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Deliberation Day

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DELIBERATION Day—a new national holiday. It will be held one week before major national elections. Registered voters will be called together in neighborhood meeting places, in small groups of 15, and larger groups of 500, to discuss the central issues raised by the campaign. Each deliberator will be paid \$150 for the day's work of citizenship, on condition that he or she shows up at the polls the next week. All other work, except the most essential, will be prohibited by law.

Details follow.

I. VOTING

A. CIVIC PRIVATISM

Our present voting ritual is little more than a century old. There was a time when citizens cast their ballots in public, and no less a thinker than John Stuart Mill wanted to keep it that way.¹ The secret ballot, he predicted, would encourage voters to look upon the ballot as if it were just another commodity for private gratification. Rather than standing up in public to declare which candidate was best for the country, the secret balloter would merely choose the politician who most pandered to his private interest. Citizens would choose on the basis of “interest, pleasure or caprice.”² These escalating appeals to conflicting private interests slowly erode the very idea that citizens should be trying to regulate fractional interests on behalf of the common good.

Mill's insight was that the very process of public discussion would encourage sensitivity to the public interest. The secret ballot, however admirable on other grounds, sacrificed something important—a social context (public voting) that encouraged public discussion on the part of every voter. We propose to consider

¹See John Stuart Mill, *Considerations on Representative Government* (New York: Prometheus, 1991), ch. 10.

²*Ibid.*, p. 207.

whether it might be possible to recreate such a social context for most voters while also maintaining the benefits of the secret ballot.

These Millian anxieties were pushed aside in the nineteenth century—but not because they were bogus. They were instead outweighed by a competing aspect of the democratic ideal—the egalitarian demand for a revolutionary expansion of the franchise. Public balloting might be tolerable in a political world which imposed restrictive property requirements. If the only voters were substantial property owners, they might have sufficient economic independence to state their sincere opinions about the public good on election day, without fearing reprisals afterwards. But as the franchise widened, public voting took on a different appearance. It began to look like a trick by which the rich might retain effective electoral power at the same time as they formally conceded the right to vote to the unwashed. If the poor could only vote in public, they could not afford to deviate from the political opinions of their economic masters. It was, in fact, John Stuart Mill's father, the philosopher James Mill, who powerfully articulated the concern that without a secret ballot, the people who vote would only “go through the formalities, the mummery of voting, while the whole power of choosing, should be really possessed by other parties.”³ As the debate between father and son dramatized, there was a deep functional connection between the expansion of the franchise and the rise of the secret ballot.

This link remains today, and so the case for the secret ballot remains intact. Nevertheless, the younger Mill has proved a prescient prophet—his anxieties have become our realities. Privatism has eroded central ideals of democratic citizenship, and in ways that are ultimately incompatible with the satisfactory operation of a democratic government. Good government does not require a hyperactive citizenry, but neither can it thrive in a narrowly privatistic world.

Worse yet, the Invisible Hand does not seem to be guiding Western democracies to a promising future. Despite our present infatuation with the Internet, the rising forces of technology threaten to make the consequences of civic privatism worse, not better. We have a public dialogue that is ever more efficiently segmented in its audiences and morselized in its sound bites. We have an ever more tabloid news agenda dulling the sensitivities of an increasingly inattentive citizenry. And we have many mechanisms of feedback from the public, from viewer call-ins to self-selected Internet polls that emphasize intense constituencies, unrepresentative of the public at large. If we are to preserve and deepen our democratic life, we must take the future into our own hands. We must create institutions that sustain citizen engagement in a shared public dialogue.

This is an essay in utopian realism. As to realism: We hope to persuade you that the formidable difficulties involved in organizing Deliberation Day are

³James Mill, *Political Writings*, ed. Terence Ball (Cambridge: Cambridge University Press, 1992), p. 227.

manageable, and well worth the distinctive contribution the new holiday makes to our democratic life. In making the case, we emphasize the problems, as well as solutions, and refuse to claim too much for our innovation. Even if successful, it would constrain, but not eliminate, the dangers posed by civic privatism.

As to utopianism: We hardly wish to deny the existence of political obstacles to our proposal. As the sorry story of campaign finance reform teaches, these roadblocks will be substantial. Nonetheless, they should not be allowed to deflect us from another, and deeper, problem. Though liberal ideals of democracy are currently ascendant, triumphalism has provoked self-congratulation, not political imagination. Westerners have been content to offer up present practice as if it were an adequate model for the world.

This is a serious mistake. Liberal democracy is a relative newcomer on the world historical stage—very much a work in progress, rather than a stable institutional arrangement, even in those few countries with established traditions. Short-term roadblocks should not prevent vigorous exploration of the horizon of realistic possibilities. If we convince you that Deliberation Day is a good idea, it will be time enough to consider the political challenges involved in its realization.

B. RENEWING CITIZENSHIP

There is a contradiction at the heart of modern democratic practice. On the one hand, we expect our elected governors to take the basic interests of *all* citizens into account, and not only the narrow interests of the majority that voted them into office. On the other hand, we do not expect voters to take the obligations of citizenship seriously. They can be as uninformed and self-interested as they like, and nobody will blame them as they enter the polling booth. To the contrary, political participation has so declined (and not only in America) that voters bask in the faint glow of community approval if they merely take the trouble to go to the polls—regardless of how ignorant or selfish they may be in casting their ballots in the privacy of the ballot box. The problem this raises is obvious enough: Why should the government consider the interests of all citizens if voters are uninformed and selfish?

This is not a new question. Since the days of Madison, we have been struggling with the problem—and there is no reason to think it will ever be solved definitively. Nevertheless, changing conditions change the terms in which the problem is expressed, and the institutional modes through which it may be ameliorated, if not resolved.

Madison famously focused on the capacities of political elites to filter out the most irrational and self-interested aspects of public opinion, and provide more enlightened judgments than the general public. One of the great aims of the Federalist Papers was the design of a constitutional framework that would subtly reward political elites for filtering, rather than mirroring, the more egregious forms of ignorant and selfish factionalism. By no means do we wish to dismiss the

continuing importance of this enterprise. Nonetheless, several forces have conspired to undermine elite tendencies to resist the temptation to pander to the most ignorant and selfish motivations of their constituents.

The first force is the modern science of public opinion. However much earlier politicians might have wished to exploit the ignorance and selfishness of their constituents, they labored under certain technical disadvantages. To be sure, they might read newspapers, talk to cronies, attend countless community functions, weigh letters from constituents and even canvass opinion informally through local political organizations. But without scientific random sampling and the modern art of survey design, they had a hard time getting an accurate picture of public opinion. They had a hard time penetrating into the hearts and minds of ordinary Americans to learn *precisely* which combinations of myth and greed might work to generate support from key voting groups. In the absence of good data, even the most cynical politicians sometimes were obliged to consider the good of the country.

