

1-1-2008

Democracy in Practice: Lessons from New England

Madhawa Palihapitiya

University of Massachusetts Boston, madhawa.palihapitiya@umb.edu

Kevin Dye

University of Massachusetts Boston

Follow this and additional works at: http://scholarworks.umb.edu/mopc_pubs

 Part of the [American Politics Commons](#), [Politics Commons](#), and the [Social Influence and Political Communication Commons](#)

Recommended Citation

Palihapitiya, Madhawa and Dye, Kevin, "Democracy in Practice: Lessons from New England" (2008). *Massachusetts Office of Public Collaboration Publications*. Paper 3.

http://scholarworks.umb.edu/mopc_pubs/3

This Research Report is brought to you for free and open access by the Massachusetts Office of Public Collaboration at ScholarWorks at UMass Boston. It has been accepted for inclusion in Massachusetts Office of Public Collaboration Publications by an authorized administrator of ScholarWorks at UMass Boston. For more information, please contact library.uasc@umb.edu.

Democracy in Practice

Lessons from New England

Kettering Foundation Research Exchange

Madhawa Palihapitiya and Kevin Dye

Research Department
Massachusetts Office of Dispute Resolution and Public Collaboration
University of Massachusetts Boston
100 Morrissey Boulevard McCormack Building
First Floor, Room 627 Boston, MA 02125

Contents

Executive Summary 2

Abbreviations 4

The Massachusetts Office of Dispute Resolution 5

The Need for Dialogue..... 5

Literature Review..... 8

Presentation of Evidence.....9

Case Analysis..... 39

Conclusions..... 46

Bibliography 48

Executive Summary

Political decision-making by elites require some form of civilian participation to regain legitimacy. Increasingly groups of Citizens do not trust in political elites and are increasingly frustrated by their behavior. When faced with the problem of diversity, even established democracies face problems of managing diversity. In the global context differences of opinion, culture, religion etc has defined many of the New Wars (Kaldor 1999). In the United States many non-state and semi-governmental organizations have developed programs to increase public knowledge of the legislature and its decision-making processes. The ultimate purpose of this is to exercise some control over state power. Legislators are also increasingly convening dialogue processes with their constituencies in order to create the best possible problem-solving mechanisms.

Before the United States' model of public deliberation, many indigenous communities practiced a form of joint problem-solving in their villages throughout the world. But the history of New England is rich with a particular form of public deliberation that has continually demonstrated a capacity to increase civic participation and control of state power. New England Town Meetings are a model for direct democracy. The United States, which is also exporting democracy as a political and economic theory to countries facing violent conflict must improve its process domestically before contemplating its possible replication elsewhere. New England's public forums have faced certain challenges that must be overcome. These include theoretical and practical challenges with regard to their overall impact on legitimacy through increased citizen participation in decision-making.

Deliberative democracy must prove that citizens can arrive at decisions that can affect the community in a positive way and that these decisions can be implemented by law-makers for the good of the people. While engaged in this process, the public must also grapple with the established forms of decision-making, lack of capacity and interest by its members, elite behavior and other practical and theoretical limitations.

This paper is based on the experiences of the Public Policy Institute at the Massachusetts Office of Dispute Resolution and Public collaboration from June 2007 to the present. During this period, we were able to identify deliberative democracy as a possible tool for conflict resolution and co-existence work. The groups that we observed included the MIT Dialogue Group, which was a group of young professionals from Boston who belong to a particular Church Group, the Dialogues sponsored by the American Association for Retired Persons in New Hampshire and the Dialogues on immigration in Everett Massachusetts. The contents of this paper and the research question are based on a quest to test the boundaries of deliberative dialogue in terms of theory and practice. We will use case studies and knowledge generated by various related fields to test the applicability of citizen-based decision-making processes in Massachusetts and New Hampshire and its impact on reducing conflicts at a personal and societal level and its potential repeatability in societies with new and emerging democracies.

Conclusions

Although our hypothesis that deliberative dialogue can be used with considerable success for co-existence work was not completely proven by the analysis, it proved certain other hypotheses that relate to our main hypothesis. A key finding is that Dialogues in an established democracy tend to demonstrate signs of a policy formulation output. Dialogues in new democracies in deeply divided societies may take on added responsibilities such as mediation and conflict resolution due to high degree of contestation of issues. Deliberative Dialogues is Distinguishable from conflict Resolution but may be a tool in Co-existence work. Deliberation could be reintroduced for policy formulation purposes in a post-conflict or transitioning to peace phase in deeply divided societies. In dialogues requiring a mixture of policy and conflict resolution outputs, deliberative dialogues could be a useful tool alongside other forms of dialogues. The use of a particular method or tool depends on its user. In the hands of a skilled and experienced user, deliberative dialogue could have an impact on increasing co-existence. However, under-representation of the public in such dialogues is a serious weakness to decision-making that must be overcome. In deeply divided countries, deliberations on contentious issues must involve large samples of citizens for increasing legitimacy of decisions.

Abbreviations

PPI	Public Policy Institute at the Massachusetts Office of Dispute Resolution
NIF	National Issues Forum of Kettering Foundation
MODR	Massachusetts Office of Dispute Resolution
UMass	University of Massachusetts
AARP	American Association of Retired Persons
DWF	Divided We Fail
US/U.S.	United States
CR	Conflict Resolution
LTTE	Liberation Tigers of Tamil Eelam
USAID	United States Agency for International Development

The Massachusetts Office of Dispute Resolution

The Massachusetts Office of Dispute Resolution was established as a Statutory Agency within the Executive Office for Administration and Finance in 1990 (M.G.L. c.7, s.51) and became a free-standing state institute at the University of Massachusetts Boston in 2005 (M.G.L. c.75, s.46). MODR's mission has been to facilitate the use of dispute resolution and collaborative processes by public officials within the Executive, Legislative and Judicial branches of State Government as well as Municipalities, Public Authorities, and Political Subdivisions of the Commonwealth. MODR is authorized to facilitate the resolution of disputes through the provision of impartial mediation and other services; establish standards for the selection and conduct of mediators and other neutrals; design and operate dispute resolution programs; conduct educational and training programs; and provide other services designed to reduce the occurrence, magnitude or cost of disputes. Funding for MODR has come from a number of sources, including legislative appropriation, fees-for-services, and grants.

The Need for Dialogue

The challenge that has befallen modern states is to achieve a higher level of collaborative governance¹. Citizens are disillusioned with the exercise of state power by elected elites. The country is also exposed to security threats as demonstrated by 9/11. This is not a problem unique to the United States. Countries all over the world, and increasingly, the developed countries which attract large numbers of immigrants, have to managing diverse ethnic, religious, linguistic, cultural and political communities while managing the needs of its own citizens². Countries that cannot manage ethnic diversity in particular are prone to violence, violations and other serious issues. Countries that are multi-cultural, like the United States, must still manage that diversity of culture and identity. This is while a government is providing citizens other important services like security for instance. One possible avenue is through greater involvement of citizen groups in everyday governance. This is a definite reality in the information age as more citizens become aware of their rights and responsibilities and demand a greater role in the exercise of state power.

Political decision-making by elites, particularly when the outcomes of the decisions become erroneous, require civilian participation and support to regain legitimacy. Legislators who wish to reverse this state of affairs must start with citizen engagement as means of increasing legitimacy to the decisions made. Since political elites cannot be fully trusted, citizens can easily become frustrated with their behavior in the exercise of power. Making the right decision in a democratic society is complex and requires transparency. In the developed world, voter turnover is less, but citizens continue to hold

¹ Policy Consensus Initiative. April 2006. *Legislators at a Crossroads: Making Choices to Work Differently*.

² Ibid

interest in the exercise of state power. This is assisted by the ‘speed and intensity of communications with constituents and others’ which has significantly increased ‘due to technological advances’. But the process can become complex, particularly when it faces challenges like increased diversity when ‘society as a whole has grown more diverse’³. State Legislators in the United States are becoming aware of the increasing leadership role required of them in increasing public knowledge of the legislature and its decision-making processes⁴. Legislators are increasingly convening dialogue processes with their constituencies in order to create the best possible problem-solving mechanisms suitable for collaborative governance⁵. In doing so, these legislators are defying ‘ingrained procedures, norms and rules’⁶ within the traditional institutional framework.

The hypothesis that citizens are aware of their rights and responsibilities and that the information age has created a larger and more transparent process for legislators to deliver, needs testing. For instance, not every citizen may be aware of this role or even be interested or motivated to take on this role. Every citizen might not be capable of making the right choices for the common good of all. The other hypothesis is that citizen decision-making is possible and that it is a successful process for controlling state power. This too requires further testing. The third hypothesis is that the political system known as democracy and the direct participation of citizens in a direct democracy is a sound model for replication and elimination of global conflict. This too requires further testing.

The testing is required to understand whether a process can be designed to make these hypotheses a reality. If such a process exists, in the form of deliberative dialogue, it would become a highly potent tool for going beyond democracy into more peaceful and successful forms of governance that paves the way for better coexistence among its citizens and lesser chances of violence.

Deliberative democracy could be a model for testing the above hypotheses in a controlled environment involving citizens and some form of citizen-based decision-making that is connected with policy influence at the state or national level. This should demonstrate whether citizens can and do make decisions that have policy influences and that it can be replicated as a model in different parts of the world with equal or greater chances of success.

Since the state cannot be dependent upon to provide a background for ordinary citizens to deliberate and engage in dialogue on issues affecting them, an alternative would be the non-state entities made of citizens themselves. Legislators attempting public collaboration require outside assistance because they might not be trusted by the public and their motivations and interests challenged. There might also be a danger and

³ Policy Consensus Initiative. April 2006. *Legislators at a Crossroads: Making Choices to Work Differently*.

⁴ Ibid

⁵ Policy Consensus Initiative. April 2006. *Legislators at a Crossroads: Making Choices to Work Differently*.

⁶ Ibid.

limitations to state involvement in public collaboration and dialogue processes. The state has been described as having a limited repertoire of tools for purposes of public collaboration⁷. In contrast, semi-governmental agencies like MODR are impartial entities that are recognized by the public and the state through years of previous engagement in public issues. These organizations have both access and the skills necessary for facilitating public dialogue processes.

State Offices like MODR have to meet the challenges posed by these needs and have transformed themselves accordingly. In 1985 these offices were involved in dispute resolution, reducing court congestion, improving access to justice and the establishment of forums for conflict resolution⁸. By 2006, these goals had changed into effective governance through improved decision-making⁹.

⁷ Policy Consensus Initiative. April 2006. *Legislators at a Crossroads: Making Choices to Work Differently*.

⁸ Goldberg, Green et al., 1985. *Dispute Resolution*. Boston: Little, Brown.

⁹ White, Nick. 2007. *Institutionalized State EPP Offices of Dispute Resolution- Past and Present.*, presentation made at the Environmental and Public Policy conference, University of Michigan.

Literature Review

The Merriam-Webster Online Dictionary defines Direct Democracy, also known as Pure Democracy as ‘democracy in which the power is exercised directly by the people rather than through representatives.’¹⁰ Deliberative Dialogue is considered a tool enabling Direct Democracy. Democracy, in the Greek Language means Power of the People, or ‘law-making by assembled citizens’ (Zimmerman 1999, 10). The thesis of this particular analysis will be on the availability of adequate and capable policy-making institutions at Town level in New England that can credibly meet the policy requirements of all citizens that can contribute to a process of Direct Democracy as envisaged by the Founding Fathers of the United States. Particular focus of this essay will be on the use of Deliberation or Deliberative Dialogue as a tool of Direct Democracy in New England Town Meetings.

In many civilizations, both ancient and new, public spaces have existed for joint problem-solving through deliberation. Although the United States’ deliberative democracy is modeled after the Greek or Athenian state model, non-western cultures like the Ashanti of Ghana, the *hozho* of the Navaho Indians, the Iroquois Confederation, the *Xanante* culture of Brazil, tribal groups and kingdoms in China and the Creole of Sierra Leone all practiced joint problem-solving, collective action, shared political identity, public space through deliberative discourse (McAfee and Gilbert 1995, 10-13).

Joseph Sany Nzima (Nzima 2006, 15) quotes these words from Nelson Mandela;

I watched and learned from the tribal meetings that were regularly held at the Great place. These were not scheduled, but were called as needed, and were held to discuss national , matters such as drought, the culling of cattle, the policies ordered by the magistrate, or new laws decreed by the government. All Thembus [members of the Thembus community] were free to come, and a great many did, on horseback or by foot...everyone who wanted to speak did so. It was democracy in its purest form. There may have been a hierarchy of importance among the speakers, but everyone was heard, chief and subject, warrior and medicine man, shopkeeper and farmer, landowner and laborer...The meetings would continue until some kind of consensus was reached. They ended in unanimity or not at all.

Since ancient times, these ‘informal, natural, organic patterns of collective decision making’ have become institutionalized but are still alive in their organic state when modern states are ‘hit by natural disasters or intractable problems’ (Mathews 2006, 189). In the United States, special organizations committed to Deliberative Dialogue emerged based on previous human and United States histories of collective decision-making and collaborative action. The New England Town Meeting was one such organization.

¹⁰ Available at <http://m-w.com/dictionary/pure%20democracy>. Retrieved on August 10th 2007.

The Town Meeting Government is central to the policy-making process of the people of New England. The United States has a rich history of ‘Inclusive, community-oriented, common problem-solving societies’ which is the hallmark of the ‘American-style democracy’ (McAfee & Gilbert 1995, 10). The first towns in the Massachusetts Bay Colony had been governed by an informal system similar to the Town Meeting known as *folk moot* (Zimmerman 1999, 18-19).

All matters affecting the welfare of the town, such as the division of land, building of a church, hiring of a minister, and admission of new inhabitants, were discussed, and decisions made. Attendance at town meetings was compulsory; absentees were punished by a fine, and early records contain the names of citizens who failed to attend the meetings. No town officials were elected during the earliest stage of the development of the New England town form of government, which at this stage had not become institutionalized and was completely informal. No town charters existed, no permanent organization was established, the number and frequency of meetings were indeterminate, and no specific duties had been established for the town meeting or town officials as they began to make their appearance. (Zimmerman 1999, 18-19)

Since then, Town Meetings have demonstrated great promise as a unit of policy-making in the last several decades. In 1629, the Massachusetts Bay Colony developed a Town Meeting Government without official recognition of the British (Zimmerman 1999, 2). The meetings had also contributed to the Revolutionary War (Zimmerman 1999, 2). Many historic figures from American history have commended the New England Town Meetings. Thomas Jefferson wrote in 1782 that “every government degenerates when trusted to the rulers of the people alone. The people themselves therefore are its only safe depositories” (Zimmerman 1999, 3). Ralph Waldo Emerson, commenting on the Town Meetings in his hometown of Concord Massachusetts in 1835 claimed that “the great secret of political science was uncovered” in the town meeting; “how to give every individual his fair weight in the government, without any disorder from numbers.... Here the rich gave counsel, but the poor also, and moreover, the just and the unjust” (Zimmerman 1999, 3). The pivotal role of the deliberative dialogue model adopted by New England Town Meetings has changed over time. The first change introduced was the Finance Committee which served an advisory role to the Town Meeting (Zimmerman 1999, 163). In recent times, the *de facto* meetings has given way to a *de jure* meeting in fifty-one Towns where, with the adoption of a Charter, only selected representatives are allowed to vote on Warrant Articles (Zimmerman 1999, 163). Some Town Meetings are held solely for the purpose of financial appropriations (Zimmerman 1999, 163).

Nine Massachusetts towns, ten Rhode Island towns, six Maine towns, and two New Hampshire towns have replaced town meeting government completely with a town council possessing full legislative authority. Thirty-five New Hampshire towns and eight Vermont towns hold only a deliberative town meeting, with voters subsequently going to the polls to

vote on warrant articles by the Australian or official ballot (OB).
(Zimmerman 1999, 163)

Deliberative Democracy

Democracy is primarily a tool for decision-making. All forms of democracy deal with 'some means for forming agreements. No matter how minimal this mechanism may be, it must share some of the common features and constraints of all forms of democracy. Whether they do so through mechanisms that aggregate votes or through active participation, citizens in a democracy freely agree to the rules and goals of their common life' (Bohman 1996, 35). Deliberative democracy therefore is a specialized area in Democratic Theory that focuses on increased citizen participation and consultation in decision-making.

Deliberative democracy is a 'development of American Liberalism- a shift from a discourse of right to a discourse of decisions' (Walzer 2005, 90-91). Walzer identifies a weakness in the lack of disagreement about deliberation in the United States today and names fourteen areas where a 'pervasive non-deliberative' political atmosphere needs to be created that could potentially benefit from deliberative dialogue. These areas are *political education, organization, mobilization, demonstration, statement, debate, bargaining, lobbying, campaigning, voting, fundraising, ending corruption, scut work* (activities lacking political character) and *ruling* (Walzer 2005, 92-103). Joshua Cohen (1997) provides a detailed description of deliberative democracy as a distinctive area of social institutionalization of open discussions among citizens for the exercise of power by government.

Not simply a form of politics, democracy, on the deliberative view, is a framework of social and institutional conditions that facilitates free discussion among equal citizens-by providing favorable conditions for participation, association, and expression-and ties the authorization to exercise public power (and the exercise itself) to such discussion-by establishing a framework ensuring the responsiveness and accountability of political power to it through regular competitive elections, conditions of publicity, legislative oversight, and so on (Cohen 412)... it provides common roots for the "by the people" and "for the people" aspects of the ideal of democracy. (Cohen 1997, 424)

Gutmann and Thompson put forth an argument called *Democracy and Disagreement* meaning 'mutual respect,' that results in 'a kind of political reasoning that is mutually justifiable,' that 'help citizens treat one another with mutual respect as they deal with the disagreements that invariably remain.' They claim that our societies and even our theories suffer from a 'deliberative deficit' which we must seek to address through deliberation. (Gutmann and Thompson 1996: 2-12, 52-53, 346).

