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Between “Apparent Unanimity” and Majority Vote – A Political Micro-ethnography of Committee Decision-Making

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In many political decision contexts, like for example committees at the German federal-state level, decisions are made by groups in face-to-face meetings. Within these groups, decisions are often neither reached by voting, i.e. by an open show of hands, nor by secret ballot. Rather, after a period of negotiation and deliberation, a result is presented and if none of the group members openly disagrees with it, the decision is adopted.

At the level of observation, we are dealing with a phenomenon that can be characterized as “apparent unanimity”. But the result differs from actual unanimity.

Based on audio-visual data from committee meetings as well as face-to-face group experiments, the article presents a micro-ethnographic analysis of practices and interaction sequences that characterize these specific forms of decision-making. A special focus is put on cases in the experimental data in which during an ongoing process, groups shift from sought unanimity to majority vote.

Keywords : Decision, Committees, Group Experiments, Micro-ethnography.

Dans de nombreux contextes de décision politique, comme par exemple des comités au niveau fédéral-étatique allemand, les décisions sont prises à plusieurs, lors de réunions en face-à-face. Les décisions n’y sont souvent pas prises à l’aide d’un vote, qu’il soit secret ou à main levée. Au contraire, après une période de négociation et de délibération, un scénario est présenté et, au cas où aucun des membres du groupe ne le conteste ouvertement, il est adopté. Il s’agit d’un phénomène d’«unanimité apparente». Mais le résultat diffère de l’unanimité réelle. L’article présente ainsi des analyses micro-ethnographiques de séquences d’interactions caractérisées par ces formes spécifiques de prise de décision. L’accent est porté sur différents cas, issus de données expérimentales dans lesquelles, au cours d’un processus continu, les groupes passent de l’unanimité au vote majoritaire.

Mots-clés : Décision, Comités, groupes expérimentaux, micro-ethnographie.

1. INTRODUCTION

In classic political science definitions, the core function of politics is defined as the making of collectively binding decisions (Easton, 1965; Scharpf, 1997). Therefore, one should expect that modes of collective decision-making, as well as the practices and procedures that lead to these decisions, are a well-examined area in

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political science. However, there are still modes of decision-making in politics that have not been analyzed in detail – although they can be found in various contexts and at different levels of the political process.

To a large extent, political decision-making takes place in face-to-face group meetings, i.e. in gatherings of groups with between three or four up to 20 or 30 participants. Typical political meetings are, for example, working group meetings, briefings, cabinet meetings or committee meetings. Participants in these kinds of meetings negotiate and deliberate with each other face-to-face, and they reach a decision that manifests itself in a way that differs from the result of open or secret voting. In the case of a committee meeting, the decision-making process may proceed in the following way: After a period of deliberation on the respective matter – which may include the presentation of several proposals, slight variations or modifications of the proposals, as well as individual utterances that signalize acceptance or rejection of the proposal – one member of the committee, usually the chair of the committee meeting, expresses a statement like the following: ‘I take it we all agree on that’, while the other participants of the meeting write down the result, nod, join in collective laughter (Kangashiro et Nikko, 2009) or do something else that signalizes verbally or nonverbally that they consider the decision process to be completed and that they are ready to move on to the next item on the agenda.² Another variation might proceed in the following way: After a period of deliberation, the chairperson presents a proposal and asks whether there are members who are against the presented proposal or would prefer to abstain. He doesn’t ask for an open show of hands from the members who support the proposal. He then states a sentence like the following: ‘This is not the case, so the proposal is adopted’.

In both cases, what can be observed here is obviously neither actual voting, in the sense of an open show of hands in favour or against a proposal that reveals the distribution of individual preferences within the group,³ nor is it a form of explicit unanimous approval. What we are dealing with may rather be characterized as a stage within the decision-making process at which nobody openly *disagrees* with the proposed collective decision. Or, to put it differently, a proposition is accepted in the case of “an absence of contestation or counter-propositions” (Urfalino, 2014: 321). But what exactly does this absence of open disagreement tell us about the individual positions within the group and about the position of the group as a whole?