But over the last decades, this uncertainty has been dissolved by modern public opinion research. The entire point of polling and “focus group” research in campaigns is to discover the popular appeal of different combinations of myth and greed that will effectively motivate voters in an exceedingly fine-grained fashion. Politicians formulate appeals from focus groups and “pre-test” their positions with pollsters, constantly modifying them to increase their appeal to marginal voting groups. Within this high-tech environment, the Madisonian idea that a legislator has a high responsibility to filter out ignorant and selfish impulses seems hopelessly old-fashioned. The aim is to spin a message that will snare a majority.

Especially given a second major transformation—the scientific marketing of candidates by sound bite specialists. Sloganeering and flag-waving have been important in American politics for centuries. Nevertheless, contemporary developments represent a great leap forward into a brave new world. Candidates really are being sold like commodities nowadays. Commercial norms have completely colonized the norms for political “advertisements.” Techniques for selling a Lexus or a Marlboro are simply carried over when selling the President. The idea that principles of deliberative democracy might require, for example, that no “advertisement” last for less than five minutes would be dismissed out-of-hand by the highly paid consultants who take their cue from Madison Avenue (of all places). The search is on for eight-second sound bites that hit “hot-button” issues discovered through focus group research.

Matters are made even worse by the failure of campaign finance reform. The new techniques cost lots of money. Given the current financial imbalance, the invisible hand of the political marketplace is leading us to the plutocratic management of democratic forms. But the basic problem would not go away even if we managed to equalize the financial playing field. At best, this would lead

to the redistribution of effective sound bites, not the creation of a deliberative democracy.

We do not wish to paint too dark a picture. The Madisonian project is by no means obsolete. In other work, we have both sought to describe how old institutions have adapted themselves to filter out the worst of public opinion, and how new ones might be designed that might subtly reward elite politicians for engaging in an updated version of the Madisonian enterprise.

This essay takes a different tack. Rather than improving the filtering capacities of elite politicians, we propose to improve the character of public opinion itself.

1. *Rational Ignorance*

But does public opinion need improving? Perhaps the public is already well informed. Or, if not, perhaps it would not make much difference if it were.

First things first: if six decades of modern public opinion research establish anything, it is that the public's most basic political knowledge is appalling by any normative standard.⁴ One explanation is that the opinions which conventional polls give us are often the product of what Anthony Downs famously termed "rational ignorance."⁵ For most complex policy questions, it may be fairly time consuming for me to form an opinion or become well informed. Yet I can be fairly confident that my individual vote or my individual opinion is unlikely to make much difference. Hence the calculation that it may be "rational" for me to remain ignorant, as there are many more pressing demands on my time for activities in which I can actually make a difference.

We do not mean to endorse the cynical conception of "instrumental rationality" that often motivates the expositors of the theory of "rational ignorance." To the contrary, we think that most residents of Western democracies recognize that they have a responsibility as citizens to take the public good seriously. Nonetheless, the political economists are on the right track in explaining why Westerners do such a terrible job fulfilling these responsibilities. If, as they suggest, ignorance is instrumentally rational, there is only one way of getting at the root of our present predicament—and *that is to change incentives*. In saying this, we do not mean merely to point to the fact that deliberators will be paid \$150 for their efforts—though this is not unimportant. If Deliberation Day gets off the ground, it will generate a host of other incentives of even greater importance—or so, at least, we shall argue.

2. *Deliberative Polling*

For a number of years, one of us has been engaged in a research program called Deliberative Polling that explores what public opinion would be like if the public

⁴For a good overview see Michael Delli Carpini and Scott Keeter *What Americans Know About Politics and Why it Matters* (New Haven, Conn.: Yale University Press, 1996).

⁵Anthony Downs, *An Economic Theory of Democracy* (New York: Free Press, 1957).

were effectively motivated to behave a bit more like ideal citizens. A random sample is first given a survey of the conventional sort. Then, it is invited to come to a single place, at the expense of the project, to engage in a weekend of small group discussions and larger plenary sessions in which it is given extensive opportunities to get good information, exchange competing points of view and come to a considered judgment. At the end of the weekend, it is given the same questionnaire as on first contact. The resulting changes of opinion are often dramatic. They offer a glimpse of democratic possibilities—the views people would have if they were effectively motivated to pay attention and get good information and discuss the issues together. The Deliberative Poll puts scientific random samples in a situation where they have incentives, in effect, to overcome rational ignorance.⁶

Individual respondents in a Deliberative Poll find themselves randomly assigned to small groups where they have one voice in fifteen or so, rather than one voice in millions. They are thrust into a context of mutual discussion where they offer reasons and hear the reasons of others. Instead of anonymous votes lost among millions, they have real voices in a small group. In addition, they vote, in effect by secret ballot so that we can study the changes in opinion at the individual level without worrying about the social pressures of a false consensus. In effect, we have the best of both worlds in the debate between J. S. Mill and his father about the secret ballot. We have a social context encouraging small group, face-to-face discussion, so that people offer and respond to reasons. But in the end, we insulate people from social pressure at the moment of decision. These are aspects of the Deliberative Poll that we shall attempt to preserve when we come to the design of Deliberation Day.

Deliberative Polls give us our best glimpse into what a more informed and engaged electorate would like. It is dramatically different in policy attitudes and in voting intention. But the Deliberative Polls achieve this only for a representative sample. They can have a recommending force for policymakers interested in what the public would have to say if it were better informed. And they can have a modest effect on public opinion through broadcasts and print coverage. But pause for a moment to imagine the powerful effects of a better informed public opinion if it were actually shared throughout the society.

C. THE LEVERAGING STRATEGY

Deliberative Polls offer a counterfactual picture of informed and engaged public opinion. Deliberation Day begins to approximate the realization of such a public opinion for the entire society. Not only would the countless holiday conversations change millions of minds; they would change the nature of the

⁶For an overview of Deliberative Polling, see James S. Fishkin, *The Voice of the People*, expanded edn (New Haven, Conn.: Yale University Press, 1997).

larger political environment. Follow the implications of this quasi-utopian thought experiment. In plotting their campaign strategies and advertising, politicians and their consultants would use Deliberation Day as a fundamental reference point. They would no longer automatically suppose that candidates were best sold in eight-second sound bites. Throughout the campaign, their eyes would be fixed firmly on the fact that their messages would be subjected to a day-long dissection—and that millions of votes might swing as a result.

