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The Joint Outcomes of a 'Community Jury' Workshop in North Sulawesi, Indonesia

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Abstract

The Bunaken National Park (BNP) is a multiple-use marine national park in North Sulawesi, Indonesia. Decisions about how to balance the conservation, tourism, extractive and subsistence needs of different stakeholder groups of the BNP are challenging and often undermined by institutional failure. The main official organisation charged with managing the BNP is supported and shadowed by an NGO-facilitated multi-stakeholder collaboration that can buffer the impacts of institutional failure. One goal of this collaboration is to build decision-making capacity within the community. An evaluation process – a 'Community Jury' – was undertaken for the BNP with the primary purpose of providing a comparison to an environmental valuation exercise. This evaluation exercise yielded joint outcomes expressed through a declaration by participants to make use of community juries in future decisions about matters of public importance. The community jury process is described, and the joint outcomes of the CJ – community empowerment, the introduction of a community-level deliberative tool, and potential capacity building in decision-making – are discussed.

1. Introduction

The Bunaken National Park (BNP, or the Park) in North Sulawesi, Indonesia (Fig. 1) is a marine national park that is managed to balance the goals of the resource extractive industries, tourism operators, conservation and community non-government organisations (NGOs), and approximately 30,000 residents.

Figure 1: Map of Indonesia (Pacific Asia Travel Association 2003)

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The BNP contains over 8,000 hectares of coral reef, seagrass beds, and over 3,000 hectares of mangrove forests (Mehta 2001). There are over 25 legally protected and endangered animals in the BNP, including whales, dolphins, dugongs, turtles and coelacanths; over 58 different genera and sub-genera of coral; and approximately 2,000 species of fish (*ibid.*). This biodiversity is considered a major part of the BNP's significant conservation value. These ecosystem components sit within the greater social-ecological system of the BNP that includes: twenty-two villages, all of which are made up of smaller groupings of people based around religion, resource use, gender, family, and interest areas (for example, community development, religion or conservation); fisheries and seaweed aquaculture production industries yielding about US$3.8 million/year; subsistence-based mangrove harvesting activities that support these industries and provide fuel and materials for daily cooking and building; and over 37 tourism operations servicing approximately 20,000 visitors to the Park and creating US$4.4 million/year in tourism revenue (Erdmann and Merrill 2003).

Throughout Indonesia there is a lack of infrastructure and planning capacity (Bald and Al-Arief 2003). Most official organisations charged with managing the natural resources and national parks of Indonesia are beset by inefficiencies and some are supported and shadowed by NGO-initiated multi-stakeholder collaborations in attempts to buffer the impacts of institutional failure. For example, for the BNP there is a multi-stakeholder management advisory board, the *Dewan Pengelolaan Taman Nasional Bunaken* (DPTNB), set up and supported by international NGOs despite the existence of an official federal parks management agency, the *Balai Taman Nasional Bunaken* (BTNB), for the Park.

One of the goals of the DPTNB is to build capacity within the management and community of the BNP for making difficult decisions. This paper describes a situation whereby an evaluation process had the joint outcome of introducing community members to a community-level deliberative tool with the potential to contribute to this goal of building community capacity.

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The research on which this paper is based was funded by USAID through the World Wildlife Fund/World Wide Fund for Nature (WWF) as part of a "Green Economics" Program. The aim of the research was to demonstrate the economic valuation of non-market environmental resources and how this could be used to evaluate the trade-offs between competing uses of the natural resources of the Park. To do this, two major exercises were undertaken: first, a choice modelling exercise, being a questionnaire-based method of eliciting individuals' preferences and willingness-to-pay for a set of environmental and social outcomes in which decisions are made individually. Second, a citizen's jury exercise (renamed a "community jury" for relevance in Indonesia) was undertaken, in which members of the community came together to deliberate about a chosen issue in a small-group; decisions are made collectively.

