APPARENT CONSENSUS AND VOTING:
TWO MODES OF COLLECTIVE DECISION-MAKING

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The Navahos "have no notion of representative government. They are accustomed to deciding all issues by face-to-face meetings of all individuals involved. ... The native way of deciding an issue is to discuss it until there is unanimity of opinion or until the opposition feels it is no longer worthwhile to urge its point of view." The mode of collective decision-making thus described in 1946 by Clyde Kluckhon and Dorothea Leughton(1962 :160-161) for the Navaho Indians seems the one most widely used in human societies throughout history. Studies by ethnologists and historians attest that this decision-making practice, which they designate either "consensus" or "unanimity," has long been in existence on all continents. It is the only decision-making mode mentioned for hunter-gatherer societies (Baechler 1994, Silberbauer 1982) and the unique form of legitimate collective decision-making in village communities in Kabylia (Mahé 2000), sub-Saharan Africa (Abélès 2003, Terray 1988) and Asia (Popkin 1979, Smith 1959). Medieval European village communities, particularly in central and northern Europe, also had deliberating assemblies that made decisions without voting. Otto Gierke (1988, quoted in Dumont 1992) noted the prevalence of unanimity decision-making in Germanic Europe. The concern for consensus also predominated in decision-making in some Scandinavian villages as recently as fifty and even thirty years ago (see Barnes 1954 for Norway, Yngvesson 1978 for Sweden).

Voting techniques, on the other hand, did not come into use in most societies until relatively late, namely via the West as it initiated and diffused modernization. Medieval Western Europe does not seem to have had any memory of the voting techniques used in Ancient Greece and Rome. It was primarily in monastic orders and among the clergy that these techniques were rediscovered (Moulin 1958, Gaudemet 1979),[1] then transmitted to provincial political assemblies.

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[1]. Majority voting is also attested in Medieval Japanese monasteries (Souyri 2003) and in Buddhist monasteries overall (Dumont 1992).

Later, colonization and decolonization were the main vectors for diffusing the practice of voting, including at the level of African and Asian villages.

The preceding set of observations may seem to suggest that consensus or unanimity was the predominant mode of collective decision-making in nearly all human societies until such time as voting replaced it. Though this hypothesis is plausible, it is extremely fragile, as suggested by the following three questions:

— Does the practice that historians and ethnologists call indifferently "consensus" or "unanimity" decision-making have the same referent; i.e., do the two terms refer to a single decision-making mode?

— What makes the consensus rule different from voting? Does the frequent assimilation of consensus to unanimity or near-unanimity mean that consensus is actually very close to voting; that is, to the possibility of determining how preferences are distributed?

— Is it accurate to say that only practices making use of sophisticated voting techniques whose development and diffusion have been reliably documented (techniques for expressing and counting preferences, aggregation rules) are voting practices?

The fact is that available studies often do not allow for answering these questions directly because their descriptions and definitions of decision-making modes are not sufficiently precise or rigorous.

Nearly all available descriptions of consensus decision-making, most in ethnological studies, suffer from this defect. The final stage of what they call either "decision-making by consensus" or "unanimity decision-making" is only alluded to. The reader is meant to understand that in the end, a consensus has allowed the decision to be made. But the authors do not describe how the decision-making process is concluded. They do not seem to have asked themselves the following question: How is it that the participants all realize that a consensus has been established and that the collective decision has therefore been made?

It is easier to describe and define voting because that practice is familiar to us. We need only say that we are dealing with a voting practice when the following three conditions obtain: 1) participants in a collective decision-making process can express their preference for one or another decision option and these preferences can be noted; 2) the distribution of preferences for the different competing options can be established on the basis of 1) (preferences noted); 3) an aggregation rule exists that allows for determining which option has become the decision on the

basis of 2) (distribution of preferences). Clearly, sophisticated voting techniques are not required, at least not in small groups, in order for these three conditions to obtain.

The purpose of this text is to identify two distinct modes of collective decision-making on the basis of a critical analysis of available descriptions. As we are already familiar with voting procedure, I am primarily concerned to work out the specificity of the decision-making mode commonly called "consensus" or "unanimity" and to see just how it stands in relation to voting.

The first part of the article presents a series of descriptions available in the literature, with the aim of identifying the specificity of what I will call *decision-making by apparent consensus*. In the second part I study the characteristics and properties of this mode of getting collective decisions made and thereby concluding the process. Here, in direct contrast to voting, there need be no counting of expressed preferences for the decision to be made.

1. A problem of description

Description is the first task of social scientists and it is certainly not the least difficult. Available descriptions of what is called decision-making by consensus or unanimity are often disappointing (1.1). Few of them give a precise account of how such consensus or unanimity is recognized or noted by participants, whereas it is precisely the way the decision finally gets made and the process thereby concluded that enables us to identify two different modes of collective decision-making (1.2). Lastly, rigorous description of just this component or "moment" of the process makes us aware of the frequent use of what I am calling apparent consensus decision-making in our modern societies as well as in others (1.3).

1.1 "Unanimity" or "consensus" decision-making

"It is a frustrating characteristic of writings on pastoral societies in East Africa that, even when expressly concerned with such topics as leadership and social control, they generally contain little information about an activity which appears, from the same writings, to be a prominent feature of public life in these societies—namely, the holding of meetings to discuss and to formulate public policy about matters of concern to the whole community." These remarks by David Turton (1975) may be applied to nearly all the ethnological literature, at least all the studies I have examined. Taking into account the progress made since Turton's remark, and focusing the diagnosis on my particular concern here, I would say that studies of such meetings can be both richly detailed overall (Detienne 2003) and not very precise about how the decision ultimately gets made. Most of the description and analysis bears on selection of participants, how

meetings proceed, rituals and their meaning. While the use of consensus or unanimity is almost always mentioned, the exact way such consensus or unanimity gets formed and above all how this allows for definitively making the decision and concluding the process is seldom described. The description problem has at least three general causes: the difficulty of collecting sufficiently precise information; ethnologists' minimal interest in how the decision is finally made (there is little observation of this crucial moment); the intellectual prevalence of the voting model.

Two remarkable studies may be cited to illustrate this point. The first is Samuel Popkin's application of the methodological individualism paradigm to a peasant society (Popkin, 1979). The author specifies that up to the 1930s and 40s in South Vietnamese villages, collective decisions were made unanimously. He then explains the prevalence of this decision-making rule by the system of interdependencies that villagers were caught up in. Because a collective decision could have radical consequences for any family, it was fitting for the group to use a rule that granted each family a veto. Meanwhile, the sexual division of labor was such that there was ample time for reaching agreement: men were free to talk among themselves while women and children worked. However interesting this analysis may be, Popkin's study (which uses secondary source material) provides no description of how the village councils function. The reader has no way of knowing whether or not the required unanimity is attested by a vote or some other procedure.

