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CONFLICTING IDEALS OF DEMOCRACY: REFLECTIONS ON REFORM OF THE DEMOCRATIC PROCESS

*James S. Fishkin**

As a political theorist, my reaction to this Symposium is to argue that we cannot deal adequately with the narrow issue of campaign financing until we confront the broader issue of what vision of democratic possibilities we should be aspiring to implement.

Once this point is made, however, it should be clear that we do not have a unified and coherent democratic theory¹ which could simply be plugged into this debate.² Rather, we have competing democratic theories,³ competing partial visions which conflict with one another. There are hard choices to be faced, even at the level of ideal theory. Unless the full complexities of democratic theory are explicitly considered, they pose an impediment to campaign reform for at least two reasons. First, a merely selective consideration of democratic values may produce reforms which improve on one dimension while declining disastrously on another.⁴ Second, these complexities undermine the accepted account of the relation between ideal theory and second best, the accepted account—in other words, of the relation between our principles and our practices.⁵

I will sketch how this issue arises for democratic theory and then will apply my argument more specifically to the reform of cam-

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1. See R. DAHL, A PREFACE TO DEMOCRATIC THEORY 3 (1956) (asserting that there is no singular distinct democratic theory).

2. See *id.* at 1.

3. See *id.* at 3 (noting that a minimal definition of democratic theory is a concern “with the processes by which ordinary citizens exert a relatively high degree of control over leaders.”).

4. See *id.* at 1-3 (discussing several definitions of democracy, and the effect of the particular theories on the values encompassed in the others).

5. See *id.*

paign finance.

The basic point is that the democratic tradition has bequeathed to us a variety of fundamental values at stake in democratic procedures, a variety of ideal images of what an appropriate collective procedure might be. Because these ideal images cannot all be simultaneously realized, they require some hard choices. I believe that Chart I provides a useful way of picturing the dimensions along which this democratic debate tends to range. I have labelled the North-South dimension "Madisonian"⁶ versus "Majoritarian."⁷ By Madisonian, I simply mean the degree to which the system includes impediments of one sort or another to popular majorities.⁸ These impediments are usually justified, at least in theory, by a desire to prevent tyranny of the majority.⁹ Theoretically, the construction of impediments could go far beyond anything envisioned by Madison so that, strictly speaking, a perfectly "Madisonian" system, in this sense, would certainly not have been advocated by Madison.¹⁰ The term "Madisonian" however, provides a useful label for a basic motivation underlying checks and balances, the territorial, federal and bicameral character of many American representative arrangements, the operation of judicial review and other institutions which serve as impediments to majorities.¹¹ Alternatively, movement South along the same dimension simply means that there are not effective impediments to popular majorities so that the latter tend to get their way. As Dahl noted in a classic study, the American system is not very

6. See *id.* at 4 (stating that Madisonian democracy is defined as "an effort to bring off a compromise between the power of majorities and the power of minorities.").

7. See *id.* at 4-33. Furthermore, the majoritarian dimension is roughly what he labels "populistic." See *id.* at 34-62.

8. Madisonian theory defines such impediments as "external checks" which are "the application of rewards or penalties, or the expectation that they will be applied [to the individual] by some source other than the given individual himself." *Id.* at 6.

9. However, while impediments to new policies will prevent tyranny through commission, they will not prevent tyranny through omission. For an extended discussion, see J. FISHKIN, *TYRANNY AND LEGITIMACY* (1979). For an identification of the very idea of democracy with "limited majority rule" (limited so as to protect minorities), see G. SARTORI, *THE THEORY OF DEMOCRACY REVISITED* § 2.4 (1987). Sartori's point is useful as a corrective to common usage.

10. Madison felt that certain impediments were necessary to prevent a "severe deprivation of a natural right." R. DAHL, *supra* note 1, at 3. However, impediments designed to protect against anything less than a "severe deprivation" would not have been advocated by Madison. See *id.* at 6-7.