At the very least, this should change the way candidates package their message. There will still be ten-second spots, but they will compete for scarce dollars on different terms than they do today: Will a five- or ten-minute “infomercial” better survive the rigors of Deliberation Day? As the Day comes closer, the commercials will grow longer, and more discursive—not out of a sudden burst of civic virtue, but from a sober calculation of political self-interest, given anticipation of the increased level of information and attention that can be expected from the audience.

This prospect provides the basis of a *leveraging strategy*: By placing Deliberation Day near the end of the campaign, we hope to reshape everything that goes before. Indeed, if we are successful in enhancing the quality of the *ex ante* debate, our intervention might have the paradoxical effect of diminishing the impact of the conversations that take place on Deliberation Day itself. Since more voters will have better information coming into the Day, perhaps fewer of them will find themselves changing their minds on the basis of face-to-face discussions.

But, of course, such an outcome would be a marker of Deliberation Day’s success, not failure. It would suggest that, by inserting a formal moment for collective deliberation into the larger process, the community had managed to leverage its entire political conversation onto a higher plane.

II. INSTITUTIONS

A. THE DAY

Imagine Deliberation Day more concretely. Our thought-experiment divides the Day into four deliberative segments. After arriving at neighborhood schools and community centers between 8 and 9 a.m., deliberators will go to randomly assigned groups of 15 for the first event—at which they sit together to watch a live television debate on the leading issues between the principal national candidates.

The organization of this National Issues Debate obviously requires a good deal of thought. We think that the formal process should start two weeks before the main event, with the Debate organizers asking each major candidate to answer one simple question: What are the two most important issues presently confronting the nation?

Within a two-party framework, this query will generate two to four themes that will inevitably serve to structure a good deal of the conversational run-up to Deliberation Day—the candidates' Big Themes will drive lots of talk around the dinner table and on the Internet, amongst the pundits and in the newspapers. They will also be the target of a great deal of campaign money. We expect competing "informercials" devoted to rival presentations of the central facts and values, capped perhaps by a national address from each of the candidates the night before the Day is to begin.

The parties will also be invited to spell out their basic positions on the selected issues in a briefing document suitable for the mass public. Each party will be offered space of a given number of words and both (or all three) positions will receive mass distribution in a single convenient document to serve as an initial basis for discussion. This document will also be put on line and made available to the press. While the experience with referendum briefing documents has not been a happy one, citizens preparing to vote in a referendum by secret ballot have little incentive for discussion. However, we believe that citizens anticipating a discussion with diverse groups of fellow citizens will have far more interest in digesting a briefing document. Or, at least, that has certainly been the experience of the Deliberative Polls. In addition, if there are any misleading or inaccurate aspects of the briefing positions provided by one party or another, we can expect those aspects to receive exhaustive dissection by the media in the build-up to the event. Of course, some citizens may not actually read the document or feel comfortable in doing so. But they will have plenty of opportunities to pick up the same facts and arguments in the discussions that follow with fellow citizens who will have read it in preparation for the Day.

In the first phase of the actual Day's proceedings, the candidates will have to rely on their own resources, rather than on their teams of consultants and spin doctors. The format of this first phase will be a familiar one. The first hour of the show will be divided into two to four issue segments. Rather than presenting set speeches, the candidates will be confronted by three of the nation's top journalists—who will try to raise questions to each candidate based on their study of the rival issue presentations during the two-week run-up. The candidates will then be given an opportunity, during the last 15 minutes, to elaborate on any of their earlier answers, and address any themes left unresolved by the earlier Q and A.

The TV show ends at 10.15 in the morning: "And now it is your turn, fellow Americans, to take up the debate. But first, let's all take a fifteen-minute coffee break, during which small group members can introduce themselves to those they haven't had a chance to meet before the National Issues Debate began."

Phase two begins at 10:30 with the small group's first order of business: the deliberators must select a foreman, by majority vote, before they proceed to their main task—which is to prepare their contribution for the large group meeting of 500 that will take place after lunch. During this afternoon session, local

representatives of the rival parties will appear before the group and try to answer any questions raised about their parties' television presentations. What, then, should they be asked?

The morning session consists of a roundtable discussion on this issue by the fifteen deliberators. Though nobody is obliged to talk, each deliberator will be guaranteed five minutes of floor time. While the foreman serves as moderator, each participant will be provided with a little timer to keep track of her own unelapsed time. Whenever a deliberator talks, she will turn the timer on and off at the beginning and end of her remarks. The foreman cannot call on anybody who has exhausted her initial five-minute allotment if anybody with free time wishes to speak.

During the 75-minute roundtable, each deliberator is trying to formulate a single question that he thinks should be considered by the large group session in the afternoon. At the end of the conversation, the foreman collects each of the questions, and reads them aloud one last time. After each question is read, group members vote Yes or No on their secret ballots. The foreman then counts the ballots in public and declares which three questions have gained the largest Yes vote. (Ties will be resolved by lot.)

By this point, it will be about 12.15—lunch time! But man does not live by bread alone: we expect the school cafeteria, or other such place, to serve as a site for much informal networking and conversation amongst the members of the large group of 500, collecting here for the first time.

For present purposes, we are more interested in describing events that will be going on behind the scenes. Each large group will have its moderator—perhaps a local judge, perhaps a member of a civic group like the League of Women Voters. She will soon be in proud possession of the question lists submitted by each small group foreman. Since there are about thirty-five small groups, her master list will contain about 100 questions in all—far too many for the afternoon session. During lunch-time, she will be charged with the task of selecting fifteen of these questions by lot to serve as the basis of the afternoon's discussion.

But not before she engages in a preliminary sorting operation. Many lists will contain similar questions, and the large group runs a serious risk of a very boring session if the random selection happens to generate a bunch of virtually identical queries. As a consequence, the moderator must first make a common sense sorting judgment—grouping similar questions in a single category. If any of the questions in a particular category are drawn from the hat, she will ignore others from the same category that emerge later on in process of random selection. This way it will be much more likely that the large group will hear answers to 15 questions that represent most of the themes developed in their morning's discussions.

The moderator will be working out her list of questions in the presence of the local party representatives who will be answering them in the afternoon. While they may observe her in action, she does not have to ask their advice when making her preliminary editorial judgments. Time is of the essence—the key

thing is to have a decent list of questions ready for the meeting, and to provide the party representatives with as much notice as possible. If the party reps have any serious complaints about the moderator's fairness, they will have a chance to try to bar her from future Deliberation Days. But they are stuck with her for the present.

