CONFLICT TRANSFORMATION AND DELIBERATIVE DEMOCRACY: A NEW APPROACH FOR INTERDISCIPLINARY POTENTIAL

by

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THESIS ABSTRACT

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Deliberative democracy and conflict management models have been given increasing attention for their potential consistency and similarities, which is useful knowledge given the opened possibilities of interdisciplinary work. I argue that this debate ought to be broadened to include how conflict transformation and a pragmatic strand of deliberative democracy are aligned with regard to orientation to conflict. First, I offer an account of why conflict transformation's key values should be seen as valuable for democratic theory to emulate. Second, I show how a pragmatic strand of deliberative democracy is consistent and similar with respect to those key values. Together, these build a framework which offers the ability for practitioners and theorists to pursue interdisciplinary work between two particular strands of deliberative democracy and conflict management which to date have not been given adequate attention.

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To brother. You have always been older than me.

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CHAPTER I

INTRODUCTION: AN INTERDISCIPLINARY CONVERSATION

Democracy, as a way of governance, can be understood as a broad system of conflict management.[1] In a pluralist society where differing ideologies and interests abound, some system is needed in order to allow people to act according to their needs, as well as limit the ways in which one group can impede on another's needs. Democratic theory attempts to devise the best ways for a population to govern itself, and, in the analogy to managing conflict, address conflicting interests and needs amongst a whole group in the most appropriate and productive ways. The movement toward deliberative democracy is largely born out of the frustrations of many current democratic processes, which are best described as aggregative.[2] Aggregative democracy relies on widespread voting to justify democratic decisions, with the name referring to an aggregate of people's claimed interests.[3] Polls, voting, surveys, and similar tools are used in order for a government to understand what people want and what their positions are on issues. This model of democracy claims to qualify systems of rule as democracies because enough people are having their voice heard–via the methods just mentioned–on issues of governance. These voices are supposed to dictate laws, rules, norms, and even the people making up the

[1] The term management is used generally, referring to something that *deals* conflict. This differs from the particular use, as opposed to conflict resolution or conflict transformation, as I will explain later.

[2] For contemporary works on deliberative democracy generally, and the processes of deliberative democracy specifically, see: James S. Fishkin and Peter Laslett, *Debating Deliberative Democracy* (Wiley-Blackwell, 2003)*;* Bruce Ackerman and James S. Fishkin, *Deliberation Day* (Yale University Press, 2005); Amy Gutmann and Dennis Thompson, *Democracy and Disagreement* (Belknap, 1998); Amy Gutmann and Dennis Thompson, *Why Deliberative Democracy?* (Princeton University Press, 2004); Iris Young, *Inclusion and Democracy* (Oxford University Press, 2001).

[3] For a classic work on what could be described as aggregative democracy, see the work of economist Joseph A. Shumpeter, *Capitalism, Socialism, and Democracy* (Kessinger, 2010). Shumpeter advocates for a view of democracy where the people give elected leaders the right to rule on their behalf.

government. As Ian Shapiro states, "[Aggregative theorists] regard preferences as given and concern themselves with how best to tot them up."[4]

Deliberative democracy aims to justify democracy in a different way.[5] This form of democracy calls for public deliberation on social issues–big and small–which serve as opportunities for citizens to actively participate in conscientious dialogue and reasoned debate. Deliberation is intended to alter the core of participation in democracy to include a more engaged citizenry. The decisions reached from deliberative models are justified in multiple ways. A useful, yet simple dichotomy is breaking deliberative camps into justifications of instrumental or intrinsic value.[6] Instrumental justifications value deliberation because it is better able to produce wanted or desired outcomes. Intrinsic justifications value deliberation by claiming the act itself is worth justifying the decisions which come out of it. The intrinsic value comes from an expressive quality of deliberation. These types of justification each rely on citizens' potential abilities to use reason and communication as an educating method in ways which allow for more citizens to articulate their interests and provide space to have all interests–including less prominent ones–publicly articulated. Different deliberation supporters highlight certain attributes as more or less integral to the theory, but most stress the importance of deliberation as a process to educate citizens, better acquire the interests and knowledge of citizens and bring them under public scrutiny, and promote reason as a guiding principle to democratic governance through public debate.

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[4] Ian Shapiro. *The State of Democratic Theory*, (Princeton University Press, 2009), 3.

[5] While this paper is concerned exclusively with deliberative theory, it is not the only alternative democratic theory to aggregative democracy. Moreover, it is not the only democratic theory which may have strong congruencies with conflict transformation. More will be said in closing about democratic theories worth investigating for potential congruence.

[6] Gutmann and Thompson, *Why Deliberative Democracy?*, 21-23.

Recent scholarship has sought to analyze the relationship between deliberative democracy and the field of conflict resolution, particularly the consensus building aspects of conflict resolution.[7] The ability to see democratic theory as inherently dealing with conflict is what allows for the comparison of these two distinct yet overlapping fields. On the surface, deliberative democracy seems to share significant ideals, methods, and mindsets as conflict resolution. For instance, both promote exploring options to resolve conflict through dialogue and communication, rather than simply tallying up votes. Deliberative democracy looks at least more likely than a system such as aggregative democracy to value win-win solutions rather than a zero-sum game. Whereas aggregative democracy only allows for the winning number of votes to win a race or an agenda item, deliberation offers the possibility of added understanding and learning from groups who differ in ideas, values and interests. Also, there is the possibility of *new* options in a race or agenda stemming from deliberation. The notion is that this can mimic conflict resolution practices in its ability to allow citizens to appreciate the other side and build communal relationships. While there has been significant literature explaining the possible consistency of strands of deliberative democracy with strands of conflict resolution, arguments against seeing the two as parallel–even scrutinizing the possibilities of cross-collaboration–have come as well. These ideas will be explored more fully later.

To date, these comparisons and critiques have been aimed at quite specific threads of the two fields: liberal deliberative democracy stemming from Jürgen Habermas and John

[7] See generally: Michael Hamilton and Dominic Bryan, "Deepening Democracy? Dispute System Design and the Mediation of Contested Parades in Northern Ireland" *Ohio St. J. on Disp. Res.* 22 (2006); John Forester, *The Deliberative Practitioner: Encouraging Participatory Planning Processes* (MIT Press, 1999); Carrie Menkel-Meadow, "Peace and Justice: Notes on the Evolution and Purposes of Legal Processes" *Geo L.J.*, 94 (2006); Lawrence Susskind, "Deliberative Democracy and Dispute Resolution" *Ohio St. J. on Disp. Res*. 24 (2009); Joseph Stulberg, "Questions" *Ohio St. J. on Disp. Res.* 17 (2002).

Rawls, and Interest-Based Dispute Resolution (IBDR).[8] While historically dominant in deliberative democracy camps, theories based on the work of Habermas and Rawls are not the only iterations of deliberative democracy. These theories largely justify deliberation instrumentally, and see deliberation as a way to promote legitimacy of collective decision. On how the process is instrumental to the validity of law, Habermas claims, "only those statutes may claim legitimacy that can meet with the assent of all citizens in a discursive process of legislation that in turn has been legally constituted."[9] Deliberation is a tool to be used by democratic systems that have the best chance of producing a best decision. A best decision is what people in society would want given that they were rational and informed. The Rawls and Habermas tradition focuses on allowing for moral pluralism by focusing on citizens buying into the process, which should allow the minority to accept disagreed outcomes based on the legitimacy of the process itself.[10] More will be said about the particulars of this approach later.

IBDR, as it has been abbreviated, is meant to encompass many forms of conflict resolution, all of which seek to resolve based on interests and values rather than focus primarily on positions. Mediation, collaborative policy-making, and negotiation are obvious examples, along with many other unique and creative ways to draw out interests and values which lay beneath the veneer. The core in each of these is the fundamental idea of broadening the scope of a conflict and aiming for win-win resolutions. The idea of

[8] The term IBDR was found in Hiro Aragaki, "Deliberative Democracy as Dispute Resolution? Conflict, Interest, and Reasons" *Ohio St. J. on Disp. Res.* 29 (2009). Aragaki credits Amy Cohen in Amy Cohen, "Dispute Systems Design, Neoliberalism, and the Problem of Scale" *Harvard Neg Law Rev.* 14 (2009).

[9] Jürgen Habermas, *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*, trans. W. Rehg (Cambridge, MA: MIT Press, 1996), 110.

[10] David Estlund, "Beyond Fairness and Deliberation: The Epistemic Dimension of Democratic Authority," in *Deliberative Democracy: Essays on Reason and Politics*, ed. James Bohman and William Rehg (Cambridge, MA: MIT Press, 1997), 183-186.

consensus building among multiple parties aims to produce sustainable and agreeable resolutions. Liberal deliberative democracy and IBDR have been analyzed for their cross-collaborative possibilities–or lack there-of–on the basis of the consistency of their orientations to conflict.

My project aims to add a new element to the discourse of consistency and potential interdisciplinary work between deliberative democracy and conflict resolution. Assuming we ought to value a democratic theory which incorporates values and mindsets from conflict resolution models (I will explain why we should), interdisciplinary work between these two fields should be seen as an important pursuit. Cross-collaboration, though, becomes fruitful only if we can understand the separate fields as congruent in values and goals. This is not merely a requirement of non-contradicting fields. Rather, they must have similar values and goals insofar as they can work toward a potentially similar end. In this case, then, the fields must be congruent in their values and goals related to managing conflict. My argument is that this academic pairing can be cast differently. We should not limit the discussion to IBDR and one specific thread of deliberative theory. I propose conflict transformation as an alternative conflict studies model to be used for cross-collaborative efforts with democratic theory, which has been neglected in the discourse thus far. I will explain conflict transformation's value to democratic theory, and then show that the pragmatic strand of deliberative democracy, stemming from the work of John Dewey, is a more encouraging form of deliberative theory in its ability to be congruent with its values and goals. This stands opposed to the liberal strand of deliberative democracy stemming from Habermas and Rawls, which, while potentially consistent, does not do as well in terms of alignment of goals and values. (Throughout the rest of the paper,

I will refer to the two variations of deliberative theory as pragmatic and liberal, respectively.)[11] This paper serves to insert a new conflict model–conflict transformation–into the conversation of possible synthesis with deliberative theory. In light of this, more explicit attention should be given to pragmatic deliberation due to its greater congruence with conflict transformation. The argument is both substantive and structural. The substantive part explains why conflict transformation should serve to inform deliberative theory. The structural part builds on this and suggests that pragmatic deliberation does a better job than liberal deliberation in maintaining congruence with conflict transformation. In total, the two parts should be seen as a cohesive attempt to broaden the dialogue of potential cross-collaboration and congruence between conflict resolution models and deliberative theory by showing the strengths of two previously neglected models and theories.

The first part of this paper will be the historical background to theories of deliberative democracy and conflict resolution, and more contemporary literature on the debate on liberal deliberation and IBDR. I will also show how conflict transformation is able to be seen as an applied model. The second section of the paper will be an analysis of why we should value conflict transformation as a model which a democratic theory ought to be congruent with–one which deliberative theory *is* congruent with–in order to validate pursuing cross-collaboration. In the third section, I will show how pragmatic deliberation does better than its counterpart in synthesizing with conflict transformation's goals and values, due to offering a larger scope, a more dynamic and de-centered approach, and a

[11] It is important to clarify the use of these terms. Labeling two potential theories as 'liberal' on one hand and 'pragmatic' on another gives the impression of a more rigid divide than is actually the case. I use the contrasting terms throughout the paper as useful devices to draw out the distinctions between two variants of what are essentially under the same field – deliberative democracy.

focus on human relationships. In the last section, I will offer my thoughts on the limitations to this approach, as well as how this line of thought can be furthered through studies of implementations, models, and practices of deliberation.

