

CONSENSUS CONFERENCES ON GENETICALLY MODIFIED FOOD IN NORWAY

by Alf J. Mørkrid

Executive Summary

The report begins by describing the decision-making culture and traditions of public consultation and public involvement in Norway, which have traditionally been stronger at the municipal level. It also provides an overview of the legislative framework and institutions for public involvement in policy-making. Norway's long-established "Ombudsman" institution is described as an important means for citizens seeking *ex post* redress – but as having limited impact on the degree of citizen involvement in the decision-making process. The potential role of new information and communication technologies (ICTs) is reviewed in the light of Norway's "Electronic Government Action Plan" and high levels of public access to Internet in homes, at work, in schools and public libraries.

The report goes on to review the introduction and evolution of the use of consensus conferences in Norway, as well as their evaluation. The specific case of the 1996 consensus conference on genetically modified food is described in terms of its organisation, process and results. The key findings of the independent evaluation report on the consensus conference, issued in 1997, are presented and the evaluation criteria reviewed. A follow-up consensus conference, involving the same laymen's panel, was held in November 2000 to summarise research developments since 1996 and to discuss the establishment of a moratorium on genetically modified food. The case study concludes with an account of the human and financial resources dedicated to the 1996 and 2000 consensus conferences and an assessment of their relative impact on decision-making.

The advantages and disadvantages of using consensus conferences as a means of engaging citizens in policy-making are weighed up. Among the benefits cited are a significant contribution to raising public awareness about the issue of genetically modified food through media coverage of the 1996 and 2000 consensus conferences, as well as their value as a pilot project for the introduction of the consensus conference instrument into Norwegian policy-making. Several drawbacks are also identified, notably in the costs associated with preparing and holding consensus conferences; the potential influence of the facilitator and the fact that an emphasis on reaching consensus may favour members of the panel who already hold strong views on the issue. Finally, the use of laymen's panels cannot be regarded as a substitute for established democratic decision-making processes, but rather as a supplement to them.

The report concludes by setting out future perspectives and challenges to strengthening government-citizen connections and introducing novel forms of public consultation in decision-making alongside traditional processes in Norway. It foresees that the use of consultation and the active involvement of citizens will increase and spread into new policy areas over the next 5 to 10 years. During this period, Internet-based technology will also dramatically change the possibility of, and practical means for, involving citizens. This will in turn raise questions on how such developments affect the ability of different groups in society to participate in public policy-making.

The case study was submitted to the Secretariat in 2000 and covers events up to that date.

Introduction

The purpose of this report is to present and analyse mechanisms regarding information, consultation and participation of citizens in policy-making in Norway, in connection with the PUMA activity on “Strengthening Government-Citizen Connections.” The last part of the report is dedicated to the presentation of experiences from the consensus conference on genetically modified food in 1996 and the follow-up conference of November 2000.

The assignment was carried out under the guidance of the Norwegian Ministry of Labour and Government Administration.

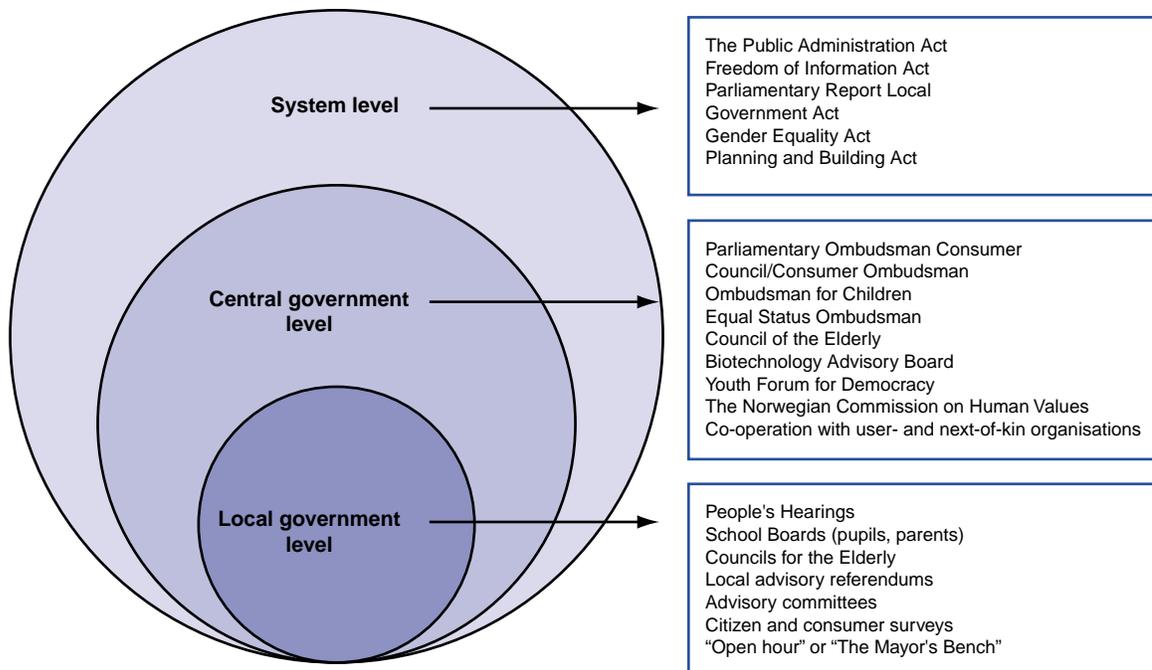
The work was conducted both as a desk study of published documents and by collecting new information. In drafting the case study, the following sources of information have been used:

