

**Excerpt from, *The New Enlightenment*,
by Robert Bivona, pages 297-299**

**Enhancing Democracy with New
Democratic Forms**

The extraordinary Occupy movement is largely gone, but its spirit has not been extinguished. Severe social injustices will cause it to rise again in a more beneficial, powerful, and enduring way. This renewed spirit will base actions on lessons from the Occupy movement and from several other innovative expressions of democracy internationally, and be part of the essence of the New Enlightenment.

Occupy brought to widespread public awareness the vast economic and political power disparities between the “1%” and the “99%.” Now tens of millions of Americans see this issue as the most important of our time. Occupy also brought to widespread public awareness the great importance of public spaces for people to express discontent with public policy and to discuss public issues. Integral to some of these discussions was a decision-making process, also of potentially great importance. If the process (or possibly a modified version of it) that was used—a form of “consensus” decision-making among average citizens—can be a routine part of our policymaking process, the result is likely to be policy far better aligned with the public interest than exists now. This New Enlightenment policy details how we can accomplish this.

Also, Occupy demonstrated the great power of the Internet in social movements, which has continued to be applied to great effect. However, Occupy’s core message regarding the injustice of the vast economic and political power disparities between the “1%” and the “99%,” expressed about five years ago, remains unaddressed with policy solutions, despite the fact that the majority of our citizenry sees that developing and instituting policy solutions should be a high priority policymaker goal.

Political system dysfunction and wider social dysfunction is growing in

a long-term trend with disillusionment with, and distrust of, our form of “democracy.” Confidence levels in our democratic institutions are now at historic lows. Competitive elections for the leadership of legislative and executive offices, even when the process was not corrupted by the vast amounts of money of modern-day elections, has tended to not result in truly democratic outcomes. New Enlightenment reforms of our election system, media, and lobbying system, and policies for the widespread establishment of worker-owned enterprises will advance democratic functioning greatly. But we also need the following system, which will integrate average citizens in groups into some public policy development processes.

Average citizen involvement in public policy development will satisfy an essential human need: to be engaged with others in cooperative efforts to improve their and their social group’s conditions. Through dialogue and consensus building, average citizens can help develop policies for a more just and egalitarian society. However, despite its faults, representative government with elected officials advised by professional members of the citizenry has value as an institutional arrangement, so I propose supplementing, not replacing it.

In our current cultural environment, most people know little about politics. One reason is that they have an insignificant amount of political power. But it is also true that the average person possesses valuable knowledge and skills and the desire to use them to have some control over the important aspects of his or her life. And this and other New Enlightenment policies will substantially increase the desire and capacity of average citizens to actively participate in the democratic processes determining societal conditions of great importance to their quality of life. The assumption that only professionals can possess the skills to govern well is plainly false, just considering current levels of dysfunction alone.

I describe some evidence that new democratic forms may be needed in *Now Is the Time for The New Enlightenment*, but far more exists. Although other New Enlightenment reforms will advance democratic functioning greatly, the one detailed in this policy proposal may ultimately result in the largest advance. This would be more certainly true if its success motivates further reforms along the same lines.

Among the deficiencies of our current democratic systems are their tendencies to place too little emphasis on systemic reform options when seeking solutions to problems, even when the evidence for the need for them is clear. The need for systemic improvements is evident in these systems:

- A food system based on agricultural practices that are unnecessarily

environmentally destructive and that generates health problems through public policies that result in large numbers of people consuming excessive amounts of high calorie, low nutrient density foods.

- A health system that has overwhelming financial barriers to the care needed by tens of millions of Americans and financially destroys many that do access the system. Mental and dental health care are especially commonly inaccessible. The system is dominated by hospitals and places little emphasis on the cost effective and otherwise beneficial methods to prevent disease. The system has over two times the OECD average per capita costs.
- Energy systems designed to produce and distribute energy, but not to use it efficiently, and designed with too little consideration of the environmental impact of the means of energy production.
- A transportation system dominated by resource inefficient, relatively high pollution generating automobiles. And 42% of America's major urban highways are congested, costing the economy about \$101 billion in wasted time and fuel per year. Meanwhile, 45% of American households lack any access to mass transit, and millions more have inadequate service levels.¹ Many sufficiently densely populated areas exist where we could more extensively deploy mass transit for greater resource efficiencies and convenience. Also, the greater resource efficiency and convenience potential of high-speed rail relative to air transport in the densely populated east coast region (and elsewhere) has not been realized.
- An economic system that leaves large amounts of resources unused, while widespread and serious unmet needs exist, and that is generating vast inequalities. Our economic inequality is particularly vicious since it is characterized by historically vast societal wealth and historically vast amounts of it concentrated in a tiny elite while tens of millions of Americans are in poverty. And poverty levels for children are disproportionately high and will likely result in lifelong negative impacts for many millions of children.
- A political system where public policy has no relationship to the preferences of the average citizen.