CHAPTER II

DELIBERATIVEDEMOCRACY AND CONFLICT TRANSFORMATION

A History of the Deliberative Field

Contemporary deliberation theory is often credited to stem from the works of Jürgen Habermas and John Rawls, each of whom argued for participatory and rational democracies. Habermas argued for what he termed "discourse concept of law and democracy" based on a "self-organizing community of free and equal citizens."[12] Rawls contributes to the idea of deliberative democracy by arguing public decisions must be made in public venues, and the principles ordering a society must be public knowledge.[13] Each was dedicated to realizing an ideal version of democracy, which provided the base for their principles of deliberation. This is to say that they each started from an ideal position, and from there moved toward a depiction of deliberative democracy. For Habermas, the ideal starting point is the ideal speech situation, which is a set of highly ideal properties able to lead to fully rational consensus. Habermas develops this idea fully in *Moral Consciousness and Communicative Action,* where he presents a communicative model which describes the pursuit of consensus as a rational end goal which can be achieved–in theory, by rational actors in a non-coercive, discursive setting.[14] For Rawls, the ideal starting point is the veil of ignorance, which offers a non-biased situation for people to deliberate social policies in a way which would lead to more just and fair conditions.[15] The core question of what justifies popular sovereignty was answered by Habermas and Rawls by pointing to

[12] Habermas, *Between Facts and Norms*, 7.

[13] John Rawls, *Political Liberalism* (Columbia University Press, 2005).

[14] Jürgen Habermas, *Moral Consciousness and Communicative Action,* trans. Christian Leinhardt and Shierry Nicholsen (MIT Press, 2001).

[15] John Rawls, *A Theory of Justice* (Belknap, 1999).

the actual process of a democracy. The process itself must ensure an active and participatory citizenry. It should also promote legitimacy of collective decisions through mutually respectful debate. In addition, both argue that a democratic system ought to foster education of citizens on social issues. Deliberation, in their minds, was valuable because it could better draw out true public opinion on issues, as opposed to mere expressed positions in the form of voting. Habermas understands an ideal consensus as something which ought to be worked toward, which assumes that reasonableness is present when individuals are open to changing their minds and try to change others' minds. People work toward a consensus on social meaning, which translates to working toward a consensus on social issues responding to those social meanings. Persistent and ongoing deliberations are needed in order for reasons to be scrutinized in the public eye, and must be done so in an equal way to warrant justified collective judgment.

While their liberal mindsets presuppose certain attributes, their goal is to aim for an ideal process which is governed by as few particular inherent values as possible. For liberal deliberation, there is a constant struggle between the need for consensus among people and recognition, as well as acceptance, of moral pluralism.[16] Most theories do accept that moral pluralism–the idea that people can rationally arrive at differing moral conclusions, values, etc.–is true. Liberal deliberative theory recognizes the need to avoid a tyranny, particularly a tyranny of the majority. So while there are limited substantial principles which ought to govern deliberation, the system must prevent such decisions which would lead to tyranny. The idea is to come up with a process which values moral pluralism to the degree that the 'losing' side accepts the final result due to the fair and justified procedure. Of course, this assumes no consensus, which is ideal yet understood as

[16] Gutmann and Thompson, *Why Deliberative Democracy?*, 64-94.

unlikely in most practical circumstances. As mentioned earlier, the deliberative process is one which dictates active participation through public reason giving. This reason giving, and its rational character, is one of the inherent values within liberal deliberation. Habermas claims that "reasons count only against the background of context-dependent standards of rationality; but reasons that express the results of context-altering learning processes can also undermine established standards of rationality."[17] From this we can see that the reason giving must rely on some type of rationality to be given a place processes. Additionally, the theorists value equality amongst the citizenry. Everyone, ideally, ought to have access to the deliberative platform and the resources needed to have their voice heard. Indeed, this is what their deliberative theory largely rests on. The need for otherwise unheard–or at least less heard–opinions, values, and ideas is what is able to bring much of the legitimacy and educating components to deliberation.

John Dewey, a twentieth century thinker located in the American Pragmatism school of thought, advocated for what can be articulated into deliberative democracy roughly half a century before Habermas and Rawls.[18][19] As Gutmann and Thompson point out, he was one of the first theorists to argue for a truly democratic depiction of deliberation.[20] Additionally, Dewey–along with his peers such as Lindsay and Ross–were influential in the thinking and work of Habermas and Rawls. For this reason, it would

[17] Habermas, *Between Facts and Norms,* 36.

[18] While Peirce is also a pragmatist whose work has been cast as supporting deliberative democracies, Peirce himself made no claims of a sort of democracy in his work. For this reason, I will focus on the deliberative model present in the scholarship of Dewey.

[19] Dewey's concept of democracy, within this paper, will be largely derived from the collected works: John Dewey, *The Collected Works of John Dewey,* ed. Jo Ann Boydston (Southern Illinois University Press, 1967-1972). These are broken up into *The Early Works, 1882-1898; The Middle Works, 1899-1924;* and *The Late Works, 1925-1953.*

[20] Gutmann and Thompson, *Why Deliberative Democracy,* 9.

be incorrect to assert a rigid dichotomy between liberal and pragmatic deliberation as two separate fields. However, there is enough difference in their approaches to see them as two expressions or modes of a comprehensive deliberative democratic theory. Dewey argued for "developing democratic habits of cooperation and public spiritedness" in his depiction of democracy.[21] This is evident in Dewey's claim:

> Democratic society is peculiarly dependent for its maintenance upon the use in forming a course of study of criteria which are broadly human. Democracy cannot flourish where the chief influences in selecting subject matter of instruction are utilitarian ends narrowly conceived for the masses, and, for the higher education of the few, the traditions of a specialized cultivated class.[22]

Democracy, instead of simply a political agenda, is a way of life.[23] Dewey's method of democracy aims to bring "conflicts out into the open where their special claims can be discussed and judged in the light of more inclusive interests than are represented by either of them separately."[24]

Contemporary thinkers have elaborated from Dewey's original positions to give what amount to fully articulated pragmatic deliberative theories.[25] A pragmatic theory of any kind requires certain attributes – perhaps most important here are dynamism and anti-foundationalism. For a deliberative theory, this means that actual deliberations and issues are neither fixed nor finalized, and are always up for revision. The result of a deliberative process does not entail an end-all solution. By non-ideal, I mean that a pragmatic

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[21] Richard Field, "John Dewey" in *The Internet Encyclopedia of Philosophy*, http://www.iep.utm.edu/.

[22] Dewey, *Democracy and Education,* in *The Collected Works of John Dewey*, Ch. 14.

[23] Dewey, *Creative Democracy – The Task Before Us,* in *The Collected Works of John Dewey*, 1939, 228.

[24] Mathew Festerstein, *Pragmatism and Political Theory: From Dewey to Rorty* (University of Chicago Press, 1997), 89.

[25] See: Alison Kadlec, *Dewey's Critical Pragmatism* (Lanham, MD: Lexington Books, 2007).

deliberative theory does not start with a priori notions of a perfect society and try to manifest that in the society. Rather, pragmatic deliberation works in a piece-meal fashion. As mentioned, Dewey emphasized democracy as more than a system of governance, as an ethical way of life. What Dewey had in mind here was an idea of flourishing, in a similar (though not exact) vein as Aristotle. People must be given the opportunity to participate in how their lives are governed, which is a part of the whole concern for individuals to "find their own way, and not have particular doctrines or social roles imposed on them."[26] This meant a true governance by the people. Pragmatic deliberation, then, embraces deliberation due to being valuable in itself. The process itself can be described as a *good*.[27] Deliberation allows people to develop their capacities through communication with their fellow citizens, which further develops the community as a whole. This intrinsic depiction of deliberation is a departure from the liberal tradition of valuing deliberation for the quality of decisions which it produces. Additionally, the reason-giving needed in pragmatic deliberation is conceptualized quite differently. Rather than understanding reasons as necessarily rational, it allows for lived-experiences to be used and counted as reasons.[28] Reasons are not judged in worthiness pre-deliberation, as their content is in liberal deliberative camps.

To make the difference in the modes of liberal and pragmatic deliberations clear, it will be useful to see the two applied in the real world. The following, then, are examples taken from recent deliberative democracy research to distinguish how the two forms would

[26] Matthew Festerstein, "Dewey's Political Philosophy", in *The Stanford Encyclopedia of Philosophy*, ed. Edward Zalta (Spring 2014). http://plato.stanford.edu/archives/spr2014/entries/dewey-political/.

[27] The word 'good' here does not refer to something such as the product of a service or labor. Rather, it refers to a value in what can be described as 'the good life' or 'ethically good.'

[28] Alison Kadlec, "Critical Pragmatism and Deliberative Democracy" *Theoria: Journal of Social and Political Theory* 117 (2008), 70.

look in practice.[29] They are exercised in different contexts, which may allude to the idea of using liberal deliberative models in some instances, and pragmatic deliberations in others. As complete speculation, the greatest use of each model may be contained within certain social conflict settings. Further conjecture regarding the idea of contextual placement of liberal and pragmatic deliberative processes will be given in the concluding remarks of this paper. For the following examples, though, let us not focus on this, but rather how they exemplify the components of the respective forms of deliberative democracy.

As an example of a liberal practice of deliberation, Edward Leeks' analysis of the deliberative process called 'City Dialogue' in Fort Collins, CO will be summarized.[30] In an attempt to move past policy paralysis, the city of Fort Collins initiated a deliberative program seeking out what the public viewed as important policy issues as well as solutions to those issues. From the start, this is indicative of liberal deliberation, in that the process is set given in a top-down approach. More than 500 citizens were randomly chosen to take part, and were put into small groups. These small groups took part in structured deliberations to decide what issues were most important and most urgent to develop social policy recommendations on. The city council consolidated the produced items into eleven final issues (e.g. affordable house, crime and public safety, cultural opportunities, etc.). A twenty-page tabloid with a 'reasonably comprehensive overview' of each issue (meaning factual data regarding the current climate of each issue) was circulated throughout the Fort Collins community. These tabloids were meant to serve as an educative component of the

[29] While hopefully obvious, it should still be said: These two examples, one each of liberal and pragmatic deliberative practices, are by no means representative of every deliberative practice. To give an account of what may represent all deliberative models would require much more room than this paper provides.

[30] Edward Weeks, "The Practice of Deliberative Democracy: Results from Four Large Scale Trials" *Public Administration Review* 60 (2000).

deliberative process, aimed at aiding the future deliberations with quality information about the issues. A questionnaire was then circulated for the community to rank each issue's importance, and all eleven agenda items were taken on as part of the program. In the next stage, citizens were invited to participate in workshops where they worked to produce policy recommendations on two separate agenda items. In their facilitated process, the groups worked on brainstorming ideas, setting priorities within each issue, and refining their thoughts into detailed and specific proposals. The author notes that it was not uncommon for community activists to 'hijack' conversations to advocate for their particular goal, potentially due to lack of quality information. In admitted guesswork, the ability for activists to dominate conversations may stem from the urging of rational reason giving. Typical, lay people may lack sufficient 'reasons' to respond with on any given issue. The results were handed over to the city council, which then handed appropriate results to various city departments for comment.

In their study on the distinct moments in deliberative processes, Dembinska and Montambeault use a case study of inter-ethnic conflict between Innu and non-Innu communities located in Quebec, Canada.[31] While their entire study is a terrific analysis, only the case example will be summarized to highlight what one instance of a pragmatic deliberative model looks like. A negotiated agreement, of which the communities was not engaged, regarding land rights, sovereignty, and autonomy between four Innu communities, the Quebec government, and the Canadian government was strongly opposed by both Innu and non-Innu communities. In response, each side demanded a place in the negotiation, which forced a discursive space to open in the form of a Parliamentary

[31] Magdalena Dembinska and Françoise Montambeault, "Deliberation for Reconciliation in Divided Societies," *Journal of Public Deliberation* 11 (2015).

Commission. This is indicative of what Dewey had in mind with bringing conflicts into the open, instead of dealing with them behind closed doors. Each used existing structures (Innu communities used discussion circles while non-Innu communities used a special emissary) to gather agenda items and points of concern. This aspect is a particularly pragmatic component of the process, given that pragmatic deliberation encourages the use of already existing resources local to communities. The goal of deliberations was, in a broad sense, understanding of the other. An example of attempted understanding occurred when the Innu community compared their experience within Quebec to Quebec's experience with Canada, which the authors describe as an empowering moment for the minority Innu community. The capacity for empowering a group on the lower side of a power inequality is a central focus of pragmatic deliberative processes. In the deliberations, representatives were chosen who had social capital within their given group, so that they could effectively spread the outcome (mutual understanding) to the larger population. Having representatives who could serve as 'myth controllers' provided a legitimacy which could not be had if the information was orchestrated from above. The process aimed at producing an environment where inter-communal initiatives are continual. Additionally, ongoing opposing interests are not neglected; rather, they are seen as still on the table. Each of these aftermaths of the process shows a pragmatic notion of results not being taken as final and ultimate.[32]

[32] While often seen as a positive response to aggregative democracy, deliberative democracy is not without its critics. This paper is concerned primarily within the deliberative field, and for sake of space will not consider objections. For an excellent work responding to various theoretical and practical critiques of deliberative democracy, see: Gutmann and Thompson, *Why Deliberative Democracy?*.