Marc Abélès' study of village assemblies in the Ocholo society of southern Ethiopia offers a much richer description of the collective decision-making process. Here the author specifies that there is no voting. He intends to contrast the majority voting we are familiar with to decision-making that requires consensus or unanimity (he does not distinguish between the two) without voting. However, the reader is not told how this unanimity-consensus is revealed to participants. The following quotation offers a striking example of the description problem:

> When the great dignitary deems that the meeting has advanced far enough, he attempts to synthesize the debates and to formulate a proposition that will facilitate decision-making. It is important that unanimity come out of the deliberations. In the course of the remarks and utterances made, a veritable dominant opinion takes shape, which affirms itself to such a point that it wins everyone's suffrage. There is no voting. It is not a question of counting *les voix* [voices; votes]. Consensus has to be reached. If it isn't, it seems preferable to adjourn the assembly and take up the debate again later. … The assembly is not the equivalent of a summoning together of citizen-individuals. This is clearly demonstrated by the mode of determining a consensus: it is not a matter of adding up *les voix*. The most important thing is to draw out real unanimity (Abélès 2003: 400 and 404).

Marc Abélès' detailed description runs up against a sort of contradiction. On the one hand he stresses that Ocholo political thought does not correspond to political individualism: the assembly is not conceived as a gathering of citizens and the legitimacy of the decision made is not guaranteed by adding together individual particles of sovereignty. On the other hand, it is not clear how the fact that consensus has been reached can be recognized *other than* additively because the consensus is identified with "real unanimity." That expression seems to indicate that consensus exists when everyone approves the same option. But how do the Ocholos know and note that a particular option has been unanimously approved? It is striking that Abélès uses a voting metaphor—"wins everyone's suffrage"—at the very moment he means to affirm that the consensus is produced without voting. How can unanimity be recognized and declared without observing that each of the participants has in some way—hand-raising, head nodding—signaled his approval of the same option; i.e., through some form of voting? Unanimity cannot be seen or noted without some kind of vote. To identify consensus with unanimity as this author does thus seems contradictory to his own observation that there is no voting.

While Popkin sets up an opposition between majority and unanimity rules as they pertain to South Vietnamese villages without specifying whether unanimity is attested by a vote, Abélès stresses the contrast between voting and consensus, but his assimilation of consensus to unanimity makes it difficult to conceive how there could *not* be some kind of voting, however informal the preference-expressing mode might be. In both cases (if to varying degrees), the descriptions are inadequate. An essential part of the collective decision-making process is missing from them; namely, the end: the way in which the decision gets made.

1.2 **A mode of making decisions collectively**

The problem in the studies just considered is that the descriptions in them do not allow for answering the following question: Is the mode of concluding the process in consensus decision-making different from the one operative in voting procedures? Two studies provide descriptions that allow for a clear answer to this question.

The quality of Sherif El-Hakim's attention to the collective decision-making process used in a Sudanese village he observed in 1970 and 1971 makes his study an exception in the ethnographic literature. [2] The village of Khuriet had two thousand inhabitants at the time, most of them descendents of the same ancient Arab nomadic tribe. They lived by herding camels, sheep, and goats and doing a bit of farming. The village is made up of ten hamlets encircling a central area that encompasses the sheikh's court, the marketplace, a water distribution point, a health dispensary and two mosques. Participation in the making of decisions that affect the group as a whole is governed by two principles. First, there are the "notables", figures who wield some degree of authority, a quality often associated with responsibilities; notables have a specific role and weight in collective decision-making. Second, every male villager has the right to participate in any decision that affects his interests. When a villager's interests are at stake, he claims the right to participate and this right is recognized. Village meetings are frequent and long. Men are constantly involved in consultations and confabs, while women and children are responsible for nearly all the village's productive activity. Only the most influential villagers may take the initiative of calling a meeting aimed at making a collective decision. Such meetings are announced by word of mouth. Care is taken to ensure that everyone likely to be affected by the decision is informed of the meeting and can be present at it. Participants then start moving toward the main square in small groups of two or three, talking with each other as they wait for their number to increase. The waiting period, which can last as long as an hour, ends when a notable begins to speak, giving a lengthy presentation of the purpose of the meeting, the details and context of the problem to be dealt with, opinions expressed at previous informal meetings. In general, the company remains completely silent while the notable speaks. The only exception is someone speaking to point out the absence of one or more villagers concerned by the matter at hand; this state of affairs is then discussed to determine if it will adversely affect the proceedings. The notable ends his talk with a statement of what seems to him the solution to the problem. At this point many others speak up, some expressing their opinion to a group talking nearby them, others calling out and gesticulating to attract the attention of the group at large. After a stretch of time during which the general agitation and hubbub subside and rise again several times, silence falls to allow the group to listen to another man—never the same as the one who opened the meeting. The new speaker presents what seems to him the consensus that has come out of the preceding discussion. The meeting can then proceed in one of three ways:

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[2]. The singularity of this study is probably related to the author's use of Coleman's theory of collective decision-making (1966), a reference seldom mobilized in ethnology.

— If the proposed statement of what the consensus is is met by some signs of acquiescence and nothing comes along to complicate matters, that statement becomes the collective decision and the meeting comes to an end, even if no more than one or two participants manifested support for the statement while the others remained silent.

—In the rare cases where the consensus statement is explicitly contested, the meeting is broken off by invective and general agitation.

— Disagreement is usually only expressed indirectly, by introducing counter-proposals that have little to do with the issue under discussion and actually work to change it. At this point the meeting becomes noisy and disorderly again until another proposal, understood to offer a new definition of the consensus, is put forward the same way the first one was. If as time passes no new proposals emerge, or if those that do are in turn rejected, the meeting comes to an end without a decision being made.

Decision-making on Swedish fishing boats

In the assemblies just described, there is no perceptible counting of preferences, no formal rule for aggregating views. Barbara Yngvesson (1978) remarks the same absence in the decision-making she observed in 1967 and 1968 in a community of fisherman living on a small island off the west coast of Sweden. On both the fishing boats and in the assembly serving as the island's political body, there is clearly a concern that the proceedings be egalitarian, and collective decisions in both follow the same protocol. When a critical decision has to be made during a fishing expedition—to change fishing location, for example—neither the boat owner nor any single crewmember is in a position to impose a choice on the others; the decision has to be collective. Decision-making always follows three steps: 1) one of the fishermen suggests moving to thus and such other location; 2) for at least half an hour afterward the others are expected to express reactions to this proposal; 3) if there are no counter-proposals, the first speaker reiterates his proposal and the boat heads for the designated fishing area. Island council meetings follow the same three steps, on the basis of proposals made by the presiding member.

El-Hakim's and Yngvesson's monographic studies provide precise descriptions of the ways collective decisions get made. In both cases what follows on discussion is not a vote but the stating of a proposal or series of proposals understood to correspond to what the consensus is. And consensus is attested not by counting preferences but by noting that there has been no opposition to the last proposal made.

1.3 Inventory of a customary practice

For reasons to be explained further on, I propose to call this mode of collective decision-making "apparent consensus." Once we have an idea of its characteristics, we see that it is used more often than is generally assumed. On the basis of my reading and the studies I've done of a number of deliberating bodies, I would distinguish three typical contexts where decisions are made this way: 1) African and Asian societies studied by ethnologists; to simplify, we may use the established term "palaver" to designate use of the procedure in these societies; 2) the Areopagus, by which I mean modern learned assemblies made up of eminent or "wise" persons, savants, magistrates, brought together in the name of their competence and qualifications; 3) assemblies or commissions that use several rules for making decisions, including consensus, in this case usually used as an expedient.

