Deliberative Democracy in Action

A Case Study of Animal Protection

ROBERT GARNER[1]
University of Leicester

This article provides a case study of deliberative forums concerned with animal protection issues. It is argued that, whilst the deliberative exercises reviewed had relatively little impact on policy makers, there was some evidence of an attitude shift amongst the participants, and these tended to be in the direction of support for greater protection for animals. However, there are three important caveats to this conclusion. First, the opinion shifts documented all came about as a result of the provision of information which, strictly speaking, can be separated from deliberation. Secondly, there was no evidence of a shift in values; thirdly, and perhaps not surprisingly, shifts of opinion were less likely to occur when partisans were involved.

Keywords:
Deliberative democracy; animal protection; animal experimentation; public policy

INTRODUCTION

The early days of abstract deliberative theory have, since the latter years of the 1990s, given way to a "new practical emphasis on feasibility." (Bohman, 1998, p. 400) Attempts to design ideal deliberative forums have been accompanied by empirical studies of real world examples.[2] One area of policy which has been subject to deliberative experimentation is the protection of animals. This article seeks to provide a comprehensive examination of some attempts to subject animal protection to deliberative decision-making, and will consider the outcomes in light of deliberative theory.

There are a number of reasons for focusing on a case study of animal protection and deliberative democracy. In general terms, first, this is a case study that has not been examined in any detail before.[3] It therefore adds to the existing literature on deliberative democracy in practice. Secondly, the treatment of animals is an issue that would seem to be particularly appropriate for the deliberative method. This is because the way animals are treated tends to be an issue that elicits strong emotions, and, on occasions at least, would appear to involve intractable moral conflicts. One of the benefits of deliberation, its adherents claim, is that it can help to reduce such moral conflicts, and may even generate consensus. This case study can also throw light on the degree to which deliberation produces outcomes that are regarded as acceptable to all, or any, of the various stakeholders. Some green political theorists, for example, have claimed that a deliberative form of democracy is likely to produce more ecologically desirable outcomes than the conventional aggregative form of democracy (Dryzek, 1987, 1990; Eckersley, 2000; Goodin, 2003; Smith, 2003). It is worth speculating how far this assertion is valid in the case of debate and decision-making in the case of animals.

The article will proceed in five main stages. The first section will sketch the claims of deliberative theorists. This will be followed in the second section by a description of the deliberative arenas under review and a contextual analysis of the relationship between animal protection and deliberation. The substantive analysis of the case study then will proceed in three steps. First, the deliberative arenas will be distinguished in terms of their structure, membership, degree of inclusivity and deliberative intent. Secondly, it will be asked how transformative the deliberative arenas were. To what extent, in other words, did the prior opinions and values of the participants shift as a result of deliberation, and in what direction? Finally, it will be asked what impact on governmental decision-making the deliberative arenas have.

It is argued in this article that, whilst the deliberative exercises reviewed had relatively little impact on policy makers, there was some evidence of attitude shifts, and these tended to be in the direction of support for greater protection for animals. However, three important caveats to this conclusion should be highlighted. In the first place, the opinion shifts that have been documented all came about as a result of the provision of information. Clearly—as a result of common fact-finding and interrogating arguments—deliberation has an educative function built into it. Strictly speaking, however, the provision of information

Copyright © 2018, Author.
This is an open-access article distributed under the terms of the CC-BY 4.0 license

can be separated from deliberation. Secondly, there was no evidence of a shift in values as a result of deliberation. Thirdly, and perhaps not surprisingly, shifts of opinion were less likely to occur when partisans were involved in deliberation.

1. DELIBERATIVE DEMOCRATIC THEORY[4]

Since the 1980s, democratic theory, and indeed arguably political theory itself, has taken a "deliberative turn." (Bohman, 1998; Dryzek, 2000, p. 1) The academic scholarship on deliberative democratic theory is extensive and varied[5] with differences over such key issues as the types of communication to be permitted in deliberative forums, the goal and purpose of deliberation, and the most appropriate site of deliberation. Deliberative participants, too, can be non-specialist members of the public or partisans, whether at an elite or at the grass roots level. Because of the volume of literature on deliberative democracy, there has been a degree of "concept stretching" (Steiner, 2008) in the sense that deliberative democracy has taken on a variety of different forms. Despite this, it is still possible to elicit a number of key features shared amongst a vast majority of the exponents of deliberative democracy.

First, deliberative theorists argue that democracy ought not to be defined in terms of the aggregation of pre-existing preferences in a vote at elections or in a referendum, nor in terms of a reflection of the balance of competing interests within civil society, as the pluralist model has it. Rather, for advocates of deliberative democracy, collective decisions are only legitimate if they are made after reasoned and detailed discussion. Deliberative democratic theorists do think political participation is valuable. But not all participation counts as deliberative. Rather, deliberative democrats are concerned with the *quality* of decision making and not merely the numbers involved.

The deliberative process, these theorists suggest, leads to better decisions in the sense that they are more informed, more effective, more just and therefore more legitimate. This is partly because genuinely deliberative arenas ought to be as inclusive as possible with all points of view and social characteristics represented, and an equal chance to participate offered to all of those who are present. In addition, deliberative theorists insist that self-interest should be put aside, as should strategic behaviour designed to achieve as much as possible of a pre-existing agenda. Instead, mutual respect of, and empathy for, the arguments of others is encouraged. For some (for example, Estland, 1997), the epistemic function of deliberation, its capacity to reach optimum decisions, is paramount. For others (for example, Gaus, 1997), the intrinsic value of deliberation, with its educative function and its closer approximation to political equality, is its most important attribute. From an epistemic point of view, the benefit of deliberation, it is said, is that it increases the pool of information available to the participants, and it permits and improves the detection of factual and logical mistakes in citizens' reasoning about the world.

Finally, "a central tenet of all deliberative theory" (Chambers, 2003, p. 318) is that deliberation can change minds and transform opinions. The goal, at least in some—particularly early—accounts of deliberative democracy, is to arrive at decisions that everyone can accept, or at least not reasonably reject. It is seen, therefore, as a useful device to tackle issues that seem to involve intractable moral conflicts (Gutmann & Thompson, 1996). That is not to say that unanimity is a real prospect in most cases, and most advocates of deliberative democracy accept value pluralism as a normatively justified obstacle to consensus (Chambers, 2003, p. 321; Dryzek, 2010, chap. 5; Friberg-Fernos & Karlsson, 2014, p. 100; Gutmann & Thompson, 2004, pp. 26–29; Mackie, 2006, p. 290). Moreover, as Dryzek (2000, pp. 1–2) has pointed out, an equally positive result of deliberation would be one in which participants do not change their preferences but decide, after un-coerced reflection, to confirm their initial preferences.

As a result, the aggregation of preferences may well still be necessary as an end-point of a deliberative exercise. However, even if there is still disagreement, collective decisions made after deliberation are regarded as more legitimate than the mere aggregation of preferences, not necessarily or not just because of the decisions made, but because of the deliberative procedure followed which engenders mutual understanding. It involves a sense, that is, that all the views of participants are taken seriously and that everyone tries to empathise with the views of others. For Gutmann and Thompson, (1996, pp. 83–85), for instance, deliberation should aim at an "economy of moral disagreement" in the sense not just that the participants' substantive positions have moved closer together, but that there is a greater acceptance of the terms of difference and disagreement.

Copyright © 2018, Author.
This is an open-access article distributed under the terms of the CC-BY 4.0 license

2. ANIMAL PROTECTION AND DELIBERATIVE DEMOCRACY

Assessing deliberative theory by examining empirical examples of deliberation in practice is, of course, fraught with difficulties because the former is an ideal, and the latter will always fall short. As a result, the aim of this article is not so much to test deliberative theory, but to assess the case studies presented *in light* of deliberative theory. In particular, exponents of deliberation insist that it has the potential to change opinions and generate consensus, and this claim is particularly interesting given that debates about how animals ought to be treated usually involve moral conflicts that are difficult to manage. If deliberation can work in eliminating, or narrowing, the differences between participants in this issue, then, it might be argued, it will work for any issue.

