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DELIBERATION ACROSS DEEP DIVISIONS.
TRANSFORMATIVE MOMENTS[*]

Abstract*: In group discussions of any kind there tends to be an up and down in the level of deliberation. To capture this dynamic we coined the concept of Deliberative Transformative Moments (DTM). In deeply divided societies deliberation is particularly important in order to arrive at peace and stability, but deliberation is also very difficult to be attained. Therefore, we wanted to learn about the conditions that in group discussions across the deep divisions of such societies help deliberation. We organized such group discussions between ex-guerrillas and ex-paramilitaries in Colombia, Serbs and Bosnjaks in Srebrenica, and poor residents and local police officers in the favelas (slums) of Brazil. We could identify factors that help to transform discussions from low to high deliberation and risk transformations in the opposite direction. We could also identify factors that help to keep a discussion at a high level of deliberation, and, in a next step, we could determine to what extent long sequences of deliberation had a positive impact on the outcomes of the discussions. Finally, we show how our research results can have a long term effect if it is used in schools of such deeply divided societies.*

Keywords*: deliberation; speech-acts; war; Political Philosophy*

Our research aims to make deliberation relevant for the political practice.[1] The basic assumption is that from the local level to international politics, we need generally more deliberation 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

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[*]   An earlier version of this paper was presented at the World Congress of the International Political Science Association, Poznań, July 23–28, 2016.

[1]   For a fuller description of our research see Steiner et al. 2016.

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 that its level drops again. To study these ups and downs of deliberation, we have coined the concept of *Deliberative Transformative Moments (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 be established. In our view, it is worthwhile to make an effort in this direction, since more deliberation may be the best hope to have more peace in these countries. They are critical cases for the deliberative enterprise. We will present data of group discussions of ex-guerillas and ex-paramilitaries in Colombia, of Serbs and Bosnjaks in Bosnia-Herzegovina, and of poor community residents and the police in Brazilian favelas (slums). These are critical cases in the sense that if some upward Deliberative Transformative Moments can be found, it seems reasonable to assume that they can also be found under more favorable conditions. So the crucial question for our research is whether some significant level of deliberation is possible under the unfavorable conditions of deeply divided societies.

The link of our research with the practice will be that tapes and transcripts of our group discussions will be included in the schoolbooks of these deeply divided countries and perhaps also in other deeply divided countries. Such schoolbooks will allow children at an early age to learn how deliberation works. Thus, we make a link between the deliberative literature and pedagogy. In this way, our research should have a long-term effect. Like anything else, deliberation can be learned in schools. One needs, however, the appropriate pedagogical instruments, and we hope that our research results will offer such help for schools. We can offer, for example, group discussions of Colombian ex-combatants, where common ground could be found of how to make progress in the peace process. We can also offer examples where deliberation broke down. School children can learn both from successful and failed deliberation.

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 (cf. Steiner 2012; Štajner 2015). 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 at this complexity we have developed the concept of Deliberative Transformative Moment (DTM).

Before we go deeper into the deliberative model, we should be aware that deliberative research, like all social science research, has a philosophical background that needs to be reflected. Such reflection is done in a lucid way in a book-length publication by Antonio Floridia (Floridia 2016). The philosophical background of deliberation theory contrasts most clearly with the one of rational choice theory. The two theories are based on different assumptions about human nature. For rational choice theory, both politicians and ordinary citizens are always individual utility maximizers. This assumption was formulated early on in a classical way by Paul Edward Johnson, when he writes that "people are rational – they have preferences and act purposively to bring about outcomes that are desirable to them" (Johnson 1990, 610). Deliberative theory, by contrast, assumes that occasionally ordinary citizens and politicians do not exclusively pursue their individual preferences but truly care for the wellbeing of others. To be sure, to do good for others can be an individual preference, whose fulfilment gives internal psychic rewards, which would fit the assumption of rational choice that people are individual utility maximizers. In this case, to feel good about oneself would be the desired utility. Deliberative theory does not deny that many such cases exist, but it assumes that in politics there is also some genuine altruism, where voters or politicians do something for others without thinking what is in for themselves. In a referendum, for example, voters may support an expensive program for refugees without calculating that this may possibly increase their taxes. They may simply follow their conscience (Steiner 1996). Philosophically, rational choice theory goes back to Thomas Hobbes, deliberative theory to Immanuel Kant. It is, of course, not possible to say whether rational choice theory or deliberative theory are closer to truth, they simply start from different assumptions about human nature. How these assumptions are seen depends on one's psychological framing, and this framing depends on how one is socialized (Barber 1984, 67ff.). Thus, rational choice theory is particularly prominent in the United States, where it fits the strongly individualistic and competitive culture.