Palaver. El-Hakim and Yngvesson describe precisely the sequence that was neglected in the other ethnologists' descriptions: getting the decision made, concluding the process. It seems reasonable to conjecture that what many authors have called unanimity or consensus decision-making is what I am calling apparent consensus decision-making. I cannot demonstrate that hypothesis here, but it seems particularly plausible given that the more precise the ethnologist's description, the closer it comes to a full description of making a decision by apparent consensus. The more precise the description, the longer the list of characteristics described. In the descriptions examined above, characteristics are stated in approximately the following order (increasing degree of precision): 1) decisions are made unanimously or by consensus; 2) there is no voting; 3) consensus does not amount to real unanimity but to consent by a reluctant minority; 4) proposed statements of what the consensus is facilitate decision-making; 5) the decision gets made at the moment a consensus proposal is no longer contested. From this secondary analysis of the ethnological descriptions, it seems fair to say that Sherif El-Hakim offers the most complete description of palaver.[3]

However this may be, we readily think of the consensus-reaching mode as fitting for small, relatively self-contained and self-sufficient societies marked above all by strongly interdependent individual interests, societies where one segment of the population—adult men—are in a position to devote virtually all their time to the sort of confabs and consultations that this decision-making mode requires. We might therefore conclude that this decision-making rule is not to be observed in our societies. We would be wrong. It is in modern societies that the following two uses of it

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[3]. Yngvesson is extremely precise on how the decision-making process is concluded but says less about the discussion than El-Hakim.

are found.

The Areopagus. Voting is the dominant model of collective decision-making in Western societies, and it extends far beyond political elections. However, there are some deliberating bodies in our societies that refuse to make decisions by counting expressed preferences. In these bodies, voting is used only exceptionally, as a last resort, when participants cannot reach a consensus. Examples include a number of constitutional courts (Ferejohn and Pasquino 2002; Pasquino 2006) and expert commissions such as those in charge of new drug approvals in the European Union and France (Hauray 2005; Urfalino 2006). Areopagus members are not elected and they have no representative role: rather, they are appointed for their competence. It is important to note, following Pasquino (2006), that these decisions cannot be reduced to a yes/no alternative. In judges'rulings in answer to the question of whether or not a law is constitutional, the supporting arguments they present are at least as important if not more so than whether they say yes or no. Likewise, the reponse to an application for approval to market a new drug is not merely "yes" or "no" but "no" until thus and such conditions have been met or "yes" in thus and such specific conditions. In both cases, the decision is made when a proposal that in fact corresponds to a set of choices and rulings no longer elicits any objections.[4]

Wherever palaver is used, it is the exclusive decision-making mode. Either the members of these societies are not familiar with what it is to vote or they deem voting inappropriate for their society (Terray, 1988; Ferme, 1998). Likewise, in what I am calling the Areopagus, decisions are only exceptionally made by voting. However, consensus decision-making may well be used in deliberating assemblies and commissions that otherwise do use voting, as we see in the following three examples.

Consensus as an expedient. The first example is taken from a study I did with Catherine Vilkas of the Fonds Régionaux d'Art Contemporain or FRAC, *région*-level art-purchasing commissions created in France in 1982 [the *région* is a political and administrative unit]. FRAC administrative boards were called upon to accept or reject an expert committee's proposals for purchasing contemporary art works. In some of the regions we studied, the majority of elected officials on the administrative board were hostile to the experts' choice of art works, disconcerting for neophytes. But FRAC administrative board presidents, in many instances important regional political figures, were generally inclined to follow the experts' recommendations, less by artistic

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[4]. It is important to specify that other expert bodies with the same tasks do practice voting: the US Supreme Court, for example, and the New Drug Approval committees of the US Food and Drug Administration. The differences between these trans-Atlantic pairs of bodies cannot be discussed here.

taste than because they expected that the international-level art collection the experts meant to develop would enhance their region's renown. In one of the three regions studied, after the works had been presented and at precisely the moment one might have expected the matter to be put to a vote, the FRAC president would address his fellow board members firmly in the following terms: "My friends, you've heard what the experts have to say—these works are of very high quality. We're not really going to vote now, are we? I propose we take them all—do you agree?" Elected officials who were reluctant to buy did not dare oppose the region's rising politician, so the president got the art works bought without a vote and without expression of any disagreement. Still, he was careful not to incur sudden rejection of his strategem, and if he felt there was strong opposition to a given work, or if one of his advisors sensed this, he let that one be pulled from the lot (Urfalino and Vilkas 1995).

For four years I observed the functioning of a section of the Comité National de la Recherche Scientifique, France's main institution for evaluating scientific research and researchers. Each section, composed of approximately twenty elected and appointed members, was in charge of evaluating research groups and researchers of the Centre National de la Recherche Scientifique (CNRS). All the collective decisions that this section was called on to make (ranking research groups, ranking researcher candidates for promotion or hiring) were made with voting machines and by majority rule. However, some presumably unimportant decisions that seemed to elicit ready convergence of opinions were made by apparent consensus. This was the case for decisions on procedure, a kind of second-order decision for determining how first-order decisions should be made, the clearest example of which is choosing the moment the assembly can stop debating the issue and put it to a vote. After long discussion, the section president might declare: "Dear colleagues, it seems to me we've debated long enough. I propose we put the matter to a vote." If no one contested that invitation, it became the decision and we proceeded to vote. Occasionally, a section member would request that debate continue, which it then did until the president reiterated his proposal to move to a vote. Two or three times, the length of discussion time itself was the focus of long disagreement, and here the section president proposed that the assembly vote to determine the balance between those who wanted to keep debating and those who wanted to vote—i.e., we voted to determine whether or not to vote.[5] It should be noted, however, that in such voting to the second power as it were, the decision to vote to decide whether or not to vote was made by apparent consensus! Here we have touched on a sort of logical limit to electoral formalism: to escape infinite regression and be able to decide

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[5]. It may seem ridiculous to double the procedure; i.e., vote to decide whether or not to vote. Uderzo uses this as a gag in one of the Asterix books (Goscinny and Uderzo 1991: 22). Still, fixing the duration of pre-vote deliberation can prove a major issue; see Vilkas 1996 for the case of the CNRS.

collectively whether or not to move to a vote, the group needs a decision-making mode other than voting.

The third and best-documented example is taken from a meticulous systematic study of decision-making in a Swiss political party in the canton of Berne (Steiner and Dorff 1980). Using interviews, observation, and document analysis, Steiner and Dorff followed 111 party meetings from January 1969 to September 1970. They observed 466 decision-making situations resulting from disagreement about what action to take. The researchers had posited that these disagreements would be settled in one of three ways: a majority vote; formation of an explicit oral agreement after the partisans of one option had clearly rallied to the other; non-decision. As it turned out, 37% of the 466 cases fit into none of the three categories. The authors thought at first to add a "residual" category, but it soon became clear that the non-categorized cases represented a fourth type, characterized by the following sequence: after time spent debating, a group member presented the conclusions she saw the debate leading to; if no one disagreed with this interpretation, it became the decision. On the basis of detailed observation of meetings and consultations, the authors estimated that of the 170 instances of apparent consensus decision-making, 85 produced a decision that matched the opinion of a majority of members, 19 a decision that matched a minority opinion, and 66 resolved a situation where there was no discernible majority. What particularly interests us here are two of the questions that these results raised for the authors: Why don't participants who continue to disapprove of the position favored in the proposed consensus "interpretation" manifest their disagreement? And why don't they call for a vote, to be sure among other things that they really are in the minority? The answer that came out of the interviews and observations was that participants who disapprove the interpretation that then becomes the decision, and yet do not contest it, do not have a clear idea of the real distribution of preferences but don't think it very likely they would have the majority with them if they were to call for a vote. They prefer not to make their losing position explicit and/or they do not want to see the legitimacy of the position that has already won by "interpretation" reinforced by a winning vote.