This paper describes the community jury process, first, as an evaluation exercise, and second, as a community-level deliberative tool that empowered participants to play more active roles in decision-making about an important natural resource. Section 2 describes the theory of the citizen's jury. Section 3 documents the design and operation of the Bunaken National Park Community Jury, and section 4 documents the results of the evaluation exercise. Section 5 concludes and discusses the joint outcomes of the CJ as being community empowerment, the introduction of a community-level deliberative tool, and potential capacity building in decision-making.

2. The theory of the citizen's jury

There is a need for processes of decision-making, valuation and evaluation that can effectively include the range of disciplinary, stakeholder and institutional components that impact matters of resource planning and use (see, for example, Wilson and Howarth 2002). Alongside this sit calls for community participation and processes capable of creating flexible, transparent decision-making institutions that encourage system learning and adaptability (Crosby, Kelly *et al.* 1986; Meppem 2000). Such calls have their basis partly in notions of social equity and procedural fairness (Rawls 1971; Habermas 1984; Sen 1995). Deliberative decision-making is a technique of a broader class of evaluative frameworks that incorporate such characteristics to differing extents. One such technique is the citizen's jury.

Emerging from concurrent but independent research in Germany[1] and the United States[2], the citizen's jury (CJ) is now being used in various parts of the world as a viable framework for public participation in community-relevant decision-making. Similar to a Western-style court of law, a CJ involves a small, randomly selected group (representative of the broader public), the 'jury', coming together to 'hear evidence' from 'witnesses' on a particular issue, about which they will deliberate in order to answer a pre-specified 'charge', or question. The CJ is moderated by an impartial facilitator and meets over 2-4 days.

As a participatory technique, the citizen's jury has two main theoretical underpinnings. The theory of deliberative democracy describes the popular and

[1] Research Institute for Citizen Participation and Planning Methods, University of Wuppertal.
[2] Jefferson Center, Minneapolis.

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inclusive participation of citizens in decision-making and governance structures, with an emphasis on public discussion, reasoning and judgement (Bohman 1998, p.400). This theory stands in opposition to the notion of the passive citizen, being one who expresses their citizenship through the electoral process only (Stewart, Kendall et al. 1994).

Precedence for the use of participatory techniques can be found in the development literature (James and Blamey 1999, p.2). Again and again it has been proven that unless local communities are supportive of a project, there is a significant potential for failure in implementation (Rahnema 1992). Participatory and deliberative techniques can be best suited to situations where a decision relies on finding values that are difficult to measure, or where values as measured fail to reflect the public good, moral, ethical and symbolic values at issue (Brown, Peterson et al. 1995).

The other major theoretical underpinning of the CJ and other small-group deliberation approaches is discursive ethics, described as "a process of uncoerced and undistorted communicative interaction between individuals in open discourse" (Habermas 1990). Reasoned communication is its sole normative prerequisite, thus discursive ethics offers a procedural framework by which arguments can be resolved and principles established (Habermas 1990, in O'Hara 1996, p. 97).

Discursive ethics is about making clear and transparent and bringing to the forefront that which is usually kept in the 'black box' of decision-making – the "hidden normative assumptions, behaviours and motivations which influence de-facto decision-making and valuation processes" (O'Hara 1996, p.98) – thus it "reorganises ethics as part of reality" (*idem.*). A CJ then, through its institutionalisation of deliberation, information sharing and fair process, is procedurally rational in that it enables the exploration of meaning, interactions and uncertainty through the presentation of a range of stakeholder and expert interests and knowledge.

3. The Bunaken National Park Community Jury

The Bunaken National Park Community Jury (BNPCJ) exercise was implemented to provide a comparison to an environmental valuation technique based on individual choices, called choice modelling. The purpose of the BNPCJ was to: (1) evaluate options for the management of the BNP in a different way to the choice modelling exercise; (2) simulate and explore the structure of group deliberation in the Indonesian context through a method that required group decision-making; and (3) test the applicability and usefulness of such a method in Indonesia.

The charge was set by the researcher in the context of the Park management issues at hand and the aims of the research. It was chosen to balance complexity with specificity and clarity, the former to keep jurors interested and the latter to avoid confusion (Coote and Lenaghan 1997; James and Blamey 1999).