- Norway’s response to the OECD 1999 surveys on “Strengthening Government-Citizen Connections”⁵⁴.
- Reports and information produced by several Norwegian ministries.
- Material from the Norwegian Association of Local and Regional Authorities.
- Evaluation report on the 1996 consensus conference on genetically modified food (NIFU, 1997).
- Studies of media clips.
- Internet data search.
- Interviews with key players (e.g. representatives of the consensus conference secretariat).

Background of the Norwegian Political System

This section will briefly describe the decision-making culture and traditions of public consultation and public involvement in Norway as well as the sharing of responsibilities between levels of administration. The Norwegian political system is generally based on strong participation from the local/municipal level in the decision-making process, although changes have been observed as a result of stronger economic influence and control from central government in recent years.

Figure 10. Instruments for public participation in different levels of government in Norway



Norway has a participatory democracy which, especially after 1945, has been built on the strong role played by the municipal level of administration. Over the last 10 years there has been a development towards greater popular participation in the decision-making processes both through local elections and local bodies such as liaison committees, pupil and parent councils.

Public consultation as such has not historically had a strong formal position in the Norwegian political tradition at the central government level, although there is a growing interest in this area linked to the principles of information policy and a growing user orientation.

Similar to many other OECD Member countries, participation in the electoral process in Norway seems to be weakening as indicated by:

- Steadily falling membership in Norwegian political parties.
- Falling voter turnout, especially in local elections.

As a result of these trends, both the Government and the political sphere in general recognise the need to organise new “meeting grounds” between the public administration and citizens. In addition, many political questions are becoming increasingly complex requiring expertise and technical insight. Examples of the many issues include ethics, research and development, environment and pollution. For such issues, the challenge is to find methods and institutions that strike a balance between the expert knowledge necessary for guidance and the need for popular insight, understanding and control.

Public Involvement on Various Levels of Public Administration

System level and general framework

The Norwegian Constitution of 17 May 1814, is the general basis for the “basic freedoms”, and sets out rights to freedom of speech (§ 100), elections (§ 50), human rights (§ 110), freedom of religion (§ 2) and the right to work (§ 110).

The conditions for the involvement and input of citizens and users in matters of public administration are set out in a number of laws and acts of government, the most important of which are:

- *Public Administration Act* (10 February 1967): which establishes citizens’ rights to information, guidance and appeal.
- *Freedom of Information Act* (19 June 1970): setting out the rights of the public to acquaint themselves with documents in a particular matter.
- *Local Government Act* (25 September 1992): on the organisation of municipalities and how the different public bodies are supposed to operate, including electoral procedures.
- *Gender Equality Act* (9 June 1978): defining how public and private institutions are supposed to work to secure equal treatment of men and women.
- *Planning and Building Act* (14 June 1985): on the rights of the public to information and appeal in matters regarding planning and building.

It is fair to say that the Public Administration Act should be considered as the most “basic” piece of legislation, since it covers all aspects of public administration. However, according to the Norwegian legal system, laws and regulations on special issues, in most cases, override more general laws as they very often show the intention of the lawmakers with regard to a special matter. In addition, more recent laws override older laws whenever they are in conflict.

