

Public Engagement, Public Consultation, Innovation and the Market

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1 Introduction

Engagement of the public regarding new science and technology is almost a routine feature of the innovation cycle in Canada. Recent examples include: the Health Canada-initiated consultation on xenotransplantation¹, public engagement in self-standing GE³LS research programs or projects embedded in scientific platforms², the launch of the National Research Council's e-democracy laboratory³, and the Canadian Biotechnology Secretariat's rolling study of consumer attitudes toward biotechnology⁴. The vast majority of research into the methods, effectiveness, and merits of public engagement is conducted by, or with the assistance of, university-based researchers, the major exception being opinion polls conducted by professional pollsters. In order to fulfill the requirements of university-based research, academics collect kudos from like-minded peers by presenting their results at conferences and publishing in academic journals and books. Often the research is also deliberately or derivatively disseminated into the grey literature for use by industry and the public service. In this dissemination mode, researchers are often regarded as consultants who provide non-academic constituencies with expert advice on assessment of public attitudes toward new science and technology.

There is an air of suspicion surrounding academics' involvement in the operations of public engagement and consultation. The worry is that academics risk becoming 'guns for hire,' conducting marketing for governments under the guise of research, trading academics' reputation for integrity and disinterestedness for

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¹http://www.xeno.cpha.ca/english/index_e.htm

²<http://gels.ethics.ubc.ca/>

³http://iit-iti.nrc-cnrc.gc.ca/about-sujet/e-government-gouvernement-e_e.html

⁴The Government of Canada has established an online 'clearing house' listing current engagement activities: <http://www.consultingcanadians.gc.ca/>.

relatively small sums of money—certainly smaller sums than governments are accustomed to paying private sector consultants. Worse, it might be alleged, in whisper campaigns but not in print, that academics indirectly become skills for industry when they participate in government funded research which seeks to commercialize government sponsored science and technology. To many this would seem a very poor deal, sacrificing integrity and risking reputation for very little in return.

Here we argue that the situation is not and need not be so dire. Indeed, there may be a special, democracy-enhancing role for academics which might yield general social benefit if it were more systematically supported. We provide, in what follows, an account of the role of public engagement and consultation in innovation, and identify a role for academics which is more expansive and significant than performing market research for government and industry. We propose a sharp distinction between public engagement and consultation, the former instrumental to learning about public attitudes to science and technology innovation, the latter referring to the inclusion of the public will in governance decisions⁵. While we admit that some forms of engagement bear a greater resemblance to marketing research for government or industry, we will argue that academics' participation in engagement is not a merely a matter of service as 'guns for hire.' Our contention is that public engagement by academics is a matter of facilitating the assessment of public preferences and choices. Academics' role is expanded in public consultation when this disinterested assessment is explicitly linked with policy development and implementation. Contrary to critics' claims, we argue, what is needed in public engagement and consultation is more rather than less participation from academics who are capable of maximizing their potential for disinterestedness and integrity in research. This position will be supported by two examples: one in which the public was engaged on the issue of genetic modification of animals in agriculture and another related case concerning government regulation of genetically modified foods. We will close with a few gestures toward benchmarks for engagement and consultation involving academics.

As we begin, we should make clear that while this paper *is about* social science research, it *is not* itself a piece of social science research. Rather, its methods and approach are derived from the philosophical tradition of questioning and adjusting categories by which human activities are organized and understood. We take particular inspiration from Isaiah Berlin's insight that practical reasoning in the grips of mistaken social categories has often lead to injustice (Berlin, 1999). Our particular aim in this paper is to question whether contemporary 'degrees of participation' approaches to understanding of citizen involvement in decision making might be set aside in favour of rather simpler categories of engagement and consultation. Our argument below sets out these categories and the distinction between them, and models the positive effects of its application to situations of citizen involvement with pressing social issues in

⁵Roughly speaking, our distinction maps onto the levels of Arnstein's ladder of citizen participation in the following way: Engagement occupies levels 1-5 (manipulation to placation), and consultation occupies levels 6-8 (partnership to citizen control). See Arnstein (1969)

the context of biotechnology.

