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How to Arrive at Peace in Deeply Divided Societies? Using Deliberation to Refine Consociational Theory

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Abstract

In the 1960s, consociational theory was developed to explain how deeply divided societies can arrive at peace. The theory had, on the one hand, an institutional component with an emphasis on power-sharing institutions and, on the other, a cultural component stressing the importance of a spirit of accommodation. Initially, the theory was based on case studies of countries like Austria, Belgium, the Netherlands and Switzerland, which allowed dealing with both institutional and cultural aspects. Later on, when the theory was tested with a large sample of countries, the cultural aspect was increasingly neglected, because it was difficult to empirically operationalize. The key argument of the article is that the concept of deliberation helps emphasize the cultural aspect of consociational theory, in the hopes of refining, not replacing, consociational theory.

Keywords

peace, deliberation, consociational, Bosnia and Herzegovina, Switzerland, Colombia, Brazil

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Introduction

A homogenous culture is a precondition for democracy (Almond & Powell, 1963), a prevailing view in comparative political science up until the 1960s. When the Smaller European Democracies project was launched in late 1960s, political scientists became aware that democracy was also possible in countries with deep societal divisions.¹ The Netherlands received the most attention for it was historically deeply divided among the three pillars (*zuilen*) of Calvinists, Catholics, and seculars. Arend Lijphart (1968) has shown in his consociational theory that these deep divisions could be overcome with the right kind of institutions and culture. Institutionally, he places four features at the core of his theory: proportionality, oversized cabinet coalitions, sectoral federalism, and strong veto points. He also put strong emphasis on the cultural aspect with the concept of *spirit of accommodation*. Lijphart (1968, p. 104) indeed had an entire chapter on this concept, by which he meant that political leaders are “willing and capable to bridging the gaps between the mutually isolated blocs and of resolving serious disputes in a largely nonconsensual context.” He presented well-chosen examples of how Dutch leaders of the Calvinist, Catholic, and secular pillars were able to display a spirit of accommodation in their interactions and as a consequence to resolve many serious conflicts. Besides the Netherlands, there were consociational case studies of Austria (Lehmbruch, 1967), Belgium (Huyse, 1970), and Switzerland (Steiner, 1974).

When consociational theory moved from country case studies to a large number of countries, it was difficult to come to terms with the cultural aspect. Concepts like spirit of accommodation (Lijphart, 1968) or amicable agreement (Steiner, 1974) were too vague to classify countries according to the cultural aspect. To be sure, there were efforts not to neglect the cultural aspect by investigating, for example, cross-communal and cross-cutting ties (Steiner, Jaramillo, Maia & Mameli, 2017, pp. 7-21). A lot is lost when the cultural aspect of consociationalism is neglected and in politics, cultural norms matter as much as institutions.

The key argument of this article is that the concept of deliberation helps emphasize the cultural aspect of consociational theory. We present three empirical examples to demonstrate where the spirit of accommodation can be cultivated by upholding deliberative democratic norms: (1) structured forums, (2) formative spaces, and (3) political institutions. These examples are by no means exhaustive. Indeed, developing an accommodative culture may take root in unexpected places. For the purposes of this article, however, we focus on these three for the empirical evidence we have gathered in our own work provide a precise description on how the spirit of accommodation can be nurtured.

Consociational Theory without Culture

There are many problems when consociationalism is theorized without culture and all the attention is on the institutional aspect of power sharing. The case of Bosnia and Herzegovina after the Dayton Accord of 1995 demonstrates this point. The country has three main ethnic groups: Bosnjaks (Muslims), Croats, and Serbs, with none of them being in a majority position. In 1992, war broke out among all three groups and came to an end with the Dayton Accord,

¹ By Hans Daalder, Robert Dahl, Val Lorvin, and Stein Rokkan.

which established classical power-sharing institutions (Steiner, 1997, pp. 292-313). The most important element was extreme territorial federalism with two entities: The Federation of Croats and Bosnjaks with 51% of the territory and the Serb Republic of Srpska with 49% of the territory. The Federation was further divided into cantons, most of which were predominantly either Croat or Bosnjak. With this overall federalist arrangement, the three ethnic groups were strongly separated territorially. Federalism was also strengthened in the sense that each entity had its own presidency and parliament. The national level was extremely weak. There was a national presidency with three members, one Serb, one Croat, and one Bosnjak. The national parliament was elected according to proportionality. Given these institutions, there were many strong veto points in the system. Overall, the institutional setting corresponded very much to classical consociationalism.