There are some grounds for thinking that deliberative decision-making might produce outcomes that will benefit those who seek greater protection for animals. For one thing, since deliberation requires inclusivity, the views of those who seek greater protection for animals (including those who seek the complete abolition of their use for human benefit) are likely to get a better hearing in an inclusive deliberative environment than in traditional campaigning, and this might lead to a shift in views, or at least an "economy of moral disagreement" amongst all of the participants (Gutmann & Thompson, 1996, p. 3, pp. 83-5). One can see, too, how the empathy facilitated by deliberation might be extended beyond humans to include other species. Goodin (2003; 2000) provides one model linking deliberation with empathy. He envisages individuals deliberating internally with themselves (an "internal reflective" mode of deliberation occurring within the minds of individuals as an alternative to an "external collective" mode) whereby the interests of the excluded and the mute (future generations, nature, and animals) can be imagined and thereby promoted.

An important point to make at this stage is that the anthropocentric deliberating about animals that will be discussed in this article can be contrasted with a non-anthropocentric version where the interests of animals are incorporated directly into the democratic process. As noted by Garner (2016b) and Eckersley (1999), there are limitations to the former in the sense that animal interests are only considered when humans insist that they ought to be. This undoubtedly accounts for the fact that, as we shall see, animal issues in the case studies under review were constructed in terms of human issues (like public health) or in terms of a cost–benefit analysis where humans do not lose out significantly. It is beyond the scope of this article to consider how valid a "species-neutral" deliberative model is, and, indeed, what it would look like (see Donaldson & Kymlicka, 2011 and Garner, 2016b on this).

A further factor supporting the claim that deliberation is likely to produce outcomes supportive of the greater protection of animals is the supposed "moralizing effect" (Niemeyer, 2004, p. 347) of deliberation. That is, genuine deliberation involves the advancement of arguments by citizens about what is right, and in the general or public interest, and not about what is in the self-interests of participants. Shifting the debate from interests to generalizable interests and values, it might be argued, is likely to benefit animals given that the human espousal of animal protection is an altruistic cause, not directly benefiting (at least economically) the human deliberators.[6]

To test the claims identified above, this article examines a number of actual examples of deliberation involving animal protection issues. The first four involved the classic deliberative instrument, as explained below, of the citizen jury. Two of these involved the issue of xenotransplantation.[7] One of them concerned the responses of a variety of governments to the emergence of the xenotransplantation issue, where one possibility was the creation of deliberative mechanisms to gauge public attitudes to the issue. The evidence here is provided by the outputs deriving from an EU funded study, conducted between 2009–2012. The project focused, in particular, on the role played by citizen participation, hence the title of the project: "Impact of Citizen Participation on Decision-Making in a Knowledge Intensive Policy Field," or CIT-PART for short (Lang & Griessler, 2013; Griessler, Biegelbauer, Hansen, & Loeber, 2012; Griessler, Biegelbauer, & Hansen, 2011).

The case for such participatory exercises has gained strength in science and technology policy circles since the 1990s as a result of a number of high profile controversies (such as nuclear power, BSE, and human stem cell research) where the treatment of animals was only a small part (Weale, 2001). In fact, the use of participatory and deliberative devices (so-called Participatory Technology Assessment or PTA) in consideration of xenotransplantation has been extremely limited. Of the 12 countries studied in the CIT-PART

Copyright © 2018, Author.
This is an open-access article distributed under the terms of the CC-BY 4.0 license

project, only three—Canada, Switzerland, and the Netherlands—used PTAs.

The second deliberative exercise concerned with xenotransplantation is a 2002 project, funded by the Wellcome Trust and conducted by a group of multi-disciplinary researchers—grouped under the so-called Deliberative Mapping Project (DMP)—in which xenotransplantation was assessed, along with alternatives, as a solution to the "kidney gap" (Eames et al., 2004). Although the UK government had no role in creating it, this deliberative exercise was the UK's first PTA.

The third example of deliberation to be examined is the so-called Welfare Quality (WQ) project. This was an EU-funded exercise that sought to ascertain societal views in drawing up a protocol for assessing animal welfare on farms and at slaughter plants (Miele, Veissier, Evans, & Botreau, 2011). The fourth is the deliberative exercise conducted in 2013 by Ipsos MORI (a European polling organisation), commissioned by the lobbying group Understanding Animal Research (UAR) on behalf of the Medical Research Council and the British Pharmacological Society. The purpose of this exercise was to conduct a public dialogue on openness in animal research "to inform the content going into the draft of the Concordat document" on the subject that UAR were planning to publish (Ipsos MORI, 2013, p. 10). The final deliberative forum on animal protection considered in this article is, for reasons that will become clear, different from the four mentioned so far. This is the so-called Boyd Group (BG), which is an informal grouping of stakeholders on both sides of the debate about animal experimentation formed in Britain in the early 1990s.[8]

3. A TYPOLOGY OF DELIBERATION

The first task in this examination of deliberative decision-making about animal protection is to provide a typology of the deliberative arenas in terms of their structure, membership, degree of inclusivity and deliberative intent. The first factor to take into account is the circumstances surrounding their creation. Here, one can make an initial distinction between those created as a result of a state initiative and those emerging from civil society. In the former category are the PTAs on xenotransplantation, and the WQ exercise. In the case of all three of the PTAs, the deliberative forums were set up at the behest of the respective health ministries of the countries (Canada, Switzerland, and the Netherlands), and the WQ was an EU initiative to help gauge public attitudes to the treatment of farm animals.

The deliberative arenas created by state initiatives are particularly interesting because they examine real-world attempts to introduce deliberation into decision-making. By contrast, the other three involved the creation of deliberative forums within civil society. Here, one can make a distinction between the DMP, which was instigated by academics, and the two others, which were the initiative of stakeholders within civil society. In the case of the Ipsos MORI project, the prime mover was, as we saw, UAR, a body designed to promote the use of animals in scientific research and protect the interests of those doing such work. The BG, by contrast, is a forum born out of the adversarial climate of animal experimentation politics in Britain in the late 1980s and early 1990s. Increasingly disillusioned by this climate, some leading figures on both sides of the debate (most notably Les Ward, at that time Chief Executive of Advocates for Animals, an anti-vivisection organization, and Colin Blakemore, at that time Waynflete Professor of Physiology at the University of Oxford) decided that a more meaningful dialogue on the issue was required. Conversations between Ward and Blakemore led to the two agreeing to help to organize and meet in a formal body which became known as the Boyd Group, after its chairman Kenneth Boyd, subsequently Professor of Medical Ethics at Edinburgh University.

The second element of the typology is the structure and membership of the deliberative arenas once created. The first point to note is that all but one of the deliberative forums discussed are "minipublics," utilizing the citizens' jury model of deliberation (Smith & Wales, 2000) which involves the choosing of a representative sample of people invited to discuss, in small groups, a particularly contentious issue of public policy. Crucial to the exercise is ensuring that participants are not experts in the issue under discussion, that they are not stakeholders in the debate, and that they are, in some way, representative of wider society. These "amateur" participants then are provided with briefing information beforehand and are exposed to experts during the deliberative period. The juries are then invited to reach agreement, if possible, and come up with recommendations.