The large group meeting will begin at 2 p.m., with the moderator welcoming the two (or three) local party representatives to Deliberation Day. The bulk of the session will, of course, consist of a Q and A—with each representative having about two minutes to answer. But after running the gamut of the fifteen questions, each representative should be given a five-minute opportunity to sum up or raise matters that have been omitted from the list. We reckon that this session will run for about one hour and 45 minutes.

Which brings us to the fourth phase—at 4 o'clock, the deliberators have returned to the scene of their morning discussions for a final meeting in their small groups. They follow the same five-minute protocol, but this time, they are invited by the foreman to share their reactions to the responses by the party representatives at the large group meeting.

Like its morning predecessor, this afternoon roundtable will last 75 minutes. But this time, no votes will be taken, and the foreman will make no effort to draw any substantive conclusions. Group members will simply call it a Day, and bid each other farewell.

B. AN ASSESSMENT

Everything about this four-phase protocol is up for grabs, but it does provide a more concrete sense of what can, and cannot, be expected from Deliberation Day. We organize an initial assessment in terms of four values: information, dialogue, deliberation, and community.

1. *Information*

The world is full of books and commentaries. The problem is to motivate people to search them out. How will the advent of Deliberation Day affect this process?

Begin with the substantial number—to be generous, let us say one-fifth of Americans—who look upon national politics as (at least) a serious spectator sport, and follow the national news on a regular basis. So far as they are concerned, the run-up to Deliberation Day will largely have a *focusing* effect. By targeting two to four issues for special concern, the national candidates will channel the flow of information in the news media in particular directions—encouraging their regular readers to deepen their acquaintance with the “critical issues” in a way that will encourage more knowledgeable exchange on the Day itself.

The impact on the two political parties will be more profound. As everyone recognizes, the media revolution has shifted campaign resources from the

periphery to the center, from locally rooted opinion leaders to media merchants. Deliberation Day will generate a shift back, as some simple political mathematics will suggest.

Assume, for example, that the first Deliberation Day is received rather skeptically by many Americans, and manages to attract “only” half of the current electorate. Since approximately 100 million voters have been recently participating in presidential elections, this still adds up to 50 million deliberators attending 100,000 “large group sessions” in their local communities. Each and every one of them will require the active engagement of a party spokesman, prepared to respond to a broad range of questions in an informed way.

One hundred thousand well-informed spokespersons on each side! At first the number may seem staggering, but the human resources already exist in both major parties. They simply remain untapped by the present system. Consider, for example, that there are about 93,000 elected office-holders on local, state and national levels. Almost all of them will find it in their interest to appear before a “large group” on Deliberation Day—as will hundreds of thousands who have office-holding ambitions in the future, together with millions who might think it would be fun to engage in a debate for a day. Add to that the hundreds of thousands of active participants in one or another group with links to the major parties—from union to religious activists. Rather than suffering from scarcity, each party will have a problem discouraging aspirants and selecting spokespersons who will appeal to a cross-section.

But the mobilization and selection of party spokespersons will not be enough. Each national campaign will have new incentives to engage in some serious short-term political education. During the run-up to Deliberation Day, both parties will not only be preparing briefing books for their spokespersons, but will be holding day and evening workshops throughout the land. This is the only way they can expect to field a team of local opinion leaders who are adequate to the challenges of Deliberation Day. If one side or the other fails to make the most of its human resources, they may pay a steep price in the voting booth.

This new effort to recruit informed opinion leaders will have ramifying effects in each local community—opinion leaders, by definition, talk to lots of people, and they will naturally be talking about the themes discussed at the workshops as they prepare themselves for their debate on Deliberation Day. What is more, other local groups may well begin their own campaigns to shape the course of local deliberation. Consider, for example, the likely response of the environmental movement or the right-to-life movement upon learning that the national campaigns have failed to list environmental protection or abortion as one of their National Issues. Rather than meekly accepting this decision from on high, such movements may well urge their members to use their five minutes to urge the broadening of the agenda—and if they encounter like-minded people in their small group, perhaps their proposed questions will win the support necessary to gain serious consideration at the large sessions in the afternoon.

Deliberation Day is a two-way street—while the National Issues Debate gives the national campaigns a great deal of power to set the agenda, they do not deserve a monopoly. If insurgent movements can convince enough of their fellow citizens to place their questions in the “top three” selected by small groups, more power to them. Anticipating these reactions, party workshops will undoubtedly devote some time to considering appropriate responses to likely “community issues” as well as “national issues.” No less importantly, the local agitation by ideological movements will increase the anticipatory stir surrounding Deliberation Day, and encourage more indifferent citizens to start paying some attention: What’s all this ruckus about anyway?

The level of general interest will be further enhanced by another powerful effect. Those planning to attend Deliberation Day will not want to appear foolish before their peers. Their anxieties on this score will prompt many of them to spend more time than usual on the escalating public conversation. Of course, deliberators will be perfectly free to remain silent throughout the small group sessions; but if they expect to use their five minutes to advantage, many of them will prepare in advance. Even if they are uncertain how they will participate, they are likely to become more sensitive to the media, and to discuss issues with friends and family, knowing that a given topic will be on the agenda for Deliberation Day. This pattern has been confirmed over and over in the Deliberative Polls. Of course, in Deliberative Polls, the events were televised, which may have increased the interest in preparation. Nevertheless, we can imagine that knowing one will be in a discussion before randomly chosen strangers should be enough to stimulate learning in anticipation of the event. This effect is well known in focus groups if respondents know the topic in advance, and hence might certainly be expected for an event with national visibility.

Indeed, this “anticipation effect” suggests the possibility of a “virtuous cycle” developing over time. Each Deliberation Day may build on the habits acquired by past citizen engagements—leading to a broadening of the informational base over time.

We do not mean to exaggerate. Many may respond to the risk of looking foolish on Deliberation Day by boycotting the entire event. The payment of \$150 will not be nearly enough to compensate them for the anxiety they feel at the prospect of speaking in a small group—or even remaining silent, and thereby seeming to be an “idiot with nothing to say.”

Nevertheless, we believe that Deliberation Day will operate as a “self-fulfilling prophecy”—calling into existence the relatively informed citizenry that its successful operation presupposes.

2. *Dialogue*

Information will, of course, be further enhanced by the dialogue occurring on the Day itself—both in the formal small and large group sessions, and in the informal discussions at lunch and odd moments.