In 2014, policy scholar Paul Light performed a comprehensive study of the effectiveness of a hundred presidential and congressional investigative commissions on the governmental response to crises. Light found that only thirty-nine inquired into systemic causes, and the quality of their work was sometimes poor, lacking even in basic fact-finding, and often produced no

results. For example, despite widespread attention to the BP oil spill in 2010, an investigatory commission and other advisory committee work, there has been no congressional action. The leaks continue (at least until the 2014 report).²

The large reservoir of discontent and skills in our citizenry can and should be tapped in new ways for public policy ideas, and for the vision needed for systemic change when such change is called for. Current policymaker advisors and policymakers are often heavily invested educationally, professionally and financially in existing systems so are less open to systemic changes as solutions to problems than the average citizen would be.

Whether systemic reforms are involved or not, substantial benefits will result from a system where average citizens perform some public policy development. Those most likely to be affected by a problem are average citizens who sometimes have information relevant to determining a solution that professionals do not have. They also have the strongest motive to solve it, most immediately see the impact of any solution implemented, and they are best situated to sometimes assist in its implementation.

Currently, letter writing, emails, and phone calls by citizens have little or no impact on policy. The main route of contact by the citizenry on government policymakers with impact is through advisory committees and think tanks where relatively few policy professionals are involved, who commonly pursue ideologically biased points of view in favor of current systems and power structures.

Public policies have too often been based on guesses founded on prejudices, not evidence, and many have been designed to best serve a small elite in disregard of the majority. Well-designed deliberative systems that allow average citizens a significant impact on policy development can create better policy outcomes. Substantial evidence for this exists from policy development systems implemented in Denmark, Germany, Brazil, Australia, Canada, India, even some parts of the U.S., and elsewhere.³ Also, the research of Daron Acemoglu and James Robinson reported in their book *Why Nations Fail*, shows that successful societies have institutions that are inclusive and promote the use of citizens' talent, ingenuity, ambition, and ability.

The following policy will improve the civic skills of, and tap the capacity of, the average citizen in the development of public policies that best serve their interests and those of the wider society in which we all live. It will create the opportunity for groups of average citizens to participate in the policymaking process. The process incentivizes citizens to develop the

capacity to make good decisions, mainly through an awareness that it may result in their having to live with the consequences. However, financial incentives are also involved.

Educational processes, dialogue, and consensus building in small groups of average citizens are at the core of the proposed democratic form. It is designed to be used for both decisions on local issues such as the quality of schools, the environment, policing, local government budgeting, plans for bike lanes, highway routes, etc., and major national and state issues. Despite the great importance of decisions on major national issues, the level of knowledge to make wise policy choices is generally not impractically large for the average citizen to attain when he or she does not already have it.

The proposed process would not be appropriate for creating rapid response policies or policies that require a high level of technical expertise, such as how to best deal with failure of the power grid. But for the ultimately most important policy decisions regarding our energy system, for example, those influencing the proportions of our energy supplied by local renewable sources, energy efficiency measures, and fossil fuels, average citizens can practically gain the knowledge that arguably would result in wiser choices than the ones that current policymakers have made. Also, society may be more willing to accept a policy decision if it were created by groups of average, non-privileged citizens.

The process described below injects into the policymaking process the diversity of knowledge possessed by individuals whose knowledge currently would not be recognized or valued by elite power holders and experts. And this newly utilized knowledge, which the process also enhances, can result in productive innovations that otherwise would not have been achieved. As the process becomes more widely utilized, the exercising of capacities of argument, planning, and evaluation will result in average citizens who are better deliberators.

National Deliberative Processes in Citizen Groups

I propose that 0.1% of the U.S. population (slightly over 0.1% as a result of the details of the proposed selection process) be randomly selected to participate in formal county (or county equivalent) based, but nationally funded, deliberative processes in groups of 25 citizens, called Councils. Taking 0.1% of the population in many counties would result in their having no Councils of the standard 25-member size. So we will round up to the nearest whole number of 25-member Councils after taking 0.1% of the population of each county to determine the number of participants or Councils

in the county. This will result in about 358,000 citizens participating nationwide—a large number that I recommend be even larger through voluntary groups outside the official, federally funded system. Washington, D.C. and other cities not part of counties, such as exist in Virginia, will be treated as counties.

Anyone randomly selected to participate of course can choose not to, in which case we will randomly select another person until the desired number is reached. On average, over all councils, random selection ensures that participants are representative of the general population. The lowest 99% in the wealth, income, and power hierarchy will have 99% of the influence on the determined policy recommendations. Random selection gives the same influence over the policymaking process to the poorest 20% of Americans as it gives the wealthiest 20%, unlike existing policymaking processes. However, normal statistical variability will result in the random selection process creating many unrepresentative councils (for example, some with 21 men and 4 women).

To ensure the selection process results in the demographic makeup of each Council fairly reflecting the population of the citizens of the county regarding these characteristics: gender, above or below the 45th percentile of county income, and race, we will require that no less than 12 participants be of one gender (or necessarily no more than 13 participants) and that 13 participants be of the lower income category (or necessarily no more than 12 participants in the higher income category). This will slightly skew the selections toward lower incomes.