Decision-making by apparent consensus enjoys more legitimacy in this third case than when it is used as a power move, as in the FRAC case. And in contrast to the CNRS case, apparent consensus in the Swiss political party is not limited to technical, relatively uncontroversial decisions. However, even when used conjointly with other modes, apparent consensus decision-making enjoys less legitimacy than voting. And it is likely to be rejected in favor of voting when there is a great deal at stake and the assembly is sharply divided. Keeping in mind that any participant in all the above cases may rightfully call for a vote, we may say that

apparent consensus decision-making is chosen from among other options in two types of situations:1) when it seems a way of speeding up a decision-making process that seems headed for a decision understood to comply with the wishes of the majority; 2) when it seems to represent a balance between the expectations of the person proposing a consensus interpretation in the hope that it will not be contested and the expectations of participants who, even though they are opposed to that interpretation, prefer not to speak up because they feel fairly certain they are in the minority and do not want that minority status revealed.[6]

With the help of the studies and observations presented thus far, we are now in a position to identify the properties of this decision-making mode.

2. The defining characteristics of decision-making by apparent consensus

The cases and descriptions just presented in more or less detail enable us to identify a specific decision-making rule that is significantly different from the various forms of voting—a difference that in my opinion has not been adequately perceived or appreciated. I propose to call this rule "apparent consensus" in reference to the following six defining characteristics:

— Like voting procedures, apparent consensus is a rule for getting the decision made and thereby bringing the process to an end;

— What concludes the process is collective recognition that an apparent consensus has been reached;

— In apparent consensus, there is an impression of continuity between the process and its end point

— The apparent consensus rule prevails in contexts where, for whatever reason, the attempt to reach consensus is indexed on concern about decision quality;

— Apparent consensus does not require unanimity but rather, in addition to some participant approval, the consent of participants reluctant to approve the decision;

— Participants' contributions to this decision-making process are marked by a contrast between the equal right of all to participate and legitimately unequal degrees of influence.

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[6]. As this article does not examine complex forms of decision-making, i.e. those that combine several procedures, I will do no more than mention the remarkable use of apparent consensus in the decision-making procedure used by the Convention that recently drafted a constitutional treaty for the European Union. See Paul Magnette 2003.

2.1 A procedure for making decisions collectively

Since many rules of quite different natures are likely to come into play in collective decision-making—rules governing how the process is initiated, selection of participants, opening and closing of debate, etc. (Richards and Kuper 1971)—it is important to clarify the notion of a rule for making a decision. The problem of description mentioned earlier applies to only one part of the process: its conclusion by collective determination of the action to be taken. It is on this point that Sherif El-Hakim's and Barbara Yngvesson's monographic studies offer valuable indications of a sort not found in the other descriptions. The notion of decision-making rule in this article is thus used in the limited sense of a rule governing the end of the process: collectively making, fixing, the decision.

It seems reasonable to think that the description difficulties observable in the ethnological literature are related first and foremost to the fact that Western researchers' conceptions of collective decision-making are strongly influenced by their knowledge of and familiarity with voting techniques. These techniques seem a kind of ineluctable reference, and occurrences of apparent consensus decision-making get assimilated to a kind of informal unanimity decision-making. In sociology of organizations, management studies, and political science, the focus has been on decision-making processes understood as the set of sequences and mechanisms involved in 1) perceiving there is a problem to be resolved, 2) generating alternative options for resolving it, and 3) choosing one of those options. In their concern to demythify the voluntarism that often attaches to the idea of decision, researchers in these fields have quite rightly called into question the idea that there is a precise "moment" the decision gets made, and warned against allowing the work of reaching a decision to get absorbed in the person of the "decision-maker." This explains their lack of interest in the problem of how the decision-making process is brought to an end. While their work has considerably improved our understanding of decision-making processes, it has left the very concept of decision in a somewhat indeterminate state. They have not paid adequate attention to the concept of deliberation, and they have taken the notions of choice and decision to be interchangeable (Urfalino 2005). To find our way out of this predicament, it is important first of all to note that the concept of decision belongs to the category of action. Decision-making is never aimed at attaining a state of knowledge (we are not trying to decide whether this or that statement is true or false with regard to its referents); the point is to determine an action to be taken. Next, not every intentional action is preceded by a decision. We are only dealing with a decision if there is a discernible time lapse between making that decision and acting on it (Raz 1975: 499). The time lapse points up a conceptual distinction which helps

define the nature of decisions: a decision fixes an intention to act. Strictly speaking the decision is neither the process that leads to it nor the result of that process, i.e., the action decided upon. Rather it falls between the deliberation process and the action. The concept of decision is clarified if we emphasize the notion of forming or fixing an intention to act.

In the case of individual decision-making, it often happens that the moment of making the decision is indistinguishable from the end of the mental operations of deliberation and choice. This is certainly not the case for collective decision-making in the limited sense I am using the term; that is, involving an assembled group engaged in a collective undertaking in which all co-present participants may intervene, on which they may have a direct effect. Thus understood, a collective decision presupposes a procedure for collectively making—fixing—it.

Such a procedure must meet two practical requirements. It must of course allow for fixing the decision and thus bringing the process to a close (decision-fixing requirement). However, the decision must also be made collectively, and all participants must perceive and accept that it is "now" made (mutual recognition requirement). The second requirement brings with it a constraint for any observer who means to describe this collective decision-making mode: the description must have a phenomenological dimension, in the first sense of the word phenomenon: "that which appears." The description must show how, through what event, it "appears" to all participants that a decision has finally emerged from their contributions to the process. Given that human beings are not transparent to each other and can only communicate their thoughts to each other through techniques of expression, participants must have a means of knowing with certainty if and when a decision has been made and the process is over.[7] Clearly either a consensus is indeed unanimous, a state of affairs made perceptible by a preference-expressing technique that allows for noting it—in which case we are dealing with a voting technique however cursory it may be (head-nodding, for example); or else there is no such preference-expressing technique and it is impossible to count preferences. In the latter case, what

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[7] It can happen that one or more participants are not able to note that the decision has been made and this may then become the focus of individual conjectures and beliefs. Usually, however, everyone is aware that a decision has been made or that the company is in the process of doing so or that it has temporarily given up on choosing an option; these are all states that do not usually admit of discussion, states that the instituted decision-making rule allows participants to recognize. Thus conceived, a correctly made decision does not seem to me comparable to a collective belief, as Margaret Gilbert suggests (1994). She has illustrated the concept of collective belief by describing an imaginary but plausible case of discussion among members of an Oxford college about the quality of meals served at their "High Table." The description corresponds exactly to what I call decision-making by apparent consensus, with one important difference: the author does not think, or at least does not mention, that the closing of her imaginary discussion could have the status of a decision, i.e., a now formed intention to act. It is difficult not to think this, however, when we read: "The most senior member present speaks up in an emphatic and summarizing tone: 'Clearly there's too little variety! Someone had better speak to the chef!' He looks around him briefly. There is a pause. 'Shall we move on to another topic ?' No one demurs." (*ibid.*, p. 100). To debate Gilbert's thesis, the status of the concepts of decision, decision-making rule, and collective belief would have to be clarified, a clarification I cannot undertake here.

transforms the most recent proposal into the decision is manifest absence of opposition to it. The decision is made and the process concluded when all assembled observe this absence.