The present legal framework focuses mainly on information, legal rights concerning handling processes and the right to appeal. Given the development of new democratic mechanisms, there is a possible need for the revisions of regulations in this field in the future. Such a possibility was discussed during the establishment of the Local Government Act (25 September 1992), where it was debated whether it should provide for the more general use of referenda in Norway – an option which was not, in the end, included in this act.

Central government

The Programme for Innovation of the Public Sector

In October 2000, the Minister of Labour and Government Administration launched the “Programme for Innovation of the Public Sector in Norway”. The process for renewing the public sector in Norway places great emphasis on strengthening dialogue with the public regarding the production of public services. The “user orientation model” which underpins this programme may be regarded as a possible link between, on the one hand, feedback at the service delivery level, and on the other, citizen engagement in policy-making. (For more information on the Programme see <http://odin.dep.no/aad/fornyelse/engl/index-b-n-a.html>).

In the future, the focus of this process will be on what changes the public services should undertake to meet the needs of the public. It is not difficult to predict a more frequent use of customer service panels, consensus conferences and systematic hearings, including the use of Internet.

That this “user orientation” may lead to “involving citizens” more generally is clear from fact that when it comes to broad ethical questions, environmental issues and many other such matters suitable for consensus conferences, we are, in one sense, all “users” because the decisions will affect us all.

One of the mainstays of the user orientation model is “to learn through contact with the users” as described in the Budget Proposition to Parliament for 1999, which states that:

User orientation and service in the administration are not only a responsibility of those assigned the task of providing services or who have many individual users. State services and the execution of tasks are the final product of a vast number of individual decisions which involve the participation of many institutions and levels in the administration. The Ministry therefore considers it important that ministries and directorates assume responsibility for the service they provide.

(Ministry of National Planning and Co-ordination, June 1997)

The central government Information Policy, presented to parliament in 1993, aims to:

- Ensure that each resident and enterprise has genuine access to information on public sector activities.
- Ensure that every resident is informed of his or her rights, obligations and opportunity to participate in the democratic process.

The communication principle implies that the administration and its users are regarded as equal partners, who alternate as sender and receivers of information. It is not sufficient for the administration merely to send out information. The reactions of the public must also form the basis for systematic feedback to the various levels of the administration. This principle places great demands on the flow of information and on co-operation between different levels of the administration.

Government bodies and mechanisms for public involvement

Providing information to the public is the responsibility of each ministry, but is also supported by the Norwegian Central Information Service, which is the central government administration’s specialist body as far as information-related questions are concerned.

Three ministries have special responsibilities in the area of citizens’ rights in matters of public administration:

- The Ministry of Labour and Government Administration.
- The Ministry of Justice.
- The Ministry of Local Government and Regional Development (elections and the general co-ordination of municipal questions).

In addition we see that other ministries, such as the Ministry of Health and Social Services, tend to use such mechanisms as consensus conferences within different areas. However, these mechanisms do not generally include the use of laymen, possibly due a general scepticism on the part of the professions and other experts.

Among the methods most frequently used by central government to obtain input and feedback from citizens are opinion polls – although political parties, pressure groups and NGOs tend to make greater use of such polls than do central government institutions. Several bodies of central government, especially directorates and other agencies, make frequent use of customer surveys. These surveys mainly concentrate on questions related to the quality of the service provided, and less on decision-making and policy-making.

Referenda have been used only to a very limited extent in Norway. However, the possibility of making more general use of referenda has often been discussed. In recent times the only question to be put before the public in a referendum was the question of Norwegian membership of the EU in 1994.

Norwegian Central Government Institutions have also made only limited use of public hearings and conferences for the involvement of users or members of the public in the decision-making process.

The use of hearings is usually focused on “professional” bodies, not the general public. In addition to the Biotechnology Advisory Board and National Committees for Research Ethics which feature in the case study, we note the use of consensus conferences within the following areas:

Youth Forum for Democracy: This forum works to further young people’s participation and influence on local development, and gives advice and input to public authorities on both the central and local levels. The forum itself has 16 members, aged between 15 and 26. Proposals and initiatives are submitted to the Ministry of Children and Family Affairs.