11. See *THE FEDERALIST* No. 47 (J. Madison) (warning against the "accumulation of all powers . . . in the same hands" as being "the very definition of tyranny.").

majoritarian.¹² With a system of “minorities rule” it is somewhere in the upper right hand quadrant of the diagram.¹³

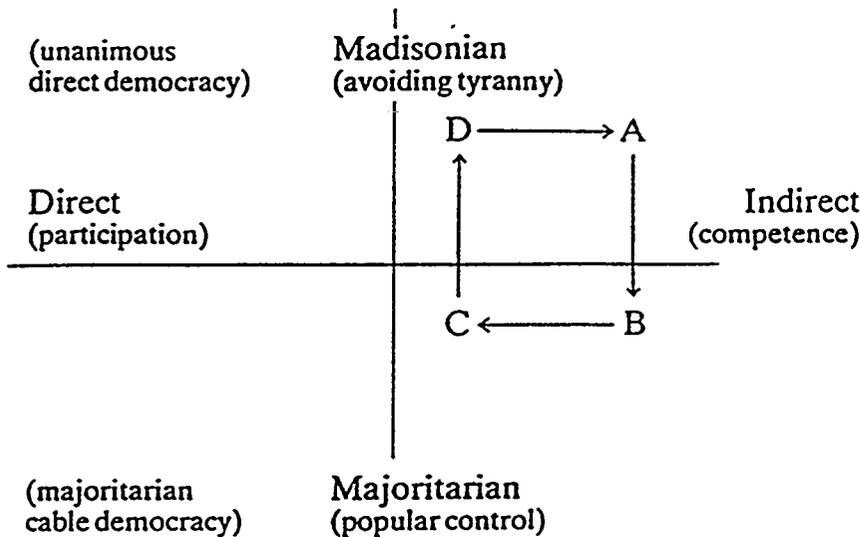


CHART I

The East-West dimension is the familiar one of the degree to which the system is indirect (representative) or direct (relying on the participation of members without the intermediary of representatives). For both the North-South and East-West dimensions, many difficult judgments of degree would be required to make any precise comparisons. The main strength of the diagram is its ambition to capture a wide range of debate and a variety of conflicting images within a single space, so as to clarify how gains in one value can be expected to require costs in another.

As a point of reference, the American system would fit, on balance, somewhere in the upper right hand quadrant. To varying degrees most parliamentary systems would fit somewhere to the south of the American system. Depending on the impediments that these systems offered to popular majorities, they might fit in the lower por-

12. See R. DAHL, *supra* note 1, at 124-33.

13. See *id.* at 132 (stating that “the specific policies selected by a process of ‘minorities rule’ probably lie most of the time within the bounds of consensus set by important values of the politically active members of the society.”).

tion of the Northeast quadrant or the upper portion of the Southeast one.

The Western positions in the diagram are most usefully captured by certain extreme ideal images. Suppose, for example that the Warner-Amex QUBE system in Columbus, Ohio¹⁴ were used for actual government policy making. In the QUBE system, each resident can respond immediately on any question posed on the two-way cable TV system.¹⁵ Constant referendums are thus feasible on all public questions. Some would regard instantaneous, majoritarian direct democracy as the perfect embodiment of a certain influential, ideal image.¹⁶ Others would regard it as a *reductio ad absurdum*.¹⁷ In any case, any extreme version would fit the lower left hand corner of the diagram.

By contrast, Robert Paul Wolff's proposal for unanimous direct democracy¹⁸ fits the extreme upper left position. The unanimity rule gives everyone a veto, providing the greatest possible protection from tyranny of the majority from new policies.¹⁹ It would not provide protection from omissions,²⁰ but that is not an issue we need pursue here. The placement of unanimous direct democracy in the upper left corner and the placement of majoritarian direct democracy in the lower left corner illustrates how extreme direct systems (both implementable through a two-way cable system) can be crucially different on our North-South dimension.

This diagram can be used to show not only that there are fundamental conflicts in our ideal images of democracy, but also that

14. "QUBE" is "interactive television, a two-way cable system that enables viewers to respond in their homes to questions flashed on the screen." Elshtain, *Democracy and the QUBE Tube*, NATION, Aug. 7-14, 1982, at 108.

15. *See id.*

16. *See id.* (discussing the arguments in favor of such a system).

