deliberation might have been even greater had the educational level of deliberators more closely matched that found in the general population.

Durability of Shifts in Aggregate Attitudes

Nine months after the experiment, as part of the 2004 panel of the Irish Election Study, the jury participants, along with all other members of the IES panel, were

Table 4: Opinion Shifts between the Jury Event and the 2004 IES Panel Study

	<i>Question</i>	<i>Mean shift</i>	<i>t</i>	<i>Sig.[†] (2-tailed)</i>
Pair 1	Waste incinerators are essential to waste management in Ireland (Jury 2004) – (Jury deliberation evening)	+0.85	2.82	0.007
Pair 2	Waste incinerators are essential to waste management in Ireland (Dublin 2004) – (Jury 2004)	+1.71	5.18	0.000
Pair 3	A waste incinerator should be built in Ringsend (Jury 2004) – (Jury deliberation evening)	+0.56	2.41	0.043
Pair 4	A waste incinerator should be built in Ringsend (Dublin 2004) – (Jury 2004)	+1.72	5.07	0.000

Note: All attitudes measured on seven-point scales, with 1 strong disagreement and 7 strong agreement.

[†]Paired samples t-test.

re-surveyed on the two issues that were subject to deliberation. Table 4 shows that *jurors did change their attitudes significantly in the nine months following deliberation.* There was a moderate but statistically significant reversal of the opinion shift observed during deliberation, back in favour of incineration (pairs 1 and 3).³² It is also clear that, nine months after deliberation, *jurors remained significantly more hostile to incineration than the Dublin IES control group* (pairs 2 and 4), from which they had not differed at the beginning of the experiment. Table 4 thus provides systematic evidence that, while there was significant opinion reversal nine months after the experiment, deliberation did have significant long-term effects on the attitudes of jurors.

Explaining Individual Opinion Shifts

We now turn to explanations of individual opinion change during deliberation, replicating and extending work by Robert Luskin *et al.* (2002). We created an *opinion change* variable for the two main issue items in our surveys, subtracting individuals' post-treatment attitude score (P_2) from their pre-treatment score (P_1) and rescaling the result to the [0,1] interval. We created independent variables for *information gain* and *group pressure*. Luskin *et al.* measure information gain using an additive scale derived from post-treatment scores on seven knowledge items.³³ We had two knowledge items in our own pre- and post-treatment surveys.³⁴ To capture group effects operating on individuals which might pressure them to alter preferences in the direction of the dominant view in the group, Luskin, Fishkin and Jowell use the difference between the participant's pre-survey opinion on a given issue scale (P_1) and the mean pre-survey opinion within the small group to

Table 5: A Model of Individual Attitude Change during Deliberation

<i>Explanatory variable</i>	<i>Incineration</i>	<i>Ringsend incinerator</i>
Part A: With the difference between t_1 attitude and t_1 small group mean as one variable		
Intercept	-0.431** (0.063)	-0.303** (0.059)
t_2 Information	0.202 (0.139)	0.027 (0.128)
Distance from t_1 group mean	-0.638** (0.100)	-0.695** (0.079)
Adj. R^2	0.440	0.585
F	22.228	38.384
Probability	0.000	0.000
n	55	55
Part B: With t_1 attitude and t_1 small group mean as separate variables		
Intercept	-0.026 (0.285)	0.014 (0.224)
t_2 Information	0.214 (0.137)	0.032 (0.127)
t_1 Attitude	-0.686** (0.105)	-0.740** (0.084)
t_1 Group mean	0.019 (0.436)	0.134 (0.392)
Adj. R^2	0.452	0.594
F	15.845	26.870
Probability	0.000	0.000
n	55	55

Notes: Table replicated from table 7 of Luskin et al. (2002); all variables projected to the [0,1] interval. Cell entries show coefficient estimates with standard errors in parentheses. $n = 55$ in all cases.

