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# The nature of the beast: are citizens' juries deliberative or pluralist?

**Dave Huitema · Marleen van de Kerkhof · Udo Pesch**

**Abstract** Citizens' juries are a form of "minipublics," small-scale experiments with citizen participation in public decision-making. The article presents a theoretical argument that improves understanding relating to the design of the citizens' jury. We develop the claim that two discourses on democracy can be discerned: the deliberative and the pluralist. By looking at the design features of citizens' juries we conclude that they are based on pluralist reasoning to a far greater extent than most authors seem to realize, and that the association with deliberative democracy is therefore one-sided. Based on empirical findings, we attempt to shed further light on the actual operation of citizens' juries. Observations of two recent Dutch juries suggest on the one hand that a learning process and a positive effect on the sense of political involvement occurred. On the other hand, we saw a certain level of groupthink in one of the citizens' juries, and found that the juries are not greatly representative in terms of political preferences. Our findings point firstly to a need for greater awareness among the organizers of juries of the two democratic discourses. This would lead to more consistent jury design. Secondly, our research emphasizes the need for more hands-on critical research of minipublics.

**Keywords** Democracy · Deliberation · Pluralism · Citizens' juries · The Netherlands

The functioning of the public sphere in Western representative democracies has been a longstanding topic of study for political scientists and scholars of science and technology alike. Oft-mentioned concerns by researchers in this area include the alienation between elected representatives and the electorate, the effect of media and private companies on public opinion and institutions, cultural and other cleavages among groups that make engagement problematic, the demise of associations, and the ever increasing levels of market and technocratic thinking.

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Examples of normative ideals presented in contrast to reality in this debate include: "civic community"—taken to mean networks of civic engagement (Putnam 1993); "polyarchy"—implying "associational autonomy" and "inclusive citizenship" (Dahl 1991, 1998); a "vibrant public sphere"—constituting communicative networks rooted in everyday interaction (Habermas 1996a); and a "deliberative democracy" (e.g. Barber 1984). The political system's task vis-à-vis this public sphere is to offer democratic procedures for making collectively binding decisions, and to maintain legitimacy by being responsive to the public sphere in its operations (Mason 1999).

Fung (2003, p. 338) argues that much of the literature on the public sphere has focused on "large" institutions, trends, and responses that are beyond the control of individuals and organizations. In practice, however, those working towards the improvement of the public sphere tend to do so at the smaller scale of "minipublics," i.e. events such as town meetings. Practitioners at this level are said to be engaged in "reformist tinkering" rather than revolutionary reform, and their efforts have often escaped the attention of democratic and social theorists (Fung 2003, p. 339). "Minipublics" deserve more attention according to Fung for at least three reasons: they work constructively toward civic engagement; the multiplication of minipublics may make large-scale public sphere reforms more likely; and minipublics can shed light on institutional design (i.e. the design of rights, rules, and decision-making procedures) for effective public deliberation (Fung 2003).

We share this view of minipublics, and are especially concerned with the philosophies that underlie them, their institutional design, and the practical effects of such design on the public sphere. This article reports on recent examples of minipublics organized in the Netherlands, specifically two citizens' juries on environmental issues. Two of the authors of this article were among the organizers of these juries, and we reflect on their experiences as we feel policy scientists should contribute to both the understanding and the improvement of democratic processes (see Wagle 2000). Our target audience consists of other organizers of minipublics (citizens' juries and other forms) but also of theorists studying the working of the public sphere as our article speaks to current hypotheses and assumptions. We address the following sets of questions: first, what are the discourses of public decision-making? What ontological assumptions do they contain? And what prescriptions do they suggest for the design of minipublics? Second, what philosophy underlies citizens' juries? How does this compare to the discourses on public decision-making? Third, what observations arise from application of the citizens' jury method in the Dutch setting? Specifically, how do the members of a jury and the public bodies commissioning the jury react and what choices have to be made necessary—and with what consequences—when organizing a citizens' jury? We present findings on the selection of jurors, group decision rules, information flows, and equality of jurors. The final question we address is whether and how the citizens' jury can help improve the functioning of the public sphere.

In Section "Ontological assumptions", we introduce two contrasting discourses on public decision-making, which we denote as "deliberative" and "pluralist" respectively.[1] We argue that a minipublic organized on the basis of deliberative theory would look radically different from one based on pluralist thinking. If this argument is accurate, it follows that organizers of minipublics should be acutely aware of the philosophical underpinnings of the method they apply, which we feel they often are not.

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[1] We have singled out the names deliberative and pluralistic here. However, other terms are also used, such as the distinctions between the "communitarian" and the "individualist" discourses (e.g. Dallmayr 1996), and the distinction between "republican" and "liberal" conceptions of decision-making (e.g. Putnam 1993).

Section "The citizens' jury" offers two conclusions: one, that many authors writing specifically about citizens' juries assume that the method fits the perspective of a deliberative discourse. Only a few scholars recognize that citizens' juries are inspired by deliberative discourse *and* pluralist logic. We reach the second conclusion that the "standard" citizens' jury format—just like its counterpart in penal law (Hillebrandt 2004)—is actually quite strongly influenced by pluralist logic. This implies that associating citizens' juries only with deliberative democracy constitutes a misunderstanding of the method. This leads organizers to look in the wrong direction for guidance. Application of such guidance may then lead in turn to a degree of disappointment for sponsors and participants alike.

After analyzing the existing literature on the citizens' jury (see Huitema 2003), we were disappointed with the paucity of empirical research and the tendency of what does exist to suffer from either an overly theoretical and normative perspective or a too descriptive and qualitative approach. In response, we decided to monitor our own jury organizing work and the work of the two juries very closely. Section "Dutch citizens' juries: empirical observations" reports on the resulting findings. We investigated the representativeness of jurors, and gathered, for the first time, data on the party preferences of jury members and their level of political involvement before and after their jury participation. In addition, we looked at group processes within our juries.

Section "Lessons from the Dutch citizens' juries and a look ahead" rounds up our findings and considerations, and includes suggestions for further research on citizens' juries. We feel research is needed as the method is currently propagated in an uncritical fashion where the frequent connection between citizens' juries and deliberative democracy deserves considerable nuance and in some respects even rejection.

## Assumptions in discourses on public decision-making

In our discussion, we treat the deliberative and the pluralist discourse as ideal-types. Each discourse provides a critique of the current workings of representative democracy (Huitema 2002; Pesch 2005). In classical political theory (Mill 1975; Locke 1999; Montesquieu 2002), representative democracy was introduced as the solution for reconciling a large national state with the political sovereignty of its citizenry. The resulting system sees the political mandate transferred to parliament, but eventual power resting with the citizenry. This system is considered legitimate since parliament is believed to receive and act on, i.e. to represent, the desires of the citizenry, a process regarded as guaranteed by periodical elections of the members of parliament by the citizenry.

The level of public involvement in this representative system has long been a topic of debate. In recent decades, authors on deliberative democracy have emphasized that the opportunities for discursive interaction have eroded even though such interaction ought to be the essence of politics (cf. Arendt 1958; Barber 1984; MacIntyre 2002). A common research claim holds that representative institutions come mainly to be used for "power trading" and bargaining (e.g. Burnheim 1995), keeping chances for real political deliberation low (see Lowi 1969). Promulgating deliberative democracy addresses three shortcomings of representative democracy: "inclusivity"—others in addition to politicians and technocrats become decision-makers; "deliberation"—discussion prevails, not power trading; and "citizenship"—developing opinions and preferences rather than assuming they are predetermined (Smith and Wales 2000). The discourse on deliberative democracy promotes the representative political system as one in which citizens decide on a common

course by means of deliberation. The process of deliberation is presented as an open-ended discussion aimed at letting people discover who they are as members of a collective.

Smith and Wales (2000, p. 53), quoting others, write: "At its heart, a deliberative polity promotes political dialogue aimed at mutual understanding, which does not mean that people will agree, but rather that they will be motivated to resolve conflicts by argument rather than other means. Hence what is fundamental to democratic dialogue is 'deliberative' as opposed to 'strategic' or 'instrumental' rationality. In contrast to the strategic manipulation and maneuvering that is often characteristic of contemporary politics, we can describe a collective as deliberatively rational to the extent that its interactions are egalitarian, uncoerced, competent, and free from delusion, deception, power and strategy." O. Renn and A. Tyroller (2003, unpublished) state: "For a discussion to be called deliberative it is essential that it relies on mutual exchange of arguments and reflections rather than decision-making based on the status of the participants, sublime strategies of persuasion, or social-political pressure. Deliberative processes should include a debate about the relative weight of each argument and a transparent procedure for balancing pros and cons (Tuler and Webler 1999). In addition, deliberative processes should be governed by the established rules of a rational discourse." Our work with juries leads us to believe that such ideals are useful to structure deliberative processes, but are extremely difficult to attain, and do not recognize the existence of pluralist tendencies in public discussion.