17. *See id.* at 108-10 (discussing the problems associated with the use of such a system). As part of the argument, Elshtain noted that the citizen using QUBE gives "an instant 'opinion' rather than concurring or dissenting from a position hammered out through debate and democratic discourse." *Id.* at 109. Elshtain further argued that "[t]o see button-pressing as a choice, as a meaningful act on a par with marching in an antinuclear rally, lobbying against toxic waste dumping or working for a political candidate, indicates our tacit embrace of a crude version of the 'preference theory' of economics." *Id.*

18. *See* R. WOLFF, IN DEFENSE OF ANARCHISM 22-27 (1970) (defending unanimity as the ideal solution to the conflict between authority and autonomy); *see also* J. BUCHANAN & G. TULLOCK, THE CALCULUS OF CONSENT 85-96 (1971) (granting the unanimity rule privileged status but arguing for a departure from it based on decision costs).

19. *See* R. WOLFF, *supra* note 18, at 23.

20. *See* J. FISHKIN, *supra* note 9, at 5-7 (explaining that the rule of unanimity only protects individuals against governmental action, not inaction).

there are fundamental conflicts in our notions of moral progress intended to realize those ideal images. We can get cycles in progress toward democratic reform. I do not have in mind here the cycles familiar to students of the classic voting paradox.²¹ Cycles in applying particular democratic arrangements (for example, majority rule) to policy or candidate choice can be distinguished from cycles in the design of the democratic arrangement itself. How a cycle of democratic reforms might arise can be charted in Chart I.

Imagine an American style status quo, somewhere in the upper right hand quadrant, point A in the diagram. Within the family of arguments loosely counted as democratic, a variety of reforms might be supported which would increase majority control over policy outcomes.²² I am not advocating these reforms, but only pointing out that were they to come about, they could move the entire system South, from A to B in the diagram.

From B it is possible to imagine a second line of reform based on the argument that real democracy requires far greater direct participation. Even within the confines of a generally representative system, a number of reforms could be designed to move the system Westward to a point such as C.²³

From point C, the greater power in the hands of an aroused populace might well produce calls for protection against tyranny of the majority. Reinvigoration of the separation of powers, checks and balances, and an activist judiciary determined to protect various constitutional rights could move the system from C to a point such as D, directly North.

However, from point D arguments about the greater competence of representatives could be employed to undermine the earlier proliferation of referendums, primaries, town meetings and other direct institutions, so as to return the system to our original status quo, point A.

Each step in this scenario relies on values which are deeply

21. For a discussion of the conditions under which majority rule produces cycles violating transitivity see D. MUELLER, *PUBLIC CHOICE* 38-49 (1979).

22. For example, the reforms could include proportional representation, reform of the electoral college, a less activist or independent judiciary, or political control over the Federal Reserve.

23. Some of the reforms that could be employed to move the system in this direction are referendum and recall provisions, proliferation of direct primaries, town meetings and other direct governing arrangements within specific jurisdictions. For some creative proposals along these lines, see B. BARBER, *STRONG DEMOCRACY* 261-311 (1984).

rooted within the general family of democratic arguments.²⁴ Movement South depends on emphasizing popular control; movement West on participation as a value in itself; movement North on preventing tyranny of the majority; movement East on the greater competence of representatives. Depending on which of these partial images is given greater emphasis, one can go round and round. Each direction for reform has plausibility because of its emphasis on a distinctive value. However, the end result is a kind of cycle which makes it extremely difficult to determine which position is more democratic in any defensible sense. Conflicting values in the identification of the ideal yield conflicting directions for moral progress—directions which, step by step, can take us back to where we started.

This scheme demonstrates the impediments to any easy inference that some scenario of reforms is more democratic. When we have fundamental moral conflicts in the identification of the ideal, it is not possible to incrementally approach realization of it and assume that there is any defensible sense in which moral progress is made.²⁵ Yet over the last two decades, the American political system has engaged in a series of reforms driven predominantly by what could be classified as the Southwestern vision in Chart I. Anything more direct and anything more majoritarian has commonly been regarded as more democratic. This selective vision has fueled the extraordinary proliferation of primaries since 1968.²⁶ Direct primaries achieve the Southwestern vision of greater majority control and greater popular participation. However, they have the side-effect of greatly increasing the demand for money.²⁷ When states adopt direct primaries, they make television the principal battleground—creating a

24. In terms of recent American experience, the movement of the Democratic party from the McGovern reforms in the Presidential selection system and then back to greater control by party notables, is a movement roughly from A to B and back again to A, movements supported by differing images of democracy.