Direct or deliberative democracy symbolizes 'probably the most sustained and intense exchanges in political theory for many decades' since 1990 (Saward 2000, 5). Deliberative Democracy is seen as a process to '*transform* given preferences, not merely

to design mechanisms to register them' (Saward 2000, 5). Saward cites Bohman's (Bohman 1996) definition that 'Deliberative democracy, broadly defined, is ... any one of a family of views according to which the public deliberation of free and equal citizens is the core of legitimate political decision making and self-government' (Saward 2000, 6).

The concept of direct democracy draws particular strength from the theories of John Rawls and Jurgen Habermas. In fact, Habermas' influence on deliberative democracy was so powerful that Waltzer wrote 'Deliberative Democracy is the American version of German theories of communicative action and ideal speech' (Walzer 2005, 90). Both theorists have posited certain democratic principles with the citizens and civic associations for the furtherance of deliberation and public decision-making. John Rawls for example, presented important ideas of justice and equality as the basis for governance by citizens. In the *Theory of Justice*, Rawls considers the state as 'the association consisting of equal citizens' (Rawls 1971, 212). The principle value of governance is based on a 'public conception of justice' where a 'public sense of justice' makes 'secure association' possible, despite the presence of individual interests (Rawls 1971, 4-5).

Jurgen Habermas describes 'communicative action' in a 'public sphere' which is defined as a 'linguistically constituted public space' (Rehg 1998, 361) that is a 'network for communicating information and points of view... filtered and synthesized in such a way that they coalesce into bundles of topically specified public opinions.' (Rehg 1998, 360) His contention is that democracy is a method where political opinion and will in a 'political public sphere' create 'communicative power' which transforms into administrative power in a 'fundamental concept of a theory of democracy' (Calhoun 1992, 446). He describes two types of discourses that govern a democracy. They are problem-solving, and informal opinion formulation which is "uncoupled from decisions... effected in an open and inclusive network of overlapping, subcultural publics having fluid temporal, social and substantive boundaries" (Rehg 1998, 307). He argues that

...from the perspective of democratic theory, the public sphere must, in addition, amplify the pressure of problems, that is, not only detect and identify problems but also convincingly and influentially thematize them, furnish them with possible solutions, and dramatize them in such a way that they are taken up and dealt with by parliamentary complexes' (Rehg 1998, 359).

Habermasian and Rawlsian ideas rely heavily on either rational processes of decision-making or on moral consensus-building. Benhabib argues that

According to the deliberative model of democracy, it is a necessary condition for attaining legitimacy and rationality with regard to collective decision making processes in a polity, that the institutions of this polity are so arranged that what is considered in the common interest of all results from processes of collective deliberation conducted rationally and fairly among free and equal individuals (Benhabib 1998, 69).

Agonists claim that consensus-building serves power (Mouffe 2000). Using Habermas' theories of communicative action, Mouffe (2000) states that 'Informal public opinion-formation generates 'influence'; influence is transformed into 'communicative power'

through the channels of political elections; and communicative power is again transformed into 'administrative power' through legislation (Habermas 1996, 7). Agonists are also concerned about rationalist arguments which challenge the agonistic theories of emotion and passion (Mouffe 2000). A 'democratic attitude' must be reached which allows people not to argue with each other but to accommodate and make partnerships (Mouffe 1999, 755).

Shapiro (2003) argues that the purpose of democracy is to manage power relations which cannot be achieved through aggregated systems of democracy/opinion formation (Shapiro 2003, 10-34). Fung and Wright describe deliberative democracy as

...empowered participatory governance' 'where ordinary people can effectively participate and influence policies which directly affect their lives. They are participatory because they rely upon the commitment and capacities of ordinary people to make sensible decisions through reasoned deliberation and empowered because they attempt to tie action to discussion'. (Fung and Wright 2003, 5)

Sawad argues that legitimacy to the exercise of political power is gained through 1. the exercise of power under legally valid rules, 2. the grounding of rules in shared beliefs and 3. 'express consent' (Sawad 2000, 69). The express consent obtained through polls is the only avenue which provides legitimacy to the exercise of power (Sawad 2000, 69).

Sawad argues for more hands-on approaches to promoting citizen engagement through inclusive voter education, life-long learning, citizenship education in schools, new 'enabling' institutions and the creative use of the media in order to bring democracy to the people (Sawad 2000, 77). Sawad's concern is captured by Daniel Smith (1998, 45) where he claims that in the United States 'populism entails a grass-roots, bottom-up form of protest and participation by the masses' which pits 'Us against Them' creating 'a mass outcry of a "common people" aimed at an established elite, their norms, and their practices.' Smith goes on to describe a phenomenon called the *Faux Populism Hypothesis* that 'an unequivocal (though usually latent) public mood' on some matter, that is, 'the notion that a rather large number of people out in the country are thinking along certain common lines' can create a populist public mood that 'is real, but is poorly articulated; it is fragmented and ill-defined' (Smith 1998, 48). This hypothesis rests on the existence of 'a populist entrepreneur' who has 'sufficient charisma and organizational resources...to channel and fashion the public mood into a coherent, popular message' and to convince voters that 'it is *the* solution to the widely perceived public problem' (Smith 1998, 48).

Mendelsohn goes a step further in claiming that the United States does not have a system of direct citizen participation in national policy formulation, unlike in Switzerland for example (Mendelsohn 2001, 26). This hypothesis rests primarily on the legal rights of states allowing referendums. But in the same light Mendelsohn concludes that the public now has greater confidence 'in general, to make important decisions that were once left almost entirely to elected leaders' (Mendelsohn 2001, 29). He claims that 'support for direct democracy will be associated with such variables as education, internal efficacy, political sophistication and attentiveness, and strength of partisanship' (Mendelsohn 2001,

29). This in effect means that support for direct democracy is ‘greatest among respondents who score low on measures of political trust and external efficacy’ (Mendelsohn 2001, 30). Since such a sample of the population will be smaller than the rest, a reasonable hypothesis is that direct democracy may not be for everyone. Mendelsohn states that the ‘movement toward more citizen legislation appears to be a ‘movement’ without a reliable and committed mass base’ Mendelsohn 2001, 37). Using statistics from a series of polls he contends that ‘the success of contemporary direct democracy may indeed have more to do with the skills and resources of entrepreneurs who have learned how to recognize some ‘latent public mood’ and turn it into viable electoral activity. This is not to say that Americans are opposed to direct democracy. ‘Our claim is simply that when we look beneath the surface, there is less genuine enthusiasm for the process than the initial poll numbers would lead us to believe’ (Mendelsohn 2001, 37).

Deliberative Democracy involves dialogue between citizens and their representative leaders. The word deliberation is used to indicate the need for dialogue. However, ‘Real-world deliberation is a mix - people read, watch, and listen; people ruminate; people discuss. But it does seem safe to say that deliberation quite centrally involves discussion, and indeed that at least some of the benefits of deliberation would be harder to attain without it’ (Fishkin and Luskin 2006, 17). Fishkin and Luskin refer to a concept called Deliberative Polling, which hinges on equal engagement of citizens in democratic polling.

Deliberative Polling involves random sampling of voters, thus increasing the probability of all citizens engaging in the decision-making process, especially in countries where 50% or less of the population votes at democratic elections. Random sampling can also ensure that there is a ‘microcosm of the interests that need to be articulated - and responded to - in any serious deliberation on policy issues’ (Fishkin and Luskin 2006, 26). The result of this experiment is to develop ‘deliberative microcosms’ that present what public opinion actually would be through post-deliberations (Fishkin and Luskin 2006, 19). Public engagement is seen as crucial for polling. Yet aggregation of opinions is the methodology for eliciting such opinion. But with globalization, the public sphere has widened. Theorists see this as an opportunity since ‘the more publics, the more debate, the more democracy’. This effectively makes deliberation a global phenomenon affecting global decisions as ‘more publics provide more possibilities for testing the legitimacy of power, enabling criticism of hegemonic truths, and forcing decision makers to provide more general or universalistic justifications’. Dalton (1996) calls this *cognitive mobilization* where ‘more citizens now have the political resources and skills necessary to deal with the complexities of politics and make their own political decisions’ (Dalton 1996, 21). Schumpeter (1947) claims that the concept of a ‘common good’ (where people, as rational actors, can identify policy needs, which are then, implemented by politicians) is impractical and supports more a system of representative democracy than direct democracy (Schumpeter 1947, 252, 255-256). The ‘rule by the people’ concept has been criticized as not being realistic since politicians compete with each other for power based on personal interest (Schumpeter 1947). Politicians demonstrate through voting, a superficial dependence on constituent votes, yet with regards to policy formulations, politicians may exercise their own interests rather than the interests of those they serve

(Schumpeter 1947, 269, 285). The idea of a ‘common good’ and the moral dimensions of decision-making have been criticized and instead, a more interest-based approach has been developed to explain how political decisions are influenced (Downs 1957).

In the United States, the concept of Direct Democracy was initially challenged by those who framed the US Constitution, including those that signed the Declaration of Independence¹¹. James Madison notes that;

By a faction, I understand a number of citizens, whether amounting to a majority or a minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community.”...“No man is allowed to be a judge in his own cause, because his interest would certainly bias his judgment, and, not improbably, corrupt his integrity. With equal, nay with greater reason, a body of men are unfit to be both judges and parties at the same time; yet what are many of the most important acts of legislation, but so many judicial determinations, not indeed concerning the rights of single persons, but concerning the rights of large bodies of citizens?”...“When a majority is included in a faction, the form of popular government, on the other hand, enables it to sacrifice to its ruling passion or interest both the public good and the rights of other citizens. To secure the public good and private rights against the danger of such a faction, and at the same time to preserve the spirit and the form of popular government, is then the great object to which our inquiries are directed. (Madison, 1787)

In much later criticism, given modern changes and the distancing of policy-making in large constituencies, deliberative dialogues were considered less effective when they were conducted in large towns and more effective in smaller towns (Hormell 1932, 17). Criticisms of the Town Meetings focused on the inability of minority groups (meaning small groups as opposed to the group holding popular opinion and experts) in presenting their policy opinions (Wood 1958, 283).

The National Civic Review highlighted the issue of under representation of public opinion by sparsely attended Town Meetings in New England (*National Civic Review*

¹¹ Madison, James. *The Federalist No. 10. The Utility of the Union as a Safeguard Against Domestic Faction and Insurrection (continued)*. Daily Advertiser. Thursday, November 22, 1787. Available at <http://www.constitution.org/fed/federa10.htm>. Retrieved on August 10th 2007.

The Federalist No 58 available at <http://www.constitution.org/fed/federa55.htm> Retrieved on August 11th 2007. Madison writes ‘In all very numerous assemblies, of whatever characters composed, passion never fails to wrest the scepter from reason. Had every Athenian citizen been a Socrates, every Athenian assembly would still have been a mob.’

The Federalist No 58 available at <http://www.constitution.org/fed/federa58.htm>. Retrieved August 11th 2007. ‘the ascendancy of passion over reason’ is greater in a large than in a small legislative assembly because of the higher proportion of ‘members of limited information and of weak capacities.’

1965, 522 and Mansbridge 1976, 167). Mansbridge writes: “informal channels of influence will come to dominate decision making; and a large number of those excluded from the informal processes will feel manipulated, angry, or apathetic, cursed with self-blame.” (Mansbridge 1976, 167). Therefore the requirement is to move ‘beyond adversary democracy’ (Mansbridge 1980).

Boston Town Records have sidelined this deficiency in the Town Meetings over a century ago (Municipal Printing Office 1906, 43). The records claim it is very seldom, that men of the best intelligence¹² and most capable of conducting public business will leave their important private concerns to attend affairs in which they have only a general interest; it therefore unavoidably happens that the affairs of a large town are conducted by a very small number of persons, who represent and act for the whole, but who are not chosen by them, who do not possess their confidence and act under no or a very slight responsibility. (Municipal Printing Office 1906, 43).

Zimmerman claims that ‘non-participating, taxpaying voters, who are forced to finance the policies approved by the interest group-dominated town meetings. The key questions are whether there is an inherent bias in town meeting decision-making today and whether an effective counterweight to special interest groups exists’ (Zimmerman 1999, 10). The issue concerns the validity of aggregating the interests of the majority and using the majority interests for policy-making.

There is also a considerable difference in terms of societal pressure in Town Meetings, compared to summoned forums where participants are moderated by experts. (Smith 2006, 36). These arguments hold considerable validity, as per the observations of the *Divided We Fail* Campaign launched by the American Association of Retired Persons, which is under study here.

Agonists (Mouffe 2000, 1) claim that despite the criticism against Direct Democracy and citizen-decision-making, many Liberal Democracies have encountered problems of ill-representation of minority opinions, increasing skepticism about politics and politicians in Representative Democracies (Mouffe 2000, 1). Agonists doubt the usefulness of Deliberative Democracy in situations where there exist deep differences (Mouffe 2000). They doubt whether deep differences created by certain passions can be addressed through deliberation (Mouffe 2000).

Deliberative Democracy in Deeply Divided Societies

Sawad argues that deliberative democracy practiced in the United States delimits the potential for its use in non-democracies since they must first progress to where the more established democracies have progressed to before using deliberation to further that democracy (Sawad, 2000, 69). This further delimits the potential of Deliberative

¹² Dalton calls this ‘Political Skill’ or the ‘Supercitizen’ who has a basic set of skills. They must demonstrate ‘knowledge, understanding and interest’ in political matters and an understanding of the options and the ‘workings of the political system’. (Dalton 1996, 15)

Democracy as a legitimate process for furthering democracy, since it can work in the United States and the United States only (Sawad, 2000, 69).

Shapiro questions what deliberation can serve in the actual world, since many of the proponents of deliberation have presented 'ideal deliberative theories' (Shapiro 34). Many years before, John Stuart Mill wrote that democracy as a concept by itself was unfeasible in multi-ethnic societies since 'free institutions are next to impossible in a country made up of different nationalities' (Mill 1958 [1861], 230). More recent theorists describe multi-ethnic democracies and its inherent 'everyday primordialism' (Fearon, Latin 2000) and constant outbidding and outflanking or 'gambling for resurrection' by elites (Figueiredo & Weingast 1999, 263) and elite manipulation of the masses, an obstacle to democracy. The ethnic competition for 'valued goods' like state power (Bates 1982, 153), 'militant advancement of group interests' (Horowitz 2001, 243), the Security Dilemma (Posen 1993, 31) and the ethnic entrepreneurship (Lake & Rothchild 1996, 41) can adversely affect the applicability of direct democracy as a solution to conflict resolution in deeply divided societies.

The universal application of Habermasian and Mouffian theories on Deliberative Democracy in particular is also problematic. In Third World democracies for example, there is a risk of 'socioeconomic elites' imposing consensus on highly combustible economic or resource division conflicts. This argument effectively negates the Habermasian ideal of reaching impartial consensus through deliberation and dialogue (Kapoor 2002, 472). The other important argument is that in the Third World, whilst providing much of the leadership, governments tend to oppress democracy by exercising a 'monopoly on power and violence and using it to impose market liberalization, "ethnic" nationalism, or bureaucratic authoritarianism' (Kapoor 2002, 473). In such a situation, a major part of Deliberative Democracy should fall on governance, particularly the new problems faced by Third World governments as a result of increased transnational governance (Kapoor 2002, 473). An inherent problem with deliberative dialogues in divided societies would be the relatively less control on content and weight of discourses (Dryzek 2005, 16). Dryzek argues that these societies are 'divided into blocs with dense within-bloc communication but little across-bloc communication' (Dryzek 2005, 16).

There is also the question whether deliberation can actually change attitudes and behaviors (Mackies 2002). This is called the '*unchanging minds hypothesis*' where it is assumed that 'a given belief or desire is not isolated, but, rather, is located in a network structure of attitudes, such that persuasion sufficient to change an attitude in isolation is not sufficient to change the attitude as supported by its network' (Mackies 2002). The 'effects of deliberative persuasion' is considered 'latent, indirect, delayed, or disguised' (Mackies 2002). Dryzek claims that 'even if internally persuaded, it is hard for an individual to admit it, for then credibility is lost' (Dryzek 2005, 17). Deliberation may not reveal broader group interests since it is conducted in a controlled environment since there is a 'civilizing effect on the ways in which participants reason and conduct themselves when appearing in, or before, the public' and also since 'public opinion acts as a constraining factor in political decision-making that otherwise is ruled by sectoral and group-based interests' (Rättälä 2006, 40).

Benjamin Reilly (2001) argues that careful planning of electoral systems (preferential voting) could create bargaining, communication and ethnic inter-dependence among groups, thus allowing moderate politics and a greater chance for democracy in deeply divided societies (Reilly 2001, 2). The example for success is Papua New Guinea. However, countries like Sri Lanka, Fiji and more recently Iraq have demonstrated the complexities associated with establishing democracy through electoral reform. Sri Lanka and Iraq, for example, present the difficulties of establishing democracy during times of direct violence where democracy's establishment can seem only superficial. Democratic processes and institutions can still be hijacked by elites without civil participation.