Deliberative theory got a push, when rational choice theory became prominent in the 1980's in the academic world. One of us set a counterpoint to the basic assumption of rational choice theory, using as example the playwright and dissident Václav Havel (Steiner 1991, 46–50). The Communist regime would have allowed him to go into exile, but Havel wanted to stay in the country to continue to raise his voice as dissident. For many months, he was sent to labor camp, where he almost died. After the fall of Communism, he became the first president of Czechoslovakia. From a rational choice perspective, one could argue that this heroic behavior was a long term investment for a political career, if one day Communism would crumble. Even rational choice theorists would not go so far, but they would argue that Havel was a rare exception that one could neglect in their theories. We argue, however, that Havel may be a rare exception but that he was exemplary. We do not deny that self-interest of both politicians and ordinary citizens is always very important. But as Nelson Mandela wrote, "man's goodness is a flame that can be hidden but never extinguished" (Mandela 1995, 622). This he said after having been treated cruelly by the white guards

in prison. One can also think of the famous death toll poem of John Donne (1572–1631): "Any man's death diminishes me because I am involved in mankind, and therefore never send to know for whom the death toll; it tolls for thee" (in Dickson 2006). This poem speaks against the strong individualism of rational choice and goes to the roots of deliberation that one should care for others. Of course, politics cannot always follow the advice of John Donne, but deliberative theory assumes that some of us some of the time act in the spirit of John Donne. One should not deny that rational choice colleagues have an interesting research agenda, too. Deliberate theory and rational choice theory are just two ways to look at the world. This is fine, as long as neither side claims that their assumptions are objectively true. It is interesting and fruitful to look at politics through the lenses of deliberate theory, but one should accept that it is equally valid to use the lenses of rational choice theory. It is necessary, however, to reflect on the philosophical assumptions of one' work.

Having presented the philosophical background of our research, we now show how we proceed to identify Deliberative Transformative Moments (DTM). At an abstract level, we define them as changes from a low level of deliberation to a high level or vice-versa. To identify such situations, we use an interpretative-qualitative approach that has much to do with linguistics, social psychology, and rhetoric. 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. To get an empirical handle at the concept of Deliberative Transformative Moment (DTM), we see deliberation as a continuum from no deliberation to full deliberation. On this continuum, we establish a cut-off 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 or vice-versa, we use the following four coding categories for each speech act. In the 2014 issue of the Belgrade Philosophical Annual, we have presented an earlier version of the four coding categories (cf. Steiner, Jaramillo, and Mameli 2014, 39–48). Comparing this earlier version with what we present below allows the reader to see how these categories are a moving target that always still need improvement.

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 least problematic if it fulfils all the criteria of good deliberation (cf. Steiner 2012), which means that the speaker has not unduly interrupted other speakers, justifies arguments in a rational way or with relevant stories or humor,

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 fulfil 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 deliberative burden can be shared with some actors procuring new information, while other actors formulate new proposals, etc. 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.

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 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 to the discussion again a direction. 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 to formulate a new topic, in the case of the Colombian ex-combatants relevant for the peace process. Success means that good arguments are presented 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 proceed to apply these four coding categories to the data that we have collected? 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.[2] This was done by Maria Clara Jaramillo for Colombia, by Simona Mameli for Srebrenica, and by Rousiley Maia and her collaborators – Danila Cal, Rafael Sampaio, and Renato Francisquini – for Brazil. The translators had already acted as moderators of their respective groups, so that 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 website of the Institute of Political Science (University of Bern) 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 (Institute of Political Science 2016). The 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.

We still have to justify why we focus on discussions among ordinary citizens and not among political leaders. In deeply divided countries, leaders tend to base their power on their respective group identities. Therefore, they have a vested interest that the deep divisions are kept up. In Srebrenica, for example, ordinary Serbs and Bosnjaks that we assembled for our group discussions complained that their political leaders want to keep them divided, so that their power remains intact. Emina from the Bosnjak side, for example, made the following statement: "The government just separates people; it frightens one side against the other, it says that we do not need to live together, so that they can rule us."[3] Ordinary citizens, by contrast, are generally less constrained by such power considerations

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

3   Cf. website for group 2 in Srebrenica (Institute of Political Science 2016).

and should therefore be more open to deliberate across deep divisions. So we had good reasons to focus on ordinary citizens. Results of their discussions, however, must reach the political leaders, and it must be made sure that these leader take seriously the results of citizens' groups. Political authorities who have the legal power to make decisions do not necessarily have to follow recommendations of citizens' groups, but they have to give good reasons if they take a different path.

We also still have to justify the choice of our three countries. Our initial choice was Colombia as an almost ideal case for a war torn country making efforts to end the war. Colombia has a long history of political violence, as presented in graphic form by Nobel Prize winner Gabriel Garcia Marquez with his novel *One Hundred Years of Solitude.* When we began our research, a program of decommissioning was under way, which gave us the chance to assemble guerrillas and paramilitaries, who a short while ago were still shooting at each other. Thus, we could submit deliberation to a particularly hard test. Would these ex-combatants be willing to meet at all, and if they did, would they ever be able to raise the discussion to a high level of deliberation? Having chosen Colombia, we looked for a similar case and found it with Bosnia-Herzegovina, another war torn country on its way out of civil war. Here, too, we had a case with a long history of political violence, as presented by another Nobel Prize winner, Ivo Andrić with his colourful novel *The Bridge over the Drina.* Within Bosnia-Herzegovina, we chose the town of Srebrenica for our research, a particularly hard case for deliberation, since it was here that in 1995 Serbs massacred a large number of Bosnjaks, men and boys. With these dreadful memories, would there be any amount of deliberation between Bosnjaks and Serbs? In Brazil, there are favelas (slums) with often war like situations, mostly linked to drug trafficking. The Brazilian police tends to exercise brutal violence with many mortal fatalities not only among the slum residents but also among the police officers. Here was another hard test for deliberation. Would the police sit together with poor slum dwellers and engage in some deliberative dialogue? We attempted to answer the question with discussion groups of local police officers and poor slum dwellers in Belo Horizonte and Belém. The three countries are similar in having deep divisions involving heavy violence. But there are also differences: In Colombia the division was based on poverty, ideology and drugs, in Srebrenica on poverty and ethnicity, in Brazil on poverty and drugs. In Srebrenica the civil war had ended, while in Colombia and Brazil violence continued at a high level. So we take a most similar approach with, however, some important differences.