Apparent consensus decision-making and voting are thus two distinct procedures for getting a collective decision made. Both produce and govern that event, but in radically different ways, as we see when we examine the notion of apparent consensus more closely.

2.2 The appearance of consensus and apparent consensus

Both meanings of the adjective "apparent" are relevant here. "Apparent" means the opposite of real: that which is apparent may well be false or misleading. It of course also designates the quality of that which appears, is present to our senses, may be grasped by them: "apparent" echoes the first meaning of the Greek word "phenomenon."

A consensus is apparent first in the sense that its reality is dubious. This is due to the fact that it has been attested not by counting position preferences but by noting absence of dissent in response to a given proposal. This means that the decision gets made without knowledge of exact preference distribution. And this in turn clearly distinguishes consensus decision-making from the unanimity variety. As mentioned, the latter supposes a technique for counting preferences, or at very least the possibility of observing that each and every participant approves the same option. In unanimity, the decision is made when all opinions formally converge, are identical. In direct contrast, consensus decision-making does not require unanimity or quasi-unanimity, as current use of the word consensus seems to suggest, but rather *absence of expressed disagreement*. That absence suspends the question of whether those who keep silent approve or disapprove. The semantic double negation "No one expresses rejection of proposition P" is not equal to the affirmation "Everyone expresses approval of proposition P."[8]

Next, consensus is apparent in that it appears. Apparent consensus decision-making supposes 1) the uttering of a proposal and 2) the observation that there is no objection to that proposal. The obviousness of absence of disagreement is essential, as this is what makes the decision and its making collective. Voicing of the proposal is followed by a pause which allows participants to observe dissent or the absence thereof, accompanied by a few expressions of approval. Once again, the negation is crucial: what appears directly is not consensus but the absence of manifest *dissensus*. The point is that this absence, which is what the attestation of consensus amounts to, has to be observable to and observed by each and every participant in the collective decision-making process. Each notes that a given proposal for action, understood to

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[8] We are not concerned here with whether expressed agreement or disagreement is sincere.

have resulted from the preceding discussion, is not explicitly contested. When this happens, the synthesis just uttered becomes the *last* proposal, i.e., the decision.

2.3 *Continuity between deliberation and decision*

When a proposal is made, either no one contests it and it becomes the decision, or it is contested and acquires the status of one more stage in the shaping of the final proposal. It cannot be known or established in advance that a given stage in the decision-making process is the final stage. The fact that a proposal is the last one and equals the decision can only be known retrospectively, when absence of opposition to it has been noted.

This feature is the second major difference (after non-counting of preferences) between apparent consensus decision-making and voting. In voting, there is discontinuity between deliberation, understood as collective discussion with the purpose of making a decision, and the use of the voting technique. Clearly in voting we are dealing with two separate moments, as we see when we remember that it becomes necessary either to decide or to refer to a rule to determine at what point to stop discussion and move to a vote.[9] In apparent consensus decision-making, on the other hand, continuity is ensured between deliberation and decision. The series of non-chosen proposals, each made between two phases of discussion, and the fact that the moment and status of the last proposal cannot be defined in advance, mean that we cannot discriminate between the deliberation phase and the moment the decision gets made.

Consequently, the decision—understood once again as fixing an intention to undertake an action—seems to emerge directly out of the discussion. This trait is particularly relevant as a descriptive characterization of the ideal of rational discussion. I am thinking here of certain statements about deliberative democracy that promote a model of collective decision-making where discussion is limited to an exchange of arguments among equal partners that ideally could lead to decision through consensus (Cohen 1989). The consensus is ensured by the hypothesis— and wish—that the strength of the best argument will guide each participant in determining his will (Chambers 1996). These authors do not mention how consensus is noted or known, nor do they mention a vote that requires unanimity. Cohen (1989) and Habermas (1997) do envisage using majority voting in cases where a decision has to be made and consensus cannot be reached. They allow for the possibility of separation between deliberation and decision in cases where consensus is clearly impossible. But this leaves open the question of how consensus, if it can be

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[9]. The continuity between discussion and decision explains in part why some of the ideas developed in this second part dovetail with the extremely insightful ones put forward by Pasquino (2006), who began with a heuristic distinction—between voting and deliberation—slightly different from my own focus on modes for getting collective decisions made.

reached, is mutually recognized. These formulations of the ideal of rational discussion and of what deliberation should be list a set of requirements to be met. But as is often the case with normative propositions, the authors do not abide by the description requirement mentioned above, which must be met if an observer is to give an account of rational discussion or deliberation with the assumption that the ideal models and thinking on deliberative democracy *could* be realized. If we abide by the description requirement—i.e., if we show how participants recognize that a decision has been made—it is clear that in the absence of unanimity voting (even by head-nodding), the descriptive model of the outcome of rational discussion or deliberation as imagined by some members of the "deliberative democracy" current is indeed decision-making by apparent consensus.

2.4 *Apparent consensus and emphasis on decision quality*

Decision-making by apparent consensus is used in contexts where importance is attached to an idea of consensus that closely links participant approval and quality of the decision approved. The concern to reach a "quality consensus" is observable in both palaver and the Areopagus.

Emmanuel Terray explains that the practice of palaver goes together with a conception of decision governed by the understanding that "for every problem there is one and only one just solution and the point of discussion is to find it—not invent but discover it. Individuals have only partial views of reality, so it is by bringing out and comparing different opinions that the truth will gradually be unveiled" (Terray 1987-89: 21). The understanding of the founders of the French Autorisation de Mise sur le Marché commission [AMM; roughly equivalent to the US Food and Drug Administration's New Drug Approval commission] is very similar: "No one possesses the truth; all points of view must be listened to; the way to determine the right decision is by expressing those viewpoints to the group and discussing them."

Such remarks clearly manifest the value attributed to comparing differing views. But it is remarkable that in both palaver and the AMM commission, the valuing of deliberation goes together with rejection of voting. It is not clear why voting should be rejected, since there is the option of putting the matter to a vote *after* opinions have been enriched by discussion.[10] Here apparent consensus stands opposed to voting in two closely related ways:

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[10]. Assemblies called upon to make a collective decision can 1) move directly to a vote in cases where another assembly has already deliberated and determined a set of competing options (Pasquino 2006); 2) deliberate and then vote; 3) deliberate and not vote, making the decision instead by apparent consensus.

