

#3000 5-2-15

UNDERSTANDING, AGAIN

It is time that I try to write something clear about the role that “understanding” plays in the Citizens Jury process. The focus of this essay will be on how should the CJ (or CIR) be designed to insure that the participants have a decent understanding of the issue under consideration.

In writing this essay, I want to do a better job than I often do. Instead of simply writing what occurs to me right now, I should go back and review previous essays on this in order to make this an essay worth reading. A review of the index 2015, 2014 and 2013 back to #2825, yields the following essays. Essay #2825 is interesting, even though it starts off topic by discussing my reactions to Tina Nabatchi in 2013. It refers back to some of the thinking I did on what it would take to understand the issue of Afghanistan. It refers back to essays such as #2415, written in 2010. With enough time, I could surely dig out many essays that are relevant, but this is a decent start. It indicates that I may have done my most careful thinking in 2010 and 2011, but under the heading of “sound decisions” rather than ‘understanding’.

- #2825 10-24-13 MAKING A SOUND DECISION ON AFGHANISTAN
- #2844 12-30-13 CLARIFYING NEXT STEPS FOR THE IPD (this deals with a number of essays about the Informed Policy Discussion, which may or may not be relevant. Should I take the time to review these? For example, see #2831, written 11-21-13, on “Testing The Informed Dialogue”. This covers a number of ideas that have popped up again here.)
- #2884 4-28-14 HOW LONG? (discusses three levels of disagreement over facts)
- #2894 6-6-14 WHOM TO TRUST
- #2909 8-11-14 EVALUATING TIME NEEDED FOR A CJ
- #2913 8-17-14 FOLLOW UP ON #2909
- #2915 8-22-14 DO YOU REALLY UNDERSTAND?
- #2926 9-23-14 RESEARCH STAFF YOU TRUST
- #2928 9-30-14 BUILDING A HIGH-QUALITY CJ

Learning Together (5-11)

By today, I have a clearer idea of how to be sure that there is a good understanding of an issue. It is important to give the randomly selected microcosm of the public sufficient time and opportunity for them to conclude themselves that they have a good understanding of an issue. This can be done under the guiding notion that they are learning together with the support of the staff (a staff carefully trained in the method – even better trained than either the Jefferson Center staff or Healthy Democracy is now). Here is the original thought I came up with on 5-6.

Start with a Citizens’ Assembly of about 100 to 150 people. They should have the opportunity to meet for at least 20 days (if they are meeting for 3-day weekends, they

may need more than just 6 meetings). They should do much of their work in CJs of about 20 to 24 people. It is possible that one or two of these might meet using the Wisdom Council format. The key ways that we will ascertain that a good understanding has been achieved will entail the following:

1. After about a week of testimony (ie: one to three 2-day meetings), they will break into small groups which will be charged with presenting their understanding of the major views presented to them thus far. This was done very successfully in the 2012 May CJ. There were only 12 jurors, but they divided into three groups, each charged with summarizing one of the three positions that had been presented to them. They were carefully assigned to the small groups to insure that a mix of attitudes on the key issue were represented in each group. Their task was not to say if they like or agree with the issue assigned to them, but simply to summarize in their own words what they were told. After they completed their task (in 1 ½ hours?) their summaries were reviewed by the whole group of 12 and then sent to the three advocates for comments. These were then returned and the jurors could make adjustments if they wished.
2. The jurors should have available a technical staff that they themselves have chosen. My most recent thinking about this was in March through May of 2014 during the Quimper Climate Dialogue (QCD). It was during that project that I decided that it would be best to call these “staff”, rather than “advisors”. But the idea of this goes back to 2011 I believe. We have never used it, but the participants in the QCD liked the idea. I must go back to earlier essays to put in citations here so someone can look them up.
3. The jurors should also have available background witnesses who are not advocates for one or another of the positions on the issue that are being presented. At times these have been called “neutral witnesses”, but that is a somewhat misleading term. The notion of neutral witnesses is being examined now by the board of Healthy Democracy, since their use was dropped in 2014, although a key part of the Citizens Initiative Review in its original version. Note that there are two kinds of witnesses who might be called:
 - A. Those who are neutral on the issue and should provide deeper insights into the issue.
 - B. The outlier who might be right. This could have been Galileo back at the beginning of the 17th century. He might not have been called as one of the original witnesses until the debate went on for long enough for him to be recognized as representing one of the major positions. Or Semmelweiss in the 19th century.
4. There should be a process committee that works with staff. This should be something like 8 to 12 jurors who are voted on by the full group after they have met long enough to know each other well enough to vote. We should put the top vote-getters on the process committee, but with the proviso that there should be a balance of conservative, moderate and liberals on the process committee. This group should meet outside of normal hearing times (in the evening, morning or over lunch) and review the work that the staff has done, both in assembling potential technical staff or background witnesses.

