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Advancing both science, democracy

By Mark B. Brown and Ramshin Daneshi -- Special To The Bee

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The controversy over implementation of Proposition 71 is not about whether stem cell research will be politicized but how it will be politicized.

Prop. 71 authorized \$3 billion over 10 years for stem cell research in California. The initiative created the California Institute for Regenerative Medicine, responsible for distributing grants to qualified researchers. The institute's administrator is an Independent Citizens Oversight Committee, which includes scientists, patient advocates, and industry and university representatives, but no public interest groups or members of the general public.

Prop. 71 was designed to counteract the politicization of science associated with federal science policy. The Bush administration had reportedly slanted the membership and distorted the recommendations of several of its scientific advisory boards. And the president's 2001 restrictions on publicly funded stem cell research have been widely criticized for sacrificing science to ideology.

Seeking to avoid such political meddling, Prop. 71 made the institute's advisory committees largely exempt from conflict-of-interest and open meetings laws. It stipulated that the initiative's provisions could not be changed by the Legislature for three years, and then only by a 70 percent vote in both houses. And Prop. 71 declared, "There is hereby established a right to conduct stem cell research." Just as the Bill of Rights protects civil and religious freedoms, Prop. 71 sought to protect science from political interference.

So far, none of these efforts to insulate science from politics has worked.

But why would they? The long history of controversy over the Bill of Rights shows that the idea of a "right" to conduct research is an inherently political idea. Two lawsuits now challenge Prop. 71, and many former supporters have publicly attacked the secretiveness and cronyism at the institute. But even if it is impossible to get the politics out of stem cell research, there are ways to avoid the sort of politicization undertaken by the Bush administration.

A constitutional amendment recently introduced by state Sens. Deborah Ortiz, D-Sacramento, and George Runner, R-Lancaster, and now in committee, offers one option. The amendment, which if passed by the

Legislature would require approval by California voters, would make the bodies created by Prop. 71 subject to open meetings and public records laws, as well as conflict-of-interest and financial disclosure requirements. These are worthy goals. They would introduce a more accountable and transparent, and hence more democratic, form of politics into stem cell research.

But transparency and accountability only go so far in making science compatible with democracy. It is much easier to open meetings to the public than to actually get ordinary citizens to attend. And requiring that decisionmakers give an account of their decisions after the fact does not allow ordinary citizens to help shape the decisions themselves.

We need a more robust kind of democratic politics in California's stem cell research. A number of models show how to get it. The Council of Public Representatives at the National Institutes of Health offers one possibility. Selected to represent diverse constituencies, the Council advises the NIH director on public needs and values and on how to increase public participation in NIH programs and policymaking. It seeks both to speak for various stakeholder groups and to develop ways for members of those groups to speak for themselves.

A more ambitious proposal would be to establish a series of "citizen panels" to advise the institute. Sponsored by several European legislatures and civic organizations in the United States, citizen panels consist of a group of 15-25 randomly selected lay citizens who meet for several days to learn about and prepare recommendations on a complex issue.

Like a legal jury, random selection does not make the panel "representative" of the population, but it does help prevent self-interested bargaining and ideological posturing among participants. By involving lay citizens in establishing priorities and guidelines for scientific research, citizen panels aim to give people a say in how their tax dollars are spent, foster public discussion of both science and government, and stimulate additional forms of public participation. Citizen panels could provide a unique perspective on institute procedures and decisions, promoting both public scrutiny and public understanding of its work.

If we created such opportunities for public involvement, it would make the California politics of stem cell research less partisan than the Bush administration's and more participatory than the Ortiz-Runner amendment. We could advance both science and democracy in California.

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