To ensure a representative racial diversity, if the population has between 4 and 8% of a particular race we will require between one and two participants be of that race, for races between 8% and 12% of the population they will be represented by between two and three participants, and so on. If a member of a race that represents less than 4% of the population is randomly selected that person would be a participant. (The quota range for a race is determined by dividing four into the race's percent of population and rounding up to the nearest whole number for the upper limit, and down for the lower limit.) Mixed race individuals could identify with a race they consider most appropriate or be included in a separate mixed race category.

For details on the selection process, see the following text box. You can choose not to read the level of detail in the text box with no loss of continuity.

The slight bias towards lower than median income participants is justified based on this group being otherwise poorly represented. The above quotas will be standard for all counties; however, counties would be free to

include additional demographic criteria that they consider appropriate in the selection process as well.

In addition to other New Enlightenment policies that will increase the desire and capacity of the citizenry to actively participate in democratic processes, educational programs for the participants also will. But if economic conditions remain as they are, due to the time working to earn a living, too

Selection Process for the 25 Council Members

We will use postal records of the residents within county boundaries for the random selections. Random selections will proceed until we select the maximum in any quota category. Further random selections will deselect any in this category that has already reached its maximum until 25 participants are selected. This process will necessarily result in the gender and income category quotas being met.

If after 25 participants are selected the quota for a particular race has not been met further random selections will seek participants to meet this quota who will replace previous selections in the majority selected race of their gender and income category. Those replaced we will also randomly select. In the cases where both income category and gender cannot be matched, previously selected participants in their income category will be replaced regardless of gender.

many people will be unable to commit the time and energy that the New Enlightenment deliberative process will require. However, New Enlightenment economic policies will alleviate this problem by reducing the full-time work-hour standard by at least the amount of time per week that the proposed system requires for the people who participate, even without considering that higher wages will allow many people to further reduce their work-hours.

Each participant must agree to take part in four hours per week, 40-week deliberative processes that will result in public policy recommendations, and in many cases, instituted public policy. They will be paid \$100 per week. This amounts to \$25 per hour for the official time spent in the process, which, in addition to the personal satisfaction they will receive from influencing policy which impacts their lives, seems fair and reasonable compensation for their time (which will generally involve preparation time in addition to the four-hour meeting time). This payment will help motivate participants to take seriously their responsibility to make their best effort in the process. And it will be a more significant motive for people at the lower end of the income spectrum to participate than at the higher end, which is desirable to help

ensure that the resulting policy proposals will serve people who currently have the least economic and political power.

The people choosing to participate will spend their first 4-hour session in standardized instructional programs on the deliberative process itself. Eventually, this will be unnecessary after improved high school and college instruction standards make familiarity with the process widespread. (Also, media coverage of the process may make this introduction unnecessary.)

The instructional programs will emphasize that serving the best interests of as many people as possible that are affected by the issue under deliberation, or serving “the greater good,” is important, and that without adhering to this ethos any proposal they make will likely not reach sufficient levels of support to be adopted. For the process to function well, each participant cannot vote for the policy option that advances only his or her self-interest, but rather for the choice that seems most reasonable in consideration of the interests of all concerned. Although some participants may have little in common—some may even have histories of animosity—they are united in a major effort seeking how best to improve the situation or solve the problem on which they are deliberating in a way that is considered fair and reasonable to as many participants as possible.

After the selection of an issue on which to deliberate, using the process we describe below, educational programs on the issue will begin. As part of the educational process, questions may be posed to experts on the issue either by email, in person, or in web conferences. Because a large part of the process involves informing participants about all sides of an issue, they will have (or have access to) the knowledge needed to create their own unique policy recommendations, or evaluate those of others.

All the participants will commonly review any participant's briefing material recommendations based on input from representatives, interest groups or any other source. The importance of selecting material with verifiable facts will be emphasized. For complex issues where excessively large amounts of content results, a minimum level of agreement determined by vote (possibly at least one-third of the members) that the material is from a reliable source will be required for inclusion in the official briefing material. Participants would be free to mention statements from sources of his choosing during the deliberative process but would have to defend their legitimacy if they are to impact the process.

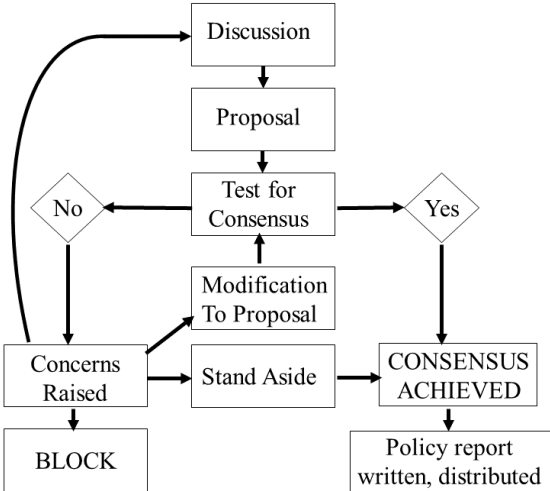
Discussion will follow the educational programs, then a participant will make a policy proposal that he or she finds desirable and believes, based on the discussion, may receive the widest support for improving the situation or

solving the problem discussed. Since the goal is to get as many participants as possible to support their proposal, participants will seek and present to the group what they consider would be widely appealing justifications for it.