How successful were these institutions in securing peace in Bosnia and Herzegovina? Brendan McCrudden and Christopher O’Leary (2013) argue that the absence of violence since the Dayton Accord is evidence of consociational success. However, Adis Merdzanovic takes strong exception to this positive evaluation. He argues that “the lack of violence in Bosnia is probably more due to the immense military presence in the immediate post-war years” (Merdzanovic, 2015, p. 379). Indeed, according to the Dayton Accord, peacekeepers under the North Atlantic Treaty Organization (NATO) command, headed by an American general, monitored the cease-fire and controlled the airspace. Notwithstanding the absence of political violence after the Dayton Accord, Merdzanovic (2015, p. 351) sees “dysfunctionality of the polity” in Bosnia and Herzegovina and considers its democracy as still very fragile. Democracy is manifest only on paper and not in daily political life. Political leaders of the three ethnic groups “tend to exhibit wartime attitudes, and their political stances tend to correspond to their wartime goals” (Merdzanovic, 2015, p. 378). Furthermore, Merdzanovic (2015, p. 380) sees “corruption as one of the major obstacles to a democratically stable state.” Most importantly, he registers “deep mistrust” among the three ethnic groups (Merdzanovic, 2015, p. 380).

Mirko Pejanovic (2016) takes an equally strong exception to the argument of McCrudden and O’Leary that the cessation of violence proves that consociational theory was successful for Bosnia and Herzegovina. Pejanovic’s position is particularly important because, as a Serb, he had the courage to stay in hostile Sarajevo and to stand up for a multiethnic Bosnia and Herzegovina. In his view, the country is far away from real peace and democracy. He argues that “the ethnically-based political pluralism in Bosnia and Herzegovina, due to the historical incapability to achieve mutual party consensus on the issues of state development, is a permanent threat for a functional political system and for a stable development” (Pejanovic, 2016, p. 117). As evidence of the failing political system, Pejanovic (2016, pp. 117-118) states that “in fourteen years of existence, the ethnic parties neither started nor realized any big project of state development, like building highways, power plants, student dormitories, railways, etc.” Pejanovic (2016, p. 118) concludes that the

conflict among ethnic parties has not been removed but only postponed. In its actions, as confirmed in the social practice, the ethnic parties generate social awareness of the impossibility of joint living of Serbian, Croatian, and Bosnjak people.

We side with Merdzanovic and Pejanovic, and against McCrudden and O’Leary. Imposing consociational institutions on Bosnia and Herzegovina without a spirit of accommodation leads to a freezing of ethnic boundaries and general stagnation of political life.

In this article, we define peace in deeply divided societies in the following way: Peace is not only the absence of armed conflicts but also the building up of mutual trust and the willingness to undertake common state projects.

But how exactly can these common state projects come about?

Our hypothesis is that deliberation is one of the key elements in pushing deeply divided societies toward peace. The reasoning behind this hypothesis is that if members of deeply divided groups begin to listen to each other with respect and take seriously the arguments of others, then mutual trust will develop. This, in turn, may increase the willingness to engage in common projects. We are cautious with this formulation. We are not expecting that all of a sudden, deliberation will solve all problems of deeply divided societies. Applied in a careful and professional way, however, deliberation may be an important element in reaching peace in the long run.

Deliberative Democracy and Consociationalism

The basic philosophical assumption of deliberation theory contrasts most clearly with rational choice theory (Florida, 2016). 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 (1990, p. 610), writing that “people are rational – they have preferences and act purposively to bring about outcomes that are desirable to them.” Deliberative theory, by contrast, assumes that there are occasions when ordinary citizens and politicians truly care for the well-being of others. To be sure, doing good for others can be an individual preference, which would fit the assumption of rational choice theory that people are individual utility maximizers. In this case, feeling good about oneself in helping others would be the desired utility. Deliberative theory does not deny that such cases exist, but it assumes that in politics, there are also situations where voters or politicians do something for others without rationally calculating their personal gain. In a referendum, for example, voters may support an expensive program for refugees without calculating, in the sense of Johnson (1990, p. 610), that this will make them feel good about themselves. They may spontaneously follow their moral conscience based on intrinsic motivation (Steiner, 1996).²

Rational choice theory goes back to philosophers like Thomas Hobbes, whereas deliberative theory to philosophers like Immanuel Kant (Barber, 1984). It is not possible to say whether rational choice theory or deliberative theory is closer to the truth about human nature. It is ultimately a philosophical question that cannot be answered one way or another. We do not object if colleagues apply rational choice to find out ways for peace in deeply divided societies. We simply take a different approach by relying on the deliberative model (Steiner et. al., 2017, p. 18). We are not naïve to assume that political actors always behave in a deliberative way. Most of the time, we acknowledge that politics is a power game. We only assume that there are also situations of deliberation in politics.

For deeply divided societies, such deliberative situations may be very rare indeed. But, as one of the author’s correspondence with Lijphart reveals, deliberation corresponds pretty much to what intuitively he had in mind when he made the “spirit of accommodation” part of

² See Appendix for the measurement of the level of deliberation.

consociational theory.³ The goal of our research therefore is to identify such rare situations and to establish how such deliberative situations could be made more frequent. Our worry is that politics, playing as a pure power game, will only increase the risk of civil war in deeply divided societies. In the long run, deliberative politics may be the best hope to overcome deep divisions in such countries.