As the aim for citizens' juries is to enable citizens to speak out on the course of public decision-making, it seems only logical to see citizens' juries considered within the deliberative discourse. However, an alternative discourse exists on the flaws of representative democracy, which may offer a better conceptual fit with the method of the citizens' jury. We call this alternative the pluralist discourse,[1] and note that it appears to be largely neglected by authors on citizens' juries.

Criteria originating from the deliberative and the pluralistic discourse respectively can be paired as ideal-types that have to be accounted for in the design of a participatory decision-making method. Though any actual participatory method will combine elements from both discourses, it will nevertheless still be possible to distinguish an empirical manifestation of a participatory method as based predominantly on deliberative or pluralistic thinking.[2] However, use of the ideal-type design criteria as a lens through which to view actual processes involves a number of ontological assumptions that lie at the root of both.

## Ontological assumptions

In the deliberative discourse a political association is seen as a community in which meaningful interaction will take place: the people involved will establish a set of shared meanings that characterizes the group as a whole. We consider the deliberative discourse as a variant of the communitarian view of political association, which is based on the principle that individuals will identify with the group. As members of the association come

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[2] Note also that most authors cannot be seen as complete adherents of either one of the two discourses. The discourses we present here are based on two analytically opposed perspectives on the relationship between the individual and the social whole of which they are part. Authors dealing with real-life phenomena will have no desire to stick to such a one-sided and constricting view of reality. This consideration also implies that we do not take more sophisticated typologies of democratic patterns into account, such as the one presented by Habermas (1996b).

to share the same set of meanings, they take on a common identity, one which applies to both the group and to its individual members.

Such a group is considered to articulate a "public interest." This public interest is the interest of the group as a whole, irreducible to the interests of the individuals who constitute the group (see Taylor 1995), although possibly coincidental with some or all of those individual interests. The grounds upon which a common identity, or the public interest, is established may vary among different communitarian strands. In the deliberative discourse, these grounds are found in the provision of "good reasons" with which the members of the group defend or reject certain viewpoints: "In [...] a procedure of [political deliberation] participants regard one another as equals; they aim to defend and criticize institutions and programs in terms of considerations that others are reasonable; and they are prepared to cooperate in accordance with the results of such discussion, treating those results as authoritative" (Cohen 1996, p. 100).

The process of deliberation eventually leads to a group decision accepted by all members as establishing part of their shared identity: "deliberative democracy achieves one important element of the ideal of community [...] because the requirement of providing acceptable reasons for the exercise of political power to those who are governed by it [...] expresses the equal membership of all in the sovereign body responsible for authorizing the exercise of that power" (Cohen 1996, p. 102). In other words, the participation of individuals is a fundamental starting point of deliberative democracy: all individuals are invited to participate in the debate in order that they may help to establish the common course of the group.[3] As a result, it is no great surprise that many advocates of participatory methods of decision-making, of which the citizens' jury is one, adhere to this discourse.

In pluralism, as in most (modern) political philosophy, man is regarded as a fully autonomous being. Authors as diverse as Nozick (1974), Mill (1975), and Rorty (1999) all emphasize that the individual is fundamentally free to choose his or her own path in life, free from interference by others. Individuals, then, join social collectives, such as political associations, with the intent only to promulgate their individual interests. The public interest is not a transcendent interest, but rests fundamentally on the aggregation of the interests of the individuals found in a social collective. The public interest may simply reflect the majority of certain preferences, or, in some specific cases, it may be a preference that is coincidentally shared by all individuals. In either case, it differs fundamentally from the deliberative conception of the public interest in that it is considered to be an aggregate of individual interests, not an entity on its own.

Like the deliberative discourse, the pluralist discourse offers a particular perspective on the modern constellation of public and private bureaucracies. Pluralists consider that people appeal to organizations for the purpose of pursuing their individual interests; therefore the political system should be rigged in such a way that it results in the optimum constellation for distributing welfare. In this way, the political system is thought to resemble the market. Several pluralists are also concerned with the normative issue of preventing any social group from gaining a monopolistic position. The presence of different parties as counter weights to one another is not simply taken for granted; a "just distribution" of the different interests that prevail in a society envisioned by pluralists is a

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[3] This process is highly dialectical, which can be seen, for example, in the fact that the individuals have to agree that deliberation is the legitimate route towards a shared identity. Logically, this implies that the group has to see itself as a group before it can embark on a deliberative course. Moreover, the group has to agree beforehand that good arguments are the ultimate justification of the political course of the group.

normative requirement for such a society (Schumpeter 1942; Dahl 1989; Williams and Matheny 1995, p. 20). Although participation is not a goal in its own right for pluralists, it is still advocated. Pluralists see increasing difficulty for governments in gathering the requisite information for laying out a political course supported by its constituencies. The voices of society need to be reincorporated in some fashion. Participatory methods offer such a means (as long as they are resilient to the fickle nature of private interests).

It can be extrapolated that each discourse has its own expectations of what a participant should gain reflexively by engaging in a participatory method. For the pluralist, a participatory method is instrumental as it allows a participant to pursue their own interest. The lack of any necessity for a participant to develop a genuine interest in politics is implied. In the deliberative discourse, a participatory method is didactic: the process of participation facilitates an understanding of the meaning of politics through the articulation of self as part of a community. This implies that participatory methods lead participants to take a greater interest in politics.

## The design of a participatory method

How would the two discourses structure participatory forms of decision-making? This question is important as it leads to reflection on the design of a participatory method (see Rowe and Frewer 2000; Fung 2003). The two discourses can be contrasted in this regard by examining their recommendations on four related matters: the selection of participants; group decision rules; information flows, and equality.

### Selection of participants

In the deliberative discourse, the common interest ontologically precedes the individual interest: personal interest is ultimately overruled by the common interest. As this ontological point of departure assumes that members are willing to let their individual interests be transcended by common interests, group composition becomes a minor issue in the design of a participatory method. If people enter a participatory forum, they become members of a new group, accepting the idea that the interests of that particular group must override their own interests.[4] Pluralists, however, hold that individual interests override group interests. In fact, group interests only exist if they connect to the interests of the individuals that comprise the group. This consideration has great ramifications for the design of a citizens' jury. For the emergence of a view or decision geared toward the common good of a particular society, then a jury should be constructed that resembles that society, for instance, along the lines of gender, ethnicity, income, occupation, etc. In this way, a group view that finds consensus will reflect the personal interests of all the members.

### Group decision rules

Deliberative scholars expect group decisions to derive from consensus and reflect a genuine standpoint of the group as a whole. Initially, the interests of each group member are seen as "private" in nature. Through a process of deliberation in the group, the personal

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[4] As well as the interests of other groups of which they happen to be members.

interests are weighted and transformed into a public interest. The expectation that consensual decisions will be reached is underpinned by theories of deliberative democracy, which emphasize the formation of preferences through deliberation as contrasted with the aggregation of pre-set preferences through voting (Fishkin 1991; Bohman and Rehg 1997). Pluralists do not agree that such a transformation of private interests occurs. In their view, the participatory process rests on the gathering of different private interests, and on the procedural determination of an interest that may figure as the aggregate position. The procedure involves a number of decision rules, such as the majority rule, to enable the identification of that position.

### Information flows

Deliberative scholars assume a self-contained group can and will rely upon their so-called "local knowledge:" knowledge that each group member has acquired prior to joining the group. Deliberative theorists consider such knowledge as appropriate and sufficient information for citizens' juries. As the result of "lived experience," local knowledge is seen as superior to the mediated experience of a scientific or an administrative nature (see Hummel and Stivers 1998). The deliberative process is explicitly geared towards increasing the knowledge gained through lived experience. Moreover, because new interpretative frames emerge during the deliberative process, shedding new light on existing knowledge, the nature of the knowledge is thought to be transformed. By contrast, pluralists believe that the most reliable knowledge claims emerge from science. Pluralists consider local knowledge to be biased and incomplete.

### Equality

In the deliberative discourse, all participants are considered equal, and as such every individual is, to the same extent, capable of contributing to the deliberative processes. The search for shared meanings is essentially a group effort where every person is equally important; stratification is not allowed. Likewise, the pluralist discourse accepts individuals as fundamentally equal. However, a certain amount of hierarchy is not unwarranted as basic resources such as time, information, money, or talent, which are useful in the proliferation of a personal interest, are generally not equally distributed. A certain amount of inequality must be accepted as a fact of nature as long as it does not contravene the general standards of justice, which nominally are taken to mean equal access. Pluralists tend to see the absence of people advocating a certain interest in a decision process as a sign that this interest has been sufficiently taken into account.