*Significant at the 0.05 level (2-tailed). **Significant at the 0.01 level (2-tailed).

which he or she was assigned (G_t) rescaled to the [0,1] interval.³⁵ The rationale is that group pressure on an individual should be a function of how much the individual is an outlier. The expectation is that individuals with attitudes most distant from the group mean will have the biggest attitude shifts during deliberation. We replicate this method in our own analysis, reported in Table 5.³⁶

The top panel of Table 5 shows that post-deliberation information levels had no significant effect on opinion shifts, though this may be the result of the more restricted variation in our own information variable. However, the distance of an individual's opinion from the mean position of his or her small group had a strong and significant effect on opinion shifts during deliberation. The 'group pressure'

variable, thus measured, is significant both statistically and substantively and is correctly signed.³⁷ However, as Luskin *et al.* note, this may be a measurement artefact given the presence of pre-treatment attitudes (P_1) in the definition of both dependent and the key independent variable. When they treated P_1 and G_1 as separate regressors, the effects of G_1 tended to become insignificant. The bottom panel of Table 5 shows that we find the same thing. Individual opinion shifts are predicted entirely from the individual's attitudes at t_1 . Essentially, opinion shifts during deliberation all tend to go in the same direction, and individuals with more extreme initial positions tend to shift more (perhaps because they have more room to shift on any given measurement scale).

Extending the Baseline Model

We chose waste incineration as a live 'hot-button' issue which would provide a hard case for the jury model. An unwelcome (for us) consequence was that a situation developed in which the people responsible for policy on waste incineration refused to participate in any way, while those presenting the case against incineration appeared deeply committed, and were judged to have been much more effective public speakers. While this was clear from our own non-participant observation and from informal debriefing of the jurors, we found clear confirmation in answers to an open-ended post-treatment survey item in which participants were asked to suggest reasons for the jury's decision. Fully 34 of the 55 jurors made unprompted reference to what they viewed as poor presentation of the pro-incineration argument.³⁸

This leads us to try and find some way to include *speaker imbalance* in our model of individual opinion shifts during deliberation. As the pronounced effect we witnessed informally was not anticipated, we had not asked for ratings of speakers in the post-treatment survey. We thus use a proxy variable in that survey to measure the persuasive power of the anti-incineration side. Setting aside the merits or demerits of the argument, those most influenced by the speakers were concerned at the time of the post-treatment survey with the health risks of waste incineration. Predicted dioxin emissions and their potential for harm were important and dramatic parts of the case argued by the anti-incineration side. Jurors unconvinced by these alleged risks must have found speakers against incineration unpersuasive. Conversely, those who became very concerned about this during the deliberation are likely to have been most convinced by speakers against incineration. In short, we take concerns about health risks at t_2 , *controlling for these concerns at t_1* , as an indicator of perceived effectiveness of anti-incineration speakers. As a proxy for the persuasiveness of the anti side, we regress individual opinion change on survey attitudes, at t_1 and t_2 , on the item 'Waste incinerators are a threat to the health of people living nearby' [0,1]. Our prediction is that, if the speaker effect was significant, we will find a significant effect of t_2 health concerns, controlling for those at t_1 .³⁹

In addition to the effects of speaker imbalance we also set out to model the group dynamics of deliberation, using information coded during the small-group deliberations by expert non-participant observers. These observers coded the sequence of individual interventions in each small-group deliberation, noting the identification number of each contributor and coding the content of the contribution on a five-point scale (strongly against, against, neither for nor against, for, strongly for).⁴⁰ We use means of these coded contributions to group discussions as measures of the *direction of group pressure* exerted within each particular group, again calculated for each individual by excluding individuals' own contributions and averaging across the remaining contributions.