Conflict Resolution – Interests, Values and Transformation

Interest-based dispute resolution is, again, a collection of various practices used in conflict resolution fields to go deeper than surface level positions. As a field, conflict resolution encompasses a wide range of practices and theories. While it is difficult, perhaps not even productive, to try to produce a singular definition for all (mediation, negotiation, collaborative policy making, etc.), it is possible to draw out particular values, ideals, and mindsets which are ubiquitous. This is particularly true when concerned with what is most relevant to potential consistency with deliberative democracy. These practices aim to draw out parties' interests and values in order to transcend conflicts, rather than treating conflicts as zero-sum competitions between parties. Whereas non-interest focused conflict resolving mechanisms (think the adversarial court system or arbitration) often produce 'winners' and 'losers' in conflicts, interest-based resolution practices use collaborative strategies to produce outcomes which are 'win-win.' The goal is to have as many parties' interests met as possible. IBDR values resolutions which are able to be sustained, and aims to achieve this through non-coerced and voluntary participation in the processes. In deliberative terms, this would mean that the people in a process autonomously choose to take part in the public debates and discourses. Many IBDR practices also emphasize the goal of bringing stakeholders to the table who may be left out of more formal systems. This is seen as a means to produce resolutions which meet as many interests as possible, as well as make interests known that are otherwise not seen as valid or genuine.

Conflict transformation is an effort to embolden and build on previously dominant conflict resolution theories. Primarily, the theory adds to other conflict theories by forcing practices to place conflicts in context, encompassing a much wider notion of conflict. This

context forces practitioners to view conflict in the ebb and flow of its history, taking into account previous escalations and responses. Conflicts ought to be transformed through large and small steps by building on the people and resources of a local (which does not necessarily mean small) community and culture.[33] The model recognizes that conflicts both develop and change over time in terms of party members, local or regional circumstances, and relationship with the overall community. The idea of transformation refers to altering the norms, relationships, people, or even the societies themselves in order to productively work toward peaceful outcomes. Transformation can be understood in four distinct ways. Actor transformation refers to changes in existing parties or addition of new parties to a conflict. Issue transformation means altering the agenda on conflict issues. Rule transformation changes the rules or norms governing a conflict. Structural transformation restructures relationships and power dynamics within a conflict.[34]

Practically speaking, conflict transformation is at its core a peacebuilding method, and has largely been seen as a way to address protracted social conflicts.[35] The addition of this lexicon to conflict studies calls for more than a 'win-win' resolution among parties. Rather than tackling what are framed as isolated incidents and the problems which lead to them, conflicts are seen as the tip of the ice-burg. These 'tips' show underlying problems in social contexts and human relationships that must be transformed in order to have more peaceful communities. Transformation, again, refers to using available people and

[33] John Paul Lederach, "Conflict Transformation," *Beyond Intractability*, ed. Guy Burgess and Heidi Burgess (Conflict Information Consortium: University of Colorado, Boulder, 2003). http://www.beyondintractability.org/essay/transformation.

[34] Raimo Vayrynen, "To Settle or to Transform? Perspectives on the Resolution of National and International Conflicts," in *New Directions in Conflict Theory*: *Conflict Resolution and Conflict Transformation*. (London: Sage, 1991) 1-25.

[35] Edward Azar, *The Management of Protracted Social Conflict*, (Aldershot: Dartmouth, 1990).

resources to alter mindsets, relationships, and social structures to be more conducive to peaceful arrangements.

Not all practitioners and theorists are in agreement on the nature of conflict transformation, or its place within other conflict resolving models. As seen above, Lederach sees the embracement of conflict transformation as a semantic change which denotes an actual shift toward a "peacemaking venture."[36] He argues that resolution "carries the connotation of a bias toward 'ending' a given crisis or at least its outward expression, without being sufficiently concerned with the deeper structural, cultural, and long-term relational aspects of conflict."[37] In this sense, conflict transformation is a genuinely different enterprise than methods and practices denoted in IBDR, as its key goal and mission is to invoke change, either in society, conflict circumstances, or persons. Kriesberg gives a similar take on this issue by claiming "conflict resolution means solving the problems that led to the conflict, and transformation means changing the relationships between the parties to the conflict…"[38] In a slightly different vein, Louise Diamond offers a view of conflict transformation which is characterized as a part of conflict resolution. Rather than being a separate project, it is one of the ways in which conflict resolution can be practiced, simply on a larger scale in ways such as nation building or national healing.[39] This view puts conflict transformation on a continuum, so to speak, with methods housed under IBDR, and often overlaps and has ambiguous boundaries with these other processes.

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[36] John Paul Lederach, *Preparing for Peace*, (Syracuse University Press, 1995), 17.

[37] Lederach, *Preparing for Peace*, 201.

[38] Louis Kriesberg, "The Development of the Conflict Resolution Field," in *Peacemaking in International Context: Methods and Techniques*, I. Zartman and J. Rasmussen (Institute of Peace Press, 1997), 64.

[39] Louise Diamond, "On Developing a Common Vocabulary: The Conflict Continuum" *Peacebuilder* 4, (1994), 3.

A last take on how the use of a new term in conflict transformation relates to the already existing methods and practices in IBDR comes from Christopher Mitchell. Mitchell understands the emergence of the term conflict transformation as a reaction to frustration of the misuse of the term conflict resolution.[40] While conflict transformation may not have a complete and unified theory, there is plenty of justification to see it as more than traditional conflict resolution.

As is relevant to this project, conflict transformation brings three key values: a larger scope, a more dynamic process, and a focus on relationships. A large scope means that a conflict is not thought of as 'resolved.' Conflicts are addressed in historical context, and are always understood to be gradual changes moving forward. Transformation embraces a mindset which seeks to view a conflict in a constant ebb and flow, rather than aiming to resolve one manifestation of an issue.[41] In addition, a larger scope means that conflict transformation enlarges who is allowed a seat at the table, as well as the options for dealing with a conflict – such as its emphasis on using local resources. Conflict transformation is dynamic due to its perpetual goal of systemic change. The social transformation which in societies refers to correcting and fighting against inequality and redistributing resources. This approach sees social groups and institutions as ever-growing and ever-changing, which prevents conflicts from being seen as solvable or intractable.[42] Additionally, being dynamic refers to conflict transformation's commitment to de-centered processes, rather than static or top-down. Dynamism means approaching conflict in

[40] Christopher Mitchell, "Beyond Resolution: What Does Conflict Transformation Actually Transform?" *Peace and Conflict Studies* 9 (2002), 1.

[41] Lederach, "Conflict Transformation," *Beyond Intractability.*

[42] Johan Galtung, "Conflict Resolution as Conflict Transformation: The First Law of Thermodynamics Revisited," in *Conflict Transformation,* ed. Kumar Rupesinghe (New York: St. Martin's Press, 1995), 51.

particular ways depending on the given conflict and context, rather than prescribing any particular process a priori. A value of focusing on relationships means that individual, group, and organizational relationships are the key to being transformed. Individuals can be transformed through attempts to empower the powerless, by having new and less-heard interests and points of view present. Groups can be transformed in the same way and on a wider scale. Organization and social structure transformations are important for social relationships because these are where systemic inequalities are manifested. By transforming these, conflict transformation promotes equality, justice, and less violence. Focusing on relationships means focusing on communal life and healthy societies.

Current Research on Congruence and Cross-Collaboration

As explained above, most research comparing the fields of deliberative theory and conflict resolution has focused on liberal deliberation and IBDR. The reason for the comparison is fairly intuitive. Deliberation is seen as a move away from simpler forms of democracy, and aims to justify democracy in a deeper way than mere expressed positions through voting. Adding stakeholders, hearing more voices, and solving problems in 'win-win' ways (all tenants of IBDR) intuitively seem more democratic than alternative problem solving methods–something deliberation aims for. It is important to stress exactly why people in the fields of deliberative democracy or conflict resolution should care about exploring consistency and congruence between the two fields. Being congruent is what allows for cross-collaborative efforts, given that the fields would have similar goals and values. Conflict resolution practices, such as public dispute resolution, consensus building processes, and negotiated rule-making "describe efforts to create new forms of participator

and democratic lawmaking, decision making, and problem solving."[43] Roger Fisher, William Ury, and Bruce Patton have argued that conflict resolution processes have the social benefits such as catering to values of justice and making the world a better place, which they would need to be appropriate models and tools for crafting deliberative dialogue.[44] Deliberative democracy can provide a large-scale normative project to add to the practical wisdom of conflict resolution. If their orientations toward conflict and values relating to conflict are consistent, as Menkel-Meadow claims by referring to their "similar intellectual roots," cross-collaborative efforts could be fruitful for both fields.[45]

A "decidedly non-academic" analysis identifies five obvious areas of overlap: convening, professional facilitation, consensus-seeking and collaboration, need for information, and group intelligence.[46] Both processes (deliberation and conflict resolution) usually require the help of influential, or elite, leaders in the community. This is often how pressure can be put on groups to act and get the ball rolling with regard to a specific issue. Professional facilitators bring quality and objective measures to processes that could otherwise draw much involvement, yet lack in an organized process plan. Both use collaborative efforts in order to guide participants toward some level of consensus. The need for information refers to the idea that both begin "by determining what information they need and then obtaining it…"[47] This looks different depending on the exact process,

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[43] Carrie Menkel-Meadow, "The Lawyer's Role(s) in Deliberative Democracy," *Nevada Law Journal* 5 (2004), 359.

[44] Roger Fisher, William Ury, and Bruce Patton, *Getting to Yes: Negotiated Agreement Without Giving In* (Penguin Books, 1991), 154-155.

[45] Carrie Menkel-Meadow, "Deliberative Democracy and Conflict Resolution: Two Theories and Practices of Participation in the Polity," *Dispute Resol. Mag.* 12 (2006), 18.

[46] John Folk Williams, "Comparing Deliberative Democracy and Conflict Resolution," *Cross Collaborate* (2009). http://www.crosscollaborate.com/2009/02/deliberative-democracy-collaboration-post/.

[47] Ibid.

but deliberation rests on bringing forth information through both professional accounts as well as participant debate. Conflict resolution starts with a negotiation among stakeholders in what information will be provided, from whom, and how. Lastly, the processes each depend on groups of participants to creatively generate ideas and solutions which lead to agreement. Both rely on an element of critical thinking.

Three scholars–Carrie Menkel-Meadow, Lawrence Susskind, and Hiro N. Aragaki–provide rather more academic and rigorous treatments of the subject. Menkel-Meadow argues to make use of interest-based resolution processes within democracy in order to bring about more democratic systems, and offers an overview of the similarities of the two fields. Susskind's main objective is describing how dispute resolution theory and practices could better inform democratic theory by responding to three peculiar issues of democracy: majority rule, representation, and adversarial format. Aragaki's article takes a step back from the dominant assumptions in the fields that hold the two processes as working in obvious parallel, and offers significant normative differences in IBDR and liberal deliberative democracy.