After a policy proposal is presented each participant then votes to reject or accept it. Anyone who rejects the proposal will detail the reasons. The Council will then, if possible, modify the proposal based on these reasons and retest it for approval by all members. Even if a participant does not entirely approve the proposal, if the disapproval is not strong he or she can allow it to proceed. Any participant with a proposal will be given the opportunity to present it, or meet its requirements based on influencing another participant’s proposal. The process is agreement seeking and cooperative, but even when compromise cannot be achieved it motivates constructing fundamentally new proposals based on new ideas.

If after improving a proposal no further compromises can be made, and one or more persons remain who find it unacceptable, the proposal is blocked, at least temporarily. A participant who has another, possibly fundamentally different, proposal can then test it for consensus. If it too cannot achieve consensus, then another proposal is considered and so on. If no proposal achieves consensus, then the one with the fewest number of participants choosing to block it will be adopted. In the case of a tie, a vote (an IRV vote if more than two proposals are tied) will determine the proposal that will be adopted. Ideally, a proposal can achieve consensus, and this will generally be the outcome of the deliberative processes designed to serve this ideal.

A visual guide to the essential part of process follows.



For the process to be effective, each participant must understand that remaining open to new information and proposals is necessary, even if it does not best serve his or her interests. This practice is familiar to everyone. We often discuss issues and resolve conflict by accepting a reasonable and fair outcome for all concerned, rather than ignoring the interests of others in an attempt to best serve our own narrow interests.

The ability of any participant to block a proposal forces participants to negotiate with those having minority views, and to modify proposals to make them at least tolerable for everyone, and when this is not possible, desirable or tolerable to as many participants as possible. Our current democratic forms systematically ignore or discount this important function of democracy. Even when a participant's proposal is rejected through deliberative processes, the participant will at least know why.

An impartial moderator and assistant will keep the discussion on track and make sure that anyone wanting to speak may do so. They will be selected by Council member vote, typically either from among employees of the county chosen by the county manager (or equivalent) or from New Enlightenment Citizens Union members trained for these roles. (Facilitating and improving democratic processes will be an essential function of the New Enlightenment Citizens Union and ultimately Party).

In counties where no county official or trained New Enlightenment Citizens Union member is available, participants will choose a moderator and assistant by vote from among citizens who register their interest with qualifying information on the county government, or if not available, state government website. The essential importance of having an impartial and reasonable moderator thoroughly familiar with the deliberative process will be emphasized in the instructional programs.

The assistants will take minutes, including notation of any requests for information in the meeting that would later be sought and presented at the next meeting or emailed to participants prior to it. Moderators and assistants will also be paid \$25 per hour.

Citizens brought together to discuss public policy in a setting that emphasizes equal participation, mutual respect, and reasoned argument will likely bridge the wide chasms existing in the larger society. More sympathy with opposing views, more respect for evidence based reasoning rather than opinion, more social cohesion between people from different backgrounds, and a greater commitment to the public policies developed will result from this system.

A criticism of this kind of deliberation process is that potentially it allows those most rhetorically skilled to have a disproportionate influence on it and its outcome. This may be true to some degree. However, perfection is not achievable with any system, and people with little rhetorical skill can also express the most important determinants of outcomes: facts and reasons. This system is extraordinarily egalitarian. All participants will know that they have equal opportunity for an equal role in determining the functioning of an important part of the world in which they live.

Issue Selection

Each county will have all Councils within it deliberate on the same issues at their own pace in sequence based on this issue selection frequency ranking system:

Each participant chooses his or her top priority issues or problems requiring a public policy change for the ranking process. Their choices can be made in consideration of suggestions from their elected representatives and any interest group they choose. Likely, many interest groups will create a list for consideration in this process. Each elected national, state and local representative can also provide a list to Councils with his or her constituency of up to a recommended maximum of five national, up to five state, and up to five local issues or problems that the representative judges to be the most important requiring a public policy solution. A summary of each issue in 40-words or less is recommended, with any other information the source provides. The recommended maximums will keep review time of recommendations from these sources within reasonable limits.

After considering any suggestions, each participant will either choose from among them or state priorities independent of them. He or she will state up to three national issues, up to three state issues and up to three local issues most preferred for their Council's deliberation in 40-word or less summaries of each issue. The 40-word limit will facilitate the following selection process for the issues on which they will deliberate.

