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Experiments in Communicating the Results of Public Deliberation

By Phil Stewart

For more than 25 years, through the National Issues Forums network, tens of thousands of citizens have gathered in small groups in libraries, churches, community halls, schools, and colleges to do the most fundamental work of democracy: to decide together the direction they feel their own community, state, or the country should take to address some of the most challenging problems Americans face. Issues have ranged from kids at risk to death and dying, from where our energy policy should focus to, most recently, how we should control the costs of health care.
These deliberations differ from polls of individual opinion and other measures of public opinion. Unlike polls, deliberations enable citizens to think together; to weigh alternative options against what they hold most valuable and consider thoroughly all relevant costs and consequences. Public deliberation is always about what should be done. It is about making difficult moral choices among things that may be seen as equally important. Public deliberation, then, can enable citizens to move toward a more stable, durable opinion.

But, why should the results of public deliberation be of interest either to the media or policymakers? After all, where is the drama or “news” from the media’s perspective? Elected lawmakers say, “I have my polls to consult. I hold town hall meetings where I hear citizens’ complaints. How can the results of discussions among as few as several dozen or even as many as several hundreds in my district or state be of value to me? Why should I pay attention to what only a few constituents have to say? It’s hard for me to make much sense of citizen views when they neither directly support nor oppose positions I have or might take.”

The Kettering Foundation has long wrestled with how to communicate the public voice that emerges from such deliberation, and in its own estimate, without a lot of success. In the early years, Kettering would bring together former U.S. presidents, the media, and members of the policy community to Presidential Libraries to hear experts, such as Dan Yankelovich, and ordinary citizens who participated in forums talk about why public deliberation is important and to tell stories from the forums. While the reception was always polite, these meetings, essentially, were without consequence. The media and policy community tend to view expert declamations as one more lobbying effort, but here without clear relevance to any specific policy position.

One conclusion from this experiment was that if only we could expose policymakers to powerful examples of public deliberation and show how opinion changes in the process of deliberation then, perhaps, the Washington policy community could come to recognize the nature and value of how citizens together make decisions. In a series of annual events, over nearly a dozen years, the TV program A Public Voice brought together elected officials, distinguished people from the media, and the policy community to view clips selected from public forums and then discuss their implications for the relevant policy topic. Follow-up interviews over five to six years showed that a handful of elected officials, perhaps one or two members of the media, but not one policy thinker came to recognize the nature of public deliberation and/or its potential relevance to their policy or political work.

A review of our understanding of public deliberation and in what precise ways its results should be valuable to the policy community led to a new experiment. We began with Dan Yankelovich’s conception of the stages of public opinion. This enabled us to recognize just what it is about the results of public deliberation that policymakers need to know and why. To put it simply, once citizens have done the difficult work of making tough trade-offs among things they highly value, once the public has come to judgment, elected officials not only have a mandate to act, they fail to act at their peril. The Civil Rights Act of 1964 and ending the Vietnam War are two such instances. Instances like these, however, are relatively rare.

More commonly, the public struggles for years to reconcile conflicts about what should be done. For example, health-care reform in 1993 failed at least in part because the public had not yet made the tough choices required. As a result, President Clinton and his party lost a lot of their political clout and momentum. Today, the Obama administration has committed itself to major reform of our health-care system. Is the public ready to support this effort? Opinion polls suggest, yes. But, polls nearly always tap “top of the mind” views. They cannot reflect well on whether citizens, indeed, have done the work of seriously weighing choices. Public deliberation, perhaps uniquely, can provide the kinds of sophisticated insights into “where the public is” that policymakers need. If, as is often the case, public deliberation shows that the public is working on but has not yet fully resolved tough choices, as appears to be the case today respecting health-care reform, knowing this, policymakers can either delay action or act in ways that encourage and stimulate public thinking and deliberation.

So, having clarified why the Washington community should be interested in the results of nationwide public deliberation on critical issues, and what kinds of information from public deliberation they can use, we turned to the question of how we might more effectively raise awareness of the “why” and communicate more credibly the “what.” We began by asking what sources of information are regarded as “credible and useful” by the policy community and media. That is, what do they pay attention to? Two types of sources constantly came up: opinion polls and analytical policy papers, such as Brookings or American Enterprise Institute publications. While Public Agenda over many years has published an annual report on nationwide public deliberation on various issues, it has never gained the desired “traction” in D.C.
Now, searching more broadly for other politically credible information sources we recognized a third type of information with these qualities: court verdicts or decisions, particularly those of the U.S. Supreme Court. Might the use of the metaphor of a court and verdict, organized in an appropriate way, better raise awareness of the “why” and more effectively articulate the “what” of public deliberation to the policy community? This became the key proposition of our current experiment which began in 2008 and, after considerable further refinements, was tried again in 2009, and which continues.

Emerging from our 2008 experiment, Kettering recognized that there is a lot to learn about how to use this metaphor before we can adequately test whether it offers a better way to communicate the “why” and “what” of public deliberation. Perhaps our most important insight from 2008 is that “where the public is” on an issue cannot be determined analytically or scientifically. It is, rather, a matter of judgment. Public thinking is far too nuanced, much too complex. Indeed, what might be most attractive and valuable to the media and policy community is demonstrating nuance and complexity in a compelling way. Here was the “case” that was missing in 2008, and here was what would enable us to make fuller use of the court analogy.

So, in March 2009, the foundation hosted an event at the National Archives in Washington, D.C. Designed to emulate a civil trial, “attorneys” analyzed all of the information from the forums and developed their cases—Mike D’Innocenzo from Hofstra University, made the best case allowed by the data that the public is at an “advanced” stage in its thinking, and the opponent, Maxine Thomas, a former prosecutor and Kettering vice president, argued the evidence against. These cases were heard by a panel of five “judges,” chaired by Rich Harwood, founder and president of The Harwood Institute for Public Innovation. These two cases then gave the “court” something that they themselves had to deliberate and decide. After weighing the evidence, the court found that the public continues to engage in some level of wishful thinking and to struggle with some difficult trade-offs. Probably only a small portion of the public, the panel decided, has today reached a firm “judgment” on health-care reform.

So to speak, “the jury is still out” on this experiment. While we sent the court’s decision and a more complete story to numerous media outlets, only three have picked it up. The event itself was attended by about a dozen representatives from eight D.C. policy organizations, in addition to numerous NIF and other participants. No elected officials took part. However, the outcomes of this process will be part of briefings for elected officials this spring, and the experiment continues. These proceedings will also be part of a documentary that seeks to capture both the essence of public deliberation and this court process and will be distributed to public television stations.

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Edited by Derek W. M. Barker and David W. Brown

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The foundation today continues in that tradition. The objective of the research now is to study what helps democracy work as it should. Six major Kettering programs are designed to shed light on what is required to strengthen public life.

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