2 Distinguishing public engagement from public consultation

Success conditions for public engagement and consultation are likely best understood in light of the problem they are meant to solve: that of public disengagement. ‘Disengagement’ is sometimes used in a general sense to mark an increase in a style of public skepticism regarding authoritative claims to knowledge. ‘Disengagement’ is also used more specifically to identify a general collapse in public participation in social institutions which attempt to take practical steps to understand and influence resolution of issues of the day (the flurry of academic work in this area often takes as a touchstone [Putnam, 2000](#)). Social institutions subject to disengagement include voluntary associations such as fraternal organizations and churches, and institutional practices such as voting in elections of public officials⁶. This last indicator of disengagement has drawn the attention of elected and unelected officials throughout the democratic states of the developed world (considerable attention is being given to the OECD’s recent response to the problem in [Gramberger, 2001](#)). There is no consensus regarding the relations between changes in the way we associate with one another, and changes in political engagement; yet changes in political engagement tug at our attention in a way which changes in use of our leisure time do not. If the members of the Elks gradually diminish and the association disbands, its members may seek other outlets for fraternal society and acts of charity. By contrast, if voting for public officials collapses, there is no other outlet for citizenship which does not involve denial of the legitimacy of the state, which claims final authority over matters within its jurisdiction on the grounds of its legitimacy⁷. Successful mitigation of public disengagement from democratic practices is therefore seen as key to the enduring legitimacy of democratic states. But what mitigation measures ought to be taken?

Some civil society groups have focused on ‘get out the vote’ programs such as ‘Get Out Her Vote’ aimed at young women⁸ and ‘Rock the Vote’ aimed at young persons⁹. Some governments approach the problem via sanctions, as, for example, Australia fines eligible voters who do not vote in federal elections¹⁰.

⁶Voter turnout data documenting the decline in participation is available at the [International Institute for Democracy and Electoral Assistance \(www.idea.int\)](#).

⁷Whether states make this claim within the bounds of an explicit constitutional framework specifying limits to exercise of state authority over citizens is irrelevant to the fact that the particular constitutional arrangement must be conceived as claiming exclusive authority for its particular arrangement. See, for example, on this point, [Raz \(1980\)](#).

⁸See <http://www.getouthervote.org/>.

⁹See: <http://www.rockthevote.com/home.php>.

¹⁰See the Australian Electoral Commission websites explanation of the fine: “Voting at federal elections has been compulsory since 1924 for all citizens on the Commonwealth electoral roll. Anyone who is unable to provide a valid and sufficient reason to the Divisional Returning Officer for failure to vote at a federal election may be required to pay an admin-

Others, typically commercial organizations such as Diebold¹¹, have advocated measures such as electronic voting despite widespread reports of machine malfunction. To date these varied approaches have not succeeded in stemming the loss of participation in voting, and recent elections in Canada tend to underscore the negative trend, as an election characterized by Prime Minister Paul Martin as the “most important” (Taber, 2004) in Canadian history saw the lowest voter turnout since Confederation, together with a further drop in participation by young voters. Other approaches, arguably more sophisticated in their conception, focus on providing information to civil society groups and individual citizens, seeking to tackle disengagement at a deeper level, beyond the overt manifestation of discontent seen in low voting rates.

The foregoing raises some further conceptual difficulties which are often under-appreciated. In activities of the kind glossed above, citizen engagement and citizen consultation are often mentioned in a single breath. The Government of Canada, for example, runs the two together in the introduction to its consultation portal: “Welcome to the Consulting With Canadians site! The Government of Canada is committed to finding new and innovative ways to consult with, and engage Canadians. Consulting With Canadians provides you with single-window access to a list of consultations from selected government departments and agencies.”¹² The motivation for this blurring of ideas is easily explained. While the proponents of citizen engagement are a diverse mixture of civil society groups, governmental agencies, and elected officials, they are united in their general agreement that citizens ought to be more involved in civic life. In this unity a distinction is made (often inadvertently) between ‘we the engaged’ and ‘they the disengaged.’ This distinction demands our attention, since the identity of the members of the engaged conditions the kind of approach they can take to the problem of disengagement with some likelihood of success. More importantly, when the legitimacy of governments’ exercise of authority is at stake, governments must have the means to demonstrate accountability to citizens in decision-making affecting citizens’ autonomy. In practice, the principle of accountability demands that governments not merely ‘push’ information to gain public acquiescence, but ‘pull’ citizens’ preferences for inclusion in policy formation or implementation. Should governments mistakenly only ‘push’ while supposing they are also ‘pulling,’ their legitimacy as democratic governments is endangered to the extent that citizens’ own conceptions of their interests are not genuinely sought for inclusion in the balance of reasons regarding policy options.

