

## From a Culture of Civility to Deliberative Reconciliation in Deeply Divided Societies

Post-print version of the following publication: | Versione post-print della seguente pubblicazione:

*Original Citation/Citazione:*

Gentile, Valentina. (2018). From a Culture of Civility to Deliberative Reconciliation in Deeply Divided Societies. JOURNAL OF SOCIAL PHILOSOPHY, (ISSN: 1467-9833), 49:2, 229-251. Doi: 10.1111/josp.12237.

*Availability/Disponibilità:*

This version is available at: [11385/180648](https://doi.org/10.1111/josp.12237) since: 2018-07-30T18:54:11Z - Questa versione è disponibile alla pagina: [11385/180648](https://doi.org/10.1111/josp.12237) dal: 2018-07-30T18:54:11Z

*Publisher/Casa editrice:*

Wiley

*Published version/Pubblicato:*

DOI: <https://dx.doi.org/10.1111/josp.12237>

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**Title of Manuscript:**

**From a Culture of Civility to Deliberative Reconciliation in Deeply Divided Societies**

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## **Acknowledgements**

Earlier drafts of this paper were presented at the UCL's School of Public Policy (London), University of St Andrews, University of Antwerp and VU Amsterdam. For their stimulating comments on earlier versions I am grateful to Tom Bailey, Neera Chandhoke, John Horton, Will Kymlicka, Willem Lemmens, Pietro Maffettone, Sebastiano Maffettone and Domenico Melidoro. Special thanks are owed to Albert Weale, Vittorio Bufacchi and Aakash Singh Rathore for their extensive comments and useful suggestions on several versions of this paper. Finally, I am thankful to two anonymous reviewers for their constructive criticisms and detailed comments on the last version of this article.

## Introduction

Nedžad Avdić was only seventeen when he was captured by Bosnian Serbs in the area around Srebrenica. His father and uncle were executed in front of him. He was severely wounded while roaming in the woods for weeks without food and water until he reached territory under Bosnian governmental control.<sup>1</sup> Illuminée Nganemariya was a young Tutsi bride at the time of the genocide in Rwanda. She was forced to watch her husband being killed by people who only one month earlier had celebrated the couple's wedding with them. Somehow she escaped and hid herself and her son for three months before leaving the country.<sup>2</sup>

In Bosnia and Rwanda, the wounds of the genocides have still not healed. Thousands of survivors like Nedžad and Illuminée are having to confront the challenge of reconstructing their public identity, split between their tragic human experience as victims and their political obligations as citizens – being required to cooperate precisely with those who are, in their eyes, responsible for the crimes perpetrated against them. Thus, two decades on, these societies remain as rigidly divided as ever. Is liberal democratic theory able to respond to such deep divisions? Is liberal democracy,<sup>3</sup> even, compatible with the reconciliation that in these societies is a priority?

This paper suggests that a liberal democratic project for deeply divided societies (hereafter DDS) – those having experienced episodes of ethnic or religious mass violence<sup>4</sup> – cannot be isolated from social and political reconciliation. In these societies, the memory of crimes such as genocides and ethnic cleansings undermines a sense of citizenship and frames a community structure divided between those implicated in wrongdoings and the group of victims (Schaap 2006; Philpott 2006, 2012). A political and social reconciliation is required to enable former enemies to view and treat each other as equals and to restore some cultural and social conditions that are necessary for securing liberal democratic institutions (Moellendorf 2007). Yet, how can liberal democracy support a reconciliation project that provides a 'stance for survivors, bystanders and future generations' (Minow 1998, 7)?

Deliberative theorists have provided a significant contribution to the idea of reconciliation as central to democratic theory in DDS. On this account, deliberative norms and procedures help to reframe contemporary institutional arrangements in DDS in a way that can enable dialogic engagement and the development of a common civic identity centred on democratic institutions (see especially Dryzek 2005, 2006; O’Flynn 2006; Luskin et al. 2014). Thus, a political reconciliation associated with a certain form of deliberative politics might adequately respond to the demand of justice and social unity emerging in DDS (Crocker 2002; Bashir 2008). Further, a form of deliberative reconciliation might be crucial to guarantee the legitimacy of newly established democratic institutions<sup>5</sup> (see on this also Dryzek 2005, 233).

Yet it is precisely in these societies, where for a long time political violence has been pursued at the expense of a politics centred on mutual understanding and trust, that deliberation is often chimerical (Muldoon 2008; Schaap 2006). Normative deliberative theory seems overly idealistic and provides scant resources to cope with these societies’ highly non-ideal circumstances. Schaap (2006, 256), for example, has argued that DDS provide a ‘hard case’ for contemporary theories of liberal democracy based on public reason. A principle of reconciliation should be rather associated with agonistic democracy and a radical engagement with pluralism and diversity (Schaap 2006, 256. On this see also Muldoon 2003, 194–96 and 2008). This approach aims to transform the antagonism emerging in DDS into forms of critical engagement among adversaries (Dryzek 2005, 221; Muldoon 2003, 196). Yet, it is difficult to see how some forms of reconciliation can be attained by reinforcing mutually hostile identities. Also, it is not clear how the agonistic model can bring about to collective decision making and resolution of social problems in DDS (on this see also Dryzek 2005, 222). Thus, although they are right that a strong consensus model, as presented by normative liberal theorists, might be problematic in DDS, how might we develop a conception of deliberation and public reason that fits the context of DDS while also providing guidance in circumstances of unmitigated pluralism?

This paper identifies certain cultural conditions – which I call a culture of civility – that are needed to inform a normative project of deliberative reconciliation for DDS. The key to such a project is to work with those elements of the background culture that disclose forms of civility widely shared at the level of civil society. Reconsidering the liberal notion of citizenship as linked to the giving of public (rather than private) reasons when deliberating about particular laws or policies, I show that a culture of civility provides a framework of shareable reasons that allows members of DDS to recognise each other on an equal standing in what I call circumstances of unmitigated pluralism. By this I refer to societies marked by disagreement not only about the good life, but also about justice – not social justice in its entirety, but a minimal account of just peace, in which the issue of reconciling former enemies must confront not only the content but also the application of principles of justice. Such a minimal sense of just peace is needed for the restoration of right relationships among individuals and a minimal sense of social cooperation.

In such circumstances, the institutional ideal of citizenship as presented in the (Rawlsian) liberal tradition is unattainable for the simple reason that members of DDS societies do not feel themselves to be citizens and do not recognise institutions as fair and just. Where a sense of citizenship is undermined, then, a culture of civility constitutes a first ground upon which society members can act politically and, by honouring an ideal of political reconciliation, show a commitment to a thin principle of reciprocity. At this level, the form of public justification that ought to characterise a normative model of political reconciliation takes a specific social form. I argue that by appealing to those (shared but not necessarily public) reasons that belong to the background culture and inform a culture of civility, a constructive dialogue and a thin sense of social and political cooperation can emerge.<sup>6</sup> This has the dual result of legitimising the transitional process and assisting the restoration of right relationships in DDS.