All three PTAs in the CIT-PART study adopted the citizens' jury model. Six Citizen Forums of 15–25 demographically representative participants were set up in six different Canadian regions (Einsiedel & Ross, 2002). In Switzerland, a PubliForum, consisting of 28 citizens selected to represent the Swiss population, met

Copyright © 2018, Author.
This is an open-access article distributed under the terms of the CC-BY 4.0 license

for eight days in 2000 (Griessler, 2011) whereas the PTA in the Netherlands was initiated by policy makers in 1999 as part of a wider public debate (Versteeg & Loeber, 2011). Likewise, the WQ project created almost 50 focus group discussions in a variety of EU member states, and citizens' juries, containing 10–12 citizens, in Italy, the UK, and Norway, who met on a weekly basis for a number of sessions lasting for two hours. The sessions included one where experts presented three alternative ethical positions concerning human–animal relations: an animal rights perspective, an animal welfare perspective, and a more instrumental view of human–animal relations (Miele et al., 2011). The DMP, likewise, mapped the views of four Citizens' Panels of 8–10 people, who met for six 90-minute sessions and a full day workshop together with a Specialists' Panel 17 strong, who engaged with the Citizens' Panels in a joint workshop (Eames et al., 2004, pp. 13–15).

The WQ citizens' juries were different from the others mentioned above in the sense that the organizers aimed not so much for representativeness in terms of class, gender and age, but in terms of ensuring that all sides of the farm animal welfare debate were represented. Thus, the juries consisted of 10–12 people representing different sides of the debate (vegetarians, consumers on a budget, health conscious consumers, environmentally aware consumers, halal or kosher eaters, "mainstream" consumers, and so on) (Miele et al., 2011, p. 108). Finally, Ipsos MORI set up six events in three locations (in Manchester, London, and Cardiff) attended by 15–18 participants organized into workshops. Those actively involved in animal rights and animal research were "screened out" at the recruitment stage (Ipsos MORI, 2013, p. 12).

The BG, by contrast, is a group-based, rather than citizen-based, deliberative forum. Most of its participants—whether or not they have acted as autonomous individuals in the course of deliberation—are representatives of particular groups organized to take a particular position in the debate. Membership is in fact open to both individuals and organizations, although in practice those representing organizations have constituted the vast majority. It therefore consists of experts, from the fields of academic science, animal protection and industry lobbying and ethics. Moreover, most of the participants are partisans, with strong leanings towards one side of the debate or the other. The BG has debated a range of issues relating to animal experimentation, and has produced a number of reports documenting the discussions, and the decisions reached, in some of these debates (Boyd Group, 1995, 1998, 1999, 2002a, 2002b; Boyd Group & RSPCA, 2004). In addition, the BG has regularly submitted evidence to public consultations. (Boyd Group, 2001, 2002c, 2010).

There are significant doubts about the BG's degree of inclusivity. It cannot lay claim to be representative of wider society in a descriptive sense. That was not its aim. What it might be able to claim, however, is that, like the WQ structure noted above, it has been representative of the animal experimentation issue, with all sides of the debate given a significant hearing. Even if we adopt this definition, though, the BG has only been partly inclusive. This is because the major anti-vivisectionist groups—the National Antivivisection Society (NAVS) and the British Union for the Abolition of Vivisection (BUAV)—both refused to participate (organizationally at least) from the start, as did other animal rights groups such as Animal Aid and People for the Ethical Treatment of Animals (PETA). Having said that, the abolitionist anti-vivisectionist position was represented continually, until his decision to leave in 2006, by Les Ward, Director of Advocates for Animals, as well as by others sympathetic to the anti-vivisection position, such as academics and those employed by anti-vivisectionist groups in an individual capacity (interview with Jane Smith, 10 November 2014; e-mail communication with Kenneth Boyd, 10 November 2014). The BG, therefore, has had a reasonably inclusive membership, although the anti-vivisectionist stance always constituted a relatively small minority (interview with Jane Smith, 21 January 2014).

The final component centers on the degree of deliberative intent present in the arenas under discussion. Here, it should be pointed out that, at the very least, most of the deliberative arenas considered here were as, or more, concerned with eliciting the views of participants (and, by default, those of wider society) rather than with measuring how far views changed as a result of deliberation. This, for instance, was the motive behind the actions of the three governments who set up PTAs on the issue of xenotransplantation. Likewise, UAR were concerned to gauge public attitudes to openness in animal experimentation, and the WQ project was explicitly designed to ascertain societal views to aid animal welfare scientists in drawing up a protocol for assessing animal welfare on farms and at slaughter plants.

This last point notwithstanding, all of the deliberative arenas identified are structured so as to maximize, if deliberative theory is right, the possibility of

Copyright © 2018, Author.
This is an open-access article distributed under the terms of the CC-BY 4.0 license

the narrowing or elimination of differences between the participants. In the case of the BG, the fact that membership has been made up primarily of organizations is not promising from a deliberative perspective because it raises the prospect of representatives acting as delegates of these organizations, putting forward the organization's position and reporting back the outcome. Insofar as this was the case, it would minimize the opportunities for members to act autonomously and be prepared to empathize with others around the table, and maybe change their views accordingly. Despite the fact that organizations joined as members of the BG, however, the operational practice of meetings was consistent with deliberative theory. That is, in order to encourage dialogue and genuine deliberation, the BG operates under Chatham House rules where the content of what was discussed can be talked about in public but not who said what (interview with Jane Smith, 10 November 2014).

4. THE TRANSFORMATIVE POTENTIAL OF DELIBERATIVE DEMOCRACY

In terms of the transformative potential of deliberation, there is some evidence from the forums under review in this article that opinions did change as a result of the deliberative process, and that, more often than not, this opinion change was in the direction of greater protection for animals.

This was most notable in the case of participants in the WQ project. The aim of the citizens' juries was to assess citizens' response to the WQ assessment protocols drawn up by animal welfare scientists. It was reported that some jurors were "quite shocked and surprised" by the reality of intensive animal agriculture, and all of the Italian jurors, and the vast majority of the UK and Norwegian jurors, admitted they were not aware of the sheer extent of intensification. In particular, they were shocked about the stocking densities in broiler sheds, the short life-spans of broiler chickens, and the degree of lameness in milking cows (Miele et al., 2011, p. 113; Miele, Evans, & Higgin, 2010, pp. 37, 151, 163). Likewise, many jurors "expressed surprise at how infrequently farms are inspected for animal welfare conditions." (Miele et al., 2010, p. 18) Similarly, when the Norwegian jury was shown video clips of modern farming practices such as the farrowing crate, they "reacted very strongly and emotionally…one juror even covering her eyes and refusing to look." (Miele et al., 2010, p. 101) The jurors in general were fully supportive of strong animal welfare measures and they were not convinced that the protocols developed by animal welfare scientists went far enough.

Two particular concerns were expressed by the jurors. First, they were critical of the proposal that, when measuring the quality of animal welfare in any particular farm unit, very low scores in one area could be compensated for by high scores in other areas (Miele et al., 2011, p. 114). The impetus behind this view was the surprise and shock, indicated above, at the way farm animals were treated (Miele et al., 2010, p. 39). Participants were generally hostile, secondly, to the guiding principle of the protocol, drawn up by animal welfare scientists, not to make *a priori* judgments when assessing the welfare standards of any particular farm. The jurors, by contrast, showed a dislike for intensification, even when it could be shown that the measurable welfare of the animals—such as productivity and health—in intensive units was positive. Most jurors were adamant that the classification 'excellent welfare' should only be used in relation to extensive systems with outdoor access. This hostility to intensification was clearly there at the beginning. When the jurors were given, as an initial exercise, the task of listing the criteria of a "good life" for farm animals, many emphasized the importance of space, and the ability to perform natural behavior (Miele et al., 2010, pp. 1–14, 78, 149). This position intensified as the participants learnt more about the condition of farm animals. One UK juror symbolized this when, asked the same question at the end of the jury meetings, wrote that the only option for a farm animal wanting to experience a good life was "to escape." (Miele et al., 2010, p. 52)

In the xenotransplantation cases, we do not know for sure if the views of the participants in deliberative forums changed over time. What we do know is that participants were generally hostile to the use of animal organs, preferring instead to recommend other public policy goals such as schemes to encourage organ donation and health promotion campaigns to reduce the demand for organs. There was a "consistent lack of support" for xenotransplantation in the DMP, and it was the worst performing option (out of nine) across all of the Citizens' Panels (Eames et al., 2004, pp. 6, 30–6). Similarly, the PTAs in the Netherlands and Canada recommended a moratorium on xenotransplantation, whereas a significant minority in the Swiss PTA did so too (the majority opting for regulation) (Griessler, 2011, p. 38).