Dryzek states that 'deliberation, at least of the face-to-face variety connected tightly to state authority, can only ever be for the few. Perhaps there are a few representatives who might be so civilized; but in a politics of mass voting tightly connected to definition of the sovereign state, they can all too easily be overwhelmed by demagogues and absolutists' (Dryzek 2005). His example is Northern Ireland, where 'the Democratic Unionist Party and Sinn Fein still prosper at the expense of, respectively, the more moderate 'Official' Unionists and Social Democratic Labour Party – even at a time when compromise is in the Northern Irish air as never before, and the paramilitaries on both sides have laid down (most of) their arms' (Dryzek 2005).

The relationship between the public sphere and the sovereign state can be 'loosely connected, or semi detached' but still be able to attract informal policy reactions through weighted discourses, even in the absence of elections or 'head counting' (Dryzek 2005, 20). 'The power of rhetoric can reach from the public sphere into the state even when there is no formal channel – such was the achievement of Dr. Martin Luther King, Jr. in the 1960s. Sometimes, even, arguments honed in the public sphere may be noticed and heeded by state actors. This sort of influence is what Habermas means by 'communicative power.' (Dryzek 2005, 20). A risk in this public-sphere and sovereign-state discourse is identified in Northern Ireland where the Public Sphere and State Sovereignty were tightly coupled. A public sphere that was created by various activists and groups to focus on social issues faced a serious challenge from 'sectarian public spheres joined to the sovereignty contest' (Dryzek 2005, 23). Another failure is highlighted in Northern Ireland in the 1960s where the public sphere was faced by an unresponsive state. A potential solution to such a condition would be to work towards 'collective outcomes sensitive to public opinion' that are generated in 'non-state or trans-state locations' (Dryzek 2005, 23). Another potential failure would be when there is no space for 'engagement of discourses in a public sphere'... 'or due to suppression of contested politics in the state or public domains due to fear of 'ethnic nationalist mobilization' as in Tito's Yugoslavia (Dryzek 2005, 24).

Dryzek however describes the 'period of inaction' that followed the Meech Lake Accords of Canada in 1987, following opposition from the Anglophones and the indigenous people, where constitutional reform was successfully replaced by deliberations in the public sphere.

It is in these periods of inaction that Canada is at its best, because then individuals on the various sides can get back to engaging one another in the public sphere in a setting where a serious struggle over sovereignty is not at stake. Political leadership can get back to the *modus Vivendi* which makes Canada such a generally successful society (Dryzek 2005, 21).

The Truth and Reconciliation Commission in South Africa under Desmond Tutu also “operated at arm’s length from the coercive authority of the sovereign state (and withstood legal challenges from both former apartheid President F.W. de Clerk and the African National Congress). Rethinking of identity was also promoted in mixed-race discussion groups, the media, educational institutions, and elsewhere in the public sphere” (Dryzek 2005, 22).

Deliberative Democracy’s ability to transform people, particularly with regard to unlearning and relearning ethnic symbolisms (myth) could have a negative impact on violent conflicts in deeply divided societies. The idea is that ‘public deliberation construed as social learning (can) surely could play a role in reconciliation in divided societies’ (Dryzek 2005).

Ethnic identity, especially those based on myth, can change overtime (Kaufman 2001) and ‘deliberative democracy can process contentious issues in a politics of engagement in the public sphere’ through sharing of discourses (‘shared way of making sense of the world embedded in language’) that are defined by assumptions, judgments, contentions, dispositions, and capabilities’ (Dryzek 2005). Dryzek claims that ‘three tests must be applied if the connection to the kind of intersubjective understanding prized by deliberative democracy is to be secured’.

Once we move beyond ritualistic openings, communication is required to be first, capable of inducing reflection, second, noncoercive, and third, capable of linking the particular experience of an individual or group with some more general point or principle. The last of these three criteria is crucial when it comes to identity politics gone bad. A harrowing story of (say) rape and murder in a Bosnian village can be told in terms of the guilt of one ethnic group and violated innocence of another – in which case it is fuel for revenge. But the story can also be told in terms of the violation of basic principles of humanity which apply to all ethnicities, making reconciliation at least conceivable (though of course not easy) (Dryzek 2000, 68).

Dryzek argues that deliberation and democracy can be used in a public sphere separately, but not too distantly from state sovereignty and head-counting in order to diffuse violent conflicts in deeply divided societies (Dryzek 2005, 15). Deliberation focused on general needs rather than on values could address identity conflicts (Dryzek 2005 15).

An example comes from Turkey, where headscarves worn by young Islamic women were long a symbolic marker that excluded them from secular Turkish universities. Beginning in 2002, a re-framing of the issue in terms of the education needs of young women and the character of education as a basic human right gained ground, and the issue started to

look less intractable. Avoidance of head-on confrontation means the other side is less easily accused of a hidden agenda to capture the state, and one's own side cannot so easily claim to alone represent 'the people' or safeguard the polity.

Dryzek claims that in 'hot deliberation' where 'deliberation (is) tied to sovereign authority in divided societies' deliberation can adversely affect change '*in the forum itself*', 'if one's position is tied to one's identity' (Dryzek 2005, 17-18). Once deliberation is located in a public sphere, reflection is enabled 'because reflection is a diffuse process, taking effect *over time*'. With time, the degree of activation of concern on particular issues can change, individuals can shift from partisanship to moderation to apathy and vice versa, and may even come to adopt different attitudes' (Dryzek 2005 18). Citing the work of Mackie, Dryzek claims that 'deliberation-induced reflection can eventually lead an individual to change his or her mind' (Dryzek 2005 18).

In a study conducted at Wake Forest University of students engaging in deliberative Democracy at the university in Fall 2001 it was discovered that the 26 students involved in the program showed considerable attitudinal change towards politics (Harriger & McMillan 2007). The findings suggested that the students, also called *Democracy Fellows*, experienced changes in political involvement, responsible active citizenship, analysis and involvement in political processes, increased efficacy in political language and attitudes and increased political enthusiasm and optimism (Harriger & McMillan 2007, 151-160). The background to the study was a United States experiencing country-wide uncertainty as a result of the 9/11 attacks, the 'War on Terror' and a Presidential Election. However, since the study was conducted in a University and in a classroom setting Harriger and McMillan have their criticism on the overall applicability of the findings of Deliberative Democracy in the outside world or 'community' (Harriger & McMillan 2007, 160-164). However deliberative democracy has been applied in Puerto Alegre in Brazil (for participatory budgeting) and in India (self-government in West Bengal and Kerala) to some effect, thus demonstrating some universal significance in its application for structural changes in terms of devolution of power, transformation of formal governance processes and increased citizen participation in the exercise of power in large democracies (Susskind., Fung and Wright. 10-12)

Other theorists have supported the idea that Deliberative Democracy can strengthen democratic institutions. Smith claims that the process must be 'balanced and judged against other ideals and goods, such as group representation, social justice and efficiency' (Smith 2006, 39). It is also clear that for any democratic society, deeply divided or not, Deliberative Democracy can be a useful tool, among many other tools to ensure the proper course of citizen engagement in governance. Forums of citizen deliberation 'could both offer citizens a meaningful way of participating in policy-making processes and a way of increasing the democratic legitimacy of decisions' (Smith 2006, 39). In the example of the Sacramento Water Forum, Innes and Booher demonstrate how dialogue, termed 'authentic dialogue' can assist in policy-planning (Innes and Booher 2003, 37).

Presentation of Evidence

The National Issue Forums (NIF) Deliberative Dialogues Conducted by the Public Policy Institute of MODR at UMass Boston

Experience 1

Observations: The standard NIF events were typically conducted as a series of dialogues held in the same location (MIT), about different topics.¹³ The PPI decided, based on a request by participants, not to record the events other than intermittent use of flip charts, nor to report on the substantive nature of the dialogue. Those that convened for the dialogues were primarily from a Church Group¹⁴ and were homogenous. The participants, numbering around 15 on average, were all white middleclass Bostonians who were not particularly interested in policy decisions or co-existence issues as end result of the deliberations. The group was interested in representing their church group and obtaining some knowledge about the issues that were discussed as part of a National Issues Forum. The PPI's Director agreed that the group was 'passive' rather than 'action-oriented.' However, I observed the youthful gathering at MIT on Social Security voicing some concern regarding the fate of Social Security.

Reflections: Although the participants were middleclass professionals, financial security towards the latter part of their lives seemed a dormant yet quite a pressing personal concern. The deliberation extracted these dormant concerns. Many were in their mid thirties and approaching their forties and were not fully aware of how the Social Security system was configured. They were capable of piecing together their concerns but remained indecisive about collective action. One can reasonably hypothesize that the deeply personal nature of the Social Security issue may have contributed to the aforementioned outputs. Current research supports the idea that opinions formed on unimportant issues are approached neutrally by individuals and 'normally distributed' in a population (Liu., and Latané 1998, 105). However, opinions on topics which are more important to an individual are considered 'bimodally or in a unipolar extreme fashion in society' (Liu., and Latané 1998, 105). This evidence further suggests that individuals seek information that relate to their topics of interest whilst ignoring information relating to topics that do not interest them or might interest other members of the society (Liu., and Latané 1998, 105). Therefore, policy formulation or co-existence was not an end-result for the group.

None of these cases resulted in commitments to any course of action or follow-up of a collaborative nature by the participants as of the time of this report. Based on differences from experiences with other case types a good indicator of not following up may be that participants did not engage in generating options during the forum.

Despite the weak impact with regard to policy change, the 'passive' stance of the participants enabled certain flexibility for them to explore these topics. It can be

¹³ The Kettering NIFs hosted by the PPI at UMASS Boston deliberated three approaches contained in Kettering Issue Books on a variety of subjects ranging from healthcare, social security to alternative energy.

¹⁴ The Church of Jesus Christ and Latter Day Saints, also known as Mormons

hypothesized that this may be conducive to learning. This was confirmed to some extent by a review of participant evaluation questions¹⁵ which inquired about whether their thinking on the topic had changed and if so how. Roughly one third of participants in these forums indicated that they learned more about the issue in the forum, or gained an appreciation of the topic, or gained an appreciation of other perspectives on the topic. A few participants per event indicated they were interested in doing further personal investigation of the topic. There is some indication in the evaluations of learning and catalysis of future learning on an individual basis.

In terms of policy change of the NIF dialogues, the outputs observed can be broadly defined as knowledge and awareness on existing policies, not necessarily on recommended new policies. Therefore overall impact on policy change was weak. However, the channeling of information resulting in certain opinion formulation on current issues would be a useful consideration for co-existence work. Research has demonstrated that with high doses of information on topics that do not interest people, individuals may find the topics becoming more important to them personally¹⁶ (Liu., and Latané 1998, 105).

In most forums there were several participants who indicated that their existing positions were strengthened by the deliberation. Some of these did indicate they simultaneously gained an appreciation for other perspectives of the complexity of the situation. In very few forums did any participants indicate that they had changed their position on a topic. There seems therefore to be some indication of an overall strengthening of existing positions in these types of cases. This phenomenon is captured in social psychological theory relating to Group/Attitude Polarization (Moscovici and Zavalloni 1969). Group or Attitude polarization is based on the concept that people make decisions that are more extreme when they are in a group than when they are alone. In social psychology, group polarization is defined as a ‘relatively consensual shift of opinion further in the direction of the initial leanings of the individual or group’ (Liu., and Latané 1998, 103).

The decisions of a group may become polarized based on the availability of information to the group. The release of information that each person contains seems to rest on the level of association and trust in the group. What starts as a ‘bias of opinion’ on a particular topic, with exposure to diverse information, starts moving the group in extreme directions (Liu., and Latané 1998, 103). The limit to this extremity is reached when there is no more information to share on the topic in the group, which takes many interactions over a long period of time (Liu., and Latané 1998, 103). Another relevant hypothesis is thought-induced polarization where, not the group as a whole but individuals becomes polarized in their own personal opinion (Liu., and Latané 1998, 104).

In contrast to the predominant belief that Deliberative Dialogue encourages individual preference-shifting towards consensus, the data here, albeit quite limited, is that Group Polarization and Thought Induced Polarization may in fact be taking place. However, if participant involvement is limited to a single event-per topic, or some unintended effect of laying out approaches – group polarization’s effects can be limited. On the other hand,

¹⁵ Materials not provided with the paper but available at PPI, MODR based on need-to-know basis.

¹⁶ “When bombarded with large amounts of information on a topic, people will tend to see the topic as more important; when they know nothing about the topic, they will think of it as less important”.

research has shown that ‘repeated social interactions among members of groups isolated from the moderating influence of outside persons can produce attitude polarization in extreme forms (gangs and terrorism, respectively)’ (Liu., and Latané 1998, 105).

Deliberative Dialogues managed to counter this handicap in two ways. The first was through a structured process of dialogue based on a deliberation using an ‘issue book’. The issue book has three well-researched approaches to the issue/topic being deliberated. It provides the current thinking on the issues in the society and reconnects the issue, group and also the individual with the broader realities of the topic with the rest of the society. This significantly delimits group and or individual polarization and extremism of opinions. The second method is to obtain the services of a reasonably well experienced and trained moderator. The moderator has the opportunity to prevent group/individual polarization through careful moderation of the group deliberation. The effects of the approach on reducing group or individual polarization was observed during the AARP dialogues conducted in New Hampshire. On several occasions, individuals and groups with highly polarized opinions were carefully moderated and assisted to reconsider their opinions. However, no visible alteration to the opinions was recorded. These dialogues are discussed in detail below.

AARP Dialogues Moderated by MODR at UMass in the State of New Hampshire

The American Association of Retired Persons, The Business Roundtable, and the Service Employees International Union launched a movement called *Divided We Fail* in January 2007. The campaign claimed it was representing more than 50 million Americans who claimed that government is not watching out for its citizens. The purpose of this movement was to educate, involve, and activate voters of the United States to demand that Congress and the President of the United States in November, 2008 make positive changes on behalf of citizens in the areas of health care and financial security.

One activity of *Divided We Fail (DWF)* took place from May 30 through August 3, 2007 in the states of Iowa, Nevada, New Hampshire, and South Carolina – not coincidentally the four states who lead the caucus and primary systems toward the presidential election. According to AARP, during the summer, 108 deliberative dialogues took place in those four states with more than 1000 citizens. Among participants at thirty deliberations in Dialogue, it was easy to observe a wide gap between the knowledgeable and the uninformed. Often the outcome of the dialogues was knowledge and awareness. This is similar to the outcomes of the NIF dialogues conducted by PPI.

This Deliberative Democracy methodology used issue-framing to generate three approaches to a question, then allowing participants to deliberate on a fourth approach without stressing on a final outcome from the deliberation¹⁷. These pre-negotiated approaches were as follows¹⁸;

¹⁷ “For each forum, the moderators followed a discussion guide that presented the three approaches summarized on page 2. Each two-hour session included personal stories from the participants on how the issue affected them, discussion of the three approaches, and a time for reflection where a fourth and collaborative approach is developed. The moderators’ task is to create a situation where people can speak openly about the issue and work together to find common ground. Participants are asked to listen carefully to each other and weigh the advantages and drawbacks of various courses of action”. Doherty, Joni. August

Approach 1: It's What Government Was Designed to Do.

Since many people believe a basic standard of living and health care are rights, some feel that the government should provide these social benefits. Even most who believe in small government agree that the public sector should provide a safety net for those unable to care for themselves. This approach treats social welfare like national defense. Since everybody faces the same risks—whether from illness, poverty, or foreign threats—everyone should have protection against those dangers and contribute to the costs of that protection. And if everybody in society needs the same protection, it would be provided more cheaply and fairly through government programs. The public sector could control health care costs by eliminating the profits taken by insurance and drug companies. And a basic standard of living could be provided for all through a system that guaranteed a minimum income for everyone who could not earn enough on his or her own.

Approach 2: It's Up to You.

One perspective is that the problem with health and financial security is that people are not empowered to make their own choices. Since everyone has different wants and needs, this approach says we need systems that are flexible and do not impose “one-size-fits-all” government programs on us. Individuals are better at planning for their own retirement and health care needs than the government. People today are better educated, have access to a wealth of financial and health care information and are fully capable of developing a plan that works best for them. Insurance can create a “moral hazard” that reduces the consequences of risky behavior, over spending and inadequate savings. And too much government welfare drives out personal initiative and private investment. The best approach to health and financial security is to encourage personal responsibility, get government out of the way, and lower taxes on savings and investment. This not only improves individual security, it increases economic growth and opportunity.

Approach 3: It's Everyone's Responsibility.

Another approach argues that individuals, businesses, and government all have a role in lifetime financial and health security. We all must take responsibility for our own futures; employers need healthy, engaged, and productive workers; and government should protect society's most vulnerable members. As a nation, everyone should have an equal opportunity to earn and enjoy the benefits of good health care and a secure financial future. If the public and private sectors work together to support individuals and spread costs fairly, we can better afford health care and lifetime financial security, even as the economy changes in unpredictable ways. Providing quality health care and lifetime financial security are the collective responsibility of government, businesses, and individuals.

The ‘issue-framing’ raised two questions.

2007. *Ensuring Health Care & Financial Security for All Americans: A Report on the Outcome of the Divided We Fail Deliberative Forums*. New England Center for Civic Life. Franklin Pierce University. Rindge, New Hampshire. P 27.

¹⁸ Doherty, Joni. August 2007. *Ensuring Health Care & Financial Security for All Americans: A Report on the Outcome of the Divided We Fail Deliberative Forums*. New England Center for Civic Life. Franklin Pierce University. Rindge, New Hampshire.