There is more to dialogue than information exchange. The small groups will be the site of face-to-face encounters which will expand the range of each participant's relevant experience and moral reflection. Being in a room with randomly assigned fellow citizens can stimulate understanding across social cleavages. Most of us, when we do talk about politics or policy, talk to people like ourselves. We rarely spend the time to focus on people from other social locations with very different problems. As the media move to more and more narrow-casting, the tendency for people to share viewpoints with those they already agree with will be further enhanced.

When we have serious discussions with people from very different social locations, the effects on policy attitudes can be dramatic. At the National Issues Convention, the Deliberative Poll held prior to the 1996 primary season, an eighty-four-year-old white conservative found himself in a small group discussion of welfare policy with an African-American woman who was, herself, on welfare. At the beginning of the discussion he interjected that she "did not have a family" since a family meant a mother and a father and children in the same household. By the end of the weekend, he came up to her and asked "what are the three most important words in the English language? They are "I was wrong." After spending hours in small group discussion with her, he came to appreciate her beyond an impression of sound bites and headlines.

But, as with all good things, there is also a downside to dialogue. Since there will be millions and millions of small group meetings, there will be thousands and thousands of small-group breakdowns—with passions riding high, meetings will degenerate into shouting matches or brawls, making a mockery of all pretensions to civil deliberation. There can be no hope of eliminating these breakdowns entirely. The question is whether they can be reduced to tolerable limits—to the point where they do not discredit the entire process, discouraging most people from attending Deliberation Days run riot.

The challenge is to create a format for the small groups which reduces the number of predictable petty disputes. By presenting a five-minute timer to each deliberator, we make it plain that the foreman cannot exclude him from the discussion while his favorites blab on interminably. At the very worst, the foreman may call his favorites first, and allow others to intervene later on in the 75-minute discussions. But after all, this may prove a very doubtful advantage—speakers ignored early may find that a later position in the conversation will allow them to rebut persuasively some of the arguments made earlier on.

Similarly, the Rules of Order should forbid the foreman from ruling any speaker out of order on the ground that his or her contribution is irrelevant to the conversation. In particular, the foreman cannot require speakers to address the National Issues considered in the televised debate that introduces the

proceedings. If a citizen believes that other questions are more important, he has the inalienable right to use his five minutes to persuade his fellows to challenge the agenda set by the national campaigns. Though his audience may find his five-minute ramble tedious or offensive, the rules of order should guarantee him an unconditional right to proceed. After all, five minutes is not such a very long time. Even when the speaker is insulting or obscene, the Rules should urge group members simply to ignore inflammatory remarks, rather than dignify them by a further reply.

Undoubtedly, the group will find it very difficult to restrain its anger at times. Nonetheless, an effort to silence a speaker virtually guarantees an escalation of the conflict, making it almost impossible for the group to return to civil discourse within the short space of a 75-minute conversation. The clear guarantee of an absolute right, and an unconditional obligation of civility on group members, provides the best promise of both civil peace and broad-ranging discussion.

At the same time, it serves to reduce another potential source of conflict—the temptation by some foremen to abuse their momentary power and play the petty tyrant. Once the rules disable the foremen from denying the floor to any participant or suppressing the participant on grounds of irrelevancy, how else might they abuse their power in ways that might provoke a mini-rebellion from the other members of the group?

This is not a rhetorical question—undoubtedly, some foremen will invent new ways of disrupting the conversation or they will simply violate the clear rules limiting their authority. Similarly, civility will sometimes break down as group members react in outrage to one or another conversational provocation. What happens next?

The rules of order should provide an extraordinary mechanism through which a supermajority of members can quickly exclude a nonconforming citizen. Each member has the peremptory right to move for exclusion; without any further debate, the matter will be taken up in a secret ballot, and an affirmative vote of 12 out of 15 members will serve to exclude. If the target of the motion tries to disrupt the vote, any member can leave immediately to call the police contingent assigned to the district.

Undoubtedly some citizens may be excluded unjustly, but we do not think that an elaborate appeals process is worthwhile. The best way to resolve these disputes is by drastically limiting the stakes involved. While citizens found disruptive should lose their \$150 stipend, they should be immune from all other sanctions—provided that they did not engage in physical assault, in which case the proceedings should be conducted with all the safeguards and defenses provided by the criminal law.

All this, of course, begs the big question—can the overwhelming majority of Americans avoid the need for invoking this crude control system and conduct their conversations in a civil manner?

The only way to find out is to give Deliberation Day a try.

3. *Deliberation*

It is one thing to get some information; quite another, to talk and to listen in a mutually respectful fashion; and quite another again to deliberate in a way worthy of a democratic citizen. This involves, first and foremost, asking the right question.

To grasp the difficulty, reflect upon the multiplicity of social roles characteristic of modern life. We are husbands and wives, parents and children, workers and management, neighbors and coreligionists, friends and enemies, consumers and citizens. Each role carries with it different responsibilities, and only bitter disappointment awaits somebody who confuses one role with another, treating the boss as if he were one's husband, or one's coreligionist as if she were necessarily a friend. The particular role confusion at stake here is the failure to differentiate one's responsibilities as a citizen from one's stance as a consumer. When entering a marketplace, it is generally acceptable for the consumer to limit herself to a single question when choosing amongst competing products—and that is “Which product do I find most pleasing?” If, for example, he goes to a movie simply because he likes the superstar's good looks, he is within his rights even if he is the first to concede that the movie is a piece of junk otherwise.

But this is not true of citizenship. When you and I get together to choose a new set of leaders, we are not engaged in a private act of consumption, but a collective act of power—one that will profoundly shape the fate of millions of our fellow citizens, and billions more throughout the world. With the stakes this high, it is morally irresponsible to choose the politician with the biggest smile or the biggest handout. Rather than asking the question, “What's good for me?,” the good citizen asks “What's good *for the country*.”

Undoubtedly, there may be many occasions when what is good for the country is also good for me personally. But the good citizen recognizes, as the good consumer need not, that this convergence is by no means preordained, and that the task of citizenship is to rise above self-interest and take seriously the nature of the common good.

It is this point about citizenship that motivated John Stuart Mill's anxieties over the secret ballot. Once the voter is liberated from the need to stand up in public for her candidate, she is all too prone to forget the difference between citizenship and consumerism, and vote her personal preferences and interests without bothering to ask whether they are in tension with her considered judgment about public good.

We agree, and it is precisely this point which makes Deliberation Day so valuable. Quite simply, it provides a social context which will make the special obligations of citizenship salient in ordinary life. When talking to one another in their small and large groups, Americans will not be encountering one another as

consumers or coreligionists or even friends—but as citizens searching for common ground, engaged in the great task of reconstructing a thin but precious civic bond that ties us all together in a common enterprise.

