

## **Deliberative Democracies and Deliberative Conflict Resolution in the Divided Society**

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### **Abstract**

In the twenty-first century, democracy is fundamental to the human condition in the way that it frames and influences debates on national identity and affords various devices and solutions. Democratic devices, including referendums, electoral engineering, and consociational arrangements, have expanded to resolve and manage conflicts arising from divided societies. This essay argues that deliberative democracy is needed to complement but not replace referendums and consociational models. The essay reviews nondemocratic and nondeliberative democratic approaches, and shows that the findings all point to a deliberative condition that frames new discourses and mechanisms for innovative conflict resolution. The essay then examines, compares, and combines various approaches to the studies of deliberative democracy. Different forms of public deliberation, such as citizen juries, deliberative polling, and intercommunity or ethnic-group dialogue, all are new democratic devices to supplement and improve existing democratic institutions. They are not meant to replace them.

**Keywords:** Deliberative democracy, referendums, consociational democracy, history principle, national identity.

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**T**hroughout the nineteenth and twentieth centuries, conflict over national borders and identity was associated with bloody wars. Nondemocratic means prevailed as the main mechanisms for conflict resolution. In the latter twentieth century, democracy became fundamental to the human condition in the way that it framed and influenced debates over national identity and afforded various avenues toward solution—and it continues in this role today. Democratic devices, including referendums, electoral engineering, and consociational arrangements, have expanded to resolve and manage conflicts arising from

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divided societies. Electoral democracy provides mechanisms for conflict resolution through proportional representation for ethnic groups and multi-ethnic-based political parties.<sup>1</sup> Liberal multiculturalism has developed a system of minority rights to protect the interests of minorities,<sup>2</sup> and consociational democracy has built complex power-sharing mechanisms;<sup>3</sup> each of the above with varying degrees of success and failure. A closer examination of the existing democratic mechanisms, however, points to the emergence of a new normative condition—what John Dryzek calls a “deliberative turn.” Departing from the traditional democratic institutions, rules, and procedures, it is a “talk-centric” approach that appeals to the simple idea that conflict resolution must be done through public reasoning. John Dryzek’s seminal paper, “Deliberative Democracy in Divided Societies,” explores how intercommunal dialogue at the grass-roots level can function as a mechanism for conflict resolution in societies characterized by “mutually contradictory assertions of identity.”<sup>4</sup> However, given that most divided societies are not democratic, it is difficult to talk about actual processes of deliberative democracy in those societies. It is better to examine how deliberation as a form of conflict resolution can address the question of national boundaries for a better prospect of managing conflicts in divided societies. Wrestling with the problem of what defines a political community, I argue that deliberative democracy is needed to complement, but not to replace, referendums and consociational models.

The above argument will be developed in two steps. The first step reviews and examines nondemocratic and nondeliberative democratic approaches; the findings all point to a deliberative condition—a new modern condition—that frames new discourses and innovative mechanisms for conflict resolution.

The second step examines, compares, and combines three different deliberative approaches to democracy. It finds that the debate over whether deliberative democracy is a real alternative to liberal democracy never takes place in this specific political issue of national identity and in the context of divided societies, which require complex mechanisms for democratic conflict resolution. Consequently, deliberative democracy is often perceived as taking a back seat in a supplementary role. While referendums have often been deployed to settle boundary/identity issues, they need to secure legitimacy of their own. Genuine and more engaged public deliberations are needed to make

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<sup>1</sup> Benjamin Reilly, *Democracy in Divided Society: Electoral Engineering and Conflict Management* (Cambridge, England: Cambridge University Press, 2001), and Jon Fraenkel and Bernard Grofman, “Does the Alternative Vote Foster Moderation in Ethnically Divided Societies? The Case of Fiji,” *Comparative Political Studies* 39, no. 2 (2006): 623-651.

<sup>2</sup> Will Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights* (Oxford: Clarendon Press, 1995).

<sup>3</sup> Arend Lijphart, *Democracy in Plural Societies: A Comparative Exploration* (New Haven, CT: Yale University Press, 1977).

<sup>4</sup> John Dryzek, “Deliberative Democracy in Divided Societies: Alternatives to Agonism and Analgesia,” *Political Theory* 33, no. 2 (2005): 218-242.

referendums fair and free from manipulation. Likewise, communal support necessitating interethnic group discussions is needed where power-sharing mechanisms are granted through consociational arrangements. Different forms of public deliberation, such as citizen juries, deliberative polling, and intercommunity or ethnic-group dialogue, all are new democratic devices to supplement and improve existing democratic institutions. They are not meant to replace them.

This essay begins by exploring some of the more conventional ways of dealing with identity conflicts that have been suggested by democratic thinkers. It argues that all such approaches must leave some room for deliberation. It then turns to the various deliberative approaches to democracy, comparing and synthesizing them into a systematic schema. The essay ends with a discussion of the challenges facing the deliberative approach to conflict resolution.

Before proceeding, let me define the problem of secession or unification as a question of redrawing national boundaries. It becomes a problem of political identity when certain segments of national populations do not identify with the nation-states in which they live and endeavour to create their own political identity through the reconstruction of cultural and ethnic identities. The situation can be better encapsulated as “the stateness problem” because it challenges the existence of the state and involves the formation of new nation-states.

I also stress a cautious note on the limits of deliberation. Deliberation might lead to endless talks that do not produce any concrete result. Where conflicts are particularly volatile, it may avoid bloodshed in the short term, but may not be enough to ward off latent hostility. Often, power holders benefit from and even live off conflict. They are resistant to genuinely empowered deliberation, manipulating it for their own interests and purposes. The ability of deliberation to end conflict is extremely restricted in these situations. Some states are simply unwilling to sponsor deliberative dialogue in any form. In such cases, the “incapacity” of deliberative democracy can often be tied to the failure of the state or its leadership. Despite all that, reason must and can override such vested interest or power. This is the hope and faith that deliberative democracy holds.

## **History: Nondemocratic Ways**

From a nationalist perspective, democracy cannot provide a universally accepted criterion for deciding which people and territories belong to a political community.<sup>5</sup> History holds all the answers—continuity with an ancient spiritual

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<sup>5</sup> Frederick Whelan, “Prologue: Democratic Theory and the Boundary Problem,” in *NOMOS XXV: Liberal Democracy*, ed. J. Roland Pennock and John W. Chapman (New York: New York University Press, 1983).

home, culture, religion, tradition, and so on, as well as biological, psychological, and spiritual commonalities. History is what validates and legitimizes claims to territory, and is accordingly invoked to resolve disputes over territory. The advantage of this approach is that it promises a swift conclusion to a conflict that may otherwise persevere indefinitely.