1. Can outsiders conducting deliberations on highly sensitive national issues use pre-framed issues and approaches to obtain information and knowledge from ordinary civilians in one sitting and can such citizens create a fourth approach on their own? This question lies at the heart of the AARP dialogues. Don't parties require a long-standing relationship to accept issues framed by others as their own? Researchers have discovered that 'it is trust, not the presence of strong ties, *per se*, that leads to effective knowledge sharing'¹⁹ (Levin, Cross, Abrams, Lesser 2004, 37).
2. How do participants of deliberative dialogues approach issues and a potential resolution of the issue thereafter in real life situations? The AARP dialogues contained some interesting experiences. Each experience is broken down into an observation and a personal reflection on it.

Identifying Options

Experience 1

Observation : The dialogue moved from scoping concerns to clustering the concerns– to identifying main themes, to identifying main motivations to options / approaches, then to the identification of benefits/tradeoff sequence, tensions, and finally actions paths.

For example the clustering takes a concern, looks to an underlying motivation to find the associations.

The options identification also focuses on benefits and drawbacks prior to working on actions. The facilitator was very good at helping participants suspend evaluation and judgment. An environment and tone was established earlier.

Reflection: Naming and the identification of options for a fourth option combine pre-named, previously identified options and approaches with the opportunity to identify new options, package them into approaches, and name them. It is surmised that this is more empowering for the participants after the forum as well. However, as the intent in this particular set of forums was to inform policy makers of public sentiment, a lack of follow-up or commitment by the participants should not be taken as a shortfall. The follow-up responsibility was deferred to professional analysts.

The participant-observer account raised questions around the option identification process. After the identification of issues, there is a recommended approach to clustering which is based on inferring underlying values driving a concern with a particular issue. The clustering step in the framing process took longer than other approaches, was less

¹⁹ “In fact, our survey also demonstrated a somewhat surprising result: the trust can develop even when there was only infrequent interaction between individuals (“weak ties”). Essentially, while trust can be created through frequent, ongoing communication, it can also form between people who do not converse with each other on a regular basis. Therefore, it is possible for effective knowledge sharing to occur in both strong-tie and weak-tie relationships as long as competence-and benevolence-based trust exist between the two parties” (Levin, Cross, Abrams, Lesser 2004, 37).

visually cohesive, and suppressed individual difference. Concept Mapping²⁰ techniques could have been used to create physical, mental and even electronic maps of the concepts generated during the clustering phase.

Commitments

A central part of our investigation was to identify whether deliberative forums and follow-up activities can generate commitments to act together. This would also indicate how complementary citizen actions could impact institutional actions.

Experience 1

Observation: very little commitments were ever made. The only commitments followed were the ground-rules laid by the moderator. Ground rules were set prior to elicitation of concerns and issues. These were generally followed by the participants. In particular, when the dialogue got heated, the facilitator tended to dispel the tension and tone down the rhetoric. The resulting contributions tended to lack emotive connection.

Reflection: It may be that ground rules inhibit emotional responses. Lack of emotive response may make it difficult for participants to make a commitment. I was unable to find research that proved this hypothesis. Lack of connection, which can also come from a facilitator shutting down a participant, or the participant withdrawing because of a distrust of the process, can both inhibit participation in decision making and commitment to follow up. In many cases however, participants themselves made personal commitments to themselves and not as a group to increasing awareness of the necessary policy changes. They often relied on AARP to create policy changes. Using direct democracy to change existing policies at the Town Meeting level, state government level and national level were never seriously discussed.

Reporting

Experience 1

Observation: During a workshop, a facilitator was eliciting statements about issues from the group. One of the participants made a statement. It was three words long. The recorder (working on a flip chart) rephrased the statement. The participant repeated their original statement. And again the recorder rephrased it. Then the participant explicitly requested their statement to be recorded as is.

Reflection: It is critical to respect the voice of the participant in deliberative dialogue. A style closer to straight transcription, requesting the participant to shorten if necessary, but not putting words in their mouth is a better approach. Journalists are well trained in paraphrasing in a fashion that often sounds closer to the reportee than they sounded to themselves. This is not necessarily a skill held by beginning facilitators.

Experience 2

²⁰ Concept Mapping resources by William M.K. Trochim available at

<http://www.socialresearchmethods.net/research/epp1/epp1.htm>

<http://www.socialresearchmethods.net/research/epp2/epp2.htm>

<http://www.socialresearchmethods.net/research/Reliable/reliable.htm> accessed on 10/02/07.

Observation: In eliciting statements about the values underlying issues the facilitator in several cases made judgments about whether a participant's statement was valid as a value or not. Ones they judged were not values were not recorded.

Reflection: This forces the participants to make contributions into the facilitator's views of what constitutes values. This may be educational for the participant. This could be seen as a violation of the contribution of the participant, in some cases shutting down further contributions from them.

Experience 3

Observation: The recorders almost always recorded an abbreviation of statements to post on the wall. This frequently did not reflect the original statement.

Reflection : The original statements were lost. The participants had no written materials to refer to as their original statements. As a result, there was a lack of transparency in the process. The influence of the recorder or facilitator vs. the original statement by participants concerning the meaning of statements could no longer be discerned.

If the recorder is permitted to rephrase, and there is no recording equipment being employed, nor a reporter / transcriber / stenographer, then the original voice of the participant is lost. This risks distancing participants from the results of the work and runs the risk of generating policy recommendations of interpreted meanings of opinions and not based on actual direct democracy.

Decision-making

Experience 1

Observation: Some cases achieved participant-driven formation of a fourth approach whilst others did not experience an opportunity for counterfactual reasoning. The primary insight from the comparison of cases concerns the ability to foster decision-making in a forum.

Reflection: The distinguishing feature of those cases where decision-making was possible, as opposed to those where it was not possible, is a lack of disruption in the structured process of deliberation. Lack of disruption in the use of the Kettering methodology provided adequate time for deliberation and subsequent consensus in the group through the absence of dealing with the disruption.

In the ideal case, each of the three approaches presented in Kettering issue books and their benefits and tradeoffs are considered in turn. In the disruptive cases this step was largely rejected. That is, the previous identification of options was not considered legitimate by the outspoken participants in the forum. The forums do begin with sharing of personal connections to an issue. It may be the case that when it became apparent that the previously framed approaches in the forum did not match a particular worldview then disruption ensued. It is interesting to note that in contrast to assertions that moderators trained as mediators would be particularly adept at handling such situations, they were either not able to do so with enough time to get to synthesis of a fourth approach, the group dynamics was not amenable to it, or by accommodating the expression of the outspoken "extremist" view, an alternative approach was engaged – but not according to the preset process, and perhaps not in a completely deliberative fashion.

Decision-making in the Forum and Reporting and Transparency of the Forum Linked to Policy Decision Making External to the Forum – These forums were recorded and analyzed in a qualitative research approach²¹. There was an intention at the outset for reporting on the voice of the participants. Indeed, general observations made by the Program Director of PPI acknowledges that participants appreciated having the recordings, the promise for report generation, and that the report would be submitted to policy makers. In one practitioner's words the participants took this as "having their voice heard." However, there are shortfalls in this transcription process. Records of discussion were not made available to participants prior to their analysis, and the analysis approach was not made clear.

Depiction and explicitness of preferred group processes for decision making or consensus building recommended in the framing method could be stronger. This may imply that at this micro-level of group management, the technique is open to various approaches. The spirit of deliberative dialogue indicates that selection of such techniques based on a preference towards ones that emphasize consensus building through preference shifting and learning rather than aggregation techniques such as various voting procedures (aggregated models, plurality of interest, head-counting etc). Unless these techniques are explicitly identified, there will be significant variation amongst facilitators, a risk of decision-making by fiat and a difficulty claiming 'representativeness' of particular events with respect to the general population.

Observation: Moderators request participants to infer underlying causes or concerns behind statements in a cluster. After several suggestions, a decision is made about the weight of the statement informally, based on nodding of heads by a majority of participants and no visible comment by the rest. No further dialogue is conducted on the interdependency of the statements or the clusters. This is called the law of erroneous Priorities.

Whenever two or more observations made by stakeholders in the context of a complex situation are interdependent, assigning priorities for action on the basis of aggregating individual and subjective "importance voting" leads to spurious priorities and ineffective actions. The effective priorities for action can only be determined after discovering the interdependencies among the observations through a dialogue focusing on "influence voting."²²

²¹ Grounded Theory refers to the application of GT as described in the original work of Glaser and Strauss in Glaser, Barney, S. and Strauss, Anselm, L. 1967. *The Discovery of Grounded Theory: Strategies for Qualitative Research*. Aldine de Gruyter. New York. 237-251.

²² Christakis, Alexander, N from the Systems and Behavioral Sciences in an abstract of a theory published in January 2001 called the Law of Erroneous Priorities. Abstract available at http://sunsite.utk.edu/FINS/Technique_Democracy/Fins-TD-07.txt

The overall impact of the deliberative dialogues on policy-making revealed no concrete results. The Sioux City Journal²³ reported on October 3rd that at least two Presidential Candidates had agreed to attend a forum to be held on October 25th on healthcare and financial security organized by the DWF campaign in Iowa. Exactly 16 days later, the same newspaper announced that three candidates, Rudy Giuliani, Fred Thompson and Mitt Romney had ‘snubbed’ the forum²⁴. Two more candidates, Mike Huckabee and John McCain, had however attended it. On 7th September, over 3200 seniors attended a meeting with Hillary Clinton and Huckabee at the Boston Convention Center, in a show of strength²⁵. This group had gathered in Massachusetts, and not in New Hampshire where the AARP dialogues were conducted. The numbers were much larger than the group initially engaged by CCL and PPI, thus potentially indicating buy-in by the larger retired persons’ bodies. The impact of the dialogues in New Hampshire or whether they were at all instrumental in generating this enthusiasm was not measured.

City Dialogues on Immigrants Co-facilitated by MODR in Everett Massachusetts

MODR co-facilitated a series of ten dialogues among city leaders about new immigrants. **Observation:** In the Immigration Case the decision of what to do had been made by the city leadership – they would develop a ‘Welcome Packet’ for immigrants. The ‘Welcome Packet’ is implicitly intended to force conformity in the standard of living set forth by those previously settled. It was seen as an act of intimidation by the ‘new immigrants’. One of the city leaders was using the term ‘foreigners’ to describe the new settlers and one of the ethnic leaders said ‘stop calling me foreign’. The language by city leaders was received in a hurtful fashion. City leaders become more enlightened about language use but did not really change their attitude towards the new settlers. Some people just suppressed their comments more. But everyone became visibly sensitive to the use of statements. The participants discovered that statements deemed acceptable and un-hurtful can indeed be unacceptable and hurtful to immigrants.

Reflection: The study was inhibited by the inability to observe the evolution of language among participants (primarily due to the inability to observe the dialogue for longer periods of time), especially for participants that are together in multiple venues / forums, as a result of dialogue. The study agreed with what Mehan (Mehan 1997) discovered in the discourse of the illegal immigration debate (called Proposition 187 in his book), that the society was represented as “us v. them” (Mehan 1997, 259). However, in contrast with Mehan’s findings that “their gain is our loss” (Mehan 1997, 259), this researcher found, especially from the dominant crime topics, that the newspapers in 2004 presented immigration as: their loss is our loss, we like it if they can gain, but their gain is not necessarily our gain. This study agree with Mehan on another point that the “us. v. them

23

http://www.siouxcityjournal.com/articles/2007/10/02/news/latest_news/e859713bf2f853fc8625736800463bb7.txt accessed on October 20th 2007.

24

<http://www.siouxcityjournal.com/articles/2007/10/19/news/top/8fa08d8cdaa8117686257379000580db.txt> accessed on October 20th 2007.

25

http://www.boston.com/news/nation/articles/2007/09/08/clinton_huckabee_champion_healthcare_at_aarp_event/ accessed on October 20th.

arguments appeal directly to personal self-interest” (Mehan 1997, 261). The direct appeal to natives’ self-interest could explain the possible negative effects of the crime topics (Mehan 1997, 24).

“Immigrants being maltreated and victimized in the receiving country” is the most dominant of the 28 themes. This theme appeared in 33.3% of the articles. Articles with this theme leaned toward the immigrants’ point-of-view; they talked about how immigrants were being inadequately, unfairly, or brutally treated by the receiving country’s government and its agencies, private entities, or individuals (Mehan 1997, 26) Government policies and services, and explained the complexity in serving the immigrants while protecting their citizens. The majority of the “immigrant and family” sources talked about their lives and complained about the frustration of living in the receiving country. (Mehan 1997, 27)

The theme “economic contribution made by the immigrants” ranked only 16th among all the themes, appearing in 4.7% of the articles. Instead, the newspapers portrayed immigration as “immigrants searching for and living a better life.” Meanwhile, the newspapers portrayed immigrant receiving country as “protecting the nation and its citizens.” The confrontation was thus between a nation and a group of individual immigrants. Although the high presence of immigrant sources, topics, and themes in empathy of immigrants may have created a frame that would lead to the readers’ compassion and understanding of individual immigrants, immigrants’ strive for a better life was not as compelling as a nation’s protection of all its citizens. This researcher found the three newspapers’ message to be “their loss is our loss, we like it if they can gain, but their gain is not necessarily our gain.” This message proved the newspapers growing compassion toward immigrants, but at the same time another message was sent that “the ‘border’ should not be given in.” (Mehan 1997, 27-28)

This study found Mehan’s view of “direct appeal to native citizens’ self-interest” important in explaining the possible negative effects of the crime topics. Crimes could directly appeal to the self-interest of native citizens as a “loss in quality of life, especially in security.” Immigrants’ “search for a better life” might appeal directly to the immigrants as a “gain in quality of life,” but was unlikely to appeal directly to natives self-interest as a “gain in quality of life,” especially when the newspapers did not stress the economic contribution of immigrants to the receiving country. Although the native citizens may show compassion to and support the immigrants’ “search for a better life,” the appeal of “immigrants’ gain in quality of life” may not be as strong as “natives’ loss in security” to the native citizens. Adapting Mehan’s words of “them v. us” and “gain and loss,” this study found that the newspapers’ message to be “their loss is our loss, we like it if they can gain, but their gain is not necessarily our gain.” (Mehan 1997, 41).

An alternative form of dialogue to assist individuals to understand themselves and the world around them would be Deep Dialogue²⁶. This is in contrast to the usual decision-

²⁶ A method used by Leonard Swidler and Ashok Gangadean of the Global Dialogue Institute for use in Religious Conflicts. Abstract available at <http://astro.temple.edu/~dialogue/case.htm> and accessed on 10/07/07

oriented deliberative dialogue. Perhaps deliberative dialogue could contain elements of deep dialogue. This was however not observed. In more deeply divided societies, language can be used for promoting division and violence based on racially constructed metaphors. Our background as a Sri Lankan working on the Ethnic Conflict in Sri Lanka was useful in this analysis. Language, as part of group identity, is a known divider in many international conflicts. It is used in the Sri Lankan context for example, to communicate and sustain deep ethnic differences. It is also employed for positioning oneself with regard to the question and a case of linguistic groups becoming ethnic groups with separate identities (ie. “I am Sinhalese and I am pro-military”, “I am Tamil and I am ___”). “It also invokes language engineered by others (ie. “Tamils came from Dravidian races in south India”. “Sinhalese are descendants of Aryans”). It is also influenced by popular culture (ie. “Tamil language is fast and sounds violent”). It might also invoke moral values (ie. “Sinhalese is rich in Buddhist ideology”. “Tamil language enriched by violent Hindu mythology”). It might even have legal implications (ie. “Tamil for Tamil areas only, Sinhala for Sinhala areas only”).

Observation: During identification of options, a facilitator told one of the participants that their proposal would not work because the facilitator had tried it and it didn’t work. The facilitator went on to generate options in this case.

Reflection: This is a violation of facilitation principles. Respect for the autonomy and authenticity of the voice of the participant is paramount.

Observation: A city leader said ‘As we drove through town, we saw most storefronts occupied by ethnic entrepreneurs of the latest wave of immigrants. A South American ethnic group now dominated the main street of a town of grandchildren of the previous century’s Western European immigrants. One might conjecture that the town had lost its identity’.

Reflection: Such changes in the urban streetscape are key sites of host-immigrant encounters²⁷. The encounters become stories. Some of these stories make it into the local paper. Particular stories become labeled with a name. Typical stories become associated with / identified with objects at the heart of those encounters. The story labels and object names enter the vernacular as indexes, as shorthand references to common experiences. As we will see in the following, these indexes also invoke existing frames.

The above evolution in the local market space, is parallel developments in housing, public security, and other spheres of public life. And in the case critique that follows, one sees the intersection of these spheres, and lexical reflection of these daily life experiences in the town’s politics²⁸.

²⁷ Rath, Jan. January 2007. The Transformation of Ethnic Neighborhoods into Places of Leisure and Consumption, *Working Paper 144*, The Center for Comparative Immigration Studies CCIS University of California, San Diego. <http://www.ccis-ucsd.org/PUBLICATIONS/wrkg144.pdf>

²⁸ Koff, Harlon . October 2002. Let’s Talk: Dialogue Across Disciplines on Immigration and Integration Issues, *Working Paper 60*, The Center for Comparative Immigration Studies CCIS University of California, San Diego. <http://www.ccis-ucsd.org/PUBLICATIONS/wrkg60.pdf>

The hope of the convenor was to launch a forum to create a more civil discourse in town leadership. A lot of the early dialogue concerned the use of language. One might argue that including the voice of the newcomer, the immigrant, ‘the other’ in the dialogues enacted the interaction, interpretation, and negotiation of meaning that is in essence at the heart of joining the polity²⁹³⁰. But it was by not without significant tension.