Let us now show how we did the research in the three countries. We begin with *Colombia*, which is a particularly deeply divided society, in particular between leftist guerrillas and rightist paramilitaries. When we began our research, the Colombian government had a program of decommissioning under way. This program applied to combatants of both left guerrillas (in particular FARC, Fuerzas Armadas Revolucionarias de Colombia and some smaller guerrilla groups) and the paramilitary forces at the extreme right. Would ex-combatants be willing to sit around the same table? This was the challenge of our research, and it took patience to organize 28 discussion group with altogether 342 participants. The research took place in 2008. The work in

the field was done by Maria Clara Jaramillo and Juan Ugarriza. In order to get a financial stipend, the ex-combatants were required to participate in a program of the Office of the High Commissioner for Reintegration. Social workers acted as tutors, and ex-combatants had to attend twice a month small-group sessions with these tutors, who helped us with a solution that gave to the ex-combatants the necessary incentives to attend our discussion groups. They could replace the bi-monthly tutorial sessions with participation in a single event and still get the full stipend. Of importance for the interpretation of what was said in the discussion groups is that politically there were strong differences between the two groups. The ex-guerrillas come much more often from a leftist family background, the ex-paramilitary from a rightist background. The clearest indicator for the deep divisions between the two groups comes to light in response to the question about their attitudes towards the combatants still fighting in the jungles. Although the participants in the discussion groups had left their former comrades, they expressed a more positive attitude towards their own side than to the other side. At the beginning of the discussions, the moderators stated the following topic: "*What are your recommendations so that Colombia can have a future of peace, where people from the political left and the political right, guerrillas and paramilitaries, can live peacefully together.*" Moderators did not intervene to encourage deliberative behaviour. It was precisely our research interest to see to what extent ex-combatants were willing and able to behave in a deliberative way without any outside help. Thus, moderators let the discussion go wherever it went.

Bosnia–Herzegovina, with its recent internal armed conflict, was also a difficult place to do our research. We did it in Srebrenica, where the civil war was particularly ferocious. The research design was basically the same as for Colombia. In 2010, Simona Mameli organized six discussion groups with altogether 40 participants. For three groups, she selected the participants with a method called *random walk.* This means that she walked the streets of Srebrenica and approached people in a random way asking them to participate in our discussion groups. With random walk to select participants, we encountered two difficulties. One was related to the living pattern of the Bosnjak population. It forms the numerical majority in Srebrenica, but many Bosnjaks are only formally registered in the town and prefer to spend most of their time somewhere else. It seems that many of them come back only for elections or commemorative events for the genocide. It appears that more moderate Bosnjaks tend to live permanently in Srebrenica. This means that we likely got more moderate Bosnjaks in our sample. A second difficulty in searching for participants through a random walk was that some, both Serbs and Bosnjaks, were not willing to participate or, when they did promise to attend, did not show up. For the other three discussion groups in Srebrenica, we wanted participants, who had been exposed to a program of reconciliation and peace building, so that we could examine whether participation in such a program made a difference in the behavior in the discussion groups. The Nansen Dialogue Center, a Norwegian NGO, has such a program; its main objective "is to contribute to reconciliation and peace building through interethnic dialogue" (Nansen Dialogue Network 2011–2015).

The staff of the center helped us to recruit people, who had participated in its activities, making the selection as randomly as possible. The organization of the discussion was basically the same as in Colombia. Here the task for the group was to *"formulate recommendations for a better future in Bosnia–Herzegovina."*

In *Brazil,* poor residents in the favelas (slums) have a contentious relationship with the police. The police actions are characterized by human rights violation and abusive force, particularly against minority populations. Although the country has been re-democratized, the legacy of the military dictatorship (1964–1984) created an authoritarian culture in the police force. The growing power of criminal organizations and drug trafficking led to an escalating violence in the slums. The rhetoric of the "war on crime" leads to the view of the police as an army in face of an enemy to be destroyed. This rhetoric of war has the result of criminalizing residents of poor communities, who are seen as marginal and dangerous, as a threat to society. Although the majority of police officers come from lower classes in Brazil, they adhere to discriminatory cultural schemas and develop aggressive conduct to poor and non-white persons. This is the context in which we organized in 2014 six discussion groups, three in Belo Horizonte and three in Belém. Participants were poor community residents and local police officers, altogether 76 persons. To identify the participants, we had the help of the staff of two social projects, *Rede Escola Cidadã*, in Belém, and *Fica Vivo*, in Belo Horizonte; we also got the help of the police from the two cities. The research in the field was directed by Rousiley Maia; moderators were Márcia Cruz in Belo Horizonte and Danila Cal in Belém. The organization of the discussions followed the same guidelines as in Colombia and Srebrenica. The question to be discussed was: *"How is it possible to create a culture of peace between poor community residents and the local police?"*

We now give for each country two examples of Deliberative Transformative Moments (DTM), one upward, the other downward. We begin with the discussions of the ex-combatants in Colombia. With the following personal story ex-paramilitary Ernesto helped to transform the discussion back to a high level of deliberation.

