

Introduction

This book aims to make deliberation relevant for political practice. The basic assumption is that from the local level to international politics we need generally more deliberation, in particular to increase mutual understanding and trust and to arrive at political decisions of high epistemic value and legitimacy. This does not mean, however, that in our view a political system should consist only of deliberation; we also need competitive elections, bargaining, administrative rulings, street demonstrations, and so on. If we want to learn how we can develop more deliberative behavior, we should investigate the group dynamic that helps to raise the level of deliberation and helps to prevent its level from dropping again. To study these ups and downs of deliberation in group discussions, we have developed the concept of the *deliberative transformative moment* (DTM). To have more deliberation is particularly important for countries with deep societal divisions; but these are precisely the countries where deliberation is most difficult to establish. In our view, it is worthwhile to make an effort in this direction since more deliberation may be the best hope to have more peaceful relations in these countries. They are critical cases for the deliberative enterprise.

We will present data of group discussions among ex-guerrillas and ex-paramilitaries in Colombia, among Serbs and Bosniaks in Srebrenica in Bosnia and Herzegovina, and among poor community residents and police officers in Brazilian favelas. From the perspective of research ethics, it is a great challenge to do field research in such deeply divided societies. One has to take care of the security and the well-being of both participants and moderators. We undertook every effort to meet this challenge. The discussions took place at safe places; the moderators did not ask provocative questions but let the discussion about more peace freely go wherever it went; the names of the participants were changed on the transcripts, and the tapes were altered. How this worked out in the three countries will be presented in detail in chapter 1 on data collection.

In a nutshell, deliberation means that all participants can freely express their views; that arguments are well justified, which can also be done with well-chosen personal stories or humor; that the meaning of the common good is debated; that arguments of others are respected; and that the force of the better argument prevails, although deliberation does not necessarily have to lead to consensus. In the course of a particular discussion the various deliberative elements may not always be present to the same extent, and they may even be totally absent. In some sequences, arguments may be justified better than in others. Respect for the arguments of others may vary over the course of a discussion. Debates about the common good may be more frequent in some parts of the discussion than in others. Openness for all actors to speak up freely may also vary as the discussion progresses. For some decisions, the force of the better argument prevails but not for others. Thus, we are confronted with high complexity of how deliberation evolves over the course of a discussion.

To get a handle on this complexity we have developed the DTM concept. What do we mean by these transformative moments, and how do we proceed in analyzing them? We define them at an abstract level as a change from a low level of deliberation to a high level or vice versa. To identify such situations, we use an approach that has much to do with linguistics, social psychology, and rhetoric. Thereby, it will not be easy to apply the abstract concept to specific situations. One and the same word may have different meanings depending on the specific situation in an ongoing discussion. With this approach, we are close to Ron Lubensky, who analyzed the discussions of the Australian Citizens' Parliament (ACP).¹ The title of his paper already indicates in what direction he goes with his analysis: "Listening Carefully to the Citizens' Parliament: A Narrative Account." He wishes "to open a window to the story of the ACP's participants." Lubensky does not claim that he has "a master story from which all interpretations of the ACP should follow, nor [is he] claiming that the story line presented here is the only one." His main point is "that a reflective, storied approach to analyzing the events, based on narrative methods of discourse analysis, provides useful insight into the

¹ Ron Lubensky, "Listening Carefully to the Citizens' Parliament: A Narrative Account," in *The Australian Citizens' Parliament and the Future of Deliberative Democracy*, ed. Lyn Carson, John Gastil, Janette Hartz-Karp, and Ron Lubensky (University Park, PA: Pennsylvania State University Press, 2013), 66.

process and capacities of participants.” This is also what we have in mind in this book.

