

# **From Common Disputes to Political Violence**

**Grasping Controversies and Conflicts in the same Sociology**

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Paradigm shifts, which have characterized the social sciences since the 1980's, have significantly modified the analysis categories and tools that a long tradition had locked into the label of "conflict"<sup>1</sup>. If "social conflict" had been, from the outset, constructed as a central object of sociology to the point of saturating the conceptual space of the discipline up to the late 1970s, new sociologists have referred the notion of conflict to the mechanisms of criticism inherited from Marxism. In most analyses, conflict has become synonymous of failure of a policy or of public communication, when it is not assimilated to the necessarily negative effect of a "resistance to change" by some social categories on the decline<sup>2</sup>.

In the fields of sociology and political sciences, the impressive literature which has dealt with the notions of "public space", then with that of "deliberative democracy" demonstrated a clear preference to models of agreement and consensus, coordination and justice, endowing itself with actors prompted by a common concern with "public interest"<sup>3</sup>. In this literature, since any public action is subjected to a legitimacy constraint, it requires the emergence of a wide scope agreement or, if not, an acceptable compromise allowing to link heterogeneous agents to common interests and values. Hence the proliferation, since the middle of the 1990's, of supposedly unifying topics from "equity" to "governance" and "sustainable development", including "transparency", "sharing knowledge", "world network" and "cooperative spirit" or the inevitable "participatory democracy"<sup>4</sup>. This consensus based conception of social issues led to the emergence of several theories on agreement, among which the trend of "conventions economics" and the well known "sociology of justification"<sup>5</sup>. The actors are supposedly acting in the name of high principles or universal interests, against which no head-on criticism is possible, unless it means breaking the social pact and collapsing into civil war. It takes one principle of justice meeting the same universality axioms to contest the legitimacy of another principle of justice. From the perspective of social sciences investigation, these approaches had the merit of leading to explore the "*means of criticism*", while considering the cognitive tools and moral standards on which the actors rest in order to promote any contestation and win a cause. But in the meantime, studying the numerous disputes and conflicts has required returning to a conflict sociology likely to allow a careful consideration of antagonism, which is not limited to the unfortunate outcome of a misjudged dispute, but also includes the expression of an argument, described by Lyotard through the opposition of damage (related to compensation) and wrong (immeasurableness factor)<sup>6</sup>. Starting from the

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<sup>1</sup> Simmel considered conflict as one of the major factors structuring social ties. Georg SIMMEL, Le Conflit, Circé, 1995.

<sup>2</sup> For a recent investigation on conflict rehabilitation in the field of labour sociology, refer to J.-M. DENIS (dir), Le conflit en grève ? Tendances et perspectives de la conflictualité contemporaine, Paris, La Dispute, 2005.

<sup>3</sup> An archaeology of agreement models, which have dominated the recent trends in sociology between the middle of the 1980's and the beginning of the 21st Century, could rest on the successive readings undertaken on the works of John Rawls, Jürgen Habermas and Paul Ricoeur.

<sup>4</sup> Loïc BLONDIAUX, Le nouvel esprit de la démocratie, Paris, Seuil, 2008.

<sup>5</sup> Luc BOLTANSKI et Laurent THEVENOT, On justification. Economies of Worth, Princeton University Press, 2006.

<sup>6</sup> Jean-François LYOTARD, Le Différend, Paris, Éditions de Minuit, 1983. (The Differend: Phrases in Dispute, University of Minnesota Press, 1988).

project of restoring the balance between “cynical sociology” (everything is subject to power relationships) and “moral sociology” (everything derives from principles which can be universal), I attempt to demonstrate in this short contribution the way conflict may be reinserted in a sociology of controversies and collective mobilizations, by proposing to reflect, within the same frame, upon power relationships and the argumentation repertoires used by different actors.

### **From the micro-sociology of disputes to the analysis of collective causes**

During the 1980's, the predominant idea consisted in the need to move closer to the practical modes of action in order to break with the major systems of the past and avoid attributing to the actors motives and causes which were alien to them. This shift in perspective is way beyond sociology alone as it has also occurred in anthropology and mainly in history with the emergence of micro-history. What then developed was a whole movement concerned with describing the smallest details of everyday life disputes, ranging from neighbourhood quarrels to conflicts at the work place, including all kinds of litigations such as those related to the qualities of technical devices and their usage. This method was highly influenced by American interactionism and ethnomethodology and thus privileged analyzing micro situations. It is only at the end of the 1990's that a return to more collective forms of action and longer political processes occurred through what was then called “public arenas”. Since then, the number of treated patterns has ceaselessly increased extending sociological options from common disputes to worldwide mobilizations. Major topics of warnings and controversies then entered the list of empirical surveys<sup>7</sup>. It then became possible to use the same tools to deal with subjects as diverse as asbestos, the nuclear question, mad cow disease, GMOs, nanotechnologies, the collective claim of illegal immigrants, researchers' movement, intellectual controversies such as those on the Sokal affair, or the Kosovo or Irak wars. These topics constitute a variation space that allows comparing systematically conflicting processes and the way the sets of actors and arguments unfold, from the emergence of the earliest warnings or criticisms to their actual resolution. In the meantime, comparative exploration of contestations with various scales and scopes is less likely to develop a unified theory than to implement transposable hypotheses regarding the processes by which micro events can be changed into collective crises.

