

# Towards a More Inclusive Democracy<sup>1</sup>

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**Abstract:** *For reasons both historical and psychological, many have come to believe that ‘democracy is based upon a decision taken by the majority’. This basic principle has been subject to considerable abuse, as many politicians have interpreted it to turn what should have been pluralist debates into simple dichotomies: in 1804 France, for example, any sane and sober adult could have been a candidate for the post of Emperor, but the question was only ‘Napoleon, yes or no?’.*

*Some of the other methodologies by which “the will of the people” can be determined are regarded by many social choice scientists as being more accurate, especially those multi-option preferential procedures in which all preferences cast by all voters are taken into account.*

*After a brief historical note, this article offers a critique of majoritarianism before outlining that which could be the three-pronged basis of a more consensual polity, namely: multi-option preference voting in decision-making; multi-candidate preference voting in elections; and, as the basic system of inclusive governance, an elected all-party coalition government.*

**Keywords:** *All-party coalition, Borda count (BC), Condorcet count, Conflict resolution, Consensus, General will, Inclusive democracy, Matrix vote, Modified Borda count (MBC), Participation, Peace process, Power-sharing and proportional representation, Quota Borda system (QBS)*

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“...the theory of voting... appears to be [largely] unknown to anyone  
concerned with its practical applications...  
to the politicians... to experts in political institutions... to students of psephology...  
and even to those [who] advocate electoral reform.”

(Dummett 1984: 5)

“...there is a surprisingly strong and persistent tendency in political science  
to equate democracy solely with majoritarian democracy  
and to fail to recognise consensual democracy as an alternative and equally legitimate type.”

(Lijphart 1999: 6)

## Introduction

In theory, the democratic process is meant to be a means by which all come together to identify policies on which they can all agree. By definition, therefore, the process is supposed to involve some give-and-take. The structures for both decision-making and the election of representatives should therefore cater for a degree of compromise.

But when the Greeks – or at least those of them who were neither slave nor female – went to the forum, something was amiss. Majority vote decision-making was adequate, it was thought, but in the elections, some of the candidates were a bit too egocentric, so a few city states decided the wiser course of action would be to run, instead of an election, a lottery. The politician, after all, was only the executive; it was the people who were really important, for it was they, *demos*, who made the actual decisions. Democracy then, in its infancy, was majoritarian, “...since the people are a majority, and the decision of the majority is sovereign.” (Aristotle c 330 BC.) But even at that stage, there were some doubts: “...what is the best condition for the state to be in (whether we assume that participation in the state is desirable for all or only the majority)?” (Ibid.)

The Romans encountered some difficulties as well. In electing Cicero for consul, for example, they used a form of preference voting (Harris 2006: 473). While on decision-making, Pliny the Younger suggested a plurality vote would be better than a series of majority votes.<sup>3</sup>

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<sup>3</sup> This was in AD 105. The Consul Afranius Dexter had been murdered. His manservants were accused of the deed and, in the subsequent trial, there were three options on the agenda: options **A**, acquittal; **B**, banishment; and **C**, condemnation to death. Pliny the Younger realised that a majority vote – or rather, two or three majority votes – could be problematic, for if option **C** was considered first, all the **A** and **B** people would gang up against **C**, whereas

Europe then entered the dark ages and, with but a few democratic exceptions as in Iceland and the Isle of Man, societies were ruled by kings and tzars, and the people actually believed the monarchs had a divine right so to do. That is not to say, however, that there was no consultation with those less royal. The barons in England had their Magna Carta (or Great Paper) in 1215, so to say that the king was bound by the law; similarly, the boyars of Russia had their Duma (parliament), and in 1549, there was the first *zemskii sobor* (national council) which “had much in common with certain Western institutions and especially with the so-called Estates General” (Riasanovsky 1977: 209).

Slowly, over the years, the power of the monarch was further reduced, initially in favour of the upper classes, and later still, to all the people, rich and poor, male and female. Hence, today, many countries are indeed democratic, and they include even a few with titular monarchs. At the same time, while the science of social choice has advanced considerably, progress in the practice, as we shall see in a moment, has been minimal.

Little wonder, then, that the democratic world has many anomalies. For example, when politicians go to an international gathering like the 2007 UN conference on the environment in Bali, there is indeed the practice of give-and-take. Politics, after all, is the art of compromise. On returning to their various national parliaments, however, these same politicians then resort to the complete opposite: no compromise at all, no give-and-take, just a straight ‘winner-takes-all-and-loser-gets-nothing’ majority vote.

In this article, then, we will look at how this and other anomalies have come to be common practice, before then describing what could be a better polity.