As we suggested briefly above, academics address the problem of disengagement in two ways: first as analysts providing disinterested accounts of the nature

istrative penalty of \$20 (section 245).” Available at: http://www.aec.gov.au/_content/how/procedures/offences.htm.

¹¹See: <http://www.diebold.com>. Any Google search of ‘Diebold e-voting’ reveals a wealth of criticism and support for Diebold’s methods. It is remarkable that Diebold’s technology has aroused such depth of feeling from both academic and non-academic communities concerned with means to mitigation of public disengagement from the institutions of democratic decision-making

¹²<http://www.consultingcanadians.gc.ca>

and extent of the problem, and second, as participants in mitigating the effects of the problem. In this second role academics are sometimes used as consultants employed on a per-project contractual basis, thereby bolstering from a distance the ranks of depleted government and agency policy shops. The role of academics in government activities is, however, often ambiguous, and is almost certainly intentionally allowed to remain ambiguous in some government/academic collaborations. Academic involvement can be used by governments as an indication of the trustworthiness of information provided to citizens, and extended as a kind of certification of an entire exercise—from ‘tell and sell’ provision of information, to the conduct of consultation intended to inform government policies. Equally, however, governments can also use academics’ involvement as grounds for distancing government from particular information or the conduct or results of a particular exercise. Academics’ views can be readily discounted as insufficiently connected to ‘on the ground’ reality, or more simply, as views which are not representative of other citizens’ attitudes as understood by their elected representatives. In this complex mixture of institutional and professional commitments, it is very easy for governments to suppose they have done more to redress citizens’ alienation than they really have.

Here we offer what we believe is the crucial distinction between engagement and consultation, which we propose to map onto government- and civil society-driven attempts to redress democratic disengagement:

Engagement of citizens by government or civil society or other groups is the ‘push’ of information to citizens via offline or online means such as town hall meetings and issue-based websites. Some engagement exercises may involve solicitation of citizens’ views on issues related to the information provided, yet it is not necessary for engagement that any specific response be solicited.

Engagement of citizens by government departments is consistent with pursuit of the ideals of transparency and accountability in government, to the extent that accountability requires that citizens have access to the facts of the operation of government. Typical examples include government department webpages providing responses to frequently asked questions, brochures reporting department performance relative to announced goals, and information regarding government services to citizens. There are undoubted benefits to this approach to citizen disengagement, yet there are also reasons to worry that some forms of engagement may give a dangerously misleading appearance of being the kind of activity which might redress democratic disengagement in ways which enhance the autonomy of citizens. Surveys of citizens’ satisfaction with government services, for example, may be valuable as a means of improving service delivery, however there is no clear causal connection between improved government service delivery and renewal of trust in governments and decision-making apparatus. Even when citizens improve service delivery and indicate satisfaction with changes they have instigated, improved service delivery is still a matter of choice from a menu pre-set by government. The policy choice leading to a particular array of services still sits beyond the reach of citizens.

By contrast, we propose to understand public consultation in a manner explicitly connected to a conception of citizenship as an activity within a policy formation and implementation process.

Public consultation of citizens by government or civil society or other groups involves ‘push’ of information to citizens via offline or online means such as town hall meetings and issue-based websites, and ‘pull’ of preferences from citizens. It is necessary for consultation that some actual decision is to be taken, that citizens know a decision is to be taken, and that citizens’ views are solicited and the consulting organization in fact receives citizens’ views in timely fashion relative to when the decision to be taken.