How close or far away is the deliberative model to the concept of “spirit of accommodation” as formulated by Arend Lijphart in the 1960s? As Lijphart shared in multiple occasions, deliberation corresponds pretty much to what intuitively he had in mind when he made the spirit of accommodation part of consociational theory. Therefore, we remain within the framework of the theory if we enrich the narrowly institutional approach again with the cultural element.

What then do we mean by deliberation? In this article, we define deliberation as a form of political communication where all participants can freely express their views, that arguments are well justified, that the meaning of the common good is debated, that arguments of others are respected, and that the force of the better argument prevails. At its core, deliberation is about exchanging justifications for it is only by exchanging justifications can actors react in a meaningful way.

Deliberation, however, is not a unified entity (Steiner, 2012). The literature is divided on several issues, and here we would like to specify the account of deliberation that best suits the cultural aims of consociationalism. The issues we raise in this article are resonant in the three real-world examples presented in the next section.

The first controversy attempts to determine whether, besides rational justifications, personal stories or humor can be used as justification. Jürgen Habermas most strongly emphasized the importance of rationality for the deliberative model. He excludes personal stories from the ideal deliberative speech situation, because for him, arguments must be critically assessed through “the regulated exchange of information and reasons among parties” (Habermas, 1996, p. 333). Sharon Krause challenges the rational orientation of Habermas in the most forceful way. For her, “expressions of sentiment can contribute in valuable ways to public deliberation even when they do not take an explicit argumentative form” (Krause, 2008, p. 118). She sees a great range of emotional expressions with the potential of having a moral dimension: “By allowing informal, symbolic, and testimonial types of deliberative expressions, it can enrich citizens’ reflection on public issues and thereby improve public deliberation” (Krause, 2008, p. 122). Jokes or humor is one example of an informal type of expression. Habermas (1983, p. 271), meanwhile, sees jokes as “categorical confusions” and “categorical mistakes.” To this negative position, theorists like Sammy Basu (1999, p. 395, 391) establish “the virtue of humor” as a social lubricant. It breaks the ice and fills awkward silences.” For the spirit of accommodation to flourish, we find that personal stories and jokes matter because they are related to people’s everyday life, involving not only reason but also emotion.

Another controversy in the deliberative literature deals with whether arguments must always be justified in terms of the common good or whether references to self-interests are permissible. Bruce Ackermann and James Fishkin (2002, p. 143) take the former position and postulate that in politics, one should “rise above self-interest and take seriously the nature of the common

³ On May 26, 2018, Arend Lijphart wrote to Jürg Steiner that “your interpretation about what I have written and told you is perfectly fine.”

good.” Mansbridge and colleagues (2010, p. 72) argue that self-interests, too, should have a place in deliberative democracy, claiming that

Including self-interest in deliberative democracy reduces the possibility of exploitation and obfuscation, introduces information that facilitates reasonable solutions and the identification of integrative outcomes, and also motivates vigorous and creative deliberation. Including self-interest in the regulative ideal of deliberative democracy embraces the diversity of human objectives as well as the diversity of human opinions.

We agree with Mansbridge and colleagues (2010) in their position of the controversy. Arguments should be as broadly based as possible so long as they do not violate basic human rights and basic democratic principles. If we define deliberation in this way, one gets a broader basis of interests when adding it to consociational theory.

Perhaps the biggest controversy concerns the question whether good deliberation necessarily has to lead to consensus. Initially, the dominant view among theorists was that ideally good deliberation should lead to consensus. Most famously, Habermas (1996, p. 305) postulated that “the unforced force of the better argument” should prevail. He expected that “consensus brought about through argument must rest on identical reasons that are able to convince parties in the same way” (Habermas, 1996, p. 166). There are now some theorists who challenge the view that deliberation should ideally lead to consensus. Kasper Hansen (2004, p. 103), for example, warns that consensus “can elude some arguments from the discussion as some participants might be reluctant to voice views that are in conflict with the emerging consensus.” In our view, whether consensus should be attained is not only an institutional question but is also related to cultural norms. Adding flexible norms in this respect to consociational makes the theory less rigid.

The Application of the Deliberative Model to Deeply Divided Societies

There remains little research on the application of the deliberative model to deeply divided societies. Excellent exceptions are the contributions in the edited volume of Didier Caluwaerts and Juan Ugarriza (2014) and the work of Ian O’Flynn (2017). In our own research, we found that countries with deeply divided societies suffer from current or recent political violence based on religious, language, ethnic, regional, and social class differences (Steiner et al., 2017). We found it more useful to study ordinary citizens rather than political leaders, because the latter seems less interested in deliberation. First, political leaders are often interested to keep the deep divisions in order to keep up their power base. Second, political leaders suffer less from the deep divisions than ordinary citizens. Our assumption was that if we find any traces of deliberation at all, it will be among ordinary citizens. If this assumption is true, the best strategy to develop more deliberation would be from the bottom up and not from the top down. To be successful, deliberative democracy has to bring the voices of ordinary people when developing a spirit of accommodation.