## Demos

If the number of persons involved is relatively small, the will of the people – *la volonté générale* – can be ascertained in an entirely verbal process. Indeed, admittedly for just a few of the perhaps more privileged individuals, often the older males, such practice seems to have been pretty universal. Be it in the pow-wows of the American Indians or the *gacacas* of Rwanda,<sup>4</sup> those involved sat in a circle and exchanged views until they came to an accommodation. No-one won everything, but everyone won something. That was the theory; and in practice, the polity was consensual.

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if **A** was taken first, **B** and **C** would gang up against **A**, or whatever. So they took a plurality vote, **B** won, and at least the accused was allowed to live out his days. (McLean, Urken 1998: 14-15)

<sup>4</sup> See footnote 10.

Life is rather more complicated in a representative democracy, of course, but in theory, the principle remains. If the representative has been elected by a fair electoral system, he/she should represent the views of his/her electorate. Then, if all the elected representatives can identify their collective will, that will of parliament should represent the will of the people.

If we take the English version of events, that is how representative democracy started, there were no political parties as such; instead, there was just a gathering of elected representatives, albeit on a very limited franchise, and they came together to make collective decisions. The trouble came when the subject matters under debate were contentious; more of all this in a moment.

The first question, however, was how to elect a representative? Well, in days gone by, the only people who were literate and educated were the clergy, and some monks came to the conclusion that the best way of choosing the abbot was not necessarily a majority vote. The first thoughts on this matter were raised by Ramon Lull in 12<sup>th</sup> century Spain.<sup>5</sup> Later, in 1435, Cardinal Nicholas Cusanus proposed a points system of voting – that which we now call a Borda count – for the election of the Holy Roman Emperor. (McLean, Urken 1998: 16-23)

The question of decision-making came in the 17<sup>th</sup> and 18<sup>th</sup> centuries, and whenever the matter was indeed contentious, it was generally assumed that, “the proposed law that has the greatest number of supporters will be enacted” (Dahl 2000: 54). This marked the move from a consensual practice to that of majoritarianism; “...such is the nature of representative government, that it quietly decides all matters by majority” (Paine 1985: 190).

John Locke and others tried to point out that a majority vote was suitable if and when the minority was also content with this methodology; in other words, a simple yes-or-no vote was sufficient if the subject matter was not too controversial. When the subject matter was more contentious, however, something more sophisticated was required. For some reason, and despite the fact that Jean-Jacques Rousseau “was at pains to stress that *the general will* was not necessarily *the will of the majority*, the [former] term passed quickly into normal usage as meaning just that” (Doyle 1990: 53). Hence today there are those who believe in the right of a majority to rule and its opposite corollary, the right of a minority to veto, with the same fervour as the peasants of old accepted the divine right of kings. The mistake was and still is not so much in believing that

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<sup>5</sup> He suggested a form of what is now called a Condorcet count, and he may also have suggested a Borda count (McLean, Urken 1998: 16-19). Both systems are discussed in the text which follows: see footnote 6.

a majority has the right to rule; rather it lay and lies in the belief that the will of a majority can be identified by using a majority vote.<sup>6</sup>

At the time, the only practical example of a functioning democracy was the House of Commons, and this debating chamber had been built so that two sides sat opposite each other, in total confrontation. Initially, as noted above, the members were the elected representatives with, in theory, loyalties to only the (enfranchised) residents in their constituencies. There were no parties as such. But there were these two sides. And there were majority votes. So the members took sides. Instead of naming themselves in pride, however, they nicknamed each other in scorn: the word ‘whig’ was slang for a “money-grabbing Scots Presbyterian”, while a “tory” was “an Irish papist” (Churchill 1956: 294); in those days, such words were serious insults! The two political parties, then, formed almost by accident: a direct consequence of taking decisions in for-or-against majority votes. The polity, far from consensual, was now definitely majoritarian.

Abroad, meanwhile, the USA was in revolutionary mood, and France too was preparing to get rid of her *ancien régime*. Yet all the revolutionaries and academics concentrated on elections, and not on decision-making. In America, for example, George Washington regarded not only the French *régime* as *ancien* but the British one as well, and he was highly critical of the party system of politics: the “alternate domination of one faction over another has perpetuated the most horrid enormities [and] is itself a frightful abomination.”<sup>7</sup> Unfortunately, however, though the founding fathers devised a good presidential electoral system, in which the winner became the president and the runner-up the vice, they did not question the use of the two-option majority vote. Hence, in 1804, a change for the worse to the US presidential electoral system to what it is today, and the emergence of a party system and political patronage in the years following.

In France, meanwhile, everything deteriorated even more quickly. In the 1750s, members of *l'Académie des Sciences* had realised that one cannot identify *la volonté générale* by means of a majority vote. So M. de Borda and Le Maquis de Condorcet both proposed forms of preference

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<sup>6</sup> It is impossible. A majority will may be *confirmed*, or ratified, by a majority vote, if and only if that will is expressed as an option on the ballot paper. But it cannot be *identified*, and this is especially true if the debate involves more than two possible outcomes.