> That is one of the things I used to say when I was young, I said, well, if I am Colombian, I am able to go everywhere I want to. Later, when I started to live with the conflict, I realized that there were places where people would tell you "go away from here, we don't know you". You knew that you were in danger. When I came to Bogotá, I was with a cousin and a friend of mine in one of the northern and wealthy neighborhoods, we were kind of lost. Then the police came, at first they asked us what we were doing; as my friend couldn't respond, at the end the police said they didn't want to see us around anymore, because neighbors had called to let them know that there were some strange and suspicious people, and they didn't want you here. What I feel is what you said about stratification, it is more than levels one, two or three of a scale; it is discrimination, that is the hard thing.

This story is relevant for a discussion among ex-combatants about the peace process in Colombia. Ernesto begins the story with his optimistic expectation that when he was young he could go anywhere in the country. He felt that as

a Colombian he was not discriminated. Ernesto then continues that later in life in the context of the civil war he had to learn that unfortunately discrimination existed in Colombia and that he encountered this at a very personal level. He illustrates this claim with a story about a bad experience that he had in a wealthy neighborhood in Bogotá. Because he, his cousin and his friend looked suspicious, wealthy neighbors called the police to chase them away. Ernesto characterizes this episode as putting them in danger, because they were anxious not knowing what the police would do with them. This story is relevant for the peace process, because Ernesto can show to the other participants that there are huge social and economic inequalities in Colombian society. More specifically, he can show how ex-combatants in particular suffer under these inequalities. Through his story, Ernesto tells the other participants that these inequalities are not just a legal concept with abstract levels of one, two and three, but something that is revealed in everyday life as real discrimination. Ernesto does not explicitly link such discrimination to the ongoing civil war, but he tells his story in such vivid terms that it is implicitly clear that such inequalities are a major obstacle on the way to peace. Discrimination of ex-combatants is particularly damaging for the peace process, because their successful reintegration into society is a key pillar of the governmental peace plan of decommisioning and reintegration. If ex-combatants are dissatisfied with their situation, they may go back to fight in the jungle, as many have already done so. All this shows that the story of Ernesto touched an important nerve in the peace process. His story helps to make the argument that discrimination of the ex-combatants and more generally of the large masses of poor people has to be overcome if there is any chance for peace. The story helped the group to take a perspective on their common discrimination as ex-combatants, irrespective whether they come from the side of the guerrillas or the side of the paramilitaries. In this way, the story helped the group to develop a common life world in the sense of Habermas (Habermas 1981, 159). Laura W. Black also sees great potential in storytelling to enhance deliberation; for her "stories encourage listeners to understand the perspective of the storyteller. In this way, storytelling can provide group members with an opportunity to experience presence, openness, and a relational tension between self and other" (Black 2008, 109).

As we see in the following example, stories can also have a negative influence on deliberation. In this case, ex-guerrilla Hernando complains about the demobilization program and then tells his story.

> I've been demobilized for almost three years. The military card. What happened? From there I even was in jail in Picaleña for some crimes I had committed over there.

To this jail story, Beatrix, another ex-guerrilla, reacts with the following question:

> You mean you have not yet been cleared?

To this question Hernando answers as follows:

> Well, right now, it took me around life imprisonment, and I don't know what. I have to go to. Until you are not. They are not going to find a solution for us.

Hernando begins his story in a way that could have been of interest to the other participants. He informs them that he is demobilized for almost three years, which is longer than for most ex-combatants. So the group would have been interested to learn from Hernando how things stand after such a long time of demobilization. He mentions that he got a military card, which means that he was enrolled in the regular Colombian military. This was not an exceptional situation for ex-combatants; thereby, one must know that many of them were forced to enroll with illegal means. Hernando does not say, how he joined the military and what his experience was in the regular armed forces. He continues his story in telling the group that he committed some crimes and was put to jail. Again, he withholds from the group what exactly happened, which crimes he committed and what was his experience in jail. Beatrix, also an ex-guerrilla, asks him in a respectful way whether he has not yet been cleared. The context of the question is that the Colombian government makes a distinction for ex-combatants between military actions and ordinary crimes. For ordinary crimes they are persecuted like everyone else. Thus, Beatrix wanted to know whether Hernando was cleared from ordinary crimes. He is taken aback by this question not knowing how to answer and rambling along. The group only learns that he has not to go for life in prison, but otherwise Hernando does not give any further information of what happened to him in the almost three years since his demobilization. When Hernando spoke up, the conversation did flow at a high level of deliberation. Why did his story not help to keep the conversation at this high level but transformed it down to a low level? Since Hernando had a long experience of being decommissioned, his story had the potential to tell the group much about the process of reintegration. The group could have learned from him how the government differentiates for ex-combatants between military actions and ordinary crimes. The group also could have learned whether joining the regular armed forces was a good option for ex-combatants to be reintegrated into society. Hernando did not give any useful information about these questions, neither on the process of reintegration in general. His story lacked specifics and was not related in any intelligible way to the peace process. The case of Hernando shows that Sharon R. Krause is correct when she warns that personal stories may also have a detrimental effect on the quality of deliberation and that one should "distinguish between deliberative and nondeliberative forms of expression" (Krause 2008, 61). The story of Hernando was clearly a nondeliberative form of expression, not adding anything substantial to the discussion on the peace process.