“The commodification and marketing of diversity, i.e. the commercial use of the presence of the ethnic Others or their symbols in the urban streetscape, help explain the growing enthusiasm for ‘interesting’ landscapes that have the potential to draw tourists and visitors...“the involvement of immigrants in the tourist industry does not inevitably contribute to the full acceptance and integration of immigrant communities. It is possible that tensions between tourists and locals emerge or are reinforced, for instance concerning the use of public space (Mitchell 1993, 263-294) (Anderson 1988, 127-149).”

Observation: A fire in town was cited early and occasionally referenced as justification for focusing city resources, and indeed the dialogue on adherence to building codes, ie. limits on the number of refrigerators that may be plugged into one electrical outlet. This was generalized to a concern for all city ordinances – and in turn explicitly proposed as a broad mechanism for ensuring conformity.

During a city dialogue on what was variously termed “the immigrants issue” or simply “immigration,” one participant exclaimed “God bless the firefighters who risked their lives....” That participant proceeded to recount a house fire in town involving immigrants as an example of what the new focus on code enforcement was intended to prevent. The fire allegedly resulted from too many refrigerators being plugged into the same outlet. And it was inferred that this was due to overcrowding in the house. The incident was at the front and center of attention. It had become a mantra to elicit support for preventive measures. This fire and its inferred causation symbolized the rationale for stepping up enforcement of housing codes. “These people,” (meaning ‘immigrants’), were to be held accountable. “After all, it was for their own protection too.” Thus, the new policy was also to demonstrate compassion.

The fire grew from an incident, to a theory of what was wrong, to a shared memory renewed by invocation, to a rallying point for a new policy, and a ten-fold increase in resource allocation to enforcing the city’s ordinances. And while there were other such stories afoot, it served perhaps better than any other to provide a basis for consensus that a “Welcome Pack,” to instruct newcomers in the “right way to do things.”

The name of a particular fire became the proxy name of a larger set of issues for the town, the need for prevention, protection, and accountability. The ‘Welcome Pack’ was promoted as the preferred, compassionate solution for the ‘newcomers.’

²⁹ Linton, April. August 2006. Language Politics and Policy In The United States: Implications For The Immigration Debate*, *Working Paper 144*, The Center for Comparative Immigration Studies (CCIS) University of California, San Diego. <http://www.ccis-ucsd.org/PUBLICATIONS/wrkg141.pdf>

³⁰ Chung, Erin. Aeran. June 2003. Non citizens, Voice, and Identity, *Working Paper 80*, The Center for Comparative Immigration Studies (CCIS) University of California, San Diego. <http://www.ccis-ucsd.org/PUBLICATIONS/wrkg80.pdf>

Reflection: Through linguistic jostling of the purpose of the city dialogues, variously as ‘immigration,’ or the immigrant issue/problem, participants were able to invoke the context of the national debate – even while the facilitator steered the group clear of the Federal and “illegals” issue. This is a local example of an emergent phenomena – the ‘rescaling of citizenship’ – “the ways in which citizenship, as a formal political institution, might be detached from the scale of the nation-state and connected (as historically) to the scale of the urban³¹.”

Informal slips in referring to the dialogues as “the immigration dialogue,” indicates a linkage of the local participant’s view of their dialogue within the context of the national debate, and intensification of the issue in the state during 2006-2007³². While there was little actual discussion about the federal issue of “immigration,” nor even much dialogue about “illegal immigrants” the city was not atypical of many towns mobilizing on the object of the national debate - immigrants³³.

Occasionally when someone would name the dialogues as being about “immigration” someone else would correct them stating that it was about “immigrants.” Indeed, a content analysis of U.S. press coverage indicates a strong tendency for the media to emphasize immigrants themselves, rather than the forces that produced illegal and legal immigration³⁴.

The ambiguity of the immigrant as object of discussion and the incursion of the national immigration debate into the dialogues, at least in the interstices between the facilitated portions, connected the forum to the framings employed in the national debate. In particular, the security framing provided a rich backdrop for the more local public safety frame.

Observation: The city dialogues were a good example of how people can use a metaphor to invoke powerful imagery which has the effect of generalizing about a population based on some specific cases. This enabled the discourse to move from the seemingly innocuous topic of building codes to a public health frame. Media’s high frequency of

³¹ Varsanyi, Monica W. January 2006. Rising Tensions Between National and Local Immigration and Citizenship Policy: Matrículas Consulares, Local Membership and Documenting the Undocumented, Working Paper 140, The Center for Comparative Immigration Studies CCIS University of California, San Diego. Available at <http://www.ccis-ucsd.org/PUBLICATIONS/wrkg140.pdf>

³² Abraham, Yvonne and Helman, Scott. July 3rd 2006. Immigration debate intensifies across Massachusetts, Boston Globe.

³³ Abraham, Yvonne. May 21st 2006. *Towns taking own action on immigrants*, Boston Globe.

³³ Varsanyi, Monica, W. January 2006. Rising Tensions Between National and Local Immigration and Citizenship Policy: Matrículas Consulares, Local Membership and Documenting the Undocumented, Working Paper 140, The Center for Comparative Immigration Studies CCIS University of California, San Diego. <http://www.ccis-ucsd.org/PUBLICATIONS/wrkg140.pdf>

³⁴ Zhang, Jing. May 2005. U.S. Newspaper Coverage Of Immigration In 2004: A Content Analysis, Thesis, Texas A&M University. Pg. 11. <https://txspace.tamu.edu/bitstream/1969.1/2464/1/etd-tamu-2005A-STJR-Zhang.pdf>

crime stories associated with immigrants provided context for generalization of the dialogue to the broader frame of public safety. The issue of public safety and the post 9/11 rhetoric on national security were emergent trends which were checked by both the ground rules as well as redirection by the facilitators. The ‘immigrant’, as principle object of discourse, was in this fashion framed as a threat. When this framing was challenged, compassion for the health and safety of the immigrant was employed as a rhetorical cover. The safety issue-framing rhetorical cover used as examples of unsafe dwellings unregistered repair shops, cars and lack of parking, restaurant garbage, residential garbage etc. The most powerful item in the list was arguably overcrowded housing conditions because of the term used to describe them: tenements. This term was typically coupled with the word ‘squalor’.

Reflection: The imagery was probably derived from the term *The Huddled Masses*³⁵ - a description of early twentieth century conditions, or perhaps the photographic imagery of that. The term tenement was actually being employed to label houses with rooms that had been subdivided to accommodate more residents. This is rhetoric that is common in the media³⁶. The invocation of this imagery trumped another valid interpretation of the sharing of residential space by working-class ethnic communities that permitted a smoother transition for newcomers from the same ethnic group.

An important point made by Coutin and Chock (Coutin and Chock 1997, 123-148), is that the press coverage of immigration emphasized immigrants themselves, rather than the forces that produced illegal and legal immigration (Dijk, 1991; Mehan, 1997; Chang & Aoki, 1998).

A ‘confrontation and frustration’ frame of immigration and immigrants was created by the media emerging from images of ‘the everyday life of immigrants.’³⁷ In a content analysis of U.S. media following the enactment of U.S. Immigration Reform and Control Act (IRCA) of 1986, Coutin and Chock identified two frames for illegal aliens – the opportunity frame and the crisis frame³⁸.

1. To take advantage of opportunities, worked hard for a better life, and contributed to the American economy.
2. Crisis frame featured illegal, destructive, lawless, foreign, unrooted, and constituted a threat to society.

³⁵ Handling, Oscar. 1951. *The Uprooted*, Little Brown, Boston.

³⁶ Conti, Katherine. September 25th 2005. *Illegal rentals strain services: Prices encourage crowded housing*, Boston Globe.

"They were living in filth," ... "You feel bad for these people, though. You get stuck in a spot where these people have nowhere to go, and you hate to have to do it, but it's about safety. If you see it, you have to write code violations. The worst part is that not much happens to the guy who rents the house."

³⁷ Zhang, Jing. May 2005. U.S. Newspaper Coverage Of Immigration In 2004: A Content Analysis, Thesis, Texas A&M University. Pg. 11. <https://txspace.tamu.edu/bitstream/1969.1/2464/1/etd-tamu-2005A-STJR-Zhang.pdf>

³⁸ Zhang, Jing. May 2005. U.S. Newspaper Coverage Of Immigration In 2004: A Content Analysis, Thesis, Texas A&M University. Pg. 11. <https://txspace.tamu.edu/bitstream/1969.1/2464/1/etd-tamu-2005A-STJR-Zhang.pdf>

Zhang found “their loss is our loss, we like it if they can gain, but their gain is not necessarily our gain.”³⁹

The security frame makes a direct appeal to native citizens’ self-interests as security threats are interpreted as a loss of quality of life. The ‘search for a better life’ by immigrants in the opportunity frame however are interpreted with indifference by natives. So ‘their loss is our loss’ from the crisis frame trumps ‘their gain is nice but not our gain’ in the opportunity frame.

Conflict Resolution and Deliberative Dialogue

Experience 1

During a particular dialogue on Healthcare in New Hampshire in July 2007, we observed a group of participants reflecting deep into the question of financing their healthcare. The four alternatives in the Issue-Book were analyzed. Just then, something unexpected happened. A participant in his eighties made the following statement.

“Perhaps I should go on vacation once every two years...I should use the money I save to contribute for my healthcare. After all, it’s my own health and wellbeing that is affected by this decision.”

As we observed, this statement had a domino effect on the other participants. Although most were over the age of seventy and suffering from numerous ailments, the participants, one-by-one, transformed their position on healthcare in the face of this very personal interest of maintaining a higher quality of life. They assumed personal responsibility for a very personal issue. Therefore most immediate question that one needs to answer is how Conflict Resolution frameworks can contribute to Deliberative Dialogue.

Observation

The observation of the dialogues, as conducted by Moderators who were originally Mediators with a Conflict Resolution background, indicated that with a little effort, CR practitioners can become expert moderators at DD. The quality of the CR practitioner to handle the unexpected, the combustible issues, the fears and suspicions, the focus on personal victory and defeat for the opponent, the political, psychological, sociological and cultural issues involved can all contribute towards the growth of Deliberative Dialogues.

Reflection

Conflict Resolution, as we know it, has been undergoing tremendous changes. It is now an inter-disciplinary or multi-domain field. Theorists call this a Meta Approach or the Integrated Approach. This allows the strengths of CR to be integrated with other disciplines and vice versa. In this background, Deliberative Dialogues will benefit CR, as a tool for policy-making, public collaboration, democracy work etc. On the other-hand, the application of, and the international experiences of the multi-disciplinary approach

³⁹ Zhang, Jing. May 2005. Newspaper Coverage Of Immigration In 2004: A Content Analysis, Thesis, Texas A&M University. Pg. 11. <https://txspace.tamu.edu/bitstream/1969.1/2464/1/etd-tamu-2005A-STJR-Zhang.pdf>

that CR is, will undoubtedly benefit Deliberative Dialogues in expanding its focus and utilizing the experiences of numerous fields to which CR has not branched-out.

Experience 2

The Everett Dialogues were rich in diversity, particularly with regard to ethnicity, religion, class and social status (refer naming of ‘The Immigrants’ as against the previously settled immigrants).

Observation

Deliberative Dialogues were used to address problems of immigration and ethnic and religious disharmony in Everett. Prior to this application, we are aware of the work done in the Conflict Resolution field on similar issues under less democratic circumstances. Many international conflicts were instigated by ethnic, religious or cultural conflicts. Hence the management of diversity and the promotion of coexistence are integral parts of Conflict Resolution. According to the United Nations “there are six clusters of threats with which the world must be concerned now and in the decades ahead.”⁴⁰ Very prominent amongst these threats is inter-state conflicts based on ethnic or religious identity. These are often referred to as Inter-group conflicts arising out of ‘Identity Conflicts’.⁴¹

Reflections

Global security has widened in scope and definition over past decades. “In the new world order, the military concept of security is broadened horizontally to include political, social, economic and environmental aspects”⁴² hence a basis for analyzing changes in Cultural, Ethnic, Religious, Political and Social conflicts.

Rasmussen⁴³ makes an interesting differentiation between International War and Inter-group conflict. His reference to inter group conflict is derived from the concept of identity conflicts. Rasmussen argues that the nature of conflict has changed along with the realistic ideas of the State as the sole actor in international relations which is bound by international law. Rasmussen observes that compared to international conflicts intergroup conflicts are deadlier in that conflicting parties are less accountable to their actions compared to many states that are bound by international law. As a result these conflicts become more intense and less regulated. Rasmussen draws on the genocide in Rwanda to support the idea that “many current conflicts generate racial, religious, or cultural hatred and the ensuing “security dilemma”-the growing ethnic awareness makes groups take security measures that only make other groups feel more insecure.”⁴⁴

⁴⁰ United Nations Report on ‘A More Secure World: a Shared Responsibility’ Report of the Secretary General’s High Level Panel on Threats, Challenges and Change. <http://www.un.org/secureworld/>

⁴¹ Kaldor, M. (1999). Chapter 4. *New and Old Wars: Organized violence in a global era.* (p 75) Stanford, CA: Stanford University Press.

⁴² Carim, X, December 1995. *Critical and Postmodern Reading of Strategic Culture and Southern African Security in the 1990s*, **Politikon**, 22(2) p. 60.

⁴³ Rasmussen, L. (1997). Chapter 1: Peacemaking in the twenty-first century: New rules, new roles, new actors. In Zartman, I.W. & Rasmussen, L. (Eds.) *Peacemaking in international Conflict: Methods and Techniques* (p 29). Washington, D.C.: U.S. Institute of Peace.

⁴⁴ *Ibid.* p. 31

South Africa, Rwanda, Sierra Leon and Peru have experienced dialogue processes for reconciliation. This is an example of dialogues contributing towards justice and reconciliation. Political philosophy has created a model *just talking*, ‘a convincing model of the kind of dialogue relevant to a theory of justice’...which ‘address justice as a problem of *social interaction* in a pluralistic society, with the principles or norms of justice acting as an answer to the question of how diverse individuals and groups within a society, who may wish to pursue very different conceptions of the good life, will divide resources, perform exchanges, contract, and reward or punish in a manner justifiable to them all. And each of them hopes, in their quite different ways, to generate, assess, and justify such norms and principles of distribution and reparation, punishment and exchange, from within the practices of interpersonal talk.’ (Kingwell 1995, 8).

In Northern Ireland conflict for example, community dialogue projects were initiated to address Inter-Group conflicts and identity conflicts. The reasons why such programs were adopted are as follows;

1. 'State failure': Governments provide structural (Legislative arrangements) and can not fulfill inter-personal and psycho-cultural needs of communities. Structural changes implemented by legislators need to be facilitated through a participatory process involving the public. Increased community involvement in decision-making will ensure that the right needs of the community are met. The second objective is to increase the role of non-state actors in collaborative governance. The non-state actors are the Community-Based Organizations like the local Chamber of Commerce.
2. Many initiatives bring together people at the level of influential leaders and the Elites but they do not increase the level of contact, communication and understanding at the level of the ordinary citizen.
3. Some of the limitations in the role and actions of Government can be filled by non-governmental or semi-governmental organizations, which often have the flexibility and commitment to pioneer new programs in difficult circumstance.
4. Formalized associations between different ethnic, religious, cultural or language groups can reduce tension in diverse communities.

As conflict resolution practitioners, we should not limit ourselves to a single approach and should instead become catalysts contributing to the development of a Meta or Integrated approach to conflict resolution. This need is very well documented. William Ury in *The Third Side*⁴⁵ describes three important roles conflict resolution practitioners could adopt in resolving conflict. As the *provider*, Ury's emphasis is on ‘enabling people to meet their needs’ through the sharing of resources and knowledge and by providing them with ‘protection, respect, freedom and open doors’. As the *Teacher* it is about ‘giving people the skills to handle conflict’ such as de-legitimizing violence and teaching tolerance and joint problem-solving. As the *Bridge-builder* it is about forging relationships across lines of conflict by creating cross-cutting ties, development of joint projects and fostering genuine dialogue.

⁴⁵ Ury, W. 2000. *The third side: Why we fight and how we can stop*. New York: Penguin Books.

These constitute the three main preventive roles of the third side: the provider, the Teacher and the Bridge-Builder.⁴⁶

When people are able to meet their basic needs, thanks to the providers among us; when people have skills for handling their everyday tensions, thanks to the Teachers; and when people know, understand, and trust one another, thanks to the Bridge-Builders, destructive conflict diminishes in quantity and intensity⁴⁷

In his second approach to conflict Ury argues that as a **Mediator**, we can reconcile conflicting interests by *bringing the parties together, facilitating communication and helping people to search for a solution*. As the **Arbiter** we can determine the disputed rights replacing destructive conflicts, by *promoting justice and encouraging negotiation*. As the **Equalizer** we can democratize power by *bringing the powerful to the negotiating table, building collaborative democracy and supporting non-violent action*. As the **Healer** we can repair injured relationships by *creating the right climate for healing, listening and acknowledging grievances, encouraging apology and reconciling the parties*.