25. See generally Fishkin, *The Complexity of Simple Justice*, 98 ETHICS 464, 464-71 (1987-88) (explaining the general development of theories of justice).

26. See L. BARTELS, PRESIDENTIAL PRIMARIES AND THE DYNAMICS OF PUBLIC CHOICE 6 (1988) (noting that "the proliferation of primaries has increased the power of the active segment of the voting public that participates in primaries, at the expense of professional party elites."); Ranney, *Farewell to Reform—Almost*, in ELECTIONS IN AMERICA 87, 92-93 (K. Schlozman ed. 1987) (discussing the proliferation of primaries in recent years).

27. See Burnham, *Elections as Democratic Institutions*, in ELECTIONS IN AMERICA, *supra* note 26, at 44-45 (reviewing the need for money in primary and general elections); cf. L. BARTELS, *supra* note 26, at 154 (discussing the large amount of money candidates must spend on the New Hampshire primary alone).

nearly insatiable demand for money for television advertising.²⁸

Hence, the campaign finance problem is partly the result of a selective vision of democracy. Innovative finance proposals, such as the one put forward by Lowenstein,²⁹ take as a given the new battleground of direct primaries along with the Southwestern vision of democracy which has justified it. Such proposals do not quarrel with the need for vast amounts of money, they only deal with the question of source. But the need for massive amounts of television expenditure is a bit like a drug addiction. Lowenstein would make the government the principal supplier.³⁰ Gottlieb, fearful of unanticipated side effects of reform, would let the market be the supplier.³¹ I would rather raise the issue of whether the addiction can be treated or overcome.

Such a harsh metaphor implies that there may be something pernicious in the role of television advertising. However, all this Article claims is that the democratic system which results is fundamentally flawed. This country has been moving in a southwesterly direction on Chart I in a manner that produces a far less defensible version of democracy. To dramatize this claim, let us add a third dimension to the diagram, called "Reflective versus Unreflective," which represents an account of the quality of information at the level at which effective decisions are being made. If decisions are made merely at an elite level, then we are talking merely of elite information. But if they are democratized to a mass level, then the quality of information at the mass level must be considered. This new diagram now has three dimensions, North-South, East-West and Inner-Outer.³² The mere fact of a move toward the Southwest should not be taken to represent an improvement. Once it becomes clear that the move corresponds to an outer (less reflective) rather than inner (more reflective) system, the case for the change being an improvement collapses.

28. See F. SORAUF, *MONEY IN AMERICAN ELECTIONS* 25-26 (1988) (exploring the history of television's impact on campaigning); Burnham, *supra* note 27, at 45 (explaining the relationship between the candidate's use of television and spending).

29. See Lowenstein, *On Campaign Finance Reform: The Root of all Evil is Deeply Rooted*, 18 HOFSTRA L. REV. 301, 351-60 (1989).