Furthermore, possible questions related to these kinds of decision-making practices – to this specific way of “bringing deliberation to a close” (Urfalino, 2010: 127), are: What are the reasons why committee members often seem to prefer this

2. Urfalino (2014) discusses similar phenomena under the heading of “the rule of non-opposition”.

3. Stéphanie Novak and Jon Elster define the standard case of a majority decision in the following way: “A group with an odd number of members faces the choice between two options. Once each member has sincerely expressed which option he or she prefers, the majority decision is the one that is preferred by the largest number of voters. Abstaining from voting, or stating that both options are equally good, is not allowed” (Novak/Elster, 2014: 2).

way of reaching an agreement?, and: Is the result of this process a consensus, or is it something else?

Following Christopher F. Karpowitz and Jane Mansbridge, the results of these decision-making processes can be characterized as *reaching common ground* (Karpowitz and Mansbridge, 2005: 247). Practices that lead to the establishment of common ground, although they may look like a form of unanimity or consensus, are not necessarily based on the idea of a “singular solution or a singular point of unity” (Maeckelbergh, 2009: 105). According to Karpowitz and Mansbridge, the conception of common ground “recognizes the need for joint action but does not overemphasize either the potential for conflict or the potential for commonality” (Karpowitz and Mansbridge, 2005: 247).

If one draws this distinction between *common ground* and *consensus*, the background assumption is that the term *consensus* designates a state in which a singular solution is reached in the sense of “a unanimously agreed-upon position, considered necessary by all” (Manin, 1987: 340). *Common ground*, on the other hand, need not rest on a unanimously agreed-upon position in the strong sense. Or, to put it differently: The idea behind the above-cited term of *consensus* would be that when asked about their position on the matter after the joint decision is made, the individual members of the deciding body would articulate a position very similar or identical to the joint decision being reached. By contrast, if one considers a joint decision to be a practice of reaching *common ground*, this idea would include that when asked about their individual position on the matter, there would be sufficient overlap between the positions articulated by individual group members, but there would also be differences and variations.

Therefore, what can be observed in the above-described sequence in which the chairperson utters the phrase that ‘I take it we all agree on that’ may actually rest on a composite of individual positions that is as similar to the composite of positions expressed by a majority decision as it is to a position expressed by unanimous assent. It is something in between. The fact that nobody disagrees openly is not identical with – or may not even be similar to – a situation in which everyone in the room shares an identical position regarding the matter at hand. It may be the case that participants disagree with parts or aspects of the decision being reached, but do not consider it worthwhile to express open disagreement at this stage of the decision-making process. It may also be the case that the decision process itself generates forms of group pressure that lead to an increased reluctance to express open disagreement (Nullmeier and Pritzlaff, 2009: 369; Novak, 2015).

While it is rather difficult to find evidence for this possible proximity between ‘common ground’ and majority vote when studying actual committee meetings, evidence can be found in face-to-face group experiments. In an experimental design that focuses on unanimous decision-making in groups of five participants, it can be observed that participants split up the decision procedure into sequences of unanimous decision-making and sequences of majority vote – and still consider the result as a whole to be a unanimous decision.

2. CONSENSUS, COMMON GROUND AND MAJORITY VOTE

If one takes a closer look at the literature on existing consensus practices, like for example studies on consensus building in the context of social movements, it becomes clear that the term *consensus* doesn't necessarily characterize a process that leads to unanimity in the strong sense, i.e. to a state in which a single solution – considered necessary by all – prevails. In order to get to a decision process that embodies “the most open, participatory, and democratic space possible” (Sitrin, 2011: 9), a lot of social movements rely on forms of consensus building that are not necessarily directed towards finding a single solution. Marianne Maeckelbergh, for example, presents a model of a consensus process that highlights the importance of conflict and the importance of creating “conflictive spaces” (Maeckelbergh, 2013: 30). This conflictive form of consensus and horizontality attempts “to replace consensus as unanimity with a form of consensus that makes many outcomes possible for any given decision” (*Ibid.*: 31).

Furthermore, what can be observed from the use of the term *consensus* in social movements – and from the performance of consensus building practices – is a difference in the “perceived legitimacy” (Warren and Mansbridge *et al.*, 2016: 145) of consensus building in contrast to direct voting and the use of majority rule.⁴ This finding can be identified in reports from activists who, for example, heavily criticize instances in movement practice in which there is a switch from consensus mode to voting – even if a 9/10ths vote is used (Appel, 2012: 116).