Is this approach really new? Analyzing processes by which agitations or disputes are changed into big cases or public issues has deep roots in the North American sociological literature<sup>8</sup>. The starting point has long been in the analysis of disputing processes which we could find at the end of the 1970's in such writings as Emerson's or Felstiner's<sup>9</sup>. A few years later, with the

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<sup>7</sup> Three works published more or less at the same time, mark this turn in the evolution of “pragmatic sociology” for wide scope cases and causes : Francis CHATEAURAYNAUD and Didier TORNY, Les Sombres précurseurs. Une sociologie pragmatique de l'alerte et du risque, Paris, Ed de l'EHESS, 1999 ; Bruno LATOUR, Les Politiques de la nature, Paris, La Découverte, 1999 ; Michel CALLON, Pierre LASCOUMES and Yannick BARTHE, Agir dans un monde incertain, Paris, Seuil, 2001.

<sup>8</sup> Stephen HILGARTNER & Charles L. BOSK, “The Rise and Fall of Social Problems: A Public Arenas Model”, American Journal of Sociology, Vol. 94. #1, Jul. 1988, pp. 53-78.

<sup>9</sup> Refer to Robert M. EMERSON, Sheldon L. MESSINGER, “The Micro-Politics of Trouble”, Social Problems, 1977, 25, p. 121-135 ; and especially William FELSTINER, Richard ABEL, Austin SARAT, “The Emergence and

benefits of re-reading and translating, the emergence of this issue of the “Public” is re-attributed to John Dewey and his famous work: The Public and its Problems (1972) which has strongly influenced the founders of the Chicago School, in particular Robert E. Park. It is in the work of the latter that Daniel Cefaï proposes to seize the sources of mobilizations sociology and of collective action theories which were later used for analyzing social movements<sup>10</sup>. In re-questioning notions which have existed since the emergence of collective behaviour sociology and of “ecology of public” born in Chicago during the 1920’s-1930’s, Cefaï makes a critical re-reading of different approaches : Alain Touraine’s new social movements sociology, the theory of resource mobilization, inspired from works by Mancur Olson or Anthony Oberschall, as well as sociology of framing processes by David Snow<sup>11</sup>. Ending with Goffman’s works, Cefaï maintains four existing dimensions in the genesis of any public issue: the importance of “framing” operations while defining an issue; the role of “strategic interactions” in the sequential development of its definition; the dramatic dimension in the way organisations and their “scenographies” operate; finally the tension or instability between two conceptions of order, alternatively perceived as “negotiated order” and “ritual order” likely to absorb criticism and change. From this huge panorama, the reader gathers that analyzing a movement or a social conflict may draw on a multiplicity of perspectives and tools, which does justice to the strong uncertainties characterizing mobilizations in general<sup>12</sup>.

The diversity of approaches allows Cefaï, in particular, to draw the limits of systematic undertakings such as that of McAdam, Tarrow and Tilly around the notion of “politics of protest”, a quasi-structuralist program aiming to include in its comparative-oriented cartographies all kinds of collective actions from the most episodic to the most outstanding such as major revolutions, for the purpose of extracting highly general mechanisms<sup>13</sup>. According to Cefaï, if authors can thus “move freely in the landscapes of historical sociology or comparative politics”, the effect of their approach is “less thoroughness in their work on meaning, in actions and situations” (p.708). However, the problem which sociology faces today is less an alternative between the “micro” and “macro” levels, than higher accuracy in confronting descriptive and interpretative plans. Indeed, taking “meaning” into account implies reproducing the set of trials through which narratives and arguments are made and unmade, by investigating the value which individuals and groups grant them. Beyond the distrust towards all forms of objectification and cartographies, studying the course of disputes and their causes requires adapting the apprehension of the fields of powers in which those actors operate, powers that they actually try to activate, to the understanding of the meaning they attribute to their actions, according to a more phenomenological approach. The way in which micro-environments or communities are affected by more global causes, and the other

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Transformation of Disputes. Naming, Blaming, Claming...”, Law and Society Review, 1980-1981, 15, 3-4, p. 631-654.

<sup>10</sup> Daniel CÉFAÏ, Pourquoi se mobilise-t-on ? Les théories de l’action collective, Paris, La Découverte, 2007.

<sup>11</sup> Anthony OBERSCHALL, Social Conflicts and Social Movements, Englewood Cliffs, New Jersey, Prentice-Hall In, 1973; David SNOW and alii, “Frame alignment processes, micro-mobilization and movement participation”, American Sociological Review, 51, 1986, pp. 464-481.