For the participants' choices on all local, state, and national issues that are stated differently but are essentially the same as, or very similar to, others, the system requires that they be included in narrowly defined categories to be stated uniformly. We will modify some issue statements in the category so that the category is represented by one statement. Councils will deliberate on these uniformly stated issues. They will be uniformly stated statewide for the state and national issues (and ultimately nationwide on national issues), and countywide on local issues. I call this process "unifying" the issues

statements., The examples I detail below will clarify the process..

Unifying the issues statements will be done by employees of a state agency, possibly the state's election commission or equivalent, and then this agency will rank the unified issue selection frequency in each county separately. After ranking, the issue statements will be returned to the Councils in unified form.

Uniformly stating issues that are essentially the same or similar, but stated differently by different participants, serves the purposes of facilitating selecting high priority issues on which to deliberate, and it simplifies analyzing deliberative process results countywide, statewide, and nationwide. Also it plays an important role in other parts of the proposed system. Often participants will choose issue statements of their representatives or widely known interest groups, so many issue statements will not require alteration to create uniformity of expression.

Below are examples of how individual participants' issue choices could be slightly altered to create uniformly stated issues for Council deliberations. The issue statement unification process will both clarify and uniformly state similar issue choices:

Example 1

- Participant 1 issue: Should climate change be mitigated using a carbon tax?
- Participant 2 issue: How high would gas and other energy costs rise if the U.S. adopted the same tax per ton on carbon as Finland (\$89/ton), and is it worth the cost?
- Unified issue statement: Should climate change be mitigated using a carbon tax, and if so, how large can it be before it is unacceptably economically harmful or inequitable?

It is highly unlikely that either participant would object to deliberating on the unified issue statement rather than their own since it is essentially the same as theirs. Although some discretion is involved in creating the unified statements, and in some cases may result in a significant alteration in a participant statement, if it is done reasonably, participants will be very unlikely to find them unacceptable. The purpose of serving the ideal of as many people as practical deliberating on equivalently stated high priority issues would generally be considered worth any compromise involved.

Example 2

- Participant 1 issue: Should the minimum wage be raised to \$12/ hour?
- Participant 2 issue: Would raising the minimum wage to \$15/hour

be harmful to the economy?

- Unified issue statement: How high can the minimum wage be raised before it would be unacceptably economically harmful?

Example 3

- Participant 1 issue: Is a flat tax type of income tax proposed by some Republican candidates for president in their primary contest the most just and economically beneficial type of tax, and which of their proposals is the most just and beneficial?
- Participant 2 issue: Should income taxes be raised on taxpayers with incomes in the top 5% to eliminate the deficit?
- Participant 3 issue: Should income taxes be lowered on the middle class and poor, while making up for the reduced revenue by raising taxes on high incomes?
- Unified issue statement: Considering both economic impacts and fairness, what are the most beneficial marginal tax rates proposed by interest groups, policy experts, and politicians, and can we improve on the best choice among them?

These are complex issues. Each may take the full 40 weeks of some of the Councils that deliberate on them to come to a conclusion. Many issues on which Councils would deliberate would not be nearly as complex. Some less complex, and local, issues may include:

Should funding be increased for?:

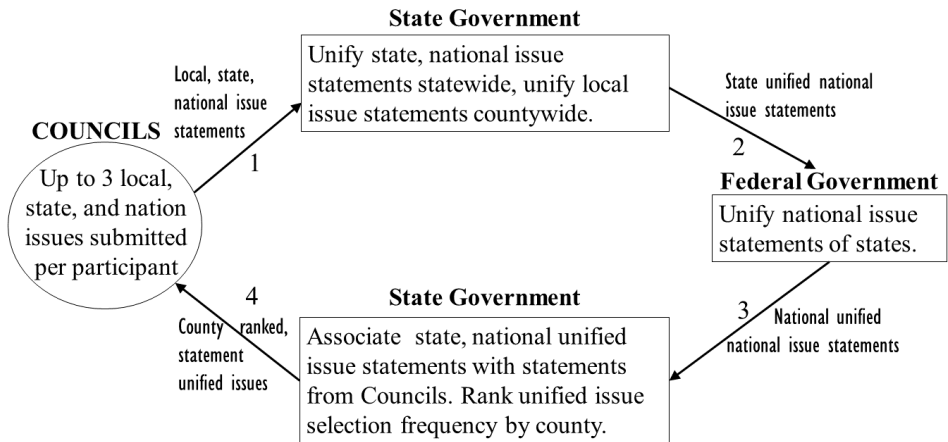
- repairing or paving roads
- expanding evening and weekend hours of libraries
- adding more benches in commercial strips
- converting a little-used street segment into a plaza
- enhancing a local park or playground
- preserving the community's beaches from erosion and flooding
- creating a new composting site, etc.

Before returning the state unified national issue statements, they will also undergo a unification process at the national level. States will submit their unified national issues statement to a federal agency, possibly the federal election commission, for national level unification. This agency will then return to the states the national level unified issue statements with the associated issue statements determined by the states, which the states would have associated with the original participant statement for return to the Councils in ranked order based on countywide frequency of selection.