By way of a dispassionate example, consider the case when the International Olympic Committee debated the venue for the 2012 Olympics. There were five options ‘on the table’: London, Madrid, Moscow, New York and Paris. Now a *Soyetski* chairperson could have called for a majority vote on the question: ‘*Moskva, da ili nyet?*’ Doubtless, there would have been a result. But in such a multi-option context, that outcome would have been almost meaningless.

<sup>7</sup> His farewell address of 1796.

voting: a Borda Count is the points system, as first suggested by Nicholas Cusanus of whom M. de Borda was unaware; while a Condorcet Count compares the popularity of options, two at a time, so to identify which option, if any, wins the most pairings.<sup>8</sup> The two mathematicians argued somewhat but eventually, in 1784, they adopted the Borda count... not so much for decision-making, more for use in their internal elections.

It worked well. But then, in 1800, *l'Académie* was persuaded to go back to majority voting by one not best known for his democratic idealism: Napoleon Bonaparte (Black 1958: 180).

### Majoritarianism

Since then, the (western) world has become distinctly majoritarian... in its parliaments.<sup>9</sup> The consequences have been huge and often disastrous. Probably the first were Napoleon's own referendums. He chose the question. The question was the answer. Thus, by a 99.8% majority, he became consul; in 1802, by the same margin, he was made consul for life; and two years later, he was declared emperor.

This example has been followed by all sorts of 'democratic dictators' (Emerson 2002: 104-110). In Chile's first experience of a referendum in 1818, an Irishman, Bernardo O'Higgins, managed to get 100% support to become *El Supremo*. Benito Mussolini was down to a mere 98% in 1929, and then came, amongst others, Adolf Hitler, Ion Antonescu, Frances Duvalier, Augusto Pinochet,<sup>10</sup> Ayatollah Khomeini, Franjo Tudjman and Saddam Hussein.

The most famous majority vote of all, however, took place in London in 1903, at a meeting of the Russian Social Democratic Workers' Party. There were only 45 participants, but the agenda was fairly full. On the first vote, Lenin lost. Oh never mind, comrades, he insisted, "I do not think our differences are so important." Come the next vote, however, he won, "by the

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<sup>8</sup> In a football competition, we try to identify which team is the best. If all the teams play each other, two at a time, then the rules could say that the champion is either the team which scores the most goals (Borda), or the team which wins the most matches (Condorcet). In most seasons, the winner under both rules will be one and the same.

In both Borda and Condorcet counts, everyone casts their preferences. In a Borda count, preferences mean points, and the winner is the option which gets the most points; whereas in a Condorcet count, the relative popularities of options are compared, two at a time, and a Condorcet winner (when there is one) is the one which wins the most pairings.

Majority voting, in contrast, is more like a knock-out competition.

<sup>9</sup> Meanwhile, in its international fora as in Bali, it sometimes relies on a consensual polity; on other occasions, as in the WTO, it uses a very unfair form of weighted voting.

<sup>10</sup> Pinochet held three referendums in all and, on the last occasion, when seeking a second term in office, he actually lost!

accidental arithmetic of a single ballot”.<sup>11</sup> (Deutscher 1982: 71) Oh but this *was* important, apparently. Hence the birth of the Bolsheviks, the members of the majority or *bolshinstvo*, БОЛЬШИНСТВО; while the others became the mensheviks, representing the minority or *menshinstvo*, МЕНЬШИНСТВО.

Another horrific consequence of our collective obsession with this majoritarianism relates to Rwanda. In the 1930s, the European colonial powers issued ID cards on the basis of a simple question: are you Hutu or Tutsi? Basically, the small were Hutu, and the tall Tutsi. For those who were of average height, a further question was asked: how many cows have you got? Nine or less? Hutu. Ten or more? Tutsi. In this way, a social division was transformed into a tribal one, and all to maintain a system of rule by a tiny minority of settlers: the Hutus were the workers, under the middle class Tutsis, and all were under the colonial masters. Then, after WWII, the Europeans changed their minds: from hence forth, they advocated rule by the majority. So the losers of yesterday could be the winners of tomorrow. The first sectarian murder in Rwanda took place in 1959 and then, in 1994, the *Interahamwe* launched their dreadful genocide with the slogan, “*Rubanda Nyamwinski*” “we are the majority people”, the bolsheviks.<sup>12</sup> (Prunier, 2002: 183)

### The Right of Self-Determination

A further disadvantage of majoritarian decision-making is inherent in many plebiscites on sovereignty. In 1916, President Wilson published his famous 14 points. Amongst them was the right of self-determination, which was primarily designed for Belgium, rather than for any of the colonies which the allies wished to continue ruling. Later on, however, in his retirement, he reflected on these matters and confessed, “I never knew there were a million Germans in Bohemia” (quoted in Eban 1998: 38).