In what follows, I first introduce the problem of moral stability in circumstances of unmitigated pluralism. In Section 1 I suggest that some cultural conditions are necessary to enable both citizens and political elites to endorse a liberal democratic project over time. Section 2 presents

the idea of a culture of civility, which is shown to be a key factor in enabling deliberation in circumstances of unmitigated pluralism, such as in DDS and engages with Rawls's institutional deliberative scheme. Section 3 focuses on the ideal of political reconciliation and explains why this principle should be part of a liberal democratic project for DDS. Sections 4 and 5 present a distinctive form of deliberation based on the idea of a culture of civility as a way of responding to the special demand of reconciliation in DDS. Finally, Section 6 discusses a culture of civility and deliberative reconciliation in the light of two distinct but related problems: the challenge of the so-called bad civil society, and the institutional problem.

### **1. Liberal Democracy, Moral Stability and Circumstances of Unmitigated Pluralism**

DDS pose a unique challenge to liberal democratic theory and, especially, to the idea of the normative stability of democratic institutions. In these societies, ethnic, religious or linguistic fractures, often associated with forms of civil violence, seriously threaten the very existence of the state. Deep divisions along ethnic or religious lines and the memory of past atrocities produce what I call circumstances of unmitigated pluralism: people do not recognise themselves as members of a shared political community, while identity politics is pursued, often in violent forms, at the expense of liberal democratic projects (Dryzek 2005, 218–19).

In response, a wide literature engaging with institutional answers to ethnic divisions and instability in post-conflict societies has emerged. This body of work primarily looks at power-sharing arrangements as a way of ensuring a certain degree of group autonomy compatible with higher levels of political stability (O'Leary 2005; Horowitz 2001). Among the most persistent advocates of power-sharing arrangements are John McGarry and Brendan O'Leary, who locate their analysis within Arend Lijphart's extensive work on consociationalism (McGarry and O'Leary 2006a, 2006b).<sup>7</sup> Lijphart (1969, 1977, 2004) famously identified four conditions for democracy in DDS: government by a grand coalition of segmental elites; a mutual veto; a principle of

proportionality; and segmental autonomy. A consociational system so modelled would promote forms of pluralism that combine elites' representation with political stability.

Yet, this view, envisaging a kind of ceasefire agreement among self-containing units while ignoring other factors that can bring societies to accept and endorse a liberal democratic project over time, might not be enough to move toward a stable democracy (on this point see also Barry 1975, 492; Luskin et al. 2014). Famously, Barry argued that the strict form of elites' representation, as suggested by power-sharing models, might accentuate segmentation and division, especially when divisions are ethnic in nature. In circumstances where what is at issue with a country is not how it should be run but whether it should exist as a country at all, power-sharing arrangements might endanger democratic stability (Barry 1975, 503). This is problematic for normative liberal theory in a specific way. Insofar as consociational theory is primarily concerned with accommodating forms of unmitigated pluralism that emerge in divided societies, it provides a solution based on an agreement without consensus between competing political elites. This form of *modus vivendi* – to put it in Rawls's terms – is unlikely to remain stable in that it is difficult to see how citizens and political elites will have 'right' reasons to support these democratic arrangements over time.

The tension between pluralism and stability is central to liberal democratic theory. In *Political Liberalism*, Rawls provides perhaps the most sophisticated institutional answer to the form of pluralism that characterises contemporary democracies. In Rawls's view, institutions and, especially, the constitution of a democratic society provide the proper framework of reasons for reaching an 'overlapping consensus' and, thus, supporting liberal democratic arrangements over time. In this way, he argues, a 'stability for the right reasons' is realised (Rawls 1996, xxxix).

Yet, although institutions play an important role in providing a shared framework of reasons necessary to reaching an 'overlapping consensus', other factors and cultural conditions are also important in enabling commitment to a liberal-democratic project – and particularly so in such circumstances of unmitigated pluralism as emerge in DDS. This is an idea implicit in most

democratic theory.<sup>8</sup> Lijphart has stressed that the willingness of elites to cooperate with other groups is important for consociational democracies, and thus seemed to move beyond an idea of stability understood as a *modus vivendi*. He even argued that elites should ‘feel at least some commitment to the maintenance of the unity of the country as well as a commitment to democratic practices’ (1977, 53). From a different perspective, Rawls makes the interesting point that one reason for the fall of Weimar’s constitutional regime was that political elites were not willing to cooperate in supporting liberal democratic institutions (1996, lix). Thus, although the institutional conditions for democracy were present, the political will of Germany’s elites and citizens was lacking. For Rawls, the existence of such a political will depends on several factors, especially ‘society’s political culture and traditions, its religious and ethnic composition, and much else’ (Rawls 2001, 101). So, whereas the emergence of an overarching public political culture plays a crucial role in Rawls’s constitutional model (Rawls 1996, 13), what are the conditions that enable citizens and political elites to recognise and share those fundamental political values? How do we move from a mere ‘modus vivendi’ to an ‘overlapping consensus’?

These conditions are implicit in what I call a culture of civility. In circumstances of unmitigated pluralism, a culture of civility provides a set of shareable (but not necessarily public) reasons that informs a consensus among members of DDS and helps to secure the stability of liberal democracy. A culture of civility is that part of the ‘background culture’ that, with its moral and religious doctrines, informs the subsequent public political culture of a democratic society. It is neither an agreement without consensus, as suggested by the consociational approach, nor a full ‘overlapping consensus’. It takes the form of a deliberative consensus that takes place primarily in the sphere of civil society. It is therefore distinguished from the moral ‘duty of civility’ that Rawls links to the institutional ideal of citizenship (Rawls 1996, 217). A culture of civility should not be understood as deriving from liberal institutions; rather, it informs subsequent institutional settlements by drawing upon factors in the social context, such as inter-group dialogue and cooperative behaviour, rooted in common historical traditions as well as shared experiences of respectful relations.

## 2. The Idea of a Culture of Civility

A culture of civility,<sup>9</sup> rather than a general notion of civility, is here proposed as a framework of *prima facie* shareable, but not necessarily public, reasons that could enable some forms of deliberation within DDS.