30. See *id.* (suggesting expanded public financing and limited private contributions).

31. See Gottlieb, *The Dilemma of Election Campaign Finance Reform*, 18 HOFSTRA L. REV. 213 (1989).

32. The "Inner-Outer" dimension is also referred to in this Article as the "Reflective versus Unreflective" dimension.

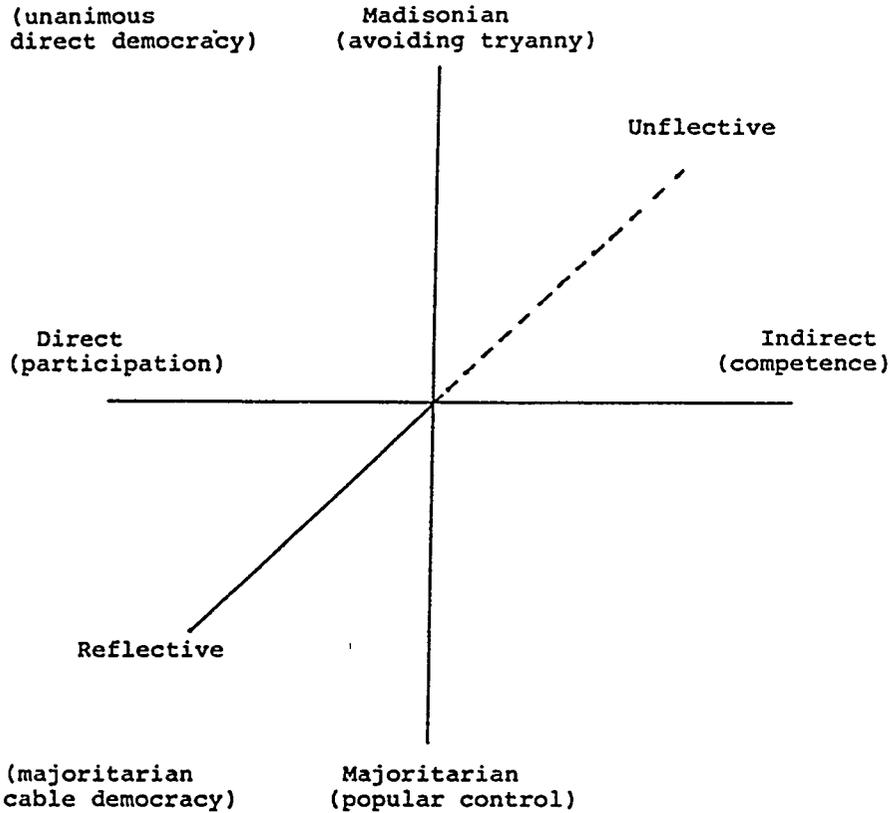


CHART II

Of course, there are many specific issues that would have to be faced were such a scheme to be operationalized. It is only necessary to hypothesize here that were such a full scale effort to be undertaken, we would find that the proliferation of direct primaries has led to a war of sound bites and media packages, without real improvement in the reflective character of citizen preferences or information. Hence, the movement of effective decision-making for contested primaries, particularly in the presidential nominating system, to a mass level and away from the party elites, cannot be offered as an improvement in the reflective character of decision-making. In fact, it is probably a net decrease.

It is not necessary to deal here with the thorny question of judging the extent of the decrease. I make the point only to raise a different question as an issue for further research and debate: Are there

possible reforms which might be expected to move the system in an inner (or more reflective) direction in the diagram while also staying within an acceptable range on the other dimensions?

This Article considers two possible reforms. The first one is directed at the use of political money in the broader political environment.³³ The second one is aimed at the structure of the presidential nominating system itself.³⁴ Both reforms are extremely speculative and are proposed solely to stimulate debate about the theory of democracy we should be aspiring to implement.³⁵

Suppose every member is given a voucher to represent her chosen interests.³⁶ The voucher must be substantial enough so that organizations will want to compete for each voucher. The vouchers can only be cashed in at yearly intervals, by organizations that satisfy some minimum regulatory requirements.³⁷ Since each member has a voucher, there will be incentives for organizations to compete with each other to speak for the underclass, the dispossessed, the invisible and the quiescent. Some organizations may well be created just to monitor other organizations. Provided that the barriers to entry in this competition are kept low, there will be a continual dynamism in the creation of organizations and hence, in the creation of effective voices, where before there had been only silence and indifference.

To create a more reflective political culture at the mass level, it is necessary to overcome several problems. First, there is the collective action problem standing as an impediment to individual participation.³⁸ Second, there is the scarcity and maldistribution of organizational resources—so that it is quite predictable that some groups will have difficulty engaging in the collective political dialogue.³⁹

33. See *infra* notes 36-42 and accompanying text.

34. See *infra* notes 44-62 and accompanying text.

35. These reforms are distinct from Lowenstein's proposals in that they include no practical calculations about their political viability or their likelihood of being adopted (in both cases, very low in my estimation). See Lowenstein, *supra* note 29, at 360-66.

36. This voucher proposal is the product of a working group at the Center for Advanced Study in the Behavioral Sciences at Stanford during 1987-88 with Claus Offe and Philippe Schmitter. They have their own distinctive versions of this proposal. For a synopsis of critics and proponents of voucher systems in the areas of housing and education, see B. BARBER, *supra* note 23, at 293-98.

