



## Guide to Democratic Deliberation for Public Health Ethics Professionals

Building on the work of the Presidential Commission for the Study of Bioethical Issues (Bioethics Commission) in [\*Bioethics for Every Generation: Deliberation and Education in Health, Science, and Technology\*](#), this guide to democratic deliberation provides public health ethics committees with a condensed overview of how to conduct deliberation as a decision-making method. Adapting and building upon the process described in Appendix I of *Bioethics for Every Generation*, this guide is intended for facilitators and committee members to use in combination with cases and policy questions brought to the attention of a public health ethics committee.

### Introduction

**Democratic deliberation** is an inclusive method of decision making used to address an open policy question. It requires a diverse set of participants to consider both relevant empirical information as well as ethical and moral bases for decisions. Participants justify their arguments with reasons and treat one another with mutual respect, with the goal of reaching an actionable decision for policy or law. The method includes openness to future challenge or revision should additional information emerge.

Deliberation in the public health setting reflects an approach to collaborative decision making that embraces respectful debate of opposing views and active participation. It calls for individuals to work toward agreement whenever possible and to maintain mutual respect when it is not. It encourages participants to adopt a population perspective and work toward a mutually agreeable conclusion.

Democratic deliberation is a decision making method that works well when a group is faced with an open policy question on which reasonable disagreement exists. The method addresses the question ‘what should we do?’ especially when there are numerous reasonable options for action. Deliberation requires articulation of values and ethical considerations in addition factual and empirical evidence, including lived experience. While science tells us what we *can* do, ethics helps us decide what we *should* do.

Deliberation is different than discussion or debate. Discussion is typically used to help participants develop an understanding of a topic. Debate is typically used as a means of swaying or convincing an opponent of the rightness of one’s position. Deliberation, on the other hand, is typically used to reach an agreed-upon way forward on a challenging



topic for which there are several reasonable alternatives. Often it involves discussion (i.e., developing an understanding) but does not involve the typical winner-take-all approach often associated with debate. The aim is to reach a negotiated way forward that finds common ground and meaningful agreement.

## **Conducting Democratic Deliberation in Public Health**

### ***Before the Deliberation***

Step 1: Choose an open question and consider distinct points of view. Democratic deliberation is a method to address open policy questions at any level. An open question requires consideration of both facts and social values. Open questions should be approached from multiple perspectives. The question should have an applied component, including questions about how best to move forward and what should be done. Group reflection on what makes it an open policy question can help set the stage for deliberation.

Step 2: Allow ample time for deliberation. Deliberation is a reflective process, which requires time. In the case of an urgent situation, conduct deliberation simultaneously, and apply results as soon as possible. Consider the time-sensitive nature of the current question and how much time is available for deliberation. These considerations might determine the extent and content of background preparation before deliberation. Be sure to dedicate some of the available time for articulating recommendations or developing a concrete proposal. Build time into the session for assessment.

### ***During the Deliberation***

Step 3: Use sound and relevant information to inform the deliberation. Make established facts and perspectives available to all participants in the form of accessible background materials. Successful proposals for a way forward require developing a shared knowledge base ahead of time. This might include background readings or expert testimony to help form a common ground. If new information emerges, tie it into the deliberation. Evaluate evidence through an established and reliable mechanism before and during deliberation.

Facilitators might seek out experts and supplemental resources as necessary to tailor the deliberation to their question at hand. Deliberation processes with more allotted time can make use of the committee itself to seek out relevant background information before and during the deliberation. In addition to shared background readings for all participants, subject matter experts and individuals from affected individuals should be invited to inform particular perspectives that should be considered during the deliberations.



Step 4: Cultivate an environment that encourages participants in the deliberation to practice mutual respect and reason-giving. In preparation for deliberation, participants might discuss what behaviors do and do not constitute respect for other participants. As deliberation unfolds, participants (including invited experts and members of the public) must consider what adequate respect for differing perspectives in a democracy looks like in practice, and whether their own or others' attitudes and behavior reflect democratic ideals of inclusivity and equality. Facilitators must be prepared to facilitate deliberation, including managing disagreement when participants are unable to come to a mutually agreed-upon solution. In addition, facilitators might spot moments to assist participants in overcoming obstacles to productive deliberation. Equally important, facilitators must evaluate emerging consensus, watching for hidden assumptions, perspectives that have been overlooked, or considerations that have been prematurely dismissed. Facilitators must address their own biases, and critically reflect on the decision to interject their own views—implicit or explicit—into deliberation. The *Additional Resources* section below provides facilitators with more tips on how to foster open discussion, as well as more information on seeking out institutional and administrative support for deliberative activities.

### ***After the Deliberation***

Step 5: Develop detailed, actionable recommendations or a proposal. Recommendations or a clear proposal for action require participants to articulate areas of agreement, even if other aspects of the question remain disputed or unsettled. Participants should consider how to format and share their findings and recommendations with policymakers to ensure that the results of their deliberations are considered in the policymaking process. Participants should also be aware that deliberation is often iterative. They might identify key points in time for revisiting the proposed solution, or anticipate crucial emerging information that might suggest a need to begin deliberations anew. While recommendations or a draft proposal can provide a product that policymakers can use to draft policies, deliberation emphasizes the reflective process of decision making, not just the end product. For this reason, time should be allotted for facilitators and participants to reflect on how deliberations went, and how they might be improved. The *Additional Resources* section below provides participants and facilitators with more information about how to use reflections in assessing the deliberative process.



## **Additional Resources**

### General

Gutmann, A. and D. Thompson. (1997). Deliberating about bioethics. *Hastings Center Report*, 3, 38-41.

Blacksher, E., et al. (2012). What is public deliberation? *Hastings Center Report*, 42(2), 14-16.

Solomon, S. and J. Abelson. (2012). Why and when should we use public deliberation? *Hastings Center Report*, 42(2), 17-20.

O'Doherty, K., et al. (2012). Implementing a public deliberation forum. *Hastings Center Report*, 42(2), 20-23.

### How to Facilitate Discussion, Handle Facilitator Biases Responsibly

Parker, W.C. (2003). *Teaching Democracy: Unity and Diversity in Public Life*. New York, NY: Teachers College Press.

Brookfield, S.D. (2005). *Discussion as a Way of Teaching: Tools and Techniques for Democratic Classrooms*. Second Edition. San Francisco, CA: Jossey-Bass.

Hess, D.E., and P. McAvoy. (2015). Chapters 8 and 9: The Ethics of Framing and Selecting Issues; The Ethics of Withholding and Disclosing Political Views. In *The Political Classroom: Evidence and Ethics In Democratic Education*. New York, NY: Routledge, pp. 158-203.