“As Mediators, we can help reconcile the parties’ interests. As Arbiters, we can determine rights, As Equalizers, we can help balance the power between the parties. And as Healers, we can help repair injured relationships.”⁴⁸

These concepts were further supported by the works of Mari Fitzduff in her *Meta Conflict Resolution*⁴⁹ and Marc Howard Ross (2000) in *Creating the Conditions for Peacemaking: Theories of Practice in Conflict Resolution*. A Meta Approach addresses many facets of conflict. In addition to structural or psychocultural approaches ‘equity work, the enforcement of law and order, aid and economic development, democracy work, political development, human rights work, community development and leadership’ (Fitzduff 2004) should also be undertaken to ensure that the many approaches and theories of conflict resolution brings dividends. The theorists argue that “Addressing and resolving conflicts usually needs the development of a meta--conflict approach. A meta-conflict approach is one which can address the many facets of a conflict whether these be structural (political or constitutional arrangements, legislation, economic and aid factors, etc.) or psycho-cultural (e.g., attitudes, relationships, divided histories) in a comprehensive and complementary manner (Fitzduff⁵⁰, Ross⁵¹).

Contextual Variable Example

⁴⁶ Ibid. P.116.

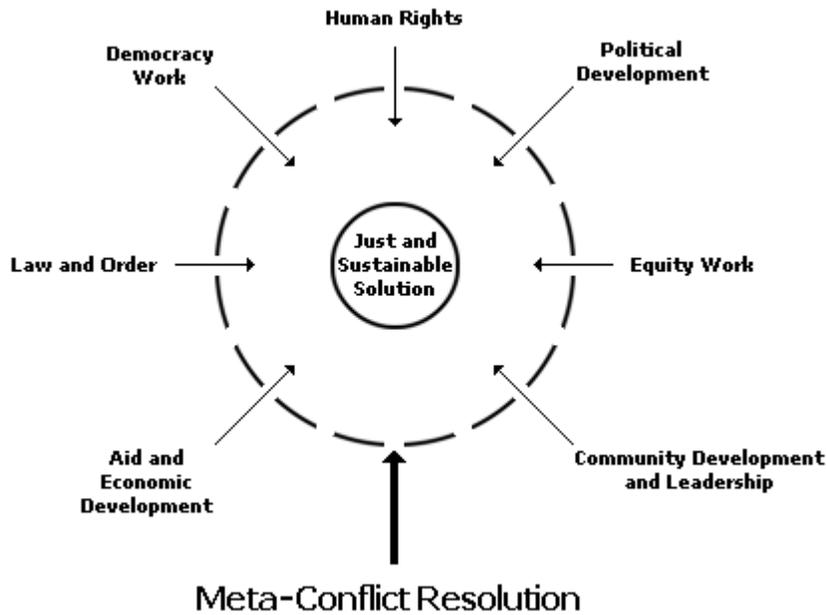
⁴⁷ Ury, W. 2000. *The third side: Why we fight and how we can stop*. New York: Penguin Books. p 139.

⁴⁸ Ibid, P. 142.

⁴⁹ <http://www.beyondintractability.org/essay/meta-conflict-resolution/>

⁵⁰ <http://www.beyondintractability.org/essay/meta-conflict-resolution/>

⁵¹ Ross, Marc. 2000. *Creating the Conditions for Peacemaking: Theories of Practice in Conflict Resolution*. *Ethnic and Racial Studies* 23:6.



According to the above ‘Contextual Variable Example’ by Fitzduff (2004) Deliberative Dialogue would feature in almost all aspects of work conducted for the achievement of a ‘just and sustainable solution’. It can be used primarily in Democracy Work, as this paper has primarily sought to represent, and also in political development work and community development and leadership work.

Hugh Miall in his influential work *Conflict Transformation: A Multi-dimensional Task*⁵² notes that Conflict resolution still lacks comprehensive theories to “capture the emergent properties of conflict, including the formation of new actors and new issues. Most theories concentrate either on the causes and development of conflict or on the creation and sustenance of peace building capacity, and fail to sufficiently integrate an understanding of how the preventors and conflict interact...without an adequate conceptualization of how activity in the various tracks fit together”⁵³

This conclusion is made after analyzing conflict prevention, resolution, management and transformation which are all theories important to CR practitioners. Each approach to conflict resolution and each theory must be adjusted to suit the context in which there are used. It is therefore clear that there is no one designated approach or set of tactics that can be adopted universally Each theory and approach must be learnt by CR practitioners enabling them to adopt the right combination of theories and or approaches to suit their own context.

⁵² Miall, H. (2004). Conflict transformations: A multi-dimensional task. In A. Austin, M. Fischer, & N. Ropers (Eds.) *Transforming Ethnopolitical conflict: The Berghof handbook*. Wiesbaden, Germany: VS Verlag Fur Sozialwissenschaften.

⁵³ Ibid P 86

John Paul Lederach in *Building Peace: Sustainable Reconciliation in Divided Societies*⁵⁴ provides an analysis of the different levels of actors or stakeholder that should be used in an integrative peace-building approach. These include the Track1 level players who are usually decision-makers, Track2 level players who are NGOs or civil society actors and Track3 level actors who represent the grassroots. ‘Since each of the three levels plays a unique role in peacebuilding, different conflict-handling processes must be adopted at each level of the hierarchy. These various activities must be integrated into a comprehensive peacebuilding framework.’

Party Affiliation of Participants (Doherty, 2007)	Percent
Democrat	33.3%
Independent	52%
Republican	14.7%
Total respondents	150

Case Analysis

The AARP Dialogues, National Issues Forums and the City Dialogues on Immigrants provided some avenue of citizen engagement in polity formulation and follow-up actions on the decisions reached at the dialogues themselves. The overall support for voting and follow-up actions of AARP dialogues indicates that at least some of the decisions arrived at can reasonably be acted upon at the forthcoming elections. For example, two out of five Presidential Candidates have supported the AARP dialogues. The likelihood of AARP dialogue participants participating at the forthcoming elections was 91.2% in the State of New Hampshire (see table in front).

A self-assessment of learning completed after all the case analysis was compiled. The strength of contribution from the analysis of each case type is indicated by the darkness of cell shading (See below). The vertical arrow and lack of dividers between questions in the City Dialogues on Immigrants case indicates the strength of insight about the inter-relationship among the focal aspects of the research questions, which is to assess the strength of deliberation for co-existence work. The city dialogues case indicated that deliberative dialogues can contribute towards options identification, decision-making, commitments, and mediation. .

Case Analysis

⁵⁴ Lederach, J. P. 1997. *Building Peace: Sustainable Reconciliation in Divided Societies*. Washington, DC: United States Institute of Peace.

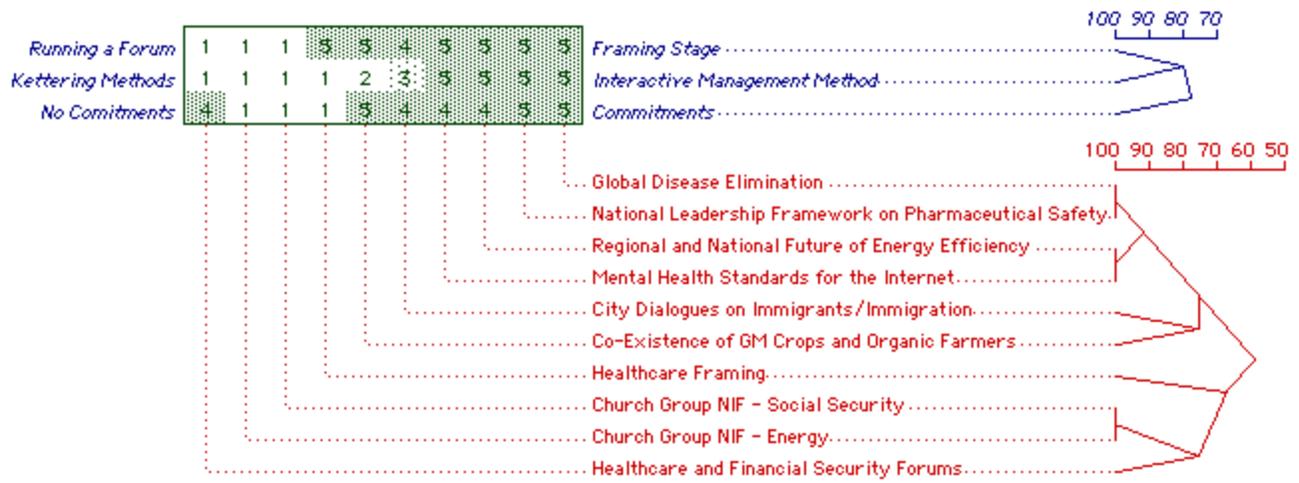
Case Type	Standard NIFs – 3 Approaches	AARP Forums – 3 Approaches	AARP Forums – 4 Approaches	City Dialogues on Immigrants
Year II Questions				
Identifying Options		←→		
Decision Making		←→		
Commitments	←→	←→		
Reporting		←→		
Mediation		←→		

The minimal construct set is determined by Principle Component Analysis (PCA) of the Repertory Grid elicitation technique. The PCA is an analysis of the visual map generated by the Grid. Grids were developed for the cases as a whole to determine case types.

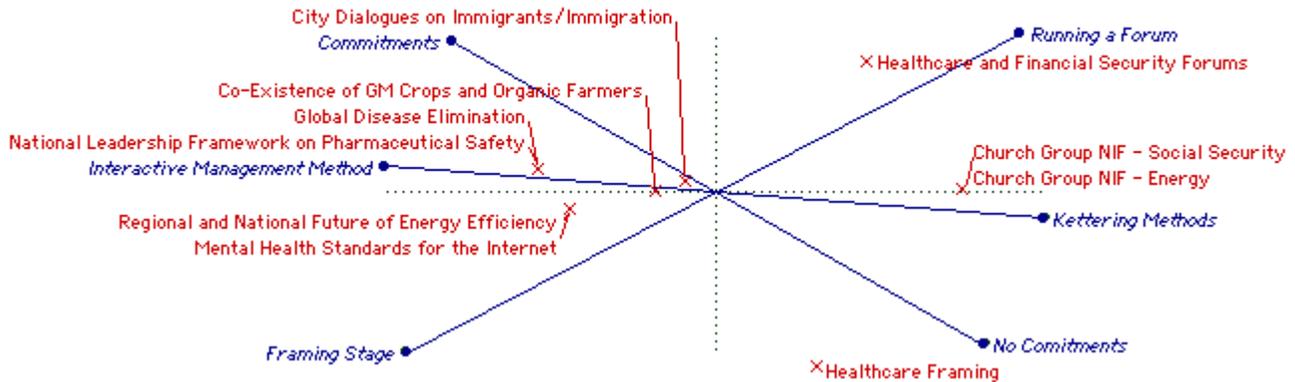
Case Type Descriptors

	Standard NIFs – 3 Approaches	AARP Forums – 3 Approaches	AARP Forums – 4 Approaches	City Dialogues on Immigrants
Preframing Stage				1
Framing One or More Approaches			1	
Forum	1	1	1	>
Purpose – Dialogue	1			1
Purpose – Informed Decision Making		1	1	1
Relevance to Participants		1	1	1
Primarily Driven by Opinions	1	1	1	1
Data Support Required & Provided			-	-
Conflictual / Contentious		1		1
Domain Language Highly Loaded				1
Naming Issues Open to Participants			1	-
Preset Options / Approaches Offered	1	1	1	-
Participant-Driven Approaches			1	-
Transparency		1	1	-
Passive	1			
Action Oriented			1	1
Repeat Participants	1			1
Multiple Meetings on Same Topic		1	1	1
Participant Commitments Obtained	-			1

The qualitative data analysis of ten cases (number of cases increased to create better qualitative analysis through greater variance) and three constricts on WebGridIII indicated that some of the dialogues did indeed result in commitments by participants to act on their deliberations, and a fourth approach, wherever it was reached. One out of ten cases showed a lack of commitment by the participants for action. The commitments also



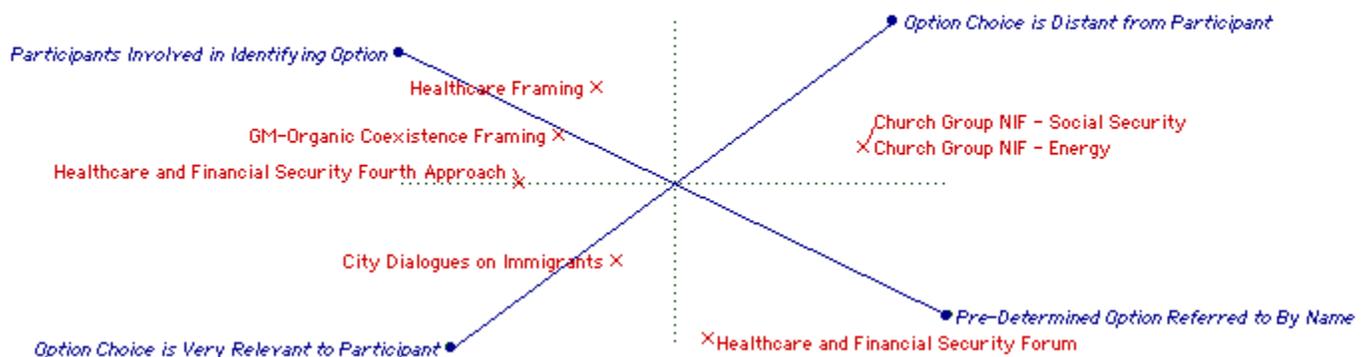
PrinCom Kevin Dye, Domain: Deliberative Dialogue Cases
 Context: Answering the Kettering Questions, 10 Cases, 3 constructs

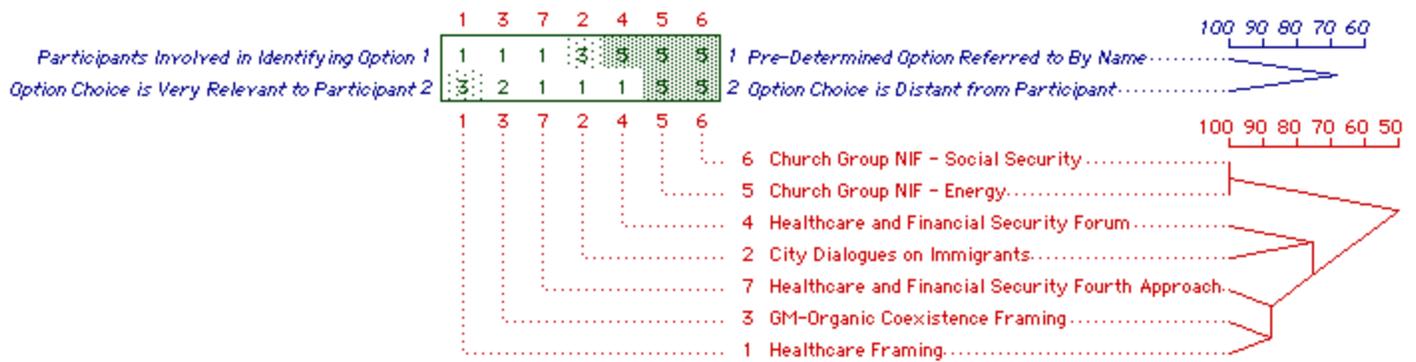


aligned in a quadrant directly above the quadrant indicating ‘issue-framing’. The quadrants on the left indicate that contentious issues were remarkably well negotiated through deliberative dialogues. The healthcare framing dialogue was a training dialogue for deliberators and it was used to demonstrate the opposite of dialogues ending with commitments. Although the data is not conclusive, it offers important qualitative analysis by way of clustering of the thematic areas and their relevance to each other.