<sup>12</sup> For the 1990’s state of the art review, refer to Erik NEVEU, Sociologie des mouvements sociaux, Paris, La découverte, 2005 (1st Edition 1996).

<sup>13</sup> Doug MCADAM, Sidney G. TARRROW and Charles TILLY, Dynamics of Contention, Cambridge, Cambridge University Press, 2001.

way round, how transformation processes depend on local events, requires a new language for description, all the more so that the protagonists themselves don't fail to theorise or interpret the processes in question and to juggle with the different scales<sup>14</sup>. Analyzing the long warning processes has drawn attention to the heuristic dimension of this approach<sup>15</sup>. A public warning calls upon the authorities who are supposed to control the future, but it creates different constraints according to the device within which it is tested, in other words taken into account, qualified, discussed or simply treated. If the most common pattern is that in which the warning slips into public arena in the form of a debate or controversy, it may also contribute to the expression of a disagreement or conflict by bringing to the fore incompatible conceptions of the social bond – as in the case of conflicts on installations of factories – like incinerators for instance - surrounded by strong resistance, often unexpected by “project initiators”.

### **Sociological ballistics of individual and collective causes**

How do actors mobilize for a collective cause by endowing it with a *power of expression* and, in some cases, by fulfilling the requirements of a *universalizing function*? More and more controversies and conflicts grow while an “international community”, though entirely virtual<sup>16</sup>. But instead of validating the neo-Kantian theory of cosmopolitanism, considered as an a priori requirement, observing the courses followed by different causes (environmental, economic, humanitarian or political, such that of Tibet for example) clearly demonstrates the importance of *long political work* of connecting different locations on a “global” scale<sup>17</sup>. Following this reasoning, hasn't the notion of “cause” replaced that of “conflict”? No, as long as the beginning, unwinding and closing of a conflict require rallying actors around a cause, whether the issue consists in constructing a common enemy, shifting power relations by changing alliances, or reaching a peace agreement. The forms of conflict are thus re-introduced in the number of trials through which actors and arguments, events and worlds, alternatively affected by a cause, qualify and re-qualify. Technically speaking, identifying the factors at play in the convergence (consensus) or divergence (dissension) processes requires gathering multiple cases followed during a sufficiently long time. But which level of formalisation can be reached by this version of the sociology of mobilization? Three dominant patterns are available to deal with the issue of what distinguishes successful causes from lost causes. The first idea is that all is determined in identified locations, contexts or devices and that attention to micro-processes alone allows awareness of what determines the success of a cause and provides it, should this happen, with an exemplary character making it worth being recorded. Another hypothesis, inspired from the popularized chaos theory, emphasizes the combination of countless events which come together and create the best conditions for the emergence of a cause the success of which is very precarious since the process that carries it is itself highly frail, uncertain or singular. Finally, a more solid theory, though more conventional, considers that social systems rest on deep structures which over-determine the

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<sup>14</sup> Bernard LEPETIT, “ De l'échelle en histoire”, in Jacques Revel (dir.), Jeux d'échelles la micro analyse à l'expérience Paris, EHESS/Seuil/Gallimard, 1996.

<sup>15</sup> F. CHATEAURAYNAUD and D. TORNAY, Les Sombres précurseurs, op. cit.

<sup>16</sup> Ulrich BECK, Qu'est-ce que le cosmopolitisme ?, Paris, Aubier, 2006.

<sup>17</sup> For a good example of how to follow the course of a “conflict”, see the case of Muhammad's caricatures described by Jeanne FAVRET-SAADA in Comment produire une crise mondiale avec douze petits dessins, Paris, Les prairies ordinaires, 2007.

conditions for possibility and transformation: it is true that, just like crises, most conflicts are operating agents of shifts between two states of social structures.

Each of the three preceding interpretative models isolates one of the dimensions of the problem, but they can be integrated in the form of *sociological ballistics*, founded on the study of the courses of actors and arguments, the implementation of which requires a specific kind of political work. It is with the aim of grasping the extent of this political work that it is necessary to describe four essential stages: the conditions for the emergence of a cause and the propensity or orientation established for it by those who capture it and those who produce it; the disputes relating to the types of evidence and argumentation required for the activation of the cause; the nature of arenas or scenes of action by which it transits and within which the merging or separation of the different entities and the development of collective statements occur or do not occur; finally the organisation of social groups and spokespersons capable, or not, to confer to the cause sufficient power of expression guaranteeing not only that it “reaches the political agenda” but also that it gets enduringly inscribed among the constituted public issues. Developing ballistics for individual or collective causes requires in any case taking into account the two aspects or sides that are constituted, on the one hand by the aim that they reach, and on the other hand the effective trajectory that they follow.