Copyright © 2018, Author.
This is an open-access article distributed under the terms of the CC-BY 4.0 license

There is some evidence that opinion against xenotransplantation hardened when deliberators were exposed to factual information about the consequences for animal welfare, as well as the health risks. In the Canadian PTA, for instance, as the participants learnt more "they became less accepting of xenotransplantation" (personal e-mail from Edna Einsiedel, 10 March 2014). This was confirmed in the DMP too where many held a negative view of xenotransplantation from the start but opinions hardened particularly after the joint workshop when members of the Citizens' Panels were exposed to the views of the experts (Eames et. al., 2004, p. 39). It was true, too, that in most cases animal welfare played a role in determining the hostility of deliberative forums to xenotransplantation. In the Swiss case, for instance: "A significant majority of the panel supported the statement that the breeding conditions of 'source animals' would not at all meet requirements of species-appropriate animal husbandry." (Griessler, 2011, p. 40) However, animal welfare was never the only, or the most important, issue in any jury. Rather, public health concerns (the risk of uncontrollable infection being prominent) tended to be of most concern, followed by concerns about the ethical implications of crossing the species barrier, and doubts about the feasibility of xenotransplantation.

In the Ipsos MORI focus groups, similarly, it is noticeable how opinions on the scrutiny that animal researchers should be exposed to hardened as a result of evidence, provided by the BUAV, of the mistreatment of animals. A number of significant findings emanated from the deliberative exercise. First, it was apparent that participants lacked basic knowledge about animal research and its regulation. For instance, there was a misconception that most animal research is done for cosmetics or on higher non-human primates (Ipsos MORI, 2013, p. 4). In addition, some concern was expressed by participants when they found out that most animals are killed after the procedures are carried out. The report indicates that "despite being told that the (killing) was done humanely many were still adamant that it was a very serious harm to shorten an animal's life unnecessarily." (2013, p. 19) Similarly, participants were "surprised and disappointed" to learn that the number of inspectors is so low (2013, p. 40).

The pre-deliberative position of most participants was that the sector ought to subject itself to external scrutiny. After hearing factual information and the case for and against animal research in Event 1, the participants across all of the workshops became more favorably inclined towards animal research (Ipsos MORI, 2013, p. 24). However, when presented, in Event 2, with undercover footage of misdemeanors in laboratories provided by BUAV, "participants became very angry about malpractice" (2013, p. 4) and "many reverted to an oppositional stance in relation to animal research." (2013, p. 25) As a result, participants were much more willing to consider more rigorous oversight including insisting that license applications be subject to external scrutiny, and even that CCTV be placed in labs to be screened in public, an idea that gained "much support." (2013, pp. 6, 42–4)

In the case of the BG, as one might expect given its partisan character, there is little evidence that deliberation has had a genuinely transformative effect on the views of the participants. The published reports of the BG reveal very little evidence of a significant shift in views on the substantive issues. This is confirmed by evidence from the participants. The philosopher Stephen Clark—a regular participant in BG discussions—comments, for instance, that "I'm not sure that anyone ever moved from their root convictions." (e-mail communication, 26 February 2014) Certainly, any attempts (by Les Ward in particular) to go beyond relatively minor tweaks to the way animals are treated in laboratories to consider the central question of the value of using animals in medical research, and the identification of reduction targets, was met with a return to the trenches. In 2002, Ward had commented, ominously, that there were still people in the BG "who are holding entrenched positions." (House of Lords, 2002, q. 1384) and it was the resulting "stalemate" that provoked, at least in part, Ward's decision to leave the BG in 2006 (interview with Les Ward, 19 February 2014).

The BG does, however, provide a useful guide to how moral conflicts can be managed in a deliberative setting. A large degree of substantive consensus was reached on issues such as the testing of household products and cosmetics, the use of non-human primates, and the role of local ethical review processes. Blakemore regarded such progress as "quite remarkable," (House of Lords, 2002: 965) which, whilst something of an exaggeration, does perhaps reflect how far apart the members were when they first met around the deliberative table.

Perhaps more importantly, there is also some (anecdotal) evidence of a shift in how the participants regarded each other personally and the positions in the debate they represented. Blakemore hinted at the

Copyright © 2018, Author.
This is an open-access article distributed under the terms of the CC-BY 4.0 license

positive effects of deliberation when he remarked to a House of Lords Select Committee that: "It may not produce always complete agreement but it is very, very difficult to continue to hate someone…if you have sat for two or three hours opposite them around a table, drinking a cup of tea, thrashing out the basis of the differences of opinion." (House of Lords, 2002, q. 965). Part of this thawing of relations between two sides previously at loggerheads was the acceptance, on both sides, that their opponent's values were worthy of discussion, and should not be just dismissed out of hand. This is an example of what Dryzek and Niemeyer (2006) have described as the forging of a meta-consensus. That is, whilst there might not be evidence of a normative consensus, where there is "agreement on the values that should predominate" (Dryzek & Niemeyer, 2006, p. 638), there was a recognition of the legitimacy of disputed values, an acceptance of the credibility of disputed beliefs and those promoting them, and agreement on the character of disputed policy choices.

The BG has used a number of methods in order to manage moral conflict. The first of these relates to the choice of topics for discussion that have been limited to those more peripheral areas of the issue—such as aspects of the regulatory system and the use of animals for non-therapeutic purposes—where consensus could be maximized. For example, BG members, by consensus, opposed the use of animals for the testing of cosmetics and household products (Boyd Group, 1998). Where consensus has proved impossible, the BG has adopted the strategy of explicitly referring to the disagreements, either recording the dissent of a minority or a more equal division of opinion—as in the decision on genetic engineering, where some members of the BG thought that the genetic engineering of animals ought to be abandoned altogether, others that it should be better regulated (Boyd Group, 1999).

Sub-groups are another device utilized to manage moral conflict, and maximize inclusion, within the BG. For example, in 2004, a debate—co-organized by the RSPCA—on the categories used by the Home Office to classify the severity of scientific procedures, was conducted within three separate round-table discussions. These round-tables consisted of veterinary surgeons and animal care and welfare officers, license holders under the 1986 legislation, and representatives from animal protection organizations including the anti-vivisection organizations together with animal welfare groups (Boyd Group & RSPCA, 2004, p. 1). The discussions of the three separate groups were then fed into the plenary meeting of the Boyd Group. Utilizing sub-groups allowed for the participation of anti-vivisection organisations unwilling to debate directly with industry and scientific representatives.

Three Caveats

It might appear that the account so far confirms, at least partly, the transformative potential of deliberative democracy, although, as was pointed out earlier, authentic deliberation is not dependent upon the transformation of preferences, but merely un-coerced reflection. In all of the deliberative forums reviewed, there was some evidence that opinions changed during the deliberative process. However, three important caveats to this conclusion should be highlighted. In the first place, the opinion shifts that have been documented all came about as a result of the provision of information. As we saw, some deliberative theorists claim that deliberation has an important epistemic function, and the deliberative forums concerned with animal protection issues documented in this article seem to support this claim. Moreover, there is plenty of additional evidence from other deliberative case studies of the impact, in terms of changing opinions, of the full and unmediated provision of information (see, for example, Barabas, 2004; Button & Mattson, 1999; Elstub, 2014, p. 179; Fishkin, 2009, pp. 26–37, 84; Goodin, 2008, pp. 38–63; Kuper, 1997; Luskin, Fishkin, & Jowell, 2002; Petts, 2001, p. 220; Sunstein, 2008, p. 97).