> *Should more resources be devoted to the conservation and cleanliness of the Bunaken National Park?*

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The general question was broken into four subsequent questions to encourage focus on practical outcomes:

- *What resources?*
- *By who?*
- *When?*
- *How should these resources be used?*

The number of jurors chosen depends on several things: (1) available funds, (2) the nature of the topic (Stewart, Kendall et al. 1994, p.22), and (3) the strategy chosen to ensure a range of opinions and demographics are represented. There will always be a trade-off between pluralism and practicality (Brown, Peterson et al. 1995, p.255). Larger groups (18-25 people) trade-off the impact of increased group dynamics and workability with a larger sample and range of interests represented. The group should, however, be small enough to create adequate opportunities for all to participate (James and Blamey 1999, p.11).

A maximum of twenty-five people was set for the BNP CJ, mainly chosen for the statistical needs of the concurrent valuation exercise. The final number attending was twenty-two. Jurors were found via advertisements run in two local newspapers. Interested parties were requested to call a member of the CJ administration team who would then ask them a few demographic and interest questions. Participants were then chosen according to: (1) ability to attend the entire workshop; (2) having no previous stake in the BNP; (3) gender; then age, religion, and occupation. These criteria were chosen to maximise the 'inclusiveness' of the group, meaning the inclusion of a range of interests, opinions and demographic and other characteristics (Smith and Wales 1999). The chosen applicants were then called back and invited to attend an introductory dinner.

Table 1 summarises some demographic characteristics for the group and for the greater population of North Sulawesi. Six jurors were self-employed, 3 unemployed, 3 were professionals, 3 were teachers/lecturers, 4 were students and 2 were government employees. One third were married, two thirds were single. Twenty-four percent were the main income earners in their household, and 76% had lived in North Sulawesi for most or all of their life.

Table 1: Demographic characteristics for jurors and North Sulawesi

	Level of education (% of total with a Bachelor degree or higher)	Males (% of total population)	Females (% of total population)	Average household income (Rp.2002)	Average age (years)
BNPCJ[a]	90	73	27	2,729,166[c]	29
North Sulawesi	[b]	51	49	[b]	[b]

[a] This data was collected for 21 jurors.
[b] No data available.
[c] Equivalent to AUD570 (as at 10th August 2002) and AUD394 (as at 7th July 2006) using http://www.oanda.com/

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It is difficult to tell whether the jury were representative and/or inclusive of the population of North Sulawesi. It is conceivable that the selection method as described above was biased towards those who: (a) are literate; (b) responded to the mention of the BNP in the advertisement; and (c) were of the type of person willing to give up their time for such an undertaking. These biases may have influenced the results as will be discussed below.

In answer to questions about their experiences and attitudes to the BNP and the environment generally, most jurors (62%) reported themselves to be slightly informed about current national park issues, and most (67%) had visited the BNP in the past. About half of all jurors didn't visit national park or natural areas for recreation, while 7 visited 1-2 times per year, 3 visited 3-5 times per year, and 1 juror visited more than 5 times per year.

One of the major requirements of the CJ is that information presented to the jury is balanced and objective and does not contain half-truths and value-laden propaganda (Brown, Peterson et al. 1995, p.257). While this is a difficult thing to achieve, it is hoped that the jury will filter out any information that appears misrepresentative of the truth and that the facilitator will help this process of sorting, albeit in an impartial manner. Prior to this measure, however, is the selection of the witnesses themselves. First, there is the need for witnesses to be balanced in presenting the range of viewpoints so that there is no bias in the presentations as a whole (Crosby 1991). Second, there is the need for the witnesses chosen to understand the purpose and process of the CJ and to be able to present their information in a straightforward and comprehensive way.