We now turn to the discussions of Serbs and Bosnjaks in Srebrenica and present here, too, two cases of Delibereative Transformative Moments (DTM), one upward, the other downward. Milena from the Serb side offers a good example of how a rational argument can help to transform the discussion back to a high level of deliberation. Before she spoke up, Svetlana, also from the Serb side, had expressed utter despair claming that political parties hand out jobs only among their supporters, and as protest she will not give her vote to any party. With such despair, she keeps the discussion at a low level of deliberation. Milena picks up the election issue with the following rational argument:

> If you don't vote for anyone, those votes will help the current authorities.

Milena is interactive and offers Svetlana an argument why abstention in elections is counterproductive because it helps the current authorities. This argument is based on good knowledge of how elections work, and Milena links in a rational way a cause with a conclusion, transforming the discussion back to a high level of deliberation in opening space to discuss of how to use elections in an effective way.

An example of how the discussion in Srebrenica was transformed from a high to a low level of deliberation stems from Sladjana, whom we have already met above. With the following statement, she expressed utter despair and hopelessness:

> Here I am, a single mother I'm not protected by any law. I thought of that. No law. I had a problem, I faced the first three to four years (as single mother), and with whomever I spoke they told me that there is no law.

Sladjana seems comfortable enough to talk about her problems as a single mother. She does not say what her problem is but expresses despair that single mothers are not protected by any law. Bosnjak Tarik enlarges the despair of Sladjana to a more general level:

> What do you think, madam, how I am protected? I am a male. But neither women nor men are protected by laws. Neither you nor me. So, there is no law. For those who survived, there is no law.

Tarik refers to the massacre in Srebrenica, when he talks about those who survived. He enlarges the point of Sladjana that not only women, but men, too, are not protected by any laws. So he reinforces the despair of Sladjana keeping the discussion at a low level of deliberation.

Finally, we turn to two examples from the discussions in the Brazilian favelas between police officers and local inhabitants. A good case of an upward Deliberative Transformative Moment (DTM) was launched by Carolina, who at the time was only a 14 year old high school student:

> The people in the community only have bad things to say about policing, which is rude, but they do not see the sacrifice the police makes every night, right? Oh, I think what is missing is for the community to communicate with the police. When they have their break, community members should come up and tell the police what they think, to communicate with them. Because I think that it is a lack of communication between them. Because if you have perfect communication, the people will become more relaxed about security.

As a teenager, Carolina shows great wisdom in making a proposal very much in a deliberative spirit. At first, she shows good will towards the police acknowledging their sacrifices. Then she identifies the reason for the lack of a culture of peace that the community does not make any effort to communicate with the police. Furthermore, Carolina makes a concrete proposal how the situation can be remedied in asking the members of the community to come up to the police officers when the latter have their regular work breaks and to tell them what they have in mind. She concludes that such communication would

relax the relations between the police and the community. This is all very well argued; the problem is clearly stated, and a specific solution is proposed how the problem can be solved. To emphasize the importance of communication is a key element in the deliberative model, and it is amazing how well Carolina is able to express it in simple terms. As the next speaker, police officer Roberto agrees with Carolina that communication is key and applauds the "interaction as we do it now (in the discussion group)." So the discussion continues with Roberto at a high level of deliberation.

A case of a downward Deliberative Transformative Moment (DTM) in the Brazilian favelas was triggered by a sarcastic remark of 19-year-old inhabitant Larissa. She told two police officers that when she was almost robbed in a park she did not get any help of a by-standing police officer. The two police officers then attempted to explain to Larissa what could have happened. Perhaps the criticized police officer did not realize the situation or he was not on duty. They also told Larissa that she should have called on the police officer. In this exchange, Larissa got angrier and angrier and finally made the following sarcastic remark, transforming the discussion to a low level of deliberation:

> I think he was there for a walk rather than to do his job.

With this sarcastic remark, Larissa mocks the two police officers for what they try to explain to her and conveys contempt for the work of the police in general. The police officers now also got angry telling Larissa that according to the rules there must always be two police officers together, so that the criticized officer must live in the neighborhood and was off-duty. This whole exchange shows how sarcasm can derail a discussion. Larissa, instead of listening to the police officers according to the deliberative principle of reciprocity, lashed out with her sarcasm at the professional honor of the police.

Based on the anaysis of all our cases from the three countries, we arrived at our conclusions. Our baseline null hypotheses was that, given the deep divisions, the group discussions would mostly be at a low level of deliberation with minor fluctuations up and down. This null hypothesis is rejected. There were many cases where the group dynamics led the discussion from a low to a high level of deliberation and vice-versa. What mechanisms helped to transform a discussion from a low to a high level of deliberation? Our initial interest focused on the comparison between the effects of rational arguments and personal stories. We tried to throw light on the controversies in the deliberative literature on the role of these two mechanisms (cf. Steiner et al. 2016, chs. 1 and 2). We found that rational arguments and personal stories were about equally successful to transform discussions from a low to a high level of deliberation. When it came to transformations in the opposite direction, from a high to a low level of deliberation, the responsibility was much more often with personal stories than with rational arguments. There was indeed only a single case where a rational argument was presented with so much arrogance that the other participants were intimidated. We conclude from these findings that rational arguments keep the upper hand for their deliberative functions; they often help to transform a

discussion to a higher level of deliberation and are hardly ever responsible, when a discussion drops to a lower level. Personal stories, by contrast, have about equally often a positive and a negative influence on the level of deliberation. Deliberation is most helped when an actor makes a rational argument and supports it with a relevant personal story.