Co-operation with user organisations and next-of-kin organisations: In 1998 a reference group was appointed consisting of 6 user and next-of-kin organisations. The reference group meets 6 to 7 times a year. The separate organisations are invited to discuss questions selected by the reference group and the Ministry of Health and Social Affairs. Within the field covered by this ministry there is also an extensive use of consensus conferences, especially regarding different kinds of medical treatment.

The Norwegian Commission on Human Values: The commission was appointed by the government in 1998 with a mandate to:

- Create increased consciousness about values and ethical problems.
- Contribute to an analysis of and increased knowledge about important human values and values connected with the environment.
- Identify challenges as concerns the values and ethics of society, and discuss possible answers.
- Challenge in order to stimulate reflection and action.

The Ombudsman

Norway has a long tradition of using the institution of “Ombudsman” for different issues and areas of public administration:

- The Parliamentary Ombudsman for Public Administration (June 1962).
- The Consumer Council and The Consumer Ombudsman (June 1972).
- The Ombudsman for Children (March 1981).
- The Equal Status Ombudsman (June 1978).

The Council of the Elderly is not an “Ombudsman” in the strict sense, but has similar functions for the protection of the rights of elderly people.

The Parliamentary Ombudsman for Public Administration is the only one to report directly to the *Storting* (parliament). The annual reports from this Ombudsman are often the basis for new laws and policy-making. In general, however, the Ombudsman provides *ex post* redress rather than an opportunity for engaging citizens in *ex ante* policy-making.

To conclude, one might say that the Ombudsman institutions mentioned here are important for the protection of people affected by decisions taken by the public administration, but that they have limited impact on citizen involvement in the decision-making process.

Local community level

Municipalities in Norway regularly use different kinds of dialogue in the local decision-making process. The following institutions and mechanisms are most frequent at the municipal level in Norway:

- Peoples' Hearings (typically in the areas of health care, urban development, transport, environment).
- School Boards (involving pupils and parents).
- Councils for the Elderly (who often take part in discussions and decision making in issues concerning their living conditions).
- Local advisory referenda.
- Hearings organised as open informal meetings held at a number of places in the municipalities.
- Advisory committees where citizens are invited to provide input.
- Citizen and consumer surveys.
- "Open hour" or "The Mayor's Bench".

There are presently a number of other municipal pilot projects going on, focusing on different mechanisms for involving users and members of the public. These pilot projects will be evaluated during 2001 by The Norwegian Association of Local and Regional Authorities.

There are few systematic mechanisms for transferring lessons learned to the national level, partly because the system of local democracy relies on each municipality to develop according to its own priorities, and partly due to the fact that questions regarding citizen-government relations do not seem to have fully matured in this country.

The use of new information and communication technologies (ICTs)

Electronic Government Action Plan (1999 – 2001) outlines the plan for "Cross-Sectoral Development of Information Technology in Central Government Administration". The aim of this action plan is that "it will serve as a useful tool for the realisation of the Government's main political goals, namely a simpler, more open and more user-friendly administration".

Among the other policy goals to be mentioned are:

- The establishment of "One-stop-shops" or Government Service Offices in all municipalities.
- Introduction of Service Declarations on all Central Government services.
- Introduction of "24/7- government".
- High-speed Internet connections to the public.
- The eNorway Action Plan.

There are good preconditions for strengthening government relations with the public via new information and communication technologies in Norway. Of a total population of 4.6 million, about 1.8 to 2.0 million people (aged 13 years and over) have access to the Internet, while 500 000 people use Internet on a daily basis.

Access to the Internet is available in public libraries in over 70 per cent of Norwegian municipalities (316 of a total of 435) and in 15 per cent of the primary schools, 50 per cent of lower secondary schools and 90 per cent of secondary schools.

Public institutions have also established websites for information and discussions with the public and use Internet to request comments, hold open meetings, and launch debate forums; conduct user surveys and provide specialist information (e.g. on the environment, or for businesses). It is also interesting to note that some public committees use websites during the process of information gathering and for the purpose of creating debate.

ICTs can contribute to strengthening the administration's user orientation and capacity to communicate with citizens in a number of ways:

- *Information*: the Internet has given the public sector a new information channel to reach an even greater share of the population. The channel provides new opportunities for alternative methods of presenting and sorting information. This information channel will, however, initially supplement and not replace other forms of information distribution, so that the level of service offered to those user groups that do not have access to this medium is not reduced.
- *Communication*: electronic communication has made possible more flexible and simpler forms of interaction between the administration and its users (with respect to both individuals and organisations).
- *Service delivery*: ICTs provide new opportunities for a more user-oriented organisation and localisation of the administration's service delivery, by reducing the significance of geography and organisational location. The establishment of public service offices, where the administration's users are given access to public services across the various agency borders and/or administrative levels, is a good example of this.