Take as an example Italian society in the aftermath of the Second World War. It was strongly divided across religious and political lines, yet condemnation of the Fascist regime, which emerged especially during the Resistance, helped to restore a climate of cooperation among former enemies, especially between Catholic and Communist groups. The debates between the three major Italian political elites – Catholics, Communists and Liberals – within the Constituent Assembly in 1947 concerning the fundamental principles that should be promoted by the new Constitution were deeply embedded in a shared appeal to the restoration of a sense of civility based on the overall condemnation of totalitarian rule. The Italian constitutional path was still largely perceived as a compromise among the contrasting political forces, some of them deeply anti-liberal. Nonetheless, the Constituent Assembly's deliberative process over the fundamental principles of the new constitution forced its members (Padri Costituzionali) to provide mutually acceptable reasons to each other envisaging a form of (not-yet-institutional) consensus on the condemnation of totalitarian rule and the spirit of Resistance.<sup>10</sup> This common sentiment, forming a culture of civility, enabled Italian political elites to promote and support a liberal-democratic constitutional order that was clearly aimed at protecting basic freedoms and rights from future Fascist or totalitarian attempted usurpations (Adams and Barile 1957, 250).

To interpret this example and explain what I mean by shareable, but not necessarily public, reasons and their importance for enabling deliberation in DDS, I shall draw upon Rawls's distinction between the 'public political culture' of a democratic society and the 'background culture' of civil society (Rawls 1996, 220–1). For Rawls, the form of public reasoning that belongs to the overarching public political culture of a well-ordered society is firmly grounded on an

‘overlapping consensus’ and constitutes the justificatory basis for the stability of the liberal conception of political authority and the related notion of citizenship. This should be distinguished from the several non-public reasons that belong to the different associations of civil society, which include churches and universities, scientific societies and professional groups. This way of reasoning is still public, or social, with respect to the associations’ members, but it is non-public with respect to such a liberal ideal of citizenship (Rawls 1996, 221).

Yet, what happens when the normative ideal of citizenship is still far to be realised, as in DDS? It is my contention that the associational kind of reasoning experienced at the level of civil society can help to support a *thin* sense of reciprocity. Whereas Rawls insists on what we might call an institutional consensus view, this paper envisages a more contextual consensus which, it argues, is necessary to support stability ‘for the right reasons’ even in highly non-ideal conditions such those that characterise DDS. In both views, a consensus serves to provide a framework of shared reasons that secure a principle of reciprocity: however, while Rawls’s institutional version presents a thick principle of reciprocity, the contextual view supports a thin principle of reciprocity – cooperation or friendly relations among people and political elites.

Such a contextual consensus view is especially important precisely in DDS. In the case of post-war Italy, what I have called ‘spirit of the Resistance’ importantly inspired and directed the work of the Constituent Assembly. At a time when Italian society was still deeply segmented, this giving of reasons, albeit non-public, in terms that were widely shared within society, was especially important in ensuring the legitimacy of the work of the Assembly and for encouraging the cooperation of political elites in support of democratic institutions. A culture of civility is therefore located *between* the persistent pluralism of the ‘background culture’ and the reasonable pluralism of the public political culture of a democratic society. It includes both in a specific way: it is rooted in the historical and the contextual, yet it introduces and anticipates some shared political values, such as the condemnation of Fascist regimes or respect for human dignity, that will shape the subsequent liberal conception of political authority.

Here, the notion of civility should not be confused with the idea of *decency* or decent society. Both Rawls (1999) and Margalit (1996) have provided two interesting versions of decency. Margalit defines a ‘decent society’ as one whose institutions do not humiliate any of its members – which do not give anybody a ‘sound reason’ to believe that their self-respect has been injured (1996, 10). Interestingly, for Margalit the pursuit of decency must take priority over the pursuit of social justice, and notions such as respect, self-respect, human dignity and self-esteem should be secured if the aim is to achieve full justice within society. Rawls instead proposes an account of institutional decency aimed at including non-liberal, non-democratic constitutional republics (which he calls ‘decent hierarchical societies’) in the society of peoples. Rawls does not provide a clear definition of decency, but suggests that it might be understood as a kind of weak reasonability (1999, 67; Beitz 2000, 686). Rawls’s notion of ‘decent peoples’, however, has important implications for the idea of international toleration, for the kind of pluralism that characterises the international society will inevitably be reflected in a diversity of political forms, some of which may be non-liberal democracies but still satisfy the conditions that justify their recognition as ‘equal participating members in good standing of the Society of Peoples’ (Rawls 1999, 59).

Thus, if the idea of decency as presented by Margalit is a precondition for both liberal and non-liberal societies, for Rawls (1999) the idea of decency serves to extend the notion of political toleration beyond liberal political institutions.<sup>11</sup> These two notions, however, share a similar kind of weakness. In both cases, emphasis is placed on an institutional account of ‘decency’, while only scant attention is paid to members of a decent society. Margalit draws an important distinction between a ‘decent society’, whose institutions are non-humiliating, and a ‘civilized society’, where people do not humiliate each other (1996, 1–2). Thus, the fact that a society is decent does not directly imply that its members treat each other with respect (164; see also on this point Landesman 1997: 730). Rawls argues that members of a ‘decent hierarchical society’ are ‘not regarded as free and equal citizens’ (1999, 71). Rather, they are seen as capable of adjusting their moral duties according to the common good idea of justice embodied by their decent institutions (1999, 71).

These two versions of decency raise the same problem, albeit for different reasons. Both disconnect an alleged institutional decency from the important issue of how members of a decent society should treat each other.

The culture of civility outlined in this paper is precisely intended to shift the focus from the institutional level to individuals' relationships. Restoring the 'right' relationships requires members of DDS to be able to recognise each other as worthy of equal respect by securing a *thin* principle of reciprocity. The idea of a culture of civility helps us to reconsider concepts such as reciprocity and moral stability in DDS by introducing a new proviso. Whereas in Rawls's institutional scheme, non-public reasons can be introduced in public deliberation processes as long as supporting (public) reasons that reflect citizens' shared conception of political authority are provided 'in due course' (Rawls 1996: 1), in this scheme non-public reasons can be introduced at any moment in public deliberation as long as they are recognised as part of a shared culture of civility. Thus, whereas Rawls's proviso is aimed at accommodating non-public reason as far as their inclusion serves to support the institutional consensus, the new proviso aims at strengthening social ties and fostering thin forms of cooperation in circumstances of unmitigated pluralism, so that it envisages a consensus on a specific tradition of civility that will inform subsequent institutional settlements.

### **3. The Culture of Civility and the Ideal of Political Reconciliation in DDS**

This paper suggests that some shared values that belong to a culture of civility might crucially inform and shape the ideal of political reconciliation and support the process of democratic transition in DDS. It is important to clarify why the idea of culture of civility requires a commitment to political reconciliation to work. One thing is to say that in DDS a sort of pre-institutional social ethos, that is a culture of civility, might emerge; yet, another is to argue that such an ethos should be committed to some form of social and political reconciliation.<sup>12</sup> Two separate arguments can be employed to criticize such a commitment to reconciliation. First, one could say that in most DDS the priority is not to reconcile but to stop killing each other, let call this 'mere

coexistence view'. In several DDS, to stop the vicious cycle of violence and killing is certainly a priority. Yet, I suggest that we should move beyond an idea of mere coexistence – understood as a 'modus vivendi' – to make a peace process stable for the 'right' reasons in the long term. To do so, we should appeal to a principled form of coexistence: one which is based on the mutual recognition of political equality that I link to an 'ideal of political reconciliation'.