## The citizens' jury

The citizens' jury and the related "planning cell" were developed in the early 1970s, by Crosby in the United States and Dienel in Germany. The origination of these methods should be seen in the context of the 1960s and 1970s, an era of increased attention to citizen participation in public decision-making arising from widespread dissatisfaction with institutional politics at the time.

A citizens' jury is a group of 12–24 randomly selected citizens who attend a series of meetings in order to learn about and discuss a specific issue or "charge" (as the matter for discussion is commonly termed) and make their recommendations public (Crosby 1995). With trained moderators ensuring fair proceedings, the jurors hear evidence, question witnesses, discuss the issues that are raised, and make an informed judgment about the charge. The witnesses are selected on the basis of their expertise (or lack of it) and/or on the grounds that they represent affected interests (Kuper 1996; Smith and Wales 2000). A citizens' jury looks somewhat like criminal court juries in the UK and the US. An important difference is that citizens' juries do not pass judgment on criminal matters but on policy issues. Furthermore, a citizens' jury does not elicit a simple choice like a "guilty" or "not guilty" verdict, but rather an informed policy recommendation. In the US, UK, and Germany, citizens' juries have been organized for decades. In other countries, such as Belgium and Australia, the method has been introduced more recently.

Theoretical assumptions underlying citizens' juries

Almost without exception, the literature on citizens' juries sees them framed in terms of deliberative democracy. Kenyon et al. (2003, p. 222) claim that "[Citizens' juries] are grounded in theories of deliberative democracy." Ward et al. (2003, p. 282) add: "Citizens' juries are one institutionalization of the deliberative model." Indeed, the way in which authors write about citizens' juries aligns with the deliberative design principles of a participatory method, as presented in Section "Ontological assumptions".

To start with, deliberative theorists believe citizen jurors do not think in terms of one particular interest group, and should not be professionally involved in the issue that is under consideration (Coote and Mattison 1997). Secondly, the deliberative conception of juries expects them to lead to a consensus standpoint. Ideally, during the deliberative process, the jurors develop a set of shared meanings about the problem at hand and about the recommendations they wish to formulate.

A third "deliberative" characteristic of the citizens' jury is its contribution to social learning and the exchange of information (Ward et al. 2003). The information exchange may help to mitigate the constraints of bounded rationality, and the learning process that evolves may alter the participants' perceptions of the charge, enhancing their readiness to change attitudes and opinions. This does not occur through a process of bargaining and persuasion, but through a process of discussion, the mutual exchange of arguments and reflections, and the weighting of these arguments (O. Renn and A. Tyroller 2003, unpublished).

A fourth deliberative characteristic is the focus on the educational benefits of the jury process (Ward et al. 2003). The citizens' jury is often put forward as a way to achieve a more informed citizenry and to engender trustworthy democratic facilitation. Smith and Wales (2000, p. 55) agree with this, stating: "It is commonly argued that citizens' juries afford the opportunity for informed deliberation and active citizenship and are a potential mechanism for overcoming cleavage between the 'privileged' decision maker and the 'administrees', the majority of the population." Participating in a citizens' jury may expand participants' moral and intellectual horizons, and enable people to gain insight into the workings of the political process.

Finally, the theoretical work on deliberative discourse has led to the development of evaluative criteria for citizens' juries. On the basis of Jürgen Habermas' (1996a) work on the conditions of the ideal speech situation, Renn et al. (1995) developed a set of criteria

that are grouped around the aspects of "fairness" and "competence." The competence criteria refer to the ability of participants to have equal access to knowledge.[5] The fairness criteria concern the ability of participants to influence the jury process.

Despite the theoretical tendency to see citizens' juries as fitting the deliberative discourse on political participation, a host of pluralist notions creep into the theoretical considerations. For instance, in contrast to the idea that jury members genuinely hold the identity of "citizen", the witnesses in citizens' juries are cast in the light of pluralist discourse as they are advocates of specific viewpoints and interests who try to influence the jury.

Another pluralist notion relates to the concept of consensus building, where the literature comes across as ambivalent. Though consensus-building is associated with the deliberative processes of interaction, Ward et al. (2003), in reference to Coote and Lanaghan (1997), express concern over the limited opportunity for jurors to voice their differences, and warn citizens' jury practitioners not to be overly hasty in striving for consensus as this may hinder the expression of certain viewpoints and (value) issues. Indeed, a plurality of opinions is seen as a "good thing" not to be discarded too easily. Self-evidently, such a plurality implies the pluralist discourse on participation; here, the moral value of plurality is seen to stem from its guarantee of the autonomy of the individual while consensus is generally taken to be a token of heteronomy.

Another point of interest is the educational benefits deriving from a citizens' jury. In a deliberative view, the act of "learning" should entail a recurring process. But, a citizens' jury is usually a one-time event occurring over a fixed number of days, which suffices from a pluralist point of view (compare Hendriks 2005).

Design principles of a citizens' jury

The design principles laid out in Section "Ontological assumptions" can be used to elucidate the pluralist traits in the design of a citizens' jury. This process prepares the ground for a reconsideration of the suggested link between the citizens' jury with deliberative democracy.

*Selection of participants*

Most theorists writing about the citizens' jury model emphasize the importance of having a representative group of citizens with a wide range of experiences and backgrounds (Armour 1995; Kenyon et al. 2003). Crosby (1995) calls this group of citizens a "microcosm" of the community from which the participants originate. The selection criteria are thus based upon typical demographic factors (age, gender, education, race). Sensing the potential for conceptual and practical confusion surrounding the idea of representation as defined by proportionality or statistical representativeness (see also Brown 2006), Smith and Wales (2000, pp. 56–57) prefer to speak of "inclusivity." They discuss four problems with using the term "representativeness." First, no selected jury can accurately mirror all the standpoints and views present in the wider community. Second, there is a danger of creating false essentialisms as a particular person (e.g. a woman)

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[5] When applying these criteria to the citizens' jury, Crosby (1995) concluded that existing practice only partially meets these standards (see also Armour 1995).

cannot represent an entire group (e.g. all women in the wider community). Third, emphasizing representativeness may infer that individual citizens are unable to represent the interest of others who do not share the same characteristics. Finally, it raises the question as to whether jurors are chosen as representatives for others with similar characteristics or as citizens who are also open to the possibility of changing their views on the basis of reflection and deliberation with other participants. The term "inclusivity" means that those chosen are not seen simply as representatives of their social groups, but that deliberation should progress with participants able to reflect and draw on a diversity of backgrounds and experiences (Smith and Wales 2000, p. 61).

The attention given to group composition in the citizens' jury literature does not really fit the deliberative discourse as, according to this discourse, it should not matter who is participating as long as those participating are group members and thereby face incentives to be open about their interests and willing to share information with each other. Furthermore, strong belief in the deliberative model should on principle make it hard to subscribe to the idea that factors such as age, gender, education, and race determine a person's opinion. Deliberative theorists tend to place emphasis on the formation of a community in which the conditions for an ideal speech situation can be realized. We share the idea of a multiform jury in which diverse opinions are necessary for fostering an open and uninhibited discussion, but we also argue that this fits more the pluralist than the deliberative discourse.

*Group decision rules*

In regard to the degree of deliberation in the jury process, conclusions in the literature tend to be implicit. Ideally, the jurors reach unanimous decisions on the basis of a shared set of meanings. In practice, though, deliberation may not lead to a convergence of viewpoints. Most publications pay little attention to the way in which the jurors arrive at a decision after the stage of witness interrogations (see Huitema 2003). The only concrete recommendation (see Crosby 1995) is that decisions can be made by means of a voting procedure. Obviously, deliberation is rather different from voting, and we believe that deliberative theorists would be surprised to see this relatively "crude" mode of decision-making. (The fact that jurors do vote is probably because juries operate under considerable time constraints.) The fact that there is an end to discussion contravenes the deliberative notion that the policy process is basically open-ended, involving claims that are continuously made, contested, and negotiated. In this respect, the confined setting of a citizens' jury does not align with the deliberative postulates of communicative interaction.

*Information flows*

Conversely to assumptions made in the deliberative discourse, inputs of diverse information are not made by the jurors but by the witnesses. In this respect, the citizens' jury conforms more to the pluralist discourse since as noted above, the ingredients for discussion as the starting point for consideration and exchange among jurors emanate from the witnesses' specific interests and viewpoints. The task of each witness is to present their own viewpoint to the jurors; the jury's decision is the result of a competition between, and balancing of, the different, conflicting interests and viewpoints of the witnesses. The *neutrality* of the jury outcomes can be improved by having the jurors interrogate a variety

of witnesses representing different, even opposing, opinions. Since it is in the witnesses' interest to influence the decision-making process in their favor, it is important for the jurors to uncover or counter any strategic use of information by the witnesses. It fits the pluralist discourse to prepare the jurors for this beforehand, e.g. by training them in how to use interrogation techniques and how to deal with conflicting information.