When we began our research, we were not sure whether we would find any instances of good deliberation in deeply divided countries. We took this risk and chose three countries with deep divisions: Colombia, Bosnia and Herzegovina, and Brazil. These are countries which need a lot of help to arrive at a more peaceful culture. We wanted to see whether deliberation has any chance at all to be found in even small amounts.

The riskiest country in conducting our research was Colombia. When we performed our experiments in 2008, civil war persisted. Nonetheless, we were able to assemble recently

decommissioned guerrillas and paramilitaries. In Bosnia and Herzegovina, we conducted our research in 2010, 15 years after the civil war ended in 1995 with the Dayton Accord. We organized groups of Serbs and Bosnjaks in Srebrenica where, in 1995, the worst massacre in Europe had taken place with the Serbs killing thousands of Bosnjak men and boys. Thirdly, we did experiments in the slums (*favelas*) of Brazil where there was a continuing war-like situation between the police and locals over drugs and other matters leading to many casualties on both sides. In all three countries, the question submitted to discussion groups was: How do we arrive at a better culture of peace? Having put forward the question, moderators did not further intervene but allowed the discussion to go wherever it went. With this research design, we wanted to examine how much participants adhered to deliberative standards without being encouraged in this direction by the moderators.

We indeed found quite a few cases. Ana, an ex-guerrilla from Colombia, was supportive of deliberation:

For me, basically, and most importantly, what I said in the beginning, in order for us to reach agreement, we need to be able to talk in a civilized way, just like human beings. Because if you talked in a civilized way and we reached agreement, we will have a better standard of living for everybody.

This statement could come right out of a textbook on deliberation. Ana was able to express in simple words the core of the deliberative model, showing respect for the other side.

There were, of course, instances of nondeliberative statements. An extreme example comes from Srebrenica, when Almir from the Bosnjak side reacted to a suggestion of Dusan from the Serb side with the simple exclamation “stupid.” Foul language violates the important criterion of respect toward other participants.

In these forums, we were interested in practices that move the level of the discussion from low to high level of deliberation and vice versa. We refer to this as *deliberative transformative moments* (DTM). We judge “low” and “high” based on the coding criteria used in the Discourse Quality Index (Steiner, Bächtiger, Spörndli & Steenbergen, 2004). The categories we used are included in the Appendix.

As discussed in the previous section, there is controversy whether rationality should have a privileged position or whether personal stories and humor also play an important role. We take this to be an empirical question. In our study, we examine whether rationality or personal stories are more likely to transform a discussion from a low to a high level of deliberation.

Let us begin with personal stories where we present a successful case of deliberation from Colombia. The speaker is Ernesto from the paramilitary side. Before he spoke, the discussion had dragged on at a low level of deliberation. Ex-guerrilla Arturo had brought the discussion to much despair in complaining in unspecific terms, “I am not a person, I am not a citizen, I am not a human being.” Ernesto then intervened:

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 Bogota, 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, the police said they didn't want to see us around 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 stratification, it is more than levels one, two, or three on a scale. It is discrimination, that is the hard thing.

With this story, Ernesto showed to the other participants that there are huge social and economic inequalities in Colombian society. The story helped the group to take a perspective on their common discrimination as ex-combatants, irrespective of whether they come from the guerrilla side or the paramilitary side. In this way, the story helped the group develop a common life world in the sense of Habermas (1981, p. 159). The story was on topic and vivid enough to raise the interest of the other participants, who then engaged in a highly deliberative discussion on discrimination, which was identified as a major obstacle in the peace process.

In all three countries together, there were 15 cases where a personal story helped transform a discussion from a low to a high level of deliberation. There were, however, also 14 cases, where personal stories were so off-topic, so incoherent, or expressed so much despair that they transformed the discussions from a high to a low level of deliberation. These mixed results dampened the enthusiasm of authors like Krause (2008) on the high value of personal stories for deliberation. As our data show, such stories can also easily derail a discussion of high deliberative quality. If we want to supplement consociational theory with deliberation, we should put the emphasis more on rational arguments than on personal stories because the latter may indeed derail serious discussions.

For rationality, as advocated by Habermas (1996), the record is much better. We identified 17 situations where a well formulated rational argument helped transform a discussion back to a high level of deliberation. An example comes from Srebrenica, where Milena from the Serb side expressed despair that political parties hand out jobs only among their supporters, saying that she will not give her vote to any party as a form of protest. Milena, also from the Serb side, responds with the rational argument that "if you do not vote for anyone, those abstentions will help the current authorities."