We also generate a measure of *individual opinion leadership*. Studies of trial juries show that not only do men routinely talk more than women, and those with more education talk more than others (Hans and Vidmar, 1986; Hastie *et al.*, 1983; Marder, 1987),⁴¹ but particular individuals tend to dominate the process (Hastie *et al.*, 1983; Strodtbeck *et al.*, 1957; see also Merkle, 1996, p. 607). This is problematic because those who speak the most are likely to be viewed as most persuasive, and the quantity, not the quality of their remarks, drives this perception (Marder, 1987). We thus calculated, for each juror, the mean coding of contributions of the most vocal member in their group.⁴²

Table 6 reports this extended empirical model of opinion change during deliberation. Neither the mean contribution within the group, nor the mean contribution of the most vocal group member, had significant effects on jurors' opinion change. In contrast, the post-treatment survey item on health risk for local residents, *controlling for responses to the same question in the pre-treatment survey*, is very significant and correctly signed for both the incineration and Ringsend issues. Jurors who came to be concerned about health risk during the course of the deliberation – and health risks were the core of the anti-incineration case – were the most likely to switch to an anti-incineration view and to shift substantially in this direction.

Discussion and Conclusions

Starting from a random sample drawn from the 2002 IES, there was a systematic process of jury attrition. Less than a quarter of those sampled eventually participated, despite Herculean efforts by the survey organisation. This rate is similar to that of other deliberative polls, though one reported over 50 per cent participation (Luskin and Fishkin, 2005). Despite low participation rates, are deliberators representative of the population at large? In their review of the findings of deliberative polls, Fishkin and Luskin suggest that 'participants are generally a bit older, better educated, and more interested in and knowledgeable about the topic than the nonparticipants' (2005, p. 290).⁴³ In their Danish deliberative poll Kasper Moller Hansen and Vibeke Normann Andersen (2004) report statistically significant under-representation of those with lower levels of educational attainment,

Table 6: Accounting for Attitude Change: An Extension

<i>Explanatory variable</i>	<i>Incineration</i>	<i>Ringsend incinerator</i>
Intercept	0.789 (0.402)	0.561 (0.332)
t_2 Information	0.152 (0.127)	-0.046 (0.116)
t_1 Attitude	-0.902** (0.122)	-0.885** (0.101)
t_1 Group mean	-0.335 (0.495)	0.012 (0.488)
Mean contribution in the group	0.454 (0.862)	0.104 (0.793)
Mean contribution of most vocal group member	-0.019 (0.520)	0.028 (0.435)
t_1 Attitude on health risks	-0.157 (0.147)	0.035 (0.120)
t_2 Attitude on health risks (proxy for speaker effects)	-0.520** (0.147)	-0.523** (0.132)
Adj. R^2	0.566	0.682
F	11.052	17.226
Probability	0.000	0.000
n	55	55

Notes: All variables rescaled to the [0,1] interval. Cell entries show coefficient estimates with standard errors in parentheses.

**Significant at the 0.05 level (2-tailed). **Significant at the 0.01 level (2-tailed).*

and in the youngest age category. Citizens' jury organisers achieve a fair degree of diversity in their composition, though Shirley McIver (1998) mentions concern among observers about the representativeness of the juries she evaluated. Ned Crosby's jury reports usually include a comparison of the numbers of attendees with the quotas, and it appears that those in the lowest level of educational attainment are frequently under-represented.⁴⁴ The Dublin experiment also resulted in jurors who were older, more male and more educated than the general population. Despite these demographic biases, however, there was no bias in the jury in terms of attitudes and political activity with respect to the issues deliberated.

Our findings and those of others imply that, at the very least, those with lower levels of education are consistently under-represented in deliberative polls and citizens' juries. This in turn implies a need to over-sample those with the lowest levels of educational attainment in order to ensure unbiased participation. This is important because we also found the less educated more likely to change attitudes during deliberation, suggesting that reported opinion shifts for deliberation are

lower than they would be if the less educated were proportionally represented. This finding may buck a more general trend, however; Fishkin and Luskin report that opinion shifts tend to be unrelated to socio-demographic variables (2005, p. 291).