The key to the practical usefulness of the distinction we urge lies in two accompanying necessary conditions for its application. First, the consulting organization must intend to incorporate citizens’ preferences into some *actual decision* to be taken with respect to some state of affairs over which the consulting organization claims authority to issue exclusionary reasons for action. Second, the consulting organisation’s claim to authority must be generally treated as *creating binding obligations*¹³. The goal of the distinction between engagement and consultation is to draw attention to a core dimension of the democratic ideal: the notion that democratic government is in the interest of the governed as they conceive of and express their interests. This is not to deny that engagement is part of any democratic government’s demonstration of respect for autonomy, since engagement *qua* provision of information is demonstrably critical to citizens’ deliberation regarding their interests and how those interests might be pursued. Yet autonomy, in its robust sense, the sense democracy aims to support via its characteristic decision-making mechanisms, includes not just information regarding one’s situation but freedom to act to change one’s situation. Another way of putting this conception of autonomy and its relation to democratic decision-making is this: consultation rather than engagement occurs when there is some autonomy-affecting decision to be taken, and in the absence of government assertion of authority to set a binding norm representing a decision, citizens would be free to choose for themselves. In this situation, at least some citizens would actually have the capacity to choose contrary to the norm chosen by government. That is, consultation exists when a decision to be taken actually makes a difference to citizens’ autonomously chosen and enacted pursuits, and the decision is taken with respect to some controllable matter. There would be little point, for example, to government consultation on the timing of the tides, since, as King Canute famously demonstrated, the timing of the tides is not a matter over which governments can exert both a claim to authority and in fact control via their decisions. In sum, then, in situations where governments cannot by their decisions control events, or can control events yet do not intend

¹³That is, reasons whose origin in the particular authority excludes other reasons from the practical deliberations of those subject to the authority in the particular matter governed by the proffered authoritative reasons. Here we depend on Joseph Raz’s account of the exclusionary force of legal norms, expressed in [Raz \(1990\)](#), especially Chapter 5 Legal Systems.

to include citizens' wishes or views in the balance of reasons included in deliberations on choice of action, governments are not entitled to claim that they have conducted consultation in the sense of democracy-enhancing 'pull' of citizens' preferences. Consultation is democracy-enhancing if and only if citizens' preferences are actually included in the balance of reasons bearing on some actual decision.

This distinction is not without difficulties, especially in application. It is, for example, notoriously difficult to discern the intentions of democratic governments composed of politically neutral public servants and elected officials subject to political pressures and changing fact patterns as they deliberate prior to taking decisions. In this situation of constantly changing personnel, political priorities, shifting mandates, and evolving fact situations, it may often be very difficult to assess whether citizens' expressed preferences were included in the body of reasons outweighed by those which grounded the decision eventually taken. Similarly, it may be difficult to ascertain whether autonomous preferences have been gathered at the right level of analysis. In some situations it appears clear that citizens ought to have been consulted on an individual basis. In other situations it seems citizens' experience of some issue is best understood as occurring principally within the experience of optional or non-optional membership in some group, e.g., stakeholders joined by common economic interests, or persons sharing gender, ethnicity, religious, or other defining and distinguishing characteristics. Further, all research which blends qualitative and quantitative methods makes a trade-off between completeness and specificity in the course of identifying research goals and selecting appropriate blends of methods. Further loss of precision may occur as the conclusions drawn out of the resulting data are filtered by interpretive frameworks which represent the investigative priorities of the researchers. In light of these difficulties, it may be tempting to suppose that the distinction between engagement and consultation founders in practical application and for that reason should be abandoned. This conclusion is unwarranted. When the difference between the appearance and reality of democratic accountability to citizens is at stake, and in turn citizens' autonomy is at stake, it is worth attempting to apply the distinction.

In a short paper we can only gesture at the plausibility of application of our distinction. Accordingly we present brief analysis of two case studies involving academic participation, each better understood in light of our distinction. From this integration of case study and distinction we will draw lessons in the form of benchmarks, and we will conclude with remarks on the special opportunity created for academics' participation in democratic consultations by these benchmarks.