The complexity of the process would be greatly limited by many people

choosing the limited number of issues statements recommended by their representatives or popular interest groups. Also, a limited number of issues exist that otherwise would attract the public attention. A visual guide to the issue unification process follows.

UNIFIED ISSUE STATEMENTS TO THE COUNCILS PROCESS



All participants' issue choices with their unified version will be included in a publicly available database on state and federal websites so the press (or anyone else) can evaluate the reasonableness of the issue statement unification process.

Prior to the Council members' selection of their top priority issues, some issues of concern at all levels of government will be emphasized for their consideration. One is this:

What proportion of local public revenues should originate from the federal government? Localities cannot tax citizens with the degree of progressivity that would be most just and beneficial because if they raise tax rates on the wealthiest or highest income people it will motivate them to move to the neighboring locality, causing a race to the bottom problem where no locality can appropriately fund public priorities. It is very easy to move to a neighboring locality, and even to a neighboring state causing a race to the bottom problem among states. Only the national government has the power to tax using appropriate levels of progressivity because it is far more difficult for high income or wealth people to move to another country than another locality or state to avoid taxes. It is possible, though, so as I have mentioned in some New Enlightenment tax proposals, in an increasingly globalized world, we eventually need to have international agreements on tax systems to

avoid the race to the bottom problem among countries.

In each state, we will create a publicly accessible registry of topics in deliberative processes statewide so that Councils deliberating on the same issue can share educational materials if they choose to, and Councils deliberating on an issue at the same time may also share informational web conferences with experts. This would make more efficient use of educational materials and expert time. Members from different Councils could also communicate to benefit from one another's knowledge.

Each Council will work on its county's concerns in ranked order at their own pace, going through as many as it can in the 40 weeks. Local, state, and national issues will be ranked as a group. For some counties, national issues would be top priority issues, some, state or local, and the mix would vary depending on the county. Ranking priorities countywide so all Councils in the county will deliberate on top priority issues as determined by all participants in the county will make more common the sharing of informational resources among local people in different Councils. Also, the results of more deliberations on top local priorities countywide will more likely result in a stronger and more beneficial impact on local government policies than would be the case if some Councils deliberated on lower priorities according to the countywide majority view.

After a policy proposal is adopted, the Council will produce a report on it, which it submits to its members' representatives and the press. In counties where two or more Councils exist, after any local policy decision, each Council will elect three Council members to present and justify the decision to a county level "Collaborative Council." For up to four eight-hour days, as necessary, over one to four weekends, Council representatives will meet in an issue specific Collaborative Council to attempt consensus on a policy proposal that is selected and possibly improved from those of the individual Councils. Collaborative Council participants will be compensated \$200 per day for their time in the process.

Before the Collaborative Councils, the Council representatives would familiarize themselves with the reports of the other Councils on their issue. Collaborative Councils would begin with discussions, then questions and answer sessions by participants explaining their Council's proposal, and then a vote (IRV when three or more proposals exist) on the most preferred policy of the Councils represented. This policy will then be used in the consensus process so it could be improved by removing as many objections to it as possible. Some policies with the most votes may have no significant objections to be removed. (In the case of a tie, participants can determine an

optimal proposal, or one with the fewest significant objections by considering both proposals in the consensus process.)

When a significant objection exists, a modification suggested to overcome it would be tested for consensus, and if the modified proposal achieves consensus or creates a proposal with fewer objections, the modified proposal will replace the originally selected one. Other suggested modifications to overcome objections would go through the same process. Since an improved version of the most preferred policy proposal will result, it will be the one officially adopted by the Collaborative Council, on which it then writes a report.

Media coverage likely would be extensive on the results of the Collaborative Councils or the Councils when they make a final policy decision, but we will require coverage for broadcast media companies as a license requirement.

For local government policy proposals of Collaborative Councils, or Councils when a Collaborative Council did not decide the issue, a referendum will be taken on the proposals, and for any that a supermajority (60%) approves, it will be required that the local government institute the policy.

For state and national policies, local representatives to the state and federal government will have the discretion to support and advocate for the Council's or Collaborative Council's recommended policies, or not, but would have to justify their decisions. Press coverage will likely result in substantial pressure to comply with the public will as expressed through deliberative processes. If a representative doesn't comply it likely will significantly reduce the representative's re-election chances. However, state and national policies I recommend be influenced more strongly by other levels of the citizen deliberative hierarchy that I describe in the next sections.

Ideally, New Enlightenment policies will be among the policies considered by the Councils, so ideally, this policy would be the first, or among the first, New Enlightenment policies instituted. Moral justifications described in Part 4 should be central to the deliberations on the most important policies designed to greatly enhance egalitarianism. Historically, major social and political reforms such as those regarding slavery and women's suffrage were founded on moral consideration discourse that affected large numbers of people. When decisions must be largely determined by moral considerations, a consensus decision by average citizens generally will be closer to the ideal than those of a small elite. Decisions by a small elite tend to not be made based on serving the good of the whole of society, which is an important consideration in moral decisions. Instead, they are often based on

serving their narrow interests.