The BNPCJ called on seven witnesses. Attempts were made to cover the range of viewpoints that could be expressed about the issue. It is possible that there were two significant omissions in that there were no business or government perspectives on current and future development in the Park and adjoining areas. This was mainly due to a lack of access to and availability of such people in the time allowed for the preparation and running of the CJ. As it was, witnesses were approached and engaged from the following sources: (1) the local office of the Indonesian federal parks agency dealing with the BNP (BTNB); (2) the community of Mantehage Island (one of the islands of the BNP); (3) the community of Manado Tua Island (another island in the BNP); (4) the BNP Program of an internationally-funded NGO; (5) the scientific community; (6) the management advisory board of the BNP (DPTNB); and (7) the diving operator community of North Sulawesi.

A pre-CJ meeting was held with jurors and the facilitator to familiarise jurors with the purpose, process, and rules of conduct of the CJ, and the roles of the CJ administration team. At this meeting, jurors were asked to sign a declaration of attendance for the whole CJ, which served to minimise drop outs. At the CJ itself, proceedings began with an introduction to the project and process, followed by presentations from each witness with time set aside at the end of each presentation for jurors to ask questions.

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James and Blamey (1999, p.11) highlight the following as being essential for the running of the CJ: (a) sufficient time for the informal development of operating relationships within the group; (b) clarification of procedural issues regarding the process; (c) evaluation of the process; (d) familiarisation with the charge; (e) sufficient time for the development of jury questions regarding the charge; (f) sufficient time for the consideration of written and oral material presented by witnesses; and (g) sufficient time for the development of questions for specific witnesses. The role of the facilitator during this process is hugely important.

The process of deliberation is contingent to an extent on the charge that is presented and how the jury respond to this charge (Stewart, Kendall et al. 1994, p.35), in other words, does the process allow the jury to express the issues they believe to be important? There are decisions to be made about how to moderate the deliberative process, about how closely to follow set rules or whether to allow the process to evolve, and about how to build trust. The way the facilitator moderates this stage is crucial to the final outcome and to whether jurors feel validated in their roles as decision-makers.

The process of deliberation chosen for the BNPCJ was to break the jurors into four smaller groups, with each asked to answer the charge and four subsequent questions (see Fig. 2 below). A member of each group was asked to present their answers to the rest of the jurors, and various points of interest and contention were debated among the whole group.

Figure 2: One of the smaller groups deliberating in the Bunaken National Park Citizen's Jury (Straton 2002)

There are several different rules by which a decision can be agreed upon (Brown, Peterson et al. 1995, p.254). A majority rule, be it simple or two-thirds, asks that a specified proportion of the jury vote for a particular outcome. Unanimity requires all

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jury members to vote for a particular choice, and consensus is reached when everyone agrees, or those who do not agree on a particular outcome choose, due to their uncertainty or indifference, not to oppose it. A partial consensus asks that a specified proportion, say two-thirds or three-quarters, of the jury agree on an outcome (*idem.*).

The following statement (translated into the local dialect, Bahasa Manado) was made at the beginning of the BNP CJ:

> *You must work together as best as you can to come up with an answer to the question. The best scenario would be for you to come to an agreement, but some of you may want to express your dissent. That is ok. We will do the best that we can.*

After each of the four sub-groups had presented their answers to the whole group, a final decision based on an amalgamation of all four groups' answers, agreed upon by all participants, was compiled for endorsement. Jurors were also asked to cast a secret ballot both before and after group deliberation, answering the question of whether they thought more resources should be allocated to the conservation and cleanliness of the BNP, and then to give three main reasons for their decision. At the completion of the CJ, jurors were paid to compensate them for their transport costs.

4. Results

The first purpose of the BNPCJ was to evaluate options for the management of the BNP in a different way to the choice modelling exercise. The decision and findings of the group's deliberation are largely in favour of more resources being provided for conservation and cleanliness programs in the BNP (Fig. 3). Alongside this group finding, in the secret ballots, 21 of the 22 jurors stated that more resources should be allocated to the conservation and cleanliness of the BNP both before and after deliberation. The one juror who did not, maintained his position after group deliberation, and suggested that the current resources allocated to the BNP should be examined for how they could be used more effectively. The comparison of results with the choice modelling exercise will not be reported here.