The weaknesses of his statement raise two questions: firstly, *who* can determine themselves? In other words, *what* is a people?

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<sup>11</sup> The Bolsheviks, however, were never the majority. In the elections of January 1918, the SRs got 370 seats and thus a 52% majority in the 707-seat Duma. The Bolsheviks got only 175 seats. So Lenin’s troops then stormed the parliament in what was, basically, a *coup d’état*.

<sup>12</sup> In a brilliant attempt to overcome the legacy of this genocide, the Rwandan government has initiated a series of *gacacas*, their traditional decision-making processes, consensus-seeking discussions by the local elders, combined with a system of restorative justice, in every village in the land (NURC 2003).

- Is it those who share a given territory, like the island of Ireland? In which case, what happens to the Scots on the neighbouring island of Britain? Or what happens to the people of Indonesia, where the citizens of one country share 3,000 inhabited islands?
- Is it all those of a common language? So what happens to the German/French/Italian speakers of Switzerland? Or what happens when many peoples share one language, like Serbo-Croat?
- Or, to take another Balkan example, is it all those of a common religion, as with the Catholics of Croatia? So what happens to the Catholics in Bosnia? Or what happens to the Moslems left behind in India? Or to the Timorese, where the western half of the island is more Moslem and the eastern half more Catholic?

The questions go on and on, with countless exceptions, and the basic conclusion of the constitutional lawyers is that “the people” are those who live there, wherever ‘there’ might be... and ‘there’ is defined as the borders which, by histories more often bloody than benign, have been bequeathed.

The second question is *how* shall a people, once identified, determine themselves? Alas, many of these same lawyers along with countless academics and politicians have not considered this matter. More often than not, it is just assumed that the methodology will be a majority vote. But this raises considerable difficulties.

- A majority vote referendum on sovereignty (or on many another topic, for that matter) ‘forces’ people to take sides and does not allow for any third or fourth minority. In Quebec, for instance, the argument was between the English-speakers and their French counterparts, yet the indigenous Cree Indians were all but disenfranchised.
- As often as not, there are only two options on the ballot paper, so in many such referendums, there is no compromise on offer.
- This sort of plebiscite ignores other peoples: those who do not regard themselves as belonging to one side or the other, like the children of a mixed marriage, or those who have moved beyond what they believe to be this petty nationalism.
- A majority vote offers little for those in the minority. Little wonder, then, that the Catholics in Northern Ireland boycotted the 1972 border poll; just as their co-religionists in the mainly Orthodox Croatian *Krajina* boycotted a referendum on autonomy on 17. 8. 1990; just as in the other parts of Croatia, the other Croatian Orthodox boycotted



the Croatian referendum one week later; just as the Bosnian Orthodox boycotted the poll in Bosnia on 11. 3. 1992; and just as both the (Serb) Orthodox and the (Albanian) Moslems boycotted the independence referendum in Macedonia on 8. 9. 1991.

- In a word, the right of self-determination is often subject to “matrioshka nationalism”<sup>13</sup>. When Ireland opted out of the UK, Northern Ireland opted out of Ireland. When Bosnia opted out of Yugoslavia, both Herzeg-Bosna and Republika-Srpska tried to opt out of Bosnia. When Georgia opted out of the USSR, Abkhazia and South Ossetia tried to opt out of Georgia. And when Azerbaijan opted out of the Soviet Union, Nagorno-Karabakh tried to opt out of Azerbaijan.

The conclusion in the Balkans is the starkest of all: to quote Sarajevo’s now legendary newspaper, *Oslobodjenje*, “all the wars in the former Yugoslavia started with a referendum”, 7. 2. 1999.

Despite all this evidence, British and other diplomats still regard the majority vote referendum as an instrument to facilitate reconciliation. By way of example, a referendum on self-determination was inserted into the July 2002 Machakos Protocol, so to end the civil war in Sudan, and so to give South Sudan the possibility of secession. Well, needless to say, if one ‘bit’ can opt out, then why not another? Balkanisation! Six months later, there emerged a new conflict: Darfur. It is a conflict caused in part by a peace agreement.