The significant opinion shifts that we observed also confirm a general trend in deliberative polls, and in citizens' juries on those occasions when statistical tests are used. In addition to opinion shifts over the course of the event, Fishkin (1997, appendix to the paperback edition) and Hansen and Andersen (2004) report ten-month and three-month follow-ups, respectively, though neither include a post-test control group while measures of statistical significance are provided only by Hansen and Andersen. In both cases the investigators find some 'shift-back' in attitudes, but not a return to prior attitudes. Our post-deliberation panel study using the IES 2004 similarly shows that, while a modest shift-back did take place, the opinion shifts during deliberation were for the most part durable. Nine months after the experiment, the panel of deliberators had attitudes differing significantly from the control group. The Dublin experiment thus provides the strongest reported evidence so far for the durability of post-deliberation opinion shifts.

Increasing the size of the jury permitted us to conduct analyses that are usual only for deliberative polls, but combining methods may have affected our findings. We noted above that a criticism of citizens' juries is that the use of a consensus decision rule may result in conformity and the suppression of dissenting views. Disagreements are of course permitted, and reports of juries to their sponsors often include minority views (Coote and Lenaghan, 1997). In some cases jurors freely express resistance to reaching consensus (Crosby *et al.*, 1986). Nevertheless, jurors do sometimes report reservations about their ability to express dissenting opinions (Hall and Stewart, 1996). In the above analysis we investigated the effects of group pressure and opinion leadership, and found neither variable related to opinion change.

The dominant feature of our experiment was the pronounced one-sided speaker effect. It is worth noting that deliberative polls place greater emphasis on deliberators putting questions to experts and policy makers than on speaker presentations. It might seem, therefore, that deliberative polls escape this problem. Luskin, Fishkin and Jowell write that the formula of the deliberative poll involves randomly selected citizens who 'spend several days grappling with the issues, discussing them with one another in randomly assigned, moderated small groups and *putting questions* generated by the small group discussions to carefully balanced panels of policy experts and political leaders' (2002, pp. 458–9, emphasis added). Mark Button and Kevin Mattson's (1999) case studies of deliberative fora show, however, that the problem is one that may well apply to deliberative polls. They observed a process in which, in the context of interactions with experts and political leaders, citizens become 'locked ... into a deferential and sometimes passive role', and 'become pupils rather than participants' (Button and Mattson,

1999, p. 622). What suggests that this is potentially an issue for deliberative polls is the fact that a similar dynamic of deference occurred during fora organised by the League of Women Voters, in which (1) great efforts were made to prevent it, and (2) the interaction between speakers and citizens took place by means of a question-and-answer session. Organisers provided extensive reading materials, ran information days and laid down ground rules that office holders should not emphasise technical policy issues, and there should be no 'lectures'. Nevertheless, question-and-answer sessions were stilted, start-stop affairs without any real interchange or dialogue. 'Citizens posed questions and "answers" came from the representatives' (Button and Mattson, 1999, p. 627). The difficulties in the Dublin Citizens' Jury arose from what can also be interpreted as deference – though notably to eloquent speakers for an *anti-establishment* position – combined with the unequal commitment and performance of the speakers. We return to this below.

An additional difference between our experiment and deliberative polls is the reduced sample size. In principle this should not have affected participants' behaviour independently of the expectation of a consensual decision, considered above. In deliberative polls, as in the Dublin experiment, deliberation is conducted in small-group sessions. The main fear is that small sample size may lead to Type II errors – failure to reject a null hypothesis of no effect when there is in fact an effect. Our findings are thus conservative. Careful perusal of results reported in the tables in this article, however, shows that no 'knife-edge' inferences need be drawn. Our results are robust in the sense that statistically significant effects are strong and non-effects come nowhere close to statistical significance. Thus we have no sense that more results are lurking out there waiting to be uncovered if only the sample size was larger.

Finally, we also note that the Dublin Citizens' Jury took place over the course of a single day, as a result of which it might seem that jurors were under greater pressure to make a decision during their group discussions. Both citizens' juries and deliberative polls usually take place over several days, but as we have said above, on the advice of the ESRI we reduced ours to a one-day event. In our view the pronounced speaker effect that we observed would have effectively made any further deliberation redundant. From this point of view, it would be inappropriate for us to generalise specifically in relation to the impact of less time for deliberation, beyond noting that, the longer the deliberation, the more biased the sample of people who are in a position to devote time to this.