However, one could still argue that the priority of reconciling divided societies is in fact in contrast with other important liberal priorities, like creating accountable institutions and restoring the rule of law. Reconciliation projects, in this perspective, could have the pernicious effects of silencing historical injustices and dismissing other important imperatives, such as the just retribution for the victims. This kind of criticism, generally, presupposes a crucial incompatibility between some central tenets of liberalism and the very idea of reconciliation. Liberalism entails a strong commitment to an impartial idea of justice and is committed to public justification, let call this 'liberal justification view': these features might be at risk when reconciliation comes into play. Yet, liberalism presupposes some principled form of social unity, a consensus view, which is in fact absent in DDS. In this paper, I defend a thin and a contextual version of consensus that is compatible with what I called the 'circumstances of unmitigated pluralism' that characterise DDS. Thus, the emergence of a contextual social ethos, that I call culture of civility, is connected to the possibility of supporting a widely accepted form of justification which honours an 'ideal of political reconciliation'. Such a justificatory structure is meant to reproduce in highly non-ideal circumstances - such those emerging in several DDS - the conditions for ensuring the form of reciprocity and political equality required to restore a thin sense of social cooperation. The 'ideal of political reconciliation' is therefore understood here as a condition to appeal to a thin form of deliberation. This section provides an explanation of the meaning and difficulties of such an ideal of political reconciliation. In particular, I focus on what to many is a fundamental difficulty with the notion of reconciliation: its alleged incompatibility with liberalism. I will therefore explain how the idea of culture of civility is compatible with an 'ideal of political reconciliation' that helps to

negotiate the problem of reconciling divided societies as part of a liberal democratic project for DDS.

The notion of reconciliation has inspired a vast body of political and legal literature focused on the means of including victims and perpetrators in the restoration of social unity in the aftermath of massive human rights violations. Recalling Martha Minow, the very idea of reconciliation asks ‘whether it is possible to find a stance between vengeance and forgiveness, a stance for survivors, bystanders, and the next generations’ (Minow 1998, 7). Reconciliation has therefore both a moral and political value. From the moral point of view, it is aimed at repairing the human dignity of former victims through the public acknowledgement of past atrocities. But it also serves a key political function: the public recognition of the legacy of past abuses represents the fundamental moral ground on which other transitional goals, including new institutional arrangements and appropriate measures of reparatory justice, can be built (see also Crocker 2000, 101).

Most importantly, reconciliation specifies the terms of a problem of democratic legitimacy that arises in DDS. For Schaap, reconciliation concerns precisely ‘the relation between constituted and constituting powers or how a demos comes to appear on the political scene’ (2006, 256). Critical disagreements about the past generate a serious legitimacy problem for newly emerged liberal institutions in DDS (see Muldoon 2003, 185). A shared sense of political community is absent because of the legacy of past atrocities, often linked to practices of ethnic cleansing and religious or ethnic sectarianism. Although the divisions in these societies are often ethno-religious in nature, it is not the case that the antagonistic groups of oppressors and victims are in that way distinct: only in a few DDS do the victims belong to a specific ethno-religious group, and offenders often belong to different ethno-religious groups. Thus, the focus on victims and offenders has a twofold function. It has a fundamental moral objective, since it gives transitional processes a moral content based on the overall condemnation of past atrocities and the recognition of the human dignity of all victims. It also plays an important political role, insofar as it fosters new forms of solidarity based on the shared experiences of the victims and it delegitimises ethno-politics. It

therefore performs a backwards- and forwards-looking function: by focusing on the past, reconciliation helps to establish the basis for the future of democracy.<sup>13</sup>

If the focus on victims might convincingly help to overcome the rhetoric based on identity politics, one might object that it is still problematic to insist on a new form of antagonism, between victims and offenders, in DDS. In this sense, one could argue that such a distinction is not recognisable in several DDS where, very often, those who are recognised as offenders are themselves victims.<sup>14</sup> A clear distinction between victims and perpetrators is not only difficult to be drawn in practice, but it has also the negative effect of reinforcing the divisions of these societies. Yet, it is crucial to clarify that the idea of reconciliation is not meant to recast a new division in societies that are already profoundly divided. Rather, it is aimed at emphasising the similarity of the experiences - sometimes of being both victims and perpetrators - of members of DDS, independently on their sense of belonging to one specific group.<sup>15</sup>

If reconciliation is required to improve the legitimacy of democratic institutions in DDS, however, does reconciliation itself satisfy a principle of liberal legitimacy (Philpott 2006, 19 and 2012, 17)? It is important to ascertain whether a certain ideal of political reconciliation and a liberal democratic project for DDS might actually be mutually supportive. The alleged link between political reconciliation and liberal democracy has only rarely been addressed in literature (though with some exceptions: see Philpott 2006, 2012; Bashir 2012; Moellendorf 2007; Crocker 2002). For several scholars, however, the very idea of reconciliation is at odds with the priority of justice supported by liberal democracy.

Philpott (2006, 26–35) identifies four rationales for liberals' wariness of reconciliation as a political project. First, there is the problem of how to combine the idea of reconciliation with the priority of condemning offenders, in that reconciliation might curtail the liberal ideal of deserved punishment and endanger retributive justice (see, for example, Gutmann and Thompson 2000, 26). Second, reconciliation overlooks the liberal distinction between public and private insofar as it involves an appeal to moral values, such as forgiveness or spiritual harmony, which fall outside the

domain of politics (Philpott 2006, 28). Gutmann and Thompson argue that reconciliation entails a ‘comprehensive’ account of restorative justice that seeks to overcome the moral conflict while silencing other views (2000, 32–3); accordingly, reconciliation is an illiberal doctrine as it asks government to interfere in matters that belong to the private sphere of individuals’ morality. Third is what Philpott calls ‘the argument of public reason’ (2006, 30). The idea of public reason is part of Rawls’s constitutional design in that it imposes the limits to public deliberation over fundamental constitutional issues in a plural democracy (Rawls 1996, 1997). It asks citizens and legislators, when deliberating constitutional essentials and matters of basic justice, to articulate their reasoning by appealing to ‘a conception that expresses political values that others as free and equal also might reasonably be expected reasonably to endorse’ (1996, 1). Non-public reasons, those that belong to the realm of the moral and religious doctrines, are therefore excluded from such a justificatory scheme. Yet, religions as well as rituals and cultural traditions are central to the justification of reconciliation processes: for instance, Archbishop Desmond Tutu employed a strictly theological justification for reconciliation in South Africa. Although for many observers much of the TRC’s success was due to its religious character (on this see Philpott 2006, 32), it is difficult to understand how a strictly religious justification of reconciliation is compatible with such a public justificatory scheme; and also how a theological justification for reconciliation might be endorsed without undermining the democratic stability of the new regime – which is the fourth objection to reconciliation. If reconciliation processes are not regarded as fair and inclusive by citizens, this might negatively impact upon the legitimacy of the new regimes (Philpott 2006, 34).

