

**Can Students Learn to CAPER?:
A Simulated “Citizens’ Assembly on Presidential Election
Reform” in the Basic American Government Class**

(Report on an Exercise in Progress)

by

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Can a group of citizens, given adequate education and information, deliberate and reason together, and make informed consensual political decisions? This is the question posed by "deliberative democracy." Based on a variety of exercises from deliberative polling to citizen juries, advocates of what is conceptualized as not just a revitalization of democracy but a more advanced form of democracy, have answered in the affirmative.

Can a group of university students, fulfilling general education and major requirements and working for a grade in a course, play the role of citizens and, given adequate education and information, deliberate and reason together, and make informed consensual political decisions? This is the question posed in this paper--a progress report on an exercise in deliberative democracy that I am undertaking in my POL 101 "Introduction to American Government" class at Eastern Kentucky University.

In a recent publication, *Democracy at Risk: How Political Choices Undermine Citizen Participation, and What We Can Do About It*, the American Political Science Association's Standing Committee on Civic Education and Engagement defines civic engagement broadly as "any activity, individual or collective, devoted to influencing the collective life of the polity."¹ This would include everything from voting, active protesting, and lobbying, on the one hand, to simply giving money to a cause, and even to becoming educated and informed.

The Committee's recommendations included better voter education, weekend election days, nonpartisan redistricting commissions, electoral college reform, and greater efforts by parties and advocacy groups to use face-to-face contact in promoting their candidates and causes. These, however, can only hope to achieve "quantity and equality of participation, and the Committee proclaimed an equal concern with the "quality of participation"--a quality of engagement that, at its most mature level, is "deliberative." They are attracted to exercises created for the purpose of "intentionally gathering citizens" to debate and discuss issues, in part because these allow the potential for greater participation

across socio-economic lines.² (At the same time, they questioned the ability of such experiments to promote citizen engagement on a large scale.)

This simulation is loosely patterned after one such very real and empowering exercise in deliberative democracy, British Columbia's Citizens' Assembly on Electoral Reform that met throughout 2004 to study electoral systems and recommend an alternative to the "first past the post" method of choosing Members of the Provincial Assembly.

The British Columbia Citizens' Assembly's lifespan began with a "Selection Phase" lasting from August to December, 2003, during which CA members were chosen. This was followed by a "Learning Phase" lasting for six weekends beginning in January, 2004. During this time, staff and academics laid out possible criteria for evaluating electoral systems and walked the Assembly through the range of possible systems. This phase wrapped up with the publication of a "Preliminary Report to the People of British Columbia" providing a frame of reference for the "Public Hearings" phase during which fifty public hearings were held throughout the province. Written and internet submissions were also solicited. At the urging of the members, an additional weekend meeting, not part of the original agenda, was held in the summer. The "Deliberation Phase," encompassing five weekends, began in September, 2004, with a review of the public hearings and of material covered in the Learning Phase. The Assembly then narrowed its choices to two, a "mixed member proportional" or MMP system, and a "single transferable vote" or STV system. They considered in detail how each would work in BC and what its effects might be, chose one of the two, compared it to the current "first past the post" (FPTP) electoral system, made a final choice recommending a change, wrote a referendum question, wrote a final report, and discussed their role in the campaign for the election to be held on May 17, 2005.³ The Citizens' Assembly was conceived both an end in itself as an exercise in deliberative democracy, and a means to an end--reforming the electoral system as a step towards increasing voter turnout, decreasing cynicism about government, and in general contributing to a perceived need for revitalization of democracy in the province.⁴

While there have been various experiments in and proposals for deliberative democracy in the United States (for example, the Minnesota

e-Democracy project or Ackerman and Fishkin's "Deliberation Day" proposal in which voters would be paid to join in face-to-face conversations shortly before election day⁵), I chose to model my simulation on the British Columbia Citizens Assembly for several very practical reasons. First, as a co-author of three papers on BC's Citizens' Assembly, and having spent hours watching their proceedings on DVDs as well as reading voluminous postings on their web site, I felt that I had a pretty good sense of what made it a success in deliberative democracy and what might be possible or difficult to replicate in a classroom setting.