### Equality

Another pluralist tendency in the design of a citizens' jury concerns the issue of group hierarchy and groupthink. According to Smith and Wales (2000), central to the deliberative conceptualization of citizens' juries is that every member of the jury is fundamentally equal. This equality could be enforced by drawing up "rules of conduct, which typically emphasize the need to respect and listen to the arguments of others" (Smith and Wales 2000, p. 58). Furthermore, the small size of the jury, "reduces the scope of demagogy and allows all speakers to be heard" (Smith and Wales 2000, p. 59). The moderators of the jury are given the important role of imposing equality—a difficult task requiring considerable social skill. Furthermore, the enforcement of equality might be at odds with the aspiration to achieve consensus: "Questions have been raised by some jurors as to whether, on occasion, moderators push for consensus amongst the jurors at the expense of allowing participants to understand and work through their differences […]. [A]n expectation of consensus can create a barrier to critical dialogue with particular perspectives dominating the agenda and defining the consensus" (Smith and Wales 2000, pp. 59–60). In other words, there is a tension in the deliberative criteria for an ideal-speech situation that would lead to the implementation of pluralist notions: either the aspiration to achieve consensus is assigned more importance than enforcing equality, or vice versa.

Ultimately, it can be concluded that while citizens' juries are typically framed as a deliberative approach, the presence of particular and pronounced features of pluralist discourse give rise to ambiguous conceptualization. In terms of the practice of citizens' juries, the question arises, then, of how to realize theoretical guidelines on design principles given the ontological ambiguities found in the literature on citizens' juries.

## Dutch citizens' juries: empirical observations

### Early Dutch citizens' juries

The authors of this article recently organized two citizens' juries in the Netherlands, which were amongst the first ever to be held in that country. One was a citizens' jury on water management in the Dutch city of Lelystad, province of Flevoland (see Map 1). This jury, funded by the European Commission[6], was an experiment to assess the usefulness of the method in the drafting of water basin management plans as will be required by the EU for all water bodies starting in 2008. The experiment was not connected to a real life policy process. The second jury was organized in the same manner with the notable difference that its recommendations fed in to the regional land-use planning process. This is a legally required plan; the jury was commissioned by the provincial parliament that formally adopts

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[6] As part of the project "River Dialogue" (www.riverdialogue.org) financed under the EU Fifth Framework Program, contract RPAM-2002-00057.

**Map 1** The province of Flevoland
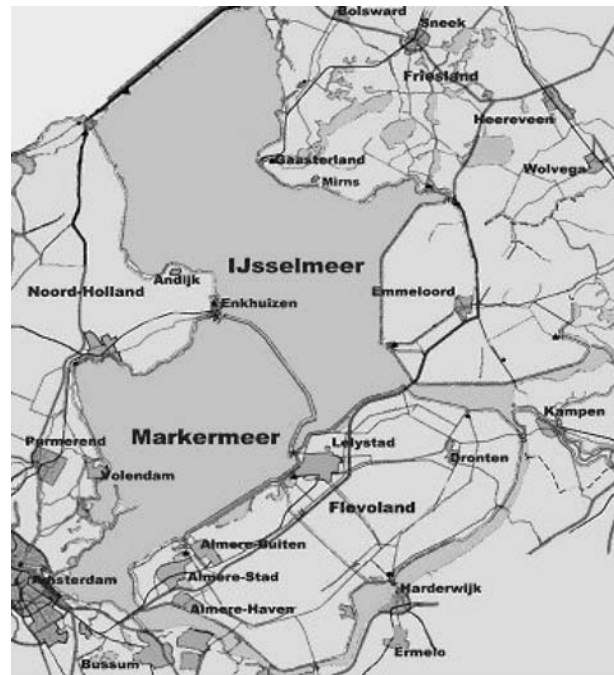


the plan. Another key difference arose in that the first jury consisted of 14 residents from the city of Lelystad, whereas the second jury was subdivided into three separate sub juries, each consisting of 12–14 residents from the entire province of Flevoland. The second jury process was also more extensive, taking in three different rounds over seven months rather than the six weeks allotted for the first jury.

Using the lens of the four design principles introduced in Section "Ontological assumptions" (participant selection, group decision rules, information flows, equality), analysis of the set-up and operation of both juries shows how the pluralist and deliberative discourses played out in their construction and implementation.

### The selection of participants

The organizing team in both cases followed the standard jury format as described by Huitema (2003). From the outset, the pluralist logic of "representativeness" was used to define the jury pool (i.e. the demographics of the jury should represent those of the surrounding society), focusing on age, gender, and education level. The public authorities involved pointed out ethnicity as an additional criterion thus reinforcing the validity of pluralist logic. A deliberative logic was applied in the sense that we defined the jury as a body free of advocacy. Jurors were selected on the grounds that they demonstrated an open mind, and did not pursue a specific interest. Working to achieve this, when making our general appeal to the public for participation, we kept the topic of the jury as general as possible. This was easier for the first jury than for the second as the title of the second was immediately evident. As an added check we phoned all respondents, and asked them for

their motivations for participating and their expected commitment to the exercise. The purpose was to judge who would be suitable jurors, and who not.

As is common in the citizens' jury method, we sent out invitations to large numbers of addresses (proportionate to the population, the number was 2,000 for the first jury and 4,700 for the second). We asked the Dutch National Post to randomly select from their records house addresses in the relevant region. The reply rates for our two juries were around 3% and 6% respectively.[7] The fact that such a large proportion of those invited did not reply was not a major topic of debate for the team that organized the first jury. As organizers, we were more concerned with achieving a number sufficient to produce a representative sample of the population in the sense of age, gender, and education level. In the second jury, the Provincial Parliament was very keen on having the highest possible percentage of positive replies. A high reply rate was seen as an indicator of the level of success for the province with this method. From this perspective, the reply rate was deemed relatively modest. However, the members of the provincial Parliament did take pride in the absolute number of positive responses and tended to focus on this in their communications to the outside world (mentioning "hundreds of volunteers"). Of the two discourses, the pluralist is probably not very concerned with low response rates to appeals for participation. From a pluralist perspective, a low response rate simply signifies that people feel no need to influence the process. However, from a deliberative point of view, where all community members are expected to participate, this is problematic.

Our data suggest that the pool of respondents differed significantly from the general population. Figure 1, based on observations for the first jury, shows three graphs indicating gender, age, and education characteristics of those willing to participate as compared to the general population of Lelystad. The figure also shows the characteristics of the people that were eventually selected for the jury. Two facts stand out: the great majority of the prospective jurors were male, and the age group 20–29 was highly underrepresented in the candidates, and also in the actual jury.

Although we initially decided not to use ethnicity as a criterion, the fact that very few volunteers were of non-Dutch origin (as indicated by their last names) drew attention both from members of our organizing team and from the public authorities backing the jury. An extra effort was made to canvass local mosques and associations of people of foreign origin; however this resulted in only one extra volunteer being admitted to the jury.

Similar to the first, the second jury showed a pattern of over- and under representation and reflected a lack of interest among people of non-Dutch origin. On this occasion, though, we gathered more data so as to compare the selected group against a control group consisting of people who had not replied to our invitation letter but who were willing to contribute to our research by filling out questionnaires before and after the jury.[8] We

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[7] For the first jury we received 60 positive replies in time; for the second, 278. There are many possible reasons why the reply rate in the second jury was greater, but as organizers we assumed that the fact that this jury was connected to a "real" policy process mattered; possibly the fact that it was the second time a jury was organized made a difference; and finally a provincial advertising campaign may have influenced the response by generating extra attention, but also by offering people an opportunity to send in a reply card from all locally circulated newspapers.

[8] Sixty prospective members of our control group were picked by selecting every 74th name on the list of addresses we had obtained from the Dutch National Post. We wish to caution the reader that a response rate of 53% (32 out of the 60 selected people were willing to cooperate) suggests a distinct possibility that the control is not representative for the entire group of non-respondents because of selection bias. Also methodologically relevant is the fact that even though respondents answered the same questions, the control group was approached for telephone interviews, whereas the jurors filled out written questionnaires. We have not analyzed the extent to which this influenced outcomes.