3 Engagement and consultation in practice

3.1 Transgenic salmon in the food system

Aquaculture salmon are the major contributor to the 15% of seafood produced by aquaculture in Canada (Agriculture and Agrifood Canada, 2003). Canadian aquaculturists intend to take further advantage of Canada's possession of the world's largest coastline, aiming to increase production of aquaculture salmon. Yet growth of the aquaculture sector is hampered by difficulties in site selection related to the complex interaction of such factors as wind, tide, water temperature, bottom type, and accessibility for workers. As a result, sites which are commercially competitive are few in number, especially on the Atlantic Coast where salmon farming is a lucrative and socially accepted enterprise. Canadian aquaculturists might therefore be expected to welcome the arrival of transgenic Atlantic salmon, co-developed by Canadian researchers (Fletcher et al., 1999) and a commercial partner, Aqua Bounty Technologies¹⁴. This technology is designed to address the need for a cold-water tolerant, rapid-growing fish which will make Canadian aquaculture more competitive by allowing exploitation of previously marginal zones for aquaculture and promoting productivity through rapid growth rates and overall feed efficiency. While growth enhanced salmon are not yet being grown commercially, the technology is under regulatory review in Canada and the United States. The Canadian public has neither awareness of the technology nor knowledge of its potential for commercialization. Although product approval is not guaranteed, the time during which the transgenic salmon are under regulatory review provides an opportunity to engage Canadians about a product near to market.

In parallel with the regulatory approval application, though not in connection with it, Genome Canada-funded academic researchers have engaged members of the Canadian public in reflection on issues raised by this proposed introduction of novel biotechnology to Canada's food production system. An eight city (Vancouver, Kelowna, Calgary, Guelph, Toronto, Montreal, Fredericton and Saint John) study involving 1365 participants was conducted in 2002. A single research assistant collected the data to ensure consistency, and the sample was a professionally recruited stratified quota sample which reflects the Canadian population. Participants were recruited by phone and invited to join a group of approximately 30 people at a local hotel where they were given a small cash compensation for their time. The typical seating arrangement was theatre style, in which the research assistant would display the research questions on a large screen at the front of the room. Qualitative responses to open-ended questions were collected in information booklets and later transcribed and theme-analysed using Nvivo software. Quantitative responses, as well as the demographic information, were collected using wireless Resolver Ballot software which permitted automatic encoding of responses into the dataset.

This study engaged the public about two animal biotechnologies destined for the food system—transgenic growth-enhanced salmon, and the low-phosphorous

¹⁴<http://www.aquabounty.com>

excreting Enviropig (Golovan et al., 2001, see also www.uoguelph.ca/enviropig). In order to detect order bias, half of the participants were asked to begin by responding to questions about salmon, and the other participants began with question about the Enviropig. The study used a semi-deliberative model in which participants were presented with new facts about the technologies in a series of information interventions. Each of the three interventions gave participants more progressively more information about the technology. Here we focus on the transgenic salmon.

After each intervention, the prompt “please take a moment and describe everything that comes to mind when you hear the term transgenic salmon” was displayed on the screen and participants were asked to write their free-association responses in their booklets. They were then asked to rate transgenic salmon on four, 7-point attitudinal scales anchored by “bad...good”, “not interesting...interesting”, “not important...important”, and “not acceptable... acceptable”. To each of these enquiries, subjects indicated their response using the wireless hand-held units with corresponding numbers from 1 to 7 indicating levels on the scale. Afterwards, subjects indicated the likelihood that they would purchase transgenic salmon or products made from it. A seven-point scale was used, anchored by “not likely” and “very likely”.

In the course of investigating attitudes toward transgenic salmon, the study gauged participants’ responses to the idea of transgenic animals in the food system, and their free-association attitudes and intentions to purchase transgenic animal products. The study provides a base-line of knowledge about the receptiveness of Canadians to transgenic animal products which will be a useful background to compare the effects of future product introductions. Additionally, hypotheses about the effects of progressive information release and the study design itself were tested and reported in several publications (Castle et al., 2003, 2004; Castle & Finlay, 2005).