Second, the eleven-month format of the Citizens' Assembly seemed to lend itself, however imperfectly, to being shrunk into a fifteen-week semester. It seemed to be something that could be done in a classroom setting with a very low budget.

Thirdly, the BC Citizens' Assembly has given rise to a flurry of interest in similar citizens' assemblies. Ontario is reportedly in the process of establishing one for the same purpose as British Columbia's. There have been calls in Canada for a national citizens' assembly on electoral reform. The Netherlands is in the process of selecting members.⁶

In the United States, there is now a citizens' assembly blog, (and two California Assemblymen have introduced legislation to set up a citizens' assembly in California, also for electoral reform, that would be patterned almost exactly on the BC model, but with a larger budget (\$20 million instead of \$5 million).⁷

The BC Citizens' Assembly also encouraged concurrent model assemblies in high schools and their web site includes some information and ideas concerning these.⁸ These generally, however, took place over one or two days for several hours each day. I thought this was probably a workable format for a high school where students were already acquainted but that for my experiment, having a short session weekly would be more productive because it would allow more time for students to become acquainted, for discussion boards to function, and for students to acquire simultaneously a broader understanding of American politics in which to place their ultimate deliberations.

Description of the Class

Advocates of deliberative democracy differ as to the potential range of its applicability from local level exercises to national events such as the proposed "Deliberation Day." Their ideas are generally based, however, on the concept of a diverse group of citizens being brought together to interact, understand each other's concerns, and reach informed consensus. In British Columbia, much was made of the fact that the 161-person assembly was both randomly selected from voter rolls, and self-selected by those who responded to an invitation letter, attended an information meeting, and then had their names selected again in a final drawing. The result, nor surprisingly, was a wide-ranging mix of citizens, but also with some gaps—no top-level CEOs, lawyers, doctors, for example, almost certain because of the extraordinary time commitment required for this venture.

In a university class, especially in a public regional university, it would seem hard to replicate such a mix. However, submission by students of brief biographical sketches to share with the class reveal that behind the shared label of "students" is found enough variation to at least give the sense of a diverse gathering. Of the thirty-two students submitting information, there were seventeen males and fifteen females. Twenty are twenty years old or young, ten are between twenty-one and thirty, and two are over thirty. Students' majors and minors cover a wide range of fields such as education, nursing, photography, computer science, finance, criminal justice, social work, fire science, and psychology. While most students are from Kentucky, Ohio and Florida are also represented. The class includes several non-traditional students so that the voice of a slightly older generation is heard. Occupations of currently employed students include cosmetologist, Assemblies of God minister, and real estate agent. There is also one high school student taking the course for early college credit.

My British Columbia model drew its assembly members from voting rolls on the assumption that voter registration would indicate at least a minimal interest in the topic at hand. In my class, twenty-three students claim to be registered voters. Of the rest, several are not old enough to register and only three said they had no plans to vote. Fourteen students

are self-identified Republicans compared to eleven Democrats and seven who indicated independent, other, or don't know. Twenty-three said their friends vote and twenty-six said their parents vote. The fact that students chose American government out of a number of general education choices or that they are in majors of the sort that require a supporting course in American government (or that they did not choose to drop the course when they learned that CAPER would be part of their requirements) suggests at least a modicum of self-selection for this exercise.

CAPER Format

While the idea of setting up a direct replica of the CA and considering alternative ways of electing the Kentucky General Assembly had its attractions, I rejected that idea. Because in the U.S., interest in electoral reforms seems largely limited to occasional interest in reforming or abandoning the electoral college, and since the electoral college is a topic that students rarely understand fully at the start of a POL 101 class but have opinions about nevertheless, I chose to use this as the topic for my experiment. I called my experiment the Citizens' Assembly on Presidential Election Reform or CAPER. My class meets twice a week, Tuesdays and Thursdays, for one hour and fifteen minutes. I decided to devote roughly the first half of each Thursday to CAPER.