History is given priority over democracy and the popular will. The nationalist is not concerned with the character of current arrangements—whether they live up to standards of fairness and moral decency—but only with the way that they came about. Territory is judged to rightfully belong to a certain people by virtue of their shared historical connection to it. The democratic decisions of today have no bearing on this entitlement. The case is closed by the historical facts, so to speak. It is not open for discussion. The political fate of many in the present day is therefore determined by past events, which are thought to provide the final and decisive justification for state boundaries.

The principle typically invoked in support of this position is quite simple: descendants are entitled to inherit the land controlled, owned, or occupied by their ancestors. This is certainly intuitively appealing. But various historical factors complicate matters. When more than one group has roots in a particular territory, which group can claim historical entitlement? One might say that the decisive consideration in such cases is simply a matter of who occupied it for longer. The longer the occupation, the more legitimate the claim to entitlement, as shown by Israel's claim for recognition as a Jewish state. This bears some analogy to the archeological principle that the older an object is, the greater its value.

Nevertheless, a remote historical connection can be less legitimate for a territorial claim than a proximate one. The closer the historical ties to territories are to the current generation, the greater the emotional investment and the role played by history in the justification of territorial borders. Another problem with the historical principle is that it presupposes that there is one objective and incontrovertible version of the historical facts, which rarely ever obtains in reality. History can be written and presented from many different points of view. History itself is almost invariably disputed. Furthermore, as national boundaries have changed countless times over the course of history, which historical period should we look to in making decisions about national boundaries? As Kedourie asks, “The Polish state at one time expanded to the West, and at another to the East. Which of these historic[al] boundaries should be those of the national state?”<sup>6</sup> The historical argument is fundamentally flawed because it is incapable of compromise.

Take for instance the reunification of Romania and Moldova. The language of Moldova is, in fact, a version of Romanian; they are mutually intelligible in spoken language, and there is nothing to distinguish Romanian from

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<sup>6</sup> Elie Kedourie, *Nationalism* (London: Hutchinson University Library, 1960), 120-121.

Moldovan in written form. According to a top Moldovan official, Romania and Moldova have “a shared thousand-year history.” In 1940, Stalin annexed the Romanian province of Bessarabia through the Molotov-Ribbentrop Pact. Once under Soviet control, Bessarabia was carved up, with small portions in the north and south going to Ukraine and the largest section joining a newly created Moldovan Soviet Socialist Republic. The Romanian government proclaimed that “only history” could decide Moldova’s fate, and Romanian popular nationalism demanded that every political party must be irredentist in order to survive. In Moldova, the prime minister declared, “ ‘We are brothers, but each has his own home and lives by his own laws.’ ”<sup>7</sup> The question of whether Moldova should be reunified with Romania was finally settled by the referendum held on March 6, 1994, in which a reported 95.4 percent of participants voted for maintaining Moldova’s separation from both Romania and Russia. The new August 1994 constitution effectively removed union with Romania as an option. In February 1996, the opposition-dominated parliament voted down a presidential proposal by President Snegur to change “Moldovan” to “Romanian” as the constitutional descriptor of the official language.<sup>8</sup>

Another example is the Chinese government’s sovereign claim over Taiwan, which feeds on the Chinese nationalist perception that Taiwan has been a part of China for centuries. But again, there are various competing accounts of Taiwan’s history. Taiwanese nationalists reject the view that Taiwan shares a five-thousand-year history with China, and assert that Taiwan is no more than four hundred years old, beginning with Holland’s colonization. In this version of history, Taiwan began as a colony of Holland, was subsequently ruled by the Zheng family (1662-1683), then by Qing rulers (1683-1893), next by the Japanese (1895-1945), and finally by the Kuomintang (KMT) from 1945 onward, except for the brief window when the Democratic Progressive Party (DPP) held executive power from 2000 through 2008. As the first colony of Japan, it was deemed a symbol of Japanese imperialist power and was thus elevated as an example of cooperation with the New Order in East Asia. The Japanese ruled the island with due consideration to its socio-political traditions. Taiwan had civil government, while Korea had a Japanese military government.<sup>9</sup> Furthermore, the KMT’s killing and suppression of indigenous Taiwanese, in the wake of its occupation in the 1940s, sparked hatred toward the KMT and created an impetus for self-rule by the Taiwanese.<sup>10</sup> Thus, while Taiwan was part of China for some two hundred years, for several decades

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<sup>7</sup> Charles King, “Eurasia Letter: Moldova with a Russian Face,” *Foreign Policy* (Winter 1994): 106-121.

<sup>8</sup> Arthur S. Banks, Alan J. Day, and Thomas C. Muller, *Political Handbook of the World 1997* (New York: CSA Publications, Binghamton University, 1997), 557.

<sup>9</sup> Jei Guk Jeon, “The Origin of Northeast Asian NICs in Retrospect: The Colonial Political Economy, Japan in Korea and Taiwan,” *Asian Perspective* 16, no. 1 (1992): 71-101.

<sup>10</sup> An excellent example of rewriting history was a new set of textbooks for some 350,000 junior high school students. On June 22, 1997, Lee Ching-hua, New Party legislator in Taiwan, charged

of its history, it was under Japanese rule. If disputes over sovereignty and national boundaries are to be settled by history, as the nationalist insists, how are different historical periods to be weighed against one another?

Democracy and history are inextricably linked. Although the democratic principle holds that contemporary people are not bound by the decisions of the past, history has clearly influenced the shape of modern democracies, as well as the decisions reached by democratic means. A common history and language create a context in which democratic decision making is possible. In any democracy, a circumscribed group of people enjoys suffrage and exercises the right to vote. But suffrage is determined by membership, which is typically decided by nondemocratic criteria such as history, birth, nationality, and political geography.<sup>11</sup> Consider the demographical legacy of colonialism: the domination of whites in the United States, Canada, Australia, and New Zealand. This historical legacy affects the composition of population, and consequently determines who forms the majority and who constitutes minorities. This, in turn, impacts democratic decisions. In short, democratic politics cannot abstract themselves from the influences and constraints of history.

History and collective memory as well as democracy have all also played a major role in the politics of secession and unification. Norway's secession from Sweden, for example, was motivated by the distinct histories of the two nations, but ultimately was brought about via referendum. German reunification was regarded as a historical necessity by German nationalists, because the country was arbitrarily divided in the wake of World War II. But, again, the democratization of Germany made the achievement of this aspiration possible. History seems to provide the impetus for secession and unification movements. A successful reunification is often associated with the past history of unity, while a successful secession with the past history of independence.

Kymlicka makes a history-based normative argument that indigenous communities have the right to autonomy due to their place in historical occupation, but immigrant communities do not have it due to their voluntary migration. He argues that these rights are the results of historical agreements, such as a treaty. For example, Quebecois leaders agreed to join Canada on the condition that jurisdiction over language and education be guaranteed to the provinces, not to the federal government. To respect such agreements

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that the volumes on history and society promoted Taiwan's independence and were loaded with pro-Japanese and anti-Chinese sentiments. According to Lee, the two volumes seemed to glorify Japan's 1895-1945 colonization of Taiwan, and the two textbooks did not use the terms "Chinese" or "the Chinese people" at all. Instead, the term "Taiwanese" was used. Moreover, the reference to Sun Yat-sen as the "founding father" had been removed. See Virginia Sheng, "Junior High Books Spark Controversy over Content," *Free China Journal* (June 27, 1997): 4.