To be sure, different speakers will disagree, often bitterly, about the nature of our national ideals—as well as the candidates and policies that will best advance them. Nevertheless, the social context will encourage all to take the fundamental question of citizenship seriously. As they rise to speak in turn, few deliberators will treat the issues as if they could be completely resolved by a consumerist reference to merely personal likes and dislikes—and when cynics and skeptics do take the floor, their efforts to scoff at the very notion of a “common good” may often serve to invigorate the larger effort to debate its requirements.

Suppose, then, that a typical American has sat through a typical Deliberation Day. What are the likely effects on her preferences and on her behavior? The Deliberative Polls suggest that the very process of engaging in extended dialogue about shared public problems will produce a greater susceptibility to the public interest—or at least to considerations beyond narrow, short-term self-interest or immediate personal gratification. Consider the experience of a series of Deliberative Polls held in Texas on the apparently mundane issue of electric utility regulation. Respondents were asked to choose among options for providing electric power in their areas—options that ranged from building more fossil fuel plants, to conservation measures (that would limit the need for power), to renewable energy like wind and solar power. As part of this process, they were asked if they would be willing to pay more on their monthly utility bills for purposes such as subsidizing renewable energy (wind and solar power), or conservation measures that would lower the need for power production, or programs that would help the poor. One of the remarkably consistent patterns is that at the end of the Deliberative Polls, overwhelming percentages of the respondents expressed a willingness to pay more on their monthly bills for such purposes. The percentages willing to do so ranged from about two-thirds to four-fifths, and as the result of large increases compared to their positions before deliberation.⁷

These questions were posed as part of a regulatory process conducted with the state Public Utility Commission. The discussions were not designed to increase altruism, but just to pose the public policy problem in all its complexity—cost, effects on the environment, risk, distribution, the uncertainties of investment and of technological change. However, this change in preferences was a consistent by-product of the policy discussions which, as in other Deliberative Polls, took place over the course of a weekend with random and representative samples of the communities in question. As J. S. Mill suggested, the process of discussing public problems together can create a social context where people’s preferences change.

⁷For more on the utility polls see Fishkin, *Voice of the People*, pp. 200–23 and appendix D. Further data are available from the Center for Deliberative Polling.

He called such contexts “schools for public spirit,” and hoped that the jury system might constitute such an institution (and he clearly thought public voting offered another). When the private citizen participates in public functions, “He is called upon, while so engaged, to weigh interests not his own; to be guided in case of conflicting claims, by another rule than his private partialities; to apply, at every turn, principles and maxims which have for their reason of existence the general good . . . He is made to feel himself one of the public and whatever is in their interest to be his interest.”⁸

We believe Deliberation Day would offer just such a “school for public spirit,” but on a massive scale never before undertaken so that the beneficial effects of public discussion would give new content to the office of “citizen” for literally millions of people who occupy that office.

However, we do not need to exaggerate the extent of the required transformation. In stating that the question of citizenship—What is good for the country?—will be far more salient in many more minds, we do *not* suggest that each citizen’s answer will be the product of heroic soul-searching. To the contrary, we would be quite alarmed if a single Deliberation Day would provoke lots of participants to rethink their most fundamental values. After all, mature human beings construct their framework of values over the experience of a lifetime, and it would be rather disheartening to learn that they could be deconstructed by a single day’s conversation with neighbors.⁹ The important point is to emphasize that changing one’s vote in politics hardly requires a revolution in ultimate values. It may merely suggest that the deliberator has achieved a more informed appreciation of the complex relationship between ultimate values, the central issues, and the candidates’ positions. And he or she may become somewhat more willing to consider the public interest as forming at least one part of the calculation.

Sometimes there are simpler effects of discussion. It can provide crucial facts, strategically located in the web of dialogue, the kinds of facts that change opinion. For example, at the National Issues Convention (an American national Deliberative Poll in 1996), respondents came in, as in other national surveys, wanting to greatly reduce foreign aid. But as in other national surveys at the time, they also thought that foreign aid was one of the largest components of the U.S. budget. During the proceedings, they were given briefing materials that detailed the budget, and these briefings included the fact that foreign aid comprised about 1 per cent of the budget. At the end of the weekend, support for foreign aid had firmed up—people no longer wished to eliminate it. One of the Presidential candidates who did not attend the

⁸J. S. Mill, *Representative Government*, p. 79.

⁹In the Deliberative Polls we have found that the items that change are not fundamental values, but rather specific policy attitudes, factual knowledge and what we have called “empirical premises” (typically, assumptions about causal connections between policy choices and valued outputs). Fundamental values seem to have greater stability than any of the items just mentioned.

forum, Pat Buchanan, was campaigning partly on the theme that we should balance the budget and get rid of foreign aid. An uninformed public was receptive to such appeals. But the informed participants at the National Issues Convention would not have been. Part of our ambition for changing the public dialogue with Deliberation Day is to empower vast portions of the public with enough information that candidates everywhere will have to make the same calculation—they cannot offer appeals that make sense only when people are ignorant of the facts. Before Deliberation Day they will have to anticipate this effect. After, they will have to live with it.

As they struggle to integrate new factors into their overall voting decisions, citizens will be exercising capacities of critical judgment of the greatest political importance—even if such exercises do not lead them to challenge any of their framework values. Is it utopian to suppose that Deliberation Day will prompt millions upon millions to undertake this effort?

Some may fear that it will have just the opposite effect. A bunch of like-minded neighbors may attempt to browbeat the members of the group holding minority opinions or attributes. Given the millions and millions of small group meetings throughout the country, this will undoubtedly occur sometimes. But the structure of the event will not encourage intimidation. For example, if Deliberation Day were combined with Election Day, it might be tempting for local majorities to browbeat the minority into short-term compliance with its wishes, hoping that this psychological pressure would propel the minority to vote accordingly at the ballot box.

But this strategy is plainly a non-starter when there is a week-long pause between Deliberation and Election. Within this framework, it should be obvious to almost everybody that browbeating will only breed resentment, as dissenting members go home to family and friends to complain about their abusive treatment.

To be sure, there will be zealots who are incapable of acting with respectful concern for the feelings and beliefs of others. But given the week-long cooling-off period, we discount the chance that many small-group meetings will be transformed into ideological pressure cookers. It is even less likely that all the pressure cookers will be pressuring in the same ideological direction—local exercises in psychological coercion will often cancel each other out on a national basis, reducing the problem to a scale that will not undermine the central tendencies of Deliberation Day as a whole.