In *The Democracy Project*, David Graeber argues against an understanding of democracy that focuses on majority voting. He writes: “Democracy, then, is not necessarily defined by majority voting: it is, rather, the process of collective deliberation on the principle of full and equal participation.” (Graeber, 2013: 186). Graeber points out that “there are good reasons why counting has often been avoided as a means of reaching group decisions. Voting is divisive.” (*Ibid.*: 184).

In his study on the rule of non-opposition, Philippe Urfalino hints at findings that suggest that “the practice of decision by consensus often tends to be considered more democratic than majority rule by both social movements and democratic theorists” (Urfalino, 2014: 321). In fact, in a similar vein than activists in social movements, classic writers on deliberative democracy, like Joshua Cohen, James Fishkin or Jürgen Habermas, argue for the need to reach consensus – and for a kind of ‘normative superiority’ of consensus if compared to voting. Joshua Cohen, for example, makes it very clear that voting is considered the second best solution:

“Finally, ideal deliberation aims to arrive at a rationally motivated *consensus* – to find reasons that are persuasive to all who are committed to acting on the results

4. As Mark E. Warren, Jane Mansbridge and others outline: “Normative legitimacy exists when a process can be justified with well-founded reasons. Perceived legitimacy exists when a process is actually accepted by most of the people in the relevant collectivity.” (Warren and Mansbridge *et al.*, 2016: 145).

of a free and reasoned assessment of alternatives by equals. Even under ideal conditions there is no promise that consensual reasons will be forthcoming. If they are not, then deliberation concludes with voting, subject to some form of majority rule.” (Cohen, 1989: 23).

In most writings of early theorists of deliberative democracy, the “classic ideal of deliberation to consensus on the common good” implied a conception of the common good that can be characterized as “relatively unitary” and “contested but discoverable through reason” (Mansbridge, 2015: 38). In these contexts, therefore, “consensus means a shared conception of what the common good requires” (Weinstock and Kahane, 2010: 5), i.e. an actual transformation and convergence of individual preferences that lead to a “mental consensus” (Haug, 2015: 563). According to Christoph Haug, these assumptions made by at least some scholars of deliberative democracy created “an image of consensus decision making as a very high and rarely achievable ideal” (*Ibid.*: 564). On that account, it has been pointed out even within the debate on deliberative democracy that “even ideally the giving of good reasons and other considerations in a setting characterized by mutual respect, freedom, equality, and the relative absence of power will not always lead to a consensual result” (Mansbridge, 2015: 38). Hence, more recent studies on deliberative democracy hint towards the need to include disagreement and a “relative openness and disclosure about interests, needs, and constraints” in conceptions of mutually acceptable agreements (Warren and Mansbridge *et al.*, 2016: 152). Based on this revised understanding, a final result is perceived as legitimate that is not identical with a singular solution and a unanimously agreed-upon position.

The perceived legitimacy of democratic procedures, like deliberation or direct voting, has recently also been studied experimentally (Persson, Esaiasson and Gilljam, 2013). In fact, Persson *et al.* conclude – at least in the context of their experimental design – that direct voting generates a higher level of legitimacy beliefs than deliberation.⁵ Therefore, if one discusses the perceived legitimacy of practices that lead to consensus, common ground or majority vote, one may become skeptical about the “democratic value that has been attached to decision by consensus” (Urfalino, 2014: 337).

In order to find empirical evidence for or against the suggested superiority of consensus over voting, it may be useful to study face-to-face interactions at the micro-level of the political process. This can be done using the classical ethnographic approach of participant observation. But in order to achieve a detailed analysis of

5. Persson *et al.* sum up their results in the following way: “Within our experimental framework, we find that both voting and deliberation generate legitimacy beliefs but that voting clearly is the stronger contributor. Moreover, we find no evidence that voting and deliberation interact to generate even higher levels of legitimacy beliefs. Rather, the results indicate that procedures will be perceived as equally fair regardless of whether there is an opportunity to deliberate prior to voting. Overall, our results suggest that previous research claiming that deliberation is a necessary condition for increasing legitimacy does not correspond to how citizens perceive decision-making procedures in small groups.” (Persson *et al.*, 2013: 395-396).

the entire process that leads to a joint decision, it is particularly helpful to analyze audio-visual recordings of decision-making processes in meetings.