Figure 3: Findings of the Bunaken National Park Community Jury

Question 1 – Should more resources be devoted to the conservation and cleanliness of the Bunaken National Park?
More resources should be allocated to the conservation and cleanliness of the Bunaken National Park. This should be a priority for the governments of North Sulawesi, Minahasa and Manado.

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Question 2 – Resources required

This action requires the following resources:

1) Human resources
   a) Researchers from the relevant environmental sciences (reef, fisheries, mangroves, etc.) to bring understanding of the current state of the coral reefs, mangroves and fish populations of the BNP up to date, and to inform future plans of action;
   b) Increased numbers of people to patrol the BNP;
   c) Empowering the patroli and SATPOLAIR to stop and impose sanctions on violations occurring in the BNP;
   d) Empowering and educating the local communities to be more aware of the role that they can play in the sustainability of the BNP and how that is then related to their own welfare;
   e) Educating the local communities about problems associated with excess rubbish in the ocean and on the coral reefs;
   f) Increasing the numbers of paid staff and volunteers for the DPTNB;
   g) Empowering the communities of the BNP to be more economically self-sufficient;
   h) Improving the performance of the NGOs operating to preserve the BNP; and
   i) Increasing the role and effectiveness of the government in setting up and enforcing regulations.
2) Financial resources
   a) Increased number of watching posts in the BNP;
   b) Increased facilities for the patroli;
   c) Increased services for the BNP communities;
   d) Compensation for communities who must decrease their use of certain resources;
   e) Increased and better communication capability; and
   f) Appropriate salaries for the patroli, security and BNP employees.
3) Natural resources
   a) Alternatives to mangrove wood for use as fuel, building material, etc;
   b) Artificial reefs;
   c) Decrease impacts of reclamation;
   d) Reclaim and manage erosion and sediment run-off; and
   e) Regenerate mangrove forests.
4) Infrastructure
   a) Jetties to minimise reef damage and localise it to specific areas;
   b) Roads;
   c) More patrol boats;
   d) Access to clean water;
   e) Information;
   f) Up to date database;
   g) Effective means of communication between watch posts, community and patroli; and
   h) Institutionalised feedbacks between information gathering and decision-makers.

Question 3 – Responsibility

This action is the responsibility of the following groups/organisations:

1) The central and regional governments;
2) Non-government organisations;
3) Dewan Pengelolaan Taman Nasional Bunaken
4) The private sector (those extracting value and/or resources from the BNP and private donors); and
5) The community (both of the BNP and of North Sulawesi).

Question 4 – Timeline

This action should take place from now, and resources should be used:

1) Properly;
2) Efficiently and effectively;
3) Transparently; and
4) In a timely manner.

The second and third purposes of the BNPCJ were to simulate and explore the structure of group deliberation in the Indonesian context; and test the applicability and

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usefulness of such a method in the cultural and institutional context of Indonesia's emerging democracy.

The operation of the CJ and the findings above indicate that the final results may have been confounded by a number of factors. First, biases may have resulted from the characteristics of jury members and the composition of witnesses. Second, the suggestions of the jury as to the resources required to achieve such an outcome are very similar to those being undertaken by the DPTNB. This indicates a possible bias towards the speaker from the DPTNB. Third, these potential biases and the level of consensus between jurors may indicate that the decision-making process was influenced to a degree by group dynamics and other factors such as the experience and behaviour of the facilitator, the facilities and the involvement of a non-Indonesian researcher. Anecdotal evidence from both Indonesian and foreign observers of the BNPCJ suggested that jurors were "caught up in the excitement" of being involved in such a process (R. Paat and M. Erdmann, pers. comm.). The result may also have been influenced by the prior knowledge and opinion of jurors. Despite attempts to choose against jurors having any current or prior relationship with the BNP or members of any of the organisations involved with the BNP, it appeared from casual observation that some of the jurors had previous experience in some form of political endeavour, either environmental or human rights/democracy-related.