There was only one negative case, wherein a discussion in the *favelas* in Brazil a high-ranking police officer arrogantly used rational arguments over other participants that the momentum of a high-level deliberation was lost. With the exception of this case, the view of Habermas is supported that rationality can be considered a key part of good deliberation. This finding reinforces our argument stated above that rational arguments are more important than personal stories for consociational theory.

Finally, well-formulated humor helped raise the level of deliberation. We had three cases of humor transforming a discussion from a low to a high level of deliberation. One case comes from Srebrenica, where a group was despairing over the wild pigs that, at night, come down from the mountains and cause severe damage to their yards. Ana, a Serb, lightens up the atmosphere with the following remark: "Pigs also want to learn a little culture [laughter]." Milan, also from the Serb side, picked up on the humorous remark of Ana: "Where we live is also wilderness, so for the pigs it is all the same [more laughter]." Ana and Milan can laugh about the lack of culture in Srebrenica. It is a kind of black humor, which transformed the discussion from a low to a high level of deliberation. The effect was so great that the ensuing discussion stayed at a high level of deliberation for a long stretch of 20 speech acts.

Having presented the factors transforming a discussion from a low to a high level of deliberation, the next question is, what happens afterwards? Occasionally, the discussion

stayed at this high level for quite some time. More often, however, the discussion fell quite quickly back to a low-level deliberation, where it often dragged on for long. What conclusions can we draw from our experiments?

There were indeed traces of deliberation across the deep divisions in these countries when ordinary people are given the chance to exchange their views. There were even instances of high-quality deliberation. But overall, deliberation was, by far, not so prevalent that one could talk of a deliberative culture. Logically, the next research question was: how do we arrive at higher levels of deliberation in broader society outside the confines and comforts of a structured forum?

Formative Spaces: Teaching School Children Deliberative Skills

Formative spaces like schools is a good place to start. Schools, as Kei Nishiyama (2019) argues, are “mediating spaces” between children’s everyday experiences to the deliberations in the broader public sphere. Schools can create opportunities for deliberative socialization by creating capacities for opinion formation and public spiritedness, which, in theory, could develop habits of accommodation.

We are building on research already done on teaching deliberative skills in schools (see Hess, 2009; Samuelsson & Bøyum, 2015; Levine, 2018). Our project is research-oriented in the sense that we have school classes as control groups that are not taught deliberative skills. In this way, we can establish whether our method to teach deliberation has significant effects. The project is already under way in Brazil, where the local research group headed by Rousiley C. M. Maia received a grant from the National Ministry of Education. Specifically, the experiment takes place in Belo Horizonte and Belén with students between 14 and 16 years old. To increase the likelihood of finding significant effects, the experiment involved observation for a full semester. Earlier research has shown that short teaching sessions in deliberation have hardly any effect (Ugarriza & Nussio, 2016). Similar to teaching foreign languages, teaching deliberative skills can be time consuming. Students have to learn how to justify their arguments, express them in terms of the common good, and listen to the arguments of others.

How do teachers in our project teach deliberative skills? First, the local research team makes teachers familiar with the concept of deliberation. Teaching of students occurs not from the top down but from the bottom up. Teachers do not begin by lecturing abstractly about deliberation. Rather, they use teaching material from which students learn themselves what good deliberation is. The material covers deep conflicts in Brazilian society (e.g., whether the military putsch in 1964 had some benefits or not, or whether abortion should be legal or not). Students then discuss the pros and cons of such issues in small groups and afterwards to the entire class. Teachers help them make these discussions increasingly deliberative. Slowly, the teachers begin to intervene by telling the students, for example, that they should show more respect to the arguments of others or that they needed to justify their arguments more rigorously. In this way, students learn step-by-step the meaning and practice of good deliberation over an entire semester.

How exactly do we establish whether our method to teach deliberative skills has significant effects? Here the control groups come into play. These are school classes that are as similar as the experimental classes except that they do not get the deliberative “treatment.” The experimental and the control groups fill out questionnaires before and after the experiments. The purpose of the questionnaires is to establish changes in attitudes toward deliberation. Two examples of such items include: (1) when we have disagreements with other people, we should

fight as much as possible for our own position; and (2) when we have disagreements with other people, we should try to find a solution acceptable to everyone.

Agreement with the first item indicates a negative attitude toward deliberation, whereas agreement with the second item entails a positive attitude. The expectation is that in the control groups, attitudes toward deliberation will not vary much from the first to the second questionnaires, while for the experimental groups, it is expected to be more positive. More important than a change in attitude will be a change in behavior. To confirm such an effect, we will organize discussion groups for both the experimental and the control groups a few months after the experiments. The topics will again be sensitive issues related to the deep societal divisions. The expectation is that the experimental group will address these issues in a more deliberative manner than the control groups. This will be a particularly hard test for our project because a few months afterwards, the effect of the deliberative “treatment” may have washed out. It also has to be considered that even if children learn deliberation in school, they may not be particularly deliberative in the public space later on, a problem that (Hess, 2009) has drawn our attention.⁴

The project is in its infancy, and we are fully cognizant of its limitations. We raise the example of schools as a formative space for the culture of accommodation because cultural habits are learned early on. The problem is that the effects are only long term. We hope, however, that children may talk about this experience at home, so that we may also have some short-term effects with parents and other family members learning more about deliberation.