<sup>11</sup> One such example is Morocco's referendum on independence that was delayed because no final agreement could be reached between Morocco and the Polisaris as to who should vote in the referendum.

is to respect the self-determination of minorities, and to ensure that citizens have trust in the actions of government. Therefore, the history of cultural communities should be a basis for the internal boundaries of communities.<sup>12</sup>

It seems that the best, perhaps the only feasible, solution to ethnic disputes over territory is not to replace the historical principle with a democratic principle. History cannot be denied a role in resolving such issues. To deny the role of history is to deny the emotional linkage between ancestors and current generations. Furthermore, where there are competing historical claims to territorial integrity, a democratic referendum cannot deny their legitimacy completely. The historical claims will remain to forever challenge the justice of decisions reached through democratic means if they fail to take account of historical fact. The historical and democratic principles must therefore be reconciled and combined through deliberation. Historians and democrats should not compete, but cooperate. The deliberative model of democracy has the potential to achieve this, as it encourages dialogue between the present and past: historical issues are settled by deliberation in the present, but the present deliberations are at the same time shaped and informed by history. In this way, deliberative democracy closes the gap between majoritarian and historical approaches to resolving identity conflicts in divided societies.

Given Kosovo has been part of Serbia since the fourteenth century, and given the contested nature of history, Alterman imagines a perfect world in which the warring sides in ethnic disputes over territory lay down their arms and submit themselves to a panel of experts on history.<sup>13</sup> In the case of Kosovo, these experts would study the historical record of the Battle of Kosovo (1389) that occurred more than six hundred years ago and determine which side's claims had greater merit. There would be a ruling, and each side would give up its historically unjustifiable demands in the face of superior historical documentation. This would allow reason and intellectual power to decide the matter. Alterman's approach is deliberative, but not democratic. For a deliberative democrat, the judgment of historical experts is insufficient; a sufficiently broad public consensus is also necessary to confer legitimacy upon a settlement.<sup>14</sup> History provides no more than *provisional* legitimacy. Nationalism "is inconceivable without the ideas of popular sovereignty preceding—without a complete revision of the position of ruler and ruled, of classes and castes."<sup>15</sup>

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<sup>12</sup> Kymlicka, *Multicultural Citizenship*, 116-119.

<sup>13</sup> Eric Alterman, "Untangling Balkan Knots of Myth and Countermyth," *New York Times*, July 31, 1999.

<sup>14</sup> Of course, defining the relevant public remains hard; and international legal legitimacy is also needed. For example, Aceh's status of autonomy may gain its support from the fact that it has been self-governing; still, Aceh resolution needs to be approved by the Indonesian parliament and international community.

<sup>15</sup> Rupert Emerson, *From Empire to Nation: The Rise to Self-determination of Asian and African Peoples* (Cambridge, MA: Harvard University Press, 1960), 214.

## Referendums

In Renen's doctrine of a "daily plebiscite," the distinctive principle of boundary definition is voluntary assent. In other words, national boundaries are a choice rather than a fatality.<sup>16</sup> Beran sees referendums on a national boundary question as an important mechanism of voluntary agreement and consent. He also imagines an ideal world order in which referendums can settle any dispute over boundary questions, in particular, the question of secession.<sup>17</sup>

Today, national groups are seen to have a right of secession—a right to leave the existing state, and to take the territory that they occupy with them. The legitimacy of state boundaries is thought to be conditional upon a popular vote. There is a growing consensus that state boundaries are legitimate only if the state protects the peoples within them *and* the people assent to remaining within those boundaries. If these conditions are not met, peoples are increasingly able to divorce themselves from the political unit, and take their land with them. The settlement of the national boundary question is thus coming to rest upon the free acceptance by those immediately concerned. This represents perhaps the strongest argument for democratic management of the boundary question.

Referendum is arguably the only reliable means of ascertaining the will of the people. In the words of Hungarian delegate Count Apponyi following the First World War: "The plebiscite *alone* would establish beyond dispute the will of the peoples in question."<sup>18</sup> In 1933, Wambaugh offered a convincing argument in this connection:

There is, however, no perfect method of establishing national boundaries. The problem is one of alternatives, a choice between methods varying in imperfection. To allow questions of sovereignty to be settled by conquest, or by a group of Great Powers gathered at a Peace Conference, resorting for their method of determination at one time to strategic considerations, at another to languages statistics, or to history, or to geographic or economic criteria—such methods are even less satisfactory to democratic principles. Therefore it seems certain that we shall keep the plebiscite as a tool in the workshop of political science.<sup>19</sup>

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<sup>16</sup> See Ernest Gellner, *Culture, Identity and Politics* (Cambridge, England: Cambridge University Press, 1987), 17.

<sup>17</sup> Harry Beran, "A Democratic Theory of Political Self-determination for a New World Order," in *Theories of Secession*, ed. Percy B. Lehning (London: Routledge, 1998), 32-59.

<sup>18</sup> Philip Goodhart, *Referendum* (London: Tom Stacey, 1971), 116.

<sup>19</sup> Sarah Wambaugh, *Plebiscites since the World War* (Washington, DC: Carnegie Endowment for International Peace, 1933), ix.



Advocates of the referendum hold as sacrosanct the choice of the current generation and insist that historical accident should not be allowed to dictate the future. This is in clear contrast to nationalists, who see history as placing antecedent constraints on the decisions that can be taken by current generations. Moreover, in a referendum, the will of the majority holds sway over that of the minority, while the historical principle attaches no moral or political significance to which group is currently in the majority. National boundaries are to be determined exclusively by historical considerations, with no room for negotiation among present generations. The unique force that nationalists ascribe to history seems to be rather arbitrary. Why should history have so much influence in deciding the fate of current generations? The nationalist offers no persuasive answer to this question.

But the referendum in its current form is not without its own limitations as a mechanism for conflict resolution. It may offer a quick resolution, but not always a satisfactory and sustainable one. Those on the losing side of a referendum might simply refuse to accept the result, and in the real world, referendums have been known to exacerbate ethnic conflicts and lead to civil war and unrest. Take for example the former Yugoslavia. In February 1991, the Croatian Assembly, in conjunction with that of neighboring Catholic Slovenia, issued a proclamation calling for secession from Yugoslavia and the establishment of a new confederation which would exclude Serbia and Montenegro. Concerned at possible maltreatment in a future independent Croatia, Serb militants announced secession from Croatia and proclaimed the formation of the Serbian Autonomous Region of Krajina in March 1991. In May 1991, a referendum was held in which 9 percent of those in Krajina supported remaining with Serbia and Montenegro in a residual Yugoslavia. A week later, Croatian electors voted by a 94 percent margin for independence within a loose confederation of Yugoslav sovereign states; and in June 1991, the Croatian government, in conjunction with the Slovenian government, issued a unilateral declaration of independence. The conflicting results of the two referendums were used to support claims for both union with Yugoslavia and independence from Yugoslavia in Croatia and Bosnia-Herzegovina. Following the two referendums, there was an escalating conflict between Croatian government forces and the Serb-dominated Yugoslav army, and civil war between Serbs and Croats within Croatia. Arguably the misuse of referendums and the tyranny of majority rule contributed to Yugoslavia's degeneration into ethnic war.