A. the combined concern to i) make a good decision and ii) have a high number of participants approve it;

B. the fact that the consensus is not the sum of individual opinions.

A. In contexts where apparent consensus is the legitimate way of making decisions, participants have not given up the idea that wisdom and the greatest number may be joined—in direct opposition to what is shown by the historical emergence of voting techniques and the history of thought on them. As early as the fifth century BC, the Greeks were explaining the possibility of non-coincidence between the way of political wisdom and the people's choice, the latter superior in numerical terms (Thucydides VI: 24). It took the Western monastic orders that were reinventing voting techniques several centuries to accept the idea that number (the majority) could count for more than a presumably enlightened minority when it came to designating who would head the monastery. Indeed, it took them six hundred years to allow the *major pars* to dominate the *sanior pars* without some kind of special weighting (Moulin 1958). The history of thought on collective choosing shows a similar development: a gradual move away from the hope of discovering the right aggregation rule for making a good decision (what Condorcet referred to as "the true decision") to a less ambitious search for rules that would produce a result that could be said to "represent" the distribution of individual preferences in the least unsatisfactory way possible (Black 1958; Arrow 1951; Guilbaud 1952). The quest for representativeness replaced the concern for quality. Voting ineluctably creates a disjunction between the concern for a quality decision that is presumed to govern discussion, and the counting and adding together of individual preferences. That disjunction actually becomes more pronounced rather than less when an attempt is made to reduce it, i.e., when the members of a deliberating group are required to choose publicly and justify their vote in order to limit the influence of illegitimate interests. Here each participant has to explain his or her vote by presenting an acceptable line of argument. The limitation of this is process is well known: rationally arguing one's position does not preclude duplicity, since a good orator can easily find acceptable reasons and justifications for a vote whose real motives are unmentionable.[11] In apparent consensus decision-making, on the other hand, the attempt to reach consensus is not dissociated

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[11]. A fine example of this is disputes in the assembly of engineers at the Ponts et Chaussées [elite French training institution] during the Consulat period, when consensus decision-making had been replaced by voting; see Graber 2004, 2007.

from concern for the quality of the decision made.[12] In contexts where this mode prevails, there is a general rejection of voting on the grounds that it would involve sacrificing decision quality. As one of the experts on the AMM committee put it: "In most cases there is no vote. That may seem surprising. Fundamentally it's a very good thing. You're looking for a scientific decision. So it has to be by consensus. If it's not, that means some mysterious things remain." Apparent consensus allows for a merging of wisdom and the greatest number rather than an opposition between the two. The modern political philosophy vocabulary congruent with the spirit of this decision-making rule is that of Rousseau in *The Social Contract* (IV, 2): the will of all (the greatest number) is expected to "declare" the general will (quality).

B. While consensus does presuppose approval by the greatest number as "expressed" by absence of dissent, it cannot be confused with the sum of preferences. This is the point ethnologists are making when they explain that palaver is practiced in a normative context from which political individualism is absent (Terray 1987-89; Abélès 2003). The idea clearly is that absence of any technique for counting preferences goes together with a conception of legitimate decision-making that has nothing to do with the notion of adding together sovereign citizens. But once again, these authors' descriptions do not allow for grasping what exactly this corresponds to in the discussion process itself. Descriptions of the contemporary Areopagus are more precise on this point. In his analysis of the Italian constitutional court, Pasquino explains that a judge could hardly assert "his opinion" to his fellow judges as a "will" deserving to be granted weight merely as an "equal fragment" of sovereignty. He cannot hope to affect their thinking in the name of his *preference* for option X; only his "good reason to choose X" has any value. Argument replaces preference or vote; comparison and ultimate integration of participants' differing arguments replaces preference aggregation (Pasquino 2006). Likewise, an expert on the AMM commission cannot hope to affect a decision merely by expressing an opinion for or against authorizing a drug to be put on the market or for or against a given recommendation associated with authorization. His opinion counts only in so far as his argument is convincing; i.e., taken up by others or not contested.[13]

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[12] The desire to make a good decision is also operative in voting, but it is not integrated in any way into the decision-making mechanism. All may hope that the discussion has enriched and advanced the matter, but once the voting procedure is under way, there is nothing left to do but note the aggregated result.

[13]. I must agree, however, with Bernard Manin's remark that the example of the Areopagus tends to establish too close a link between the absence-of-dissent requirement for apparent consensus and the argumentation requirement. Following El-Hakim, it is possible to conceive of apparent consensus decision-making as a mechanism for expressing and aggregating preferences that are not justified by argumentation.

Apparent consensus decision-making thus presents a paradoxical contrast with voting, particularly unanimity voting. Though it is less demanding with regard to opinion convergence in that appearance of consensus suffices, a stronger expectation attaches to that consensus, namely that it attest to the quality of the decision.

2.5 "Silence means consent"

Consensus decision-making is possible because, as explained, some participants consent to not oppose the latest consensus proposal. A number of authors have pointed out that palaver does not require firmly established unanimity; in most cases a minority rallies to the option that seems to produce consensus; opponents are ultimately willing to stop contesting it (see for example Dumont, 1981, and Silberbauer, 1982: 32-34). Not all Areopagus members entirely approve decisions that get made thanks in part to their silence. Likewise, as we saw in the cases categorized as "expedients," opponents to a proposal do not necessarily try to contest it, nor do they always use their option of calling for a vote.

There is of course a kind of consent involved in majority voting of other varieties than unanimity (simple, absolute, or qualified), namely that the minority accepts that the decision thus fixed correspond to the majority opinion. This is the consent implied in adherence to the majority rule principle, and required in order for that rule to function properly. Participants in this kind of decision-making automatically expose themselves to having to consent in this way. In apparent consensus decision-making on the other hand, consent is more active and personalized in that it directly concerns participants' utterances. The group moves forward in a spirit of trial and error; different proposals follow on each other. But once a given proposal has pulled ahead of the others—a state of affairs manifested in part by the decreased amount of explicit opposition it elicits—any hold-outs against it have to ask themselves if they're going to continue expressing disagreement or give up and keep silent. What makes them give up? Given that apparent consensus decision-making, like unanimity voting, seems to grant each participant a veto, it is worth inquiring into opponents' motives and reasons for ceasing to express opposition.

The literature proposes two types of responses to this question. The first cites actors' interests and the power relations obtaining among them. Opponents remain silent because it is in their interest to do so given the proposal's main partisans' powers of retaliation. El-Hakim explains how notables use body gestures and voice intonations to express the degree of importance they attach to a particular decision, while participants opposed to a consensus

proposal that has been voiced or is supported by a notable in control of how collective goods are distributed to individuals (the man in charge of water distribution, for example, or the one who runs the dispensary) may fear that this figure will manifest ill will toward them when they next need those goods. Similarly, FRAC administrative board members did not dare oppose their president when he asserted his will disguised as a consensus proposal, because he was on his way up in the region and their political party.

The second type of response emphasizes the normative dimension: at a given point, dissent becomes illegitimate and provokes disapproval. As Terray explains, the fact that palaver is conceived as a sort of quest for the true or right solution to a problem means that "as soon as that solution has manifested itself, debating stops; any further comment would be superfluous. The just solution is the one the most favorable to community well-being; it should therefore win unanimously, and as soon as it has been voiced, anyone who thinks he can continue to oppose it reveals by this very opposition that he prefers his personal interest to the general interest" (Terray 1987-89: 21). Once again, the ethnologist's description does not quite satisfy our curiosity. One would like to know how it is that participants feel the "right solution" has been proposed despite the persistence of disagreement. What indices allow them to conclude that objections up until then legitimate are now unwelcome? Once again, observing the contemporary Areopagus (an easier undertaking than observing palaver) puts us on the right track. Imagine an AMM commission expert who has been free to object to a proposal or proposal component made by the president on whether or not to approve market sale of a given drug. His objections have already been discussed collectively ; some of them have been integrated into the consensus proposal in the making, while others have been opposed on the basis of arguments that seem to have convinced the other participants. If this same expert continues to express opposition to the proposal as reformulated by the president, using arguments similar to those that have already been refuted, he will provoke surprise and disapproval. His commitment to the decision he favors will seem excessive and possibly suspect. His stubbornness is considered inappropriate precisely because he is behaving as if his opinion were worth something as such, whereas its value is, as explained, indexed on the strength and success of his arguments. The Italian constitutional court judge evoked by Pasquino (2006) would elicit the same response if he showed a similar attitude. Here what compels consent is exhaustion of acceptable objections: I may have some reason or motive for not being satisfied with the latest consensus proposal, formulated after long debate and several objections, but I can no longer oppose it as I no longer have arguments that would be judged valid with respect to the normative context and the rhetoric constraints operative in the assembly.