### **What is a successful mobilization?**

Any process of mobilization involves at least two movements or two operations, which have the property of breaking the common order: expressing anger or denouncing a decision, a reform or an unacceptable event, and building a power trial through collective action. This allows understanding why the issue of adequate forms of debate and that of consensus production are unimportant in the massive literature arising from sociology of social movements. In most cases, we assume that actors are convinced and that they will not try to use arguments and good reasons to persuade their opponents, but will succeed only thanks to spectacular actions or demonstrations of power in order to impose negotiations. On a website of “researchers in anger”, we could read in the spring of 2008: “enough with discussions; arguments are endless; off now to blocking the CNRS board of administration!” We are thus witnessing a paradoxical use of “debate” within social movements: the issue is less to face arguments through authentic debate than to intensify the mobilization and concentrate power to channel it towards a common target. What needs to be done is at least convince third parties and the undecided in one’s favour!<sup>18</sup> In addition, as soon as the complexity of the process increases, other kinds of difficulties slip in between public debates and collective mobilizations: law appeals are in fact common and interfere with the process of contestation – as in the trial of the mowers of genetically modified cultures who use courts as a means of expression. Procedures of public debate may be described and analyzed in tension with the other two prevailing patterns, which are power trials and lawsuits. Thus, deliberation may be compared to two other modes: mobilization (which sets the terms of confrontation) and contestation (which drives the causes into a process of legalization). Power trials occur in open settings whereas legal trials are dealt with in closed settings; debates unfold in-between

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<sup>18</sup> In her argumentative study of debates over parasciences, Marianne Doury has demonstrated how, knowing that it will never win over its adversary, each party attempts to rally the public to its cause. Rhetorics is precisely born from that need to persuade third parties, which can be a judge, that the other party is wrong. Refer to Marianne DOURY, *Le débat immobile*, Paris, Kimé, 1997.

and consequently derive the status often attributed to them of avoiding, at once, that conflicts harden and litigations accumulate.

As soon as a collective cause reaches regular discussions at public level, it can be said that it has succeeded to overstep a kind of invisible boundary the features of which have attracted multiple sociologists and politicians who would willingly refer to “careers of public issues”<sup>19</sup>. For that matter, no one can anticipate the chances an individual or collective cause can mobilize and achieve its purpose. This is so much the case that the goal set by the actors may change throughout the process of mobilization itself. With all goals set, however, in an environment where complaints and defensive actions of all kinds abound, affecting all sectors of social life, the likelihood of success seems rather quite low. Ex post facto, the success of a mobilization often has “obvious” explanations whether one seeks them in objective conditions which had paved its way, in a favourable political context or even within the tactical sense of actors who can gather the adequate resources in the right “format” of collective action<sup>20</sup>. Are such teleological processes really active in developing actions and causes? Intuitively, the course followed by a cause, whether it is a warning, an accusation, or a claim, only concerns those who endorse it, and perhaps also those who may be its victims – having to make concessions. According to the old model of Mancur Olson, even an approximate cost estimate of an action should suffice to discourage even the toughest protesters<sup>21</sup>. However, nothing of the like can be observed: common sense causes may fail even as they lead to repeated attempts, while some mobilizations may succeed with novel topics or topics which so far have benefited from very little support. But we do know that a mobilization, however successful, does not, alone, ensure the success of a cause: the standing crowds across the whole planet, end 2002 and beginning 2003, against the US project of war in Iraq, testify to this. Not only did the war take place, launched according to conditions with very little compliance to the standards of international law, but the resulting situation has kept worsening, leading to leap effects on the Afghan situation, and generating at the same time a strong feeling of helplessness, across the world. It must be admitted that pacifist movements have witnessed many failures, at least if one is to consider the attempts to stop war threats before they have unfolded the ceaselessly renewed spectre of horrors and abominations<sup>22</sup>.

## Actors and arguments

If everything depended on the forces that one does or doesn't succeed to move, why is it at all pertinent to use argumentative analysis as the touchstone of controversy and conflict sociology? Can the “argument” become the minimal unit of signification and replace the “actor” who continues to be at the centre of contemporary paradigms? How to deal with

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<sup>19</sup> I can only evoke here the wealthy literature devoted to social movements and to collective action corpuses. Two basics: Joseph GUSFIELD, The Culture of Public Problems. Drinking-Driving and the Symbolic Order (Chicago, The University of Chicago Press, 1981); Doug MCADAM, Political process and the development of Black insurgency (1930-1970) (Chicago, The University of Chicago Press, 1982).

<sup>20</sup> On this point, refer to Daniel CÉFAÏ and Danny TROM (dir), Les Formes de l'action collective, Raisons pratiques, Paris, éd. de l'EHESS, 2001.

<sup>21</sup> Mancur OLSON, Logique de l'action collective, Paris, PUF, 1978.