Besides rational arguments and personal stories, we found other mechanisms that helped to transform discussions from a low to a high level of deliberation or vice-versa. Good chosen humor can have a positive effect on deliberation, but when it turns to sarcasm, the effect can be negative. A mute reaction to an offensive remark can help that the discussion quickly returns to a high level of deliberation. At the individual level, we found that there were actors who played the role of deliberative leaders or deliberative spoilers. For upward DTM's it is particularly noteworthy that self-criticism and respectful criticism can have positive effects on deliberation. For downward DTM's, it is not surprising that in these war-torn countries the expression of despair and hopelessness often functioned as a deliberation killer.

We are aware that linking such factors to Deliberative Transformative Moments, we cannot speak in a proper way of causality. To establish proper causality, an experimental research design would have been needed with different treatments for individual groups. In some groups, for example, moderators could have insisted that no personal stories are told, whereas in other groups, on the contrary, moderators could have encouraged the telling of personal stories. With such an experimental design, we could have established in a true causal way the effect of personal stories on Deliberative Transformative Moments. We decided against an experimental research design, because we wanted to have our groups as close as possible to real life with the moderators not intervening and letting the discussions go wherever they went. Ours is not an experimental but a qualitative-interpretative approach with all its advantages and disadvantages.

We were not only interested in the factors that lead to Deliberative Transformative Moments (DTM) but also in what happens after such moments. Here, our focus was on what happened when the discussion continued for a long stretch at a high level of deliberation. Under these ideal deliberative conditions, actors of both sides of the deep divide were indeed often able to reach some agreements by the force of the better argument, which gave more legitimacy to the outcome. According to the research design, the moderators did not put issues to a vote but let the discussion go freely wherever it went. There were also no cases where participants organized a vote on their own. Therefore, we define an agreement between the two sides, if there is open accord from participants of both sides and no open objection of either side. A good example of such an agreement stems from a discussion between police officers and local residents in the Brazilian favelas, where there was a sequence with 24 speech acts at a high level of deliberation. There were 12 participants, three police officers, Michel, Gustavo, Cynthia; six teenagers, Thiego, Cibele, Yago, Thaiane, Nathália, Eric; three adult residents, Isadora, Margarida, Milena. At the beginning of this

sequence, 15-year-old Eric had transformed the discussion back to a high level of deliberation with the following statement:

> Teenager Eric: I think more communication, more conversation between the police and the community is needed, because sometimes it is just a lack of communication. For example, the police gets here and says something that is not true, it needs to have this conversation first: "How was it? How did it happen?" I think it is a lack of communication.

Police officer Gustavo agrees with "the young man here" that there must be "more dialogue." As a policy measure, Gustavo proposes that "the community has to invest more in cultural and educational projects." He justifies this investment that "there will be less crime, if the population is more educated." The discussion then turns to the question of discrimination by the police. Police officer Cynthia argues that for police work to be successful, profiling is necessary in the sense that not all community residents are approached in the same way. She justifies her argument in the following way:

> Police officer Cynthia: If you are walking down the street, and a boy is coming with a book, a backpack on his back, no matter his skin color, you do not check him; another boy is coming with dyed hair, tattoos, boxer shorts, walking in a strange way. Of whom of the two boys will you be afraid, who do you think will rob you?

Teenager Eric agrees with police officer Cynthia that the police should check only the second boy and adds: "I have no tattoos." This is a remarkable agreement across the divide between the community and the police. Community resident Margarida does not object to profiling but warns that "appearances can be deceiving because today bad guys dress better than good persons, so that the police does not think they are criminals."

Police officers Gustavo then gives advice to the community residents, especially to the teenagers.

> Can I give a tip for you guys? Walk with your documents. Let us say the truth, there are still a lot of aggressive police officers. Then you say, look if you want my identity it is right here in my pocket. The guy who is malicious does not want to be identified.

Gustavo then thanks our university research group, "because the community residents can already see some of the difficulties that we have in the police, and we know that everything can be improved." Police officer Cynthia adds that "it is a matter of both sides understanding that there are mutual difficulties but that we want to help each other. The community has difficulties with social issues, and the police has difficulties, too. When both sides understand this, things will change."

As a concrete measure, both sides agree that reporting of crimes should be improved. Community resident Margarida offers that "the community can help the police in cases of theft; sometimes our mobile phone gets stolen, and we think it is a silly thing and do not register it with the police." Police officer

Gustavo thanks Margarida for this offer and repeats "no more impunity, we need to report."

In this sequence of the discussion police officers and community residents address in a straight forward way their troubled relations and find ways of agreements how these relations can be improved. We found similar agreements between ex-guerrillas and ex-paramilitaries in Colombia and between Serbs and Bosnjaks in Srebrenica. In this paper, we do not have space to present examples from these two countries, for which we refer to our book-length publication (Steiner at al. 2016, ch. 8). The general important conclusion is that long stretches of high deliberation often leads to approaches and even agreements across deep divisions. In this way, deliberation can contribute to increased democratic legitimacy of political outcomes.