Institutional Design: Power-Sharing Institutions and Culture of Deliberation

In this last section, we scale up from the micro-level of mini-publics of ordinary citizens to the macro-level of political systems. We look at Switzerland as a rather successful case of power-sharing institutions and a deliberative culture. At the end of the section, we will discuss to what extent lessons can be drawn from the Swiss case to other deeply divided societies. What is particularly interesting in the Swiss case is that it took more than a hundred years to transition from a religious civil war in 1847 to full power-sharing institutions and high levels of deliberation in 1959. In this long process, there was an intricate interplay between more power-sharing institutions and more deliberation.

When the Reformation came in the 16th century, some cantons changed to the reformed faith, while others remained Roman Catholic. A deep split between the two sides led to war for four times from the 16th to the 18th century. The civil war of 1847 was again based on religion, but also had a dimension of centralization. Until this period, Switzerland was merely a loose alliance of sovereign cantons. To be sure, there was a Diet with delegates from all cantons, but each canton had a veto power, and often there were separate Diets for Reformed and Catholic cantons. In the first half of the 19th century, Reformed cantons wanted centralization with federal authorities, while Catholic cantons wanted to stay with the status quo. There was a bitter fight between the two sides, which led to paramilitary encounters and finally to open civil war in 1847. This war was won by the reformed side, which, in 1848, established a Federal Constitution with three branches of government.

With the creation of a Swiss state in 1848, a party system emerged with the Free Democratic Party representing the progressives and the Catholic Conservative Party representing the conservatives. The Free Democrats, as victors of the civil war, took all federal power for

⁴ As of this writing, we are still in the process of data collection.

themselves. For parliamentary elections, they implemented the winner-take-all system, which gave them a clear majority in parliament. For the executive cabinet (the Federal Council), the Constitution set the number at seven members. The Free Democrats used their majority in parliament to take all seats in the Federal Council for themselves⁵ thus there was no power sharing at the federal level. There was, however, strong federalism, which gave Catholic Conservatives power in their respective cantons.

At the aftermath of the civil war of 1847 where Free Democrats took all the federal power, clearly there was no deliberation between the two competing sides. In writing the new constitution, the Free Democrats hardly listened to the demands of the Catholic Conservatives. To be sure, Catholic Conservatives got much federalism, which was in their interest, but was also in the interest of the progressive cantons who were also interested in cantonal autonomy.

In the second half of the 19th century, some traces of deliberation began to emerge between the two sides. The main reason was a change in the international system with Italy and Germany uniting into nation-states, which put Switzerland with its multilingual system of German, French, and Italian in a precarious situation. There was pressure especially from Germany; Prussia even claimed one of the Swiss cantons. Under this new regime of increased nationalism around Switzerland, efforts were made for increased Swiss nationalism, too. The major means was to give stronger historical roots to the Swiss nation-state. Historians began to dig out medieval documents to demonstrate that Switzerland existed as a state for many centuries. A document from 1291 showed that a military alliance of three mountain cantons in Central Switzerland was directed against the Austrian Hapsburgs. This document was found in the late 1880s, which was very convenient to celebrate in 1891 with great pomp the 600th birthday of Switzerland. A wave of patriotism set in with William Tell as a great medieval hero, although he was only a mystical figure first mentioned in Denmark. In the context of the deep divide between Free Democrats and Catholic Conservatives, it was important that William Tell was supposed to have lived in the region that remained Catholic, which gave new pride and self-confidence to Catholic Conservatives. In school books, less weight was given to the religious wars. Thus, as an example, a picture was drawn of a large milk pot surrounded by Catholic and Reformed soldiers, who, during a break in one of the religious wars, served themselves from the same pot of milk. This picture should show to the school children that despite the war all Swiss still had a common interest holding them together.

Yet, despite all the efforts to develop Swiss patriotism, there was not much deliberation between Free Democrats and Catholic Conservatives. However, they began to see each other more on an equal footing. This new cultural atmosphere helped to introduce more power-sharing institutions into the political system. In 1891, the Free Democratic-dominated federal parliament was willing to elect the first Catholic Conservative to the seven-member Federal Council. Free Democrats also reached over to the other side in introducing the referendum not only for constitutional amendments but also for bills, which gave Catholic Conservatives an important veto power, a key element of power-sharing institutions. Despite these institutional changes, Free Democrats clearly remained in power at the end of the 19th century.