4. *Community*

National campaigns have increasingly short-circuited local community organization. To be sure, they carefully stage-manage local “media-events” for maximum impact. But this is only one of many means they use to gain direct media access to the voters’ living rooms. Rather than emphasizing the need for

locally based discussion, the national campaigns seek to shout over the heads of local groups in carefully controlled mass advertising.

To be sure, there still remains a need for locally based organizations on election day itself. So long as voters cannot cast their ballots at home, each campaign still requires lots of local workers to encourage voter turnout. But at this late stage, it is a waste of time for party workers to try to persuade voters on the issues. Their job instead is to identify true believers, and drive every single one of them to the polling place.

Deliberation Day changes this picture. For the first time in a long time, it will no longer make sense for Presidential campaigns to operate independently of local party organizations. How else will they be able to find the 100,000 or more respected local spokespersons to represent the candidate at the afternoon assemblies?

The need to provide these representatives will, moreover, give new life and direction to local party organizations. Quite suddenly, local politicians will have a vital interest in locating the most articulate and thoughtful opinion leaders for their team on Deliberation Day. At the same time, issue activists will have greater interest in involving themselves in local party matters, so as to influence the selection of campaign representatives on Deliberation Day.

All this cannot help but generate a vast increase in the practical involvement of local elites in national politics. But this, of course, only serves to introduce an even more important factor—the active deliberation of tens of millions of Americans, each in his or her local community assembly.

But Deliberation Day will not only provide a forum through which millions will appear to their neighbors in a new capacity—as active citizens presenting their own opinions on matters of mutual concern. It will also serve as a means of enhancing the community's general fund of social capital. We imagine a host of community groups setting up tables at lunchtime, trying to gain the interest and support of deliberators for their activities. Casual connections made during the Day will deepen and grow in countless directions over extended periods.

Over time—dare we say it?—Deliberation Day may come to symbolize a genuine renaissance of civic culture in America.

5. Continuing the Conversation

Turn next to consider the day after Deliberation Day. If the events have come off reasonably well, it will naturally provoke a wave of conversation at home and office as deliberators share their experiences. Tens of millions of Americans will ask each other questions that they did not get a chance to raise on the Day itself; and this in turn will provoke much more talking and learning and thinking. Newspaper-reading, newscast-watching, Internet-politicking, and old-fashioned conversation will become more intense in the

run-up to Election Day—and cascade far beyond those who actually attended Deliberation Day.

At the same time, the media merchants of the national campaigns will not remain idle on the sidelines. They will undoubtedly send an army of observers to a random sample of meetings throughout the country; and when deliberators quit for the day, they will encounter eager exit-pollers seeking to determine how much, and in what ways, public opinion has shifted. This in turn will generate a barrage of last-minute infomercials seeking to channel the path of collective deliberation during the home stretch. These exit polls will, in effect, amplify the deliberative opinions resulting from Deliberation Day. Shifts of opinion, representing the public's more considered judgments, will become widely known. These shifts will, in turn, prompt more conversation, reflection and commentary.

As a consequence, Election Day itself will take on a different social meaning. No longer will voters be proud of the fact that they have roused themselves from the collective apathy to spend half an hour going to the polls. Instead, many will take satisfaction in thinking that they have voted thoughtfully, and with due deliberation, on the fundamental issues of the day; and even the millions who have cast thoughtless ballots will be quietly aware of the fact they have fallen short of their civic duty—and promise themselves to find the time and energy to do a bit better in the future.

III. JUSTIFICATIONS

A. BEYOND COST

Is Deliberation Day worth the price? Unsurprisingly, it all depends on your hopes for democracy.

We have already explained why the payment of a substantial citizen-stipend—in the ballpark of \$150—is needed for the successful operation of Deliberation Day. We focus here on the issues raised by the proposal's aggregate price tag and seek to justify the expenditure from two angles. We believe it would be a big mistake to view the annualized cost of \$15 billion through the narrow lens of standard cost-benefit analysis. To the contrary, one of the principal benefits of Deliberation Day is that it can provide a new democratic legitimation for the distribution of dollars that are used to measure costs and benefits in the rest of the economy. This large benefit cannot, on pain of grievous intellectual confusion, be reckoned on the same dollar scale as other elements in the cost-benefit equation. Instead of measuring the benefits of Deliberation Day in terms of dollars, we should instead measure the legitimacy of the present distribution of dollars in terms of its capacity to gain the deliberate consent of citizens on Deliberation Day.

Beyond cost-benefit analysis there is a second, and deeper, question: How does Deliberation Day help ameliorate some fundamental weaknesses in contemporary democratic theory and practice?

B. WHO DELIBERATES? WITH WHAT OPINION

Let us briefly situate Deliberation Day within the long debate about democracy and thereby show how its introduction may help ameliorate, if not magically resolve, some of the starker compromises in democratic theory and practice.

To begin with, consider a very simple classification of democratic possibilities. At the most fundamental level, any institution that consults the public must answer two questions—“who?” and “what?” Who participates or has their views consulted? What kinds of opinions are solicited or expressed?

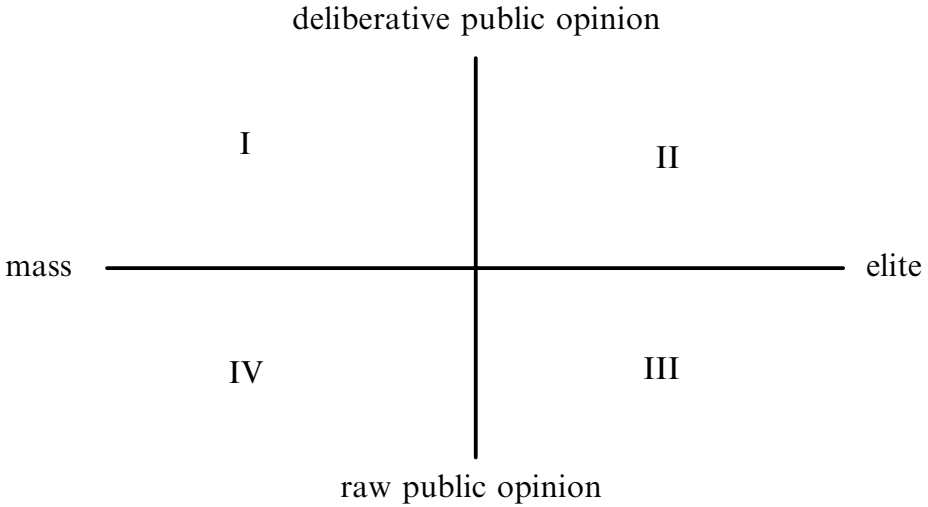
The “who” can be most everyone, the mass public, or it can be a select or elite group of some sort. This select or elite group can be elected, appointed, selected by lot, tradition or whatever. The “what” solicited from this group can vary from what we will call “raw public opinion” to opinion that is, to some significant degree, the product of deliberation.