Menkel-Meadow's goal in "The Lawyer's Role(s) in Deliberative Democracy" is to use conflict resolution theory to find alternative legal and political models which do more than our traditional binary systems.[48] This particular article focuses largely, as its title refers, on the lawyer's place in a system. The author's underlying principles within the article are important for this project. Menkel-Meadow builds primarily on the idea that conflict resolution theories and practices can offer useful consensus-building ideas to be incorporated by political and legal systems. Just as conflict resolution grounds work on the

[48] Menkel-Meadow, "The Lawyer's Role(s)".

actual processes and fairness, what aligns most deliberative theorists (even while debating most other issues) is the idea that the actual process is key, rather than the content of the decision. Speaking of how conflict resolution processes can aid deliberative processes, Menkel-Meadow claims that "The key to such processes is that they are professionally developed and managed to evolve from the needs of the particular parties engaged and so are flexible."[49] These bring stake-holders together to negotiate their own process rules, yet need "ordering" by professionals for proper structure and maintenance of processes.[50] The author directly links the ability for all community members to participate in consensus-oriented resolution practices with Habermas' conception of rational discourse, showing that discourse can only occur with the acknowledged right of equal participation.[51]

Susskind builds on the idea of conflict resolution as a valuable informant for democratic theory. In "Deliberative Democracy and Dispute Resolution," Susskind uses theories from conflict resolution to inform how democratic theory can maneuver past three key hurdles.[52] Doing so requires arriving at a deliberative theory of democracy. Majority rule, while sounding fair, often results in a significant portion of the population experiencing a loss. Dispute resolution theories provide meaningful alternatives, aimed at bringing stakeholders together in voluntary joint fact-finding to work towards solutions appropriate for all people. Rather than having one representative for a given population, interest groups ought to have ad hoc representatives to join these public-policy resolution processes previously mentioned. The third issue, adversarial formats, assume that one

[49] Menkel-Meadow, "The Lawyer's Role(s)," 362.

[50] Ibid, 363.

[51] Ibid, 354.

[52] Lawrence Susskind, "Deliberative Democracy and Dispute Resolution".

group's gain must be another group's loss. Susskind argues that changing this mindset, and allowing a neutral professional to guide negotiations, allows for value-creation, dovetailing of interests, and away from the idea that a group must dismiss another's proposal simply because it came from the other side.[53] Susskind also gives us a useful, albeit somewhat raw hypothetical to draw out how IBDR processes can be seen as models for deliberative use. From Susskind, "Imagine the following:

> a small city of about 30,000 must decide whether to allow construction of a controversial industrial facility. The plant will generate sorely needed jobs and tax revenue, but it might also pose serious environmental and public-health risks. Under normal circumstances, the city council would require the developer to undertake a set of technical studies that city departments would review before a permit could be granted. Then, the city government (including several elected and/or appointed boards) might hold a hearing, and ultimately vote on whether to approve the project. Along the way, there might be a lot of letters to the editor of the local newspaper and even a referendum.
>
> Consider this alternative: city council hires a professional neutral—a mediator—to meet privately and confidentially with all relevant stakeholders, both in and outside the city, to learn their concerns about the proposed project. Along with the developer of the proposed facility and appointees from a range of city and regional departments, carefully selected stakeholder representatives are invited to engage in joint fact-finding to see if they can resolve their differences. After a year of highly transparent and mediator-facilitated problem-solving, the forty (or so) stakeholder representatives sign an agreement. It spells out the circumstances under which they can all support a revised version of the project. It also commits them to making a series of voluntary payments and other contingent commitments from the developer and the city—maybe even the state and federal government, too—that go well beyond what the city has a statutory right to require. They all present the agreement to the city council, which ratifies it. Its details are added as conditions to the various formal permits granted to the developer. The agreement creates a joint monitoring committee whose staff is paid by the project developer. The project goes forward with little or no political opposition."[54]

[53] Ibid, 8.

[54] Ibid, 1.

This is a useful hypothetical to see how IBDR processes can be used as models to help bring stakeholders to the table and make use of professionals to facilitate and mediate conversations.

In a change of pace, Aragaki gives us reason to caution in viewing the two fields as compatible, stressing their fundamentally different orientations toward conflict.[55] The major claim here is that deliberative theory places much more substance in antecedent evaluative process, and values reason-giving exclusively as opposed to personal experience. Deliberation does not value interests as they are, pre-deliberation. Dispute resolution, on the other hand, does not bring substance into the process. It only distinguishes interests from surface level positions, fully acknowledging any interest and its content. Aragaki notes, "…deliberation may be more about judging what is right for the common good–what we *should* want–rather than figuring out what we *can* all want."[56] This is important, because it implies that deliberation is not as capable of truly catering to the particular interests of stake-holders. Additionally, since deliberation evaluates reasons based on rationality and deems some unreasonable and inappropriate for deliberations, the process is more coercive and exclusionary than dispute resolution processes. When some reasons are simply better than others, argues Aragaki, the deliberative process seems much closer to adjudicative models than inclusive, fully collaborative models.[57] It is important to note the distinctively liberal depiction of deliberative democracy in Aragaki's work. As explained earlier, the dramatic emphasis on rational reasons is one of the differences in liberal and pragmatic deliberation.

[55] Aragaki, "Deliberative Democracy as Dispute Resolution".

[56] Ibid, 445.

[57] Ibid, 472.

Pragmatic deliberation actively emphasizes the need to use lived experience as 'reasons' in a deliberative forum and process.

Applied Conflict Transformation

In the coming sections, I will explain why conflict transformation is useful as a field to be used in cross-collaborative efforts with deliberative theory, and how pragmatic deliberation is consistent with its values. Before moving on, though, I want to give a brief account of how conflict transformation has been thought of as a practical application of theory. This is important because, as mentioned earlier, potential consistencies between the two fields are largely valued given the empirical tools of conflict resolution processes which could be utilized in deliberative practices. Meyer-Emerick offers the conflict transformation framework as a way to ground critical theory and realize the goals which critical theorists work toward.[58] "Conflict transformation … focuses on the social construction of meaning, the importance of the history and cultural differences between peoples," and the "dialectical nature of peacemaking that seeks to change both destructive individual behavior and the larger social system" [59]…"[60] Meyer-Emerick argues that the model of conflict transformation fulfills critical theory's need to: articulate what social conflict is occurring; situate people's current beliefs and understandings with the historical development of the conflict; educate all people involved on the history of that conflict; and, offer a platform to productively, peacefully, and justly respond to the conflict. Most important for this project is the structure of the argument the author makes.

[58] Nancy Meyer-Emerick, "Critical Social Science and Conflict Transformation: Opportunities for Citizen Governance" *International J. of Organization Theory and Behavior* 8 (2005), 541-558.

[59] Lederach, *Preparing for Peace,* 17, quoted in Meyer-Emerick, "Critical Social Science," 552.

[60] Meyer-Emerick, "Critical Social Science," 552.

The ability to see conflict transformation as a model to build a just, community-involved process to ensure democratic participation is key to being able to ground critical theory's ambitions. The actual tools and methods of conflict transformation are able to ground a normative project. The same will be key to understanding why it is worthwhile to analyze conflict transformation's potential worth for deliberative theory. It could offer genuine tools and methods in cross-collaboration, if they were to be found as congruent fields with similar goals and orientations toward conflict.

CHAPTER III

VALUES OF CONFLICT TRANSFORMATION

Deliberative democracy should embrace three particular values of conflict transformation: larger scope, dynamism, and relationship-centric. Rather than universal and a priori values and goals, conflict transformation focuses on the right approach within certain circumstances. This mindset sees conflicts as manifestations of deeper and larger issues, rather than as something which can be isolated and solved in entirety (the language implicit to conflict transformation offers a different connotation which moves away from seeing a problem as 'solved'). Whereas a resolution to a problem both practically and rhetorically means finding a suitable answer to one instance of a conflict, transformation means understanding a problem in a holistic way and using manifestations of conflicts in a constructive way to build a stronger, more peaceful community. Conflict transformation has traditionally been applied to protracted social conflicts; however, its values and lens can be very helpful in ordinary public policy choices and democratic decision making. The three values of conflict transformation which deliberative democracy ought to value being congruent with and adopting–larger scope, dynamism, and relationship-centric–often overlap and work together. In the process of explaining them, then, there will be some inherent redundancy. By referring to these as values, I mean to show that conflict transformation approaches conflict with these as its guiding lens. Conflict transformation incorporates many more values into its model; however, these three are particularly relevant for deliberative democracy to emulate in order to achieve useful congruence.

Larger Scope

The way conflict transformation values a broadened scope can be seen in its conception of how conflicts ought to be approached. To start with, a conflict is not

something which can merely be settled. Rather, as Vayrynen notes, transformation requires embracing social conflict as never ending, and continuously creating "new social relations, institutions, and visions."[61] As opposed to IBDR which frames conflict as 'resolved' or 'settled,' transformation offers us language to explain the "peace-making venture" by leaving out the bias of an 'ending' (Lederach). The change in lexicon is both symbolic and pragmatic. Its symbolic role allows practitioners to begin framing their efforts in ways which do not connote an absolute answer. This is pragmatic because it allows for new values which may not be either relevant or foregrounded in a conflict to enter into the discussion at any point–even after the conflict-at-hand has been managed.

Building on the "peace-making venture," Lederach describes the constant nature of the transformative model as changing from a "war-system" to a "peace-system." In order to approach conflict in this way, conflict must be viewed contextually in the environment that it is taking place. This explicitly requires conflict transformation to broaden its scope away from the manifested conflict at hand. Historical patterns of issues must be understood by practitioners and local actors who are trying to implement measures to deal with conflict. As mentioned earlier, conflict must be viewed in its 'ebb-and-flow.' Along with having an eye towards what has already happened in a given context, transformation is concerned with the future as well. Given that there is no obvious ending to a conflict, a conflict transformation lens must coordinate with how a community will move forward under new, transformed conditions. This forces practices to understand that actors, issues, and interests will change over time.[62] With this focus on

[61] Raimo Vayrynen, "From Conflict Resolution to Conflict Transformation: A Critical View," in *The New Agenda for Peace Research,* ed. Ho-Won Jeong (Brookfield: Ashgate Publishing, 1999), 151.

[62] Vayrynen, "To Settle or to Transform," 4.

the future and radically altered conditions, conflict transformation is a constructive model of managing conflict. By approaching conflict with the goal of transforming social conditions, conflict transformation adopts the lens of seeking out life-affirming qualities of conflict. Using these, practitioners try to transcend the contradictions which lead to conflicts by deepening or widening the conflict structure.[63]

A larger scope is more than an earlier beginning and a later end. Conflict transformation must be constant and continuous. The Vayrynen quote above references this, as does Galtung in his call for transformation to be reflective of an "ever-changing and ever-growing" society. This allows an orientation toward conflict that will struggle patiently, taking the ups along with the downs, as opposed to an orientation that describes conflict as dichotomized as either solvable or intractable. Indeed, it is the way which conflict transformation conceptualizes the values of people which allows for a broadened scope. With a commitment to peace and justice, conflict transformation focuses its attentions on the values of people, which are deeper than positions or interests. These values are *why* conflicts occur, which is more fundamental than the positions which explain *that* conflict occurs. We must engage with these to tackle societal issues in deeper ways, rather than limiting ourselves to solving each escalated conflict as it comes by focusing on interests and positions.

This value is important for democratic theory for multiple reasons. First of all, a longer time-oriented focus will offer more sustainable answers to social conflicts. No matter how 'win-win' oriented social policies make an effort to be, there will undoubtedly be groups who are more pleased and those who are less pleased with outcomes. Not

[63] Johan Gaultung, *Peace by Peaceful Means*, (London: Sage, 1996), 116.

viewing issues as ever finalized or ended, though, may offer some solace–even hope–to those in the groups of 'less pleased.' This would present a type of governance which has a constant level of uncertainty within the hierarchal structures. Even on the symbolic level, developing processes that reflect conflict transformation's commitment to long-term answers can open spaces for the values of people in the background or unheard portions of society. The framing of issues as not finalized and ongoing could legitimize space for those previously left out or disadvantaged by policy. When the approach toward managing issues has explicit focus on transforming social institutions and building more peaceful societies, the less-heard have more hope because the process is battling to confront issues of inequality and the non-critical acceptance of the status-quo on deeper levels.

Adopting the value of a larger scope means democratic theory would adopt processes which see problems and agendas as never settled nor completely over. There should always be voices sought out and brought to the forefront which view common-held views antagonistically, even, perhaps especially, when these groups are in the minority. In this sense, a democracy which keeps issues as never fully resolved could hopefully breed less complacency in non-ideal social policies. This seems to go along with the readily accepted democratic idea of respect for moral disagreement. Even supposed consensus on any given issue would not then be taken as the absolute answer. Rather, a consensus on an issue would be approached as a decent management of a problem at that given time, in that particular place, and within certain contexts. The issue would be kept on the table for when new, or unheard, values present themselves as hurting from the newly adopted policy.