The "user orientation model" should also contribute to establishing guidelines for the development and application of IT in the central government administration.

Overview of the Case Study

Background

The Biotechnology Advisory Board is an official independent advisory body appointed by the government. The Board's mandate covers biotechnology and gene technology in relation to humans, animals, plants and micro-organisms.

The Board evaluates principles and general issues in connection with activities in biotechnology, and puts forward proposals for ethical guidelines for such activities. It also makes recommendations in cases that are dealt with under the Gene Technology Act and the Act Related to Application of Biotechnology in Medicine. The Board is also charged with providing information to the general public on biotechnology.

The decision to conduct a consensus conference was taken by the National Committees for Research Ethics and the Norwegian Biotechnology Advisory Board, which saw the need to include non-experts in order to obtain the views of ordinary people on the genetic modification of food.

The consensus conference was held from 18-21 October 1996. The laymen's panel consisted of 16 people, 8 men and 8 women, aged from 18 to 72, drawn from various parts of the country and with different backgrounds. Members were not to have close links with occupations or organisations with established policies in this area. The aims of the panel's work were: to give co-ordinated advice on genetically modified food to politicians, authorities and the food industry; to establish a forum for dialogue between experts and non-experts; and to contribute to an all-embracing and well-informed public discussion of the subject.

The 1996 consensus conference was followed by a follow-up conference on the same subject, and with the same panel, on 15 November 2000.

Organisation and process

Several public bodies, groups and individuals were involved in the organisation of the 1996 consensus conference on the genetic modification of food – each with a distinct role.

Table 26. **Key organisations in the 1996 consensus conference on the genetic modification of food**

Organisation	Role
Biotechnology Advisory Board	Advising the government
Steering Group	Conducting the conference
Project staff (3)	Organising all practical matters
Professor Gunnar Handal	Acting as facilitator for the process
Laymen's Panel (16)	Asking questions to the expert group and reporting to the Biotechnology Advisory Board
Expert Group (15)	Giving answers to the questions posed by the panel

The preparation and implementation of the 1996 consensus conference took place in a number of stages, which can be described as follows.

Table 27. **Main stages in the 1996 consensus conference on the genetic modification of food**

Stage of the process	Date	Activities
Steering group and project staff established	Early 1996	Establishing goals Describing the topic Conducting the search process for members of the laymen's panel
Search for laymen	June 1996	Advertising in 10 newspapers Conducting the selection process using a fixed list of criteria (16 out of the 400 people who expressed interest)
Preparation of the laymen panel	August-September 1996	Two weekend seminars Preparing questions for the experts Guided by the facilitator
Choice of experts	May – August 1996	Contacting 60 potential participants in the expert group Selecting 15 (using a fixed list of criteria)
Preparation of experts	1-18 October 1996	Reading and preparing answers to questions posed by the panel
Day 1 (of the conference)	18 October 1996	20-minute lecture by each expert
Day 2	19 October 1996	Additional questions from the panel and from the audience
Day 3	20 October 1996	Panel works on their report
Day 4	21 October 1996	The panel presents the report
Final report	December 1996	Media conferences TV presentation

This was the first consensus conference with a laymen's panel ever to be organised in Norway. The conference built on the experience and used the same model as had been used in Denmark from the early 1980s.

Evaluation

Review of the 1997 evaluation report

The 1996 consensus conference was evaluated by Norwegian Institute for Studies in Research and Higher Education (NIFU), an independent research institution, which submitted its report⁵⁵ in April 1997. As a part of the evaluation all participants filled in a questionnaire. The evaluation focused primarily on the organisation and the process itself, rather than on an assessment of the results or impacts of the 1996 consensus conference.

The evaluation report used three main criteria for its evaluation, namely, to what extent has the consensus conference contributed to:

- Recommendations based on consensus in the group.
- Dialogue between experts and non-experts.

- A broad and informed public debate.

The following excerpts from the executive summary of the 1997 evaluation report give a brief overview of the main conclusions:

The conference has been given a good evaluation. It became a dialogue on the laymen's terms, as was the intention. We have noted that the experts have been loyal to the list of questions from the laymen and that the panel of laymen in their opinion got satisfactory answers. It was noted that there were good conditions for dialogue, and the role of the facilitator was especially underlined.