Opinions that are, to some significant degree, the product of deliberation result from the persons in question having reflected on the merits of competing arguments. Reasons for and against the alternatives at issue need to be voiced and answered. While this process is in theory open-ended, when a discussion gives voice to the major views that people would express were they to focus on the issue, and when those views are answered by others who hold different views, then a minimally adequate level of completeness has been satisfied. This process requires that people make the effort to think about the issue and hopefully to express views about it, and that there be opportunities for reasonably accurate information to enter the dialogue. Some reasonable level of completeness and of accuracy is required for deliberative discussion to take place. For the moment, we will stipulate that we believe that the institutional arrangements we have sketched for Deliberation Day are likely to satisfy at least such minimal levels.

Of course, there are many occasions for deliberation that occur in ordinary life, without any concerted effort at institutional design to bring it about. However, as we have already noted, the overall levels of focus, information and engagement found among mass publics would indicate that under most conditions, there is not a great deal of deliberative public opinion being produced at the mass level. We will term public opinion, in the form we normally find it, lacking significant deliberation, “raw.”

Hence taking these two distinctions together, there are four basic possibilities:

- I. Deliberative Mass Opinion
- II. Deliberative Opinion of a Select Group
- III. Raw Opinion of a Select Group
- IV. Raw Mass Opinion



These four possibilities are pictured in the attached chart. Quadrant I is the possibility that we hope to further with Deliberation Day. As we have seen, we are normally well outside Quadrant I because public opinion tends to be crippled by the incentives for rational ignorance in the large-scale nation-state. There have, however, been *episodic* realizations of this possibility for the mass public—“constitutional moments” in the life history of the Republic when there is such a great crisis, and such an extended public discussion about it, that the public is awakened from its torpor of “normal politics.”¹⁰

But constitutional moments occur only very rarely in the history of a nation. They suggest a picture of what public opinion might be like if Quadrant I were filled out, but they would depend on exceptional historical circumstances to be brought into being. Only with an institutional innovation such as Deliberation Day would there be a continuing basis for realizing the ideal of Quadrant I, the ideal of simultaneously fulfilling both deliberation and mass involvement. Otherwise, we are left with the remaining three possibilities.

Quadrant II is realized whenever there is a select group that deliberates for the rest of us. This can be the representative group that Madison has in mind, in Federalist 10, that “refines and enlarges the public views by passing them through a chosen body of citizens.” It can be the Senate, the Electoral College (in its original aspiration), or a “convention” in the sense meant by the Framers. Using a different method of selection, it can also be the sample in a Deliberative Poll, a select group that serves a representative function in deliberating for the rest of us.

Quadrant III, raw opinion of a select group, is filled out by the participants in poll-directed mass democracy. Ordinary public opinion polls permit select groups

¹⁰See Bruce Ackerman, *We the People*, vols 1 and 2 (Cambridge, Mass.: Harvard University Press, 1991 and 1998 respectively).

of citizens, chosen by random samples, to have their raw, unfiltered preferences inserted into the policy process and the public dialogue. To the extent that conventional polls influence politics and policy, we have a realization of Quadrant III—the raw opinions of a select group (chosen by random sampling).

Quadrant IV, raw opinion of the entire mass public, is the realization of plebiscitary democracy. The long term trajectory of American democracy, and indeed of most democracies around the world, has been to consult the mass public more and more directly. This process has brought power to the people—with referendums and other plebiscites, with primaries in candidate selection, with the elimination of more indirect modes of election of some office-holders, and with expansion of the office-holders who are directly elected, etc. The end result has been that innumerable decisions that were once made in Quadrant II, through a select or elite group deliberating, are now subject to the incentives for rational ignorance on the part of the mass public. Increasingly, we have brought power to the people under conditions where the people have little reason to think about the power we would have them exercise.¹¹

Of these four possibilities, Quadrant I has special merit. It is strategically located in the array of democratic possibilities. There are reasons to move North in the diagram, to realize deliberation, and there are reasons to move West in the diagram, to realize mass consent. But our tendency has not been to move North and West, but rather, to move either North-East or South-West. When the founders developed the electoral college, the Senate or the convention, they envisioned decision-making in the North-East direction, believing it was the only way of realizing deliberation. When democratic reformers, from the Populists and Progressives to the post McGovern–Fraser reformers of the modern American primary system, instituted more democratic consultation, they moved our institutions in the South-Western direction, believing it was the only way to realize mass consent.

To encapsulate the problem, we have not been able to move North to further deliberation without also moving East to restrict the process to an elite or select group. Conversely, we have not been able to move West to further mass consent without also moving South to lessen deliberation and increase the input of raw public opinion. Democratic reform has been bedeviled consistently by this kind of forced trade-off. An improvement in one value has consistently meant a sacrifice of another central one.

Deliberation Day is intended to free us from this forced compromise in fundamental democratic values. If we can have *both* deliberation and mass participation, we can infuse the political process, periodically, with what might be called *collective informed consent*. It is the mass consent of most people

¹¹For a more extended argument along these lines, see Fishkin *Democracy and Deliberation* (New Haven, Conn.: Yale University Press, 1991).

participating and it is the informed and thoughtful consent that comes from information, thinking, dialogue and reflection.

All democratic forms should be classifiable within this simple framework, in the sense that all democratic forms need to offer consultation with at least some of the people, so they must offer answers to the question “who?” and to the question “what?” All the other possibilities in the history of democratic practice either have some select group, acting as tokens or representatives of the rest of us, acting for us, or they have debilitated, non-deliberative forms of opinion providing the expression of the people’s views. Only with an institution such as Deliberation Day could the one most satisfactory alternative among the four actually be realized.

We are not claiming that Deliberation Day is the only possible method of realizing Quadrant I. Instead we are calling for sustained efforts at institutional creativity to realize this possibility. This essay is our contribution to that effort. The fact that there is at least one possibility means that it is not impossible. It does not mean that this is the only way or even the best way. However, it is the best way we have been able to formulate so far and we hope that it will stimulate a dialogue suggesting even more alternatives.