3. POLITICAL MICRO-ETHNOGRAPHY AND EXPERIMENTAL RESEARCH – COLLECTING AND ANALYZING AUDIO-VISUAL DATA

During the last decade, video-based ethnography, also referred to as “micro-ethnography” (Streeck and Mehus, 2005; LeBaron, 2008), has become a growing field of research, especially in communication studies. According to Jürgen Streeck and Siri Mehus, the term *micro-ethnography* denotes “the microscopic analysis of naturally occurring human activities and interactions” (Streeck and Mehus, 2005: 381). In contrast to traditional ethnography, micro-ethnography uses audio-visual recordings of human activities and interactions that are transcribed and analyzed on the basis of detailed and systematic coding schemes. As in conversation analysis, a number of micro-ethnographic studies focus on issues of power and social interaction, and on the link between power and knowledge (p. 393-394). Unlike classic conversation analysis, micro-ethnographic studies also include the analysis of “gesture, the manipulation of material resources, and the organization of bodies in space” (p. 394). Curtis D. LeBaron sums up the essence of micro-ethnographic studies in the following way:

“Micro-ethnography, sometimes called video-based ethnography, addresses ‘big’ social and organizational issues through careful analysis of ‘small’ moments of human activity. [...] Although researchers may avoid explicit claims about the generalizability of site-specific findings, micro-ethnographers assume that patterns and practices in one place will have relevance to other contexts.” (LeBaron, 2008: 3120).

The research method used here rests on similar assumptions. The objective behind a microanalysis of face-to-face decision interactions in meetings is to identify patterns and practices that can be characterized as typical forms of political decision-making practices. Political micro-ethnography aims at a systematic analysis of the dynamic processes that occur in the context of political decision interactions. Unlike the micro-ethnographic approach, the approach presented here relies not only on an analysis of naturally occurring interactions. It also includes the analysis of audio-visual recordings from group experiments. One of the reasons for doing this kind of experiments is the ability to obtain a larger sample size than would otherwise be the case. At least in the context of an average research project, a study based on audio-visual data from actual political committee meetings usually stays at the level of small-N studies. In order to produce a larger sample of data focused on actual decision interactions, the real-world data is supplemented with material from group experiments.

One advantage of video-based ethnography – as opposed to classic ethnography based on participant observation – lies in the ability to engage in a systematic analysis of the dynamics of face-to-face interactions at the micro-level of the political process.

A method for analysing decision interactions at the micro-level has to include a complete mapping of the communicative events that occur during a decision process. This kind of data cannot be collected by a single participant observer, or even by a group of researchers doing classic ethnography as bystanders in a committee meeting. Moreover, the underlying assumptions about the importance of nonverbal utterances and the associated need to capture all participants’ actions and gestures equally, simultaneously, and in enough detail, call for an approach that uses audio-visual recordings filmed from various perspectives, as well as for detailed transcriptions of the interaction processes.

4. EMPIRICAL FINDINGS

The empirical findings to be presented stem from two research projects. The first addressed the establishment of bindingness in real committee meetings. In the course of the research project, meetings of eight different political committees at the local and the federal state level as well as of two faculty board meetings at a university were documented and analyzed.⁶ In the context of the second project, 50 face-to-face group experiments with a total of 210 participants were conducted in order to study processes of collective decision-making in small groups.⁷

4.1. Empirical Findings from Real Committee Meetings

During a regular committee meeting, a binding agreement is typically reached with respect to *each agenda item*. Therefore, the agenda item served as the basic unit of analysis when studying real committee meetings. For analysis of joint decision making purposes however, a single agenda item may be subdivided into several significant *sequences*, since reaching an agreement on an agenda item doesn’t proceed in a linear way from one stage to the next. Decision-making processes in real committee meetings tend to consist of a multitude of sequences and episodes of proposals and acts of individual or cumulative acceptance or rejection of the respective proposals. These sequences are related and interconnected in various ways.

The first example is taken from the analysis of a committee meeting at the German Federal State level. In this decision-making context, a committee was

6. A total of 60 hours of video footage from real meetings was recorded. The total number of participants in the respective meetings varied from 16 to 28 (see also Baumgarten and Weihe, 2009).