Research Design Issues

Our study suggests that it is possible, with a careful research design involving drawing jurors from large random survey samples, to estimate and thus correct distortions in the deliberative process which arise from jury selection and attrition. Despite enormous efforts to create a balanced presentation of the issues,

however, we clearly failed in this regard. We feel that our experience on this matter has serious implications for empirical evaluation of deliberative experiments in real-world settings. The 'framing' of any particular jury deliberation involves a huge range of variables, which makes it very difficult to build up cumulative research findings on the process of deliberation itself. We can of course conduct laboratory research, but our interest in investigating the effects of deliberation has more to do with its commendation for use in real-world contexts, which has led to the suite of field experiments of which this study is a part. There are, however, so many degrees of freedom in designing a deliberative 'experiment' that it is difficult even to identify, much less control, salient features of experimental design. This greatly impedes the systematic accumulation of knowledge on the process as a whole. This problem is exacerbated by the fact that each jury experiment is expensive, time consuming and, at least in this case, exasperating to organise.⁴⁵

Having said this, we could do more to try to integrate the literature on persuasive communications into deliberative research, particularly regarding speaker effects. It cannot be assumed as a matter of course that a balance of speakers has been successfully achieved in any deliberation, and our experience shows the need to treat this as a research topic in its own right. Indeed, in this respect ours has been an instructive failure. It is unlikely that other deliberative events have been compromised by effects as severe as those we encountered. It is, perhaps, for this very reason that little attention has been paid to those effects that may actually have occurred.

In social psychology there is a long tradition of inquiry into the relationship between persuasion and attitude change, stemming from the work of Carl Hovland *et al.* (1953). Studies have compared the differential effects of experts and non-experts; of popular and unattractive communicators; of rapid and slow speakers; of the perception of a deliberate intention to persuade vs. its absence; of fear-arousing and neutral messages; and so on (see the citations in Hogg and Vaughan, 2005, p. 203). We could do more to identify and disaggregate these effects in deliberative contexts, using either participant ratings or content analysis, incorporating these in models of opinion change. The puzzle for organisers, however, is that, while we might be able to identify these effects after the event, it is not entirely clear how we can correct for them in advance.

Substantive Issues

Serious substantive problems in the deliberative process arise from the blunt refusal of stakeholders to engage with the jury event. The fact that a jury verdict can be so strongly driven by speaker effects, despite great efforts to achieve balance, is itself a substantive problem. Beyond this, in our experiment the stakeholders who expected to be on the 'losing' side were able to influence and delegitimise the eventual outcome by withholding cooperation in the entire

process. As a direct consequence of our choice of a live, contested issue, the jurors' verdict was ultimately driven by this unwillingness to participate. Yet if obstructive behaviour by key stakeholders can in effect invalidate the results of deliberation, this gives them an effective veto over the use of deliberative methods of reaching collective decisions and, in turn, undermines the value of deliberative methods more generally. In the process a strategic element is introduced into an ostensibly deliberative (hence purportedly non-strategic) interaction. Carried to its logical extreme, this argument implies that deliberation can only be used for issues on which key stakeholders do not have intense and divergent interests – crudely, that deliberation is most likely to be successful when it is least needed.

Secondly, one particularly important set of 'stakeholders' is public representatives and officials. A number of commentators on public consultation have questioned the extent to which the public are empowered to advance proposals which the relevant public authority 'does not anticipate or like' (Coote and Lenaghan, 1997, p. 74; Pratchett, 1999b; Smith and Wales, 2000). Indeed, Lawrence Pratchett warns that 'participation initiatives can be seen to offer public relations opportunities for organisations: opportunities which enhance the legitimacy of policy decisions by giving the appearance of greater popular control without having to devolve power out of the organisation' (1999b, p. 632). In part the issue is that public consultation is multifaceted and serves no single purpose – agencies can use it to obtain information from citizens, to gain public approval for projects or decisions, to legitimate previously taken or unpopular decisions, to legitimate the organisation itself, to foster community action, or simply to meet statutory requirements (Harrison and Mort, 1998; Langton, 1978a; McIver, 1998; Rosener, 1978; Webler and Renn, 1995). And there are examples of what appears to be a very genuine commitment to consultation via citizens' juries (see Hall and Stewart, 1996).