The above bloody war offers a serious lesson, that is, to ensure that any referendum is preceded by a period of consultation and dialogue among all the competing sides. Disputants are more likely to accept the results of a referendum that has taken place following some such deliberative process. A multilaterally agreed secession is better than a unilateral one precisely because the former involves negotiation and deliberation. In the same vein, a deliberatively driven referendum is better than a manipulative one because it is open, rational, and fair. Deliberation might therefore be seen as a crucial element of any successful and effective referendum.

Deliberative democracy can improve the referendum mechanism. First, in the absence of public deliberation, referendums are often manipulated by extremist politicians who do not represent the true opinions of people. Deliberative polling techniques developed by Fishkin, however, generate reliable, genuine, and high-quality public opinion and provide a reliable democratic basis through the randomly selected sampling representative of a community. Reason-based public deliberation which produces considered public judgment truly reflects changes in public opinion. It meets the ideals of democratic rule and procedure: inclusive participation, equal influence, true representation, and considered public judgement.

Second, in the form of a referendum, choices are limited to the either/or exclusive question, leaving little space for public deliberation. By contrast, deliberative democracy explores different options through deliberation, not constrained by either/or questions. However, public deliberation cannot replace the referendum mechanism. The randomly selected participants in deliberative polling do not have the authority to make a decision with regard to a national identity question because they are not legitimate representatives of the populace; they cannot speak for, let alone make a decision on behalf of, citizens who were not randomly selected. In the absence of a due voting process, the public forum cannot translate into authoritative decision making. Even the best argument generated through public deliberation will not win over all citizens; it is the nature of public opinion that people will be divided on controversial national identity issues. Consequently, referendums are still needed.

### **Consociationalism**

Consociationalism offers an institutional solution to the problem of communal conflict. According to Lijphart, the consociational model has four defining features: (1) “grand coalition,” referring to power-sharing institutions; (2) mutual veto, meaning that issues must be settled by consensus among the different groups; (3) proportionality, whereby “representation is based on population”; and (4) segmental autonomy and federalism, in which minorities are self-ruled.<sup>20</sup> Lijphart examined in detail earlier experimental forms of consociationalism which were practiced in Lebanon between 1943-1975, Malaysia between 1955-1969, Cyprus between 1960-1963, and Nigeria between 1957-1966. For the most part, however, particularly in the last two cases, earlier forms of consociationalism failed.<sup>21</sup>

Northern Ireland might be cited as an example of successful consociationalism—although it is perhaps exceptional in its success. Horowitz

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<sup>20</sup> Lijphart, *Democracy in Plural Societies*, chap. 2.

<sup>21</sup> *Ibid.*, chap. 5.

lists the conditions that he thinks made the 1998 Good Friday Agreement between Northern Ireland's Catholics and Protestants possible, and claims, somewhat pessimistically, that these conditions are "unlikely to be widely replicable."<sup>22</sup>

As a rule, "majorities that have power do not wish to share it," especially not with minority groups that they resent.<sup>23</sup> Majorities are therefore inclined to favor institutions that guarantee majority rule, rather than power sharing. And yet the Protestant majority in Northern Ireland agreed to power-sharing arrangements in 1998. How is this to be explained? What convinced that majority to give up on its demand for majoritarian institutions?

Horowitz claims that leaders of the Ulster Unionist Party were willing to accept the power-sharing arrangements that were designed to benefit nationalists, because they thought that these arrangements would be beneficial to Protestants in the future when they found themselves in the minority. Horowitz explains: "Today, the UUP might still prefer majority rule, but it will concede consociational guarantees, because it may need them tomorrow." This is "a present-day altruism grounded in a future self-interest."<sup>24</sup> Horowitz stresses that the agreement was not a result of statesmanship: "This is the veil of ignorance with a peep hole."<sup>25</sup>

There were a number of other conditions that were also favorable to an agreement in 1998. First, the Catholic and Protestant factions in Northern Ireland had tried countless times before to negotiate and to find a resolution to their dispute. Often the negotiations had failed to yield tangible results. However, each of these attempts "left a residue of general ideas and concrete proposals." It was not necessary to start from scratch in 1996. The parties were able to build on the foundations set in previous negotiations. Horowitz explains: "It was possible to achieve agreement in the last 24 hours because so much had been done in the last 24 years."<sup>26</sup>

Second, deliberation between Catholics and Protestants at the grass-roots level also played a role in the success. Pearson suggests that informal discussion between elites, as well as interaction between ordinary citizens, is essential if formal political negotiations are to produce a lasting settlement.<sup>27</sup> Byrne observes that previous attempts to resolve the Northern Ireland conflict prior to 1998 failed because they did not engage the masses, only elites.<sup>28</sup> The

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<sup>22</sup> Donald L. Horowitz, "Explaining the Northern Ireland Agreement: The Sources of an Unlikely Constitutional Consensus," *British Journal of Political Science* 32 (2002): 193.

<sup>23</sup> *Ibid.*, 197.

<sup>24</sup> *Ibid.*, 203.

<sup>25</sup> *Ibid.*, 205.

<sup>26</sup> *Ibid.*, 193-220.

<sup>27</sup> Frederic S. Pearson, "Dimensions of Conflict Resolution in Ethnopolitical Disputes," *Journal of Peace Research* 38, no. 3 (2001): 274.

<sup>28</sup> Sean Byrne, "Consociational and Civic Society Approaches to Peacebuilding in Northern Ireland," *Journal of Peace Research* 38, no. 3 (2001): 327-352.

failed agreements include the Sunningdale Agreement, the 1976 Constitutional Convention, the 1978 Recognition Policy, the 1979 Consultative Document, the 1981 Rolling Devolution Policy, the 1985 Anglo-Irish Agreement, the 1991 Peter Brooke Initiative, the 1993 Downing Street Agreement, and the 1995 Frameworks Proposal. Elite negotiation tends to focus on interests and resources. But for a lasting settlement to be achieved, the civic culture needs to be transformed: The people need to be made more “deferential.” Elite bargaining cannot achieve this; only grass-roots participation and intergroup contact can.