We proceed in our analysis in such a way that we try to put ourselves in the context in which each actor speaks up. We chose as our units of analysis the individual *speech acts*. Whenever an actor made any kind of utterance, this counted as a speech act, however brief or long the utterance was. So a speech act has a clear beginning and a clear end. When an actor makes another intervention later in the discussion, this counts as another speech act. We proceed step by step and consider in our analysis only the speech acts that are already uttered and not those that follow. Time and again, we went back to what was said before, checking the recordings and the transcripts, making sure that we had a good feeling for the context in which an actor intervened in the discussion. In this way, we try to follow the narrative of the discussion *quasi* life, which means as it is experienced by the participants themselves, who obviously do not know what will happen after they speak.² That one should not look at individual speech acts in isolation but in how they relate with what was said before is also emphasized by Charles Goodwin and John Heritage in these terms: “participants will inevitably display some analysis of one another’s actions. Within this framework of reciprocal conduct, action and interpretation are inextricably intertwined . . . in the real world of interaction sentences are never treated as isolated, self-contained artefacts.”³ Goodwin and Heritage capture well what is also our intention in analyzing discussions as an interactive process.

To get an empirical handle at the concept of DTM, we see deliberation as a continuum from no deliberation to full deliberation. On this continuum, we establish a cutoff point between high and low levels of deliberation, with the latter including no deliberation at all. The basic criterion is that at a high level of deliberation the discussion *flows*, in the sense that the actors listen to each other in a respectful way, while at a low level of deliberation the discussion *does not flow*, in the sense that actors do not listen to each other or do so only without respect. To determine whether a discussion is transformed from a low to a high level of deliberation, we use the following four coding categories for each speech act:

² Of course, actors may guess what will be said after their own speech act. In our coding, we will not attempt to do such guesses.

³ Charles Goodwin and John Heritage, “Conversation Analysis,” *Annual Review of Anthropology* 19 (1990): 287–8.

1. The Speech Act Stays at a High Level of Deliberation

This first category is used if the preceding speech act was at a high level of deliberation and the current speech act continues at this level. The coding of the current speech act is easiest if it fulfills all the criteria of good deliberation,⁴ which means that the speaker has not unduly interrupted other speakers, justifies arguments in a rational way or with relevant stories, refers to the common good, respects the arguments of others, and is willing to yield to the force of the better argument. Deliberation can still remain at a high level if speakers do not fulfill all these criteria, as long as they stay in an interactive way on topic. If a speaker, for example, supports the argument of a previous speaker without adding anything new, the discussion continues to flow at a high level of deliberation. Deliberation should be seen as a cooperative effort, which means, for example, that the deliberative burden can be shared with some actors procuring new information while other actors formulate new proposals. The crucial aspect is that a group takes a common perspective on a topic, by which we mean a subject matter that has a certain internal consistency. An example of a topic that we encountered in the discussions of Colombian ex-combatants is poverty in the country. As long as a speech act stays within this topic, even if the speech act is brief and not elaborate, the level of deliberation remains high. Our criterion is whether the discussion continues to flow in an interactive way on a particular topic with the actors listening to each other with respect. Deliberation also stays high if an actor introduces another topic, giving reasons why the topic is linked with the issue assigned to the group, which means the peace process for the Colombian ex-combatants. An actor may, for example, turn the discussion from poverty to corruption, and if the new topic is sufficiently linked to the peace process, the discussion continues at a high level of deliberation.

2. The Speech Act Transforms the Level of Deliberation from High to Low

This second category is used if the preceding speech act was at a high level of deliberation, and the current speech act transforms the discussion

⁴ See Jürg Steiner, *The Foundations of Deliberative Democracy: Empirical Research and Normative Implications* (Cambridge, UK: Cambridge University Press, 2012.)

to a low level of deliberation. The flow of the discussion is *disrupted*. The topic debated so far is no longer pursued, and in the case of the Colombian ex-combatants, no new topic related to the peace process is put on the agenda. Topics are mentioned that have nothing to do with the peace process and are therefore off topic. It is also possible that the speech act is so incoherent and confusing that it does not make sense. Under these circumstances, it is not easy for the other participants to continue the discussion in a meaningful way.