37. These regulations would basically ensure that the organizations are not fraudulent, that they are not for profit, and that they act appropriately to represent the interests they claim to represent.

38. For a detailed discussion of the collective action problem, see generally R. HARDIN, *COLLECTIVE ACTION* (1982).

39. The groups will have difficulty competing for expertise and for the opportunity for an effective hearing. See D. LUBAN, *LAWYERS AND JUSTICE: AN ETHICAL STUDY* 50-55 (1988)

Third, some "groups" may never get to the point where they constitute themselves as groups. They may lack the resources and infrastructure to organize; they may lack the collective consciousness to even realize the need.⁴⁰ It is plausible to believe that representation vouchers would do a great deal to solve these three basic problems over the long term. These vouchers would give organizations incentives to take seriously the interests of those now left out of the dialogue. Or, if established organizations failed to adjust, "issue entrepreneurs" would have a strong incentive to fill the gap.⁴¹ Correspondingly, individuals would have no incentive to be free-riders because the costs of participation are only the assignment of a voucher which cannot be spent on anything else. In fact, if computerized records are kept concerning who has assigned her voucher, the costs of failing to participate would be the possible inconvenience of continued solicitations and continued competition for representation. People would have a strong incentive to think about the problem and make a decision. Thus, attempting to be a free rider (in the sense of doing nothing) might well be more costly than participating. Non-participation would produce its own negative incentive, its own motivation to overcome apathy. Most importantly, representation vouchers would alter the present scarcity of organizational resources, a scarcity now skewed in favor of those with other resources. Just as class action suits and public interest research organizations have partially opened up the representation and advocacy of interests that were previously unvoiced,⁴² representation vouchers would do the same—but by creating incentives for the continual, competitive creation of new organizations. Vouchers would bring a kind of political equality to the creation of political action committees (PACs). Whether PACs would be prohibited or merely supplemented by this new kind of organization is an issue that would need a great deal of careful research.

Representation vouchers focus on the political environment within which politicians operate. What about the political process itself? As I have said before:

The Presidential nominating system has been reformed and the reforms have been reformed, and now the reformed reforms have

(discussing why some groups are not formed).

40. *See id.*

41. *See id.* at 43 (discussing the incentives that exist to promote entrepreneurs to organize groups).

42. *See id.* at 369 (evaluating the democratic impact of class action suits).

themselves been subject to reform. The system that nominated Hubert Humphrey in 1968 has been democratized and popularized—made more dependent upon primaries and participation by the rank and file. Although the larger number of primaries ensures that the system will never return to its former state, the pendulum has swung partway back. For example, awarding party leaders spots as “superdelegates” assures them more influence on the process than they had when Jimmy Carter was first nominated, in 1976. But whatever the degree of counter-reform, the changes back and forth have moved within too narrow a range of options, and too constricted a vision of democratic possibilities. Our tinkering with the system has been constricted by a false dilemma: that we must choose between the competence of elites—well-informed but anti-democratic—and the superficialities of mass democracy. Either we have smoke-filled rooms or we end up choosing our candidates more or less the way we choose detergents.⁴³

In our three dimensional diagram, this is the choice between an Outer-Southwestern position and an Inner-Northeastern one, the choice between unreflective mass participation and reflective elite participation.

I have previously suggested the possibility of preempting the familiar Iowa and New Hampshire primaries with what I have called a “National Caucus.”⁴⁴ The proposal is to take a sample of around 1500 citizens that were as nationally representative as possible, and transport them to a single site for several weeks, during which all of the candidates for each party would make appearances.⁴⁵ These appearances would be in both individual and debate formats, with many being open to national television, and with some that would be private and more informal.

The participants in this National Caucus would eventually select some at-large delegates to the national conventions.⁴⁶ With the National Caucus positioned as the first event, the rest of the primary season can proceed as it currently does. This proposal is not intended to replace the race for the Presidency as we know it; rather, it is intended to alter the way the race begins.

43. Fishkin, *The Case for a National Caucus: Taking Democracy Seriously*, ATLANTIC, Aug. 1988, at 16-17.

44. *See id.* at 16 (presenting a more complete outline of this proposal).