⁵ Following the American system, Switzerland had two parliamentary chambers: the National Council, analogue to the House of Representatives, and the Council of States, analogue to the Senate. For the election of the federal councilors, the two chambers meet together. Catholic Conservatives were well represented in the Council of States, but since there were many more members in the National Council, Free Democrats had a clear majority when both chambers met together for the election of the Federal Council.

After World War I, Free Democrats granted Catholic Conservatives a second seat in the Federal Council. Free Democrats were also willing to give up the winner-take-all system for parliamentary elections and replace it with a system of proportionality, which helped increase parliamentary strength for the Catholic Conservatives. The common national experience of staying out of World War I helped the Free Democrats make these additional institutional concessions to the Catholic Conservatives. It was also important that the emerging Social Democrats were seen as common adversaries of both Free Democrats and Catholic Conservatives. Despite further institutional changes, there was still a deep division between Free Democrats and Catholic Conservatives with little deliberation practiced in daily politics.

World War II helped even more in bringing the Free Democrats and Catholic Conservatives together. After Adolf Hitler annexed Austria and occupied France, and Benito Mussolini was in power in Italy, Switzerland was surrounded by hostile fascist forces, which led to strong national solidarity across party lines. Finally, in the 1950s, Catholic Conservatives reached parity with Free Democrats in the Federal Council. In 1959, the “magic formula” for the composition of the Federal Council came to life. This formula included also the Social Democrats, who, during the war in 1943, garnered a first seat in the Federal Council and had to wait until 1959 to get their proportional share. The “magic formula” was based on the principle that all major parties got a proportional share of the seats in the Federal Council. This meant two seats for the Free Democrats, two for the Catholic Conservatives (later changed to Christian Democrats), two for the Social Democrats, and one for the Farmers, Artisans, and Bourgeois Party (later changed to Swiss People’s Party). With regard to language, there was power sharing in the Federal Council among German, French, and Italian speakers already from the beginning of modern Switzerland in 1848.

The 1960s and 1970s were the heydays of power sharing and deliberation in Swiss politics. In parliament and even more in the Federal Council, the force of the better argument played quite an important role (Steiner, 1974). Representatives of the four major parties did not simply try to ram through their own positions but were willing to listen to the arguments of the other parties. In an interview with the first author, a former federal councilor recalled several instances when he changed his position based on arguments that he heard during the discussion. He also recalled that other councilors changed their positions in a similar way.

In current times, Switzerland still has the same power-sharing institutions, but the level of deliberation has markedly decreased, mainly about immigration and the relation of Switzerland with the European Union (Vatter, 2016). But this is another story. In the present article, our focus is on the long process from civil religious war in 1847 to the “magic formula” in 1959.

What does this long process tell us? Counterfactually, after the war of 1847, Switzerland did not immediately establish power-sharing institutions. To be sure, the new constitution was already built on strong federalism. The implementation of other power-sharing institutions, however, took a long time. In 1874, the referendum for parliamentary bills was introduced, giving the Catholic Conservatives the powerful veto. They got a first seat in the Federal Council in 1891 and a second seat in 1919. In 1918, the system for parliamentary elections was changed from a winner-take-all system to one of proportionality, which gave more parliamentary strength to Catholic Conservatives. It was only in 1959 when the principle was implemented that all major parties are to be represented according to parliamentary strength in the seven-member Federal Council.

From 1847 to 1959, there was a positive feedback process between more power-sharing institutions and more deliberation. The more power-sharing institutions were introduced, the

more there were incentives for deliberation. And the more there was a deliberative culture, the easier it was to introduce more power-sharing institutions. This positive feedback process was affected by external factors, especially increased Swiss nationalism in the second part of the 19th century, the increased Social Democratic strength, and the danger of invasion during World War I and even more so during World War II. There were other helpful factors to bring Catholic Conservatives and Free Democrats more closely together, especially the increased secularization of Swiss society, the good economic development of the country, and neutrality in foreign affairs. Other deeply divided societies coming out of civil war may most likely not have such favorable factors.

A particular feature of Switzerland is the strong importance of the referendum—this feature may not easily be transferred to other deeply divided societies coming out of civil war. Usually, Swiss citizens vote four times a year on a great variety of topics at the federal, cantonal, and communal levels. The referendum is, of course, a majoritarian device, which contrasts with power-sharing institutions. It helps break deadlocks in power-sharing institutions and acts as an instrument to empower minorities. In a major constitutional revision in 1874, the referendum for parliamentary bills was introduced, giving the Catholic Conservatives a weapon to block federal legislature. A well-known example is their blockage of a federal school office. When later in the 19th century, the popular initiative was introduced, this gave even more power to minorities. With so much power to the people, is there not the danger that the entire political system is blocked? Here, one has to consider that referenda and initiatives are not one-shot events. Even if a bill of parliament is rejected in a referendum, this is not the end of the political game. Parliament may revise the bill based on the critique expressed during the referendum campaign, and if the necessary signatures are collected, a new referendum takes place. With regard to popular initiatives, the same logic holds: if an initiative is rejected, the supporters of the initiative may modify the text and submit it to another popular vote. Using referenda and initiative in this way gives flexibility to the system. When they lose, supporters of a referendum or an initiative get second and sometimes even third and fourth chances (e.g., female suffrage was only introduced after several failures in referenda). Using referendum and initiative for more than a hundred years led to great familiarity with these two instruments and helped overcome the deep divisions between Catholic Conservatives and Free Democrats. It also helped to overcome other conflicts, in particular among German, French, and Italian speakers and between rural and urban regions.