After the official federally funded 40 weeks of deliberation, both their newly developed civic skills and relationships would likely motivate some participants to form new, voluntary Councils.

Statewide Council Representative Assemblies — “Forums”

State and national officials could use all Councils’ policy proposals to determine a majority opinion or a compromise among the state and national proposals. However, in some states and for the federal government the number of Councils will make this process unwieldy. The following process is more systematic, and would likely result in the institution of a superior policy. It uses deliberative processes of representatives from the Councils.

After any state or national policy decision, each Council will elect (using IRV) three Council members to present and justify the decision, in ranked order, to a state level Council, or Forum. For a week, Council representatives will meet in issue specific Forums to select and improve a policy proposal from among those determined by the Councils.

In any case, where the total number of representatives would exceed 200, we recommend limiting Forum size by selecting the top one or two representatives from the ranked order of the Councils as needed to meet the 200 limit. Where after selecting one representative per Council further reductions are required to meet the limit we will randomly select 200 representatives from the top ranked representatives of the Councils for the Forum. Only the largest states may sometimes require this limitation. Forum participants will be compensated \$200 per day and their travel and lodging expenses will be paid for within reasonable limits.

Before the Forums, representatives of the Councils would familiarize themselves with the reports of the other Councils on their proposal by reading at least their executive summaries if it is impractical to read all report content. Forums would begin with discussions, then questions and answers sessions by participants explaining their Council’s proposal, and then a vote on the most preferred policy of the Councils represented. This policy will then be used in the consensus process so it could be improved by removing as many objections to it as possible, and ideally, achieve consensus.

As in the Collaborative Council process, a modification suggested to overcome an objection would be tested for consensus, and if the modified proposal achieves consensus or creates a proposal with fewer objections, the amended proposal will replace the originally selected one. Other suggested

modifications to overcome objections would go through the same process. In the uncommon cases where consensus is not achieved, an improved version of the most preferred policy proposal will result, so it will be the one officially adopted by the Forum.

The Forum then produces a report on this optimized proposal, which it submits to state and national representatives, as appropriate, and the press. As with the Council reports, media coverage would likely be extensive, in this case statewide, but coverage will be required for broadcast media companies as a license requirement. For policy proposals intended for state government implementation, a referendum will be taken on them, and for any that a supermajority approves, we will require that the policy is instituted by the state government.

Nationwide Forum Representative Assemblies — “CSE Congresses”

After any national policy decision, Forum participants will elect three Forum members to present and justify their decision to national level forums. We call these forums CSE Congresses for this reason: The participants will all have progressed through a citizen selection hierarchy based on their expertise and ability to express it on the issue on which they will deliberate. So their conferences will be of citizen selected experts, thus they are Citizen Selected Experts Congresses or CSE Congresses.

For up to a week, Forum representatives will meet in separate CSE Congresses on each issue to select a policy proposal from those of the Forums for improvement using the deliberative process.

Before a CSE Congress, participants would familiarize themselves with the reports of all other Forums on their issue. The CSE Congress would begin with discussions and questions and answers sessions by participants explaining their Forum’s policy proposal, then proceed through the same process as described in the Forums to develop an optimal policy proposal. The CSE Congress will produce a report on the proposal, which it submits to national representatives and the press.

As with the Council and Forum reports, media coverage should be extensive, in this case nationwide. Coverage requirements for broadcast media companies will likely not be necessary on these top level deliberative process results (and possibly on other levels also).

For CSE Congress policy proposals, national referendums will be taken on them, and for any policy a supermajority approves it will be required that the policy is instituted by the federal government.

After the 40-week Councils and a one-week break, a second cycle will begin of 40-week Councils, Collaborative Councils, one-week Forums and one week of CSE Congresses. Eventually, we recommend experimenting with a mix of 40-week and 60-week Councils (with a four-week break) as an alternative.

The estimated cost for the Councils nationwide is \$2.0 billion per year. The estimated cost for the Collaborative Councils is \$37 million, for the Forums \$180 million, and for the CSE Congresses \$4.6 million, per year. This totals about \$2.2 billion per year.

Public Space

Many pre-existing public spaces could be provided for the Councils, Collaborative Councils, Forums and CSE Congresses. For Councils and Collaborative Councils, public colleges and universities typically have many empty classrooms and empty auditoriums on the weekends, as do K-12 schools. Meeting or conference rooms in public colleges and universities, libraries, government office buildings and government owned conference centers are possibilities for the Forums and CSE Congresses. Public buildings commonly have Wi-Fi Internet, and projectors may be available, which would sometimes be useful. In the unlikely event these spaces are not sufficient, churches often have available spaces, and some may offer them.

New Enlightenment policy will facilitate political events, both in and out of the formal federally funded deliberative systems, by instituting a variant of eminent domain laws. Current eminent domain laws allow the government to take private property for compelling public purposes, with fair compensation to the owner. I propose an analogous federal law requiring that unoccupied public spaces in public schools, colleges and universities be provided at no charge to groups that want their use for discussing, deliberating on or educating on public issues if no other space is available for the group. This would be a temporary taking of public space for a compelling public purpose: enhancing democracy. The compensation would be the federal funds that provide a portion of the funding for these institutions.