Given these objections, should we abandon the idea of making a liberal case for reconciliation? Philpott (2006, 2012), for example, suggests that a solution to this might be found outside liberalism and should depart precisely from those religious and metaphysical comprehensive doctrines that liberalism normally excludes from the realm of public justification (2006, 41). In contrast, it is this paper’s contention that it is in fact still possible to find within liberalism the resources for supporting a political reconciliation for DDS. Nevertheless,

reconciliation needs to be embedded in a wider political and normative project to effectively support the pursuit of social and political justice. This process must be political insofar as it is aimed at securing the political value of democratic equality in DDS. But the process is also normative, since political reconciliation should provide the basis for the restoration of a certain degree of social cooperation and, therefore, secure the overall commitment to democratic institutions.

As a normative political project, reconciliation must incorporate moral criteria of justification that characterise social stability precisely in those conditions of unmitigated pluralism in DDS. The pursuit of normative stability distinguishes a political normative project of reconciliation from a mere compromise or *modus vivendi*. This is possible if we assume that an ideal of political reconciliation presupposes the feasibility of a kind of stability for ‘right reasons’ in DDS. Yet, liberal theory, and the way it characterises moral stability through reasonable pluralism and overlapping consensus, cannot work in the very non-ideal context of DDS. When we move towards circumstances of unmitigated pluralism characterised by competing sectarian views and memories of past wrongdoings, the pluralist premises of the theory should be reinterpreted in a way that means a principle of political and social equality can be pursued at different levels and channels of the democratic life.

In these cases, a normative project of political reconciliation for DDS must work with some aspects of the ‘background culture’ of civil society, which I call the culture of civility. The idea of a culture of civility and the possibility of the inclusion of non-public (religious) reasons in public deliberation help to reconnect a liberal democratic project with such an ideal of political reconciliation. Shared political values, coming from a culture of civility, crucially inform and shape the ideal of political reconciliation and assist with the restoration of the right relationships among members of DDS, as a first step towards full democracy.

In the following sections, I shall consider the ideal of political reconciliation in the light of an influential democratic answer to deep pluralism: deliberative democracy. As I show, although

democratic deliberation, and especially the version provided by Gutmann and Thompson (1996), seems to address some of the problems emerging in DDS (see for example Dryzek 2005; O'Flynn 2006; Luskin et al. 2014), it hardly passes the test of the circumstances of unmitigated pluralism.

## **5. Locating Deliberation in DDS**

This paper draws on a specific version of deliberative democratic theory provided by Amy Gutmann and Dennis Thompson (1996). This model, which is deeply influenced by Rawls's idea of public reason, seems to be particularly promising if our aim is to strengthen citizens' allegiance to liberal democracy in circumstances of unmitigated pluralism. For Gutmann and Thompson the inclusion of moral reasons in democratic decision-making processes should transcend Rawls's constitutional model so to be applied to everyday politics (Gutmann and Thompson 1996, 40). Thus, by refusing the very idea of overlapping consensus, this model characterises normative stability by stressing citizens' capacity 'to seek fair terms of social cooperation' even in conditions of deep moral disagreement.

The principle of reciprocity turns out to be a major constraint on the deliberative process. Citizens as well as officials must give reasons that others can reasonably accept and understand. In this sense, the outcome of the deliberative process being the persistence of moral disagreement does not affect citizens' will to 'seek fair terms of cooperation for their own sake' (Gutmann and Thompson 1996, 53). This principle of reciprocity characterises the deliberative agreement,<sup>16</sup> which is legitimate because it includes previously excluded voices and gives them mutually acceptable reasons. This process is meant to ensure that, even in cases of deep moral disagreement, deliberation helps citizens to better understand the depth and seriousness of the reasons of other fellow citizens.

This model is consistent with the ideal of political reconciliation due to its focus on retaining moral disagreement within democratic processes. The emphasis on 'voices' can be particularly relevant in the sense of investing transitional processes with legitimacy. The inclusion of both

victims and offenders in public forums is helpful in that it is likely to emphasise the similarity of experiences and the shared political goals of all individuals independent of their ethnic or religious identity. As shown by Dryzek, a dramatic story of rape or torture in a Bosnian village can be told either in terms of the guilty action of a specific ethnic group, or from the victims' perspective 'in terms of violation of basic principles which apply to all ethnicities, making reconciliation at least conceivable' (2005, 224). In addition, engagement in public discussion offers participants a political opportunity to act as citizens, thus delegitimising ethno-political divisions.

However, applying this model to the special case of DDS might be highly problematic. According to some critics, the idea of public reasoning involves a particular tradition or language that is possible only when members of societies share a 'common form of life' (Schaap 2006, 262), and it cannot capture the form of pluralism which characterises divided societies (see on this also Muldoon 2003 and 2008). Deliberation in DDS is in fact hard for at least two reasons. First is the issue of institutional stability. Democratic deliberation needs a proper institutional background to become effective,<sup>17</sup> yet, in DDS it is the overall acceptance and recognition of these institutions which is under question. Second is the issue of the deliberative processes related to that institutional stability. By emphasising a robust principle of reciprocity constrained by both moral and empirical requirements, deliberative scholars reproduce de facto a situation of pluralism that is reasonable.<sup>18</sup> Moral disagreement based on different moral or religious doctrines does not undermine democratic stability, and those who affirm unreasonable doctrines, such as fundamentalists, are not able to delegitimise the shared conception of political authority (Gutmann and Thompson 1996, 40). The DDS's fundamentalisms and unreasonable doctrines pose serious challenges to this procedure and the surrounding institutions. Thus, how can a deliberative model of reconciliation be located in DDS?

In DDS, newly emerged institutional settlements are the product of hard negotiations. Citizens are generally excluded from these processes and it is not possible to identify a robust political public culture. Nevertheless, members of DDS can express themselves via different

channels. The various associational mechanisms and modalities that constitute civil society provide them with several (sometimes informal) forums through which they can articulate discourses and formulate judgements. It is at this level, then, that a kind of consensus over a culture of civility might take form.

A culture of civility represents a kind of not-yet-institutional foundation that secures an emerging normative consensus on a specific form of civility and enables individuals to act politically as citizens, by articulating arguments and judgements acceptable by others. It is in this sense that it represents a condition for a thin form of deliberative reconciliation in DDS. This culture is not only concerned with political principles, but also with historical traditions and non-public reasons: it can include both. It can range from a thin procedural civility, such as making agreements in good faith and refusing violence in public spaces, to thick forms of civility in which common substantive norms are accepted, such as respect for differences, toleration, condemnation of totalitarian rule, and so on.