The conference resulted in a readable and structured report with consistent conclusions. Substantially the document is marked by the main conclusion that 'there is no need for genetically modified food today'. Even if the laymen's panel focused mostly on the potential dangers, we have concluded that there had been a relatively balanced discussion.

The final report has a technically broad scope, giving advice on the 8 main themes which should be addressed. We have concluded that it gives advice to all relevant target groups. The analysis is, naturally, not a deep and thorough one, given that the document was produced in the space of 36 hours. We have stated that the most important value of the report is its function as a 'problem catalogue' – as an index of important aspects regarding genetically modified food.

We have not noted much debate after the conference. There has, however, been considerable media interest – including around 70 press clips in newspapers and magazines. Considerable interest has also been noted in other forums, such as ministries and parliamentary committees.

In reviewing some of the conclusions drawn by the 1997 evaluation report, the following observations may be made:

- The evaluation criteria, building on the targets of the conference, are complex and not easily measurable.
- The process is given a very positive evaluation by laymen, the facilitator and experts.
- Among the 13 experts interviewed 8 are positive and 3 (scientists) are negative with regard to the validity and the conclusions of the final report.
- There is an agreement among the laymen that the facilitator played a very important role in reaching agreement on conclusions.

The evaluation report did not assess what real impact this consensus conference had on government decision-making on genetically modified food, and did not evaluate the costs of the conference, nor the benefits versus the costs.

Update on the November 2000 follow-up consensus conference

The issue of genetically modified food has recently re-emerged, notably with a parliamentary debate in October 2000 on whether to establish a moratorium regarding genetically modified food. The relevant committee in parliament voted on 20 October 2000 in favour of the principle of a moratorium, and sent the question back to the ministries concerned for further preparation.

In this context, the National Committees for Research Ethics and the Norwegian Biotechnology Advisory Board initiated and arranged an open meeting on the use of genetically modified food (held on 15 and 16 November 2000 in Oslo) as a follow-up to the 1996 consensus conference.

The November 2000 conference had two main objectives:

- To summarise the development in research on genetically modified food since 1996.
- To discuss and conclude on whether there should be a moratorium on the use and import of genetically modified food.

The same laymen's panel (15 of the original 16 members) was invited and posed questions to a panel of experts. This time the panel did not have any preparatory meetings. Written material was sent

to the laymen individually, for them to prepare questions to the experts. The answers to these questions became the basis for the panel's conclusion.

As a result of its deliberations, the laymen's panel agreed on a memorandum which recommended that the Norwegian authorities establish a moratorium on genetically modified food. The memorandum was made public with a press conference held on 16 November 2000.

The situation for many of the participants in the laymen's panel has changed since 1996. As a result of their participation in the panel of 1996, many of the members have developed a further interest in the topic of genetically modified food. A follow-up conference using the same laymen therefore also built upon information and opinions they had acquired since the 1996 consensus conference.

In its conclusions, the panel supported the establishment of a moratorium and set out the conditions that should be met before such a moratorium could be lifted, namely:

- The need for more knowledge to understand the long-term effects on environment and health.
- Co-ordination of laws and regulations (nationally and internationally).
- Strengthening of reviews, control and traceability.

The conference of 2000 was, in some ways, a mere replication of the 1996 consensus conference, but the question at hand was mostly narrowed down to a discussion of, and recommendation on, whether Norway should impose a moratorium on genetically modified food.⁵⁶

Resources used in conducting the consensus conferences of 1996 and 2000

The total budget for the 1996 consensus conference was around NOK 1.1 million (137 500 euro) and was financed by several ministries and public institutions, including: the National Committees for Research Ethics; the Norwegian Biotechnology Advisory Board; the Research Council of Norway; the Ministry of Fisheries; the Ministry of Agriculture; the Ministry of the Environment; the Ministry of Trade and Industry; and the Ministry of Health and Social Affairs.

The human resources engaged in preparing and conducting the 1996 consensus conference amounted to a total of 545 working days for project staff, laymen, experts and the facilitator.

