

# Citizen Policy Wonks

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Richard Sclove posted Sep 30, 1997

*The age of high technology raises enormous moral and ethical questions that society has not, as yet, figured out how to address. Society's capacity to invent new techniques and technologies – cloning, biotechnology, the Internet – is far beyond its capacity to decide how and when to use them.*

*Richard Sclove, author of *Democracy and Technology* and executive director of the Loka Institute, is an advocate of democracy as a means for making thorny decisions about technology. To demonstrate that ordinary citizens can and should take the lead in technology policy, the Loka Institute and other like-minded organizations drew on a Danish model of citizen panels. Here's his report on the outcome of this experiment.*

“We're not the kind of people you read about in history books. ... Here was our first chance to shape our world.”

– US Citizens' Panel member

“This is a process that I hope will be repeated in other parts of the country and on other issues. ... I want to make sure that [the Citizens' Panel] recommendations are duly considered by lawmakers.”

– Rep. Edward J. Markey, ranking Democrat, House Telecommunications Subcommittee.

On April 4, 1997, a 15-member Citizens' Panel, representing a cross-section of the greater Boston area, issued a call for protecting First Amendment rights and personal privacy on the Internet, mandating community involvement in telecommunications policy-making, and returning a percentage of high-tech corporate earnings to communities and nonprofit organizations.

Selected by random phone calling and supplementary targeted recruitment to be broadly representative of wider Boston's population, the Citizens' Panel members included an auto mechanic, a manager of a high-tech firm, a retired teacher/farmer/nurse, an industrial engineer, an arts administrator, a homeless shelter resident, a retired corrections officer, a 1996 inner-city high school graduate, an executive assistant, a consultant, an unemployed social worker, a City Year volunteer, and a writer/actress. Eight were women, seven men. Five of the 15 were people of color. They ranged from teenagers through elderly.

Over two weekends in February and March, the panelists met together at professionally facilitated meetings to discuss background readings, receive introductory briefings on telecommunications issues, and select the specific questions that they wanted to address. Then on April 2nd and 3rd, all panelists braved a city-crippling, two-foot snow storm to hear 10 hours of expert testimony from computer specialists, government officials, and business

executives. The experts included the president of New England Cable News, an official of Lotus Development Corporation, the congressional liaison to the Department of Commerce who helped draft the 1996 Telecommunications Reform Act, a school superintendent, public-interest group representatives, and others.

Having heard diverse expert testimony, the lay panelists came out in favor of a judicious but far-reaching public-interest agenda that went well beyond anything in the 1996 Telecommunications Reform Act. Their report urges governments to establish more forums for citizen participation in policy issues, even on highly technical matters like telecommunications.

The timing of the citizens' report is strategic. This is a watershed period in US telecommunications policy-making; the Federal Communications Commission is currently working on recommendations for implementing universal Internet access, and in April it completed the auctioning of digital audio broadcast licenses. And the Clinton administration recently appointed an advisory committee on the public-interest obligations of digital broadcasters.

This was the first systematic attempt in the United States to solicit informed input from ordinary citizens – including six who had never previously used the Internet, half of whom had also never used a computer – on the complexities of current telecommunications and technology policy. Telecommunications aside, this was the first time we know of that a diverse group of US citizens (none previously expert on the policy issues under discussion, none a representative from an organization with a direct stake) gathered to learn and deliberate on a topic of this breadth or complexity.

Many were highly skeptical that a citizens' panel would work in the US. During the three years that I spent planning this event, innumerable people told me that a participatory process invented in Denmark where “everyone is white, tall, blond, educated, affluent, and civic-minded,” could never work here because Americans are too apathetic, too poorly educated, and too diverse.

This citizens' panel proved the skeptics wrong. On a first try, we were able to assemble a more diverse lay panel than any gathered in Europe. All 15 members attended both background weekends and the final forum. Watching the lay panelists both listen to and question witnesses, I observed no yawns, no wandering eyes, no fussing with hair. They listened closely and asked one astute question after another. In fact, the panelists learned telecommunications issues so well that their questions were sometimes more technical than the experts' testimony!

The outstanding professional facilitation, which ensured that all members had a fair chance to contribute and that no individuals dominated the discussion, was a key contributor to this success.

Participants were well aware that the implications of the experiment extended well beyond communications policy:

“It is amazing that such a diverse group can come together as a solid working group in such a short amount of time, work on such a complex issue, and reach consensus on the key issues. It has been a most gratifying experience,” said one panelist.

Others said: “I found it to be difficult, stimulating, broadening, and invigorating.”

“I have a greater respect for how tough consensus is, and respect for democracy and how hard a politician's job is.”

“There was a wonderful sense of belonging, and of being able to make a difference when a group convened.”

US science and technology decision-making stands out among industrialized nations for systematically excluding lay citizen voices. The ordinary argument for ceding judgment and influence to elite producers of science and technology – while excluding everyone else who will be affected – is that lay citizens have neither the competence nor the passion to be involved.

Against this argument stands the brute fact that, given the chance, our citizens' panelists competently assimilated a broad array of written, oral expert, and stakeholder testimony. Then they integrated this information with their own very diverse life experiences to reach a well-reasoned collective judgment. Their conclusions pass a “reality test” – a groundedness in the daily experience and concerns of everyday people – that expert conclusions routinely fail. To me, this stands as strong evidence for both the need and practicability of democratizing US science and technology institutions and decisions across the board.

For a pilot project, I think ours was a tremendous success. Nonetheless, our relatively low budget, compressed time schedule, and steep learning curve for a first-time US event led to a number of weaknesses or limitations. These should be easy enough to improve in future US experiments. For example:

The experts who spoke about the subsidiary issue of computers in education gave only upbeat presentations on the topic even though they represented three different fields: academic research, business, and the public school system. As a rule of thumb, I believe that there should be a minimum of three very different expert opinions presented on each contested issue. However, not one of them presented an opposing critical perspective.

Since we lacked government sponsorship or a budget to pay expert honoraria, we were unable to secure a commitment from most of our expert witnesses to attend for two days. Thus, we had to omit a key component of the Danish consensus conference methodology: the lay panelists' open cross examination of all the expert witnesses assembled together on the second day. Our process seems to have worked reasonably well without this step; nonetheless it was an unfortunate omission. Cross examination gives the lay panelists a chance to play expert witnesses against one another.

Still, when one lay panelist expressed regret about the limited amount of time they had to learn the issues, I replied: “Sure, there's always more to learn. But all of you already know more than the average congressman who voted on last year's Telecommunications Reform Act.”

Currently, the Loka Institute is laying the groundwork for nationwide citizens' panels. And the Minneapolis-based Jefferson Center has organized a related Citizens Panel process on complex issues in social policy, such as health care reform.

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