It should be pointed out, though, that this epistemic function can be separated from the deliberation process itself. That is, one could endeavor to provide comprehensive and balanced information on an issue without requiring those making a decision to then deliberate about it. It is certainly the case that, in so far as minipublics have resulted in preference change, it is difficult to prove, as Elstub (2014, p. 179) points out, that it has occurred as a result of actual deliberation as opposed to the provision of information. Also, if it can be shown that a "correct" assessment of comprehensive information is more likely to emerge from a panel of experts, then—if the epistemic function of deliberation is all we are concerned about—we would be duty-bound to prefer this process over democratic deliberation (Freeman, 2000, p. 387; Lafont, 2006, pp. 8–9).

The second caveat is that, whilst the provision of information did lead to opinion change in the deliberative forums discussed in this article, participants

Copyright © 2018, Author.
This is an open-access article distributed under the terms of the CC-BY 4.0 license

not already committed to an animal rights position (the vast majority in all forums) were not converted to such a position. In other words, there was no paradigm shift in values. The central element of the value system held by the vast majority of the participants was that it is legitimate morally for humans to use animals, even if that means animals suffer in the process, provided that the benefit to humans is regarded as significant enough. An illustrative example is the use of animals for experimental purposes. It is quite legitimate to regard the use of an animal in the laboratory as unacceptable morally on the grounds that the suffering that it is intended to inflict outweighs the predicted benefit, or because it is duplicating an experiment already done. A genuine value shift, on the other hand, requires a belief that it is illegitimate morally to use animals whatever the level of suffering inflicted, and whatever the benefit that might accrue.

Insofar as opinions changed in favor of greater protection for animals in our case studies, then, it was largely because factual information shifted the cost–benefit analysis in favor of animal protection. Thus, xenotransplantation was ruled out partly because it was felt that the suffering inflicted on animals was unacceptable, and partly because of the perceived dangers to human health. It was not because deliberative participants came to think that animals had a right not to be used irrespective of the benefits to humans that might accrue. Nor was such a transformation evident in the BG, where there was never any question that an anti-vivisection position would prevail in any of the issues discussed, just as there was no conversion in the Ipsos MORI focus groups to the position that animals should not be used as experimental subjects. Similarly, opposition to factory farming in the WQ project occurred because the participants, having possession of the facts about the animal suffering involved, came to the conclusion that this suffering outweighed the human benefits to be gained (for example, the cheap and plentiful supply of meat) from the practice. There was never any question of the deliberators being converted to the view that animals should not be used as sources of food. Those small numbers of jurors who were sympathetic to an animal rights position failed to persuade others, and were generally treated with indifference, or even hostility, by the others (Miele et al., 2010, pp. 76–7, 122).

One response to the conclusion that deliberation did not produce a value shift in the cases reviewed is to say that the deliberative arenas were not inclusive enough, and had they been so (had, that is, there been greater inclusion of those holding an alternative animal rights paradigm) then a value shift might have occurred. There is an element of truth in this response. Those holding an alternative animal rights paradigm did participate. However, these individuals represented a small minority of the participants, and there was an element of tokenism about their role. In the case of the Boyd Group, as we saw, the absence of an animal rights stance was self-inflicted since the major anti-vivisection organizations refused to participate. In the case of the WQ citizens' juries, a maximum of two of the 12 participants in each one showed any sympathy for an animal rights position.

On the other hand, the organizers of the deliberative forums cannot be accused of bias here. There was a conscious attempt to include all positions in the debate, and given that an animal rights perspective represents a tiny proportion of the public, it was not unreasonable to so limit its visibility within the deliberative forums. Moreover, in a number of cases, such as the WQ forums, an explicitly animal rights position was provided to participants by invited experts. Finally, as we saw, the BG was always open to anti-vivisectionists, and some did attend, often in an individual capacity.

One of the reasons that most anti-vivisectionists did not participate in the BG—and, indeed, one of the reasons that animal rights advocates would find it difficult to participate in deliberative forums in general—is the emphasis placed by deliberative democracy on empathy and consensus building. Whether or not they are right to be so concerned about sacrificing their moral purity by engaging with deliberation is the subject matter of a very different article (on this see Garner, 2016a). In this context, though, it is worth mentioning the objection to deliberative democracy that, by constraining debate and trying so hard to reach consensus and accommodation, it fails to reflect accurately the fact that political debates often do involve competing world views where the aim of each side is to challenge each other and, in so doing, undermine "the whole life-situation" of the other (Johnson, 1998, pp. 166–7).

The final caveat to the transformative claim of the deliberative forums under review in this article is that it is clear that where the participants are partisans, they are less likely to change their opinions. This is most apparent, as we saw, in the case of the BG. This concurs with the evidence that the transformation of attitudes, a

Copyright © 2018, Author.
This is an open-access article distributed under the terms of the CC-BY 4.0 license

crucial component of deliberative theory, is—as common sense would suggest—more likely to occur amongst those with no previously strong views on an issue (Hendriks, Dryzek, & Hunold, 2007). Obviously, such uncommitted deliberators are more likely to elicit the quality of open-mindedness, a prerequisite of opinion change. It is for this reason that those organizing minipublics deliberately choose non-partisans as participants. It may be, too, that, in the case of some participants, what we are witnessing is not so much the transformation of attitudes but the formation of attitudes (facilitated by the provision of information and by discussion), which had previously been "ill-formed and murky." (Sunstein, 2005, p. 194) Such "ill-formed" preferences are much less likely in a forum of stakeholders, such as the BG. In terms of the minipublics under review there is likely to have been a mixed picture. Some of the invited participants were recruited precisely because they held a considered view on the issue under discussion (animal rights activists in particular), whereas others appeared not to have a clearly worked out position.

So, what the BG—participants in which have been mostly knowledgeable partisans—has not done, unsurprisingly, is to produce consensus on the fundamental issue of the use of animals in scientific procedures. Indeed, to be fair, this task is a tall order in such a partisan body, and was never the intention in any case. Having said that, a study of decision-making in the BG, as we saw, only partly confirms this pessimistic conclusion, since participation has had the effect of promoting a meta-consensus, softening some views and attitudes, as well as facilitating some compromises. As such, it provides a useful guide to the methods available to those wishing to manage moral conflict.

5. THE DEGREE AND CHARACTER OF IMPACT

The last question considered in this article relates to the degree of impact the deliberative forums discussed in this article have had.[9] This is an important question not least because there has been a great deal of criticism of the emphasis that deliberative democratic theory places upon the informal public sphere rather than decision-making bodies in the formal public sphere (Squires, 2002). It is true that deliberative exercises initiated by state institutions remain few and far between. As we have seen, for instance, although the deliberative arenas set up to examine the xenotransplantation issue— studied in the CIT-PART project—*were* part of the formal state decision-making arena, the bulk of the countries studied in the CIT-PART project did not involve citizens in any formal way before making a decision, relying instead on expert Technology Assessment. Moreover, it is certainly the case that it is rare for minipublics to impact upon public policy, at least in a direct sense (Abels, 2007; Elstub, 2014, p. 181; Goodin & Dryzek, 2006). However, the above critique of deliberative democracy probably underestimates the importance of indirect impact on public policy that deliberation within civil society can have, in raising awareness of an issue and helping to shape attitudes.