Rothman and Olson also claim that political bargaining by elites which focuses on economic, territorial, and military interests cannot deal with the underlying identity-based tensions behind a conflict. Therefore, where a conflict is settled through elite bargaining alone, there is a good chance that the underlying tensions will cause a flare-up again before too long. The 1995 Dayton Peace Accords are given as an example—the Bosnian conflict was settled through interest-based bargaining, but the ethnic/identity issues at the root of the conflict were not addressed, and so an even more virulent conflict erupted in Kosovo a few years later. Rothman and Olson argue that, in order to avoid this, it is necessary to deal with the underlying identity-based tensions, and this can only be achieved through the method of “interactive conflict resolution” formulated by Ronald Fisher. This involves informal dialogue among conflicting parties at the grass-roots level.<sup>29</sup>

George Mitchell, United States envoy to the Northern Ireland peace talks, adopted a deliberative approach in an effort to get both sides to work together in implementing the settlement. He asked the parties

merely to sit down and mutually discuss their “hopes and fears” for the future. He reasoned that they had never been through such a venting, visioning, and listening process, and that only through an icebreaker of this sort could a perception of common concern and trust begin to seep into their relationship.<sup>30</sup>

Mitchell’s process seems to have worked. The next stage of the implementation of the 1998 accord was agreed upon shortly after the deliberation. The IRA agreed to decommission its weapons while the joint executive was taking office. Thus, it seems that informal discussion was essential even *after* the peace plan had been agreed upon! It was essential for the plan to actually be *implemented*.

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<sup>29</sup> Jay Rothman and Marie L. Olson, “From Interests to Identities: Towards a New Emphasis in Interactive Conflict Resolution,” *Journal of Peace Research* 38, no. 3 (2001): 289-305, and Frederic S. Pearson, “Dimensions of Conflict Resolution in Ethnopolitical Disputes,” *Journal of Peace Research* 38, no. 3 (2001): 275-287.

<sup>30</sup> *Ibid.*, 276.

Third, the 1998 Good Friday Agreement worked because hardline and paramilitary groups were engaged, and “modes of community peace building” had evolved in Northern Ireland in more recent times. A number of nongovernmental organizations (NGOs), such as local historical societies, had been working to build bonds across the two communities. The churches had formed prayer groups for members of both communities, and clergymen had attended funerals of murder victims from both communities. The Community Relations Council (CRC) and other bodies had created forums for joint problem solving in and among local neighborhoods.<sup>31</sup>

Despite both communal deliberation and NGOs playing certain roles in dealing with communal conflict in Northern Ireland, the consociational model imposes significant restrictions on the deliberation. Dryzek claims that the consociational condition of “segmental autonomy” involves excluding highly contentious issues from the public debate.<sup>32</sup> He explains that:

Contentious deliberation occurs only between the leaders of different blocs, and even then mostly in secret (in fear of inflaming publics). ... The political communication of ordinary people is shepherded into within-bloc channels where it can do little damage. This channelling obstructs any kind of deliberative still less agonistic interaction across different blocs below the elite level, because “segmental autonomy” is basic.<sup>33</sup>

Dryzek argues that restricting deliberation is not an effective way of dealing with the underlying causes of conflict: “By freezing cleavages, a consociational regime may actually reinforce or, worse, create the kind of conflict that it is designed to solve.”<sup>34</sup> Dryzek also points out that, in the case of South Africa, there was no suppression of engagement across racial and ethnic lines as required by consociationalism’s condition of segmental autonomy.

Nevertheless, deliberation and the activities of civil society should not replace consociational institutions, but instead supplement them. Rothman and Olson admit that the practice known as Interactive Conflict Resolution (ICR) should not ultimately replace traditional and newer methods of bargaining. “These methods will still be necessary for final resolution once identity issues have been effectively dealt with.”<sup>35</sup> Dryzek endorses other features

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<sup>31</sup> Byrne, “Consociational and Civic Society Approaches,” 339.

<sup>32</sup> Dryzek, “Deliberative Democracy in Divided Societies,” 222.

<sup>33</sup> *Ibid.*, 222.

<sup>34</sup> *Ibid.*, 223.

<sup>35</sup> Jay Rothman and Marie L. Olson, “From Interests to Identities: Towards a New Emphasis in Interactive Conflict Resolution,” *Journal of Peace Research* 38, no. 3 (2001): 291-292.

of consociationalism by admitting that “only a power-sharing state...is in a position to contribute to deliberation across division in the public sphere.”<sup>36</sup> The ideal model of conflict resolution seems to *combine* features of deliberative democracy and consociationalism. Deliberative democracy is not an alternative to consociationalism. Rather, deliberation in the public sphere enhances the effectiveness of power-sharing institutions.

## Approaches of Deliberative Democracy

Why the need for rational deliberation on national identity which comes with deeply charged emotions? Public deliberation is the unfinished project of modernity and a continuation of the Enlightenment movement. The fathers of the Enlightenment used reason to control emotion so as to emancipate people from narrow-mindedness. Deliberation rejects the ego-centric and strategic use of reason, advocating instead the communicative practice of reason, which takes the full range of opinions and interests of others seriously. Dialogue has a magic power to transform conflict into cooperation.<sup>37</sup>

The deliberative approach can be seen as a form of the Interactive Conflict Resolution (ICR) mentioned above. ICR involves problem-solving discussions among representatives of groups or states engaged in protracted violent conflict, the objective of which is the rehumanization of the enemy, the fostering of positive attitudes, and the creation of an agreement in regard to the source and nature of the conflict.<sup>38</sup> Fisher explains that “the rationale is to provide an informal, low-risk, noncommittal, and neutral forum in which unofficial representatives of the parties may engage in exploratory analysis and creative problem solving, free from the usual constraints of official policy and public scrutiny.”<sup>39</sup>

ICR might include highly influential representatives from the conflicting groups, ordinary members, and also representatives of the diaspora communities living in other countries.<sup>40</sup> In some cases, the aim of ICR is primarily educational: to provide insights and to change perceptions. But in other cases, the aim is to transfer the solutions suggested in the informal interactions to official decision-making bodies via the influential participants involved. ICR workshops can also indirectly contribute to an official solution by “legitimizing problem-solving interactions between adversaries and the

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<sup>36</sup> Ibid., 232.

<sup>37</sup> Daniel Yankelovich, *The Magic of Dialogue: Transforming Conflict into Cooperation* (New York: Touchstone, 1999).

<sup>38</sup> Ronald J. Fisher, “Interactive Conflict Resolution,” in *Peacemaking in International Conflict: Methods and Techniques*, ed. I. William Zartman (Washington, DC: United States Institute of Peace, 2007), 227.

<sup>39</sup> Ibid., 229-230.

<sup>40</sup> Ibid., 242.

accumulation of public opinion supporting negotiation.”<sup>41</sup> Furthermore, “grassroots reconciliatory dialogue across adversarial lines can...help counteract the influence of pressure groups working to block conciliatory policies.”<sup>42</sup>

The deliberative approach can be further broken down into the following three models. These are simply the models which can be derived from the available literature, and should by no means be treated as exhaustive.