How should the strength of interests and the authority of argument be weighted respectively in explaining consent? El-Hakim (1978) takes into account interests only, understanding consensus decision-making as a complex form of social exchange in Coleman's sense (1966) propelled by variations in distribution of resources and participants' abilities to control each other. This option seems too exclusive to me, though without detailed description we cannot decide one way or the other. Still, decisions made through palaver often touch participants' direct personal interests, so the most plausible hypothesis is that interest as well as collective norms favor consent, though we cannot really determine how they fit or work together. In the contemporary Areopagus on the other hand, the direct interests of the "sages" or experts are generally not at stake. We can therefore expect that even though participants may have strong convictions and engage energetically in debate, consent is governed nearly exclusively by argumentation norms.

Consistent with the adage "Silence means consent," making decisions by apparent consensus implies that those who disapprove the proposal or do not approve it completely consent to keep their judgments to themselves.

2.6 Equal right to participate, legitimately unequal degrees of influence

Both partisans and observers of consensus decision-making underline that it is based on the principle of equal participation of all members. Moreover, the need for consensus and the requirement to reach it allow for and encourage such participation. This aspect of palaver is often highlighted approvingly by authors who wish to illustrate its democratic character (Bidima 1997; Mandela 2002; Martin 1998; Sen 2005).

But equality in the matter of participation should not conceal the inequality existing both in fact and by right in the weight of the different individual members when it comes to forming the apparent consensus. Whereas voting, particularly the majority variety, ensures that each participant weighs as just as much as any other in the final result—one man, one vote—in apparent consensus deliberation and decision-making there can be no guarantee—and there is no claim to guarantee—that participants will contribute equally to the decision.

Pasquale Pasquino has rightly noted that the formal equality of members in a deliberating body runs up against factual differences, sources of inequality of influence.[14] I would add that in apparent consensus decision-making not only do such differences exist, but the inequality they reflect is deemed legitimate. This explains rejection of voting. What came out of Terray's

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[14]. He identifies five such sources: personal authority, technical competence, argumentative force, speaking order, and role of president.

discussion of the respective merits of voting and palaver with members of the Abron society he studied was their sense that voters' equal degree of influence in that decision-making mode was unjustified: "The idea that all votes are of equal weight seemed preposterous to them: there are intelligent men and imbeciles, old hands and greenhorns" (Terray 1987-89). The same understanding is found among members of the French AMM commission. According to commission experts, differences in members' degree of competence (which varies constantly by question handled) should be reflected in the degree of influence each has on the final decision. This is clearly expressed in the following interview excerpts :

> Voting's not good because it gives everyone the same weight. If we're handling an application for a heart medicine, my cardiologist colleague should have more weight than me.

> We always reach a consensus, that's much better. There's never been a vote. It's preferable for people to explain what they mean. Let those who know explain. We've got official members representing Medical Academy, Pharmacology Academy, INSERM [Institut National de la Santé et de la Recherche Médicale]. They're representative, but they haven't got any particular qualifications. The experts, on the other hand, are qualified. The problem with voting is that it gives everybody equal weight.

The use of apparent consensus decision-making is thus consistent with legitimacy of inequality in individual contributions to collectively made decisions. The concern for equality of participation peacefully coexists with recognition of legitimate inequalities of influence.

Conclusion

My purpose here has been to grasp the specificity of a mode of collective decision-making usually called "decision by consensus" or "decision by unanimity," and to argue that this mode must to be distinguished from voting. In the first part it became clear that what is needed to distinguish "decision by apparent consensus" from majority or unanimity voting is precise description of how collective decisions get made and the process thereby concluded. This distinction opened the way for a brief inventory of cases where the apparent consensus decision-making rule is used. In the second part I examined six defining characteristics of apparent consensus decision-making. These bring to light certain normative aspects of this means of making decisions as used in palaver and the Areopagus—aspects that are not relevant for voting.

To conclude, let me draw two lessons from the preceding analysis.

1) *The normative context of apparent consensus decision-making.* The normative aspects brought to light in the second part move us to distinguish sharply between using consensus as an expedient, as examined in the first part, and using it in palaver and the Areopagus. In the first instance, decision-making by consensus is not as legitimate as voting. In fact, it coexists with voting and is thus never far from a degraded type of informal voting. This mixed, unstable variety suggests that a decision-making form is congruent with the ideas and norms tied to the context in which that decision is being made.

2) *Apparent consensus vs voting: a useful distinction for purposes of comparison.* It seems to me that taking into account the specificity of consensus decision-making enriches the conceptual basis for comparative analysis of collective decision-making in human societies (Detienne 2003 is a fine example of such analysis). Given the state of the literature, it would be hard not to associate diffusion of voting techniques with Western history. However, it would be misguided to think that voting is exclusive to modern societies and apparent consensus decision-making to non-modern ones. On the one hand, as we have seen, apparent consensus is the decision-making norm in certain observable instances of the Areopagus, non-elective deliberative bodies in modern societies. On the other hand, while the predominance of apparent consensus is patent for a number of non-modern societies, various forms of voting may also be observed in such societies, and these need not involve voting techniques. While there is considerable evidence of the use of palaver in Africa and Asia, some forms of decision-making observed in Amerindian societies should not be confused with apparent consensus. Catherine Alès (1995) has observed that in Yanomami society in a period of war, decisions to raid the enemy are made by a sort of informal qualified-majority vote. Each extended-family spokesman gives his opinion for or against the expedition; if no more than two or three households out of approximately twenty are against it, the raid takes place. Since there is also a concern for consensus, the minority (who would be subject to enemy reprisals like all the others) are granted greater weight in later decisions and even assume the role of community spokesmen in peace negotiations. This example shows how crucial it is in comparative analysis to

distinguish between getting a decision made through apparent consensus and doing so by counting preferences. Once again, the latter mode can be formalized by a voting technique but may also be practiced informally in small groups.

Apparent consensus decision-making is thus not a degraded or informal type of unanimity voting; first because the relevant difference does not inhere in whether or not a readily identifiable technique is used, second because unanimity and majority are two species of the same genus: both are voting procedures. The distinction that specifies apparent consensus decision-making and opposes it clearly to voting pertains to an essential aspect of these processes: the way the decision ultimately gets made and the process thereby concluded. The difference is between counting preferences after they have been expressed and voicing a consensus proposal that, unlike those preceding it, is not contested. The resonance of the voting model in our societies has perhaps prevented us from grasping the specific nature of this other way of making collective decisions, a way that is both positive—a proposal is made—and negative: participants note that there are no objections.

