

**THE DELIBERATIVE OPINION CAUCUS:
A NEW MECHANISM FOR
DEMOCRATIC INPUT AND JUDGMENT**

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Local governments, including school districts, are faced with the same crisis of legitimacy and credibility confronting all democratic systems today. To develop greater public input and confidence and to determine better actual “public judgment” on issues, one local school district created a ‘deliberative opinion caucus’ from models by Dahl, Fishkin, and others. Although the ‘caucus’ failed to reach a statistically representative cross-section of the community as planned, it instituted a mechanism enhancing participants’ perceived efficacy and policymakers’ knowledge of community desires. Its success provides all local governments a means to improve public knowledge of and confidence in local policymaking.

Recently popular attention has focused on the needs for, and problems of, strengthening democratic participation and governance and reducing excessive bureaucratization and self-interest in political decision-making (Rauch 1994; Elshtain 1995; Lasch 1995; March and Olsen 1995). Academic interest in “social capital” and its role in fostering and maintaining successful citizenries and economies, its role as “the key to making democracy work” has paralleled the critiques (Putnam 1993, 185; 1996;

see also Fishkin 1995; Fukayama 1995).

In these works are strong echoes of Robert Dahl's earlier analyses and his frequent imaginative calls for new mechanisms of public representation and participation. In *After the Revolution?* Dahl suggested the use of advisory councils of citizens randomly chosen by lot periodically to question and advise selected officials (1970; 1990, 123). Later, in *Democracy and Its Critics*, he proposed creation of a "minipopulus" of randomly selected citizens to deliberate and reach "informed judgment" about specific issues for a given period and then to make recommendations regarding them (1989, 340). Similarly, the social analyst and pollster Daniel Yankelovich has called for rejection of simplistic "public opinion" recorded through survey questions, in favor of informed and deliberated "public judgment" and, with the Public Agenda Foundation, has, since 1982, organized "public choice campaigns" and National Issues Forums to develop that special judgment (see Yankelovich 1991).

A more ambitious effort to get beyond the superficiality of usual opinion polling to a better conception of what an informed public would decide is the "deliberative opinion poll" devised by James Fishkin. Proposed in *Democracy and Deliberation* (1991) and elaborated in *The Voice of the People* (1995), the deliberative opinion poll brings together randomly selected citizens prior to a Presidential election to listen to and question candidates directly and to deliberate among themselves to hear different viewpoints before definitively selecting their choices for an opinion poll.

A planned 1992 poll failed due primarily to resource constraints. In 1994, however, a successful poll was held in Manchester, England, regarding not Presidential choices but options for dealing with crime (Fishkin 1995, 177-181). Fishkin reports that British Channel 4 scheduled a deliberative opinion poll for the 1997 British general election (1995, 170). Most recently, the first National Issues Convention was held in January 1996 to identify key election year issues and to hear from Presidential candidates (Fishkin 1995, 172). Although several major candidates chose not to appear, the poll was covered by major news media and televised nationally by the Public Broadcasting System.

The failure of key officials to participate was one problem. There were others. Richard Berke, in his *New York Times Book Review* critique of *The Voice of the People*, questioned the representativeness of people able and willing to pick up and leave family and job for the meeting. He also doubted whether the more serene and deliberative environment of

the poll did not unduly eliminate the vitality and emotion necessary to committed political deliberation (1996, 20). We wait for Fishkin's summary and analysis of the Convention to answer these critiques.

Such criticisms aside, it seems reasonable to ask of the practicality and utility of this polling mechanism beyond the special situations designed by Professor Fishkin. In other words, despite its sound and certainly well-intended purpose, what good is the deliberative opinion poll or similar mechanisms such as Dahl's if they are not, or cannot be, put to wider practical use? How can or will these tools be used on local levels where "social capital" is most effectively constructed and mobilized?