<sup>22</sup> Francis MCCOLLUM FEELEY (dir), Les mouvements pacifistes américains et français, hier et aujourd'hui, Chambéry, Université de Savoie, 2007.

actors' strategies and argumentative rationales symmetrically? In sociology, such an approach is far from being obvious. Beyond the mere methodological option, it is suspected of using political philosophy, developed by Jürgen Habermas in his ethics of communication, as a backdrop<sup>23</sup>. As early as the 1980's, when it was issued, the theory of "communicative action" generated much scepticism among most field work sociologists, including experts in types of participatory consultations and public debates<sup>24</sup>. In fact, this theory makes authentic deliberation, in the sense of having a debate free from hindrances to validity in the form of pretence, play a major role. It has meant to respond to the observed gap, growing wider and wider, between the "system" and "life-world", in other words between the economic or technical regulations and the common ways of social experience. The contrast, designed by Habermas as a reformulation of Marxist criticism of the reification of human relationships, has not convinced sociologists who put forward the practical impossibility of isolating in two distinct spheres an authentically deliberative public space and the world of power or calculations, dominated by an instrumental rationality. If the numerous objections formulated against the Habermasian model lead to adopting a type of sociological "realism", the very refutation of the idea of an intrinsic power of arguments may not stand for a program. In fact, multiple trials place the actors in front of an argumentative constraint: if it is always possible to evade trials and reverse constraints, few actors described by sociology would give up, and for all kinds of situations, trying to *have good arguments*, defending their points of views or developing good reasons for supporting a cause to which they are sensitive. There must then be a progressive conception of argumentation in which the composition of different sets of actors and arguments is treated dynamically, in a theoretical framework freed from old disputes between idealists and realists.

In the prevailing sociological model, common sense does not consist in critically deploying an acceptable argumentation, but in the capacity to intern the favourable factors by activating the right calculation space: the question consists in identifying the powers against which it would be useless to struggle, and locating in the same movement the weaknesses of one's opponents or competitors. In other words, the course followed by causes, the success of collective actions and the effectiveness of arguments would find their principle in the skill of moving forces and minimizing the cost or the necessary sacrifice that such an undertaking would require. For this reason, since The Strategy of Conflict (1960) by Thomas C. Schelling, approaches influenced by the notion of "strategy", following the theory of "resource mobilization" or that of "political opportunities structures", tend to impose their frame of analysis as the only one to be truly realistic<sup>25</sup>. Several actors tend to share this conception especially when they have the role of spokespeople or when they are running organisations, like the present NGOs that are capable of developing real portfolios of collective actions and of playing with windows of opportunities which present, from one country to another, political agendas and media competitions; except that these actors, unlike many sociologists and political experts, acknowledge the possible occurrence of *moments of truth* during which the motivations behind action and judgement are tested according to argumentative performance: there are indeed situations in which all the arguments are not relevant and where

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<sup>23</sup> Jürgen HABERMAS, Théorie de l'agir communicationnel, Paris, Fayard. 1987 [1981].

<sup>24</sup> See Martine REVEL, Jean-Michel FOURNIAU and alii (dir), Le débat public : une expérience française de démocratie participative, Paris, La découverte, 2007.

<sup>25</sup> On the contrary, some authors defend actors' creativity. See James M. JASPER, The Art of Moral Protest : Culture, Biography, and Creativity in Social Movements, Chicago, University of Chicago press, 1997.

the capacity of argumentative invention and resistance to criticism is decisive. The paradigm of this situation of tension between forces and arguments has long been made by the confrontations between political champions during election campaigns. But trials of truth unfold in various contexts, including the exchanges of ordinary life, especially.

In which contexts and in what conditions should actors fully play the game of argumentation, and therefore undertake genuine argumentation, when they embark into a trial of truth? What determines the scope of an argument? Beyond the question of determining whether it is the accumulated forces or rather the argumentation strategies used at crucial times which make the difference between causes and mobilizations, it is necessary to investigate the course followed by the arguments themselves. Some kinds of reasoning do indeed achieve a sufficient level of visibility and meaningfulness in the public space so as to contribute in modifying categories and common representations. Beginning with argumentation, we then again find the idea of sociological ballistics making the track followed by actors and the levels of power they gain or lose throughout the different trials. Nonetheless, adopting this procedure leads to a re-deployment of an age-old problematic. Indeed, among the most common issues of social sciences, the question of the effectiveness of arguments and reasons, of the impact of values and principles, has doubtlessly been the most often discussed because it reactivates an ancient dilemma of political philosophy which sets cynicism and morality against each other<sup>26</sup>. This dilemma may generate numerous reformulations and endless surmises, but it acquires a more technical aspect every time one wonders whether what determine the success of a cause are primarily the interests of those it enlists, the practical organisational modes of public arenas, the quality of the arguments endorsed by those who support it, the structure of the political agenda, or the forces more or less impenetrable, more or less measurable, which escape any form of direct intentionality and generate different interpretations, mainly deferred, like when we blame a lobby or even a mafia for the outcome of a process<sup>27</sup>. One prevailing paradigm in the last few decades has been converted, according to this perspective, into a real stereotype: everything may in fact be interpreted in terms of “network”; the success of a project, of an argument or of an action rests on how tight the meshing, which underlies the mixed connections, is; playing at once with the fluidity of ties and solidity of nodes, the network mobilization would allow a multiplicity of actors, who don’t need to communicate directly, nor even to understand each other, to act together and force their opponents or enemies, or just their discussion partners, to change position. With a few slight differences, the underlying model is quite similar to that of economics of standardization: mere considerations of cost and effort would lead many actors to adopt the well prepared option offered to them, which would determine the choices of new actors etc., eventually leading to a global appearance of a perfect layout! Failure would be justified according to the opposite pattern: as each link requires an exercise of discussion, interpretation and negotiation, its role is to unveil more or less fundamental differences, leading to an increasing propensity to segmentation and an inhibition of the capacity of mobilization.