3. The Speech Act Stays at a Low Level of Deliberation

This third category is used if the preceding speech act was at a low level of deliberation and the current speech act stays at this level. Participants do not manage to give a direction to the discussion again. In the case of the Colombian ex-combatants, for example, this would mean that the speaker is unable or unwilling to put on the agenda a topic relevant for the peace process. Instead, the speaker brings up topics or stories that are off topic, or the speech act is incoherent and confusing. The key criterion for this third category is that the speech does not open new windows for the group to talk about the peace process.

4. The Speech Act Transforms the Level of Deliberation from Low to High

This fourth category is used if the preceding speech act was at a low level of deliberation and the current speech act transforms the discussion to a high level. Participants are successful in adding new aspects to a topic already discussed or in formulating a new topic, in the case of the Colombian ex-combatants, relevant for the peace process. Success means that good arguments are presented for why an old topic should be further discussed or why a new topic should be put on the agenda. In this way, the speech act opens new space for the discussion to continue in a meaningful way.

How do we apply these four coding categories to the data we have collected? For the collection of the data, we refer to chapter 1. The group discussions of the Colombian ex-combatants, as well as the poor community residents and police officers in Brazil, were audio-recorded; in both countries for security reasons participants refused to be video-recorded. For the group discussions in Srebrenica, it was possible to use

both audio and video recordings. As a first step in the analysis, the recordings were transcribed into Spanish for Colombia, into Bosnian for Srebrenica, into Portuguese for Brazil; then the transcripts were translated into English.⁵ This was done by Maria Clara Jaramillo for Colombia, by Simona Mameli for Srebrenica, and by Rousiley Maia and her collaborators – Danila Cal, Raphael Sampaio, and Renato Francisquini – for Brazil. The translators had already acted as moderators of their respective groups, so they were familiar with the atmosphere in which the group discussions took place. The coding was a collective effort of the four authors, whereby Jürg Steiner had to rely on the English translations. We have looked in common at each speech act to arrive at a judgment about which of these four categories best applies to the respective speech act.

Maria Clara Jaramillo and Jürg Steiner did a reliability test choosing group 1 of the Colombian ex-combatants with altogether 107 speech acts; they agreed in 98 of these cases, which is a high rate of agreement. This does not mean, however, that we claim an *objective* nature of our coding. But the high rate of agreement is still comforting, especially because we come from very different backgrounds, Jaramillo from Colombia, Steiner from Switzerland. More important, our coding is fully transparent and therefore open for replications. The following website www.ipw.unibe.ch/content/research/deliberation contains the recordings, the transcripts in the original language, and the English translations with the coding of the individual speech acts and the justification of the codes. Readers are invited to follow on this website how we interpret the dynamic that goes on in a particular discussion, and it may very well be that some readers take a different view, which would be in the deliberative spirit of how we look at our research.

How new is the DTM concept for the study of discussions in citizens' groups? Simon Niemeyer comes close to the concept, when in his PhD dissertation he writes about “turning points” in deliberation.⁶ Lyn Carson reports that a participant in the discussions of the ACP talks about a “transformative” incident, when something unusual had happened,

⁵ The English translations have been kept as close as possible to the original text to give a feeling of how participants actually expressed themselves.

⁶ Simon J. Niemeyer, “Deliberation in the Wilderness: Transforming Policy Preferences through Discourse” (PhD diss, Australian National University, 2002).

which changed the tone of the deliberation.⁷ But it has not yet been widely studied how in a discussion of citizens' groups the level of deliberation may change from low to high or vice versa. Outside the deliberative literature, the concept of *catharsis* has some similarities with our concept of transformative moments. It was initially presented by Aristotle in his response to Plato's criticism of drama. According to Plato, drama should be closely controlled or eliminated, as it fosters human passions. Aristotle, on the contrary, argued that "dramatic catharsis was necessary, that it purged the audience of pity and terror."⁸ In fact, in his *Poetics*, Aristotle argues that "drama tends to purify the spectators by artistically exciting certain emotions, which act as a kind of homeopathic relief from their own selfish passions."⁹ To be relieved from selfish passions fits well the situations when a discussion is transformed to a higher level of deliberation.