### ***Reciprocal and Public Deliberation***

Following John Stuart Mill, Ian O’Flynn is adamant that a stable democracy cannot exist without a sense of common identity. He builds his argument around two key norms of deliberative democracy: reciprocity and publicity. The requirement of reciprocity states that, in seeking to justify proposals, citizens must appeal to reasons that all parties to the discussion can appreciate, and not to reasons that are reducible to the interests of one ethnic group. By publicity, O’Flynn means that the process by which representatives arrive at decisions should be open and transparent. He claims that a proper respect for these norms can help the citizens of divided societies to develop and sustain a stronger sense of common identity, without discarding their ethnic affiliations.<sup>43</sup>

O’Flynn also stresses the importance of fostering a strong civil society in which individuals are able to engage in nonethnic terms, and which allows space for the emergence of identities that cut across ethnic lines. It is essential to allow alternative forms of political engagement and expression, or reasoned political argument. A common objection to the deliberative model of democracy is that those without a sophisticated political vocabulary are at an inherent disadvantage. They are unlikely to prevail over their more articulate counterparts, no matter the strength of their case. This deficiency can be partly addressed, says O’Flynn, by allowing narratives and personal stories to be included in deliberations.

### ***Discourse in the Public Sphere***

The public sphere, the conditionality of sovereignty, and the transnationalization of political discourse feature prominently in Dryzek’s version of deliberative democracy in divided societies.<sup>44</sup> Dryzek argues that contending discourses (sets of concepts, categories, and ideas that provide

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<sup>41</sup> Ibid., 261.

<sup>42</sup> Ibid., 243.

<sup>43</sup> Ian O’Flynn, *Deliberative Democracy and Divided Societies* (Edinburgh: Edinburgh University Press, 2006).

<sup>44</sup> John S. Dryzek, *Deliberative Global Politics* (Cambridge, England: Polity Press, 2006), 154-157.

ways of understanding the world) underlie many of the world's conflicts. These discourses can, however, open the way to greater dialogue across state boundaries and between opposing factions in societies divided by ethnicity, nationality, or religion. The argument put forward is that interdiscourse engagement that is not geared toward the construction of sovereign authority or political decisions can help to resolve many of the most intractable conflicts.

Dryzek's aim is to determine how deliberative procedures can yield results on contentious issues in which the fundamental values and beliefs that the participants bring to the table are diametrically opposed or contradictory. Dryzek offers a number of recommendations for deliberative democracy in divided societies.

First, deliberation should be focused not on values or ideals but on specific needs, such as the need for education or for adequate sustenance. Since such needs can be appreciated by all parties to the deliberation, focusing the discussion on them will make the division seem less intractable. Second, there should be periods of "small talk" that are not geared toward resolving any issues. Dryzek makes this recommendation on the basis of research which shows that periods of "irrelevant discussion" can help to foster subsequent cooperative behavior.

Third, Dryzek argues that deliberation should not necessarily occur primarily among the existing institutions of the nation-state, and should not be directly connected to political decisions, especially not those regarding sovereign authority. He maintains that people who are involved in deliberative procedures are unlikely to change their minds, or to admit that they have changed their minds, when the deliberation is intended to produce a political decision, particularly one that has some bearing on who controls the state and its resources. The "deadly contest for sovereignty" inhibits people from opposing factions from making concessions. Furthermore, individuals are typically reluctant to admit that they have changed their minds "under the gaze of both opponents and those with a shared identity." Personal pride and credibility play an important role here.

For these reasons, Dryzek recommends that deliberations should occur within an "informal communicative realm" that takes place over time, such as a public network, deliberative poll, or policy dialogue. This affords participants the opportunity to admit to having been persuaded by the other side. If the deliberations are not directly linked to political decisions, the contest for power is less likely to prevent people from openly changing their minds.

### ***Designed Deliberative Forums***

James Fishkin and his colleagues have developed an experimental study on the effectiveness of grass-roots deliberation in managing and de-escalating identity conflicts. In 2007, Fishkin organized a "deliberative poll" in Omagh, Northern Ireland. One hundred twenty-seven Protestants and Catholics were asked to answer a series of questions related to policy concerning children's



education in the region. After the poll, the participants were invited to deliberate in small-group discussions and plenary sessions. The original questionnaire was then put before the participants once more. The results indicated that the perceptions of the participants changed significantly in the course of the dialogue. The proportion of Catholics that believed Protestants were “open to reason” increased from 36 percent to 52 percent, while the proportion of Protestants believing Catholics were “open to reason” increased from 40 percent to 56 percent. There was also a dramatic increase in the proportion of each community that viewed the other as “trustworthy.” For Catholics, the proportion rose from 50 percent to 62 percent, and for Protestants it rose from 50 percent to 60 percent. The experiment suggests that citizens are open to rational discussion and willing to change their opinions, and that deliberation can enhance mutual trust in divided societies.<sup>45</sup>

### ***Comparing Three Approaches***

O’Flynn’s model is characterized by its emphasis on principles of reciprocity and publicity. According to O’Flynn, deliberations should take place among elite representatives as well as ordinary citizens. The aims of deliberation should engage major political issues, create an overarching civic identity, and resolve seemingly intractable political problems. Dryzek, by contrast, situates deliberation entirely in the public sphere, and insists that deliberation should be “semi-detached” from the state, focusing on specific needs, not on issues of sovereignty and constitutional essentials. The aim is to create shared discourses in divided societies. The experimental approach developed by Fishkin similarly sees deliberation taking place at the grass-roots level, but in a controlled setting in which all the relevant information for decision making is provided, and there is input from experts and facilitators. One would think that, to have any noticeable impact, such experiments would need to be replicated on a large scale.

The three approaches aim at different but related outcomes. O’Flynn’s model aims to treat all participants as equals, and does not marginalize extremist elements. As a result, the outcome is more likely to be accepted by all involved, and the prospect of a backlash from extremist groups is minimized. For Dryzek, informal deliberation in the public sphere is supposed to create a new discourse that is favorable to a resolution. In the long term, this new discourse infiltrates the political sphere and influences official decision making. For Fishkin, the aim of deliberation is to build tolerance and trust by breaking down stereotypes and negative attitudes and rehumanizing the other.

The three models differ in their methods of enhancing the deliberative capacities of citizens. Fishkin’s approach seems to be strongest in this

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<sup>45</sup> James Fishkin, *When the People Speak: Deliberative Democracy and Public Consultation* (Oxford: Oxford University Press, 2009), chap. 6.

regard, insofar as all of the relevant information is provided to participants in his experimental deliberative polls, and there is input from experts and facilitators. O’Flynn, by contrast, does not provide mechanisms for enhancing the deliberative capacities of citizens. Those citizens with limited deliberative capacities are simply encouraged to rely on narratives rather than on reasoned argument. Having said this, O’Flynn’s publicity principle ensures that citizens are given an insight into the reasoning employed by representatives in their decision making. In a similar vein, Dryzek focuses on specific needs rather than on issues of sovereignty and constitutional essentials; this arguably makes the deliberative process more accessible to ordinary citizens.