Relatedly, given that conflict transformation makes an effort to be constant and continuous, democracy should not be a once-every-few-years method. [64] Rather, it is something which is under constant revision. This calls for processes which encourage greater participation in the development of laws and policies and, assuming a republic of some sort, elections. While this does not *necessarily* require participation which is face-to-face and interaction-focused such as that of deliberation (this will come in more force when talking about how conflict transformation values relationships), it would at least require more consistent and widespread participation in democratic processes. Furthermore, a democracy which is able to understand social conflicts and issues as ever changing (as well as the actors, values, and interests associated with them as also changing) may be better suited in responding to issues that evolve over time.

There are two potential objections to seeing this value as appropriate for democratic theory. The first argues that a democratic government's priority should be stability, in which case the value of majority rule is much more valuable than extensive attempts to account for moral pluralism. Conflict transformation's value of scope assumes an ongoing uncertainty within government structures and hierarchies, as well as focus on the moral plurality of people in order to draw out long-lasting historical contexts. This objection claims that the virtue of stability of a government would be undermined by either of these. Continued uncertainty in the form of non-finished or finalized structures and decisions could undermine the legitimacy of power held by a government. If the government is to have complete control of authorized force, it needs to hold onto its

[64] Obviously, describing aggregate systems as only 'once-every-few-years' is somewhat unfair to the workings of such systems. This is largely a somewhat cynical and hyperbolic statement aimed primarily at what constitutes mass participation in aggregative democratic systems.

legitimacy through actual, final decisions and structures. Additionally, the objection sees the focus on moral pluralism as intrinsically in tension with the democratic ideal of majority rule. The stability of government stems from a majority of citizens 'buying in' to its legitimacy, and as such, the majority will should be the focus of representation in government. A continued focus on moral pluralism can only serve to undermine this legitimacy, therefore destabilizing the government.

The response to this objection comes in two forms. The easy answer is to bite the bullet and claim that democratic government should in fact *not* be as rigid and stable as the objection asserts as a key value. This answer will be drawn out somewhat in the following section on dynamic processes, yet seems like a cop-out if used as the only answer to the objection. The next answer, then, argues that the stability of a government could actually improve with these focuses on a larger scope, especially if we look in the long term. This objection seems to pick up on the fact that there must be many people disappointed in governance if left to the majority's will. This will be the case in any heterogeneous society. Disallowing explicit room for these marginalized groups seems more an effort of suppression than a true quest for stability. By forcing continued uncertainty within structures, a democracy could give these groups at least the potential for a future place in the system. While this may be bad for the current, status quo form of stability, it is only unstable insofar as the current benefactors of the system may not be the benefactors *ad infinitum*. The system as a whole does not seem to be in any danger of instability merely because decisions and structures are constantly open for revision.

The second objection claims that a democracy which requires this level of constant participation would be too burdensome on the public. People have no appetite

for the current levels of participation, where all that is required of them is voting and the occasional town hall meeting in select places. Creating a system requiring more participation would simply be giving the people more of what they already do not want to be part of. With voting rates low, why would we assume that citizens would become more engaged simply because the new system allowed or even demanded it? Additionally, forcing a system of greater participation would simply give more favor to those actively engaged in politics, so that those without time and energy are marginalized even more. Poorer classes especially do not have the time to participate in greater amounts, given their already burdensome lives. This objection has two potential claims: people do not have interest in greater participation, and greater participation would benefit people with more time and energy to spare on such endeavors.

The first part of this objection can be answered quickly, while the second part should be taken as more worrisome. To the first part, people likely have no appetite for participating in politics given the level of cynicism involved. It would be a mistake to say that because people do not see the point in participating in government, they do not have the desire to have their voices heard if processes seemed more genuinely able to represent them. To the second part, the greater burden of participation could easily be taken on by those in more privileged classes of society, given that those in poorer classes might not have the time, energy, or resources to be even more involved in democratic processes. This though, should not be seen as a reason to not implement such systems. The more constant participation in itself is not where the problem lies. This should be taken seriously, though, and used as a caution when devising processes. As will be seen, conflict transformation also has important values in dynamic processes and peaceful human

relationships. Thus, when processes are built, they should simply take this worry into consideration, and not implement a process top-down which may result in too much burden on the poor and disenfranchised populations.

Dynamic Processes

Valuing dynamic approaches to conflict is central for a transformative model. Practices should not be static or top-down. A direct connection with a larger scope means seeing conflict in its historical context and as an ebb-and-flow of progress. To expand on this, take into consideration how Galtung described social conflict–as capable of both life-affirming and life-destroying aspects.[65] Transformation means harnessing possibilities of change inherent in conflict, and taking them in positive directions. While it is likely in certain contexts–depending on many factors–that conflicts will at times have violent peaks, a core ideal of transformation is to use the conflict in general as a way to affirm life rather than destroy it. Conflicts highlight the inequities of systems, which allow transformation to restructure sociopolitical systems to correct for inequalities and redistribute power in more equitable ways.[6667] Doing so requires a lens toward conflict as a catalyst for change, and a patient and optimistic mindset that does not see the violent and life-destroying peaks of a conflict as a point toward their intractability.

The dynamism of conflict transformation also requires the empowerment of disenfranchised and minority groups. Dedication to decreased violence does not merely refer to physical violence. Conflict transformation also has goals of decreasing structural

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[65] Galtung, *Peace by Peaceful Means,* 90.

[66] Christine Harrington and Sally Engle Merry, "Ideological Production: The Making of Community Mediation," *Law and Society Review* 22 (1988), 708-735.

[67] Burton, John. *Conflict: Resolution and Prevention* (NY: St. Martin's Press, 1990).

violence, which manifests itself most often in the form of repressive policies against disempowered groups. Thus, processes must be able to be adaptive and change to a world where the sources of power are also changing. Lederach describes empowerment as "the procedural element of validating and providing space for proactive involvement in conflict resolution."[68] No two processes will look exactly the same, because the change in contexts requires adjustments given particular conflict scenarios due to conflict transformation's commitment to dynamic processes. Practitioners and leaders proactively validate and provide space for disempowered groups to negotiate social issues. This, along with the call for transformation to lead to more just, equal, and less-violent institutions require a certain level of substantive valuation in the process. Part of the way which conflict transformation achieves this is by paying attention to cultural modalities and resources. In speaking of training as part of conflict transformation, Lederach claims:

> Its primary goals are empowerment through self and context awareness and creation of appropriate models of conflict resolution. Empowerment in the training process is understood as validating and building on the strengths and promise of resources from within a context rather than from outside.[69]

This is important because it can bring legitimacy to transformative practices among populations in conflict. Added legitimacy comes from using local resources which allow ownership in process, and encouraging involvement by groups otherwise be left out.

Conflict transformation needs to occur on multiple levels. In this way, part of conflict transformation's commitment to dynamism is fulfilled through de-centered and

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[68] John Paul Lederach, "Conflict Transformation in Protracted Internal Conflicts: The Case for a Comprehensive Network," in *Conflict Transformation,* ed. Kumar Rupesinghe (NY: St. Martin's Press, 1995), 212.

[69] Lederach, *Preparing for Peace,* 61.

non-top-down processes. Rather than simply paying attention to certain groups which on the surface seem most tied to particular escalation of conflict, transformation works on three levels: top leadership where decisions on policy and rules take place, professionals and intellectuals from sectors relevant to the conflict, and local people in grass-roots organizations.[70] This requires conflict transformation processes to be non-linear and disparate. Conflict transformation's commitment to long- term solutions ties directly in to why it values organic processes and resources rather than top-down approaches. Measures, goals, and policies which are grounded in community values in particular contexts will better gain the legitimacy mentioned earlier.

There are a few benefits for democratic theory if it were to adopt conflict transformation's commitment to dynamic processes. Using conflict as a catalyst for change – a central component in dynamism – would mean developing processes which use escalated issues as platforms to address fundamental differences and inequalities in society. This would require an educatory component, with the goal of drawing out how particular surface issues are manifestations of deeper issues. Conflict transformation, of course, would have this done through grassroots and local resources whenever possible. For democratic theory, then, this would mean a decentralization of bureaucracy. Processes and structures would move away from top-down systems toward community and issue specific plans and approaches. By encouraging decision making processes to come from those already established in communities, and rooted in cultural modalities, validity is brought to whatever decisions are produced. Lederach notes this when he says that "cultural modalities and resources for handling conflict in a given setting are not only

[70] John Paul Lederach, "Beyond Violence: Building Sustainable Peace," *The Handbook of Interethnic Coexistence*, ed. Eugene Weiner (NY: Abraham Fund Publication, 1998).

important to identify but should be seen as foundational for building a comprehensive transformative framework."[71] When the processes of democracy, then, are developed according to specific issues and communities, more legitimacy is capable of being produced. It is fair to assume that any democratic theory resting on an idea of popular sovereignty should want practical legitimacy of policies and processes.

The never-ending and continuous pursuit of better social conditions means encouraging a wider spread participation among a population. Conflict transformation, as noted, is committed to increasing peace and justice while decreasing violence and inequalities. These commitments have been described as being realized through dynamic processes. It is the dynamic processes which see peace as something ever-changing and needing to be constantly built rather than merely achieved. Value-laden processes are integral to this concept. As conflict transformation shows, inherently neutral processes will favor those already in power and keep the status-quo thriving even in instances of mass inequality and injustice. Democratic processes, then, should actively seek out those whose values, interests, and ideas are different from dominating worldviews. Available and explicit space for these non-dominant worldviews should exist within democratic processes if they are to take on the dynamic approach of constantly building toward more peaceful societies. Transformation is able to occur through sustained dialogue between communities and individuals. If possible, dialogue should be face-to-face, so that change and transformation in power structures and violent systems can be learned as needed.

Two more potential objections can be raised against democracy valuing this type of dynamism. The first argues that this community-focus of local and organic processes

[71] Lederach, "Conflict Transformation in Protracted Internal Conflicts," 213.

is unsustainable and impractical. There must, the line of argument goes, be a reason to have federally regulated and consistent processes throughout an entire nation, for each of these reasons. The sustainable argument is partly economic in nature. Many communities simply do not have the resources conflict transformation is assuming in forcing local communities to shoulder the burden of processes. Furthermore, without the strong force of a federally consistent government, many of these processes would lack the legitimacy to flourish. It is through top-down approaches where nations can build legitimate processes, given that there is a coherence throughout. Locally produced processes are impractical because of the assumed static nature of how and where people live. In many cases, the mobility of people would prevent anything like suitable, local customs and processes to develop, because the populations are ever-changing.

Each of these worries misunderstands how processes which are community-built and locally innovated actually differ from top-down approaches. The goal would not be to have a wholly different process for every town and community which exists; rather, the modes of which processes take place would differ depending on communities. Using already existent community resources does not place more economic burden on places, but less. Having local processes is not mutually exclusive from a federally approved, national process. It is the nuance of process which is supposed to derive from local communities and resources. The argument is not for hundreds of thousands of incompatible and incoherent processes throughout the country.

The second objection may be more fundamental. It argues that adopting conflict transformation's value of dynamism is too value-laden to be appropriate for democratic rule. The commitment to empowering the disadvantaged will, by default,

relatively depower those in advantaged classes. While this may not seem like a potential objection, it should be taken seriously. The core of the argument suggests that government should not have a direct stake in the elevation or valuing of any one group over another. Processes should be inherently neutral, and let the people dictate for themselves which groups' needs and interests are represented. This argument looks very similar to the argument of the value of majority rule over the value of fostering and paying attention to moral pluralism. If a democracy adopts conflict transformation's value of dynamism through the active empowerment of disadvantaged groups, it loses one of its key virtues in neutral systems and a default to the will of the majority. The reasons to worry about this were drawn out in the similar, previous objection to conflict transformation's value of a larger scope.

A response to this objection can either make an effort to show how empowering certain groups is not value-laden, and thus adheres to the traditional neutrality of process in democracy, or it can dispose that idea and suggest a value-laden process is better for democracy for reasons such as this. The latter option is preferred here. The traditional value of neutral process is important for democratic processes built on adversarial notions. Better arguments win, majorities win, and processes should merely allow space for this to happen. However, in democratic processes which are built in non-adversarial ways, such as the deliberative approach offered in this paper, value-free processes become less important. Rather than assuming all participants are on equal footing and then working through the system based on that assumption, processes actively work to help groups become on an equal footing. The reason for this is that it allows for a truer sense of what people need and want. When people start with an unequal hand, neutral

processes will tend toward results which favor those with an already favorable hand. By working to empower disenfranchised groups, democratic processes could work towards fairer and more equal processes.