5. We must inform them about why we believe that randomly selected people can reach a solid understanding of something when even experts may disagree.
 - A. Cite the work of Jonathon Haidt.
 - B. We must explain why my views on ‘understanding’ are non-academic. One of the key things about all of this is trust. Whom do the jurors trust as witnesses (see #2894)? And why should the general public trust the microcosms of the public and the staff that runs the process? It is very important that a transparent set of standards be set up to evaluate ‘understanding’. If some academics come up with a set of standards they believe are better, then these should be reviewed by some people towards the end of their work on a Citizens’ Assembly (or perhaps by the process committee) to see if these standards are worth adopting in any way. Note how this fits with the article I wrote for the Midwest Political Science Assn. in 1996: “Creating an Authentic Voice of the People”
 - C. Do I need to refer to the “three levels of disagreement over facts”? See #2884
6. We must have them focus on key factual assertions when they summarize the views that have been presented to them. And they must indicate what they have done to examine these key factual assertions and determine which are correct.
7. There must be outreach to the community, so that those opposed to the agreement that is being reached can explain why they hold that view and listen to the jurors explain why they are reaching the agreement. (With some work, it would be possible to find out from the essays when I came up with this idea – two or three years ago?).
8. The whole process may have to be repeated if it is complex enough or if there are too many doubters in the community. After all, both the technical staff and the background witnesses are approaches that can never be done perfectly. It is always possible that there was some quirk in either of these that may have led to a non-replicable result.
9. Finally, a Citizens’ Assembly in some cases may agree by a large margin that they can’t reach a good understanding of an issue (or they may disagree over whether they have reached a good understanding). If this repeats, then we know we have a very intractable issue. The jurors, under this circumstance, may recommend some other approach to be taken with the issue.
 - A. Note that it is possible that they agree that they understand the issue, but they still may find it very difficult to agree on what should be done to deal with the issue.

The above should be placed in an on-going dialogue which concludes when the group as a whole agrees, by a large margin, that they understand the issue. Along the way they should be doing outreach to the community to be sure that the community understands the process they are going through. And either the participants themselves or the sponsoring group may decide that it is important to repeat the project in order to gain more public acceptance of their findings and recommendations.

Witnesses

The above leaves out a discussion of witness selection. It assumes the “alternate plan” approach to agenda setting rather than the “building block”. It is my experience that people cannot deal effectively with more than four alternate plans, and two or three certainly would be easier. In the May 2012 CJ we presented three. In order to do this properly, there are several considerations:

1. Staff should engage in extensive networking in order to be sure that the various points of view on the issue are at least recognized and outliers (such as Noam Chomsky or his conservative counterpart) are identified.
2. This list of witnesses should be summarized in some kind of list or map, so that they can show the participants what they have done.
3. Staff should choose the alternate plans to start the effort. The advantage of the Citizens’ Assembly approach is that by being able to break the group into four to eight Citizens Juries, this means that each CJ could examine two or three different proposals, if staff believes that a number of proposals make sense and there are not simply two or three that stand out as the obvious ones. If this is done, there should be some way to cull down the options after a couple of initial meetings, so that the group as a whole has selected two or three main proposals to focus on.
4. As noted in #3 above, background or neutral witnesses should be called for commentary. Staff must offer reasons as to why these people are different from the views above that clearly have proposals they promote.
5. The process committee has an important role to play here, spending time reviewing what staff has done in gathering witnesses to be sure they feel that no bias has crept in. This is especially important with the background witnesses. Remember that the claim by staff is to minimize their biases, not eliminate them. A careful review of their work may well lead to adjustments to compensate for any biases the process committee believes has crept in. Note also that sometimes the biases of background witnesses will be revealed only in their testimony. Again the advantage of the Citizens’ Assembly approach is that staff can discuss this with the process committee and make adjustments for the next meeting.
6. As the meetings progress, the participants will have an opportunity to request that other alternate plans be brought in (or be reviewed again, if they were dropped in the initial review of proposals). Also, they can request to hear from outlier witnesses who have not yet been called.
7. Staff will make clear during the introductory meeting that an important goal is to balance comprehensiveness against clarity. If too many proposals or witnesses are called (as was done on the feed-lot CJ in the middle 1990s), confusion will arise. If too few are called, then bias may be introduced or some good ideas ignored. The process committee must consult with staff and work to keep a balance that makes sense to the participants as a whole group.
8. The goal with all of this is not perfection, but with a process the participants believe was conducted in a fair and sufficiently comprehensive way. As noted in point #9 above, there may be some projects where the participants feel they did not achieve sufficient understanding or where it was too difficult to be both clear and comprehensive.