Regarding the degree of interaction required, O’Flynn stresses that, within civil society, high levels of interaction are needed to create overarching civic identity; and the interaction between civil society and the state is ensured via the principle of publicity. By contrast, Dryzek emphasizes extensive interaction within civil society, but only a “loose” connection between the state and the public sphere, where the former is “semi-detached” from the latter. Fishkin limits deliberation to isolated experiments involving a relatively small sample of participants.

The empirical testability of the three approaches varies. It is difficult to see how O’Flynn’s proposal might be tested for effectiveness. And, in relation to Dryzek’s model, determining whether a public discourse has changed the public consciousness and infiltrated the political realm is no easy feat. Only Fishkin’s approach seems to be empirically testable: the impact of deliberation is rigidly tested through pre- and post-deliberation polling, and the results are quantifiable. So far, deliberative pollings have proven that well-organized deliberation can avoid polarization and enhance mutual trust through its design, the training of quality facilitators, and the strategic avoidance of sovereignty issues.<sup>46</sup>

The effectiveness of the three deliberative models is subject to interpretation. According to Dryzek, the Canadian experience demonstrates that when deliberation is focused on sovereignty and the constitution, the likely outcome is “deadlock, frustration, and failure.”<sup>47</sup> But public-sphere informal deliberation has helped make Canada “such a generally successful society.”<sup>48</sup> Alain Noel, however, points out that the “deepening of democracy” in Canada—the greater inclusion of the masses in the political process—has led to an impasse. Ajzenstat and Cook further argue that public participation has

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<sup>46</sup> Baogang He, “Deliberative Approach toward the Tibet Autonomy Issue: Promoting Mutual Trust through Dialogue,” *Asian Survey* 50, no.4 (July/August 2010): 709-734.

<sup>47</sup> Dryzek, “Deliberative Democracy in Divided Societies,” 235.

<sup>48</sup> *Ibid.*, 235-236.

<sup>49</sup> Janet Ajzenstat, and Curtis Cook, “Constitution Making and the Myth of the People,” in *Constitutional Predicament: Canada and the Referendum of 1992*, ed. Curtis Cook (Montreal: McGill-Queen’s University Press, 1994), 112-126.

worsened the divisions in Canadian society.<sup>49</sup>

Take another example, that of Northern Ireland. Dryzek lists the case of Northern Ireland in the 1990s among his “three kinds of failure.”<sup>50</sup> He says that the relationship between the public and political sphere was too “tight.” Those involved in the public deliberation had close links to the political leadership on both sides. Thus, deliberation tended to degenerate into a “contest over sovereign authority.” By contrast, Sean Byrne seems to think that the public deliberation in Northern Ireland was quite successful. The interactions between local historical societies and churches/clergymen created forums for joint problem solving in and among local neighborhoods.<sup>51</sup>

## **Challenges to Deliberative Democracy**

In order to make deliberative mechanisms of conflict resolution effective and powerful, deliberative democracy must sharpen its tools and meet the following challenges.

### ***Unpacking Deliberation***

The different interpretations of the effectiveness of the deliberative approach call for a systematic study of talks, dialogues, and public deliberations. We need to study how and under what conditions which kinds of deliberation will be successful or unsuccessful, while disclosing certain patterns and regularities if, indeed, they do exist.

A critical issue is to detect which kinds of deliberation have impact on processes and outcomes. Most public deliberations are consultative deliberations in the sense that citizens’ opinions are heard and considered, but the final decision is still in the hands of the elites, the parliament, or the head of state. Contrarily, empowered deliberation, combined with a referendum mechanism, is democratic deliberation in which citizens have direct input into the collective decision-making process.

Elite deliberation played a much more decisive role than citizens’ deliberation in the moment of the break-up of the former Soviet Union and Czechoslovakia. In elite negotiation or in parliamentary deliberation, it was not clear whether reason-based arguments or the strategic use of debate prevailed. In communal deliberation in the case of Northern Ireland, the question was how community dialogue could be transferred to state institutions and the decision-making process, and as an extension of this, how public deliberation could manage differences in the conflict of interests among citizens or groups.

Liberal deliberation is usually an open process whereby any issue can be discussed. However, in Singapore, public debate on racial questions is

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<sup>50</sup> Dryzek, “Deliberative Democracy in Divided Societies,” 237.

<sup>51</sup> Byrne, “Consociational and Civic Society Approaches,” 339.

discouraged. Even in its consociational democracy, some highly contentious issues are excluded from public debate. It all leads to an authoritarian deliberation whereby elites select and manage the topic and timing for discussion, and decide which issues are placed on the table, declaring at the same time that citizens should be involved in open deliberation.<sup>52</sup> Authoritarian deliberation has historical roots in traditional deliberation. For example, there were debates in the imperial Tang Dynasty over how to treat other races and minorities and bring different communities into the mainstream. Confucian scholars and Emperor Tang Tazhong favored the cultivation of minorities over the use of military coercion. In the history of India, territorial unity often involved a princely dialogue. The question of how deliberative democracy can draw on its historical experience to enrich deliberative projects and at the same time overcome the fundamental limit of historical deliberation is a challenging one.

### ***Two versus Multiple Parties***

In explaining the resolution of the Northern Ireland conflict in 1998, Horowitz claims that “the narrowing of the process to two internal parties, one of which proposed and the other of which disposed, was conducive to adoption of a coherent plan.”<sup>53</sup> Previous negotiations resembled a “convention,” whereas the 1996-1998 negotiations were a “tête-à-tête” involving only two major actors. Horowitz suggests that, if negotiations in divided societies are to achieve results, “the multiplicity of parties, espousing a mélange of approaches and provisions, will somehow need to be reduced.”<sup>54</sup> “The fact that sectarian demagogues can flourish is exactly why consociationalists seek to silence the public sphere.”<sup>55</sup>

The notion that the number of active parties should be reduced might seem to contradict the deliberative approach that has emphasized the involvement of civil- society groups and ordinary citizens in the public sphere. The involvement of a plurality of actors certainly makes the issue even more complex. Noel observes, “First debated among the few, Canadian constitutional politics finally had reached the many, but only to end up being for nobody, that is, closed for all political purposes.”<sup>56</sup> Deliberative democracy implies the wider participation of citizens, which gives rise to a diversity of actors and the complexity of a situation. Deliberation is a long process and does not promise an easy solution. Deliberative theorists must develop nuanced strategies for dealing with such

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<sup>52</sup> Baogang He and Mark Warren, “Authoritarian Deliberation: The Deliberative Turn in Chinese Political Development,” *Perspectives on Politics* 9, no. 2 (2011): 269-289.

<sup>53</sup> Horowitz, “Explaining the Northern Ireland Agreement,” 218.