## Mediation

Decision-making by majority vote, then, has often been disastrous. This applies not only to referendums on sovereignty, but also to debates in parliaments and councils, world-wide.<sup>14</sup> If a majority vote is to be the decision-making process at the end of the debate, participants will tend to keep their cards very close to their chest; this is because “once your fall-back positions are published, you have already fallen back to them” (Eban 1998: 81). There is, then, little

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<sup>13</sup> This is the name of the argument used in Russia against any use of a referendum on self-determination, in Chechnya or anywhere else for that matter. The fear is that the whole Russian federation would thus collapse into a countless number of medium, small or even tiny statelets. (Reid 2002: 136)

<sup>14</sup> A most glaring instance was the October 2002 debate in the UN Security Council on Resolution 1441 in Iraq. France did not like the draft; in particular, she objected to the expression “serious consequences”. Yet because there was only one option ‘on the table’, France voted in favour. If, instead of a majority vote, the debate had allowed for a more plural methodology, then France, and Germany, could have proposed an alternative wording: option **B**. Syria might have suggested option **C**, etc. So then a multi-option preference vote could have been held.

A summary of those parliamentary votes which have been decided by a single ballot is in Emerson 2002: 113 *et seq.*

transparency in any majoritarian discussion. Before examining a process which might be more accurate, however, let us first look at the theory underlying many forms of conflict resolution work.

No matter whether the dispute is domestic, industrial or political; no matter whether it concerns just two people, hundreds, or even millions; the practice of conflict resolution work is as follows: the mediator first talks to both or all parties in turn, invariably on the basis of questions which must be *open*: what can be done? how can matters be repaired? what are the options for the future? In this way, she is able to draw up a list of options, if need be by adding one or two of her own. The next phase is often called shuttle diplomacy, during which she re-visits each of the parties, presenting the options, discussing any possible modifications with all concerned, and establishing what are the parties' preferences on these options. Thus the cards are on the table, face up! Then she identifies that option which is the highest average preference for all concerned, which finally leads to a meeting of the various parties and an agreement (if not a hand-shake on the lawns of the White House).

It must be noted, then, that throughout the mediation process, reliance is placed on *open* questions. In stark contrast, politics is usually based on the very opposite, on questions which, when reduced to the vote, are *closed*: politics is invariably either/or,<sup>15</sup> win-or-lose. Even in documents like the Good Friday Agreement, decision-making is still adversarial, everything is still subject to a majority vote, and still there is no compromise! For years the 'Troubles' raged over the question: are you British or Irish? And now, in peace, we find exactly the same question. It should therefore come as no surprise to learn that sectarianism in Northern Ireland is still rampant.

What is even more extraordinary is the fact that the Belfast Agreement is said to be based on the principle of consent. Now in civil society, this word 'consent' implies the agreement of both or all parties, marriage being the obvious example. In politics, however, the meaning changes: everything, it seems, is majority rule, win-or-lose; the "will of the people" becomes the "consent of a majority", it is a marriage without a bride. Furthermore, the instrument by which that consent is to be determined, a majority vote referendum, cannot measure the level of *consent* for it measures the very opposite – so many 'for' and so many 'against' – the degree of *dissent*.

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<sup>15</sup> In fact, of course, most questions concern not only the black and white, but also the grey. There is perhaps one question which is definitely 'this-or-that': 'which side of the road shall we drive on?' Interestingly enough, however, the only country ever to hold a referendum on this question – Sweden in 1955 – had a ballot paper on which the number of options was *three*: left, right and blank.

Alas, the world remains obsessed with majority voting. Hence statements like “democracy rests upon the principles of majority rule...” (US Dept of State) which is bad enough, but some are even worse: “Democracy is based on majority decision. It is the most important instrument for finding peaceful solutions to conflicts.” (International UNESCO Education Server for Civic, Peace and Human Rights Education)<sup>16</sup>

### Decision-Making

Decisions can be taken, either by talking and then voting, or by just talking and talking. If democracy is for everybody (and not just a majority), then on contentious issues, both processes, as mentioned earlier, should involve a bit of give-and-take.

Of those voting procedures currently in use, some are majoritarian in that they are binary. They include:

- simple majority voting,
- weighted majority voting,
- twin majority voting,
- qualified majority voting, and
- consociationalism.<sup>17</sup>

Further variety depends upon who sets the question. In a citizens’ initiative, for example, the subject matter for debate is the prerogative of the people.

- In a simple majority vote, success depends on just 50% + 1 of the vote.
- Weighted majority voting is usually reserved for more serious matters – constitutional changes in South Africa, for example; the weighting is usually 2/3, but it can vary, and Finland sometimes “uses 5/6 majorities for certain types of economic legislation” (Lijphart 1999: 103).
- Twin majority voting is used in referendums in Switzerland, when not only a majority of the people is required, but so too a majority of the cantons.

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<sup>16</sup> Although admittedly, the web-site goes on to discuss a few of the inherent difficulties.