**Fig. 1** Overview of gender, age, and education characteristics of the respondents, the population of Lelystad, and the jurors
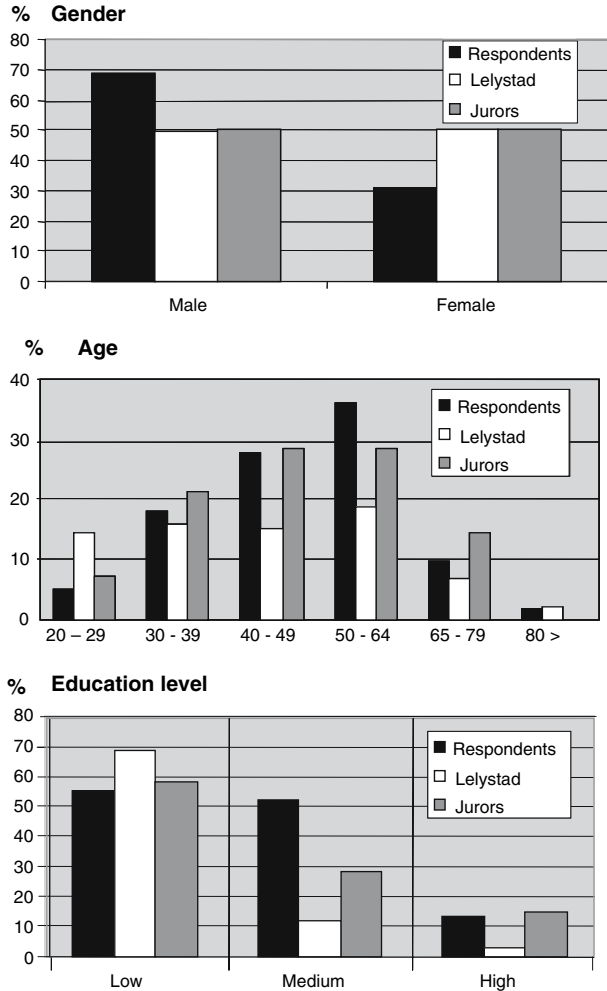


gathered data on the political preferences of the jury members and determined whether these differed from those of non-participants. Figure 2 compares the party preferences of the jurors with those of the control group, and shows the standing of the political parties following the most recent provincial and national elections (those prior to the jury in 2003). The parties are ordered on a left to right political scale so as to reveal the ideological inclinations of jurors as compared to the rest of the provincial population. Only parties that participated in both elections are represented here.

The voting pattern of jurors in the *provincial elections* of 2003 differs greatly from the voting of the control group and voting in the province more generally. All left leaning parties, except the Social Democrats (PVDA), were overrepresented on the jury, and all right leaning parties were underrepresented or completely absent. The party D66, best classified as a progressive liberal party with an agenda favoring more direct democracy, was the party most favored by the jury members. Interestingly, voters for the Social Democrats, Christian Democrats, and the Christian Union were overrepresented in our

**Fig. 2** Party preferences of jurors, non-respondents, and voters in the province of Flevoland during the provincial and national elections. Party names: Socialist Party (SP), Greens (GL), Social Democrats (PVDA), Liberal Democrats (D66), Christian Democrats (CDA), Party for Freedom and Democracy (VVD), Fortuijn Party (LPF), Christian Union (CU), and Dutch Reformed Party (SGP). The left-right divide is between D66 (center left) and CDA (center right)

**% Party preferences during provincial elections**

**% Party preferences during national elections**
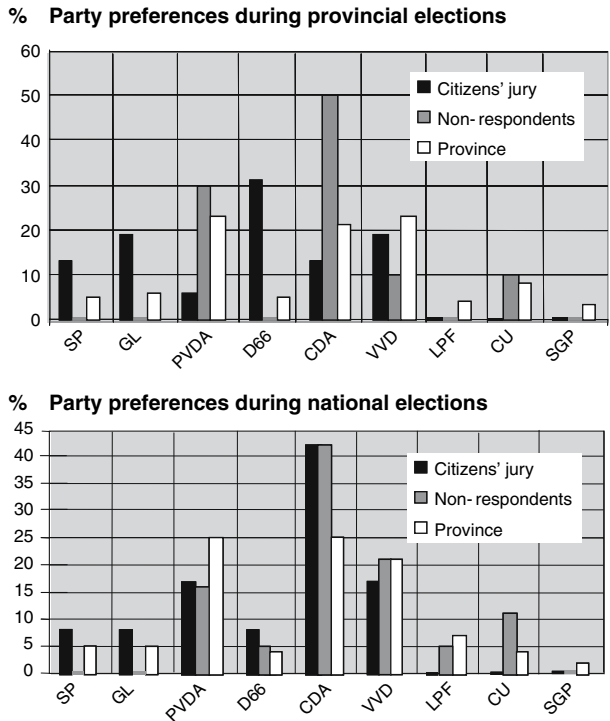
control group, whereas the Fortuyn Party (LPF) and the Dutch Reformed Party (SGP) were completely absent from both our jury and the control group.[9]

The comparison of jury preferences and voting patterns in the last *national elections* leads to a slightly different picture. The Greens, D66 and Socialist Party were still over-represented, but less so than in comparison with the provincial elections; and this time they were joined by the Christian Democrats, who were strongly overrepresented in the jury. Adherents to the Party for Freedom and Democracy (VVD) and the Social Democrats (PVDA) were still underrepresented. Remarkably, the majority of the jurors voted for right leaning parties during the national elections.

It is clear that jurors voted quite differently in the provincial elections as compared to the national. This may be explained in part by the turbulence caused by the Fortuijn Party (LPF) in the Dutch political landscape. Nevertheless, it would appear that the political preferences of the jurors was not representative of the wider public, suggesting that their 'representativeness' in these terms may not be great (compare however French and Laver 2005). Further reflection seems necessary to determine whether political preferences should be taken into account in citizens' jury selection or if perhaps such a selection process would be too politicized.

Our project team had a fair degree of discussion on our attempt to keep out participants with a specific bias or position. As stated above, we did this by vaguely announcing the topics of the juries and by weeding out those who said they wanted to represent a certain interest. The argument that such advocates could possibly sharpen and bias the debate was

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[9] Possibly the willingness to cooperate in telephone interviews is not spread evenly across adherents of political parties, which would influence our findings of voting patterns in the non-response group.

made repeatedly in our project team. Interestingly, our experience with the second jury settled the issue as a few jurors representing a certain interest slipped through our selection process and tended to disturb the deliberations of the group. As a result, it makes sense to filter out such advocates from future selection.

Group decision rules

As moderators, we attempted to apply some deliberative logic within the juries. We asked jurors to signal and discuss instances where, in their opinion, other jurors and members of the organizing team showed bias towards certain positions. Especially in the first jury, the jurors acted on this point. One juror, a boat owner, at times brought forward, with certain force, the specific interests of boat owners vis-à-vis management of the lake in question. Other jurors corrected him on various occasions, pointing out, for example, his lack of consideration of other relevant constitutions and aspects.

With regard to the decision-making process in the jury, we iterated that it was not necessary for jurors to reach consensus on every topic. It was emphasized that not only the opinion of the majority, but also the minority had to be taken into account. Therefore, it was proposed that if the discussion tended to become unproductive, the jury could terminate the debate by voting. In the first jury, such a decision was taken only twice. In the second jury, there was a similar tendency to seek consensus. We observed that this led the juries to avoid both potentially divisive topics and, to some degree, the adoption of unreal assumptions in their recommendations. For example, one of the sub juries wanted to recommend improving public transportation to a nearby city through the construction of a rail line. After some discussion, the jury concluded that such a rail line would spoil the view of the open landscape. Before the group thoroughly discussed this topic, however, it was decided to solve the problem by stipulating that the rail line should be underground. That building such a rail line in Dutch soil is technically very difficult and thus prohibitively expensive was not discussed.

Information flows

Our activities in organizing the two juries essentially followed pluralist conceptions in several ways. We presented the juries with expert knowledge during the preparation meetings; and we invited witnesses with diverse expertise, interests, and viewpoints with regard to the issue under consideration. We also made a list of publications that provided relevant background information, and screened these for neutrality and factuality. In line with pluralist thought on public participation, we attempted to bring the jurors up to a high level of expertise so that they would be competent to engage in a high quality debate without need of time to cover the basics. In the first jury, we collected data on the jurors' level of expertise by asking them to sketch a "cognitive map" of the issue (water quality). Figures 3 and 4 provide an example of the maps drawn by one of the jurors, the first ex ante and the other ex post. These maps show that at the start of the jury this specific juror had only a few associations with the issue of water quality. By the end of the process he had considerably increased his understanding of the ecological relations with regard to water quality. The results overall of the cognitive maps suggest extensive learning on the part of the jurors (Terweij 2004).
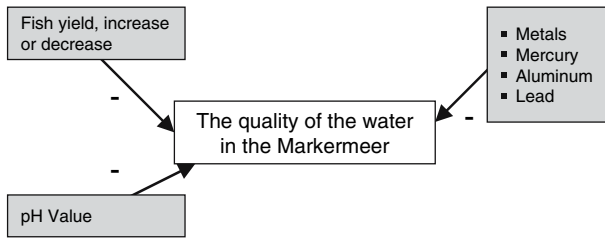
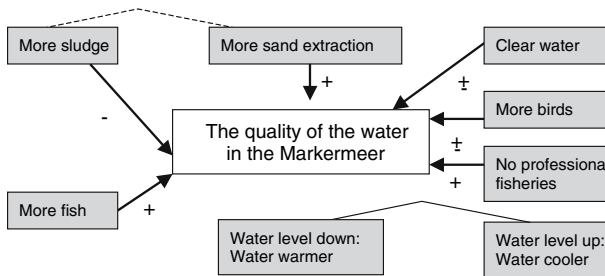Fig. 3 The ex ante cognitive map of one of the jurors

Fig. 4 The ex post cognitive map of one of the jurors

Another pluralist factor was our assumption that there would be inequalities among the jurors in the sense that some would be able to read and digest more material than others. We therefore left jurors free to request materiel as they saw fit. We applied deliberative logic in the sense that the moderators affirmed the importance of the jurors' own experience, and often suggested to the jurors that they bring this knowledge to the floor when asking questions and in debating recommendations.

