

Case for deliberative polls

- It is now time to place informed public opinion at the forefront of our democratic culture

- [NAMIT WAGLEY](#)

Jul 28, 2017-

How do you achieve broad-based consensus for constitutional amendment? In a country as diverse as Nepal, is this even possible? The time has come for a more innovative approach.

On April 29 and 30, Mongolia held its second survey for the first nationwide poll on constitutional amendments at the State House. The two-day consultative meeting, led by legal experts and a task force studying constitutional amendments, was carried out with nearly 730 individuals randomly selected by the National Statistics Office (NSO). The representation was inclusive in terms of gender, geography, employment, age, education, marital status and views on democracy. The wide range of issues discussed during the two-day event stimulated citizen input and discourse on critical issues.

Examples like the April 2017 survey in Mongolia provide useful lessons for Nepal as it seeks to transform methods of political discourse. Much of the political discourse in Nepal revolves around the divisive political rhetoric reflective of the conflict era and needs to be developed to match the changing context of the country's transition to a federal democratic republic. The need is pressing, as Nepali politicians seem far removed from the evolving grassroots context despite their claim to be the champions of "legitimate voices" of the disgruntled populace.

Deliberative polling generates opportunities for engagement of a broad section of stakeholders through collaborative evaluation that can provide an informed mandate to refine political discourse; reconcile the ideological chasm between political parties; bring the political elites closer to the citizens; invigorate cross-cultural dialogue; and help smooth out the uncertainty that will inevitably emerge from the transition.

The concept

Designed by Professor James Fishkin of Stanford University in 1988, Deliberative Polling is a public poll mechanism that seeks to better inform and engage citizens to make educated choices. First, a baseline poll on pertinent issues is conducted with a larger representative sample group. Next, resource materials are provided to the participants. At the gathering, the sample group is further divided into small groups to develop pertinent discussion questions, with the help of a moderator.

The participants then engage with experts and political leaders on the issues identified in the small-group discussions, a process that can be broadcast via radio, television or social media. After full engagement of this process, the original poll is again distributed to the sample group, producing a contrast that can be used to identify the shift in people's decision-making when informed and engaged with the issues.

Case for Nepal

Nepal has been going through a tumultuous phase since the constitution's promulgation in 2015. During this period, the major challenges facing the state were maintaining the autonomy of Nepal's political process, strengthening the rule of law and striking a balance between nationalism and the need for inclusion, democracy and public accountability. The end product was a difficult political compromise. Issues of federal delineation, electoral representation, constituency delineation, citizenship-related clauses, and provisions for affirmative action remain bitterly contested. Failure to resolve these issues will jeopardise Nepal's aspirations to successfully transition from a post-conflict state to a prosperous federal nation.

In this context, bringing together a representative sample of an entire country in one room is not a simple task, especially given Nepal's rich socio-economic, political and ethnic diversity. However, the need for constructive engagement of local stakeholders through activities such as deliberative polls is more pertinent than ever. If conducted diligently, deliberative polls have the potential to create a microcosm of the entire country. They can also stimulate active engagement and demonstrate to the people that their voices matter in shaping reform. The polls represent informed and representative public opinion, influencing both the public and policymakers. The process is representative of the population and inclusive of diverse viewpoints and values, providing equal opportunity for all to participate.

Constitutional amendment will not be a straightforward process, as it requires a two-thirds majority in Parliament to materialise. The onus will be on political parties to reach broad-based consensus on contentious issues. It is an open secret that much of the political dialogue in Nepal takes place behind closed doors. Given the opaque nature of political dialogues, deliberative polls can be a valuable mechanism to establish a culture of open dialogue among diverse communities.

Tried and tested

Deliberative polling has empirically provided a useful platform for generating space for inclusive representation and substantive public input. It has been used extensively in the US, China, Brazil, South Korea and recently Mongolia, with varying degrees of success on issues relating to constitutional amendment, public policy, elections and other reform endeavours.

Even in extreme circumstances, while debating sensitive issues across deep cultural divides, people have been able to come to mutually agreeable conclusions. For example, in South Korea, deliberative polls were conducted to discuss issues relating to unification (with North Korea). Initial rounds of surveys suggested that only 43 percent of the population thought that unification would be beneficial for South Korea; but following a deliberative poll, public opinion in favour of unification increased by 25 percent. Similarly, there was a 35 percent increase in public opinion about continuing humanitarian aid to North Korea, regardless of the nuclear issue. In Mongolia, based on the deliberative poll results, recommendations on constitutional amendments have been submitted via a deliberative council. Following this, a working group has been assigned to draft the constitutional amendment—reflecting the broader public consensus. Similar successes can be emulated in Nepal.

We have spent much time and energy trying to reach broad-based consensus on contentious issues ranging from roundtable discussions, expert consultations and closed door negotiations to protests and outright violence. It is now time to accommodate informed public opinion as the forefront of our democratic culture. If the local elections are any indication, Nepalis are keen to engage themselves in shaping reform. It is now time to let the informed public be heard.

Wagley has an LLM in International Law and Human Rights from the University of Sussex, UK

Published: 28-07-2017 08:22