Our research has focused on the very micro-level of deliberation in studying the internal dynamic of group discussions. We are aware, however, that an important topic in the current deliberative literature is the analysis of deliberation at the system level (Parkinson and Mansbridge 2012). In this literature, the focus was up to now to analyze in a synchronic manner the various discourses in the system and how they are connected. The concept of Deliberative Transformative Moments can also be applied at the system level and will help to give to the analyses a longitudinal dimension. Let us take the United States, where it seems that since the late 1980's the level of deliberation has strongly dropped (cf. Muirhead 2014). The times have past, when President Ronald Reagan and Speaker Tip O'Neill had drinks together after work. There is no longer such a common life world between Republicans and Democrats in Congress, no longer any real deliberation. It is remarkable that this change cannot be explained institutionally because the institutions remained unchanged over this period of time. One could try to establish at the systemic level to what extent the level of deliberation actually dropped and what possible causes and consequences could be. Generally speaking, it will be fascinating to use the concept of Deliberative Transformative Moment (DTM) to connect deliberative theories at the micro– and macro-level. Possibly, there is a grand theory in waiting about the dynamic development of deliberation at all levels of society.

Our research should be relevant for the practice of deliberation. To be sure, some participants in our group discussions may have become more deliberative as a result of participating in these events. But this is not enough. There must be wider implications of our research. Of prime importance is that school children learn to deliberate. John Dewey is the classic author who has inspired much scholarship in this respect (Dewey 1902). More recently, in a general book about political education in schools, Eamonn Callan has stressed that moral dialogue in schools would seem necessary if we are to cultivate the respect for reasonable differences. ... Moral education requires ongoing dialogue with children as they grow up, and the requirement holds in schools and not just in families (Callan 1997, sec. 56).

From a philosophical perspective, Tomas Englund argues in the very title of his paper that schools can be "sites of deliberation" (Englund 2011). He begins

in a creative way telling the story of pianist and conductor Daniel Barenboim who for many years brought together in the West-Eastern Divan Orchestra young talented musicians from both sides of the conflict between Israel and Palestine for musical events and political dialogue (Ibid., 236). According to Englund, such dialogue across deep divisions should also be possible in schools, "namely as spaces for encounters between students from different environments exercising common interests, political dialogue and fraternization" (Ibid., 237). He postulates that the universal human right for education should mean "every child's right not just to learn basics, but also to come into contact with different and conflicting world views" (Ibid.). Englund wants an interactive universalism in which schools constitute an arena for encounters between different social, cultural, ethnic and religious groups that attaches importance to developing an ability and willingness to reason on the basis of the views of others and to change perspectives (Ibid., 244–245).

This focus of Tomas Englund for schools to overcome deep divisions fits exactly what we have in mind as practical conclusion of our research. We want students to be exposed to authentic material of our research about deliberation across deep divisions. The website to our research contains the recordings of the discussions and the transcripts both in the original language and in English translation (cf. Institute of Political Science 2016). The prime task will be to make future and current teachers familiar with the deliberative model. The research material will help in this task. In listening to the recordings and reading the transcripts of our group discussions teachers get an understanding what it means to deliberate. They learn what factors help and what factors hurt deliberation. Teachers will then have to be taught of how our research material can be used as a teaching tool. We suggest that schoolchildren should learn to deliberate in critically evaluating what went on in our discussion groups. Children in Bosnia-Herzegovina, for example, should listen to the recordings of the discussions of Serbs and Bosnjaks in Srebrenica and evaluate what reduced the division between the two ethnic groups and what increased the division. Was is helpful, for example, that both sides agreed on the construction of a shelter for stray dogs? Were the arguments well presented? Were participants listening to each other with respect? Was the wellbeing of the entire city considered or was each ethnic group only looking for their own interest?

To be successful, teachers have to use the right pedagogy to bring our research material into the class room. It would be in a deliberative spirit if teachers would somewhat stand back and let the students analyze for themselves the research material. This should preferably be done in small groups, where all the students can get actively involved. In this way, students learn not only about deliberation in our discussion groups but get themselves a hand-on experience in deliberation. A good pedagogical devise would be if the small groups would then report their results to the entire class, where a discussion in a larger circle can take place. Here, students learn to speak up to a larger audience, a necessary skill for their later role as citizens. In all such activities, teachers have a delicate and important role. Without intervening too much in the discussions of the

students, they still should give some deliberative guidance. When a student gives an argument without justification, the teacher should ask the student why he or she makes such an argument. Such teaching is very challenging and needs a lot of training and preparation before. So it is key that teachers become very competent in the field of deliberation.

To overcome deep divisions in countries like Colombia, Brazil, and Bosnia-Herzegovina is a long term project. Short term measures are not likely to be successful. This was shown in an investigation of Juan E. Ugarriza and Enzo Nussio in Colombia. They brought together discussion groups of ex-combatants and residents of communities that were particularly struck by the civil war. With a randomized controlled experimental design, they investigated whether encouragement to follow deliberative standards had an effect on the discourse quality in the ensuing discussions. While some groups got such encouragements, others did not. Comparing the two sets of groups did not reveal any significant differences in the discourse quality. Ugarriza and Nussio conclude: "A core finding from our experimental design is how short-term efforts aimed at providing people with a basic understanding of deliberative standards, while also encouraging them to act accordingly, cannot overcome the structural limitations deriving from low levels of education within marginalized communities" (Ugarrizza and Nussio 2016, 160). Using a medical metaphor, Ugarriza and Nussio caution in the very title of their paper: "There is No Pill for Deliberation."