It is no surprise, of course, to conclude that deliberative minipublics set up by non-governmental bodies have little impact on public policy. This is certainly the case with the deliberative forums reviewed in this article. The one possible exception here is the policy impact of the BG. Although existing in the informal public sphere, one might expect the BG to have a considerable amount of impact on public policy given the status and expertise of those who have participated in it. Indeed, the Home Office encouraged the BG's work and sent an observer to its meetings (Boyd, 1999, p. 44).

It is true that much of what the BG recommended (for example, the banning of the testing of cosmetic ingredients, and the ban on the use of the Great Apes) did find its way into the British Government's program. Likewise, it was claimed that the BG report on the ERP "helped to persuade the Home Office that an approved local ethical review process in every research establishment should be mandatory." (Boyd, 1999, p. 44). Similarly, Jane Smith has suggested that the Home Office "took notice of the consensus" that emerged in the debate within the BG in 2010 about the need to maintain the ERP, and that "some of the momentum" for the Government's decision to maintain an ERP—in the form of revamped Animal Welfare and Ethical Review Bodies (AWERB)—came from the BG's work (interview with Jane Smith 21 January, 2014).

Of course, determining the causes of public policy outputs is notoriously difficult. It is difficult to know, for instance, whether the Home Office was already moving in the direction recommended by BG reports. What can be said is that, given that most of these recommendations had strong public backing, it is not surprising that policy makers acted as they did, and

Copyright © 2018, Author.
This is an open-access article distributed under the terms of the CC-BY 4.0 license

probably would have acted in the same way if the BG had never existed.

Even those deliberative forums set up by governmental organizations may have little policy impact. This is because, as Dryzek, Goodin, Tucker, and Reben (2009, p. 284) point out, governments set up deliberative exercises for a variety of instrumental reasons: to buy time in order to postpone a decision on an issue, as a device to freeze out partisans, or in order to legitimize a decision where the issue is divisive. The introduction of deliberative exercises by policy makers, then, is no guarantee that the recommendations of deliberative forums will have an impact on public policy. One of the key findings of the CIT-PART project, for instance, is that there was not a clear link between the recommendations of the xenotransplantation minipublics and government policy (Griessler, et. al., 2012, pp. 50–4). It is true that in the Netherlands a moratorium on xenotransplantation was introduced so there was congruency between government policy and the recommendations of the Dutch PTA. However, the results of the PTA exercise were only known *after* the policy was adopted, and so no simple causal claim can be made. In Switzerland, likewise, government policy—adopting a permissive approach where xenotransplantation research would be permitted provided it was rigorously regulated—was revealed a few days before the final plenary session of the PTA recommended, by a majority, the same stance. In Canada, there is no evidence of impact because the government made no definitive statement about the status of xenotransplantation.

The disjuncture between the recommendations of citizens' juries and public policy outcomes is perhaps most stark in the WQ project study. Here, the citizens' jury recommendation—that farms with poor animal welfare scores in some areas should not be deemed acceptable if high scores were achieved in other areas—was not included as part of the final WQ protocol presented to the European Commission, on the grounds that "such a rule would result in half of all European farms being considered 'unacceptable'"! (Miele et al., 2011, p. 115). Nevertheless, the gap between science and the public revealed by the WQ exercise was addressed to some extent in the final protocol. For example, it was accepted, firstly, that some systems (such as the battery cage for laying hens) ought to be prohibited – and not assessed - because they are known to pose a high risk to animal welfare; secondly, that positive emotions, and not just suffering, ought to be measured; and finally, that there ought to be stricter rules for awarding farms a high welfare ranking (Miele, et. al., 2011, p. 116).

CONCLUSION

The case study of deliberation and animal protection examined in this article lends support to the claim that deliberation can lead to changes in the positions of participants, that consensus is more likely to occur, and that these changes are more often than not in the direction of support for greater protection for animals. However, these changes occurred largely because of the provision of information rather than deliberation as such. Moreover, participants did not elicit a paradigm shift in values towards an alternative ethical position challenging the use of animals. That is, most participants continued to accept that it is morally permissible to use animals, provided that they are not made to suffer unnecessarily. Any shifts in position occurred as a result of new knowledge that adjusted the cost-benefit analysis necessitated by the unnecessary suffering principle.

Finally, the deliberative forums examined in this article also lend support to the judgment that a shift in attitudes is more likely to take place when the participants are not partisans. Thus, as might be suspected, there is little evidence to suggest that members of the BG, who were—unlike the other forums considered— partisans, have changed their view on the utility of animal experimentation as a result of deliberation. This conclusion adds support to Parkinson's "somewhat pessimistic" conclusion that "one can only have good deliberation on things which do not matter all that much," at least to the participants (Parkinson, 2006, p. 19). However, even the BG has produced some deliberative benefits. It provides some useful lessons in the art of managing moral conflicts, demonstrates the emergence of a meta-consensus, and a substantive narrowing of disagreement on certain issues. Finally, there was undoubtedly a not-to-be-underestimated building of trust between the different sides in the debate.

The reliance on secondary data sources for some of the deliberative exercises reported in this article is inevitably problematic since it leads to a far from optimum account. For example, tests for the quality of deliberation are absent (Sanders, 2012; Gerber, Bächtiger, Fiket, Steenbergen, & Steiner, 2014). Moreover, information on the measurement of preference transformation is incomplete. Nevertheless,

Copyright © 2018, Author.
This is an open-access article distributed under the terms of the CC-BY 4.0 license

the evidence that can be elicited from the case studies of animal protection decision-making presented in this article are significant enough to justify the claim that there is a strong case for further bespoke research in this area. In particular, the fact that deliberation does equate, to at least some extent, with support for the greater protection of animals should be of considerable interest to the animal protection movement.

NOTES

[1] I would like to acknowledge the financial support of the Centre for Animals and Social Justice, and the provision of a period of research leave by the University of Leicester, which provided me with the time and resources to research and write this article.

[2] Some examples are Barabas (2004); Button and Mattson (1999); Davidson and Elstub (2014); Dryzek (2000); Fishkin and Luskin (2000); Fung and Wright (2001); Goodin (2000, 2003) Kuper (1997); Parkinson (2006); Petts (2001); and Steiner, Bächtiger, Spörndli, and Steenbergen (2004).

[3] Parry (2016) has put the theoretical case for the value of deliberation from an animal protection standpoint. There has also been a debate about the alleged incompatibility between the ideals of deliberative democracy and the non-deliberative activism practiced by the animal rights movement. On this see Humphreys and Stears (2006), D'Arcy (2007), Hadley (2015), and Garner (2016a). None of these accounts, however, engage, as this current article does, with actual deliberative exercises involving animal issues.

[4] This is a shortened version of a characterization that originally appeared in Garner (2016a).

[5] The literature on deliberative democracy is too extensive to cite in full. The fact that there are so many edited collections on the subject is indicative of its resonance in political studies. The most notable are: Benhabib (1996); Besson and Mart (2006); Bohman and Rehg (1997); D'Entreves (2002); Elster (1998); Elstub and McLaverty (2014); Fishkin and Laslett (2003); Macedo (1999); and Saward (2000).

[6] However, the distinction between selfless animal advocates and selfish animal exploiters is too simplistic. There is a generalizable human interest at stake here (Eckersley, 1995, p. 179). For example, the economic benefits of animal exploitation spread beyond those who are engaged in the use of animals, not least through the tax receipts generated by it. In addition, there is the direct public health benefit of animal experimentation, providing that one accepts the empirical claim that using animals to develop and test drugs does actually work.

[7] Xenotransplantation involves the transplantation of cells, tissues, and organs from animals to humans.