7. The groups usually consisted of five participants. Some experiments were conducted with smaller groups in order to test the influence of group size and of even and odd numbers of participants.

confronted with a newly discovered problem. After a couple of minutes during which the facts and circumstances of the case were presented, two committee members offered two opposing proposals. A committee member (A) proposed X, which contained the suggestion to delegate problem solving to a local committee. Another committee member (B) proposed Y, which enjoined the committee itself to take action in this case. Proposals X and Y – and the way the two committee members introduced them – can be characterized as rather confrontational. At this stage of the decision-making process, the communication between the two committee members and the presentations of their respective proposals to the rest of the committee are marked by fundamental disagreement.

After a short period of deliberation and negotiation, another committee member (C) suggested pursuing a double-track strategy: the local committee should get involved in solving the problem, and the committee itself should intervene as well. This double-track proposal, presented about seven minutes after the deliberation process started, is received with a reaction that can be characterized as accumulative individual acceptance. But it is not accepted by the group as a whole at this point.

Rather, during the following 22 minutes, various slight variations of the combined proposal are brought forward by different members of the committee. Although they vary in the specifications of how to proceed (Would it be more appropriate to write an official letter or to make some phone calls?), the content is more or less the same: a combination of proposals X and Y. The final decision, confirmed after 29 minutes of deliberation, consists of only a slight variation of the proposal made by committee member C more than 20 minutes ago. At this point, the chairperson states 'I take it we all agree on that', and nobody disagrees.

A microanalysis of this decision interaction shows that while the suggestion made by committee member C was important for the entire decision process and for the final result, it was not sufficient for crafting a binding agreement right away. The process that followed the suggestion, during which various slight variations of the combined proposals were brought forward again and again was obviously considered necessary by the group in order to produce an agreement and move to the next item on the agenda (see also Nullmeier and Pritzlaff, 2009: 367-370).

The final version of the combined proposal that was agreed upon after 29 minutes of deliberation was not passed by voting. But it remains unclear whether the members actually agreed with it in the sense of a "mental consensus" (Haug, 2015: 559). They did not openly disagree with the statement 'I take it we all agree on that'. But at this point in the process, it can be conjectured that after several versions of the same proposal were endorsed by some committee members, it may have seemed rather difficult to others to openly disagree with it.

The second example is taken from a faculty board meeting at a German university. The topic of the agenda item was rather controversial: the members disagreed on the specific formulation of a teaching agreement between the faculty and a new graduate school. Member A made several attempts to suggest that a

paragraph should be added to the agreement specifying how appointments of future professors should be made. Her position was that teaching courses at the new graduate school should be mandatory for newly appointed professors. The committee chair did not want the agreement to be so specific regarding this particular point. Several members of the faculty board presented arguments in favour of either member A’s or the chairperson’s position. Then the chair stated that he felt the faculty board was ready for a vote on the proposed agreement. He asked: “Are you ready to vote on this? Then I put it to a vote in this way. Are there any negative votes (softly: against the agreement)? Any abstentions? Then it passes unanimously...” The chairperson did not ask the members to explicitly vote in favour of the agreement. He only asked whether there were any negative votes, with a whispered clarification of “against the agreement,” after which he asked about abstentions. Without a specific call for votes in favour of the agreement, the only members who would have had to raise their hands were those who abstained or opposed the agreement. Since nobody signalled opposition or abstention, the agreement was adopted. This practice of only asking for an explicit show of negative votes or abstentions was used very frequently in the faculty board meetings studied.⁸

While this decision-making practice may also be more in line with the practice Urfalino discusses under the heading of “a coup” (Urfalino, 2014: 327), the chairperson deemed the decision unanimous, and the other participants seemed to accept this description of what they did.

4.2. Empirical Findings from Face-to-face Group Experiments

The aim of the experimental portion of this project was to test and to validate the findings from the analysis of real meetings with regard to typical sequences of interaction.

The underlying assumption is, of course, that with respect to decision-making practices, decision-making in real committees is sufficiently similar to experimentally created committees. However, there are important differences as well. Apart from the fact that experimental subjects are often undergraduate students, and therefore constitute a rather homogenous group with respect to age and level of education, there are at least two other factors to keep in mind: in real committees’ negotiation processes and joint decision-making, we are dealing with forms of “long-term repeated interactions” (Warren, Mansbridge *et al.*, 2016: 172), while

8. In her study on voting practices in the Council of the European Union, Stéphanie Novak describes a similar practice that seems to function the other way round: “Instead of asking the Council members to vote by roll call or by raising their hand, the presidency only noted orally that there was a qualified majority in favour of a proposal. For this reason, the national representatives who were in the minority could remain silent.” (Novak, 2015: 160). While, according to Novak, this practice is used in the Council of the European Union in order to protect the minority from humiliation, the practice used in the above-described faculty board can actually function as a way to intimidate or silence those who wanted to vote against a proposal.

negotiations in experimental groups are “one-shot interactions” (Ibid.: 168). Furthermore, the normative ideal that “all parties to a negotiation should have equal power” (Ibid.) is more or less met in an experimental setting with student subjects, while real political committee meetings exhibit, at least most of the time, power asymmetries among the participants.