Systems would be necessary to determine which group can use a particular space, and for assigning people for monitoring each space's use. However, the possibility of vandalism or theft in a building, now often an overriding concern, should not be a barrier to making the best use of public space. Vandalism and theft laws will be enforced, and violators should be held

legally and financially accountable.

Since facilitating democratic processes will be an essential function of the New Enlightenment Citizens Union, volunteers among union members could act as monitors, or possibly when a group applies for space the group could assign other persons for monitoring responsibilities. We should not allow local governments to thwart democratic processes needed for the nation to be a well-functioning democracy by unreasonably barring them from available public space that could be well utilized for this purpose.

To increase voluntary deliberative groups' attendance outside the federally funded system, some groups may list their events on event calendars of local media. For events held at universities and colleges, they could be listed on their calendars. I also recommend that all localities have a calendar for listing public educational and deliberative events.

So far, I have described political action or educational events that generally will not occur in publicly prominent places. But as Occupy and many other social movements have made clear, publicly prominent public space for political action and public claim making is necessary. Some other recent examples where social movements relied on prominent public space for their impact are:

Cairo's Tahrir Square was the focus of the movement to overthrow Egypt's Mubarak regime. Prague's Wenceslas Square was the focus of the movement to oust an oppressive regime, which also played an important role in bringing down other totalitarian Communist governments. Those protests were inspired in part by events in Beijing's Tiananmen Square when democracy activists unsuccessfully challenged the power of China's dictatorship. The state capitol in Madison, Wisconsin, where thousands of workers protested the governor's attacks on collective bargaining rights, is another case of a prominent public space becoming a staging ground for political change or resistance. The Boston Common has been a site for protests and public gatherings for nearly three centuries. These examples demonstrate the importance to democracy of having prominent Commons—a square, park or plaza that is open to all, for citizens to rally, voice their discontent, show their power, and sometimes ultimately express a new vision for their country.

We lost some of our public voice when corporate run shopping malls replaced downtowns as the center of action. You can't organize a rally, hand out flyers, or circulate a petition in a shopping mall without the permission of the management, and they generally will refuse to allow this kind of activity. As we have lost places to join together to voice our views as citizens, we have

become more passive about what is happening to our country.

It would be unreasonable to require allowing mass demonstrations or rallies on private property, including malls. However, we believe it is necessary to institute national laws that would require allowing the handing out of flyers in malls, privately owned public plazas, and store parking lots announcing a rally or political event elsewhere. This is a kind of eminent domain issue, where private property would not be taken, as current law allows, but some of the owners' pre-existing rights would be, for a compelling public purpose. These places (or vicinities, in the case of parking lots) are where the largest number of people gather, so this is where we must facilitated democratic processes to the degree practical.

Also, a national law analogous to eminent domain law is necessary to ensure public access to publicly owned parks and plazas for political purposes. Public parks do not commonly have unreasonable restrictions, but in some jurisdictions, a permit is required, with application fees, security deposits for clean-up, or fees to cover overtime police costs and administrative costs being charged. National law should ban financial barriers to participating in political or public policy related events in parks. A permit requirement would be acceptable to allow the scheduling of events to avoid conflict between groups. Of course, participants will be required to comply with littering and vandalism laws, and they will be held legally and financially accountable for violating them. Taxes should cover any other expenses resulting from the citizenry exercising assembly and speech rights in public parks, not the participants at the event.

Enhancing democracy with new (and old) democratic forms in existing public space will be an important part of the New Enlightenment's renewal of U.S. democracy.

*The New Enlightenment: Ideals of Democracy,
Human Rights, Reason, and Progress * Policy 28*

*"The deliberative sense of the community should govern."*⁴

Alexander Hamilton

*"I consider the people who constitute a society or nation as the source of all authority in that nation, as free to transact their common concerns by any agents they think proper, to change these agents individually, or the organization of them in form or function whenever they please."*⁵

Thomas Jefferson

¹ 2013 Report Card for America's Infrastructure, American Society for Civil Engineers

<http://www.infrastructurereportcard.org/a/#p/overview/executive-summary>

² Smart Citizens, Smarter State, Beth Simone Noveck, pg. 259

³ See, for example, Putting the Public Back into Governance: The Challenges of Citizen Participation and Its Future Archon Fung; When the People Speak, James Fishkin; Democratic Imperatives: Innovations in Rights, Participation, and Economic Citizenship Report of the Task Force on Democracy, Economic Security, and Social Justice in a Volatile World April 2012 American Political Science Association; Fostering Citizen Participation Top-down, Lyn Carson and Rodolfo Lewanski, The Tao of Democracy, Tom Atlee.

⁴ The Federalist Papers : No. 71

⁵Opinion on the Treaties with France, 28 April 1793, Thomas Jefferson