<sup>17</sup> Consociationalism is often seen in contrast to majoritarianism and the two are indeed very different. The former, however, should not be (but sometimes is) confused with a consensual democracy. Consociationalism is binary; a consensual polity is more like a mediation process, it allows for a multi-option approach.

- While qualified majority voting is a mechanism devised for the EU, so that each country has a certain weight, depending on the size of its population.
- And finally, consociationalism. First proposed in 1603 by one Johannes Althusius, it requires majority votes in separate constituencies. In yesterday's Czechoslovakia, one constituency was Czech and the other Slovak; in today's Belgium, there are the Flemings and the Walloons; while in Northern Ireland, it's the unionists and the nationalists. One disadvantage of this methodology is that it tends to ignore those not willing to be 'designated'<sup>18</sup> as either 'this' or 'that', such as the Moravians in Brno, or the Chinese community etc. in Belfast.

The main disadvantage of all these forms of decision-making is that the question is invariably reduced to a dichotomy, that or a series of dichotomies. In a divided society, this is at least unwise.

Other forms of decision-making involve multi-option votes, and they include:

- plurality voting,
  - approval voting,
  - the alternative vote,
  - Borda Count,
  - Modified Borda Count, and
  - Condorcet Count.
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- In plurality voting, success may depend upon a majority of the votes, or it may involve just the biggest minority.
  - In approval voting, every preference cast is treated as an 'approval', but this incentivizes the more intransigent to remain so.
  - The alternative vote starts with a plurality vote, so it too can be rather capricious.
  - The Borda methodologies are discussed in the next section, while
  - a Condorcet count was outlined in footnote 6.

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<sup>18</sup> There are three 'designations' in the Belfast Agreement: 'unionist', 'nationalist' and 'other'. Those MLAs termed 'other' actually have fewer voting powers.

## A More Peaceful Polity

As the Nobel Prize-winning economist Sir Arthur Lewis has forcefully pointed out, the first rule of democracy is that “all who are affected by a decision should have the chance to participate in making that decision either directly or through chosen representatives”; the second meaning is that “the will of the majority shall prevail”. The two meanings, he argues, are incompatible. (Lewis 1965: 64-65)<sup>19</sup>

Democracy, however, need not be straight majoritarian. At the very least, it can be consociational; and better still, consensual. What follows are voting procedures based on inclusion. Furthermore, if democracy is to be the pre-requisite of any peace agreement, then the decision-making process within that democratic structure must itself be ‘peace-ful’!

As we said at the beginning, the democratic process should be one of give-and-take, and this should apply not only to the debate, but also to the vote with which that debate concludes. Compromise, then, must be possible; this usually means the ballot must be multi-optional... which it can be, if the question is asked correctly<sup>20</sup>. Come the vote, the voter should be able to cast his/her 1<sup>st</sup> preference, but he should also be able to cast a 2<sup>nd</sup> preference – *‘yes, this is my compromise option’* – and maybe too her 3<sup>rd</sup> preference – *‘yes, I don’t like this one very much but, if it’s the consensus of all concerned, then I’ll go along with it too.’*

This is the basis of the points system or Borda count, BC. If there are five options ‘on the table’ – options **A**, **B**, **C**, **D** and **E** – each participant should be asked to cast their preferences on these options. In this instance, a 1<sup>st</sup> preference gets 5 points, a 2<sup>nd</sup> preference gets 4 points, and so on... and the option with the most points is the winner. In effect, then, the outcome depends upon the preferences of *everybody* (and not just upon those of a majority).

The psychological effects are beneficial. Imagine that I have proposed an option which obviously I want to win. Well, in a BC, I know that I need not only a lot of high preferences, but also very few low preferences. Therefore, in campaigning for my proposal, I should talk to everybody, including or even especially to those who, in a majoritarian setting, would have been my adversaries. To persuade someone who had intended to give my option a 5<sup>th</sup> or 4<sup>th</sup> preference, to now give it a 3<sup>rd</sup> or even 2<sup>nd</sup> preference, would be a great boost! Whereas to persuade someone who had wanted to give me a 2<sup>nd</sup> preference to now give me a 1<sup>st</sup> might be far more time-

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<sup>19</sup> And Lijphart agrees (Lijphart 1997: 31).

<sup>20</sup> For example, the question should not be: “Capital punishment, yes or no?” or “Nuclear power, yes or no?” Instead, we should ask: “How do we deal with the convicted murderer?” or “How are energy needs to be met?”

consuming. In a nutshell, the very fact that the decision-making process at the end of the debate is to be consensual helps to make the debate itself consensual.