In seven cases studied with two constructs on the choice of options, it was observed that the quadrants Option Identification and Options Very Relevant to Participants were grouped on the same side. Option Choice was closely associated with the city dialogue case which is rich in diversity management issues. With this we can reasonably assume that for issues relating to diversity management, deliberative dialogues provide an avenue for participants to select their own options during the deliberation process. This analysis indicates that the hypothesis that deliberative dialogues could use used in divided societies can be supported by the research. It also shows that deliberative dialogues can be successful in deeply divided societies, provided that the issue being discussed is closer

PrinCom Kevin Dye, Domain: Deliberative Dialogue
 Context: Identifying Options, 7 Cases, 2 constructs

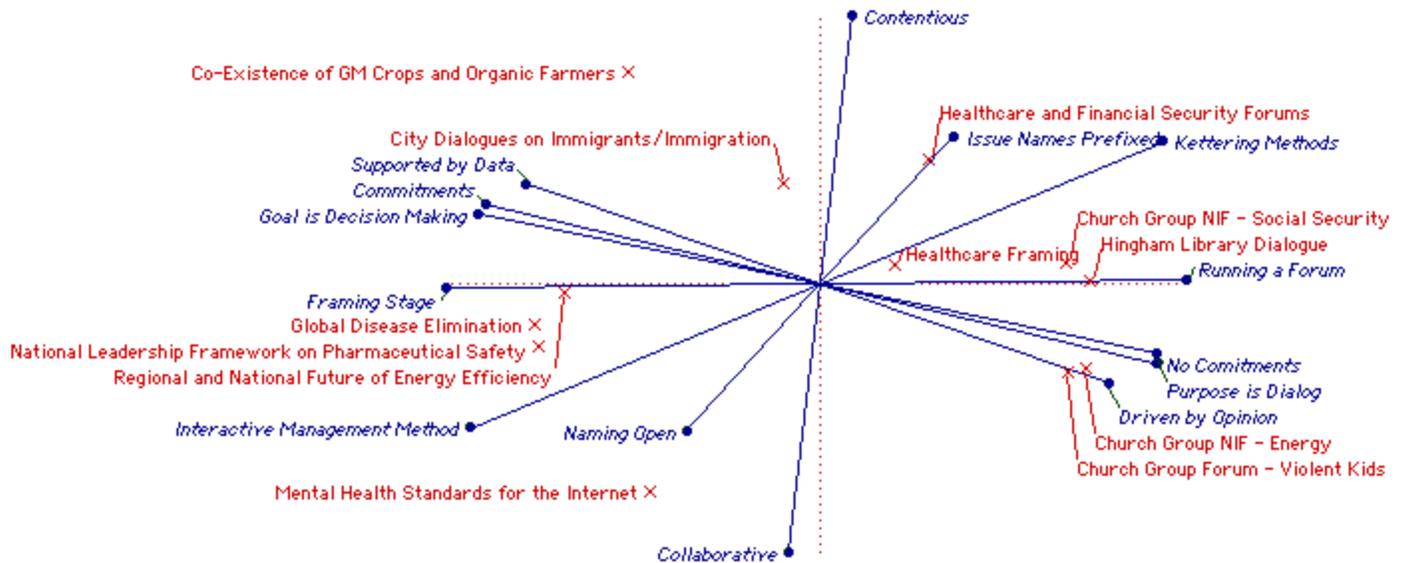


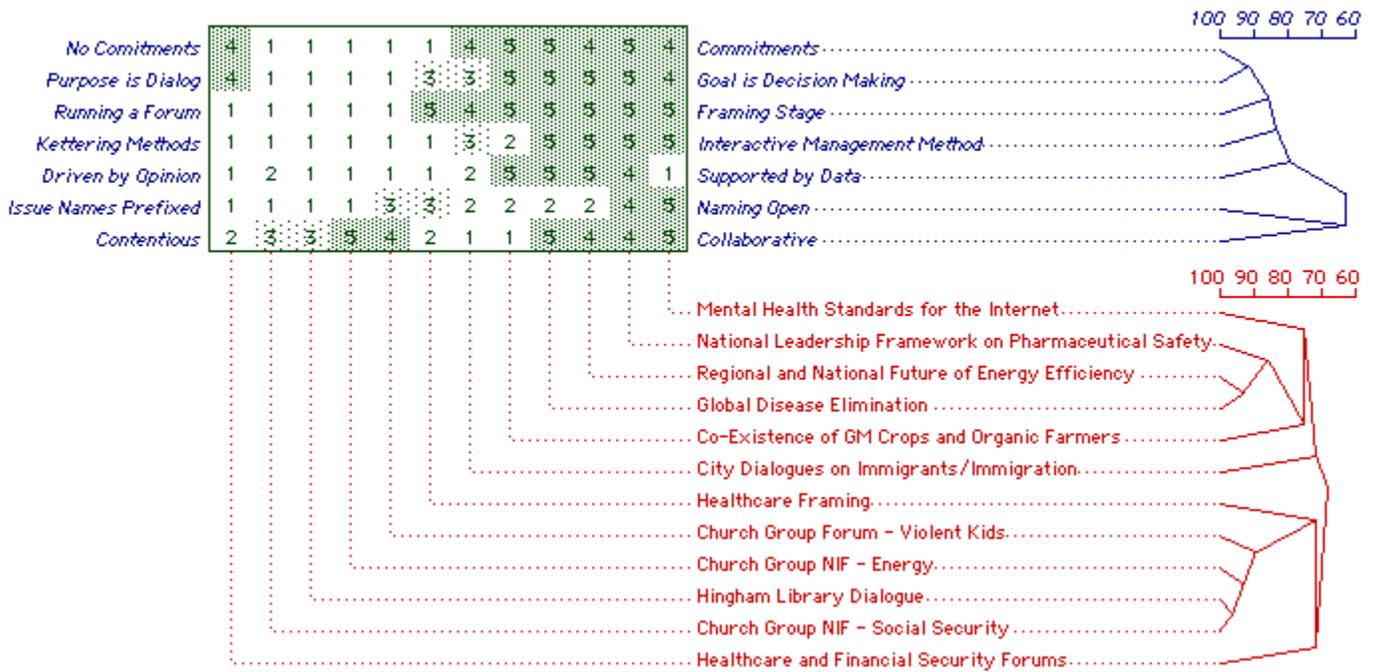


to their personal interests and choice.

In the third analysis, deliberative dialogues demonstrated a capacity to deal with co-existence issues (see top right quadrant) and diversity management issues with potential to generate commitments and decisions. The church group dialogue on the bottom right-hand quadrant indicated no decisions were reached at the end of the deliberation. This is due to the fact that the church group dialogues were not conducted for decision-making and commitment outputs in mind. The group was not diverse and the issues being dealt with were not contentious and deeply felt personal issues of the middle-class homogeneous group from white urban areas of Boston.

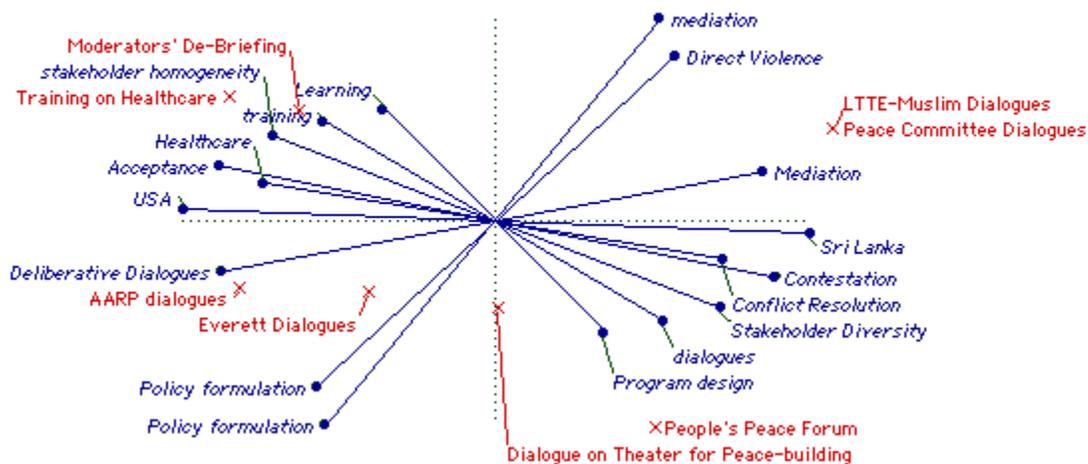
PrinCom Kevin Dye, Domain: Deliberative Dialogue Cases
 Context: Answering the Kettering Questions, 12 Cases, 7 constructs



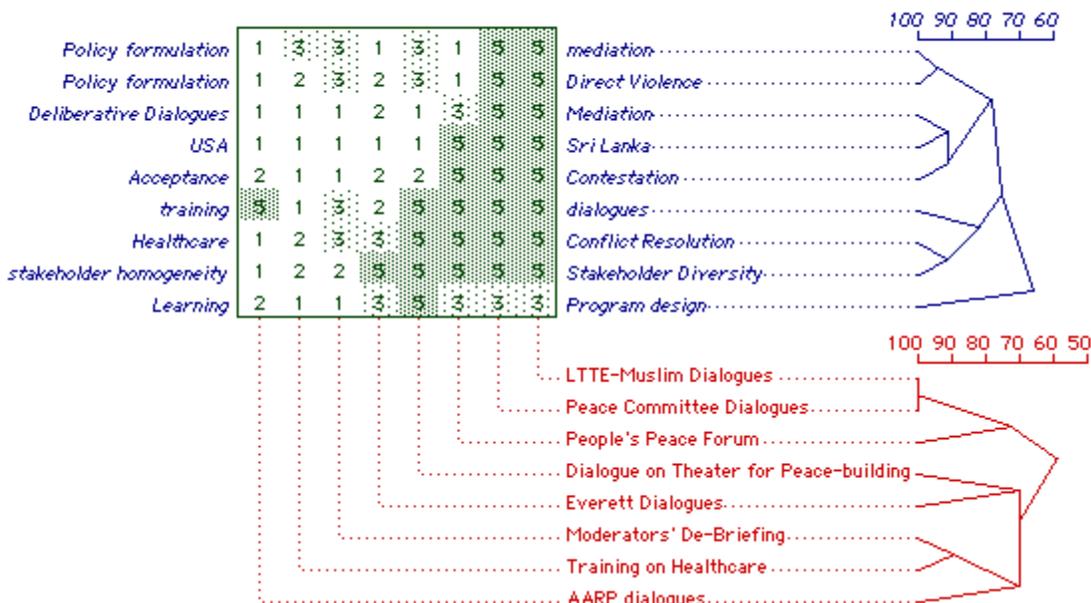


In order to generate more qualitative analysis between co-existence/conflict resolution and deliberative dialogue in extremely violent and deeply divided societies, Kelly's Reparatory Grid was again used. The case types and attributes were broadened and an attribute table generation broadened in the following way.

PrinCom mads, Domain: delibdialogcases
 Context: ketteringresearchquestions, 8 forums, 9 constructs



FOCUS mads, Domain: delibdialogocases
 Context: ketteringresearchquestions, 8 forums, 9 constructs



The cases selected varied in terms of decisions sought. Overall two types of dialogues were selected. The first type was used by me for preventing and mediating direct violence in Sri Lanka's multi-ethnic Eastern Region. These included LTTE-Muslim Dialogues and Peace Committee dialogues. The LTTE-Muslim dialogues was a series of dialogues I created in 2002 where issues such as assassinations, abductions, assaults, against Muslims and a number of other incidents of direct violence was discussed by LTTE's regional leadership and the Muslim community at dialogues moderated by me. In the reparatory grid analysis these dialogues became clustered in the top right-hand quadroom alongside mediation.

The other type of dialogues in Sri Lanka that I used for the analysis included the People's Forums which were a USAID funded series of dialogues on peace and development issues. The general outcome of these issues was conflict resolution through development and policy recommendations. Due to the highly contested nature of the policy issues like devolution of power between the government and the LTTE for example, these dialogues became clustered in the bottom right-hand quadrant.

The City/Everett Dialogues on immigration was clustered in the bottom left-hand corner alongside AARP dialogues indicating policy formulation as outcomes. The other two dialogues conducted by PPI were clustered alongside learning and training outputs. The dialogues conducted on 4th October 2007 at Brandeis on using theatre for Peace-building in Sri Lanka was positioned between policy formulation and conflict resolution.

Conclusions

Although our hypothesis that deliberative dialogue can be used with considerable success for co-existence work was not completely proven by the analysis, it provided considerable insight into the potential use of deliberative dialogues. These are as follows;

1. The distinction between dialogues in an established democracy and dialogues in new democracy- Dialogues in an established democracy tends to demonstrate signs of a policy formulation output. This is mainly due to its intended use. For example, if deliberative dialogues are used in the United States for policy formulation outputs, it tends to generate those outputs. Dialogues in new democracies in deeply divided countries may take on added responsibilities such as mediation and conflict resolution due to high degree of contestation of issues.
2. Deliberative Dialogues is Distinguishable from conflict Resolution but may be a tool in Co-existence work broadly defined- The bottom right-hand quadrant has clustered Sri Lanka, Dialogue, Contestation and Conflict. Deliberative Dialogue is thus a distinguishable field from conflict Resolution and Mediation. This may be because conflict resolution may involve dialogue, as in Northern Ireland for example. The quadrant may also indicate that dialogues held without deliberations have greater chances of contributing to coexistence and conflict resolution in deeply divided societies. This generates a further hypothesis that once the deep divisions are resolved, Deliberation could be reintroduced for policy formulation purposes in a post-conflict or transitioning to peace phase. This hypothesis can be supported by our experience in Sri Lanka with the People's Peace Forums⁵⁵, which were created following the transitioning to peace phase in 2002 to examine policy formulation aspects for further strengthening the transition to peace in that country. The current refocusing of the forum dialogues on conflict resolution must therefore be understood within the terms of the transition back to war and violent conflict in Sri Lanka.
3. The bottom left quadrant contains deliberative dialogues and the Everett dialogues. The Everett dialogues were a series of dialogues involving multi-ethnic and multi-religious participants and its clustering with deliberative dialogues can strengthen our hypothesis that deliberative dialogues can contribute towards coexistence through the management of diversity. Again a potential limitation to this is offered by the alignment of that quadrant with the top left hand quadrant indicating deliberative dialogues conducted in the United States.
4. The dialogue on using theatre for peace-building in Sri Lanka has centered between the bottom right and left quadrants. A reasonable explanation of that would be that in dialogues requiring a mixture of policy and conflict resolution outputs, deliberative dialogues could be a useful tool.

Facilitator Skill and the Fairness Concern

⁵⁵ A project funded by USAid and implemented throughout Sri Lanka for policy formulation for conflict resolution and development and implemented by, among many other organizations, the Foundation for Co-Existence, where Madhawa Palihapitiya obtained a deep personal understanding of the process of deliberation and dialogue.

The use of a particular method or tool depends on its user. In the hands of a skilled and experienced user, deliberative dialogue could have an impact on increasing co-existence. An important conclusion with regard to facilitation/moderation of dialogues is the great variation in the facilitation/moderation skills of people conducting the dialogues having various outcomes overall. This was observed in the elicitation and recording of concerns and issues at the forums observed. In the absence of firm guidelines on facilitation technique, and the insistence of a facilitation background, or certification of facilitator skill, this is judged to be a risky factor regarding quality in delivery of forums and framing processes. This also can cause significant variability concerning the fairness of the overall process. The fairness concern is very serious considering that ‘people will accept decisions they may not fully agree with, or decisions that may cost them monetarily’ ‘if they perceive the process is fair (Jutz 2001, 152). On the flip side, people will not accept decisions, even if they personally benefit from them, if they perceive the process to be unfair’. (Jutz 2001, 152).

Is there any evidence to the effect that conducting framing sessions or forums have robust outcomes with respect to variation in facilitator performance? A case in point is the observation of facilitators failing to honor the voice and language of the participant, and instead rephrasing in their own words. In a number of cases, the moderator views the need to reword statements by participants as part of their duty. The closest resemblance to facilitator engagement that can even remotely resemble this comes from participatory experiences where the engagement of the facilitator as an outside element is considered ‘pivotal’ to the decision-making process (Jutz 2001, 160). But even then there are certain limitations. Jutz observes that ‘Within the town meeting scenario, we can provide technical assistance in organizing and delivering a public decision-making process. We can also challenge basic assumptions and decisions if we are not too close to the issue. But we can never develop priorities and strategies independent of the residents who will ultimately be responsible’ (Jutz 2001, 161).

Other Conclusions

1. Under-representation of the public is a serious weakness to decision-making that must be overcome. For example a very low number of participants attended the dialogues studied. The average number of participants was 6.4 per AARP forum⁵⁶. This supports the analysis by Zimmerman (1999) on the sparse participation of New Englanders at public deliberations. The average age of the participant was sixty five years in the AARP Dialogues. In deeply divided countries and deliberations on contentious issues, a larger sample of citizens should be available for increasing legitimacy of decisions.

2. Not all participants can provide stable and reliable outputs acceptable to all members of the community. The participants lacked equal ability at deliberating. Differences in experience, education and sophistication resulted in different outcomes at each forum. This reinforces the ideas of James Madison in The Federalist Number 10 (Madison 1958 [1861]) that ‘In all very numerous assemblies, of whatever characters composed, passion never fails to wrest the scepter from reason. Had every Athenian citizen been a Socrates, every Athenian assembly would still have been a mob.’”

⁵⁶ A total of 192 participants in 30 forums

Bibliography

Schumpeter, J. 1947. *Capitalism, Socialism and Democracy*. New York: Harper and Brothers.

McAfee, N. and Gilbert, D. 1995. The political Anthropology of civil practices, *Collective Decision Making Around the World: Essays on Historical Deliberative Practices*, edited by Ileana Martin, 9-14. Kettering Foundation Press, 2006.

Nzima, J.S. 2007. Traditional Decision-Making Processes; The Case of the Baka People of Cameroon, *Collective Decision Making Around the World: Essays on Historical Deliberative Practices*, edited by Ileana Martin, 15-34. Kettering Foundation Press, 2006. Democratic Innovation: Deliberation, Representation, and Association

Saward, Michael. 2000. *Democratic Innovation: Deliberation, Representation, and Association*. Routledge.

Zimmerman, Joseph F. March 1999. The New England Town Meeting: Democracy in Action. Praeger Publishers.

Downs, A.(1957. *An Economic Theory of Democracy*. New York: Harper and Brothers

Hormell, Orren C. 1932. *Maine Towns*. Bowdoin College Bulletin. Brunswick, Maine, p. 17. Hormell “wondered whether the people in the free-for-all of a town meeting were at all times in a position to formulate and give expression to the *will of the people*.”

Wood, Robert C. 1958. *Suburbia: Its People and Their Politics*. Boston: Houghton Mifflin Company.

“The Fading Town Meeting,” *National Civic Review* 54, October 1965, p. 522.

Mansbridge, Jane J. 1976. “Town Meeting Democracy,” in Peter Collier, ed., *Dilemmas of Democracy* New York: Harcourt Brace Jovanovich, p. 167.

A Volume of Records Relating to the Early History of Boston Containing Boston Town Records, 1814–1822 (Boston: Municipal Printing Office, 1906).

Mouffe, Chantal. December 2000. *Deliberative Democracy or Agonistic Pluralism*. Political Science Series. Institute for Advanced Studies, Vienna.

Rawls, John. 1971. *A Theory of Justice*. Harvard University Press. Cambridge, Mass. P. 11. “They are the principles that rational and free persons concerned to further their own interests would accept in an initial position of equality as defining the fundamentals of the terms of their association”

Habermas, Jürgen. 1996. *Between Facts and Norms*. Contributions to a Discourse Theory of Law and Democracy. Cambridge. MIT Press.