Referendum and popular initiative are so much embedded in Swiss political culture that they can hardly be transferred to other countries. In this sense, we consider the lessons from Switzerland as quite limited. To be sure, power-sharing institutions and a culture of deliberation seem to be necessary conditions to successfully get out of a civil war. But they may not be sufficient conditions in the sense of not being participatory enough. To involve ordinary citizens much more in the political decision process, one needs a full-fledged referendum, which requires a very long practice to become a functional part of a political system.

Conclusion

We return to consociational theory and its relation with deliberative theory. We do not suggest that consociational theory should be given up. It captures well the need for deeply divided countries not to use the Westminster form of government and instead explore power-sharing institutions. The weakness of consociational theory is that it never came to terms with the cultural aspect. It merely referred in a vague manner to a spirit of accommodation or amicable agreement. Deliberative theory, by contrast, offers a theoretically based and empirically feasible way to come to terms with the cultural aspect. It can be used to supplement and refine

consociational theory by, as we have demonstrated in the previous section, finding opportunities for the spirit of accommodation to take root.

Advocating deliberation for deeply divided societies does not mean imposing Western values on other cultures. Deliberation is familiar to most cultures outside the West such as Asian and African cultures. In Africa, there is the ancient saying to sit under a tree until you agree—according to Kwame Gyekye (1997, p. 118), in African tradition “things are never settled until everyone has had something to say.” Looking at Islam, specifically at its Shia version, Nicolas Pirsoul (2017, p. 19) argues that “Shia theology offers many resources justifying deliberative practices.” Indeed, there are reasons to consider deliberation to be a crucial component of consociational theory. We hope the article provides enough inspiration to keep this conversation going.

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Appendix

Discourse Quality Index (DQI)

DQI was initially developed to code parliamentary debates in Germany, Switzerland, the United Kingdom, and the United States. Each speech was coded according to the categories below. Reliability tests were made with satisfactory results.

Constraints

- The speaker indicates verbally or with body language that he or she is constrained by the behavior of other participants (e.g., interruptions, private conversations, body language such as making faces, yawning, etc.).
- The speaker can speak up in an unconstrained way.

Foul language

- The speaker uses foul language to attack other participants on a personal level.
- The speaker uses foul language to attack the arguments of other participants but abstains from personal attacks.
- No foul language.

Respectful language

- The speaker uses respectful language other participants and/or their arguments.
- No respectful language.

Listening

- The speaker ignores arguments and questions addressed to him or her.
- The speaker does not ignore arguments and questions asked to him or her but distorts these arguments and questions.
- The speaker does not ignore arguments and questions addressed to him or her and engages these arguments and questions in a correct and undistorted way.
- As yet in the debate no arguments and questions addressed to the speaker.

Justification of arguments

- The speaker does not give any arguments (asks, for example, only for additional information).
- The speaker only says that X should or should not be done, that it is, for example, a wonderful or a terrible idea. But no concrete reason is given why X should be done.
- The speaker justifies only with illustrations why X should or should not be done.

- The speaker gives a reason Y why X should be done, but no linkage is made between Y and X.
- The speaker gives a reason Y why X should or should not be done and a linkage is made why Y will contribute to X.
- The speaker gives two reasons or more why X should or should not be done and for at least two of these reasons a linkage is made with X.

Reference to benefits and costs for own group

- The speaker refers to benefits and costs of own group.
- The speaker does not refer to benefits and costs of own group.

Reference to benefits and costs for other groups

- The speaker does refer to benefits and costs for other groups.
- The speaker does not refer to benefits and costs for other groups.

Reference to benefits and costs for the common good

- The speaker does refer to benefits and costs for the common good.
- The speaker does not refer to benefits and costs for the common good.

Reference to abstract principles

- The speaker does refer to abstract principles such as social justice, quality of life, or peace.
- The speaker does not refer to any abstract principles.

Force of better argument

- The speaker indicates a change of position and gives as reason arguments heard during the debate.
- The speaker indicates a change of position but does not refer to arguments heard during the debate.
- The speaker does not indicate a change in position but acknowledges the value of other positions heard during the debate.
- The speaker does not indicate a change in position and does not acknowledge the value of other positions during the debate.

Stories

- No story.

- Story unrelated to argument.
- Story related to argument, serves as sole justification.
- Story related to argument, supplements rational justification.