This study exemplifies our conception of democratic engagement in which information is ‘pushed to’ and responses ‘pulled from’ members of civil society on a particular issue or topic solicited by, in this case, university researchers supported by government research funds. The overall objective of the study was to find the base-line of public receptiveness to these technologies prior to their commercialization and prior to broad public awareness of them. The base-line was achieved by informing, or ‘pushing’ information about these technologies to the public, and querying newly informed people about their receptiveness to the technology. As discussed above, this work is distinguishable from marketing research simpliciter—particularly since the questions asked in this study were open-ended to prompt free association responses. No specific response to the transgenic animals was solicited, and it remained possible throughout the study that responses to the questions might not have had direct relevance or meaningful implications for the market. This information is clearly important for regulators of these products because it discloses the issues of concern to the public, and has implications for how governments might best communicate with the public about new biotechnology-derived product approvals. In this respect, this engagement exercise might have an impact on transgenic food animal policy

and regulatory frameworks, but only on the basis of subsequent decision steps about which the 1365 respondents neither have prior knowledge, nor would directly influence in virtue of their participation in this engagement exercise. It is also noteworthy that the researchers did not begin their engagement of citizens by expressing a desire to inform policy-making in any direct way, did not present research results to policy-makers in any targeted way, and instead published research results in academic journals in typical academic fashion. To put the point more forcefully, this academic research cannot be regarded as consultation because it was never intended to influence any impending decision.

3.2 Canadian Biotechnology Advisory Committee on Regulation of Genetically Modified Food

Genetically modified foods have always generated complex policy and regulatory problems for decision makers. These include environmental, agricultural, health, safety and labelling legislation, as well the approval of new products and technologies. As a result, the scope and adequacy of existing legislation must be revisited periodically to determine whether it is meeting the needs of the agri-food industry and protecting the public's interest. Public controversy about genetically modified foods, which has erupted in Europe in particular, has made governments realize that normal processes of regulatory reform are under intensifying public scrutiny.¹⁵ Governments have been on a steep learning curve to adapt to targeted public inquiry into formerly veiled processes, and an expanding array of techniques and technologies now on offer makes the process that much more complicated. Governments have also grappled with internal organizational challenges as the regulation of biotechnologies crosses vertically well-integrated regulatory silos, demanding novel governance frameworks and approaches (Lyll & Tait, 2005). Amidst these changes, the crucial difference between engaging the public and consulting the public is, perhaps understandably, often lost. No matter how one judges the outcomes of some initiatives, according to our distinction they are genuinely consultations, as we illustrate below.

The Canadian Biotechnology Advisory Committee (CBAC) was established by the Government of Canada in 1998 as an independent expert advisory committee to provide advice to the Biotechnology Ministerial Coordinating Committee and several ministries with biotechnology portfolios¹⁶. In 2001, CBAC released a 29 page consultation document, *Regulation of Genetically Modified*

¹⁵The response has been varied, ranging from almost no government-led public engagement in the case of the United States, to expensive and large-scale engagement exercises such as the United Kingdom's controversial exercise "GM Nation? The Public Debate" (<http://www.gmnation.org.uk/>). Academics and non-governmental organisations have also engaged the public, for example the EC funded Eurobarometer research program (http://europa.eu.int/comm/public_opinion/index.en.htm), and the Pew Initiative on Biotechnology (<http://pewagbiotech.org/>) in the United States. Such undertakings as these are often criticized for being no more than public temperature-taking which steers policy and regulatory reform away from the shoals of public controversy.

¹⁶<http://www.cbac-cccb.ca>

Food, as part of a country-wide consultation exercise. While principally targeted at groups with known interest in genetically modified foods, all Canadians were invited to participate in the consultation (127 of the 160 respondents were identified as consumers or general public). The consultation document provided a useful summary and introduction to the issues. Participants could submit their comments electronically or in hard copy, using either an on-line questionnaire or paper copy attached to the consultation document. In addition to the questionnaire, CBAC accepted other written, telephone or web submissions, and also conducted multi-stakeholder workshops. This information was collected in an initial report, which was open for comment for a period of six months before CBAC provided its recommendations to government in August 2002 ([Canadian Biotechnology Advisory Committee, 2004](#)).