Our experience is a vivid empirical demonstration of what, for some, may be abstract suspicions. It shows how deliberative events may fail to secure involvement of decision makers, and the resultant effects of this on deliberation. It is true that the topic we chose for deliberation involved a controversial and unpopular proposal on which, though no decision had been made, both government and city managers had a current preference – one they had good reason to fear would be rejected by the jury. In more favourable conditions, the support of decision makers is more likely to be achieved. For precisely this reason, we must pay close attention to circumstances in which public representatives and officials support deliberation, and those in which they do not. When public officials refuse to participate when their participation is needed – even when private organisations and research institutes are ostensibly free to convene whatever fora they wish – the potential of these to empower citizens is undermined. Deliberation is then governed, contrary to its normative ideals, by official 'gatekeepers'.

The Dublin Citizens' Jury experiment was seen as a great success in the eyes of the jurors themselves, virtually all of whom were very enthusiastic indeed about being asked to participate in a decision-making process such as this, very much

enjoyed the day and urged us to do it all again as soon as possible for a range of different issues. The post-jury dinner, attended by 55 randomly selected Dubliners from all walks of life, was an extraordinary 'event' in itself. The potential of occasions such as these is undeniable. Caution is needed, however; all the more since citizens' juries and similar fora have recently begun to make national news, accompanied by a good deal of fanfare on the part of their public sponsors. Recent updates on The Jefferson Center's website⁴⁶ feature Gordon Brown's pledge to hold citizens' juries as part of his 'new politics'. Since that statement, juries have been held in Bristol and Leicester. The website also carries links to a *Guardian* report in which Patricia Hewitt's intentions as health secretary were to include using citizens' juries as 'new channels of democracy' in order to facilitate 'listening harder to what ordinary people are saying' (Carvel, 2005). In the 27 states of the enlarged EU, an ambitious project modelled on the citizens' jury process called the 'European Citizens' Consultations' is under way, run by a consortium of independent European foundations and civil society organisations, and co-financed by the European Commission.⁴⁷ Yet the democratic credentials of citizens' juries and similar fora, when they purport to give citizens a say, require a commitment from policy makers to follow the argument *wherever* it leads. More precisely, opportunities for unconstrained deliberation must be available on all issues which citizens might wish to discuss and influence. The increased use of these fora, combined with official declarations of support, should not obscure failures to meet this fundamental requirement.

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Notes

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- 1 Ned Crosby has copyright of the term 'Citizens' Jury'. See Crosby, 1995; Coote and Lenaghan, 1997; Crosby and Nethercut, 2005; Crosby *et al.*, 1986; Hall and Stewart, 1996; McIver, 1997; Smith and Wales, 2000; Stewart *et al.*, 1994.
- 2 James Fishkin has registered 'Deliberative Poll' and 'Deliberative Polling' as trademarks. See Fishkin 1991; 1996; 1997; Fishkin and Luskin, 2005; Fishkin and Farrar, 2005; Fishkin *et al.*, 2000; Hansen and Andersen, 2004; Luskin *et al.*, 2002; Merkle, 1996.
- 3 British Columbia Citizens' Assembly on Electoral Reform, 2004a; 2004b; Ontario Citizens' Assembly on Electoral Reform, 2007.
- 4 Fung, 2003.
- 5 Andersen and Jaeger, 1999; Guston, 1999; Hendriks, 2005.
- 6 Davies and Burgess, 2004.