There is, of course, a very broad literature on conflict resolution in deeply divided societies. Next, we wish to show how our book fits into this literature and how our research can contribute to this larger literature. For a long time and still somewhat today, the most prominent approach in this broader literature is the consociational theory of power sharing, which was developed in the 1960s by Arend Lijphart in his book on the Netherlands.¹⁰ Historically, the country was deeply divided between Calvinists and Catholics; there was also a third group of secularists, mostly Socialists and Liberals. One spoke of three "zuilen" (pillars) that characterized the country. This meant that the entire political and social life was organized within the three groups. Even sports activities were organized within the three pillars. Marriages took place almost exclusively within the three groups. Relations among the three groups were tense and hostile, although there was never a civil war. The great breakthrough came in 1917 with what came to be known as "pacification." An extra-parliamentary group of a few top leaders of the three pillars worked out far-reaching reforms that later passed in parliament. Lijphart

⁷ Lyn Carson, "Investigation of and Introspection on Organizer Bias," in *The Australian Citizens' Parliament and the Future of Deliberative Democracy*, ed. Carson, Gastil, Hartz-Karp, Lubensky.

⁸ Thomas J. Scheff and Don D. Bushnell, "A Theory of Catharsis," *Journal of Research in Personality* 18 (1984): 238.

⁹ Jacob L. Moreno, "Mental Catharsis and the Psychodrama," *Sociometry* 3, 3 (1940): 209.

¹⁰ Arend Lijphart, *The Politics of Accommodation: Pluralism and Democracy in the Netherlands* (Berkeley: University of California Press, 1968).

refers to this willingness of the top leaders to reach over to the other sides as “spirit of accommodation,” to which he devotes an entire chapter. He defines a spirit of accommodation as being “willing and capable of bridging the gaps between the mutually isolated blocs and of resolving serious disputes in a largely nonconsensual context.”¹¹ Lijphart then demonstrates that this spirit of accommodation continued after the pacification of 1917, using many colorful illustrations to show how this worked in the political praxis of the Netherlands. Thereby, he shows that particular institutions of power sharing helped accommodation among the three groups. By this he means the four institutions of proportionality for parliamentary elections, grand coalitions for cabinet formation, group autonomy, and strong veto points in the overall political system.

What Lijphart had formulated as the consociational theory of power sharing was shortly afterwards applied to three other deeply divided European democracies, Austria, Switzerland, and Belgium.¹² Austria was deeply divided between the two “Lager” (camps) of the Catholic right and the secular left. In Belgium the deep division was twofold, between Catholics of the right and seculars at the left, and between the language groups of Flemish and Walloons. Switzerland was deeply divided between Catholics and Protestants and among the three language groups of German, French, and Italian speakers. The consociational theory of power sharing was used to explain accommodation also in these three countries. All four countries to which the theory was applied have in the meantime become quite homogenous, a development that was considered as a further success of the theory. The overall argument was that a spirit of accommodation and power-sharing institutions led to accommodation across deep divisions and ultimately broke down these deep divisions.

In a further development of consociational theory, Lijphart applied it to a large number of countries, first to 21 countries¹³ and then even to 36

¹¹ Lijphart, *The Politics of Accommodation*, 104. Jürg Steiner used the concept of “amicable agreement”; see his *Amicable Agreement versus Majority Rule: Conflict Resolution in Switzerland* (Chapel Hill: University of North Carolina Press, 1974).

¹² M. L. Markus, Crepaz and Jürg Steiner, *European Democracies* (London: Pearson, 2013), ch. 13.

¹³ Arend Lijphart, *Democracies: Majoritarian and Consensus Patterns of Government in Twenty-One Countries* (New Haven: Yale University Press, 1977).