The CBAC process is an example of public consultation which meets the criteria we set out above. First, the consultation document educated the public about the issues, bringing to light not only the issues that genetically modified foods raised, but also the potential for public comment and influence in the regulation of genetically modified foods. Second, the 20 question survey provided a structure for response, and included space for additional comments. Respondents gave free association responses to the questions without being bound to any particular way of framing the issues. In the first and second respects, then, the CBAC consultation satisfied the ‘push’ and the ‘pull’ conditions we have outlined. Third, it was made clear to the participants that their views would be taken into consideration as CBAC prepared its advice to government. Since the consultation process was clearly defined, including dates and objectives, participants would know how and when their views would have impact. Fourth, any participant in the consultation process knew that they were part of a process that was supposed to end with CBAC’s advice being given to authorities who could develop, reform, or implement genetically modified food policies.

The CBAC consultation meets the criteria for a public consultation, particularly from the standpoint of how CBAC communicated the timelines, process and expected use of participant’s input—the first of two necessary conditions we identified above for transition from mere engagement to fully-fledged consultation. Consultations, unlike public engagement exercises, must have a step in which the information collected is delivered to relevant authorities who are developing or implementing policy, and who actually intend to incorporate public input into the balance of reasons weighing for or against policy options under consideration.. The CBAC consultation meets this criterion. The Interim Report, which was publicly available, was the basis of a series of meeting between members of the Committee and key regulators in the main biotechnology agencies: Health Canada, the Canada Food Inspection Agency, Agriculture and AgriFood Canada, Department of Fisheries and Oceans Canada, and Environment Canada. The report was then finalized and delivered to then Minister of Health, Alan Rock, in 2002. During the period of the CBAC consultation there was some controversy about genetically modified foods, particularly with respect to issue of labelling genetically modified foods ([Powell, 2001](#); [Canadian Press, 2000](#)). The Genetically Engineered Food Labelling Act was introduced in the

legislature of British Columbia in 2001 ([Anonymous, 2001a](#)), and two separate Bills were introduced in the House of Commons, one by Liberal back-bencher Charles Caccia, the other by New Democrat Judy Wasylycia-Leis endorsing the mandatory labelling of genetically modified foods ([Anonymous, 2001b,c](#)). Parliament voted against the labelling of genetically modified foods on October 17, 2005 ([CBC News, October 17, 2001](#)), and referred the matter to a standing committee. The Federal Government took advantage of the fact that the Canadian General Standards Board (CGSB) was already moving in the direction of a voluntary labelling standard. The Federal government was thus able to redirect CBAC's recommendations for a voluntary labelling standard and one-stop window for information on genetically modified foods directly to the CGSB. As indirect as this use of the results of the CBAC consultation may be, it proved effective: CBAC publicly advised the CGSB ([Canadian Biotechnology Advisory Committee, March 26, 2003](#)), and CGSB released a voluntary labelling standard in 2004 ([Canadian General Standards Board, 2004](#)).

4 Conclusion: weaving the threads together

The rise of biotechnology comes at an awkward time for the developed states best positioned to benefit from it. The promise of biotechnology is accompanied by risks which are poorly understood by a public which is disinclined to participate in traditional political mechanisms used to choose social response to risk. Democratic disengagement is itself a risk, as the disengaged may have unpredictable or inconsistent responses to biotechnology innovations, slowing socially beneficial use of those innovations, or worse, allowing sporadic violence to control whether, where and when biotechnology is used. Evidently governments must work carefully and accurately to choose methods of democratic decision-making which are perceived to be legitimate, and are indeed legitimate, methods delivering accurate representations of citizens' considered preferences. We have argued for a particular understanding of the distinction between disengagement and engagement, and more importantly we have argued for a distinction between engagement as a means of understanding citizens' preferences, and consultation as a mode of government-citizen interaction required for democratic legitimacy. This distinction provides the basis for an improved view of the phenomena of multi-stakeholder discourse regarding biotechnology introductions.