Relationship-Centric

Conflict transformation valuing a relationship-centric approach to conflict means that, at its core, it focuses on the relationships between people and groups rather than the explicit content of a conflict. Kriesberg highlights this as a key division between conflict resolution and conflict transformation, as he claims "conflict resolution means solving the problems that led to conflict, and transformation means changing the relationships between the parties to the conflict."[72] With this approach, human relationships are the essence of what should be focused on and transformed. Lederach explains that relationships are crucial because they involve the whole fabric of interaction within a society. Poor relationships are often a trigger for conflict.[73] The value is not simply that society should be centered on human relationships. This is an intrinsic quality of being a society. Rather, conflict transformation proactively seeks to transform relationships into ones which decrease violence and increase justice within those relationships. Processes must allow for relationships to build toward these ideas by addressing the underlying patterns to conflict and ensuring voices are heard.

Conflict transformation's focus on non-violent and just relationships starts in the historical attention it pays to the relations of groups. As Miall points out, conflicts are always in the context of groups' previous attitudes with each other and the social

[72] Kriesberg, "The Development of the Conflict Resolution Field," 64.

[73] John Paul Lederach, *Building Peace: Sustainable Reconciliation in Divided Societies* (Washington, D.C.: United States Institute of Peace Press, 1997).

conditions which govern their lives.[74] When groups are in conflict, they will have socially constructed memories and worldviews which are at odds with one another. The goal, then, is to transform not only the social conditions which give context to the conflict, but also transform the relationships of these groups and their views of the other as life-affirming rather than life-destroying. When Miall offers five levels of transformation, the last he gives references a change of heart.[75] This refers to the transformed personal relationships people have with social structures as well as with other groups and individuals.

Relationships can transform through education via dialogue, advocacy, and mediation by professionals. The goal is a mutual understanding between conflicting groups. It is important to note that this is an immediately different end goal than what IBDR processes hope to obtain, which looks more like a consensus or agreement. The face-to-face dialogue mentioned earlier is a key part of this process for conflict transformation theorists such as Lederach. These direct interactions are what are believed to offer the hope of gained understanding and mutual respect, which can lead to transforming relationships to be organized in more just ways. The empowerment which was talked about as a product of dynamic values aids in transforming relationships. This transformation generally starts in the relationships between person-to-person or group-to-group. The ability to transform group-to-group relationships allows for the ability to transform group-to-societal institution relationships.

Given that relationships are necessary to the make-up of society, democratic theory must adhere to a particular approach and view of relationships in order to embrace

[74] Hugh Miall, "Conflict Transformation: A Multi-Dimensional Task," *Transforming Ethnopolitical Conflict: The Berghof Handbook*, ed. Alex Austin, Martina Fischer, and Norbert Ropers (Leske and Budrich, 2004), 8.

[75] Ibid, 10.

this value of conflict transformation. This means that relationships should be central to the processes which dictate social policies and structures, and there must be a constant goal of working toward relationships in a way that demotes violence and promotes justice. This should be important to any democracy which has within its population a plethora of citizen groups, each with a variety of values. Processes should work to get at the underlying causes of any particular conflict or escalation. To do this, then, space must be opened for disempowered groups to voice their values and interests. A belief in people's capacity to understand and engage in sustained dialogue between groups is the fundamental means of constructive change.

A democracy which values peaceful and just human relationships, as well as human-to-structure relationships, seems to also place value on civic life. This is something, of course, which deliberative democracy claims to strive for. Relation-centric values mean providing platforms for people to influence their relationships with other people as well as social institutions in positive ways. One major benefit in this is that it allows people to view groups they are in conflict with in healthier ways. Life-affirming transformations in group relations will aim to decrease the vilification and demonization of the 'other.' While this is very aspirational, it is a positive lens that conflict transformation can bring to democratic theory. Additionally, it is needed for morally pluralist societies to create bridges and work between groups. For instance, this would hopefully allow for more bipartisan policies. Valuing relationships in a democracy means putting resources into civic education, civic participation and civic capacities of citizens. Participatory democracy is based on optimistic group dynamics where groups in conflict are able to productively and cooperatively work together through issues. By placing

resources in places to proactively work to transform relationships of different groups, as well as groups and social institutions, these group dynamics seem likelier.

It is worth repeating that a democracy which values healthy civic relationships inherently values certain virtues such as equality and justice. This is the case because healthy human relationships are predicated on abilities to recognize and fight against inequalities in institutions and unjust distributions of power. As a last point, in working toward healthier relationships, a democracy encourages trust and harmony in its populations. This could lend toward fewer potential devastating conflicts as well as the easier management of the conflicts that inevitably will occur.

CHAPTER IV

PRAGMATIC DELIBERATION'S CONGRUENCY

At this point, there should be an understanding of why attaining congruency and similarity with key conflict transformation values should be preferred for democratic theory. Now, it will be shown that the pragmatic tradition of deliberative democracy is one which successfully embraces the values which conflict transformation offers. This new approach to finding congruency between deliberative democracy and conflict resolution fields is meant to explicitly bring two new fields to the front of the discussion. I believe this is helpful because it allows more possibilities in terms of potential cross-collaborative practices and interdisciplinary efforts. While showing how the pragmatic deliberative tradition is congruent with conflict transformation, it will be useful at times to show how it is more embracing of the values than the liberal tradition. This has two purposes. The first is to bring validity to the effort of bringing another iteration of deliberative democracy into the cross-collaborative conversation. While the two have been acknowledged as often overlapping, it is useful to explicitly draw attention to an alternative to the dominant, liberal version. This is especially true when the alternative–pragmatic deliberation–shows more congruency with conflict transformation, which has hopefully been successfully shown as valuable for democratic theory. The second purpose is to cast more light on the actual differences between pragmatic and liberal deliberative theories. Differences in orientation toward conflict and conflict goals will become more salient by referencing their level of adoption of conflict transformation values. Additionally, making the differences more apparent will serve to respond to the potential objections that pragmatic deliberative democracy does not add anything new to the discussion.

It should be stressed yet again that the attempt to show pragmatic deliberative democracy as the branch of deliberative theory which is more congruent with conflict transformation is not an argument for the abandonment of liberal deliberative theory and practice. It should be clear that this is done in support of a much more modest claim, that pragmatic deliberation and conflict transformation should be kept at the forefront of these efforts, given their promise of congruency and thus potential for cross-collaborative and interdisciplinary efforts. This invites new modes of inquiry and work based on models which, to date, have not been central to cross-collaborative inquiry. The previous section outlined that conflict transformation was valuable to democratic theory through valuing a larger scope, dynamism, and relationship-centric approach to conflict. This section will address how pragmatic deliberation embraces these same three values.

Larger Scope

A solid starting point to analyze Deweyan pragmatism, and thus the pragmatic deliberation which stems from his work, is the way truth is understood. Rather than seeing truth as something foundational and judging it based on correspondence to something transcendental, truth is radically contingent. Knowledge, then, is constantly in flux and dependent on the social conditions in which someone is living. Due to this distinction, the goal for deliberation is something quite different than the liberal deliberative theorists following in the tradition of Rawls or Habermas. A foundational conception of truth brings with it the notion that deliberation is justified due to an ideal starting point. This ideal starting point requires a teleological method which the ideal is worked toward. As mentioned earlier in this paper, the ideal starting point for Habermas is what he considers the ideal speech situation, where the final goal to be reached is rational consensus among

public deliberators. The liberal tradition justifies deliberation due to its ability to better arrive at the truth–as connected to something 'out there'–of what is good for society. Even when recognizing rational consensus as unlikely, liberal models carry atomized assumptions of the world, causing them to view conflicts as potentially irreconcilable.[76] With that assumption, liberal models aim for reaching settlement, recognizing that it is as close to a rational consensus groups can achieve. This view is less congruent with the large scope value of conflict transformation because of its fixed starting point and end.

Deweyan pragmatic deliberation, on the other hand, never considers a deliberation as reaching a final goal. To start with, the goal of deliberation is described not as reaching a rational consensus, but rather working toward better human and social relationships though developed understanding.[77] In a sense, this can also be described as teleological, given that there is an end to be worked toward. What separates it from the teleology of liberalism is that it lacks–even in the ideal sense–describing deliberation as reaching a final end. Deliberation must always be open to future revision, because its goal is not one which can actually be reached, per se. Deliberative democracy is a constant life ethic, not something which can be accomplished. Pragmatism's anti-foundational view of truth does not prescribe which result should come out of deliberation.[78] This is key when considering Rawls' statement, "we have to concede that as established beliefs change, it is possible that the principles of justice which it seems rational to choose may likewise change."[79] On one hand this seems to suggest that liberal deliberative theory could explicitly allow for future

[76] Michael Bacon, "The Politics of Truth: A Critique of Peircean Deliberative Democracy," *Philosophy and Social Criticism* 36 (2010), 1080-1081.

[77] Kadlec, "Critical Pragmatism and Deliberative Democracy," 55.

[78] Field, "John Dewey."

[79] Rawls, *A Theory of Justice*, 548.

deliberation given changing societies. The difference, perhaps, is one of degree rather than kind. While liberal deliberations do not necessarily write off future deliberations as needed or advantageous, they still cast ideal results for when those future deliberations occur. This is to say, there is always a final, rational consensus to be reached, even after values have changed. The difference for pragmatic deliberation is that deliberations ought to be kept open even if values in a society have not been altered. Given its constant manner, there is at no time a finality reached.[80] Pragmatic deliberation, through its non-ideal goals and a constant need to build understanding, encourages deliberative processes within communities constantly and indefinitely.

In addition to being able to fulfill the ability to push its scope as far into the future as a population contingently needs, pragmatic deliberation also draws its focus to the past development of communities. Deweyan pragmatism does this through what it allows as reason giving in deliberation. Liberal deliberation places burdensome restraints on what it allows as reason-giving in deliberation. Following what Rawls explains as 'public reason,' the liberal tradition only allows reasons to be presented in deliberative forums which are distinctly rational.[81] Habermas suggests that, in order to prevent power inequalities to manifest in deliberative forums, "the force of the better argument" is how consensus ought to be reached.[82] This force that he talks about is done through defending proposals and ideas through reasons. These reason, then, are defined as knowledge which can be accessible to and criticized by all. This is concerning because it largely

[80] For critiques of Rawls placing final ends on democratic decisions, see: Jeremy Waldron, *Law and Disagreement* (Oxford University Press, 1999)*;* John Gray, *Two Faces of Liberalism* (The New Press, 2002)*;* and Richard Bellamy, *Liberalism and Modern Society* (Pennsylvania State University Press, 1992).

[81] Bacon, "The Politics of Truth," 1081.

[82] Habermas, *A Theory of Communicative Action,* 24-25.

presupposes what is allowed to be deliberated. Liberal deliberative theory places values judgments on the merit of potential reasons solely on reasonableness. This reasonableness must be defined, then, by the liberal theorists prior to actual participation in deliberative processes by groups of people.

Deweyan pragmatic deliberation allows for, even encourages, the use of lived-experiences in its deliberative forums.[83] As noted above from Habermas, the accessibility requirement of reason-giving in the liberal model overly rationalizes reasons to not include lived-experiences. This is important for the scope of the process, because it allows for the contexts and the histories of a population to be brought to the forefront of the deliberative process. As mentioned above, liberal theories assume atomized views of the world rendering conflict potentially irreconcilable. Pragmatic deliberation, on the other hand, holds an explicitly social understanding of individuals.[84] In terms of end goals, then, this allows pragmatic deliberation to find more value in deliberative processes than mere settlement. The histories of a people's experience – whether recognizable to other people in a deliberation – always has a place, given that sharing these experiences is often the key to uncovering potential understanding. Historic experiences will help flesh out the ways in which groups' values are different, which has benefit in understanding – not simply the need to reach a settlement brought by the "force of the better argument." This historic contextualization of pragmatic deliberation recognizes the changes, fluxes, and contingencies which have developed in a particular setting, and allows these to be articulated and deliberated. To be clear, this line of argument is not suggesting histories

[83] Kadlec, "Critical Pragmatism and Deliberative Democracy," 56.