<sup>54</sup> *Ibid.*, 220.

<sup>55</sup> *Ibid.*, 231.

<sup>56</sup> Alain Noel, “Democratic Deliberation in a Multilateral Federation,” *Critical Review of International Social and Political Philosophy* 9, no. 3 (2006): 419-444.

complexity.

The two-party and deliberative models, however, can be reconciled in a number of ways. One way is, as Dryzek suggests, a bottom-up process in which informal discourse influences public opinion, which, in turn, infiltrates the political sphere, placing constraints on policy options. The other way is a top-down process in which the elites strike political deals behind closed doors, but their successful implementation relies on the involvement of civil society. Byrne argues that “the complementarity of both the elite power-sharing and grass-roots participatory approaches is critical to building a sustainable peace.”<sup>57</sup> The latter is needed to create a “culture of peace,” in which stereotypes and negative attitudes are broken down, a shared identity is created, and local populations are willing to accept and abide by the settlements reached by their elites.

### ***How to Avoid the Sovereignty Question and Influence State Policy***

Dryzek argues that deliberation in divided societies should not be focused on questions of political sovereignty and constitutional politics. This raises an important question of how deliberation can have any impact on the decisions and actions of the state. Dryzek’s response is that discursive engagement in the public sphere can influence state action in an informal and indirect way. These deliberations introduce or develop a public discourse such as new terms, concepts, and a new rhetoric. This becomes part of the public consciousness, and eventually comes to infiltrate and permeate (and, in turn, influence) the political sphere.<sup>58</sup>

It is, however, doubtful whether public-sphere deliberation can be abstracted from sovereignty issues. Noel argues that this is simply not feasible. In practice, deliberation cannot proceed in isolation from the realities of power politics. Political deliberators cannot check their political interests, identity, and advantages at the door. Noel acknowledges that, insofar as this is true, deliberation can never occur under conditions that meet the demanding normative standards of democratic political theory.<sup>59</sup>

Public deliberation must involve the state. Not only is a political authority needed to host a dialogue, but also, at the end of the day, referendums are still needed to deal with sovereignty issues directly and decisively.

### ***Semi-detachment?***

According to Dryzek, engagement in the public sphere ought to be semi-detached from the state, or dissociated from sovereign authority.<sup>60</sup> This idea

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<sup>57</sup> Byrne, “Consociational and Civic Society Approaches,” 328.

<sup>58</sup> Dryzek, “Deliberative Democracy in Divided Societies,” 218-242.

<sup>59</sup> Noel, “Democratic Deliberation in a Multilateral Federation.”

<sup>60</sup> Dryzek, “Deliberative Democracy in Divided Societies,” 218-242.

of “semi-detached” has a number of advantages. It can move away from, and even challenge, the state’s monopoly over sovereignty. It is able to allow citizens to defend their right to discuss the sensitive matters that will impact their lives. When keeping a distance from the state, this approach is able to search the diversity of opinion and plural options, facilitate the formation of public opinion, and create reason-based legitimacy.

Nevertheless, “semi-detachment” is temporary; the final resolution is ultimately a process of moving from “semi-detached” to “complete engagement,” a higher level of interaction between the state and civil society. As deliberative conflict resolution still relies on the state, civil society must engage with the state. What is missing in Dryzek’s discussion is precisely this shift from “semi-detachment” to “complete engagement.”

### ***Impact of Political Culture***

The biggest challenge to deliberative democracy in divided societies is the fact that deliberative democracy seems to be absent from most, if not all, such societies. The problem may run deeper still. Deliberative democracy requires a certain kind of political culture—a culture which seems to be weak or nonexistent in most divided societies. In a culture in which the political process has been dominated by the state, the idea of “semi-detachment” is very problematic. In the first instance, any attempt to organize a deliberative forum will be dismissed as ineffective and futile if the state is not directly involved. Where force and violence are widely seen as the most effective political tools, it is difficult to invite disputing parties to engage in dialogue. The conflict between Israel and Palestine is a case in point. In a popular culture in which emotion and nationalist sentiment are prevalent, reasoned argument is difficult to achieve. Expatriate Chinese students are another example of this. Many such students virulently defended the Olympic-torch relay in April 2008, but few were willing to discuss the sensitive topic of Tibet. Some of them regarded the issue as a sovereignty question and, as such, a matter for the state, not subject to discussion.<sup>61</sup>

### ***A Disfavor to Disadvantaged Groups?***

A common objection to the deliberative model of democracy is that individuals lacking a “sophisticated political vocabulary” are at an inherent disadvantage. They are unlikely to prevail over their more articulate counterparts, no matter the strength of their argument. Indeed, the deliberative forum demonstrated that the Chinese participants enjoyed more analytical skill in the discussion than the Tibetans in the 2009 dialogue.<sup>62</sup> However, this deficiency can be addressed by deliberative institutional design. The random selection of participants can

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<sup>61</sup> Baogang He, “Deliberative Approach toward the Tibet Autonomy Issue.”

<sup>62</sup> For a detailed discussion, see *ibid.*

recruit marginalized people. Political equality and equal deliberative influence can be achieved through facilitators who ensure a fair change for all; and experts can play an important role in articulating the voice and arguments of the disadvantaged groups. More importantly, allowing narratives and personal stories is another useful instrument.<sup>63</sup> Indeed, the stories told by the Tibetans were striking and impressive. One Chinese participant claimed that he was inclined to sympathize with the Tibetans as a result.

## **Conclusion**

There is reason to believe that each of the traditional approaches to conflict resolution discussed here—history, referendum, and consociationalism—requires some degree of grass-roots deliberation in order to reliably achieve lasting results. Deliberation is crucial to any method of conflict resolution, and complements other democratic mechanisms and institutions. One might go so far as to say that resolving ethnic conflicts through the historical principle, referendums, or power-sharing institutions is inconceivable without according some role to deliberation.

Deliberative democracy as a mechanism for conflict resolution offers several advantages. Foremost, by its nature, it is against any use of violence and war. It addresses historical injustices through reconciliation and deliberation. It can avoid the vicious circle of authoritarian repression that leads to violent struggle, which, in turn, leads to further suppression and mistrust. It moves heated discussions of national and ethnic identity forward, preparing the groundwork for reconciliation through the fostering of mutual trust. It also improves the existing elite negotiation by developing and promoting open and transparent public deliberation.

The three approaches of deliberative democracy examined above are complementary. They can be synthesized into a coherent scheme in which deliberation takes place through a shared discourse, in a controlled experimental setting, and guided by the dual principles of reciprocity and publicity. This synthesized scheme can perhaps solve some of the problems facing deliberative democracy, but not all of them. It is still necessary to show that deliberative democracy is a feasible and practical mechanism of conflict resolution. This ought to be the focus of future research in the field.

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<sup>63</sup> O'Flynn, *Deliberative Democracy and Divided Societies*.