These are not inconsequential concerns. Putnam himself, whom Fishkin cites for "social capital" as a justification for his mechanism (1995, 148-149), ends his *Making Democracy Work* with an appeal to attention to local formation of the valuable resource. Says Putnam, "Those concerned with democracy and development . . . should be building a more civic community, but they should lift their sights beyond instant results. We agree with the prescription of local structures rather than reliance upon national initiatives . . ." (1993, 185).

Greater attention to broader, more practical use of public participation and judgment in policy development and implementation comes from the consistent work of Peter deLeon, who has frequently called for implementing "critical policy analysis" through implementation of "participatory policy analysis" (1994). According to deLeon, such a procedure would require that "public opinion be sought out conscientiously by the policy analyst, who randomly selects, educates, and then listens to a number of citizens," preferably based on random selection, whose views are recorded through "policy polling" (1994, 205). This procedure would avoid incorporating self-interested views of elites or interest groups and relying on uninformed opinion found in common polling. As with Fishkin's work in Manchester, it could be initiated on any level by any willing official. Moreover, all phases of the policy process, from formulation through evaluation, would be amenable to the proposed procedure (Fishkin 1994, 205). Thus, it is much broader in applicability and more flexible in use than Fishkin's experiments to date.

DeLeon does not ignore the real, practical difficulties of such a process, some of which were discovered by Fishkin. Among predictable problems are: (1) recruitment of representative participants, (2) time and dollar costs, and (3) lack of experience or experimentation to identify the

realities of implementation (deLeon 1994, 205). In addition, one can expect obstacles arising from policymaker inertia and intransigence (deLeon 1994, 208), timing of issues for their salience and relevancy, coordination of participants' schedules, or incentives (monetary to civic) for participation from the beginning (deLeon 1994, 206-207). According to deLeon, "citizens generally are willing to engage in activities that approach these conditions in a spirit of personal morality and civic responsibility that transcends strict economic self-interest and remuneration" (1994, 207).

Specifically then, deLeon proposes "to develop a much more proactive forum procedure in which participants are chosen on a representative basis . . . and will allow participants to share a certain body of information and procedures . . . while being receptive to a wider degree of representation" (1994, 207). This process would not be designed for constant use but for "judiciously" selected opportunities "when feasible" (deLeon 1994, 208). Thus, "(w)ith limited success in carefully chosen situations, critical policy analysis might achieve sufficient currency to be adapted elsewhere" (deLeon 1994, 208). This may "serve as a basis for discussion towards opening and mining a promising research vein" and "if . . . taken seriously by citizens, analysts, and policymakers, it might very well renew what many observers have called a flagging faith in government" (deLeon 1994, 209).

The promise, then, of deliberative polling mechanisms proposed by Dahl, Fishkin, deLeon, and others is two-fold: (1) to provide better citizen input to their officials through informed judgments and (2) to foster greater "faith in government" through opportunities for creation and promotion of more "social capital." While all levels of contemporary government can clearly benefit today from greater success at both goals, public schools may be in greatest need of success. The Institute for Educational Leadership, after conducting three studies of school boards over a period of eight years, developed a number of "must" recommendations. Among these was the proposal that boards should "convene community forums to discuss major education policy issues and to provide leadership for public education" (Danzberger 1994, 372). As officials of an Oklahoma school district in 1994, the authors decided to test the practicality and applicability of the deliberative opinion process to local school districts.

THE 'DOUBLE BIND' OF PUBLIC SCHOOLS IN DEMOCRACY

Dissatisfaction with, and criticism, of public schools and their actions have grown with the wail against government. Traditionally 'expert' and 'in control,' public schools have increasingly discovered a public wanting a greater role in school decision-making and questioning what might seem to be, an unresponsive school bureaucracy (Finn 1991; Toch 1991; Bloom 1992; Marshall and Tucker 1992; Martz 1992; Perlman 1992; Lieberman 1993; Hanushek 1994). While many school districts have 'opened up' to the public, little guarantee has been available that they are not just giving in to special, organized interests. Caught in a double bind, school districts find themselves either succumbing to group pressure without confidence that they are acting for the entire community or stalling or denying the organized groups in the name of 'the public' and alienating group members who believe themselves ignored. Either outcome leaves the school districts perceived, fairly or not, as undemocratic, unresponsive, and self-serving. Clearly a mechanism such as proposed by Fishkin or deLeon designed to get the overall community's 'public judgment' of a topic and to allow widespread participation would help to address the democratic needs and responsibilities of both the public and the school district.