45. The proposal envisions that delegates would choose, at the beginning, whether to attend the Republican or Democratic proceedings. *See id.*

46. As I have noted “[t]he number of delegates devoted to this purpose need not be large. The mass media will magnify them in importance in any case.” *Id.*

The National Caucus would have a significant impact on the most striking fact about the operation of the presidential selection system—as it has been progressively democratized—the role of “momentum.” The enormous effect of early victories and defeats on the results of later primaries and caucuses has been persuasively demonstrated by Larry Bartels’ recently published study.⁴⁷

Presently, the winnowing of candidates is extremely “front-loaded”. Season after season, two states, Iowa and New Hampshire, make the first cut for the rest of the United States.⁴⁸ Thus, the initial choice that limits the candidates is made by two states that have almost no minority populations and that lack the urban concentrations of the nation’s “mega-states.”⁴⁹ The problem presented by this “front-loaded” system could be remedied, in theory, by putting different states at the beginning. A serious consideration of the issue, however, leads to the recognition of deeper problems.

My proposal focuses on “small scale” politics, involving face-to-face interaction, with little mediation by newspapers or television.⁵⁰ This type of system would facilitate a far more informed initial winnowing, and it would do so in a way that harnesses incentives for candidates, who are, after all, the “issue entrepreneurs” with high

47. See generally L. BARTELS, *supra* note 26 (analyzing the concept of “momentum” throughout the election process).

48. These are the first two primaries of the election “season.” As I have noted, this “front-loaded” process means that “the Bruce Babbitts and Pete Du Ponts are out of the race before they can be presented to electorates that come later in the queue.” Fishkin, *supra* note 43, at 17; see also L. BARTELS, *supra* note 26, at 7 (noting that “the importance of early results in generating momentum has given disproportional influence to states whose primaries or caucuses happen to occur early in the nominating season.”).

49. For example, New York, California, Illinois, Massachusetts and Texas.

50. I have previously made the distinction between “wholesale” politics, “mass-retail” politics and “small scale” politics:

When the candidates campaign for Super Tuesday, attempting to cover twenty-one jurisdictions with limited campaign resources in a short period of time, they are limited to wholesale politics. They buy whatever television advertising they can and spread it thinly over a vast population.

Mass-retail politics is practiced in Iowa and New Hampshire, for example. The candidates make many visits, shake many hands, engage in local debates. The advertising for the serious candidate is plentiful enough that the voters have a chance, if they are motivated, to associate names with faces and, perhaps, to develop better-informed opinions.

Fishkin, *supra* note 43, at 17.

Wholesale politics involve virtually no substantive content. Candidates travel from airport to airport just to surface on the evening news with a brief, smiling appearance. During this time they hope their opponents will make some mistake or that they can somehow get as much free media attention as possible. Wholesale politics is not, by itself, a contribution to more reflective political dialogue.

visibility, in order to address and articulate the interests of every significant constituency in the country.⁵¹ This proposal is intended to adapt the self-reflective possibilities of small scale politics to the problem of selecting candidates and issues in a large-scale nation-state.⁵²

Until the latter part of the eighteenth century, philosophers often regarded democracy as a curiosity restricted to small scale politics. It was a form of government appropriate for city-states. Rousseau thought the conditions for democracy were most appropriate in his native Geneva—which had a population in his time of about 22,000.⁵³ Aristotle had previously prescribed that all citizens should be able to gather together and still hear a speaker.⁵⁴ Without modern technology, this constituted an even more restrictive limit.

Only the crucial innovation of representation permitted the democratic idea to be adapted to the large-scale nation-state. But we have been struggling ever since to accomplish the adaptation in a manner that would preserve some of the attractive qualities of small-scale democracy for the large-scale version.⁵⁵

The benefit of small-scale democracy is that it permits a politics of face-to-face interaction.⁵⁶ The delegates to the National Caucus would eventually see what the candidates were like without their

51. In fact, “[t]his caucus would constitute a kind of national laboratory for the growth of new issues as well as for the emergence of new candidates. Some of those issues can be expected to prove viable outside of the laboratory—they will take on lives of their own in the succeeding months.” *Id.*

52. I have noted that a more carefully designed collective system for launching presidential campaign issues makes sense “[s]ince campaigning is now all but perpetual . . .” *Id.* at 17. “These issues set the terms of debate for a large part of our political system.” *Id.*

For a discussion of this type of political interaction in our society, see Laslett, *The Face to Face Society*, in *PHILOSOPHY, POLITICS AND SOCIETY* 157 (P. Laslett ed. 1956).