[8] The material on the Boyd Group provided in this article is based on a series (21 in all) of open-ended interviews—some in person and some by e-mail—that I conducted in 2014 with most of the major participants, and with some who chose not to participate. In addition to the interviews, extensive use was made of the reports of meetings. These were originally made available on the BG website, which has subsequently been removed with a view to being updated. In addition, I also made use of the transcript of the oral evidence given to a House of Lords Select Committee on animal experimentation, which involved many of the participants in BG meetings (House of Lords, 2002).

[9] In this section, I am focusing on the degree of impact on public policy that the deliberative forums under discussion had. There is an additional question, which is beyond the scope of the current article, about the democratic legitimacy of deliberative democracy. On this question, see Lafont (2015) and Parkinson (2006).

REFERENCES

Abels, G. (2007). Citizen involvement in public policy making: Does it improve democratic legitimacy and accountability? The case of pTA. *Interdisciplinary Information Sciences*, *13*(1), 103–116.

Barabas, J. (2004). How deliberation affects policy opinions. *American Political Science Review*, *98*(4), 687–701.

Benhabib, S. (Ed.). (1996). *Democracy and Difference.* Princeton: Princeton University Press.

Besson, J., & Marti, J. (Eds.). (2006). *Deliberative Democracy and its Discontents*. Aldershot: Ashgate.

Bohman, J. (1998). Survey article: The coming of age of deliberative democracy. *The Journal of Political Philosophy*, *6*(4), 400–425.

Bohman, J., & Rehg, W. (Eds.) (1997) *Deliberative democracy: Essays on reason and politics*. Cambridge, MA: MIT Press.

Boyd, K. (1999) Bringing both sides together. *Cambridge Quarterly of Healthcare Ethics*, *8*(1), 43–5.

Boyd Group. (1995). Ethical review of research involving animals: A role for institutional ethics committees. (Made available to me by Dr. Jane Smith.)

Boyd Group. (1998). The use of animals for testing cosmetics – A discussion paper from the Boyd Group. (Made available to me by Dr. Jane Smith.)

Boyd Group. (1999). Genetic engineering: Animal welfare and ethics. A discussion paper from the Boyd Group. (Made available to me by Dr. Jane Smith.)

Boyd Group. (2001). Review of the ethical review process: Comments from the Boyd Group. (Made available to me by Dr. Jane Smith.)

Boyd Group. (2002a). Boyd Group papers on the use of nonhuman primates in research and testing. (Made available to me by Dr. Jane Smith.)

Copyright © 2018, Author.
This is an open-access article distributed under the terms of the CC-BY 4.0 license

Boyd Group. (2002b). The use of animals in testing household products: A discussion paper and statement of principle. (Made available to me by Dr. Jane Smith.)

Boyd Group. (2002c). A national centre for alternatives: Comments from the Boyd Group on the House of Lords Select Committee's proposals for a centre for the three Rs. (Made available to me by Dr. Jane Smith.)

Boyd Group. (2010). Consultation on options for the transposition of European Directive 2010/63/EU on the protection of animals used for scientific purposes: Response from the Boyd Group. (Made available to me by Dr. Jane Smith.)

Boyd Group & RSPCA. (2004). Categorising the severity of scientific procedures on animals. RSPCA Research Animals Department. (made available to me by Dr. Jane Smith.)

Button, M., & Mattson, K. (1999). Deliberative democracy in practice: Challenges and prospects for civic deliberation. *Polity*, *31*(4), 609–637.

Chambers, S. (2003). Deliberative democratic theory. *Annual Review of Political Science*, *6*, 307–326.

D'Arcy, S. (2007). Deliberative democracy, direct action and animal advocacy. *Journal for Critical Animal Studies*, *5*(2), 48–63.

Davidson, S., & Elstub, S. (2014). Deliberative and participatory democracy in the UK. *British Journal of Politics and International Relations*, *16*(3), 367–385.

D'Entreves, M. (Ed.) (2002). *Democracy as public deliberation: New perspectives*. Manchester: Manchester University Press.

Donaldson, S., & Kymlicka, W. (2011). *Zoopolis: A Political theory of animal rights*. New York: Oxford University Press.

Dryzek, J. (1987). *Rational ecology: Ecology and political economy*. Oxford: Basil Blackwell.

Dryzek, J. (1990). *Discursive democracy: Politics, policy and political science*. Cambridge: Cambridge University Press.

Dryzek, J. (2000). *Deliberative democracy and beyond: Liberals, critics and contestations*. Oxford: Oxford University Press.

Dryzek, J. (2010). *Foundations and frontiers of deliberative governance*. Oxford: Oxford University Press.

Dryzek, J., & Niemeyer, S. (2006). Reconciling pluralism and consensus as political ideals. *American Journal of Political Science*, *50*(3), 634–649.

Dryzek, J., Goodin, R., Tucker, A., & Reber, B. (2009). Promethean elites encounter precautionary publics. *Science, Technology, & Human Values*, *34*(3), 263–288.

Eckersley, R. (1995). Liberal democracy and the rights of nature: The struggle for inclusion. *Environmental Politics*, *4*(4), 169–198.

Eckersley, R. (1999). The discourse ethic and the problem of representing nature. *Environmental Politics*, *8*(2), 24–49.

Eckersley, R. (2000). Deliberative democracy, ecological representation and risk: Towards a democracy of the affected. In M. Saward (Ed.), *Democratic innovation: Deliberation, representation and association* (pp. 117–132). London: Routledge.

Elster, J. (Ed.). (1998). *Deliberative democracy*. Cambridge, UK: Cambridge University Press.

Elstub, S. (2014). Mini-publics: Issues and cases. In S. Elstub & P. McLaverty (Eds.), *Deliberative democracy: Issues and cases* (pp. 166–188). Cambridge, UK: Cambridge University Press.

Elstub, S., & McLaverty, P. (Eds.). (2014). *Deliberative democracy: Issues and cases*. Edinburgh: Edinburgh University Press.

Eames, M., Burgess, J., Davies, G., Mayer, S., Staley, K., Stirling, A., & Williamson, S. (2004). Xenotransplantation and its alternatives for addressing the 'kidney gap': A case study report from the deliberative mapping project. Retrieved from http://discovery.ucl.ac.uk/98200/.

Einsiedel, E., & Ross, H. (2002). Animal spare parts? A Canadian public consultation on xenotransplantation. *Science and Engineering Ethics*, *8*(4), 579–91.

Estland, D. (1997). Beyond fairness and deliberation: The epistemic dimension of democratic authority. In J. Bohman & W. Rehg (Eds.), *Deliberative democracy: Essays on reason and politics* (pp. 173–204). Cambridge, MA: MIT Press.

Fishkin, J. (2009). *When the people speak: Deliberative democracy and public consultation*. Oxford: Oxford University Press.

Fishkin, J., & Luskin, R. (2000). Bringing deliberation to the democratic dialogue. In M. McCombs (Ed.), *A poll with human face. the national issues convention experiment in political communication* (pp. 3–38). Mahwah, NJ: Lawrence Elbaum.

Fishkin, J., & Laslett, P. (Eds.). (2003). *Debating deliberative democracy*. Oxford: Blackwell.

Freeman, S. (2000). Deliberative democracy: A sympathetic comment. *Philosophy & Public Affairs*, *29*(4), 371–418.

Copyright © 2018, Author.
This is an open-access article distributed under the terms of the CC-BY 4.0 license

Friberg-Fernos, H., & Karlsson, S. (2014). The consensus paradox: Does deliberative agreement impede rational discourse? *Political Studies*, *62*(1 supp.), 99–116.

Fung, A., & Wright, E. (2001). Deepening democracy: Innovations in empowered participatory governance. *Politics and Society*, *29*(1), 5–42.