APPLICATION

The Weatherford, Oklahoma Public School District faced problems of public participation in 1994. The school board and superintendent became convinced action was needed to address dissatisfaction with the perceived responsiveness of school officials to public concerns. To that end, the authors, then a board member and the superintendent, designed a local variant of Fishkin's deliberative opinion poll, named "the Deliberative Opinion Caucus" (DOC).

We used it in March 1994 to consider the possible formulation of a policy of 'year-round school', a topic of growing interest in Oklahoma and the nation, but not then under consideration in the district. This allowed testing of the DOC mechanism without the distraction of an issue of immediate consequence. Thus, no personal or institutional resources were at stake. The deliberation would truly be exploratory. No vested interests,

pro or con, would need to fear (and campaign against) the mechanism which deliberated the concept. Written material for and against the topic was sent to participants to consider in advance of the meeting. Presenters familiar with implementing 'year-round schools' were happy for the opportunity to participate. Therefore, the topic maximized information for consideration while minimizing prior controversy which might short-circuit effective testing of the DOC mechanism.

The designers obtained the most recent list of registered voters in the school district from which to randomly unite DOC participants. After consideration, the designers determined that 380 names should be chosen, with the hope of a 50-75 percent acceptance rate. This hope was recognized as likely naive, but mailing costs made larger numbers undesirable near the end of a tight fiscal year. In addition, as students were affected by the topic but would not likely be registered voters, another twenty were randomly pulled from a list of current juniors and seniors.

After randomly selecting invitees from the list, the designers sent an initial invitation with an RSVP to each selected community member. Included in the invitation was a description of the DOC, the 'year-round school' topic and a letter from the Oklahoma Secretary of State commending the DOC as a fine example of the citizen voluntarism in government, an activity his office oversaw. Thus, along with repeated local media coverage of the DOC, strong efforts were made to impress upon invitees the importance and appreciation of participation.

While responses came in, the designers planned the format. A Saturday morning in late March turned out to be the time considered most likely to find the least conflict, for both participant and presenter scheduling. Two groups of presenters, one from Oklahoma, one from Texas, agreed to come to Weatherford to discuss their experience with 'year-round school.' Therefore, the designers decided to begin the session with both sets of presenters describing their efforts. Participants then would be divided into groups of no more than seven to interact and trade perspectives for thirty minutes. A second open discussion period would be held to answer questions and to share group ideas with all participants. At that point the participants would form new groups for another thirty minutes of discussion. At the end of that time they would complete a prepared poll about the topic. Room was left on the survey for any additional questions necessary in light of unforeseen directions and information arising during the discussions. In this way, it was believed that a true 'public judgment' about 'year-round schools' would be obtained.

THE YEAR-ROUND SCHOOL CAUCUS

On March 26, 1994, the Weatherford Public School District held its first DOC. Of the 400 student and non-student invitees, only forty-one agreed to participate and received full information packets with materials regarding the topic. Of those forty-one, none were students, thirty-two actually attended, and thirty-one completed the poll at the end of the four-hour session. Thus, hopes for a statistically representative sample of the entire community were unfulfilled. The presenters mainly discussed year-round applications that involved the same students attending for periods of, for example, 45 days in, 15 out, with shorter summer breaks. The inter-session periods were used for remediation or enrichment courses at either the district's or the family's expense. References to other year-round alternatives, such as trimesters with students and teachers selecting two of the three periods to attend, were negatively and only briefly discussed.

Discussions were generally animated, although common small group problems of one-person domination or no one speaking up were apparent in at least two groups. Sharing of group ideas among everyone after the initial group discussions raised several key points not necessarily tapped by the final poll and added to concerns and interests that the school district needed to consider if and when 'year-round school' made it to its policy agenda.