Fishkin James S. and Luskin Robert C. 2006. The Quest for Deliberative Democracy, *Democratic Innovation: Deliberation, Representation, and Association*, edited by Michael Saward, 17-28. Routledge, 2006.

Benhabib, Seyla . 1998. Towards a Deliberative Model of Democratic Legitimacy. *Democracy and Difference: Dilemmas of Citizenship in Contemporary Europe*.

Mill, J. S. 1958 [1861], *Considerations on Representative Government*, Liberal Arts Press, New York.

Fearon, James D. and Latin, David D. 2000. Violence and the Social Construction of Ethnic Identity. *International Organization* 54 (4): 845-877

de Figueiredo, Rui J. P., Jr., and Barry R. Weingast. 1999. The Rationality of Fear: Political Opportunism and Ethnic Conflict in *Civil Wars, Insecurity and Intervention*, edited by Jack Snyder and Barbara Walter, 261-302. Columbia University Press, 1999.

Bates, Robert, H.1982. Modernization, Ethnic Competition, and the Rationality of Politics in Africa in *Ethnic Conflict in Africa*, edited by Donald Rothchild and Victor Olorunsula. 152-171. Westview Press, Boulder, CO:1982.

Posen, Barry. 1993. The Security Dilemma and Ethnic Conflict. *Survival* 35 (1): 27-47.

Kapoor, Ilan. 2002. Deliberative Democracy or Agonistic Pluralism? The Relevance of the Habermas-Mouffe Debate for Third World Politics. *Alternatives*, 27: 459-87.

Dryzek, John S. 2005. Deliberative Democracy in Divided Societies; Alternatives to Agonism and Analgesia. *Political Theory*, Vol. 33, No. 2, 218-242.

Mackie, Gerry. 2002. Does Democratic Deliberation Change Minds? Paper presented at the Annual Meeting of the American Political Science Association, Boston.

Kaufman, Stuart J. 2001. *Modern Hatreds: The Symbolic Politics of Ethnic War*. Ithaca: Cornell University Press.

Dryzek, John S. 2000. *Deliberative Democracy and Beyond: Liberals, Critics, Contestations*. Oxford: Oxford University Press.

Reilly, Benjamin. 2001. *Democracy in Divided Societies: Electoral Engineering for Conflict Management*. Cambridge: Cambridge University Press.

Harriger, Katy, J. & McMillan, Jill, J. 2007. *Speaking of Politics: Preparing College Students for Democratic Citizenship through Deliberative Dialogue*. Kettering foundation Press, Dayton, Ohio.

Smith, Graham. 2006. Toward Deliberative Institutions in *Democratic Innovation: Deliberation, Representation, and Association*, edited by Michael Saward, 29-39. Routledge, 2006.

Rättilä, Tiina. 2006. Deliberation as Public Use of Reason - Or, What Public? Whose Reason? in *Democratic Innovation: Deliberation, Representation, and Association*, edited by Michael Saward, 40-52. Routledge, 2006.

Eriksen, E, O. 2006. The European Union's Democratic Deficit: A deliberative perspective in *Democratic Innovation: Deliberation, Representation, and Association*, edited by Michael Saward, 53-65. Routledge, 2006.

Rawls, John. 1971. *A Theory of Justice*, Cambridge, Mass.: Belknap Press.

Rawls, John. 1993. *Political Liberalism*, New York: Columbia University Press.

Dalton, Russell. 1996. *Citizen Politics: Public Opinion and Political Parties in Advanced Industrial Democracies*. Chatham House. Chatham, NJ.

Mandelsohn, Matthew. 2001. Referendum Democracy: Citizens, Elites, and Deliberation in Referendum Campaigns. Edited by Andrew Parkin. Palgrave. New York.

Calhoun, Craig J. ed., 1992. *Habermas and the Public Sphere*. Cambridge, MIT Press.

Habermas, *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*, trans. William Rehg. 1998. Cambridge. MIT Press.

Bohman, James, ed. 1996. What is Public Deliberation: A Dialogical Account. In *Public Deliberation: Pluralism, Complexity, and Democracy*, 23-69. Cambridge, MA: MIT Press.

Cohen, Joshua. 1997. Procedure and Substance in Deliberative Democracy, in *Deliberative Democracy: Essays on Reason and Politics*, 405-437 edited by James Bohman and William Rehg, MIT press, Cambridge MA.

Fung, Archon, and Erik Olin Wright, eds. 2003. Thinking about Empowered Participatory Governance in *Deepening Democracy: Institutional Innovations in Empowered Participatory Governance*, 3042, London, UK: Verso.

Walzer, Michael, ed. 2005. Deliberation...and What Else? In *Passion and Politics*, 90-109. New Haven, CT: Yale University Press, 2005.

Shapiro, Ian, ed. 2003. Aggregation, Deliberation and the Common Good in *The State of Democratic Theory*, 10-34. Princeton, NJ: Princeton University Press.

Moscovici, S., & Zavalloni, M. 1969. The Group as a Polarizer of Attitudes. *Journal of Personality and Social Psychology* 12, 125-135

Liu, J. H., and Latané, Bibb. 1998. Extremization of attitudes: Does Thought- and Discussion-Induced Polarization Cumulate? *Basic and Applied Social Psychology* 20: 103-111.

Jutz, Zacharakis. 2001. Strategic Planning in Rural Town Meetings: Issues Related to Citizen Participation and Democratic Decision Making in *Participatory Practices in Adult Education*; 143-165 edited by Pat Campbell, Lawrence Erlbaum Associates, Mahwah, NJ.

Levin, Daniel, Z., Cross, Rob., Abrams, Lisa, C., Lesser, Eric. L. 2004. Trust and Knowledge Sharing: A Critical Combination in *Creating Value with Knowledge: Insights from the IBM Institute for Business Value*, 36-46 edited by Laurence Prusak, Oxford University Press, New York.

Mitchell, K. 1993. 'Multiculturalism, or the united colors of capitalism', *Antipode*, 25 (4), pp. 263-294.

Anderson, K.J. 1988. 'Cultural Hegemony and the race-definition process in Chinatown, Vancouver: 1880-1980', *Environment and Planning. Society and Space*, 6, pp. 127-149.

Fiorina, Morris P. 2002. "Parties, Participation, and Representation in America: Old Theories Face New Realities." In *Political Science: The State of the Discipline*, edited by I. Katznelson and H. Milner. New York: W.W. Norton & Company.

Schlozman, Kay Lehman. 2002. "Citizen Participation in America: What Do We Know? Why Do We Care?" In *Political Science: The State of the Discipline*, edited by I. Katznelson and H. Milner. New York: W.W. Norton & Company.

Coutin, S. B., & Chock, P. P. (1997). "Your friend, the illegal:" Definition and paradox in newspaper accounts of U. S. immigration reform. *Identities*, 2(1-2), 123-148.

Chang, R. S., & Aoki, K. (1998). Policy, politics & praxis: Centering the immigrant in the inter/national imagination. *La Raza Law Journal*, 10, 309-361.

Dijk, T. A. V. (1991). *Racism and the press*. London, UK: Routledge.

Mehan, H. (1997). The discourse of the illegal immigration debate: A case study in the politics of representation. *Discourse & Society*, 8(2), 249-270.

Lederach, J. P. 1997. *Building Peace: Sustainable Reconciliation in Divided Societies*. Washington, DC: United States Institute of Peace.

Rath, Jan. January 2007. The Transformation of Ethnic Neighborhoods into Places of Leisure and Consumption, *Working Paper 144*, The Center for Comparative Immigration Studies CCIS University of California, San Diego. Available at <http://www.ccis-ucsd.org/PUBLICATIONS/wrkg144.pdf>. accessed on 2nd October 2007.

Koff, Harlon. October 2002. Let's Talk: Dialogue Across Disciplines on Immigration and Integration Issues, *Working Paper 60*, The Center for Comparative Immigration Studies CCIS University of California, San Diego. Available at <http://www.ccis-ucsd.org/PUBLICATIONS/wrkg60.pdf>. accessed on September 25th 2007.

Linton, April. August 2006. Language Politics and Policy In The United States: Implications For The Immigration Debate*, *Working Paper 144*, The Center for Comparative Immigration Studies (CCIS) University of California, San Diego, available at <http://www.ccis-ucsd.org/PUBLICATIONS/wrkg141.pdf> accessed on September 19th 2007.

Chung, Erin, Aeran. June 2003. Non citizens, Voice, and Identity, *Working Paper 80*, The Center for Comparative Immigration Studies (CCIS) University of California, San Diego. Available at <http://www.ccis-ucsd.org/PUBLICATIONS/wrkg80.pdf>. accessed on August 29th 2007.

Abraham, Yvonne., and Helman, Scott. Jul 3, 2006. Immigration debate intensifies across Massachusetts, *Boston Globe*.

Abraham., Yvonne. May 21, 2006. *Towns taking own action on immigrants*, *Boston Globe*.

Varsanyi, Monica W. January 2006. Rising Tensions Between National and Local Immigration and Citizenship Policy: Matrículas Consulares, *Local Membership and Documenting the Undocumented*, *Working Paper 140*, The Center for Comparative Immigration Studies CCIS University of California, San Diego, January 2006. accessed on September 19th 2007. available at <http://www.ccis-ucsd.org/PUBLICATIONS/wrkg140.pdf>

Handling, Oscar. 1951. *The Uprooted*, Little Brown, Boston.

Conti, Katheleen. September 25th 2005. *Illegal rentals strain services: Prices encourage crowded housing*, *Boston Globe*.

Zhang , Jing. May 2005. *U.S. Newspaper Coverage Of Immigration In 2004: A Content Analysis*, Thesis, Texas A&M University, May 2005. available at <https://txspace.tamu.edu/bitstream/1969.1/2464/1/etd-tamu-2005A-STJR-Zhang.pdf> accessed on 12th September 2007.

Glaser, Barney, S. and Strauss, Anselm, L. 1967. *The Discovery of Grounded Theory: Strategies for Qualitative Research*. Aldine de Gruyter. New York.

Pearce, Barnett. W. 2000. Extending the Theory of the Coordinated Management of Meaning (CMM.) Through a Community Dialogue Process. *Communication Theory*. Volume: 10. Issue: 4.

Kingwell, Mark. 1995. *A Civil Tongue: Justice, Dialogue, and the Politics of Pluralism*. Pennsylvania State University Press, University Park, PA.

Schumpeter, J. (1947) *Capitalism, Socialism and Democracy*. New York: Harper and Brothers.

McAfee, N. and Gilbert, D. 1995. The political Anthropology of civil practices, *Collective Decision Making Around the World: Essays on Historical Deliberative Practices*, edited by Ileana Martin, 9-14. Kettering Foundation Press, 2006.

Nzima, J.S. 2007. Traditional Decision-Making Processes; The Case of the Baka People of Cameroon, *Collective Decision Making Around the World: Essays on Historical Deliberative Practices*, edited by Ileana Martin, 15-34. Kettering Foundation Press, 2006. Democratic Innovation: Deliberation, Representation, and Association

Saward, Michael. 2000. *Democratic Innovation: Deliberation, Representation, and Association*. Routledge.

Zimmerman, Joseph F. March 1999. *The New England Town Meeting: Democracy in Action*. Praeger Publishers.

Downs, A.(1957. *An Economic Theory of Democracy*. New York: Harper and Brothers

Hormell, Orren C. 1932. *Maine Towns*. Bowdoin College Bulletin. Brunswick, Maine, p. 17. Hormell “wondered whether the people in the free-for-all of a town meeting were at all times in a position to formulate and give expression to the *will of the people*.”

Wood, Robert C. 1958. *Suburbia: Its People and Their Politics*. Boston: Houghton Mifflin Company.

“The Fading Town Meeting,” *National Civic Review* 54, October 1965, p. 522.

Mansbridge, Jane J. 1976. “Town Meeting Democracy,” in Peter Collier, ed., *Dilemmas of Democracy* New York: Harcourt Brace Jovanovich, p. 167.

A Volume of Records Relating to the Early History of Boston Containing Boston Town Records, 1814–1822 (Boston: Municipal Printing Office, 1906).

Mouffe, Chantal. December 2000. *Deliberative Democracy or Agonistic Pluralism*. Political Science Series. Institute for Advanced Studies, Vienna.

Rawls, John. 1971. *A Theory of Justice*. Harvard University Press. Cambridge, Mass. P. 11. "They are the principles that rational and free persons concerned to further their own interests would accept in an initial position of equality as defining the fundamentals of the terms of their association"

Habermas, Jürgen. 1996. *Between Facts and Norms*. Contributions to a Discourse Theory of Law and Democracy. Cambridge. MIT Press.

Fishkin James S. and Luskin Robert C. 2006. The Quest for Deliberative Democracy, *Democratic Innovation: Deliberation, Representation, and Association*, edited by Michael Saward, 17-28. Routledge, 2006.

Benhabib, Seyla . 1998. Towards a Deliberative Model of Democratic Legitimacy. *Democracy and Difference: Dilemmas of Citizenship in Contemporary Europe*.

Mill, J. S. 1958 [1861], *Considerations on Representative Government*, Liberal Arts Press, New York.

Fearon, James D. and Latin, David D. 2000. Violence and the Social Construction of Ethnic Identity. *International Organization* 54 (4): 845-877

de Figueiredo, Rui J. P., Jr., and Barry R. Weingast. 1999. The Rationality of Fear: Political Opportunism and Ethnic Conflict in *Civil Wars, Insecurity and Intervention*, edited by Jack Snyder and Barbara Walter, 261-302. Columbia University Press, 1999.

Bates, Robert, H.1982. Modernization, Ethnic Competition, and the Rationality of Politics in Africa in *Ethnic Conflict in Africa*, edited by Donald Rothchild and Victor Olorunsula. 152-171. Westview Press, Boulder, CO:1982.

Posen, Barry. 1993. The Security Dilemma and Ethnic Conflict. *Survival* 35 (1): 27-47.

Kapoor, Iian. 2002. Deliberative Democracy or Agonistic Pluralism? The Relevance of the Habermas-Mouffe Debate for Third World Politics. *Alternatives*, 27: 459-87.

Dryzek, John S. 2005. Deliberative Democracy in Divided Societies; Alternatives to Agonism and Analgesia. *Political Theory*, Vol. 33, No. 2, 218-242.

Mackie, Gerry. 2002. Does Democratic Deliberation Change Minds? Paper presented at the Annual Meeting of the American Political Science Association, Boston.

Kaufman, Stuart J. 2001. *Modern Hatreds: The Symbolic Politics of Ethnic War*. Ithaca: Cornell University Press.

Dryzek, John S. 2000. *Deliberative Democracy and Beyond: Liberals, Critics, Contestations*. Oxford: Oxford University Press.

Reilly, Benjamin. 2001. *Democracy in Divided Societies: Electoral Engineering for Conflict Management*. Cambridge: Cambridge University Press.

Harriger, Katy, J. & McMillan, Jill, J. 2007. *Speaking of Politics: Preparing College Students for Democratic Citizenship through Deliberative Dialogue*. Kettering foundation Press, Dayton, Ohio.

Smith, Graham. 2006. Toward Deliberative Institutions in *Democratic Innovation: Deliberation, Representation, and Association*, edited by Michael Saward, 29-39. Routledge, 2006.

Rättilä, Tiina. 2006. Deliberation as Public Use of Reason - Or, What Public? Whose Reason? in *Democratic Innovation: Deliberation, Representation, and Association*, edited by Michael Saward, 40-52. Routledge, 2006.

Eriksen, E, O. 2006. The European Union's Democratic Deficit: A deliberative perspective in *Democratic Innovation: Deliberation, Representation, and Association*, edited by Michael Saward, 53-65. Routledge, 2006.

Rawls, John. 1971. *A Theory of Justice*, Cambridge, Mass.: Belknap Press.

Rawls, John. 1993. *Political Liberalism*, New York: Columbia University Press.

Dalton, Russell. 1996. *Citizen Politics: Public Opinion and Political Parties in Advanced Industrial Democracies*. Chatham House. Chatham, NJ.

Mandelsohn, Matthew. 2001. Referendum Democracy: Citizens, Elites, and Deliberation in Referendum Campaigns. Edited by Andrew Parkin. Palgrave. New York.

Calhoun, Craig J. ed., 1992. *Habermas and the Public Sphere*. Cambridge, MIT Press.

Habermas, *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*, trans. William Rehg. 1998. Cambridge. MIT Press.

Bohman, James, ed. 1996. What is Public Deliberation: A Dialogical Account. In *Public Deliberation: Pluralism, Complexity, and Democracy*, 23-69. Cambridge, MA: MIT Press.

Cohen, Joshua. 1997. Procedure and Substance in Deliberative Democracy, in *Deliberative Democracy: Essays on Reason and Politics*, 405-437 edited by James Bohman and William Rehg, MIT press, Cambridge MA.

Fung, Archon, and Erik Olin Wright, eds. 2003. Thinking about Empowered Participatory Governance in *Deepening Democracy: Institutional Innovations in Empowered Participatory Governance*, 3042, London, UK: Verso.

Walzer, Michael, ed. 2005. Deliberation...and What Else? In *Passion and Politics*, 90-109. New Haven, CT: Yale University Press, 2005.

Shapiro, Ian, ed. 2003. Aggregation, Deliberation and the Common Good in *The State of Democratic Theory*, 10-34. Princeton, NJ: Princeton University Press.

Innes, J and Booher, B. 2003. Collaborative Policymaking: Governance Through Dialogue in *Deliberative Policy Analysis: Understanding Governance in the Network Society*, 33-59, edited by Maarten A. Hajer and Hendrik Wagenaar. Cambridge, UK: Cambridge University Press.