In the experimental setting, the participants met in groups of five.⁹ The participants were asked to deliberate and decide on three related issues/questions concerning possible regulations in the context of the world financial crisis.¹⁰ According to the instructions handed to the participants, the decision had to be unanimous. Participants were given individual role descriptions (member of the Social Democratic Party, manager of an international financial corporation, etc.) that led to differing preferences within the group. No chairperson was assigned to the group. Participants were asked to reach a solution in his/her own interest in accordance with their roles, and were offered extra payment in case of success.¹¹ They were asked to deliberate during 8 minutes and decide on the three issues simultaneously (as a package). A decision form with the three questions and one pen were placed in the middle of the table to record the results reached by each group.

Due to the differing preferences within the group, the participants' attempts to reach a joint decision were rather ‘confrontational.’ While some of the interactions were dominated by classic practices of “coalition building” (Caplow, 1968), other sequences of interaction were structured more by attempts to address the group as a whole, appealing to the need for unanimity. When there was a confrontation between two different opinions/options, individual actors spontaneously took over the function of a chairperson or moderator, summed up the different positions within the group in a few sentences and offered a solution. These facilitative acts served the function of moving the decision interaction to the next stage, by hinting at possible connections/relations among the participants.

In addition, another pattern of interaction surfaced quite frequently. It turned out to be very important during the analysis of the experiments to take a closer look at the act of writing down the results. In most cases, one of the participants took over the function of filling out the decision form. Although this finding might at first suggest that one participant took over a simple duty, a different reading seems more plausible. The respective participants who, at a certain point within the meeting, took the decision form and the pen was also usually the one who also summed up the results and stressed the importance of reaching a unanimous

9. The experiments were conducted at the University of Bremen on May 17th, 2010, March 22nd, 2011 and February 6th, 2013.

10. The ‘story line’ of the experimental design was that the participants were members of an advisory board that had to decide on the German position concerning the regulation of financial markets.

11. In the case of non-agreement, participants were paid 8 Euros. In case the decision reached was not at all in accordance with their role, they were paid 8 Euros as well. In case they reached a decision in accordance with their role on one of the questions/issues, the payment was 10 Euros; for two decisions in accordance with the role it was 12 Euros; when all three decisions were in accordance with their role, it was 18 Euros.

agreement by the group as a whole. This ‘informal chairperson’ put the focus on actually reaching a result, sometimes by hinting at existing connections and relations between positions that had been articulated by individual members of the group. The practices performed by these participants were very similar to those usually performed by the chairperson in real committee meetings.

But unlike in real meetings, a change in decision mode occurred quite frequently during the experiments. Although the experimental setup required a unanimous decision, a significant number of groups switched to a form of majority vote in order to get to a decision with respect to each of the three issues.

In 62 percent of the groups, participants explicitly switched to majority vote for at least one of the three sub-items of the task and sometimes for all three. There are several explanations for this frequent decision mode shift:

1. A simple explanation is that the participants were simply running out of time (“Oh, only one minute left. So let’s vote”). Although time restrictions are not uncommon in experimental studies,¹² this account hints at the possibility that eight minutes are simply not enough time to engage in unanimous decision-making practices similar to those found in real committee meetings. Actually, some findings indicate that participants realized that they were running out of time and decided to vote in order to finish the task on time. However, if this were the case in all the groups that shifted from unanimity to majority voting, this would definitely be an indicator for a need to change the research design. But in many cases, the groups had already started their deliberation with an open discussion of the different positions within the group, followed by a straw vote or request for short statements about the respective individual positions.