Does such an approach allow, beyond the empirical follow up of the various courses, understanding the motives which lead actors into a conflict? It is possible to make an analytical distinction of three types of commitments leading actors into confrontations when they have not succeeded to overpower their differences through mutual arrangement, or to end

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<sup>26</sup> Christian LAZZERI, *Force et Justice dans la politique de Pascal*, Paris, Puf, 1993.

<sup>27</sup> Diego GAMBETTA, *The Sicilian Mafia - The Business of Private Protection*, Harvard University Press, 1993.

their exchange of arguments by converting it into a new collective and positive disposition. The *promise* (*giving one's word*), the *agreement* (or *contract*), and the *mandate* (or *political delegation*). If one admits that the argumentative imperative derives from the self-establishing nature of any discussion, its scope changes radically according to the individuals' level of commitment: a promise refers to the fact of keeping one's promise and, even more, to the convincing manifestation of one's good faith. However, it is enough to examine our multiple conversation experiences to discover the extent to which the fact of arguing commits the individual to a kind of loyalty without which the act of breaking the exchange, and even sometimes slipping into violence, seems inevitable. How can we carry on a discussion with someone who lies continuously? Is it possible to accept cheating in a negotiation? Is it possible to end a quarrel peacefully after a mutual acknowledgement of bad faith? At a different level, in which situation are the individuals' states of mind less directly involved? Agreements or contracts gather all the constraints which weigh upon the pretensions of the protagonists who are grappling with various systems. The issue no longer consists in qualifying personal propensities but in agreeing on roles or obligations. When this agreement reveals impossible, the occurrence of conflict, which takes the shape of a conflict of interest and may go as far as radical action, becomes inevitable, unless the protagonists succeed to set up a system of indifference by dissociating their worlds – which will be subject to controversy if they get closer. At the third level of this model, lies the mandate. This dimension has been explored especially by political theory, which raises the issue of the status of representation. If sociology's primary concern is the way in which, throughout the long mobilization processes, representatives, endowed with a skill of communication, emerge, questioning the established representative is obviously an important process in the genesis of crises and conflicts. In any case, when a system of representation is at odds with the settlement of a crisis, two sets of trials are possible: a set of confrontations and a political exercise aiming to establish new representatives who, according to the intensity level of the crisis, can be subjected to a new kind of obligation principle – as it is the case in any constitution change<sup>28</sup>.

### **Grasping the genesis of insoluble conflicts**

Do these theoretical elements allow concrete grasping of the genesis of conflicts? Is it possible to associate to the different kinds of events and disputes which arise in all kinds of settings, any formal features likely to reflect their own propensity to produce conflicts and crises? Conflict is not inscribed in principle in a set of conditions or a structure of positions, just as the sociology of Pierre Bourdieu, openly deterministic, has led to believe: it goes through a number of trials and mobilizations. Standpoints are developed over a large number of actions and events marked by uncertainty with each new commitment creating as many openings for the future as points of no return. From this point of view, it would be convenient to leave aside too rigid typologies: with the numerous forms of vigilance and warnings, of public debates and disputes, of conflicts and crises, it is more effective to think in terms of clusters of processes rather than of categories and types. In fact, if disputes and conflicts may seem related, there are no identical courses, if only on account of the weight of the previous ones: for instance, although reflected upon within the same matrix, the course followed by the health scandal caused by the contaminated air issue (asbestos) could not follow the same course as that of contaminated blood (transfusion and HIV). The analysis frames must

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<sup>28</sup> About the relations between political representation and civil society in Rousseau, refer to Bruno BERNARDI, *Le principe d'obligation*, Paris, Vrin/EHESS, 2007.

therefore necessarily describe the successions, moves and slippages by which the actors change their confrontation modes and the definition of the objects in question<sup>29</sup>.