At the end of the session, participants took five to ten minutes to complete the survey. Each participant received a formal certificate of appreciation for his or her involvement and effort. The results were tallied and comments compiled, as noted in the following section, and made available to the school board and administration and to the local media.

A note is necessary about the poll. If a scientific study had been the intent of the DOC, respondents would have been polled before and after the session for comparisons of changed judgments about the topic. Similarly, extensive personal data would have been requested to allow correlations and statistical analysis. Since the intent of the DOC was to promote open-minded and uninhibited discussion to allow judgment to occur, a scientific approach might jeopardize the program intent. The designers did not want participants to risk crystallizing opinions by stating them formally on a document prior to actual deliberation; they also did not want participants frightened away from revealing actual judgments because of fear of being

identified through demographic or other information. Both are well-known potential effects of traditional polling.

The lack of before-after data clearly damaged efforts to judge the effect of the DOC on judgments made about 'year-round school.' However, this cost was not seen as more important than the full and free participation of all participants in the activities of the DOC, whose successful production was paramount. Future DOCs, once established and legitimated, may allow polling more amenable to traditional scientific study. In any case, this consideration of trade-off needs full deliberation itself by other experimenters and more attention than it has received to date.

THE RESULTS OF THE DOC POLL

For purposes of this analysis, detailed enumeration of poll results about 'year-round school' is not very important. For the readers' information, respondents tended to be somewhat favorable to alternative scheduling but preferred the '45 days in session, 15 out' format of 'year-round school' substantially more than other options after hearing and deliberating. Inter-session activities, such as tutoring and advanced classes, were particularly endorsed. Finally, respondents indicated overall support of the school system generally in its operation. Of more interest for the testing of the DOC itself, respondents strongly approved of the mechanism, averaging 1.53 on a scale of 1 as 'strongly approve' to 7 as 'strongly disapprove' (which was the question format used in our poll). Respondents were also asked open-ended questions as to strengths and weaknesses of the mechanism. Under 'strengths,' responses favored by at least ten percent were the DOC as an informative process (19%), an opportunity to hear opinions and interact (16%), diversity and variety of participants (13%), and a chance to be involved in local school decisions (10%) as double-digit responses. Under 'weaknesses,' they stressed poor attendance (19%), one-sided material (16%), and no student participation (10%). Finally 39% of respondents with no solicitation of the specific response or topic, recommended repeating the DOC with other topics in the future.

POST-DOC DISSEMINATION OF INFORMATION

After the March 26 session, the designers used various local media to disseminate the results and areas of success of the DOC. The local cable television channel recorded much of the presentations and replayed them over the cable system. The local radio station highlighted the DOC on its newscasts and provided ‘conversation corner’ time the following Monday and Tuesday to the DOC designers for discussion of the results. The local newspaper initially delayed reporting the results, however, running only a picture taken during the session along with a caption indicating disappointment with the number turned out. A later article, however, expressed the satisfaction of the DOC designers with the overall outcome of the session. Thus, the community was fully informed as to the results and judgments of the procedure itself as well as the topic considered.

DISCUSSION

It must first be admitted that not every goal of the DOC was achieved. The small turnout did not allow a statistically reliable measure of confidence in the community representativeness of the findings. The hope of reaching judgments similar to those reached if the entire community participated was not fulfilled.

Furthermore, as the results regarding participant perceptions of the school system indicated, those participating were not critics of the district for the most part. If, then, DOCs are to become means for regaining trust of alienated and distrusting citizens and to build ‘social capital,’ this experiment did not encourage that. At most it confirms that those supportive of public schools will support proposals of public schools and that those willing to participate possess ‘social capital.’ Not earth-shaking findings, it is agreed.

The unwillingness or inability of any of the selected students to attend points to potential problems for any DOC trying to involve groups or individuals who might feel particularly out of place in the deliberative setting. Special DOCs may be necessary if special groups need to be tapped, as focus groups can be designed for either general or specific

populations, or special solicitations designed, depending on need. While relying on those already involved in 'social capital' will likely promote and maintain it, no small achievement, problems of representativeness call into question hopes of using these mechanisms to build 'social capital' where it does not exist due to alienation or apathy unless special and innovative action is taken.