In the previous sections, I have argued that political reconciliation, as a normative project, must incorporate some criteria of public justification that characterise social stability in circumstances of unmitigated pluralism. The pursuit of social and moral stability distinguishes a normative political project of reconciliation from a mere *modus vivendi*. Yet, deliberative theory and its appeal to a robust principle of reciprocity is problematic for DDS. In these cases, a normative project of deliberative reconciliation for DDS must work with those aspects of the ‘background culture’ of civil society, which I have called the culture of civility.

### **5. Engaging People in Deliberative Reconciliation**

One attempt to defend a form of deliberative reconciliation has been made by Gutmann and Thompson (2000) in an essay on the South African Truth and Reconciliation Commission. According to the authors, a thin principle of reciprocity should be the fundamental value on which both truth commissions and democratic politics in South Africa are founded. This form of

deliberation should be based on a principle of the ‘economy of moral disagreement’ which asks all citizens, even those who are not committed to liberal democracy, ‘to justify their political positions by seeking a rationale that minimises the positions they oppose’ (38). This principle of reciprocity is legitimate because it aims at including not only those ‘committed to democracy’, but also those who do not recognise democratic rules and those who are responsible for past abuses. The idea of reciprocity presupposes that all citizens ‘should be able to agree that apartheid was wrong’ (37) since it requires the overall acceptance of the moral principle that all citizens are free and equal.

Some might argue that this principle of reciprocity, based on the assumption that all citizens are free and equal, is unlikely to apply to DDS. This, for example, is what Muldoon suggests when he states that, ‘in suggesting that all South African citizens should be able to accept the wrongfulness of apartheid, Gutmann and Thompson presuppose precisely what is lacking in divided societies: a common moral horizon’ (2008, 125–6. On this critique see also Schaap 2003, 78). The idea of a culture of civility can be useful here in understanding how a *thin* form of reciprocity might emerge in DDS. It is reasonable to think that a form of reciprocity, based on the overall condemnation of the apartheid regime, was in fact implicit in the *ubuntu* doctrine presented by Archbishop Tutu:

in the spirit of *ubuntu*, the central concern is the healing of breaches, the redressing of imbalances, the restoration of broken relationships, a seeking to rehabilitate both the victim and the perpetrator, who should be given the opportunity to be reintegrated into the community that he has injured by his offense. (Tutu 2000, 54–5)

The intention behind Tutu’s appeal to the *ubuntu* doctrine is to foster a common moral horizon based on values such as social harmony and friendly relationships. It is entirely based on non-public religious reasons. Tutu sought to present it as a typical African form of communal solidarity that could combine an appeal to self-interest with broader social goals for the South African community (Crocker 2002, 527). The significant results of the South African Truth and Reconciliation Commission and the high rate of involvement of both victims and offenders in the process of

reconciliation are all factors likely to confirm the social significance of *ubuntu* for South African citizens. Cultural - especially the *ubuntu* tradition - and religious features were extremely significant to support the reconciliation process in South Africa. As Appleby (2000) has noticed, it is in the light of these features that we can explain South Africans' "extraordinary willingness to confront the past in an effort to bring about reconciliation" (2000, 199). Citizens, who have been engaged in reconciliation processes, have been shown to be willing to endorse the *ubuntu* doctrine as a basis for the recognition of a *thin* shared principle of reciprocity.<sup>19</sup>

Today, associations of victims or victims' relatives populate the associational arena of DDS (particularly Bosnia, Kosovo and Rwanda). In many cases, the countries' lack of a robust public sphere and structured channels of deliberative engagement where these actors can share their stories and articulate judgments on past experiences leads them to see nationalist parties as reliable partners. Nationalist leaders take advantage of this situation: they gain the chance to use these associations for their own purposes to pursue sectarian ends and manipulate public opinion. The involvement of these actors in deliberative processes would offer them a substitute for ethno-politics. Their engagement could help them to find reciprocal terms of cooperation with people belonging to other ethnic groups.

An interesting example in Bosnia and Herzegovina is provided by the forums organised by the International Commission on Missing Persons.<sup>20</sup> This organisation, established with the aim of supporting activities related to the research and identification of those who disappeared during the conflict in the former Yugoslavia, has strongly supported the participation of victims and victims' relatives belonging to the three ethnic groups in forums of inter-ethnic confrontation. They include open conferences, inter-ethnic memorial workshops and focus groups on reconciliation (Delpla 2007, 223). The process of reconciliation in Bosnia and Herzegovina is far from being fully achieved, and the major form of antagonism within Bosnian society is still articulated in ethno-religious terms. Yet, in these forums, victims of the three groups appear to be accepting of a *thin* principle of reciprocity based on reaffirming the dignity of all victims and on the restoration of a

common moral ground by publicly condemning all war criminals independent on their ethno-religious affiliation (Delpla 2007, 224).<sup>21</sup>

## **6. Bad Civil Society and the Institutional Problem: A Defence of ‘Culture of Civility’**

Civil society structures and associations make up a variegated world of different actors and organisations. It includes those segmented groups whose membership is strictly ascribed, such as ethnic or religious groups, and more fluid voluntary associations organised around different values or interests, such as environmental associations or workers’ groups. Civil society is thus as polarised and ambivalent as political society, which is evident in the aftermath of traumatic experiences such as genocide, ethnic segregation and mass violence, when frustrated identities and memories of past violence come into play.

Several scholars have warned that to focus on civil society as a means of reconciliation is risky, since it might include actors who play a key role in perpetuating ethnic polarization and violence – what has been called ‘bad civil society’ (Belloni 2008; Chambers and Kopstein 2001). Thus, if the inclusion of civil society in the transitional process improves its legitimacy, it ‘may come at the cost of efficiency by increasing the number of actors involved and thus making the decision-making process more burdensome’ (Belloni 2008, 183).

Yet, as Dryzek rightly points out, ‘calling the state to the rescue of bad civil society is problematic if the state itself is the instrument of one group in a divided society, or if it is engaged in a homogenization project to bolster its own support’ (2005, 231–2). In addition, if civil society is as polarised as political society, it is crucial to find grounds for political reconciliation here in order to encourage the allegiance of political elites to democratic institutions. The example of the victims’ associations in Bosnia shows how it is possible to move from a segmented civil society to a more fluid conception. Although these associations were originally strictly defined in sectarian terms, and the narratives of victimhood have been very divisive so far, they actively cooperated with national and international institutions – including the International Commission for Missing Persons – on

national campaigns promoting inter-ethnic collaboration, such as giving victims proper burials and thus restoring their dignity. The inclusion of victims in deliberative forums has therefore offered them a political opportunity to act as citizens recognising each other on an equal standing by honouring the ideal of political reconciliation. Implicit in this is a notion of justice that focuses on the past to overcome resentment and vengeance and build a new possibility for the future (Delpla 2007, 218; Minow 1998, 119).