- 7 Melville *et al.*, 2005.
- 8 Dienel and Renn, 1995; Hendriks, 2005.
- 9 Andersen and Jaeger, 1999.
- 10 Fung, 2003.
- 11 Fung, 2003.
- 12 Fung, 2003; Wampler, 2004; see also Fung and Wright, 2003; Gastil and Levine, 2005.
- 13 As Robert Dahl has noted (1970; 1989), given modern communications technology the problem is not so much an upper limit to the number of people who can convene together simultaneously, but the time required if each participant is in turn to enjoy the others' full attention when contributing to the discussion.
- 14 It also makes it possible to construct confidence intervals around aggregate attitudinal measures, although these tend not to be reported.
- 15 The reports of the Jefferson Center are an exception here. See <http://www.jefferson-center.org>.
- 16 Ned Crosby's juror evaluation sheets commonly ask participants to rate Jefferson Center staff in terms of the unbiased handling of the process, but this does not include witness performance. Jurors are given the opportunity to detail any dissatisfaction with the process, and witness biographies are given, but there is no attempt to investigate any possible relationship between witness performance and the jury's decision. Crosby *et al.* (1986) do report the percentages of participants who were satisfied with the balance of the group of witnesses, on a five-point scale. There is little discussion of the issue, however. Hall and Stewart's report to the Local Government Management Board (1996) identifies the number of jurors in each pilot who felt that the presentations were and were not free of bias, but it is not clear how much of a part this played in their considerations.
- 17 See the Sixth Community Environment Action Plan; the EU Landfill Directive (1999/31/EC); and the ERU Waste Incineration Directive (2000/76/EC).
- 18 This document and others relating to official Irish government policy on waste management can be found at <http://www.environ.ie>
- 19 The website of this project and 'official' statement of the case for thermal treatment in Dublin can be viewed at <http://www.dublinwastetoenergy.ie>
- 20 For a description of the IES, see http://www.tcd.ie/Political_Science/Staff/Michael.Marsh/ElectionStudy/.
- 21 The full questionnaire for the IES 2003 panel study is at http://www.tcd.ie/Political_Science/Staff/Michael.Marsh/ElectionStudy/INES2.pdf. IES surveys were conducted in June 2002 and June 2003; the citizens' jury was held in November 2003.
- 22 The IES 2004 panel yielded 1,102 responses (a relatively low response rate of 41 per cent), of which 273 were from Dublin.
- 23 More precisely, data protection legislation in Ireland meant that we contracted the ESRI to conduct the sampling and invite selected jurors. The ESRI had previously given the standard assurances of anonymity to respondents when the IES was conducted, and it would have been illegal for them to have released the identities of respondents to third parties, such as ourselves. Indeed, all aspects of jury recruitment and interviewing, and all other communications with jurors, were contracted to the ESRI. This proved to be a highly efficient arrangement.
- 24 Indeed, it seems likely that, had there been pre-publicity, there would have been at least some form of public demonstration outside the hotel as jurors arrived. This is perhaps a useful rule of thumb for defining a hot-button issue.
- 25 This wording was carefully chosen because a referee report on an earlier proposal for funding from a public body had recommended rejection of the proposal on the ground that jurors were being paid, whereas deliberation is proposed as a form of participation in democratic decision making, for which people are not paid. We persisted in the proposal to pay jurors on the ground that, in an experiment such as this, an unpaid jury of people prepared to devote an entire day to such an event would have been very seriously biased and highly unrepresentative. All incentives were entirely unconditional on anything that happened during deliberation. This research was ultimately funded, not by a public body, but by a private foundation.
- 26 The lottery reward for participation is quite widely used to enhance response rates in postal surveys. In this case, we considered the c. 50 : 1 shot at a €2,500 lottery to be a greater inducement than adding €50 to the flat fee for everyone. Subsequent informal debriefing of jurors strongly reinforced this view.
- 27 Full details of the day's schedule are given in the appendix of supplementary materials available from the authors.
- 28 Details available at <http://www.cso.ie/census/Census2002Results.htm>. Unpublished information was requested directly from the CSO (Central Statistics Office, 2002).