In the end, then, since the effort did not match textbook ideals for experimentation and hopes were not totally fulfilled, did the first DOC fail? While the glass may not have been completely full, the designers believed the DOC to be more a success than a failure. Why?

First, the presenters from Texas and Oklahoma specifically stated that they were very impressed with the turnout. In their districts, which had actually put 'year-round school' into effect and held public forums for input, they had not seen groups nearly as big. Thus, while compared to a statistically representative sample the turnout was disappointing, compared to other similar forums and lacking experience from other DOCs which may have established standards of common participation rates, it was, anecdotally, more successful. More reasonable expectations can now be made for future DOCs.

Second, by observing directly, listening to comments, and knowing many participants, the designers felt that the participants ranged across all age and occupational groups in the community, except for students, as mentioned. While not statistically reliable, their judgments nevertheless gave confidence of catching broad segments of the community. As noted, participants themselves appreciated their diversity and variety. Plus, their random selection did legitimately prevent domination by special interests. Written and oral comments were insightful and valuable in and of themselves and mirrored comments and perspectives known to exist in the community in general.

Fourth, as noted, the poll results and comments regarding the DOC were overwhelmingly favorable. Even criticisms were thoughtful and constructive. No participant felt that the DOC had been harmful or a waste of time. A large majority perceived it as valuable, including those otherwise critical of the topic or the school district. A few made oral comments that indicated a complete switch of opinion regarding the topic, demonstrating the ability of the mechanism to open minds to views of more of the overall community perspective. 'Pre-' and 'post-' polling in the future may better demonstrate this.

Fifth, for the reasons above, the designers subjectively and impressionistically came away believing that the project had been successful. Prepared for the worst and disappointed by the low turnout, they nevertheless felt something important had been accomplished. Future DOCs are planned by the Weatherford community strategic planning subcommittee on quality of life issues.

Sixth, academic expectations of high turnout for such experiments are frankly more naive and unrealistic in community settings faced by practitioners with limited resources and few sanctions or rewards. Fishkin's National Issues Convention conspicuously wined and dined participants in Austin, Texas, in return for their agreements to participate, a significant expense not likely to be matched by local governments. Efforts such as DOCs are and will be more like experience with juries, with similar participation rates, than classical experiments with well-done controls. Insistence that efforts be academically successful before continuation or dissemination will doom them, as juries would have been, and might still be, doomed by such criteria. Our results do, however, call into question deLeon's confident reliance on "a spirit of personal morality and civic responsibility" to motivate participants.

Seventh, other practitioners have already agreed as to the value of the procedure for their needs. The National School Boards Association featured the topic in a workshop at its annual national meeting in San Francisco in 1995, as did the fifth annual National Conference on Creating the Quality School in 1996. One school district in Indiana has already requested information and advice for setting up a DOC there. Finally, Public Service Company of Oklahoma is considering the mechanism as part of its statewide community economic development program. Thus, those who understand the practical difficulties as well as the great need for such efforts have assisted its dissemination to other practitioners.

RECOMMENDATIONS

What should be done to improve future DOCs and, perhaps, other participatory efforts, based on the Weatherford experience? Clearly, a larger sample needs to be drawn in order to enlarge final turnout, if and when contact costs permit. It seems unlikely that analysts and policymakers in small communities or underfunded agencies, however, will ever be able

to get a statistically reliable sample to assert representativeness. Perhaps others will be more fortunate with the prestige and coverage of larger, or even national, samples. DOCs and their future cousins will need to be seen as representative of their communities in the sense that juries are rather than as statistically representative samples are. The randomization is still necessary to demonstrate lack of arbitrary favoritism by the governmental unit doing the selecting and to avoid domination by groups 'loading' their members, as can happen in open public forums and debates.