Now there may be those who do not want to cast a full list of five preferences.<sup>21</sup> In order to ensure that the voting procedure and, indeed, the entire democratic structure, encourage all concerned to participate fully, or as fully as their individual consciences permit, the recommended voting procedure is therefore the Modified Borda Count, MBC.<sup>22</sup> The count works as follows: she who votes for only 1 option gives her favourite option only 1 point; he who votes for 2 options gives his favourite 2 points (and his second choice 1 point); while she who casts preferences for all  $n$  options gives her favourite option  $n$  points, (her second choice  $n-1$  points, and so on). This rule thus encourages the voter to submit a full ballot. Nevertheless, no matter how the voters vote, whether they participate fully or partially, each always gives his/her favourite option 1 more point than he gives his next preference, whether or not she has expressed that next preference.<sup>23</sup> In the MBC, there is no especial weighting.

That covers the vote; what about the debate? In other words, and most importantly, who chooses the options? In majoritarian politics, as we have seen, it is often those in power who decide what is to be the question... and (almost certainly) the answer. In consensus politics, however, the process by which is established the choice of options must be just as democratic as the process by which, subsequently, everyone makes their collective choice. Be it in a public meeting (or in parliament), the people (or their representatives) must be able to make suggestions, i.e., propose options, ask questions, move amendments, or have a new idea. In other words, the debate must be allowed to develop. And throughout this process, a team of impartial 'consensors' make and then maintain a balanced (short) list of all the options, to represent that debate.

If, at the end of it all, there is just the one option left 'on the table' (and computer screen), that option can be assumed to represent the result. In this scenario, the democratic process was indeed one of give-and-take, and the outcome is the *verbal* consensus.

If instead of just the one option, a number of options remains, the chair may ask all concerned to proceed to the vote – a consensus vote – so to identify that option which gets the

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<sup>21</sup> Indeed, there may be some who do not vote at all and who prefer to abstain. In the absence of compulsory voting (as in Australia), such must remain the prerogative of the voter.

<sup>22</sup> Sometimes known as a Borda preferendum.

<sup>23</sup> In the MBC, those who cast their preferences for all  $n$  options shall effect  $n, n-1 \dots 2, 1$  points, while those who vote for only  $m$  options shall effect  $m, m-1 \dots 2, 1$  points. In more general terms, it reads as follows: the voter gives his/her  $x^{\text{th}}$  preference, if expressed, 1 more point than his/her  $(x+1)^{\text{th}}$  preference, whether or not he/she has expressed that next  $(x+1)^{\text{th}}$  preference.

most points, i.e., which represents the result of a slightly different scenario but which nevertheless works on the same democratic principle of give-and-take: this outcome is the ‘*votal*’ consensus.

### **‘Peace-ful’ Elections**

A similar principle of compromise should also apply to any election. In other words, the voter should be allowed to vote, not only for his/her 1<sup>st</sup> preference, but also for a compromise candidate. Furthermore, and especially in any post-conflict society, the democratic process should enable those who want to regard the election as an act of reconciliation, to do exactly that. The voter may perhaps cast a 1<sup>st</sup> preference for a favourite candidate, but he/she can also give a 2<sup>nd</sup> or subsequent preference to a candidate from the erstwhile opposite side. That is, the electoral process should allow those who want to cross the gender, the party and even the sectarian divide, to do so.

Such an electoral system is based on an MBC which, as we saw above, encourages the voter to submit a full ballot. It also works on the basis of a quota, to ensure proportionality. In a 6-seater constituency, then, the voter would be asked to cast six preferences; and to get elected, a candidate would need either a quota of very high preferences, and/or a high MBC score. To see how such a Quota Borda System, QBS, might work, let us consider a hypothetical example: a mixed community in Bosnia, 30-30-30, in a 6-seater constituency.<sup>24</sup> If all works roughly as might be expected, each of the three communities might hope to get two persons elected or, if one of them does really well, perhaps it might get three... in which case, of course, one of the other parties will do rather badly.

Now, as it happens – and this is largely because societies and groups within societies tend to take decisions on the basis of a two-option majority vote – each of the three religious groups in Bosnia have tended to be dominated by two political parties, one bigger and one smaller, along with some other fractious factions. So, in such an election, we might expect the following number of candidates:

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<sup>24</sup> In the first post-Dayton election of 1996, the electoral system used by the OSCE was a single-preference form of PR-list. So the voters could cast only a 1<sup>st</sup> preference. In effect, therefore, the whole process was little more than a sectarian headcount!

Bosniac <sup>25</sup>	SDA	2
	<i>Stranka za BiH</i>	1
	Patriotic Bloc	1
Croat	HDZ BiH	2
	HDZ (1990)	1
Serb	SNSD	2
	SDS	1
	SRS	1
as well as, say		
Other		
	SDP	1

That is twelve candidates in all. In such a scenario, no party is going to field more than 2 or at the most 3 candidates, and no ‘ethnic group’ will tolerate more than about 4 candidates, lest they split the quota and thus fail to get anybody elected at the first stage of the count.<sup>26</sup> So, if voters are going to fill in a full ballot, as the MBC encourages them to do, then they must cross at least one sectarian divide.