With our distinction in hand, we can disambiguate the activities of academics in both engagement and consultation. On our view, academics engaged in market analysis, new market identification, and so on are properly regarded as having stepped outside any possible social duty as neutral arbiters of fact, and are indeed in some sense complicit in the business of the free market. Whether this is a good or bad thing for academics to do is a matter for negotiation under 'academic freedom' clauses of employment contracts, and perhaps a matter for general social debate when considering the nature and future of our universities and colleges. We admit that difficulties have arisen, and will continue to arise, in this unsettled territory. Academics' work in consultation should, however,

be distinguished from mere marketing work. Unlike information push and pull where the information pusher is incapable of imposing a decision, governments are capable of imposing decisions in matters where consultation is purported to have taken place. In these situations academics cannot reasonably be expected to be reliable watchdogs, for practical reasons including academics' practical ability to access and know all that government is doing, and for ethical reasons including professors' limited social role as researchers and teachers. Academics can, and perhaps should increasingly, be relied upon for their traditional virtues: their commitment to unfettered search for and expression of their best understanding of the truth about matters within their expertise. Academics' traditional capacity for political neutrality in investigation and presentation of the factual grounds of issues can be of tremendous social benefit in the context of biotechnology introductions. As advocates of education and holders of knowledge at arm's length from government in largely autonomous institutions committed to the ideal of tenure, academics do not shy away from declaring an issue to be ambiguous, or its factual grounds to be incompletely known. As our example cases demonstrated, academics carried a process without regard for party politics, and in the ebbing of political will to make use of the consultation's recommendations, enjoyed job and social security sufficient for them to accept this outcome. Unlike elected officials seeking re-election, academics' livelihoods do not depend on a sort of return on investment into a particular line of inquiry. Lines of inquiry can peter out: they needn't provide 'results' to be paraded before the electorate.

In making the case for a tri-partite division between disengagement, engagement, and consultation, we should emphasise an anticipated practical effect of greater attention to the distinction. If we conceive of citizens' relations to governments and policy-making solely in terms of disengagement and degrees of engagement, our involvement with engagement can lead to a false sense that consultation has taken place. This danger is especially acute in situations where governments and other groups seek maximum results for expenditures. In this urge to achieve value for money, there is a temptation to overstretch claims regarding the merits of an approach to citizens to the detriment of public perception of engagement and consultation when those overstretched claims break. Typically, the break occurs at the point where citizens expect a decision to be taken and find that an organization lacks capacity or mandate to enact a decision.

We close with gestures toward a set of benchmarks for adequate consultation, beyond the core distinction of consultation from engagement. Within our characterization of consultation, we should emphasise that it is crucial to ensure timely provision of consultation results to decision-making officials, to respect the time-limited nature of citizens' expression of preferences. In a similar vein, credit for consultation should only be extended if officials demonstrate how they have incorporated the results of public consultation in the balance of reasons bearing on some decision. Ideally demonstration of this sort of consideration should take the form of a widely accessible account of the results of consultation together with an indication of how those results have been incorporated into

decision-making. This account should make clear whether officials have set the information to be provided to citizens, the method of gathering responses, and the method of incorporation of those responses into the eventual decision, with particular attention to how the problem of scale has been handled when large numbers of citizens have contributed their views. The extent of academics' involvement in any of these phases of consultation should be expressed, together with the extent to which citizen input into the form of the consultation has been sought and incorporated. Each of these benchmarks is a point of reference relative to a democratic ideal of active citizenship, an ideal promoted in the face of disengagement. It may be possible within this set to identify clusters of benchmarks whose achievement marks relatively better and worse consultation. We caution again, however, against regarding these clusters of benchmarks as a *continuum* of the sort advocated by the OECD's categories of information, consultation, and public participation (Caddy, 2005). In the moral epistemology of democracy as we have characterized it, autonomy is a basic and irreducible capacity, activity, and value prized by citizens (see Raz, 1985, on the view of autonomy as simultaneously a capacity and a value of autonomous agents). We must therefore insist on a categorical distinction between informative and consultative activities to mark the key feature of democratic accountability which can only be delivered by consultation: decision-making designed to be capable of bearing the mark of citizens' own choices. By the same token, benchmarks cannot be set simply according to administrators' preferences or to capture easily measured phenomena. They must be autonomy-serving, else governments' response to critical issues such as biotechnology introductions will be little more than public relations exercises, the poorest of democracy's poor cousins.

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