- 29 More precisely, the 39 jurors who completed the summer 2003 IES panel survey. This thus excludes the seven Ringsend jurors who were recruited via the over-sample. Full details of this comparison are given in table A1 in the appendix of supplementary materials available from the authors.
- 30 Detailed statistics for this table can be found in table A2 in the appendix of supplementary materials.
- 31 Data on these effects are available in the electronic appendix from the authors. The level of educational attainment in the population declines with age. However, an OLS regression predicting total opinion shift during deliberation from gender, age and educational level shows that the education effect is independent of age.
- 32 A positive sign in Table 4 represents a shift *in favour* of incineration.
- 33 Luskin *et al.* note that the most obvious measure might seem to be the difference in correct answers between the post- and pre-treatment surveys ($I_2 - I_1$), but this is likely to be negatively correlated with information gain, since, as the psychology and communications literature suggests, 'the information-rich get information-richer' (2002, p. 480). They instead use correct answers at Time 2: 'The participants with high information scores at Time 2 have all presumably gained a lot of information, either observably, because they started much lower, or, unobservably, because they started high' (2002, p. 480).
- 34 (1) What happens to the majority of household waste that is collected in their area? (The alternatives given were 'buried in a landfill site'; 'burnt in an incinerator'; 'recycled'; 'don't know'). (2) Who is mainly responsible for dioxin emissions? ('Incineration plants', 'industry', 'households', 'don't know'). The correct answers were landfill and households, respectively. The source used for the information that households are the largest single source of dioxin emissions was the Environmental Protection Agency's (EPA) (2002) 'Inventory of Dioxin and Furan Emissions to Air, Land and Water in Ireland for 2000 and 2010'. One juror answered both items incorrectly; 38 answered a single item correctly; 16 answered both correctly.
- 35 Means are calculated for other group members, excluding the particular individual for whom the score is calculated, and consequently vary slightly for individuals in the same group.
- 36 Our Table 5 is a replication using our data of Luskin, Fishkin and Jowell's table 7.
- 37 Recall that a negative sign indicates a substantive shift of opinion against incineration, and that this was the aggregate opinion shift in all groups.
- 38 We report selected comments that capture this sentiment in table A6 in the appendix of supplementary materials.
- 39 A check revealed that the mean contribution to which each individual was exposed in the plenary session (see appendix 1 in the supplementary materials) was invariant, even calculated excluding that individual's own contributions. This variable cannot therefore account for any variation in the dependent variable.
- 40 Coders also noted whether the contribution concerned incineration in general or the Ringsend incinerator. A reliability test was performed. Two of the observers separately coded contributions by jurors during the final plenary session. The inter-coder reliability between the two was high (Pearson's $R = 0.972$; significant at 0.01), though the number of contributions made was low ($n = 16$).
- 41 See Sanders (1997) and Young (1989; 1996; 2000) for critiques in the context of political deliberation. In terms of intervention rates within the deliberation, in all four groups we found no significant differences in numbers of contributions made across gender and education (Mann-Whitney rank testing for identical distributions in men and women, and Kruskal-Wallis tests for identical distributions across educational categories). Non-parametric rank tests were used in place of *t*-tests because of unequal variances, and high skewness or kurtosis for some of the comparisons.
- 42 For the most vocal member, we calculated the mean contribution of the next most vocal member.
- 43 The 'control' group here consists of non-attendees from the original probability sample who received invitations.
- 44 See <http://www.jefferson-center.org>
- 45 For the record, the experiment reported here was two years in the planning and execution and had an out-of-pocket cost of €38,100 (about \$50,000), in addition to the salaries and overheads of the researchers and administrators involved. All IES surveys, including the panel study dedicated to this experiment, were paid for from other sources. As a stand-alone project forced to pay completely for itself, therefore, the jury would have cost at least €100,000.
- 46 <http://www.jefferson-center.org>
- 47 See <http://www.european-citizens-consultations.eu/>

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