Table 28. Human resources engaged in the 1996 consensus conference (in working days)

Participants	Total number of working days
Project staff (3)	132
Facilitator (1):	33
Laymen's Panel (16)	320 (20 days on average per layman)
Expert Group (15)	60 (4 days on average per expert)
TOTAL	545

The follow-up conference of November 2000, required considerably fewer resources, and was completed within the allocated budget of around NOK 300 000 (37,500 euro).

Assessing the impact of the 1996 and 2000 consensus conferences

It is difficult to assess the impact of the 1996 consensus conference on genetically modified food. As stated in the 1997 evaluation report, the conclusions of the consensus conference's final report were rather "conservative", and supportive of the official policy. It is possible that the impact would potentially have been greater if conclusions had been more radical. The follow-up conference of November 2000 has so far had limited effects other than getting the topic of genetic modification of food back on the political agenda.

In terms of the direct impact of this instance of public consultation on decision-making, however, no direct effects can be observed in the period 1996 to 2000. It remains to be seen whether the latest conference in November 2000 will influence the government, and subsequently the parliament, in its

decision to establish a moratorium. There would seem, however, to be a tendency within the government administration to rely more on expert advice than on input received through more innovative public consultation mechanisms.

At the same time, one should not underestimate the potentially positive psychological impact on public opinion derived from the fact that Norwegian authorities took the initiative to involve laymen in the decision-making process on a sensitive and complex issue of public policy.

Benefits

It would be fair to say that the most important benefit from these consensus conferences has been in terms of their contribution to raising public awareness. In addition to around 100 press clips, the participants have been interviewed in 20 radio programmes, and the conference has been presented in 4 television programmes. The same might be said for public authorities, given that the final report from the 1996 consensus conference was sent to all members of parliament and all Norwegian ministries.

Another obvious benefit from the 1996 consensus conference on genetically modified food lies in the fact that it was the first pilot project to use this model of public participation in Norway. Following it, a number of consensus conferences – especially within the field of medicine and technology – have since been organised.

Whether this has led to more democratically responsive decisions is, however, difficult to assess. As noted above the debates and decisions in the Parliament were not co-ordinated with the conferences, but it is certain that the laymen's report from the 1996 consensus conference was part of the material on which the parliament based its discussions of a moratorium in October 2000.

However, we observe that the different ministries working to prepare the final parliamentary proceedings in the matter of genetically modified food tend to rely more on expert advice than on the conclusions from the consensus conferences.

Drawbacks

There are some drawbacks in this form of consultation and limitations to its use, several of which are mentioned in the 1997 evaluation report and discussed more generally:

- First, the costs and human resources required are obvious obstacles to the widespread use of this model.
- Second, an emphasis on the need to reach consensus may benefit those who already have a strong opinion in the matter at hand, and may lead to a less open discussion than was intended. (In this context, it is interesting to note that the Dutch model of consensus conferences does not focus on the need to reach consensus, but rather on discussing and presenting conflicting viewpoints.)
- Third, there is a danger that the facilitator will influence discussions and decisions more than is intended. This appeared not to be the case in this consensus conference, but makes the issue of ensuring the quality of the facilitator very important.
- Finally, the use of a laymen's panel must not be seen as a substitute for other democratic processes, but rather as a supplement to them. A laymen's panel can never be taken to be a totally representative group because the selection process itself (based as it is on volunteers) narrows participation down to people who show a special interest in the matter at hand.

Consensus conferences as a tool for public consultation

The development of consensus conferences can be witnessed in Norway, especially within the area of science, health and medicine. They have also been used for some other issues, such as immigration, and on how to improve relations between different cultures in Norwegian society.

From 1996 there have been a number of conferences on the medical treatment of: depression by doctors who are general practitioners; premature infants; diabetes; stroke patients; and the use of amalgam in dental treatment.

The Ministry of Health and Social Affairs has in this respect established the use of consensus conferences as a permanent instrument, although these conferences seem to be more “user oriented” than “citizen oriented”. Indeed, in many of these areas there has been only very limited use of laymen (e.g. the conference on treatment of premature infants). Otherwise, these conferences have been meeting-grounds for experts, on questions with conflicting views within the expert community. (This model of consensus conferences has also been referred to as “the American model”.)

The case chosen for this study reflects and underlines the need to balance different interests and viewpoints for issues characterised by:

- Significant complexity in both ethical and technical terms.
- The need for expert knowledge and introduction to allow laymen to form an opinion.
- A high level of media interest.