[84] Festerstein, *Pragmatism and Political Philosophy,* 24.

have no place in liberal deliberative settings. Rather, personal and lived experiences are discouraged in favor of rational, 'good' reasons which are accessible to all.

There are two additional ways in which pragmatic deliberation offers a large scope: an assumption that social and political institutions are developed as expressions and extensions of our dominant habitual behaviors, attitudes, and beliefs, and the framing of democracy as more than merely a form of political governance. Both of these recognize democracy as being something which is not external to us. Institutions are formed due to our dominant habits, and we must confront the idea that they are products of our attitudes toward one another. This is both backward looking in terms of explanation of how institutions are as they are, and forward looking in that it provides the mode to change. This mode to change will be explained further when discussing relationship-centric details of pragmatic deliberation, but can be summed up by referring to the need to critically embrace the fact that we are all in this together.

The framing of democracy as more than a form of political governance is central to Dewey's concept of democracy in general. His call for democracy to be a way of life informs his approach to deliberation.[85] His pragmatic deliberative theory requires democracy to be present in social and cultural ways of life before it can be present in terms of power structures and government. Dewey claims "The defining or characteristic condition of a group as social is communication, participation, sharing, interpretation of meanings."[86] This relates to deliberative processes because he understands sharing lives and experiences as the core of democracy. Deliberation as a process is the means to build communities where resources and opportunities are available to cultivate these

[85] Dewey, *Creative Democracy – The Task Before Us.*

[86] Dewey, *The Middle Works of John Dewey, 1899-1924* 15.

capabilities through participation. As Višňovský sums up, "Human social life can be defined as democratic participation."[87] This orientation to democracy brings a larger scope of deliberation to the table in that it begins pre-politically. Democracy as a way of life starts in communities, and can only proceed from there toward a way of governance. This differs from liberal traditions in that they argue for deliberation as a democratic form of governance due to deliberation being instrumentally valuable. Pragmatic deliberation ties deliberation to the more general concept of human flourishing, rather than strictly as a governmental structure. The reason this articulation of larger scope is consistent with that of conflict transformation is due to it allowing for a 'peace-making venture' by moving from a 'war-system' to a 'peace-system.' Pragmatic deliberation is cast as a way of life aiming to cultivate our human values.

Dynamic Processes

Pragmatic deliberation again shows congruence with conflict transformation in its incorporation of dynamic processes. This comes through in Dewey's orientation to conflict and assumptions on the purpose of deliberation, which allow the pragmatic model to confront power inequalities.[88] Pragmatic and liberal deliberation differ in the method of approaching social conflicts. Dewey's anti-idealism sets it apart from liberal deliberation, as this requires processes which are open-ended rather than working toward some type of objective final goal. Habermas' notion of a rational consensus assumes that the objective world is the same for all participants. Even if this objective world may change depending on the context, it must be common to each individual given any

[87] Emil Višňovský, "Pragmatist Conception of Participatory Democracy," *Human Affairs* 18 (2008), 97.

[88] S.K. White, "The Very Idea of a Critical Social Science: A Pragmatist Turn," in *The Cambridge Companion to Critical Theory*, ed. Fred Rush (Cambridge University Press, 2004), 317.

particular context. Truth lies in this objective world, whereas the rational consensus is the combined attempt by individuals to ascertain what is reasonable for everyone. Rather than seeing deliberation as a means to a final and objective end, Deweyan deliberation remains 'problem-oriented.'[89] As Kadlec describes, this amounts to taking on many particular points of inquiry which are context specific. This line of reasoning stems from his dynamic understanding of human nature and human interests, as found in *Freedom and Culture:*

> the story of the way in which ideas put forth about the makeup of human nature, ideas supposed to be the results of psychological inquiry, have been in fact only reflections of practical measures that different groups, classes, factions wished to see continued in existence or newly adopted…[90]

Humans do not have static interests and values, nor does the environment around which those interests and values are developed remain static. Instead of valuing deliberation as a means to a general conception of truth, or as close as realistically possible, pragmatic deliberation sets to find many, particular truths in a piece-meal fashion.[91] Practically, this means that pragmatic deliberation structures processes invariably dependent on circumstances and context. This dynamic understanding of human nature assumes, then, dynamic understandings of conflict. Conflicts emerge within contexts, and ought to be handled in ways which are sensitive to those contexts. Particular problems will change over time, which means that deliberative forums must match this change in their way of bringing voices to the deliberative arena.

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[89] Kadlec, "Critical Pragmatism and Deliberative Democracy," 74.

[90] Dewey, *Freedom and Culture,* 84.

[91] Dewey, *A Short Catechism Concerning Truth,* in *The Collected Works of John Dewey, 1882-1953* (1910), 4.

This orientation to conflict as always in flux, and an assumption of framing deliberations as problem-oriented tasks, draws on another main point in pragmatic deliberation. Dewey's democratic theory drops the goal of consensus within deliberation. Recognized as overly aspirational and not possible in practice, Dewey's thought gives credence to a completely new goal for deliberation: confluence.[92] Whereas liberal deliberation carries the assumption that we must aspire to reconcile all of our beliefs, pragmatic deliberation views the process of deliberation as simply the best approach to cultivating social intelligence. More will be said about this when talking about the relationship-centric values of Dewey's deliberation. Here, though, it is important to note that this end goal difference is vital to a dynamic process. Given that there is no assumed task of consensus, pragmatic deliberation focuses its attention on bringing conflicts into the open where multiple points of view can be considered. The goal is much more therapeutic than rational. There is an inherent belief in this system that discussing multiple approaches and beliefs about a particular problem in one setting will produce the ability to see more inclusive commonalities and interests than by discussing any of these on its own. This is what is meant by confluence, as Kadlec explains, "Literally, confluence means a gathering or flowing together at a juncture, and from the perspective of critical pragmatism this juncture should be a common problem around which alternative perspectives may be voiced…"[93] Pragmatic deliberation values confronting conflicts in public, where people, structures, and issues always have the possibility of being transformed. It is worth noting that this is not an area which liberal deliberative models would necessarily be less consistent with conflict transformation.

[92] Kadlec, *Dewey's Critical Pragmatism,* 137-138.

[93] Ibid.

Each deliberative model values the possibility of processes leading to a better understanding among the public, and leaves open the potential for transformed ideas and people. There is a difference in the degree to which this is prioritized, though. Liberal deliberation focuses more exclusively on the production of a rationally motivated consensus, where pragmatic deliberation places gained understanding at the forefront as the main purpose of processes. Additionally, pragmatic deliberation places more weight on de-centering processes, which is consistent with conflict transformation's call to make use of organic and local resources. Rawls explicitly does not allow for the use of nonpublic institutions such as churches, universities, and volunteer organizations. While Habermas does allow for public deliberation to occur in these "unofficial" types of structures, he does so in a hierarchal and structured way.[94]

Pragmatic deliberation credits itself largely in its ability to confront existing power inequalities which are manifested though marginalization and exclusion of groups. Indeed, this is a core critique of deliberative democracy generally–that processes give traditionally powerful groups more and stronger access to deliberative platform.[95] The dynamic aspects of pragmatic deliberation are central to managing existing power inequalities. This comes in part by the call to make use of existing community resources to create free and open spaces for previously marginalized and excluded groups. Top-down approaches to conduct where deliberations occur are discouraged in favor of encouraging the creation of platforms brought about by local and interested stakeholders. Making use of community resources means taking advantage of previously established groups, spaces, and knowledge bases that already have legitimacy in a particular

[94] Gutmann and Thompson, *Why Deliberative Democracy?*, 31-35.

[95] Iris Marion Young, *Inclusion and Democracy*.

community. Pragmatic deliberation calls for the creation and cultivation of de-centralized spaces where deliberation can occur. This relies on a much wider understanding of deliberation, where existing structures in a community can be recognized as promoting discussion and deliberation of issues, rather than merely top-down implemented deliberative processes. On an individual's place in community, Dewey claims:

> To learn to be human is to develop through the give-and-take of communication an effective sense of being an individually distinctive member of a community; one who understands and appreciates its beliefs, desires and methods, and who contributes to a further conversion of organic powers into human resources and values.[96]

From this, we can understand how deliberative processes ought to harness the organic powers and resources of individuals, through locally organized and extant structures. This is more than Habermas' unrestricted use of churches, universities, etc. The creation of spaces with the explicit aim at giving room to actual individuals, specifically including marginalized groups, is key. Many stakeholders will already have social platforms which could be turned into deliberative spaces. Pragmatic deliberation, though, requires a creative lens to establish new spaces in pursuit of greater input by disempowered groups.

Rather than take each stakeholder as equal, a pragmatic lens requires the active promotion of views held by those who are normally neglected.[97] Goals for deliberation should be seen as tentative solutions to particular problems. The point of this is to gain ground where available. Further, since consensus is no longer the ultimate goal, participants are less pressured or coerced intro agreement. Pragmatic deliberation encourages a lens which always looks for opportunities to exploit cracks in the status quo and entrenched forms of power. There are always new opportunities for creative

[96] Dewey, *The Public and Its Problems,* in *The Collected Works of John Dewey, 1882-1953* (1927) 324.

[97] Kadlec, "Critical Pragmatism and Deliberative Democracy," 76.

resistance, which should be harnessed through created and existing deliberative platforms. Additionally, as already mentioned, empowerment means that the use of 'lived-experience' as reason-giving in deliberation is not only accepted, but encouraged. When liberal deliberative processes neglect lived-experience as a valid contribution to deliberation, they restrict issues to knowledge that is often dominated by elites and those already entrenched in socially powerful situations.

The final dynamic aspect of pragmatic deliberation is the fundamental understanding of the relationship between people and society. Democracy is important, even essential, to a good life. Dewey assumes here a value of participation in democracy as one which ought to be adopted by societies in total. In speaking of democracy as a social idea and as a system of governance, he claims "the idea remains barren and empty save as it is incarnated in human relationships."[98] This should be interpreted as Dewey showing the connection between actual human life and the way governance of society is organized. However, this does not assume any particular version of a good life or how to participate – simply that participation is necessary. When democracy is seen as a means to human flourishing, the processes which cultivates this development must remain dynamic. When issues, social conflict, and general behaviors of people are in constant flux, the processes in dealing with problems must also be allowed to constantly change. This is because, as people, our understandings and needs relevant to certain issues will change. Just as our social surroundings have almost infinite impact on the way we develop values and attitudes, so too do our values and attitudes develop our social surroundings. This constant give and take, a symbiotic relationship between people and society, relies

[98] Dewey, *The Public and Its Problems*, 325-326.

on processes which are similarly able to flux and develop as a part of – not something outside of – that society. This differs from liberal conceptions of humans in society, which assume that people have interests and values which exist prior to their engagement with society. Talisse argues that:

> liberal theorists of deliberative democracy have retained precisely the element which rendered the adversarial model unsatisfactory, namely, the view that citizens come into the political arena as distinct, independent entities with competing and irreconcilable fixed ends."[99]

The goal for liberal deliberation remains settlement and consensus, which implies a finality of an issues. In order to adopt conflict transformation's value of dynamic processes, deliberation must be embraced as more than a political process. It must be, as Dewey suggests, a substantive way of life.

Relationship-Centric

The third value of conflict transformation is the degree to which pragmatic deliberation holds relationships as central to its theory; specifically, how it fosters proactively building relationships which are less violent and more just between individuals, groups, and social structures. Pragmatic deliberation shows congruence with this value through a two-step process. First, Deweyan theory ties the development of the individual to the development of society in a way that recognizes the togetherness of a democratic project. Second, pragmatic deliberation explains the primary goal of deliberation as fostering social intelligence, which delivers the transformative potential expected out of a democratic process that is consistent with conflict transformation.

Dewey describes how democracy is supposed to aid in the flourishing of people, and how deliberative democracy is key to this process. He claims:

[99] Robert Talisse, *Democracy After Liberalism: Pragmatism and Deliberative Politics* (Routledge, 2004), 90.