The group dynamics that influenced the outcome could have been a result of the size and composition of the group, for example, through relations between people of the same and different age, occupation, gender and religion. The comprehension of the issues by jurors and their backgrounds, for example, involvement in grassroots movements in Sulawesi, may also have influenced dynamics. The outcomes of the deliberative process indicate that 'groupthink' may have occurred, being the emergence of modes of thinking when groups become highly insular and cohesive (Blamey, McCarthy *et al.* 2000). This is evidenced by the majority faction in favour of more resources. Groupthink can be minimised by structuring the group in a particular way, which was the intent of breaking the jury into smaller groups for parts of the deliberative process. While the detailed analysis of these processes was not the primary aim of the research, these observations signal factors to consider with the use of similar techniques in Indonesia.

At the completion of the BNPCJ, it became apparent that some of the jurors had organised the group into a coalition of sorts. Before the end of the final day, they announced their intention to promote the use of 'community juries' in North Sulawesi, and put together a declaration of intent to this effect. It appeared that the jurors may have felt empowered by their experience and saw the jury as a tool for engaging community members in matters of civic interest.

5. Discussion and conclusions

The BNPCJ revealed community preferences toward the conservation and cleanliness of the BNP, with the caveat of potential biases caused by group dynamics and the influence of witnesses. If properly constituted, and with good facilitation, the CJ can be a useful evaluation tool used to elicit the values and thoughts of community

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members about a matter of civic interest, and to structure decision-making within a small-group environment. The CJ also enabled examination of some of the features of human interaction within a community and revealed the factors that may potentially influence group decision-making in North Sulawesi.

This first-time application of a CJ in Indonesia as a newly democratising country highlighted that interactions between people in a specific cultural context are influential in the outcomes of decision-making about natural resources. These interactions will also likely be important when it comes to embedding the decision in a real-life context such that it becomes implemented policy. Will members of the community respond better to changes imposed upon them, or in which they played a role? Will policies be accepted if they involve incentives rather than restrictions? How do influences – fear or excitement, for example – pass through a community? These features and dynamics will influence a community's value system and response to change.

As a demonstration exercise, and one with little connection to formal policy-making for the BNP, the CJ had limited impact in terms of the results of the evaluation informing a decision to be made. The real effect of the BNPCJ was in the joint outcomes of the process, observed mainly through the jurors' self-organisation as a coalition for the promotion of the use of CJs in North Sulawesi, despite any legitimacy they may or may not have for undertaking such an activity. This indicated, first, that the participants felt empowered by their experience and second, that they perceived the CJ to be a useful community-level deliberative tool.

These outcomes are interesting and important in the context of Indonesian decentralisation and democratisation. Indonesia's continuing transition towards a democratic model presents challenges for natural resource management, in particular the building of necessary planning and decision-making capacity within regional governments. As discussed, international and domestic NGOs working within the country to ensure the prudent management of Indonesia's natural resources are setting up and supporting multi-stakeholder participation and governance. This makes sense because the position of such NGOs within the country can be tenuous at times and the inclusion of multiple levels of society in natural resource management aids in the dispersion of power and knowledge, albeit slowly, down to include those at community levels of decision-making.

In this context, the response of the jurors to the CJ indicated that it can potentially contribute towards the building of decision-making capacity within the community of North Sulawesi. The CJ provides a clear structure with well-defined roles to be played, and asks jurors as community representatives, rather than experts, to play the role of decision-maker. This structure and the CJ process enable participants to learn and practise listening, comprehension, questioning, discussion, negotiation and decision-making, all important skills in building decision-making capacity. Having the community as decision-makers may also change the real and perceived balance of power for at least the duration of the CJ.

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There is, however, reason to be wary about the use of CJs, particularly in situations where there is a limited connection between the CJ and actual policy-making. It is important for jurors to know what will be done with the results of their deliberation so that they feel validated in their roles and take the task seriously. If CJs, or any other community-based decision-making process, are not validated and supported by formal institutions, participants will likely become frustrated and disenfranchised.

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