As organizers, we wanted to maximize pluralism in the selection of the witnesses. In the case of the first jury, we made witness selection our first task, setting out to find those who advocated a particular interest (e.g. fisheries) and who would forcefully defend those interests. Interestingly, the jurors did not favor such an approach, and requested that we invite government witnesses whom they felt would be neutral. In the second jury, because of the topic, the jurors were able to play a large role in naming various relevant witnesses. In all cases, the organizing team phoned the witnesses and stressed the importance of sending a representative with appropriate communication skills, who would be open to various questions.

In their ex post evaluation forms, most jurors indicated that, in addition to the interactions with the other jurors, the interactions with the witnesses had enlarged their knowledge on the subject and contributed to the further shaping of their opinion on water quality and water management. They also felt that the witnesses' presentations had increased their ability to make informed judgments and formulate recommendations.

Equality

Under this heading, we applied deliberative logic in stressing that everyone should feel free to express him or herself, moreover, the moderators made an effort to draw the quieter people into the discussion. In other respects, we accepted situations where the juries themselves identified certain differences in ability. Especially when jury recommendations

had to be explained, the juries tended to look towards certain members who were perceived as capable communicators. We noticed stark differences among jury members in their capacities to understand issues, to ask questions, and to engage with other jurors. Our impression—it is no more than such at this time—was that these capacities were largely associated with previous participation in public decision-making. The "best" jurors from this perspective appeared to be those with a background in party politics, labor unions, and other associations.

These differences in ability also increased the likelihood of "groupthink." Groupthink is understood as: "a mode of thinking that people engage in when they are deeply involved in a cohesive in-group when the members' strivings for unanimity override their motivation to realistically appraise alternative courses of action" (Janis 1982, p. 9). We are also aware of the informational dimension surrounding groupthink (lack of consideration of information and alternatives), which implies that our findings bear relevance for the topic of "information flows." We discuss this issue here because one of the reasons for the occurrence of groupthink may be that "leading" jurors provide the basis for the judgments of the entire group. To investigate whether or not groupthink in this sense has occurred, we needed first to establish whether the opinions of the jurors grew closer to each other in the jury process. We then needed to find out whether any such "convergence" of opinions took place as a consequence of group leadership or not.

To form a picture of any convergence of opinions, we asked the members of the first jury to fill out a list of closed questions before and after the jury. The jurors were to give their opinion on certain policy issues, such as the importance that should be assigned to the various user groups of the lake. They were asked to express their opinion in terms of a grade between 1 and 10. Eight user groups were included in the research, which, according to the information available, were the largest users of the lake in economic terms. Six of these user groups also played an active role in the jury as witnesses. Only the industry and shipping sectors were absent in the jury although the jury did receive written materials on these two user groups.

The answers were compiled and analyzed statistically. To assess the degree of convergence, we used the standard deviations for every score as indicators for agreement or disagreement in the group on the importance of the eight economic sectors for the lake. By comparing the standard deviations at T0 (before the jury) and T1 (after the jury), we get an indication of the degree to which juror opinions have converged. Figure 5 presents the results.

The figure shows that for seven out of eight sectors, the standard deviation of juror answers declined, and that the *average* standard deviation as indicated by the horizontal lines declined quite substantially. A *t*-test suggested that this difference is significant ($t = 2.564$, $P = 0.019$). We can therefore conclude that convergence of opinions did occur among the jurors.

To assess whether or not this convergence was (partly) caused by the influence of leading jurors, we used the post-jury questionnaire and direct observation of group deliberations. Both methods do not directly answer the question about groupthink, but they do give us some clues. From the post-jury questionnaire, we learned that 92% of the jurors felt there was a majority opinion present in the group. Of this 92%, however, the jurors unanimously said they had not felt much pressure to comply with the majority opinion. This is also supported by the use of voting as a procedure to reach conclusions. Casting some doubt that there was minimal group pressure is the fact that one of the jurors dropped out during the preparation stage of the jury, indicating that she felt pressure to invest a good deal of time and energy in the process. Her impression was that other jurors were doing so, and she felt obliged to conform to the group (Terweij 2004). Another reason to

Fig. 5 The standard deviation of
juror opinion, before and after the
jury, $n = 13$

**Standard deviation of the importance that the jurors attached
to the various user groups of the lake**
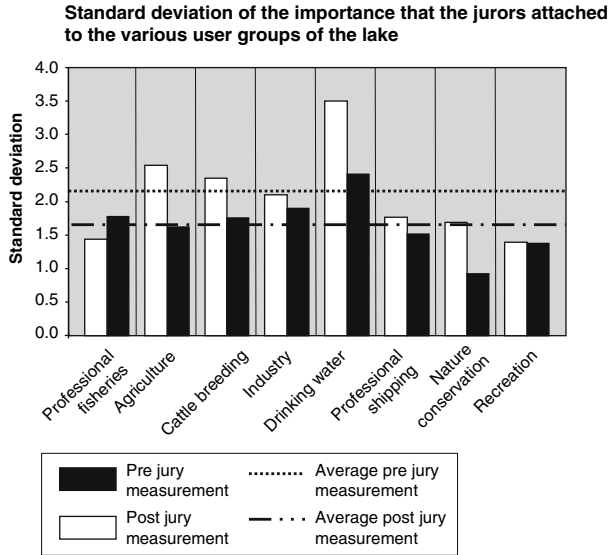


think that a certain degree of groupthink took place comes from the findings of the post-jury questionnaire where 55% of the jurors indicated that they thought one or a few jurors had been more influential on the final policy recommendations than the others.

We also counted the amount of time jurors spent speaking (speaking moments) during one of the plenary decision-making sessions where all 13 jurors were present. Although this is no direct evidence for the influence of the possibly more influential jurors on the final outcomes of the jury, it does give an indication of the observed differences. Figure 6 indicates that five jurors used about 90% of the speaking time—of which one juror even took more than 30%—whereas other jurors did not speak at all.

In line with these observations, it is interesting to note that according to the post-jury questionnaires the standard deviation of the opinions of the "talkative" jurors was smaller than the standard deviation of the "silent" jurors (see Terweij 2004). The result was that, during the group discussions, a limited number of opinions (i.e. those of the talkative jurors) were brought forward, whereas the opposing opinions and counter arguments of the quieter jurors were not expressed. This finding makes it plausible that the group opinion, during the jury process, gradually shifted towards the opinion held jointly by the most talkative jurors, suggesting a certain degree of groupthink.

Fig. 6 The percentage of
speaking moments per juror
during the formulation of
recommendations for the policy
makers (plenary session, first
jury)
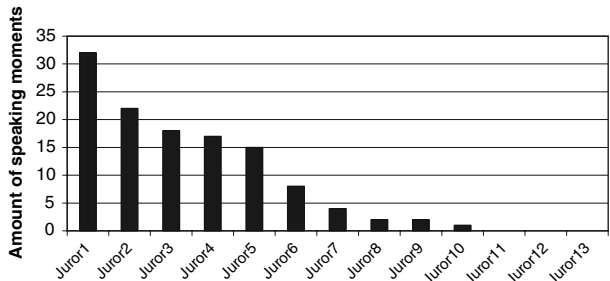
The members of the first jury had indicated in the post-jury questionnaire that they had not felt much pressure to comply with the majority opinion, and that they did not mind the fact that some jurors were more dominant than others. However, during the process we felt there could be some potential drawbacks and thus separated the first jury into smaller groups that were deliberately uniform, one of outspoken jurors and one of silent jurors. This helped to change the dynamics to a moderate degree (see Huitema et al. 2004). After all, we feel that a certain degree of inequity is likely to occur in a jury, as there will always be leaders and followers in a group. As indicated by the pluralist discourse, this might be something that has to be accepted as an irrefutable fact.