## Governance

If majority voting is not very democratic, then majority rule is not very democratic either. “The idea that democracy is effective only when there are two parties, one in government and the other in opposition, is an Anglo-American myth.” (Lewis 1965: 70) Parliament should represent *all* the people (if the electoral system is fair) and, in theory, the government should represent the *entire* parliament (if the system by which a parliament chooses its government is also fair). Governments everywhere should therefore be based on all-party, power-sharing coalitions.

Alas, in majoritarian systems of governance, ministerial appointments are sometimes in the gift of just one individual! In the UK, for example, the prime minister alone chooses his/her cabinet, and no wonder the system has often been called an elected dictatorship. The consequences, in both the UK and in many of its former colonies, like Zimbabwe, have been at least sad.

<sup>25</sup> SDA is the Party of Democratic Action (mainly Bosniac); HDZ is the Croatian Democratic Union; SNSD is the (Serb) Party of Independent Social Democrats; SDS is the Serb Democratic Party; SRS is the Serb Radical Party; and the SDP is the Social Democratic Party.

<sup>26</sup> In this regard, PR-STV works in the same way. And in elections in Ireland, it is very interesting to see how well the parties understand the tactics inherent in the electoral system.



There is no reason, however, why the elected democrats in parliament should not themselves be democratic and *elect* their government. Granted, there is a complication in that there is normally only one minister of finance and only one minister of foreign affairs etc., and you cannot have proportionality in only one individual. Nevertheless, by using the methodology of a matrix vote (Emerson, 2007: 61-85) a parliament could elect a power-sharing government, with automatic post-sharing. Every member of parliament would be able to vote for a full (let us say 12-member) government, choosing in his/her order of preference, not only 12 members to form that government, but also the ministerial posts in which he/she would like each of these nominees to serve. The system is based on a QBS count which, as we know, is itself based on an MBC. The result is bound to be both a GOAT and a GNU, a 'government of all the talents' and a 'of national unity'.

## Conclusion

Will it work? The first reform is to allow parliament to take (electronic) multi-option preference votes, and such votes must of course be free. The role of the speaker should therefore be expanded to employ a team of three consensors. In each debate, as implied above, they would display and maintain an up-to-date (short) list of all the options on a computer screen. Then, at the appropriate time, each MP would cast his/her preferences on his/her own 'zapper', to feed this information into the consensors' computer. A few microseconds later, the MP's voting profile would be displayed on the screen, and then too the analysis of that profile. In this way, parliament could decide what should be a particular policy; and the executive, the government, could then execute that policy. As happened, in a way, in ancient Greece.

In most majoritarian systems, the expression 'collective responsibility' applies to the government but not to parliament as a whole. In a consensual polity, the entire parliament would be responsible for what happens in its name. This does not mean that individual MPs would all have to agree with everything. Not at all. Under each policy heading, and certainly under any controversial topic, doubtless there would be several options. All of the MPs would have their own preferences on each of these matters, and doubtless too, these preferences would all be a matter of public record with both the debates and the votes noted in the parliamentary minutes. Granted, on those occasions where the individual MP cannot feel he/she can go along with the consensus of all his/her colleagues, he/she can but say so, and in extreme cases, resign.

An obvious example of such a situation could have been the 2003 UK vote in parliament on Iraq. There again, if the question had not been a dichotomy, a *closed* question of whether or

not to go to war; if (as we implied earlier) the question had been asked properly – what shall we do about Iraq? – and if in other words the question had been *open*, then might all the other options been given due consideration: continued sanctions, more, the same or fewer; continued inspections, more, the same or fewer; and maybe further measures as well.

The conclusion is simple: a consensual polity may well be one of the reforms needed, not only in post-conflict societies to make sure the people there do not return to war, but also, throughout the world, to try to prevent both ‘ethnic’ and other disputes from ever deteriorating into violence.

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## Abbreviations

BC	Borda Count	BiH	Bosnia-Herzegovina
EU	European Union	GNU	Government of National Unity
GOAT	Government of All the Talents	ID	Identity
MBC	Modified Borda Count	MLA	Member of the NI Legislative Assembly
MP	Member of Parliament	NI	Northern Ireland
NURC	National Unity and Reconciliation Commission (Rwanda)		
OUP	Oxford University Press	PR	Proportional Representation
QBS	Quota Borda System	SR	Socialist Revolutionaries (Russian)
STV	Single Transferable Vote	UK	United Kingdom
UN	United Nations	US	United States
WTO	World Trade Organisation		