countries.¹⁴ In other words, the method of in-depth country case studies was abandoned in favor of a large N approach. The consequence was that the cultural aspect of a spirit of accommodation fell by the wayside because it was conceptually too vague to be measured in a reliable and valid way across numerous countries. Thus, the consociational theory of power sharing became an exclusively institutional approach to explaining accommodation across deep societal divisions. Such a limited approach was not helpful when there was no spirit of accommodation in a country, for example in Bosnia and Herzegovina after its civil war in the early 1990s.¹⁵ In the Dayton Accords, power-sharing institutions were imposed on Bosnia and Herzegovina, but this was not sufficient to lead to real accommodation among the three deeply divided groups of Bosniaks, Croats, and Serbs. Our book should help to return consociational theory to its origin in making the spirit of accommodation once again part of the theory. What Lijphart initially had in mind with his concept of spirit of accommodation can now be captured by the concept of deliberation, an argument that Lijphart himself now explicitly supports.¹⁶ He acknowledges that when he wrote about the top leaders reaching over to the other sides, he meant that they were willing to listen to the other sides and possibly to be convinced by the force of their argument, which corresponds very much to what we understand today by deliberation.

While the institutions of power sharing may remain constant over a long period of time, the level of deliberation may greatly vary over time and from issue area to issue area. One can then study particular decision-making processes and identify the level of deliberation in parliament, the media, citizen groups, and other formal and informal arenas. With such an approach one does not negate the importance of power-sharing institutions, but one comes back to the original argument of consociational theory that power-sharing institutions are a necessary but not sufficient condition for accommodation across deep divisions; one also needs a certain amount of deliberation in the various political arenas.

¹⁴ Arend Lijphart, *Patterns of Democracy: Government Forms and Practices* (New Haven: Yale University Press, 1999).

¹⁵ Adis Merdzanovic, *Democracy by Decree: Prospects and Limits of Consociational Democracy in Bosnia and Herzegovina* (Stuttgart: ibidem Verlag, 2015).

¹⁶ Personal communication, December 9, 2015.

John S. Dryzek also wants to add deliberation back to consociational theory of power sharing.¹⁷ He criticizes Lijphart that in his initial case study on the Netherlands he focused only on the top leaders when he introduced the concept of spirit of accommodation, neglecting what should be the role of ordinary citizens. The critique of Dryzek is that for Lijphart “contentious deliberation occurs only between the leaders of the different blocs, and even then mostly in secret (for fear of inflaming publics).”¹⁸ According to Dryzek, this “precludes any role that public deliberation constructed as social learning might play in reconciliation in divided societies.”¹⁹ He “hopes that reflection stimulated by interaction could contribute to less vicious symbolic politics, not tied to myths of victimhood and destiny.”²⁰ Thus, Dryzek postulated that deliberation at the mass level is at least as important as deliberation among the top leaders. In our book, it is precisely the postulate of Dryzek that we follow in bringing together ordinary citizens across the deep divisions of the three countries under study. In an earlier study, we looked at deliberation in parliamentary debates,²¹ but now we feel the need to investigate how much ordinary citizens are willing to listen to arguments that come from across deep divisions. Dryzek wishes that there were an “autonomous public sphere worth speaking of . . . deliberative democracy depends crucially on the engagement of discourses in the public sphere.”²² Dryzek sees a positive example of how such a broad public sphere can operate in Canada, which “features occasional attempts to rewrite the constitution to accommodate the competing aspirations of Francophones and Anglophones, as well as episodes where Quebec looks as though it might secede and then draws back.”²³ The three countries under study in this book are not yet as far as Canada, but perhaps our book will help to strengthen deliberative skills in these countries, as we will argue in the conclusion.

¹⁷ John S. Dryzek, “Deliberative Democracy in Divided Societies: Alternatives to Agonism and Analgesia,” *Political Theory* 33 (2005): 218–42.

¹⁸ Dryzek, “Deliberative Democracy in Divided Societies,” 222.

¹⁹ Dryzek, “Deliberative Democracy in Divided Societies,” 222.

²⁰ Dryzek, “Deliberative Democracy in Divided Societies,” 223.

²¹ Jürg Steiner, André Bächtiger, Markus Spöndli, and Marco R. Steenbergen, *Deliberative Politics in Action: Analysing Parliamentary Discourse* (Cambridge, UK: Cambridge University Press, 2005).

²² Dryzek, “Deliberative Democracy in Divided Societies,” 238.

²³ Dryzek, “Deliberative Democracy in Divided Societies,” 235.