## Lessons from the Dutch citizens' juries and a look ahead

Minipublics such as citizens' juries are seen as steps towards improved functioning of the public sphere. Improvement of the public sphere is said to be unlikely to result from large-scale measures, but rather from a plethora of small-scale efforts. In experimenting with minipublics, we can learn about the institutional design needed for effective public deliberation. What have we learned from our citizens' juries and our efforts to describe our experience? Some empirical evidence from the second jury speaks directly to the issue. As part of our research, we analyzed the effect of participating in the citizens' jury on the level of political involvement of the jurors. The concept of political involvement has several dimensions, but essentially denotes the degree to which the individual feels connected to the political process in terms of interest, feels that he or she is being represented, is able to participate, and has a positive perspective on the work of politicians. Political involvement was measured by a standard questionnaire that is also used in the Dutch National Elections Study program.[10] We measured the degree of political involvement of our participants before and after the jury, and did the same for a control group consisting of people who decided not to volunteer. Political involvement—as measured in the National Elections Study—has several dimensions, including interest, confidence, satisfaction, cynicism, and readiness to engage. Figure 7 shows how the jurors and the members of the control group scored on these dimensions before and after the jury on a scale specifically designed for our research (Lavrijsen 2005).

Some interesting points stand out, among them the fact that the jury members were more politically involved than the control group from the outset, as denoted by their greater level of interest, confidence, satisfaction, and readiness, and their lower level of cynicism. This can be interpreted in various ways. On the one hand, it can perhaps be construed that participation in minipublics is elitist; on the other, that participation breeds the desire for further participation. However, since we lack the socioeconomic and public participation profiles of both the jurors and the control group, it is impossible to conclude one way or the other. Notably, both the jury members and the control group increased their level of political involvement in the period from before to after the jury (to 4.34 and 3.66 respectively), but the level of political involvement of the jurors grew more substantially. The increase in the measure of involvement for the jurors produced a difference between T0 and T1 that was found to be statistically significant (t-test, $P \leq 0.10$), which was not true for the difference occurring with the non-jurors.

Due to a range of methodological problems we need to be cautious in interpreting these results. We would tentatively propose, however, that the idea that participation has

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[10] http://www.dans.knaw.nl/en/data/steinmetz_archief/keywords/elections/

**Fig. 7** Scores of the jurors and the control group on the different dimensions of political involvement, before and after the jury
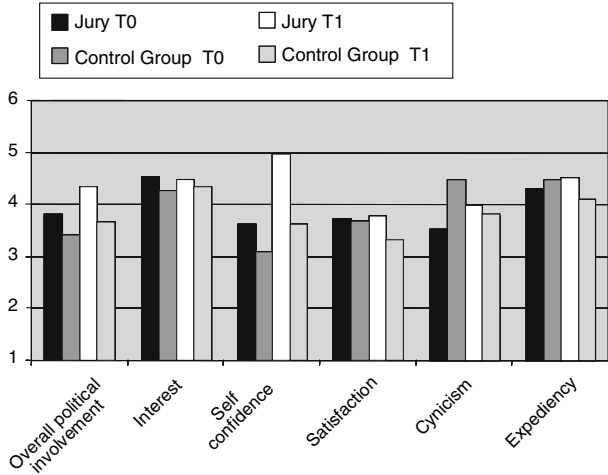


reinforcing effects on the appetite for political involvement, which is an important plank of deliberative theory, is supported by our findings. Reinforcement of political involvement combined with the learning effect observed sustain claims that participation in citizens' juries has a pedagogical effect.

What lessons, then, can we present on the basis of our experience? The first is that the difference between deliberative and pluralist notions of the functioning of the public sphere is fundamental, and therefore should not be overlooked in debates about minipublics. Adherents to these two discourses have different expectations about the way in which minipublics should be constructed. Consequently, they evaluate their functioning in contrasting ways. The pluralist discourse implies a layered approach to minipublics. The first layer entails the functioning of the minipublic itself, which should be evaluated by its degree of openness to the advocacy of interests. The jury then becomes a mechanism for aggregating the individual preferences of jurors into a collective preference. This preference can be achieved by voting and also by bargaining between jurors. The second layer is the public organization that commissions the minipublics and particularly the representative body that steers its operations. The organization should take into account the larger public, and its functioning couched in tested methods of transparency and accountability. According to pluralists, this representative body should be responsible for discovering whether the recommendations of the minipublics can be translated into real policies, given the presence of politically relevant aspects that were not dealt with by the citizens' jury. Compared to this pluralist vision of minipublics, the deliberative discourse places far more emphasis on common fact-finding and debate within the jury, and less emphasis on checks afterwards. In fact, the public authority that implements the minipublic is assumed to be bound by its recommendations and is seen a tool for the implementation of such recommendations. Crudely formulated, pluralists see the minipublic as a small-scale version of the representative political system, a version that mimics and strengthens the workings of representative democracy. In the deliberative account, the workings of representative democracies are evaded by minipublics to a positive effect.

Secondly, we have demonstrated in this article that one specific from of minipublics, the citizens' jury, is often associated with deliberative democracy, but that in reality it has

distinctly pluralist aspects that should not be disregarded lightly. Granted that minipublics are bound to be hybrids, organizers should nonetheless be acutely aware of the logic applied when thinking about the various elements of jury design. If organizers truly wish to develop the method in a *deliberative direction*, the design of citizens' juries would need to be fundamentally changed. First and foremost, rather than informing public authorities, citizens' juries would make binding decisions. Second, the methods for selecting jurors would need to be changed. Rather than being representative in terms of demographics (Brown (2006) calls this 'resemblance'), the citizens' jury should be inclusive in some way, shape, or form. Third, rather than a one-off event, citizens' juries should be transformed into a continuing process with rotating memberships. Fourth, the high percentages of non-response that are normally accepted in citizens' juries would have to be reduced. Finally, the question of the relevant community would have to be addressed. Our juries took place on the local and provincial scale. These scales were too small to address some of the policy issues at stake, but at the same time too large for the members of the juries to have known each other beforehand and build on common understandings and shared rules of behavior.

If the goal were to develop the jury in a more *pluralist direction*, then we would need to do away with the barriers embedded in the jury method, most notably that the topic of the jury should be announced beforehand and potential jurors with an interest in that topic should no longer be blocked from participating. This would probably mean expanding the number of participants in every jury or some way of agreeing on interest group participation quotas. It has been noted (Hillebrandt 2004) that the citizens' jury method, given its similarity with the jury in penal law, builds only to a limited extent on the experience gathered with this other form of jury. Developing citizens' juries further according to pluralist lines would imply strengthening the similarities including the formalization of the citizens' jury process according to similar principles. Representation in regard to citizens' juries would then take the meanings of "authorization" "accountability," and "expertise" as they apply in a strict format that would place a certain degree of authority in the hands of jurors after they had developed a certain degree of knowledge while allowing the general public to see and assess how jury recommendations were formed.

A third lesson concerns the empirical findings of our article. We have attempted to shed light on the learning process in citizens' juries, group processes, the representativeness of the juries, and the effect on the political involvement of individual jurors. Our findings suggest that participation in a citizens' jury leads to a learning process at the level of the individual. We also conclude that a certain level of groupthink occurs. With respect to the representativeness of the juries, we conclude that those responding to the invitation to participate are different from the general community in the sense that they are more often male, highly educated, and over 40 years old. Although the standard citizens' jury design attempts to compensate for this through the selection process, representativeness of the juries in terms of political preferences may still not be great. An effect of the jury on the level of political involvement has been shown even though jurors already demonstrate a relatively high level of political involvement at the outset.

There still remain a number of uncertainties, which require further research and elaboration. A first topic for the research agenda is the investigation of the motivation of citizens to participate in the jury. Do citizens base their participation on a "we"-rationality, where they start reasoning from the perspective of the group; or on an 'I'-rationality, where they reason from the perspective of self? In relation to this, the opinion forming process of the citizens' jury needs further research. How do individual jurors form an opinion on the topic under consideration, and what is the role in this formation process of the information supplied by the witnesses and of the deliberations among the jurors?