53. R. DAHL & E. TUFTE, *SIZE AND DEMOCRACY* 1 (1973). As Dahl and Tufte further noted:

[I]t is worth recalling that some of the city-states of greatest cultural creativity in Western history—Athens in the age of Pericles, republican Rome, Venice, Siena, Florence, to name a few—had populations about the size of present-day Iceland and were very much smaller than, say, Norway or Finland. The Renaissance began in what would now be considered small towns. . . . Thus, it is difficult to make a case for a relation between population size and creativity.

Id. at 116-17.

54. *Id.* at 5. Aristotle further argued that “the optimum must lie between a population so small that the polis could not be self-sufficient and so large that the citizens could no longer know one another’s characters.” *Id.*

55. See R. DAHL & E. TUFTE, *supra* note 53, at 136-42 (presenting a compelling overview of the problem of adapting small scale democracy in a large nation-state).

56. See Laslett, *supra* note 52, at 165-66. This is particularly true because it would lack mediation by newspapers or television. See Fishkin, *supra* note 43, at 17.

standard stump speeches,⁵⁷ without media packaging for television and without "spin doctors"⁵⁸ to protect their image.⁵⁹

Under the proposal in this Article, the first winnowing of candidates would have the benefits of both the thoughtfulness and depth of small-scale, face-to-face politics, and the representative character of a national event. It offers a way out of the false dilemma which has trapped previous reforms. The National Caucus is not elitist because it is representative of ordinary citizens, and because it would permit the thoughtfulness of small-scale interactions to replace the comparative superficialities of the mass-retail and wholesale versions.

My proposal, the National Caucus, is not an organ of the political professionals. It would use the sampling techniques of public opinion research⁶⁰ to represent and make present a version of all Americans. It offers a rebuttal to the charge of elitism which has discredited the Northeastern dimension of our democratic space,⁶¹ in a way that might move the system in an Inner rather than an Outer direction so as to improve the reflective character of effective decision-making.⁶²

These reforms are suggested as a way of beginning a dialogue, rather than as a way of ending one. The possibility of reforms that would deepen the democratic experience needs to be placed on our collective intellectual agenda. We should not increase participation, however, without also worrying about the quality of preferences citizens bring to their participation. Money should not be provided for

57. As a result of repeated informal appearances to the same audience, candidates could not give the same speech over and over.

58. As a recent article noted:

"Spin doctors," as they came to be known in the last presidential campaign, practice a not-so-fine art of press manipulation. The goal is generally to make bad news hurt less (e.g. "third in Iowa, my God we're delighted, its a springboard for New Hampshire!") and good news helps more (e.g. "the real test will be in . . . [pick state where you've already spent twice as much as your opposition]").

Estrich & Sullivan, *Webster v. Reproductive-Health Services; Abortion Politics Writing For an Audience of One*, 138 U. PA. L. REV. 119, 119 (1989).

59. "It would be as if the delegates were in *The Wizard of Oz* and had a chance to go behind the green curtain and see what their would-be national leaders were really like—without benefit of hocus-pocus and amplification." Fiskin, *supra* note 43, at 17.

60. For a discussion of sampling techniques, see generally J. NETTER, *APPLIED STATISTICS* 346-64 (1982).

61. See generally E. MORGAN, *INVENTING THE PEOPLE* 215-17 (1988); R. WOLFF, *supra* note 18, at 39; Crotty, *Party Reform, Nominating Processes and Democratic Ends*, in *ELECTIONS IN AMERICA*, *supra* note 26, at 64-65.

62. See *supra* notes 29-32 and accompanying text (discussing inner versus outer movement).

political competition without careful consideration about the kinds of events in which the politicians are competing. Adequate reforms cannot deal with campaign finance in isolation and they cannot be based on overly selective visions of democracy. These points are not offered as a criticism of the positions my colleagues have taken in the current debate; rather they are offered as an attempt to change the topic.