My first challenge was how to transform a classroom into a Citizens' Assembly. The British Columbia CA had met in the round in an elegant room designed specifically for such deliberative encounters. Besides being functional its very setting lent a sense of importance and prestige to the exercise. Step one was to arrange desks in a circle (and then to keep students from heading for one of the stray desks that did not fit into the circle). Each student was provided with a CAPER folder decorated with an American flag and his or her name on the outside. Each student also received a name tag and name tent. (My graduate assistant helped with the setting up and dismantling of this arrangement.) Each week I place an American flag by the podium to indicate when CAPER is in session. At our first session I asked the class to stand as I played a recording of the national anthem. Students were asked to write short biographical sketches of several sentences on day one of the class. I compiled these and distributed them to the class. At the start of each session I have baskets of candy or cookies for students to snack on both

to make the exercise seem "special" and with the hope of encouraging students to socialize when they come into the class (although at 9:30 in the morning this seems to be a challenge for many of the students).

We have in most weeks divided into four discussion groups. I have done this either by handing out colored cards or by counting off. Based on my BC example, I have tried to vary the make-up of the discussion groups each week so that students would get better acquainted with the entire class. The hope is that this will allow them to feel comfortable and competent in working together to deliberate and construct electoral reform proposals. British Columbia's CA used political science graduate students as discussion group facilitators. Not being blessed with four GAs, I randomly pick a leader for each group by tossing a red, orange, green, or yellow plastic Hawaiian lei to someone in each group. (This also adds a touch of humor.)

I decided that that it was important to try to make the CAPER session as distinctive from the class. Thus at the end of our thirty-five minute sessions, we move desks back into rows, and turn in name tags and name tents and take down the flag.

The Learning Phase

The first part of the semester has been the learning phase. I introduced the project by playing the first portion of a television documentary shown in Canada at the conclusion of BC's Citizens' Assembly. This portion discussed the creation of the CA and showed some clips from their selection process and their Learning Phase in which their academic staff, consisting of political science professors from University of British Columbia, walked the CA through a study of the major families of electoral systems. This helped to visually introduce them to what they would be doing on a much smaller scale and perhaps suggested that deliberative was not a totally far-fetched idea.

Our first session began with the playing of the national anthem, in the hopes of helping to bond students emotionally to their task and to the responsibility of citizenship. I then gave CAPER its charge:

A. The Citizens' Assembly on Presidential Election Reform (CAPER) must study models and proposals for electing the President of the United States and the Vice-President, and recommend whether the current "electoral college" method of electing these officials as

described in the U.S. Constitution, Article II and Amendment XII, should be retained or another method should be developed or adopted.

B. In carrying out this charge, the Assembly must:

First, become well informed as to the current method and possible alternative methods;
Second, consult with other citizens in the Department of Government on the ECU campus and provide them the opportunity to make submissions to CAPER in writing and/or orally at public hearings;
Third, develop two alternative methods and then debate and decide between them;
Fourth, re-examine the current system and then debate and decide between it and the alternative.

C. If the Assembly recommends adoption of a new system for electing the President and Vice-President, the new system must be described clearly and in detail in the final report and if a Constitutional amendment would be required, proposed language for the amendment must be included.

D. The assessment described in section 1 must

- a. be limited to the way in which votes cast by the people become translated into a choice of President and Vice-President and
- b. take into account the potential effect on the political party system and government of the United States.

Borrowing from the CA,⁹ I proposed and explained a list of policies and procedures for CAPER:

- a. Commonsense and reasonableness in conduct of meetings.
- b. Informal, decision by consensus where possible. No "Roberts Rules"
- c. "Nothing is decided until everything is decided."
- d. A quorum will be 50 %.
- e. The Chair can summarize a consensus position and that will hold unless someone requests a vote. A consensus means a position the majority supports or can live with. The Chair may also decide that a vote is warranted.
- f. Votes will be by show of hands except where the formal decisions described in the charge are involved, in which case they will be by secret ballot.
- g. The Chair only votes in case of a tie.
- h. Make-up of discussion groups will change each week.