Garner, R. (2016a). Animal rights and the deliberative turn in democratic theory. *European Journal of Political Theory*. doi: 10.1177/1474885116630937

Garner, R. (2016b). Animals and democratic theory: Beyond an anthropocentric approach. Contemporary Political Theory, *16*(4), 459–467. doi: 10.1057/s41296-016-0072-0

Gaus, G. (1997). Reason, justification, and consensus: Why democracy can't have it all. In J. Bohman & W. Rehg (Eds.), *Deliberative democracy: Essays on reason and politics* (pp. 205–242). Cambridge, MA: MIT Press.

Gerber, M., Bächtiger, A., Fiket, I., Steenbergen, M., & Steiner, J. (2014). Deliberative and non-deliberative persuasion: Mechanisms of opinion formation in EuroPolis. *European Union Politics*, *15*(3), 410–429.

Goodin, R. (2000). Deliberation within. *Philosophy & Public Affairs*, *29*(1), 81–109.

Goodin, R. (2003). *Reflective democracy*. Oxford: Oxford University Press.

Goodin, R. (2008). *Innovating democracy: Democratic theory and practice after the deliberative turn*. Oxford: Oxford University Press.

Goodin, R., & Dryzek, J. (2006). Deliberative impacts: The macro-political uptake of mini-publics. *Political Science*, *34*(2), 219–44.

Griessler, R. (2011). Xenotransplantation policy and participatory technology assessment in Switzerland. *Institute for Advanced Studies, Sociologial Series 95*, Vienna.

Griessler, E., Biegelbauer, P., & Hansen, J. (2011). Citizens' impact on knowledge-intensive policy: introduction to a special issue. *Science and Public Policy*, *38*(8), 583–88.

Griessler, E., Biegelbauer, P., Hansen, J., & Loeber, A. (2012). *Citizen participation in decision-making on complex and sensitive issues? Experiences with xenotransplantation: report of the project "Impact of Citizen Participation on Decision-Making in a Knowledge Intensive Policy Field."* Vienna: Institute for Advanced Studies. Retrieved from www.cit-part.at.

Gutmann, A., & Thompson, D. (1996). *Democracy and disagreement*. Cambridge, MA: Harvard University Press.

Gutmann, A., & Thompson, D. (2004). *Why deliberative democracy?* Princeton: Princeton University Press.

Hadley, J. (2015). Animal rights advocacy and legitimate public deliberation. *Political Studies*, *63*(3), 696–712.

Hendriks, C., Dryzek, J., & Hunold, C. (2007). Turning up the heat: Partisanship in deliberative innovation. *Political Studies*, *55*(2), 362–83.

House of Lords. (2002). Select Committee on Animals in Scientific Procedures, Oral Evidence. Retrieved from http://www.publications.parliament.uk/pa/ld/ldanimal.htm.

Humphrey, M., & Stears, M. (2006). Animal rights protest and the challenge to deliberative democracy. *Economy and Society*, *35*(3), 400–422.

Ipsos MORI. (2013). Openess in animal research: The public's views on openness and transparency in animal research. Retrieved from https://www.ipsos-mori.com/researchpublications/publications/1619/The-publics-view-on-openness-and-transparency-in-animal-research.aspx.

Johnson, J. (1998). Arguing for deliberation: Some sceptical considerations. In J. Elster (Ed.), *Deliberative democracy* (pp. 161–184). Cambridge, UK: Cambridge University Press.

Kuper, R. (1997). Deliberating waste: The Hertfordshire Citizens' Jury. *Local Environment*, *2*(2), 139–153.

Lafont, C. (2006). Is the ideal of deliberative democracy coherent? In J. Besson & J. Marti (Eds.), *Deliberative democracy and its discontents* (pp. 3–25). Aldershot: Ashgate.

Lafont, C. (2015). Deliberation, participation and democratic legitimacy: Should deliberative mini-publics shape public policy? *The Journal of Political Philosophy*, *23*(1), 40–63.

Lang, A., & Griessler, E. (2013). D*ecision-making on complex and sensitive issues – a case for citizen participation? Experiences with Xenotransplantation CIT-PART, Documentation of the Final Workshop*, 12 June 2012. Wein-Haus, Brussels.

Luskin, R., Fishkin, J., & Jowell, R. (2002). Considered opinions: Deliberative polling in Britain. *British Journal of Political Science*, *32*(3), 455–487.

Macedo, S. (Ed.). (1999). *Deliberative politics: Essays on democracy and disagreement*. Oxford: Oxford University Press.

Mackie, G. (2006). Does democratic deliberation change minds? *Politics, Philosophy and Economics*, *5*(3), 279–304.

Marti, J. (2006). The epistemic conception of deliberative democracy defended: Reasons, rightness and equal political autonomy. In J. Besson & J. Marti

Copyright © 2018, Author.
This is an open-access article distributed under the terms of the CC-BY 4.0 license

(Eds.), *Deliberative democracy and its discontents* (pp. 27–56). Aldershot: Ashgate.

Miele, M., Evans, A., & Higgin, M. (2010). *Dialogue between citizens and experts regarding farm animal welfare: Citizen juries in the UK, Norway and Italy.* (Welfare Quality Reports No. 16.) Cardiff: School of City and Regional Planning, Cardiff University.

Miele, M., Veissier, I., Evans, A., & Botreau, R. (2011). Animal welfare: Establishing a dialogue between science and society. *Animal Welfare*, *20*(1), 103–117.

Niemeyer, S. (2004). Deliberation in the wilderness: Displacing symbolic politics. *Environmental Politics*, *13*(2), 347–372.

Parkinson, J. (2006). *Deliberating in the real world*. Oxford: Oxford University Press.

Parry, L. (2016). Deliberative democracy and animals: Not such strange bedfellows. In R. Garner and S. O'Sullivan (Eds.), *The Political Turn in Animal Ethics* (pp. 137–153). London: Rowman & Littlefield.

Petts, J. (2001). Evaluating the effectiveness of deliberative processes: Waste management case studies. *Journal of Environmental Planning and Management*, *44*(2), 207–26.

Sanders, D. (2012). The effects of deliberative polling in an EU-wide experiment: Five mechanisms in search of an explanation. *British Journal of Political Science*, *42*(3), 617–640.

Saward, M. (Ed.). (2000). *Democratic innovation: Deliberation, representation and association*. London: Routledge.

Smith, G. (2003). *Deliberative democracy and the environment*. London: Routledge.

Smith, G., & Wales, C. (2000). Citizens' juries and deliberative democracy. *Political Studies*, *48*(1), 51–65.

Squires, J. (2002). Deliberation and decision making: Discontinuity in the two-track model. In M. D'Entreves (Ed.), *Democracy as public deliberation: New perspectives*. Manchester: Manchester University Press, 133–56.

Steiner, J. (2008). Concept stretching: The case of deliberation. *European Political Science*, *7*(2), 186–190.

Steiner, J., Bächtiger, A., Spörndli, M., & Steenbergen, M. (Eds.). (2004). *Deliberative politics in action: Analyzing parliamentary discourse*. Cambridge, UK: Cambridge University Press.

Sunstein, C. (2005). *Laws of Fears*. Cambridge, UK: Cambridge University Press.

Sunstein, C. (2008). The Law of Group Polarization. In J. Fishkin & P. Laslett (Eds.), *Debating deliberative democracy* (pp. 80–101). Chichester: John Wiley & Sons.

Versteeg, W., & Loeber, A. (2011.) CIT-PART: Report case study Netherlands. Amsterdam: University of Amsterdam. Retrieved from https://pure.uva.nl/ws/files/1481907/112842_CIT_PART_Deliverable_10_11.pdf.

Weale, A. (2001). Can we democratize decisions on risk and the environment? *Government and Opposition*, *36*(3): 355–78.

Copyright © 2018, Author.
This is an open-access article distributed under the terms of the CC-BY 4.0 license