In addition, although deep religious and ethnic divisions often characterise these societies, it would be misleading to believe that cultural or religious segmentation represents an obstacle *per se* to peace, democracy and stability. The alleged incendiary effect of religion on politics is an idea not only widely criticised by proponents of various versions of contemporary liberal theory (e.g. McGraw 2010; Eberle 2002; Weithman 2002) but which is also not sufficiently supported by empirical evidence. In most DDS, some economic factors, such as low per capita income, slow economic growth, significant exports of natural resources and political interests are at the root of the conflicts (see e.g. Collier 2007; Fearon 2005). These features shape the conflicts' bases, while identity-based arguments can be seen as an instrument of consent. If this is true, a culture of civility is important in breaking the vicious circle of ethnic and religious violence, and can contribute towards putting the moral basis for the creation of new forms of citizenship by challenging the culture of impunity and reaffirming the dignity of all human beings.

A further clarification must be provided regarding the institutional problem. Walzer has rightly argued that civil society 'requires political agency' (2003, 79): the state, with its legal normative framework, balances particularism and pluralism, encourages associationism and protects individuals' rights and freedoms. In contrast to the civil society's form of persistent pluralism, liberal institutions unify the political community under a framework of reasonableness. In this sense, liberal institutions provide the legal conditions for a plural and inclusive civil society. Yet, a culture of civility is also crucial in shaping liberal and tolerant institutions. Especially in contexts where institutions are weak and an authentic public political culture is fragile, a culture of civility

anticipates the thick form of principled reasoning that characterises democratic constitutional structures.<sup>22</sup>

When Rawls considers the case of ‘not-well-ordered societies’, in which there is a profound division regarding the content of the public political culture, he suggests that the inclusion of non-public reasons is needed in order to give sufficient support to the political conception that will be ‘subsequently affirmed’ (Rawls 1996, 249–52, on this point see also Bader 1999, 599). Similarly, in non-ideal contexts such as those of DDS, the best we can hope for moving towards a normative consensus is that people will deliberate by honouring the ideal of political reconciliation. It is reasonable to believe that this condition is satisfied when they appeal to those non-public reasons that belong to a shared culture of civility. People involved in such a deliberative scheme therefore show themselves to be committed to a thin principle of reciprocity, which enables the restoration of an ideal of right relationships among equals.

## **7. Concluding Remarks**

In this paper, I have suggested that a normative democratic project for DDS should pay closer attention to those cultural conditions that allow citizens and political elites to recognise and give support to liberal democratic institutions. In this sense, a normative project of deliberative reconciliation is proposed to enable members of DDS to recognise each other and secure a minimal level of social cooperation. Yet, a normative project of deliberative reconciliation must work with some aspects of the ‘background culture’, which I call a culture of civility.

In his response to Rawls’s *Political Liberalism*, Sandel (1994) famously argued that Rawls’ political liberalism is open to three objections: first, it is not always reasonable to bracket claims arising from comprehensive views; second, it is difficult to believe that there is ‘a fact of reasonable pluralism’ that applies to morality when issues of basic justice are at stake; finally, Rawls’s idea of public reason poses “unduly severe restrictions” on public deliberation (Sandel 1994, 1776). The idea of culture of civility seems to build on these objections by suggesting a framework for

deliberation in DDS that is aimed at including some moral and religious reasons. How, then, is the idea of culture of civility consistent with Rawls's liberal project and different from the communitarian critique? The communitarian critique of Rawls's liberalism generally insists on two related aspects: first, its abstract and unfeasible idea of justice; and second, its commitment to anti-perfectionism.

On the first point, the idea of a culture of civility presupposes a relational account of political justice. The communitarian critique in fact fails in recognising that Rawls's model of political justice is primarily a moral ideal that governs the relationships in which people stand to one another (also on this see Scheffler 2003, 22). It entails a notion of society understood as a cooperative system where its members retain an equal social standing. Thus, Rawls' extremely limited "exclusion" of religions and moralities from the political realm should be interpreted in the light of the appeal to the mutual respect that it expresses (Bailey and Gentile 2015: 9). Yet, cultural conditions are important in enabling citizens' commitment to such an ideal of mutual respect. Unsurprisingly, Rawls makes the interesting point that one reason for the weakness of Weimar's constitutional regime was due to the lack of some cultural and social conditions. Indeed, his remarks on Martin Luther King (Rawls 1996, 250) emphasize how, when there are deep divisions over citizen's shared conception of justice, religious and moral reasons coming from the background culture may support such a relational understanding of political justice instead of undermining it.

On the second point, the idea of culture of civility is not meant to embrace a perfectionist view justice. Instead, the anti-perfectionism of this model is guaranteed by its commitment to a form of public justification that can be reasonably expected given the circumstances of unmitigated pluralism. In very non-ideal contexts, members of DDS show a commitment to a thin form of reciprocity when they deliberate by appealing to those reasons that belong to a shared culture of civility.

The notion of a culture of civility, defined by its various elements, especially *thin* reciprocity and a dialogic orientation, can be thought of as a realistically utopian project aimed at securing basic political equality in DDS. It sets out the conditions for a feasible, but still normative, project of political reconciliation, understood as the first grounds upon which former enemies might be able to find reciprocal terms of cooperation. It also enables us to make sense of the role of deliberative democracy in DDS, in particular by bringing out the presuppositions of reciprocal deliberation. The appeal to those not-yet-public reasons which belong to the culture of civility helps to give legitimacy to the transitional process and to facilitate the restoration of social unity within DDS.

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<sup>1</sup> Nedžad Avdić's full story is reported by the NGO 'Remembering Srebrenica' on its website, [www.srebrenica.org.uk/survivor-stories/survivors-story-nedžad-avdic/](http://www.srebrenica.org.uk/survivor-stories/survivors-story-nedžad-avdic/) (accessed 15 December 2015).

<sup>2</sup> Henry Green, 'Rwandan Genocide: A Survivor's Story', *Guardian*, 13 October 2011, [www.theguardian.com/world/2011/oct/13/rwanda-genocide-survivor-book-rebuild](http://www.theguardian.com/world/2011/oct/13/rwanda-genocide-survivor-book-rebuild) (accessed 15 December 2015).

<sup>3</sup> This paper treats the problem of reconciliation from a specific normative account, that is political liberalism as presented by Rawls (1993). This account is here called as either 'liberal democracy' or 'liberal democratic project'.