Other items on the research agenda involve the four issues used as guiding principles throughout this article, namely, the selection of participants, group decision rules, information flows, and the measure of equity among the jurors. The choice between a pluralist and a deliberative approach to citizens' juries bears great consequences for the way jurors are selected. Pluralists assume that it is inevitable to select on general social criteria such as gender, age, and profession, whereas the deliberative approach assumes individuals to be equally open to good reasoning so that selection of jurors is not a major consideration. It would be interesting to investigate to what extent traits such as gender, age, and profession lead to different attitudes towards the issues under consideration; also to what extent the representativeness of the jurors actually influences the outcomes of the jury, and to what extent the witnesses do so. Another topic for future research is the way jurors reach decisions, specifically in relation to group dynamics such as hierarchy and groupthink, and how procedures influence or can influence such social processes. It has been noted above that expectations of the degree of deliberation in the jury process are largely implicit in the literature on citizens' juries. Organizers of citizens' juries should therefore improve documentation of how jurors come to a decision and of the rules used in the process. Concerning our third point, the supply and use of information, the Dutch citizens' juries indicate that citizens are very capable of dealing with complex, conflicting information from the witnesses. What is not entirely clear is how factors such as the status and communication skills of the witnesses might have played a role in the way jurors processed the information. A final issue for further investigation concerns the group dynamics in a citizens' jury. The Dutch citizens' juries made it clear that although participants are treated as equal, some jurors speak more than others, and have more influence on the final outcomes than others. This reinforces the view of the pluralist discourse that issues such as groupthink and group hierarchy do play a role.

Citizens' juries appear to be a interesting form of minipublics. However, it appears that many theoreticians and designers have been put on the wrong track. By focusing on the deliberative potential of the citizens' jury, the pluralist qualities of this type of participatory decision-making have largely been ignored. As the pluralist aspects demonstrably add to the positive effects of citizens' juries, it would be wise to rethink the citizens' jury with these aspects fully in mind. In order to become an effective form of minipublics, it should be clear what a citizens' jury is trying to achieve, and therefore in which (combination of) mold(s) it should be cast.

# References

Arendt, H. (1958). *The human condition*. Chicago: University of Chicago Press.

Armour, A. (1995). The citizens' jury model of public participation: A critical evaluation. In O. Renn, T. Webler, & P. Wiedemann (Eds.), *Fairness and competence in citizen participation. evaluating new models for environmental discourse* (pp. 175–187). Dordrecht: Kluwer Academic Publishers.

Barber, B. (1984). *Strong democracy: Participatory politics for a new age*. Berkeley: University of California Press.

Bohman, J., & Rehg, W. (1997). *Deliberative democracy*. Cambridge: MIT Press.

Brown, M. (2006). Citizen panels and the concept of representation. *The Journal of Political Philosophy, 14*, 203–225.

Burnheim, J. (1995). Power-trading and the environment. *Environmental Politics, 4*, 49–65.

Cohen, J. (1996). Procedure and substance in deliberative democracy. In S. Benhabib (Ed.), *Democracy and difference: Contesting the boundaries of the political* (pp. 95–119). Princeton: Princeton University Press.

Coote, A., & Lenaghan, J. (1997). *Citizens' juries: Theory into practice*. London: IPPR.

Coote, A., & Mattinson, D. (1997). *Twelve good neighbours*. London: Fabian Society.

Crosby, N. (1995). Citizens' juries. One solution for difficult environmental questions. In O. Renn, T. Webler, & P. Wiedemann (Eds.), *Fairness and competence in citizen participation* (pp. 157–174). Dordrecht: Kluwer Academic.

Dahl, R. A. (1989). *Democracy and its critics*. New Haven: Yale University Press.

Dahl, R. A. (1991). *Modern political analysis* (5th edn). Englewood Cliffs: Prentice Hall.

Dahl, R. A. (1998). *On democracy*. New Haven: Yale University Press.

Dallmayr, F. (1996). Democracy and multiculturalism. In S. Benhabib (Ed.), *Democracy and difference: Contesting the boundaries of the political* (pp. 278–294). Princeton: Princeton University Press.

Fishkin, J. (1991). *Democracy and deliberation*. New Haven: Yale University Press.

French, D., & Laver, M. (2005). Participation bias and framing effects in citizens' juries, paper presented at the american political science association annual meeting, September 1–4, Washington.

Fung, A. (2003). Recipes for public spheres: Eight institutional design choices and their consequences. *The Journal of Political Philosophy, 11*, 338–367.

Habermas, J. (1996a). *Between facts and norms: Contributions to a discourse theory of law and democracy*. Cambridge: MIT Press.

Habermas, J. (1996b). Three normative models of democracy. In S. Benhabib (Ed.), *Democracy and difference: Contesting the boundaries of the political* (pp. 21–30). Princeton: Princeton University Press.

Hendriks, C. M. (2005). Participatory storylines and their influence on deliberative forums. *Policy Sciences, 38*, 1–20.

Hillebrandt, M. (2004). The proof of the pudding is in the eating: Testing expertise in citizens' panels and courts. Paper presented at the EASST/4S conference 'public proofs—science, technology and democracy', August 25–28, Paris.

Huitema, D. (2002). Hazardous decisions. Hazardous waste facility siting in the UK, the Netherlands and Canada: Institutions and discourses. Dordrecht: Kluwer Academic Publishers.

Huitema, D. (2003). 'Organizing a citizens' jury', *IVM report (W-03/34)*, Vrije Universiteit, Amsterdam.

Huitema, D., Van de Kerkhof, M., Terweij, R., Van Tilburg, M., & Winsemius, F. (2004). 'Exploring the future of the IJsselmeer. A report to the river dialogue project on the dutch citizens' jury', *IVM report (W-04/09)*, Vrije Universiteit, Amsterdam.

Hummel, R. P., & Stivers, C. (1998). Government isn't us. The possibility of democratic knowledge in representative government. In C. E. King & C. Stivers (Eds.), *Government is us. Public administration in an anti-government era* (pp. 28–48). Thousand Oaks: Sage.

Janis, I. L. (1982). *Groupthink: Psychological studies of policy decisions and fiascoes* (2nd edn). Boston: Houghton Mifflin.

Kenyon, W., Nevin, C., & Hanley, N. (2003). Enhancing environmental decision-making using citizens' juries. *Local Environment, 8*, 221–232.

Kuper, R. (1996). 'Citizens' juries: The hertfordshire experience', *business school working paper series*, Hatfield: University of Hertfordshire.

Lavrijsen, R. (2005). 'Burgerparticipatie en Betrokkenheid. Een Evaluatie Van de Burgerjury in Flevoland', Masters' Thesis, University of Utrecht.

Locke, J. (1999). *Two treatises of government*. Cambridge: Cambridge University Press.

Lowi, T. J. (1969). *The end of liberalism: Ideology, policy, and the crisis of public authority*. New York: Norton.

MacIntyre, A. (2002). *After virtue. A study in moral theory* (2nd edn). London: Duckworth.

Mason, M. (1999). *Environmental democracy*. London: Earthscan.

Mill, J. S. (1975). *Three essays*. London: Oxford University Press.

Montesquieu, C. de (2002). *The spirit of laws*. Cambridge: Cambridge University Press.

Nozick, R. (1974). *Anarchy, state, and utopia*. Philadelphia: Basic Books.

Pesch, U. (2005). *The predicaments of publicness. An inquiry into the conceptual ambiguity of public administration*. Delft: Eburon.

Putnam, R. D. (1993). *Making democracy work. Civic traditions in modern italy*. Princeton: Princeton University Press.

Renn, O., Webler, T., & Wiedemann, P. (1995). *Fairness and competence in citizen participation. Evaluating models for environmental discourse*. Dordrecht: Kluwer Academic Publishers.

Rorty, R. (1999). *Contingency, irony, and solidarity*. Cambridge: Cambridge University Press.

Rowe, G., & Frewer, L. J. (2000). Public participation methods. A framework for evaluation. *Science, Technology and Human Values, 25*, 3–29.

Schumpeter, J. A. (1942). *Capitalism, socialism and democracy*. London: Routledge.

Smith, G., & Wales, C. (2000). Citizens' juries and deliberative democracy. *Political Studies, 48*, 51–65.

Taylor, C. (1995). *Philosophical arguments*. Cambridge: Harvard University Press.

Terweij, R. (2004). 'De Burgerjury een Convergerend Democratisch Instituut? Een Onderzoek Naar de Meningverandering Over een Beleidskwestie van Individuele Personen uit een Burger Jury', Dissertation, Vrije Universiteit, Amsterdam.

Tuler, S., & Webler, T. (1999). Voices from the forest: What participants expect of a public participation process. *Society and Natural Resources, 12*, 437–453.

Wagle, U. W. (2000). The policy science of democracy: The issues of methodology and citizen participation. *Policy Sciences, 33*, 207–223.

Ward, H., Norval, A., Landman, R., & Pretty, J. (2003). Open citizens' juries and the politics of sustainability. *Political Studies, 51*, 282–299.

Williams, B. A., & Matheny, A. R. (1995). *Democracy, dialogue, and environmental disputes. The contested languages of social regulation*. New Haven: Yale University Press.