> Government, business, art, religion, all social institutions have a meaning, a purpose. That purpose is to set free and to develop the capacities of human individuals without respect to race, sex, class or economic status. And this is all one with saying that the test of their value is the extent to which they educate every individual into the full stature of his possibility.[100]

Focusing on democracy as a way of life – meaning socially and culturally in addition to politically – offers the means to cultivate social intelligence.[101] It is this social intelligence which allows us to flourish. Given its social nature, one person's development is intrinsically tied to everyone else's in a community. Social intelligence means recognizing the enduring and ongoing consequences of our actions, and the impact of those consequences on everyone in our society. This ties directly into the idea that our social institutions are expressions and extensions of our habitually dominant attitudes toward one another. We must adjust our attitudes in light of these recognized consequences while critically–and crucially–embracing the fact that we are all in this together. This recognition and changing of attitudes is the vehicle for transformation of social institutions, and why deliberation is important. As pragmatic deliberation holds, deliberation is the process for this recognition, change, and transformation. This focus on the holistic nature of deliberation is why pragmatic deliberation should be seen as consistent with the type of value conflict transformation places on human relationships. People are all caught up in the same democratic project. If each individual person's development is intrinsically tied to the development of the community, or society, then the line can be drawn that it is also tied to the development of other individuals. Since social intelligence means embracing that the consequences of our behaviors impact all of

[100] Dewey, *Reconstruction in Philosophy,* in *The Collected Works of John Dewey, 1882-1953* (1899), 107.

[101] Kadlec, "Critical Pragmatism and Deliberative Democracy," 56-63.

us, and not just ourselves, it can allow us to embrace ideas of shared and mutual contribution of experiences. Pragmatic deliberation believes that this can move us toward social unity, which is vital to society and our own flourishing. This faith and optimism in building toward social unity is indeed consistent with conflict transformation's call to continually build more peaceful relationships in society. As a way of life, it allows us to work toward life-affirming processes and structures through creative dialogue and empowered deliberation.

In what ways does Deweyan pragmatism envision deliberation as a means toward social intelligence? The answer lies in its therapeutic focus, commitment to lived experience as reasons-giving, and constant emphasis on the ability to transform communities. To emphasize, social intelligence is the ability to understand and critically engage with how our behaviors and attitudes shape shared consequences for all of us. The deliberative platform serves to be a therapeutic arena in society, rather than overly committing to the pursuit of an epistemologically and rationally focused consensus. It could be argued that the liberal tradition allows for therapeutic results, and this would not be technically wrong. After all, liberal theorists have at times referred to values of deliberation as building mutual concern,[102] affirming systems of cooperation,[103] and even leading to transformation.[104] As mentioned before, the practically-aimed solutions of

[102] Thomas Christiano, "The Significance of Public Deliberation," in *Deliberative Democracy: Essays on Reason and Politics*, ed. James Bohman and William Rehg, MIT Press, 1997. 243-278.

[103] Gerald F. Gaus, "Reason, Justification, and Consensus: Why Democracy Can't Have It All," in *Deliberative Democracy: Essays on Reason and Politics*, ed. James Bohman and William Rehg, MIT Press, 1997. 205-242.

[104] Jürgen Habermas, *The Structural Transformation of the Public Sphere*, (MIT Press, 1991). The difference in conceptions of transformation, though, is that Habermas' idea of transformation aims to transform social structures at large – a change from aggregative democracy to deliberative democracy. Habermas is less concerned with particular transformations between individuals' and groups' relationships.

pragmatists such as Dewey influenced, and are evident in, liberal theorists such as Habermas. The pragmatic influence stops, though, in describing the primary focus and purpose of deliberation. The point of deliberation for Habermas is to work toward the ideal of consensus. In order to be rational in this model, individuals need to try to change others' minds, and be willing to change their own. This assumes less value in processes for merely therapeutic reasons. Liberal deliberative theories are concerned primarily with producing a publicly reasonable decision.[105] Deliberation serves to have better quality decisions and more fairness in representation. This mindset is what allows liberal theorists to advocate for deliberative processes which focus on statistical equality and representation, such as jury theorems. These aim to produce what *would* be reasonable decisions if populations had proper knowledge and were equally represented. The point is that while useful for producing 'better' decisions, these do not hold the virtue-building aspects of deliberation as primary or focal. They allow for them to occur, but look more like beneficial side effects.

Perhaps this shows the non-complete separation of liberal and pragmatic theories of deliberation. As mentioned a few times, Habermas was influenced by Dewey's work, particularly in the idea of practically aimed solutions given certain contexts. What this section and others is trying to portray is the need to incorporate more pragmatic elements and iterations of deliberation, as opposed to seeing the options as either-or. It is worth furthering the argument of how pragmatic deliberation does hold this virtue-building as focal. People are able to come together to deliberate conflicting values

[105] Fishkin and Laslett, *Debating Deliberative Democracy.*

and points of view, the deliberative arena, from a pragmatic perspective, aims to allow for the creative realization of ways differing groups have commonalities. The critical potential of lived experience allows for the transformation of current relationships between people and structures. Dewey's conception that the process is what develops good social habits is the center focus of pragmatic deliberation. Opening spaces to express and hear differing views is tied to our (social intelligence) growth, assuming that telling the truth and being sincere are activities we sometimes engage with in connection to our notions of a good life. This therapeutic nature of deliberation can only occur if, like pragmatic deliberation, processes allow for lived experiences to be expressed and validated as appropriate for the deliberative arena. Along with lived experience being one of the every-day resources which pragmatic deliberation harnesses, it is largely what allows the disenfranchised to gain footing in deliberative settings. Given that lived-experiences are not unique to those who already hold socially entrenched seats of power, this is a way to de-centralize how issues are framed. This commitment to lived experience and a therapeutic focus is meant to be a process which brings communities together.

It is important to explain that the pragmatic deliberative model is not appealing to social intelligence as a way to reconcile all beliefs and solve all social problems. As Kadlec notes, it is a "modest claim that a working faith in social intelligence is merely our best shot at navigating a radically contingent existence."[106] Again, the deliberative process is meant to offer platforms and arenas which cultivate striving toward this intelligence. Transformation of our institutions can only occur when we critically and creatively embrace the fact that we are living under shared consequences. This line of

[106] Kadlec, "Critical Pragmatism and Deliberative Democracy," 70.

argument is consistent with the dynamic and relationship-centric values of conflict transformation, as it allows for harnessing 'conflict as a catalyst for change.' Human relationships are at the very core of the process. Without understanding that we are all tied to one another, we lack the capacity to use a manifestation of an underlying conflict to effect systems which are causing conflict in our communities. Social intelligence drives transformation, and deliberation is the means through which is does so. As explained above, some of the key ways in which it does so is structuring deliberation in ways that are open and free for engagement, especially by paying attention to power inequalities in order to give groups less privileged to traditional power structures more voice in framing issues to deliberate. Just as utilizing local resources is key to pragmatic deliberative processes, focusing on our communal reliance on one another is key to understanding what those processes are meant to accomplish.

Pragmatic deliberation extends the scope of deliberative processes, stresses dynamic processes, and focuses on building peaceful and just relationships of people, groups, and structures in society. Each of these reflects the ideals of conflict transformation, which should be seen as valuable to democratic theory. As mentioned at the beginning of this section, this is not the end of the discussion on using one theoretical model of deliberation over another. Indeed, it has been shown that it is hard to completely separate the two models as two rigid types. Referring to the two as liberal versus pragmatic deliberation is more of a practical tool to better talk about their differences. Liberal deliberation probably does not outright fail in adopting the values of conflict transformation. However, the arguments above should show that pragmatic deliberation

has stronger consistencies, which is reason to thrust pragmatic conceptions of deliberation into the dialogue of potential interdisciplinary efforts with conflict transformation.

CHAPTER V

CONCLUSION

At present, most discussion on the potential congruence and interdisciplinary possibilities between deliberative democracy and models of conflict resolution rely on two narrow definitions: liberal deliberative theory stemming from the work of Habermas and/or Rawls and Interest-based Dispute Resolution. This paper uses conflict transformation and pragmatic deliberative theory to offer broadened capabilities in comparing the two fields for similar values and goals. This addition to the literature has been done in a two-step process. First, conflict transformation is shown to be a model which deliberative democratic theory ought to value emulating. This is done with reference to how conflict transformation values a large scope in terms of time and space, dynamic processes which allow for continual changes in society, and focus on building more peaceful relationships between individuals, groups, and structures. Second, pragmatic deliberative theory is shown to adopt these three values better than the alternative liberal strand. Pragmatic deliberation, though, is not to be understood as a complete separation from liberal deliberation. This tool of using a supposed dichotomy is done with the intent of drawing out different features of a pragmatic conception of deliberative democracy. The actual case, as has been noted throughout the paper, is that the two overlap in practice with respect to values, models, and goals.

Explicitly articulating what pragmatic deliberation does differently than liberal deliberation – in this case congruence with conflict transformation – serves to bring this alternate framework into the dialogue. This is useful because, while the two may not be completely separate, pragmatic deliberation does add an alternative foundation for cross-collaborative possibilities can be achieved. Forcing these differences into the

conversation allows for more creativity for practitioners and theorists alike who try to mold democratic processes to cohere with conflict resolution models, as well as conflict resolution practitioners who aim to supplement or foster democratic societies. Additionally, this explicit focus on how pragmatic deliberation is a different conception than that of liberal deliberation broadens the scope of the dialogue searching for consistency and congruence between the fields. In the same way that bringing explicit attention to pragmatic deliberation broadens the scope, so too does the analysis of conflict transformation as a useful model for democratic theory.

To build on this argument of congruence between pragmatic deliberation and conflict transportation, I suggest potential research projects which focus on actual practices of each of these models. Presumably, a case study could be done on a practical implementation of deliberative democracy resembling a pragmatic framework, and analyzed for its ability to embrace the values of conflict transformation. In the same way, a practical implementation of conflict transformation could be analyzed to see how it adheres to similar processes, values, and goals as deliberative democracy. In addition to either of these possibilities, practitioners could take steps to proactively and explicitly design deliberative processes which embody conflict transformation's values. In doing so, the model used could serve as an experiment, or test, to find how the supposed, theoretical congruencies may manifest in the real world.

Additional future work resides in determining the place for liberal and pragmatic deliberative theories, as well as various conflict resolution models. For instance, one reading of this project could be that the pragmatic deliberation as similar in values to conflict transformation model may simply be useful in different places than the liberal

deliberation as similar in values to IBDR model. This assumption could be worked out and articulated more by comparing when and where these congruencies tend to show through in implementations of various types of deliberative approaches. As complete conjecture, it may be the case that it is more useful to use cross-collaborative potential between conflict transformation and a pragmatic understanding of deliberation in cases such as ethnic conflict or truth and reconciliation processes. In a similar way, it may be that it is most helpful to use cross-collaborative potential between IBDR and a liberal understanding of deliberation in cases such as determining a city budget or through public opinion polls. The dialogue is ongoing. This particular project hopes to add a new, creative take on the potential congruencies between two promising fields.

As mentioned in a footnote toward the beginning of this paper, additional democratic theories may be worth investigating in addition to the attention given to deliberative democracy. For reasons of space and purpose, this paper cannot tackle these issues in depth. However, it is worth briefly mentioning how alternative democratic theories could even further aid the potential for interdisciplinary work between democratic theories and conflict transformation. What this means, then, is that multiple democratic theories could implement one or multiple of the core values and goals which have been defined as integral to being congruent with conflict transformation. Pragmatic deliberative democracy does very well in this, yet that does not necessarily limit the ability for other theories to fail or do poorly.

Two options worth mentioning are the non-domination approach to democracy offered by Ian Shapiro, and agonistic theory generally. Shapiro's theory offers an approach which is sensitive to the injustice which can be produced through political

hierarchies, and argues for destabilization.[107] This seems similar to the dynamic value of conflict transformation due to the emphasis on decentering and continued uncertainty. Agonistic theory emphasizes how certain political conflicts are unavoidable, and as such should be valued and harnessed in as positive way as possible.[108] This calls to mind the dynamic value of conflict transformation, as well as its commitment to using conflict as a catalyst for change. The ability for other democratic ideas to be additionally consistent or congruent with conflict transformation should not be seen as weakening the arguments in this paper. Insofar as multiple democratic theories may be useful in interdisciplinary work, they will not be mutually exclusive or contradictory amongst themselves.

[107] Ian Shapiro, "On Non-Domination" *University of Toronto Law Journal* 62 (2012).

[108] For a recent work on agonistic theory, see: Mark Wenman, *Agonistic Democracy: Constituent Power in the Era of Globalisation* (Cambridge University Press, 2013).

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