<sup>4</sup> The expression, *deeply divided societies*, refers to a special case of societies that are transiting to democracy. These are societies torn by violent conflicts, like Bosnia, Kosovo, Iraq or Rwanda, where ethnic, religious or linguistic cleavages, often associated to forms of civil violence, seriously threaten the very existence of the state. People do not recognise themselves as members of a shared political community and identity politics is pursued, often in violent forms, at the expense of liberal democratic projects (Dryzek 2005, 218-9).

<sup>5</sup> On the link between reconciliation and political legitimacy, an interesting view is suggested by Muldoon (2003) and Schaap (2004). They consider the idea of reconciliation from the perspective of democratic agonism. This account emphasises the risks linked to reconciliation, when it is meant to sacrifice the acknowledgement of historical injustices for the sake of social unity (Muldoon and Schaap 2012, 235; Muldoon 2008, 114-15; Schaap 2008, 255). Yet, these authors also recognise that grave disagreements about the past pose serious legitimacy problems (Schaap 2006, 256), in such cases some forms of reconciliation might be needed. Muldoon, for instance, shows how reconciliation practices, like those linked to "truth telling", might restore the legitimacy of institutions in post-colonial divided societies, such as Australia and South Africa (Muldoon 2003, 186ff).

<sup>6</sup>The account of deliberation supported in this paper is both procedural and substantive. It aims at including moral (non-public) reasons into public deliberation; but it also asks to deliberate by appealing to reasons that might be recognised as belonging to a shared culture of civility. It is thus committed to an ideal of reciprocity. Such an approach differs in crucial respects from those that insist on the significance of bringing personal experiences and storytelling into

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deliberative fora (Sanders 1997 and Young 2000). Although Sanders (1997) and Young (2000) base their approach on the idea of storytelling, they nevertheless support a more procedural understanding of deliberation. Young (1999, 152ff) explicitly invokes a procedural principle of deliberative inclusion to put more ‘robust constraints’ on the democratic process. See also the response of Guttman and Thompson (1999, 263-4 and 2002, n1).

<sup>7</sup> Though with some modifications. Whereas Lijphart was originally concerned with finding accommodation between religious, ethnic and linguistic divides in societies in which politics is primarily understood as consisting in the allocation of power and resources among different groups, this new body of research directly connects consociational theory to the issue of conflict transformation in contemporary DDS.

<sup>8</sup> Recovering the Weberian and the Tocquevillian tradition, democratic theorists of the ‘third sphere’, such as Francis Fukuyama (1995) and Robert Putnam (1993), have explicitly argued that cultural traditions importantly shape the political direction of contemporary democracies. Later, Inglehart (2000) came to the conclusion that democracy cannot be attained simply by making institutional changes and that it is more likely to flourish when certain cultural and social conditions are present (96).

<sup>9</sup> The idea of a culture of civility has been first sketched in my doctoral dissertation, subsequently published as an authored book (Gentile 2013).

<sup>10</sup> A similar point has been raised by Maffettone (2010). In his view, the ethical views of Communists and Catholics within the Constituent Assembly ‘had definitely no liberal inspiration but, at the same time, they succeeded in formulating an unquestionably liberal-democratic constitution ... and in respecting its principles’ (258).

<sup>11</sup> The difference between these two notions of decency is stressed by Rawls in the Introduction to *The Law of Peoples* (1999, 3n).

<sup>12</sup> I am grateful to one anonymous referee for raising these objections.

<sup>13</sup> For Moellendorf, ‘A reckoning with the past is required, but so is the basis for reasonable hope about the future’ (2007, 206). However, some scholars have distinguished the backwards-looking dimension of retributive justice from the forward-looking dimension of reconciliation. Amstutz strongly emphasises the relevance of the latter in order to support a wider democratic project in transitional societies (2006, 152).

<sup>14</sup> I am thankful to an anonymous reviewer for prodding me to make this point more explicitly.

<sup>15</sup> This is evident in the case of the informal forums organised by the ICMP in Bosnia, see pp. 20 and 21 in this paper.

<sup>16</sup> In this respect the authors argue that ‘deliberative democracy seeks not consensus for its own sake but rather a morally justified consensus’ (Gutmann and Thompson 1996, 42).

<sup>17</sup> As Joshua Cohen has argued, free deliberation cannot ‘proceed in the absence of appropriate institutions. Neither the commitment to nor the capacity for arriving at deliberative decisions is something that we can simply assume to obtain independent from the proper ordering of institutions’ (1997, 79).

<sup>18</sup> For Gutmann and Thompson it is the principle of reciprocity in itself that guarantees the stability. They anchor the principle of reciprocity in both moral and empirical requirements. The most important response in this respect is I think offered by the authors in the second chapter when, in defence of the principle of reciprocity, they argue: ‘How ... can deliberative democrats claim that these religious appeals are any less accessible than other claims about public policy that draw on the personal experience of some citizens? The answer, which does not exclude religious appeals per se, is that any claim fails to respect reciprocity if it imposes a requirement on other citizens to adopt one’s sectarian way of

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life as a condition of gaining access to the moral understanding that is essential to judging the validity of one's moral claims' (1996, 57).

<sup>19</sup> The emphasis on the *Ubuntu* doctrine in the South African reconciliation should not lead us to dismiss the role of democratic institutions in supporting the political values that are implicit in this process. Institutions are important to move from the form of contextual consensus to what Rawls's calls an overlapping consensus. The way in which institutions interpret and incorporate important values coming from this doctrine, such as the abolition of the racial rule and the recognition of equality of all human beings, is crucial for the emergence of a shared conception of political justice. According to some scholars, this was not the case in South Africa (Marx 2002; Moon 2009). For Marx (2002), for example, from a 'strategy of survival' the *Ubuntu* doctrine has been transformed into a 'nationalist ideology' (2002, 52). Instead of a model of toleration, this doctrine has been employed to reinforce the divisions within society.

<sup>20</sup> For more details regarding the ICMP, see [www.ic-mp.org/](http://www.ic-mp.org/) (accessed 10/06/2016)

<sup>21</sup> During fieldwork in Bosnia and Herzegovina in 2007 I was able to participate in some such forums, where I saw individuals from different ethnic groups dialogically draw upon a set of shared values and traditions associated with a specifically Bosnian legacy of inter-ethnic coexistence and toleration (I have discussed these findings in depth elsewhere, see Gentile 2013, 112-17). A good example of this was the general appeal to the notion of *komšiluk*, a Bosnian tradition that expresses a notion of friendly relations 'based on respect and reciprocity between people belonging to different communities' (Belloni 2001, 169; Gentile 2013, 114). This notion provides a common moral ground upon which more substantive liberal principles, such as political equality and the affirmation of the human dignity of all human beings, can be advanced.

<sup>22</sup> I have extensively dealt with the 'institutional problem' in my response to Neera Chandhoke's Post-Scriptum (Gentile 2013, 131-35).

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