This case raises a number of general questions for consideration in the application of consensus conferences to other policy sectors and in different national contexts:

- How to achieve a balance between laymen and experts.
- The risk of being influenced by prejudice and media focus.
- Forcing experts to communicate and discuss.

The use of consensus conferences as a means of ensuring greater public input into policy-making may meet a number of obstacles (e.g. related to the legal framework or administrative culture) and have a number of implications (e.g. for traditional decision-making mechanisms).

There has been some discussion on which questions are suitable for the use of consensus conferences, both in the literature and following the 1996 consensus conference on genetically modified food. The following recommendations have been developed by a Norwegian expert on this topic (Fixdal, 1997):

- The topic must be on the political agenda and be of popular interest.
- There should be conflicting views among scientists or politicians (but perhaps not so controversial that discussions in the panel probably end in conflicts).
- There should be sufficient scientific factual information to guide the laymen.
- There must be a good timing with regard to political decisions (and political will to use the information gained).

Future Perspectives

Identification of difficulties and barriers to be overcome

The 1996 consensus conference on genetically modified food was considered to be a success both by participants and observers. The process was seen as positive and motivating and this kind of conference appears to be well suited to issues within the area of health, medicine and technology.

If, however, we look at the broad picture of improving government-citizen connections, there are some difficulties that have to be resolved before this kind of instrument will help to “revitalise democracy”:

- First, there needs to be a thorough discussion in the broader Norwegian political environment on how citizens should be involved in decision-making processes.
- Second, there is a need to develop a more open-minded approach to decision-making within the public administration (ministries and directorates).

- Third, the use of consensus conferences needs to become more institutionalised and integrated into the decision-making process.

In the light of experience in the use of consensus conferences to date, they do not appear to represent a major contribution to the democratic process as a whole, but rather as a potential supplement to be used in relatively narrow technical fields.

Perspectives and challenges

It is generally agreed that Norwegian democracy (as in many other OECD Member countries) needs to be revitalised. The traditional parliamentary system built on participation through political parties has experienced difficulties in reaching parts of the population. The use of consensus conferences and other such mechanisms may represent important supplements to traditional political processes.

However, the legal framework has not yet been modernised to cope with such developments. The focus in laws and regulations is more on rights of access to information and appeal than on public involvement. On the other hand the new democratic instruments will only cover a small part of the public decision-making processes. Modernisation of the legal framework must also deal with the different roles of the public – as clients, users and citizens.

In the future there will be a growing mixture of public, semi-public and private services in areas that were traditionally dominated by public services. This makes it even more important to revise the legal framework.

It may be expected that both the citizens and the users of public services will demand more insight and involvement in decision-making in the future. From the point of view of the citizen, this is necessary to establish legitimacy for the use of public resources.

The conclusion is therefore that the use of consultation and the active involvement of citizens will increase and spread into new policy areas over the next 5 to 10 years. During this period, Internet-based technology will also dramatically change the possibility of, and practical means for, involving citizens. This will, in turn, raise questions on how such developments affect the ability of different groups in society to participate in public policy-making.

Possibility for transfer of the consensus conference method

Consensus conferences are useful tools which may be used in all democratic countries that have a minimum of tradition and experience in involving individuals and groups other than experts in the decision-making process. In countries lacking such a tradition, it may take more time to get used to the idea of involving laymen, as is also the case in Norway today in certain sensitive policy areas. Energy policy is a case in point – plans for a consensus conference on the issue of “Energy production and energy balance” were not carried out due in part to a change in government and to uncertainty among civil servants responsible for policy in this field.

There is little experience in Norway that provides the elements for evaluating the benefits and costs of consultation exercises, but as mentioned before many countries have tried different models of consensus conferences. Denmark was a pioneer in using this special method, and there are also interesting cases from the United States, Canada, Switzerland, United Kingdom, New Zealand and Australia.

CONTACT LIST

The following people were most helpful in the researching and writing of this paper:

KAISER, Matthias – Director of the National Committees for Research Ethics (Chairman of the Steering Group)

HANDAL, Gunnar – Professor University of Oslo (Facilitator of the conferences of 1996 and 2000)

BJØRN, Øyvind – Advisor Ministry of Labour and Government Administration

MATHESON, Tone Elisabeth – Advisor Ministry of Health and Social Affairs

RIST, Ståle – Parliamentary Secretary Stortinget (Norwegian Parliament)

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