To improve participation beyond results achieved here one might offer financial or other kinds of payments (deLeon 1994). Financially strapped systems, such as Weatherford however, may not have this option. Corporate sponsorship, as Fishkin has received, might be available, but also might be seen as slanting the topics chosen or the results reported. More controversial or relevant topics might also pull interest as might increased and improved before-and-after publicity, although media sources were extensively used in this experiment. Simply having more and more DOCs may also develop a sense of civic duty in community members toward them and gradually improve participation. We must admit decreased naivete and increased doubt, however, about achieving more than 10-20 percent participation from the selected sample.

Another area of improvement of future DOCs would be presentation of more sides of a topic. As noted, a frequent written criticism of the presentations was the imbalance toward favoring 'year-round schools.' Formal groups promoting traditional schedules do not exist and thus could not provide spokespeople, and groups currently critical of public schools, such as the Christian Coalition, which has a chapter in Weatherford and remained silent, have not made 'year round school' a central concern, as of yet. Still, known criticisms of 'year-round school' were made available and discussed. Nevertheless, the asymmetry bothered respondents, who did not recognize that their own expressed experiences and doubts offered much of what they complained was lacking.

The Weatherford DOC provided opponents the opportunity to get on the session agenda with a petition signed by five percent of voters in the last election. No one requested such time, perhaps, admittedly, because the mechanism was not widely promoted. Better promotion might draw more presentations as well as deal with critics' objections and alienation toward the district generally.

The danger certainly exists that other DOC organizers could misuse

the process as a stage-managed co-optation device. While in the short-run such use may be successful, the superficial and inauthentic nature of such practices becomes apparent, especially if too many responsible voices are shut out. Ultimately, this game-playing only further damages the legitimacy and support of the institution using the DOC mechanism.

Analysis of future DOCs would benefit from more in-depth surveys and statistical review. The problem of possible stunting of opinion and discussion described earlier might be overcome by asking participants to volunteer for deeper questioning, as election exit polls do of voters. Researchers will have to be scrupulous in their interpretations and reports of possibly skewed results. This, however, will again add to the costs and negatives of the activity for jurisdictions considering meaningful citizen input or deLeon's specific "participatory policy analysis."

Finally, future DOCs need to follow up better with those who did not choose to participate. The fiscal difficulties mentioned earlier and the nearness of the end of the school year discouraged interest in a follow-up in this case. Granted, asking further responses from those who did not choose to respond initially may not lead to much greater success, but any answers may give insight as to disincentives and attitudes and may enable improvement of other DOCs. Future activity in Weatherford will definitely be more aware of, and focus more on, follow-up.

CONCLUSION

In spring 1994, the Weatherford Public School District experimented with the use of the Deliberative Opinion Caucus in a conscious effort to enhance citizen efficacy in the local democratic process and to provide better insight into community opinions for decision-making. Although a few goals of the DOC were not fully achieved, overall the evaluation of the project was positive, with similar DOCs planned in the future. The success of the effort as judged by an organization of practitioners interested in and needing increased public participation, has been positive.

The Deliberative Opinion Caucus does give hope that citizen input and 'social capital' can be increased and that grander hopes for policy-making such as deLeon's vision of participatory policy analysis, from formulation through evaluation, can be achieved, at least in part. As our experience indicates, citizens will thoughtfully participate, even if they

are not necessarily statistically representative of the community. Even financially strapped jurisdictions and agencies can operate versions of the approach with minimized but explicitly expressed expectations and conclusions. All stages of the policy process can be invoked. If we use juries as our model, widespread use of this and other mechanisms, heeding calls of Dahl, Fishkin, and deLeon, is possible, even if, admittedly, not at this time probable.

Finally, in a time when citizens are increasingly distrustful of, and alienated from, their government and political process, new mechanisms such as the DOC must be developed to build our 'social capital' and to strengthen the ties between the representative and the represented, or, in the eyes of many observers, democracy itself may be threatened. While flaws must be corrected, the Deliberative Opinion Caucus as executed in the Weatherford experiment shows promise for being an effective means to accomplish those ends.

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