This conclusion fits well with what we propose ourselves. Teaching the skills of deliberation must be a long term process beginning already at an early age in schools. Having understood deliberative lessons, children may also influence their parents leading to a snowball effect up the generations. It would also be helpful if the media, in particular social media, report about such new teaching experiences. When schoolchildren become later citizens, they should have learned to respect people with whom they differ with regard to ideology, ethnicity, race, religion, social class and other such aspects. We hope that in this way a culture of peace and tolerance will develop. Our practical argument is that deliberation is a skill that can be learned like any other skill. It would be gratifying for our research team if our research material could help in this learning process of deliberation. We are aware, however, that even when students have learned to deliberate in schools, these deeply divided countries may have so much power inequalities that effective deliberation in political practice may be difficult. But perhaps efforts to engage in deliberation by young people may help to reduce existing power inequalities.

To investigate whether our hope that schoolchildren can learn to deliberate based on our research material is our next research project. The prime focus are the three countries where we have done our current research, Brazil, Bosnia-Herzegovina, and Colombia. Other countries can be included, but there teachers and students have to rely on translations of the transcripts to their respective languages. The important element in this further research will be that there are control groups of students that do not get the "treatment" of deliberation. Only working with such control groups can we establish, whether teaching deliberation

has a positive effect. So see whether such an effect exists, students in both the control groups and the experimental groups have to fill out questionnaires before and after the latter groups get the deliberative treatment. To measure the attitudes towards deliberation, the following items are used (the response categories are for all four items: strongly agree, agree, disagree, strongly disagree, don't know).

> Item 1: When we have disagreements with other people, we should fight as much as possible for our own position.
>
> Item 2: When we have disagreements with other people, we should try to find a solution acceptable to everyone.
>
> Item 3: In politics, all are fighting for their personal interests.
>
> Item 4: We should not give up hope that we find political candidates who care for the common good of all of us.

If there are no changes in these items for the control groups, but there are changes in a deliberative direction for the experimental groups, the hypothesis is confirmed that the deliberative treatment had the expected effect. To check whether this effect is enduring, the items have to be answered again one month afterwards in both sets of groups. A further step in the research is when we check whether the impact of the deliberative treatment is not only on attitudes but also on behaviour. To do this further check, still a month later the two sets of groups participate in discussions across deep divisions, which may be based on ethnicity, race, religion, social class or any other identity creating attribute. The hypothesis would be that the students in the control groups would discuss in a less deliberative way than the students who got the deliberative treatment. Not only children but also adults can learn the skills of deliberation, and this also in deeply divided societies, as our research has shown. We hope that governmental agencies, nongovernmental organizations, universities, and other national and international agencies will join in our effort to set up discussion groups in deeply divided societies, bringing together people from across the deep divisions. Thereby, such discussion groups can also involve political leaders, either discussing among themselves or with ordinary citizens. Special attention must be paid to the role of the moderators. In the research reported here, our moderators only put the question to be discussed and then let the discussion freely go wherever it went. In our view, this is in a deliberative spirit in the sense that the moderation is taken over by the groups themselves with deliberative leaders emerging. There will also be deliberative spoilers, but the group has to decide itself how to handle them. With this approach, citizens are taken as "mündig" in the sense of Immanuel Kant (Kant 1784), a concept that is not quite captured but comes close to the term "mature". We acknowledge, however, that the level of deliberation may possibly be increased, if the moderator acts as facilitator, urging, for example, participants to give better justifications for their arguments or to be more respectful. The disadvantage of an active moderator is, however, that participants may feel like in school, discouraging them to speak up

in an independent way, fearing to say the wrong thing. For each project, one has to weigh carefully the advantages and disadvantages of active moderators.

Finally, there is the problem of *scaling up* from discussion groups to the policy process. Such discussion groups will always be small in number, involving only a minimal part of the entire population. Although participating in such groups has a value in itself, the policy impact can only be attained if the results of their discussions reach the political decision makers. We have made an effort in this direction. In Srebrenica, for example, the groups of Serbs and Bosnjaks put together letters with policy recommendations that were hand delivered to the office of the High Representative. These letters may or may not have had any influence. To make sure that an influence exists, the relationship between the discussion groups and the political authorities must be more institutionalized. In our view, this is very successful done by the Italian region of the Toscana, where this consultation process has as basis a law decided by the regional parliament (Regione Toscana. Consiglio Regionale 1998–2016). The law determines the issues that are important enough to be submitted to the consultation process of discussion groups. Quite a large amount of money is allocated on a yearly basis for this purpose. The ultimate legal responsibility remains with the political authorities, but according to the law they must seriously consider the recommendations that come from the various discussion groups. Thereby, it is important that the law stipulates that the recommendations of the groups must be published, so that a public debate can ensue. How the Toscana Region has institutionalized the relationship between discussion groups of ordinary citizens and political authorities can serve as a good model elsewhere, including in deeply divided countries.

Deeply divided societies are most in need of deliberation but encounter also the greatest obstacles to deliberation. Our research has shown that these obstacles make deliberation difficult but not impossible. The challenge is to put this finding into political practice in the many countries and regions of the world with political violence resulting from deep societal divisions of many kinds.

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