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Larry Susskind began our productive meeting by suggesting four major differences of issues between the two fields of deliberative democracy and conflict resolution:

- The role of the third party neutral in deliberative or decisional settings;
- The role and selection of stakeholders or representatives in such processes (as contrasted to direct participation of all);
- The contrasting approaches to outcomes – working toward consensus (conflict resolution) as contrasted to majoritarian votes of individuals aggregated for some purpose (deliberative democracy).
- Implementability of outcomes (a more pragmatic, in the Deweyian sense, concern of conflict resolution theorists and practitioners than aspirational and utopian theorists of deliberative democracy).

We gathered to consider what the “communities” of conflict resolution and deliberative democracy could learn from each other and, as I said at the meeting, we could be categorized in a four-fold table as follows (with many individuals belonging to more than one cell):

	Deliberative Democracy	Conflict Resolution
Theory Builders		
Practitioners		

Our learning at the meeting produced some new insights for all of these cells and also illuminated how we might work productively together. In that spirit, I want to suggest here some of our commonalities, (then say a few words about some differences, not only between the two basic fields, but within each community), and suggest some questions or further avenues to pursue in future work, both as a group and for particular individuals to explore.

Our commonalities:

An assertion or empirical statement that current democratic institutions in the US (and perhaps world-wide) are gridlocked, outdated, and ineffective for both 1) good quality decision making (substance) and 2) the participation in the polity they grant citizens (process based objections).

A shared commitment to the Habermassian foundations of both our fields that “the acted upon should assent to the rules or decisions that are made about them,” preferably after full participation in reasoned deliberation, with the hearing of “others” and fair decision rules. Only such decisions or actions of governance will have true legitimacy.

Reasoned deliberation or participation should be “authentic” – not coerced and, as much as possible, allow everyone with a “stake” or concern about an issue to participate in “ideal speech conditions.”

New institutions and forms of deliberation and decision making are necessary to increase true democratic participation of the polity, especially now with great diversity (both

demographically speaking and in terms of substantive values and commitments) both domestically and internationally. Those institutional forms will likely have to be context-specific, what some have labeled “ad hococracy” in a non-pejorative manner.

The relationship of these new forms or expressions of deliberative democracy to existing governmental structures is complex and perhaps somewhat problematic, but we are also engaged in a time of great “constitutional experimentalism” (to quote Dorf and Sabel). Both CR and DD theorists and practitioners probably share some visions, or as I prefer to call them, “sensibilities” about where we would like to see the world go:  
A belief in consent and participation of the governed;

A hope that individuals can learn in particular settings (both with good information, joint fact-finding, and from truly listening to each other, what Dan Y calls “social learning”);  
A hope that with certain structural formats (deliberative polling, consensus building fora, mediation, reg-neg) people will learn from each other, change or alter their views, and make “better” decisions, that take account of self-interest but focus more on the common good.

A belief that multi-party, citizen participation, and group engagement is more likely to enhance the “fellow-feeling”, empathy and care for the common good, to improve decisions away from self-interested aggregations or compromises which do not exploit the best for the most, but seek lowest common denominator “acceptable,” but not preferable, solutions.

A suspicion that for full legitimacy and accountability, our work will be recursive, repetitive and contingent –complex social issues will require re-visiting and some open-endedness, even within the need for decisions.

*Given these commonalities of interests, here are some questions I take away from our meeting for further work, contemplation and practice experiments:*

What is “reasoned deliberation”? My own work currently focuses on creating process forms which allow the expression of reasoned argument, traded preferences and emotional, ethical and religious commitments –all as human discourses that exist within decisional and deliberative settings whenever people come together. How can these very different kinds of discourses meet? Must democratic deliberation always be based on “rational” deliberation? How do we take account of “non-rational,” or, as I prefer to say, “a-rational” feelings or commitments that people have, which we know greatly affects points of view, votes and decision-making? Does making all of this transparent help? Do deliberative democracy and conflict resolution work together only when there is a need of a decision (policy, vote, etc)? I think we were missing the voices of groups like Public Conversations and others who facilitate groupings seeking “mutual understanding,” as in the abortion context. Aspirations of deliberative democracy when tied to the “tools” and “techniques” of CR can be applied in non-decisional settings as well. Non decisional settings, in fact, may enhance participation and encourage new frameworks for thinking about contested matters, away from the need for decision in a particular matter.

Who participates? This is a big question. One of the really important questions that emerged from our meeting (for me) was David Kahane's challenge to the individualistic, but "representative" method of "random selection" of individuals for polls, voting, and other decisional mechanisms, as opposed to different selection devices (Kahane's group representatives, critical mass theory, stakeholder selection processes, Menkel-Meadow's "interested parties" rather than "stakeholders" (because of property law, conquest connotations), all with their own problems. Also, there is the Oscar Wilde (or Iris Young) problem – who has the time and resources (and some would say interest) in full participation in our democracies? Some want in and can't afford to play; others could care less as long as things are going reasonably well. When is a democracy truly participatory?

What are the effects of different process choices and decision rules on outcomes and perceived legitimacy? (This differs much in different contexts -- as Josh Cohen would say (along with all lawyers) ---"it depends".....) Deliberative democracy may look different to an organizing labor union, a faculty, a national political party, the EPA, and a regional planning body. The advantage of DD and CR working conceptually and practically together is exactly to point out that different settings may require different processes and different decision rules. Will there be foundational grand schemes? Who knows? That's why the theorists look for first principles in all of this and practitioners feed in ground-up observations and experiences. Archon Fung and I both seem to be into creating taxonomies of different process characteristics to help us specify conditions and characteristics of particular process choices in particular contexts.

Can we transcend current configurations of "identity politics" (in the US and now world-wide) to re-imagine a commitment to more "common good," "collective consciousness," or "interdependence" sensibilities? (Carol L. and my questions...)?

How can we get more people to see that integrative, joint gain, problem solving approaches to solving problems (even with scarce resources) may be more effective than conventional modes of competition, majority voting, existing institutions? (Mass social learning about process and the possibilities of different outcomes?)

What moves people to participate? To change their minds? To care about others and the fate of the earth?

Will our efforts be seen as Democratic (big D) – the program of a particular political persuasion, progressive liberalism or some such? Would we allow Republicans (and republicans) to design deliberative democracy fora? Are we representative of our own polities? Speaking of representativeness, we were pretty white –where is the diversity and representativeness in our own theorizing and practice?

What are our foundational points of evaluation? How will we know deliberative democracy and good conflict "handling" when we see it?

Inclusion

Participation  
Good information;  
Questioning and inquiry  
Mutual listening and understanding  
Fair decision rules  
Transparency  
Accountability  
Amendability  
Assent/ Consent/ Acceptability (how will we know?)  
Implementability

Is Deliberative Democracy just another phrase for “system design” in Conflict Resolution language? What processes best serve the needs of a society or polity to make good decisions that people participate in and adhere to?

Do deliberative democracy theorists and practitioners understand and use all of the theories and practices of CR? E.g., Negotiation is not necessarily all competitive; voting is not necessarily majoritarian...etc.

Do conflict resolution theorists and practitioners see the irony in suggesting that our process expertise can “help” democratic processes? Is leadership/guidance/expertise and third partyism anti-democratic? How do we elaborate a theory of “facilitated democracy?”

We have a full agenda of questions and further issues to explore.