Following that, we established the values that would govern our deliberations. I suggested a few from the CA list¹⁰ and then divided the CAPER into small groups to develop their own. Compiling these, we agreed as an assembly on the following:

Informality
Honesty
Respect

- Reasonable voice level
- Time management—complete work without cutting into class time
- Respect opinions of others
- Listen—don't interrupt
- Try not to offend
- Be considerate, courteous
- Present ideas in organized fashion
- Take all points under consideration
- Be open-minded
- Be calm

Next I reviewed for the group a list of values that might be desirable in a presidential election system with the caveat that no system could incorporate all of these equally. Through group and plenary deliberation, the CAPER arrived at a list of those that seemed at the start to be most important and those that might be sacrificed. (fair/equal representation and simplicity ranked at the top, while protecting the two-party system came in last!)

Subsequent sessions have been devoted to discussions of the Constitutional Convention and original conception of the electoral college; changes in the operation of the electoral college, "misfired" elections, proposals to reform the electoral college, proposals to replace the electoral college. In each instance, after receiving a handout and hearing an accompanying presentation, students went into discussion groups with an assignment that typically involved starting to seek consensus on a top and bottom choice from among options presented to them.

I set up a CAPER discussion board via Blackboard on which about a third of the class thus far have posted statements and several dialogues have begun. At this point the debate has centered on the current system versus direct popular vote. I anticipate that as the learning phase winds down, some of the complexities of the possible choices will get on the agenda.

The Rest of CAPER

CAPER's next stage will consist of "public hearings." I plan to begin by playing a short portion of the CA DVD in which British Columbians discuss their public hearings, what the Assembly members' roles should be at them, and what they should do with the information they heard. (One decision they discovered they would need to make was whether,

having heard the public's opinions, they should be playing the role of trustees or delegates in making their decisions.) CAPER's "public hearings" will consist of visits to the class by some faculty and students who will make brief statements advocating their preferred electoral system. I anticipate that these will consist of a range of informed and less informed opinions. During this phase, I will also introduce students via internet web sites to individuals groups such as Fair Vote that advocate one plan or another as well as posting some editorials and op ed pieces on this issue.

Finally, we will reach the deliberation phase. (Students appear to be looking forward to this and have asked several times, "When can we start deliberating?") I plan once again to play a portion of the CA deliberations to give a flavor of the informal style and consensual attitudes that prevailed. For the deliberation phase, I plan to change my format and devote at least two entire class periods to building two alternative models, debating and voting on them, and then debating and choosing between the preferred alternative and the electoral college. I plan then, in the interest of time, to use the discussion board for students to develop a draft of a final report which could include language for a proposed constitutional amendment. We will then debate and approve the report as a group, and I will do something significant with it to achieve closure.

CAPER Challenges

The first challenge has been the time limitations. I have worked very hard to restrict our CAPER sessions to thirty-five minutes once a week because of the need to cover the rest of the standard POL 101 curriculum as well.

A second is that it is hard for me to play the multiple roles of classroom instructor, CAPER instructor, and CAPER facilitator. My real role-juggling test will come in the deliberation phase when I have to try to remove my instructor's persona and let deliberations take place without the voice of academic chiming in unnecessarily.

A third challenge is keeping the discussion groups on task without official facilitators. I have found this to be the case in any group exercises. Continually reassigning the group membership and group leaders has helped to both make students more comfortable talking

among near-strangers and to break up cliques that might be tempted to discuss their personal activities.

A fourth challenge is how to grade a project like CAPER? Ideally, students, like citizens, would do it for the joy of learning and deliberating, but that is not a realistic expectation. I decided to count CAPER as fifteen per cent of a student's final grade. This will include an assessment of the student's participation in the full assembly, in small groups (insofar as that is possible to ascertain), in the discussion board, and in contributing to writing the final report. Additionally, each student has already submitted an interim analysis and will be required to submit a longer final analysis. These involve reading some short articles on deliberative democracy as well as writing a personal assessment of the CAPER process and outcome.