In order to successfully grasp that which is at stake, let us consider a case such as that of GMOs<sup>30</sup>. Several commentators agree that in the case of transgenic plants, in Europe and especially in France, slipping into conflict and radical action has never been pre-determined even if, according to experts of the case, the years 1997 and 1998 witnessed the accumulation of events, decisions and practices which changed the course and nature of the issue. If we take an end-of-course perspective, we see that 2008 was again marked by an increasing visibility of GMOs in the French environment of media and politics, through the May “legislative crisis”. Everything tends to indicate that the 2008 law, with a background marked by the late adoption by France of a 2001 European directive, will not lessen the conflicting dimension of the case. Analyzing the long set of public trials demonstrates that the GMO quarrel has gone beyond the limits of “counter-democracy” only, revealing a long-lasting conflict of values and an infinity of modes of existence<sup>31</sup>. For the field actors, the political «coexistence» formula of GMO and non-GMO cultures too belatedly developed (since 2003) does not rest on any acceptable compromise. Various actors, who have denounced “a colonisation process” grounded in technology and the market, by turning the living into the artificial and private, and attempted to project the GMO case in the model of “technical democracy” or of the “participation-based technological assessment”, have failed<sup>32</sup>. It is enough to observe, on the one hand, the practices of “the voluntary mowers” and, on the other hand, the “Grenelle consultations on environment” to realize that the conflict will be difficult to overcome. As long as we keep the right distance between the two alternatives – controversy on one side (rather peaceful) and conflict on the other side (relatively violent), we can grasp the chronological back and forth bridges, between radical actions and debate processes, which could lead either to solid compromise or outright break. From this perspective, the mobilization of protagonists, who are far removed from agricultural and rural settings, has dramatically weighed upon the conflict progress. The expansion of the «anti-GMO» movement, with the entry of the “voluntary mowers” groups since 2004, involves elements of the civil society and steps away from the original consumer-citizen pattern located at the end of the chain. Another conflict element has grown out of the number of lawsuits: instead of resolving the conflict, law entertains it by supplying arenas to all those who emphasize the duty of “civil disobedience”. Forms of action and protest fostered by GMOs hence represent another kind of laboratory for the progress of relationships between power and legitimacy through law. This is especially the case since, the GMOs issue, more than any others, gives evidence of the incompleteness of law when confronted to the issue of hierarchy of norms and

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<sup>29</sup> For the AIDS case, refer to Nicolas DODIER, Leçons politiques de l'épidémie de sida, Paris, Ed EHESS, 2003.

<sup>30</sup> The analysis of this case is based upon the computerized processing of a corpus of 9450 documents between 1987 and 2008, made in a collective project called “Forms of mobilization and legal tests around GMOs in France and in Europe”, research program developed with Marie-Angèle Hermitte, Antoine de Raymond et Gilles Tetard.

<sup>31</sup> Pierre ROSANVALLON, La contre-démocratie. La politique à l'âge de la défiance, Paris, Seuil, 2006. About the regime change of the “controversy” about GMOs, see Christophe BONNEUIL, Pierre-Benoît JOLY and Claire MARRIS, “Disentrenching experiment: the construction of GM-Crop field trials as a social problem”, Science Technology and Human Values, 33 (2), 2008, p. 201-229.

<sup>32</sup> Pierre-Benoît JOLY, Claire MARRIS and Marie-Angèle HERMITTE, “A la recherche d'une démocratie technique”. Enseignements de la Conférence Citoyenne sur les OGM en France. ”, Nature, Science et Société Vol.11(1), 2003, p. 3-15.

standards (free choice of the consumer, biodiversity, health and environmental security, commercial standards, industrial property rights, authority of the State...).

If radical criticism of GMOs springs from the modes of living of protagonists and the value systems which they involve, it is quite logical that the purely epistemic aspect, concerned with genetic knowledge and techniques and supposed to be more adjusted to the “controversy” form, has been progressively crushed between an ontological conflict (over beings and their environments) and an axiological conflict (involving definitions of public property). At the same time, instead of the progressive entry within a system of regulating criticism and public debate, the outcome is rather a progressive hardening of critical stances on the long run. This situation is due to the convergence of critical motivations which convert controversies into completely useless dialogues<sup>33</sup>. The background of the GMO case indicates that the different sources of criticism could have not converged, making possible a kind of regulation – at least until 1998. The comparison is again useful since other cases have generated a rise of radical criticism and what is called “activism” – a label often challenged by critical actors. It is the case, for example, of the nuclear issue. Unlike GMO-producing companies, nuclear industry has succeeded to develop its installations and programs within State program before total deployment of criticism<sup>34</sup>. Although the anti-nuclear movement attempts to unify all voices within a single critical device, protest motivations are relatively scattered over separate issues such as installations safety, threat to workers and populations, energy options for the future, management of nuclear waste or proliferation of nuclear arms.

The issue of separating or combining the different forms of criticism is more explicitly reflected in the table below. It distinguishes between four different and fundamental motivations of criticism, by bringing together two dimensions: the nature of the damage, anticipated in the form of a risk or achieved in the form of an injustice; the mode of criticism which can have a regulating objective (to improve a device or a measure) or a radical objective (develop the crisis of a system and generate change).