Philippe Urfalino   (trans. Amy Jacobs)

Références :

Abélès, Marc, *Les lieux du politique*, Société d'ethnographie, 1983.

Abélès, Marc, «Revenir chez les Ocholos », in Detienne, Marcel (ed.), 2003, p. 393-413.

Alès, Catherine, « Fonction symbolique et organisation sociale. Discours rituels et politiques chez les Yanomami », Communication au 1er Congrès Franco-Venezuelien d'Anthropologie, Caracas, 1-5 octobre 1995.

Arrow, Kenneth, *Social Choice and Individual Values, New york, Wiley,* 1951.

Baechler, Jean, *Démocraties*, Calmann-Lévy, 1994.

Bailey F. G., 1965, "Decisions by consensus in councils and committees", in Banton M.(ed.), *Political systems and distribution of power*, Tavistosck, London.

Barnes J. A., "Class and Committees in a Norwegian Island Parish", in *Human Relations*, VII, 1954, p. 39-58.

Bidima, Jean-Godefroy, *La palabre. Une juridiction de la parole*, Michalon, 1997.

Black, Duncan, *The Theory of Committees and Elections*, Cambridge University Press, 1958.

Chambers, Simone, *Reasonable Democracy. Jürgen Habermas and the Politics of Discourse*, Cornell University Press, 1996.

Kluckhon Clyde, Leughton Dorothea, *The Navaho*, New York, American Museum of natural history, 1962.

Cohen, Joshua, « Deliberation and Democratic Legitimacy », in Hamlin, Alan and Petit Phillip, eds, *The Good Polity*, Blackwell, 1989.

Coleman, James, "foundations for a theory of collective decisions", *American Journal of Sociology*, 1966, n°71, p. 615-627.

Detienne, Marcel (ed.), *Qui veut prendre la parole ?,* Le genre Humain, n°40-41, Seuil, 2003.

Dumont, Louis, *Homo Hierachicus :The Caste system and its Implications,* Chicago University Press, 1981.

Dumont, Louis, *Essays on Individualism : Modern Ideology in Anthropological Perspective,* Chicago University Press, 1992.

El-Hakim, Sherif, « The Structure and Dynamics of Consensus Decision-Making », *Man*, vol. XIII, 1978.

Ferme, Mariane, "The Violence of Numbers : Consensus, Competition and the Negociation of Diputes in Sierra Leone", *Cahiers d'Etudes Africaines*, 150-152, vol XXXVIII, 1998, p. 555-580.

Ferejohn John, Pasquino Pasquale, "Consititutional Courts as Deliberative Institutions", in Alavarez, Sadurski (ed.), *Consitutional Justice, East and West*, Kluwer Law International, 2002.

Gaudemet Jean, *Les élections dans l'Eglise latine*, Fernand Lanore, 1979.

Gilbert, Margaret, « Durkheim and Social Facts » in W. Pickering and H. Martins, *Debating Durkheim*, London, Routledge, 1994.

Gierke, Otto, *Political Theories of The Middle Age*, Cambridge, Cambridge University Press, 1988.

Goscinny, R., Uderzo, A. *Astérix. Le glaive et la rose*, Les éditions Albert René, 1991.

Graber Frédéric, *La délibération technique. Disputes d'ingénieurs des Ponts et Chaussées sous la Consulat*, Thèse de doctorat EHESS, 2004.

Graber Frédéric, « Obvious decisions. Decision-making among French Ponts-et-Chaussées engineers around 1800", *Social Studies of Science*, 37/6, December 2007, p. 935-960.

Guilbaud G. Th, "Les théories de l'intérêt général et le problème de la logique de l'agrégation", *Économie appliquée*, 15, 1952, pp.509-511.

Habermas, Jürgen, *Between Facts and Norms*, Polity Press, 1997.

Hauray, Boris, *L'Europe du médicament. Politique, expertise, intérêts privés*, Presse de Sciences-Po, 2006.

Moulin Léon., "Sanior et major pars. Note sur l'évolution des techniques électorales dans les ordres religieux du VIe au XIIIe siècle", *Revue Historique de Droit Français et Étranger*, 1958, vol. XXXV.

Magnette, Paul, « coping with constitutional incompatibilities. Bargains and Rhetoric in the Convention on the Future of Europe", Jean Monnet working Paper 14/03.

Mahé, Alain, "Les assemblées villageoise dans la Kabylie contemporaine", *Etudes Rurales*, n° 155-156, juillet-décembre 2000, p. 179-212.

Mandela, Neslon, *A Long Walk to Freedom*, Abarus, 2002.

Martin, Pierre, « Réconcilier délibération et égalité politique : Fishkin et le sondage délibératif », *Revue Française de Science Politique*, n°1, vol. 48, février 1998, p. 150-154.

Pasquino, Pasquale (2006), « Voter et délibérer », *Revue Européenne des Sciences Sociales*, à paraître.

Popkin, Samuel, *The Rational Peasant. The Political Economy of Rural Society in Vietnam*, University of California Press, London, 1979.

Raz, Joseph, "Reasons for Action, Decisions and Norms", *Mind*, Vol. 84, n°336, oct. 1975, p. 481-499.

Richards, Audrey and Kuper Adam (ed.), *Councils in Action*, Cambridge papers in Social Anthropology, Cambridge University Press, 1971.

Silberbauer George, « Political Process in G/wi bands », in Leacock Eleanor and Lee Richard, *Politics and history in band Societies*, Cambridge University Press/ed. De la Maison des sciences de l'homme, New York/Paris, 1982, p. 23-36.

Smith, Thomas, *The agrarian Origins of Modern Japan*, Stanford University Press, Stanford, 1959.

Souyri, Pierre François, "Des communautés monastiques dans le Japon médiéval", in Detienne, Marcel, 2003, p.85-94.

Steiner, Jürg, Dorff, Robert, "Decision by Interpretation : A New Concept for an Often Overlooked Decision Mode", *British Journal of Political Science*, vol 10; 1980, pp. 1-13

Terray, Emmanuel, "Un anthropolgue africaniste devant la cité grecque", *Opus. Rivista internazionale per la storia economica e sociale dell'antichità*, VI-VIII, 1987-1989.

Terray, Emmanuel, « Le débat politique dans les royaumes de l'Afrique de l'Ouest. Enjeux et formes », *Revue Française de Sciences Politiques*, Vol. 38, n°5, Octobre 1988.

Thucydides, *History of the Peloponnesiona War*, Penguin books, 1954.

Turton, David, «The Relationship Between Oratory and Exercice of Influence Among the Mursi », in Bloch Maurice, *Political Language and Oratory in Traditional Society*, Academic Press, London, 1975, p. 163-184.

Urfalino Philippe, *La décision fut-elle jamais un objet sociologique ?,* document de travail, 2005, disponible sur le site CESTA-EHESS.

Urfalino Philippe (2008), « La communauté des experts décideurs », soumis à *Annales HSS*.

Urfalino Philippe, Vilkas Catherine, *La délégation du jugement esthétique. Les Fonds Régionaux d'Art contemporain*, L'Harmattan, 1995.

Vilkas, C.,"Évaluations scientifiques et décisions collectives : le Comité national de la recherche scientifique", *Sociologie du travail*, n°3, 1996, pp. 331-348.

Yngvesson, Barbara, « Leadership and Consensus : Decision-Making in an Egalitarian Community », *Ethnos*, n°1-2, 1978.