A fifth challenge is that doing such a project for a grade does not have the same effect as doing it because, as in BC, your government has empowered you to write a question for a binding referendum. If the students do a serious job, come up with a reasonable conclusion, and write an impressive collective report, I will want to do something with it as a way of reaching closure. Ideas I am considering include sending it to a public official, getting a local newspaper story about it, or arranging for students to present their conclusions at a campus event.

Assessment of CAPER

Prior to starting CAPER, students were asked, using a scale of 1 (low) to 10 (high), to indicate their level of understanding of the electoral college. The class average was 6—higher than I had expected—but based on accompanying written comments, I suspect several students reversed the ranking and put 8s when they meant 2s. At the end of the Learning Phase, I gave students an anonymous questionnaire. Sixteen of twenty-five agreed or strongly agreed that their understanding of the electoral college had improved and only two disagreed. Fifteen agreed that they are now better equipped to discuss proposals for change. In reading their signed preliminary analysis papers, I found almost total enthusiasm about the exercise as a classroom activity but considerable skepticism about its applicability to the real world of politics. I also uncovered some misunderstandings of deliberative democracy, suggesting the need for some “damage control.” In particular, several

students assumed that this method was being proposed as a replacement for rather than a supplement to our traditional institutions of government.

Conclusion

My hope is that this exercise can serve multiple purposes. First, it may help give students tools for civic engagement. Participants in BC's Citizens' Assembly said afterwards that they felt empowered, had acquired new skills and knowledge, gained new confidence in speaking in a public setting. Whether my CAPER students will feel new confidence from their experience in a smaller, more artificial setting remains to be seen. However, even if the exercise does not turn them overnight into public-spirited citizens, it also seems well-suited to several of our university's general education and departmental goals, particularly those involving civic engagement and critical thinking, and applying political knowledge to become better informed on matters of public importance. It is far too early to draw any conclusions about the success of CAPER. The real test will come in the Deliberation Phase. And the question remains as to whether CAPER (or a real BC-type citizens' assembly, for that matter) would work the same way if the topic were one in which partisan and ideological lines were more likely to be drawn. However, my hope is that this exercise will provide students leaving my class with not just textbook knowledge about electoral reform but new ideas about the possibilities and limitations of deliberative democracy as the "highest level" of civic engagement.

ENDNOTES

¹ Stephen Macedo, et al, *Democracy at Risk: How Political Choices Undermine Citizen Participation, and What We Can Do About It* (Washington, D.C.: Brookings Institution Press, 2005).

²Ibid., p. 61.

³ See British Columbian Citizens' Assembly on Electoral Reform, "Making Every Vote Count: The Case for Electoral Reform in British Columbia," Final Report, December, 2004.

⁴ See Jane G. Rainey and Glenn W. Rainey, Jr., "Innovation in Civic Engagement: The British Columbia Citizens' Assembly on Electoral Reform," Southern Political Science Association, Atlanta, Georgia, January 5 – 7, 2006. Also Glenn W. Rainey, Jr. and Jane G. Rainey, "Unique and Common Factors Influencing a Citizen-Driven Electoral Reform Proposal: Electoral Systems and Governance Choices in the British Columbia Citizens' Assembly on Electoral Reform," Southern Political Science Association, Atlanta, Georgia, January 5 – 7, 2006, and Jane G. Rainey and Glenn W. Rainey, Jr., "Don't Eat That Ballot: Prospects for Electoral Reform in Canada and Potential Lessons for the U.S.," Annual Conference of the Kentucky Political Science Association, Bowling Green, Kentucky, March 4 – 5, 2005.

⁵ Macedo, p. 61.

⁶ See <http://snider.blogs.com/citizensassembly/>

⁷ Ibid.

⁸ The BC Citizens' Assembly web site is <http://www.citizensassembly.bc.ca/public>.

⁹ Making Every Vote Count: The Case for Electoral Reform in British Columbia--Technical Report (Vancouver, BC, 2004), p. 107.

¹⁰ Ibid., p. 68.