2. An alternative explanation is that, at least in some cases, participants did not consider the reaching of unanimity to be a genuinely democratic procedure.¹³ This is consistent with findings by Mikael Persson and others (Persson, Esaïsson and Gilljam, 2013: 395) suggesting that participants in experiments perceive decisions made by direct voting as more legitimate than decisions reached through deliberation. This explanation is supported by a small number of statements uttered by participants in the group experiments, who referred to voting as being democratic and to unanimity as not being democratic.

3. Yet another explanation is that for participants in a group experiment it is easier to be transparent regarding individual positions and preferences than it is

12. For example, the participants in the chat-based deliberation experiments conducted by Tracy Sulkin and Adam F. Simon were allowed to deliberate for 180 seconds (Sulkin and Simon, 2001: 816).

13. This finding about the perceived legitimacy and democratic quality of a practice that requires a unanimous agreement is similar to what Urfalino infers from his study on the rule of non-opposition: While voting, “particularly by majority rule, ensures that each participant weighs as much as any other in the final result” (Urfalino, 2014: 338), the non-opposition rule “incorporates a general acceptance of inequality in individual contributions to collective decision-making. The general equality of participation to the process coexists with a recognition of the legitimacy of unequal influence of individuals” (p. 339).

for members of real committee meetings. Members of real committees meet and decide in the “shadow of the future” (Novak, 2015: 157), i.e. they know that they will meet again at the next committee meeting and that they have to work in this constellation in the future. Therefore, they do not want to engage in open conflict and opposition. In contrast, experiment participants frequently split up the decision procedure into sequences of unanimous decision making and sequences of majority vote – and still considered the result as a whole to be a unanimous decision. They did not have to worry about future meetings of the group or the impact on their respective constituencies. Participants in experimental decisions do not need to account for their decision outside the committee, or defend it in front of other groups for whom it is now binding as well.

However, they considered the practice of splitting the decision procedure into sequences of unanimous decision-making and sequences of majority vote to be a unanimous decision. In a contrived situation without worries about the impact of the decision on future meetings and other people, they found it acceptable to reveal the existing differences within the group. Their ‘unanimous’ decision consists of elements of majority vote that reflect these differences.

Compared to the findings regarding unanimous decisions in real committee meetings, it seems plausible to conclude that both types of unanimous decisions actually rest on individual positions and preferences that would add up to a majority and a minority and not to unanimous approval if the members were asked to vote by an open show of hands.

5. CONCLUSION

In face-to-face meetings, like for example committee meetings or faculty board meetings, a type of decision making can be found that has been characterized as “non-opposition rule” (Urfalino, 2014: 333). It leads to “apparent unanimity” (Ibid.). However, the result of this decision-making practice is not unanimity in the strong sense of “...a unanimously agreed-upon position, considered necessary by all” (Manin, 1987: 340). Rather, the result can be characterized as reaching common ground (Karpowitz and Mansbridge, 2005: 247).

In the context of actual committee meetings as well as in the context of group experiments, the participants themselves refer to their decision as unanimous. In the committee meeting described above, the chairperson stated: “I take it we all agree on that”, and nobody disagreed. In the context of the faculty board meeting, the chairperson stated “Are there any negative votes? Any abstentions? Then it’s unanimous”, and the other participants seemed to accept this qualification of the outcome. In the context of the group experiments, the subjects presented their final decision on the issues at hand as a unanimous decision. However, in all three cases, there is evidence for the conjecture that we are dealing with a more or less hidden form of majority vote. In the experiment, this became apparent in 62 percent of the groups, where participants split the decision procedure into

sequences of unanimous decision-making and sequences of majority vote and still deemed the outcome to be a unanimous decision. However, it is not as easy to detect evidence for the 'hidden majority vote' in the two real committee meetings. Because the opportunity to express a negative vote or minority position were suppressed, at least in these contexts, it is very unlikely that members can make use of it. Therefore, we can conclude that there is a minority that simply remains silent when the chair of the committee states 'I take it we all agree on that' or when the chair of the faculty board meeting asks for negative votes and abstentions.

In summary, while it is rather difficult to find explicit evidence for a proximity between apparent unanimity and common ground on the one hand and majority vote on the other hand when studying actual committee meetings, evidence can be found in face-to-face group experiments. Therefore, it can be concluded that the "democratic value that has been attached to decision by consensus" (Urfalino, 2014: 337) cannot easily be transferred to the way actual unanimous decision-making works in political committees.

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