Understanding Scientific Assertions vs. Understanding a Group of People

When I was thinking about this in Florida, one of my original ideas about understanding was to compare what would be done to understand the initiative about Genetically Modified Foods, which was reviewed by a CIR last year, with what should be done to be sure that a microcosm of the public has gained a good understanding of the disagreements between the police and the African-American community. I know enough about the latter to know how each feels deeply that people don't understand them. This would indeed be an interesting comparison. Whether it would be worth doing is not clear to me. But perhaps this is something that could be taken on by a research fellow.

Conducting Research on Understanding

As implied by the above, it would be possible to do research on this. But would one have to conduct two full projects, as laid out at the beginning of this essay, and then compare them? That would be very expensive. But note that much more is spent on R&D by the military or NASA checking out weapons systems or rockets. What kind of a more modest project could be conducted in order to get at this?

How to Apply to CIR

It will be very interesting to take the guidelines for creating and judging understanding developed in this essay and apply them to the CIR. Two things occur to me:

- How to apply this depend on how much money is available. At this point in the development of the CIR it appears that neither the voting public nor the Oregon legislature is willing to spend much, if anything, on the process. This in spite of the fact that a good argument from the perspective of risk-management would indicate that it would be worth spending in the millions on the CIR, rather than just a few hundred thousand.
- It will almost surely be a guess about how elaborate a process should be conducted. It will be a practical decision, based on the judgment of practitioners, unless some very elaborate work is done to check things out and measure them

How to Apply to the Process Itself

What does it take for any person to get a decent understanding of the CJ process itself and how it should be designed? This arises because of the work that our "CIR R&R" committee of Healthy Democracy is doing to review and redesign the CIR. I am now realizing that I want to apply our methods to ourselves. In other words, the time it takes a microcosm to get a good understanding of an issue (and the steps they go through) are likely to be needed to gain a good understanding of the CIR. And the disagreements that arise (see #2999) are likely to be worked out best in the kind of learning environment we are trying to establish for the participants in the CIR itself. Otherwise we will end up talking to each other along the lines described by Jonathon Haidt.

What to Do About Significant Disagreements

One of the most interesting results of the “Oversight Committee” of the middle 1990s at the Jefferson Center was how the group fell into political maneuvering as opposed to staying in the learning environment we wanted to set up for them.

This leads to a paradox. In the end, if we hope that the CIR or CJs will be conducted in an enlightened way, either we will need to establish a community of caring people (former participants and moderators) who gain influence, or we will have to hope that someone with power (like me because of my money) will keep on insisting on things being done in an enlightened way. If anyone reads this essay and wonders why I use the word ‘enlightened’, they could look at Essay #2988.

End Notes

I started this essay on 5-2, but didn’t write it until later. Starting on 5-6 on the trip to Florida, I made handwritten notes on a yellow pad. Indeed, by 5-8 I was making notes for #3001. These may at some point be worth writing up, but for now, I will just take the really relevant things that don’t fit in the body of the essay and put them at the end.

5-2: NOTE: One topic should be to compare a CJ/CIR on some matter of police community relations to a CJ/CIR on GMO. The crux in both would be neutral witnesses. But understanding the claims around police community relations requires an understanding of sociology or anthropology, while GMO is mainly science, such as it is. And it would be interesting for me to sketch out what the “good staff” might come up with if they were to lay out the issue. After all, the “good staff” is what we always tried to do when Paul Schaefer and I were working on the CJs in the 1980s when we worked together.

5-2: BIAS: Neutral witnesses present a really interesting challenge regarding bias. If we as an organization are committed to reason, then which neutral witnesses should we bring in on an issue like global warming, where those who are the most reasonable are on one side of the issue? If we are committed to avoiding bias, it would seem that we should bring in equal numbers of scientists and anti-scientists. But if we are committed to reason, we should bring in only those who are good scientists. But even if we decide to do the latter, do we bring in the outlier scientists who dismiss the majority scientific position on global warming? (5-17-15) The answer to this lies in staff working with the process committee to figure out what to do. If staff and the process committee cannot find a clear way to deal with this, then staff needs to present this to the participants as a whole for a discussion of how to proceed.