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<sup>33</sup> From this viewpoint, the logics of the “controversy” has always been tightly linked to a polemical tradition, so that the shifts between debates over arguments, facts and methods on the one hand, and persons, groups and values conflicts, on the other hand, are almost processed within the frames of public argumentation. Refer to Marc ANGENOT, *Dialogues de sourds. Traité de rhétorique antilogique*, Paris, Mille et une nuits, 2008.

<sup>34</sup> Gabrielle HECHT, *The Radiance of France – Nuclear Power and National Identity after World War II*, Cambridge, The MIT Press, 1998.

	Warning and controversy	Denunciation and mobilization
Type of damage	Being in front of a source of danger or risk <i>(the risk of dissemination is disputed ; applying the precautionary principle)</i>	Injustice undergone by a person or a group  <i>(farmers subjected to the interests of a company; beekeepers as potential victims)</i>
Type of criticism	Regulating criticism of a device  <i>(difficulty at defining fair standards to guarantee coexistence concretely)</i>	Radical criticism of the system  <i>(« another world is possible » alter global federalism)</i>

When, at the end of a process of critical convergence, individuals or groups can link, in the same argument-based movement, a feeling of injustice and radical criticism of a political system, technical arguments related to the reliability of devices, and a rationale of concern and warning, then a lasting conflict is inevitable. All disputes cannot be within the same process mould of participatory evaluation. Beyond the GMO case, the general configuration, often characterized with reference to complexity, uncertainty, governance and the necessary participation of the public, is marked by the proliferation of objects of controversy and arenas of confrontation. From this point of view, the end of class conflict which allowed, in the major part of XXth century, unifying the causes and categories, gave way to an infinite number of all kinds of conflicts which, in the absence of successful totalizing (such as that attempted by the alter global federalism movement since the Seattle Summit in 1999), remain “at the edge of the political”, according to the expression of Jacques Rancière. In this configuration, we observe the resulting rise of standard conflicts: the capacity of actors to classify causes and objects being seriously affected, the period is characterized by a kind of permanent shift of the sources of collective concern which obliterates the imprint of a political action onto time; a situation which, in turn, generates new conflicts.

### **Controversy and conflict dynamics through socio-informatics tools**

The movement of re-inserting conflict sociology in the analysis of the various types of controversy and mobilization would not be complete without appropriate methodological grounding. This is why I must, in conclusion, say a few words on analysis methods and techniques involved in following up long processes. A number of studies, undertaken on a substantial number of corpuses, are now available<sup>35</sup>. In comparing cases like those of asbestos, the nuclear issue, “mad cow” disease, GMOs and pesticides, or else those of illegal immigrants and all types of social movements, it becomes possible to highlight the landmark events which drive issues out of one configuration into another. When sociology explores the major cases which keep developing, it in fact examines changes in scales and inscriptions in

<sup>35</sup> Francis CHATEAURAYNAUD, *Prospéro – Une technologie littéraire pour les sciences humaines*, Paris, CNRS-Editions, 2003.

time, socio-political configurations, actors and expressed arguments. The way in which predictions or anticipations are designed – one of the objects of controversy being in fact over determining openings for the future – is explored in depth: what is believed to be irreversible? What can players act upon? What are the effects of past, present and future actions? This analytical procedure rests on a double usage of computer: delegating survey functions to instruments capable not only of investigating the features of corpuses but also of explaining basic reasoning processes relating to complex cases which conventional methods no longer control; braking the idea of a superior metrology – as in statistics – a decisive role is granted to placing multiple corpuses and interpretations in networks in order to encourage researchers' cooperation. In so doing, the kind of epistemology involved in socio-informatics research implies a number of ruptures: for example, the object of analysis is not just “speeches”, considered as autonomous productions, but processes in which events, individual and collective actions are the object of narrations and argument-based discourses. Language-based expression is one of the touchstones of our actors' social and political activity but is certainly not their only access path to the world. If language has got the recursive feature of constantly being its own object, it provides references, imprints and signs, frames and statements referring back to the real world experiences, which it highlights and not reduces.

Therefore, starting with the actors' language, the fine analysis of the processes deployed in long temporal series, allows the examination of five major dimensions. At a first level, the expression of tensions between ordinary experiences and public arenas; in other words how life world environments and activities are made or not made visible and comprehensible throughout the processes, whether they are warnings, public discussions or legal trials? What do we learn on the medical activities, on the world of beekeepers, on animal vaccination or on the inhabitants of a locality likely to host a site for storing nuclear waste? How is “common sense” affected by the public discussion of the cases? Another level of concern consists of the modes of providing evidence and arguments developed by the protagonists and, particularly of the way by which they acquire a “power of expression” (ability to perform distant convincing). Arenas of confrontation or types of debate introduce their own constraints which weigh upon what tangible proofs, good arguments, legitimate spokespersons or undisputable rules are. A third dimension concerns the asymmetries of grips in involving the actors and their crystallizing in groups or institutions – which means the way in which legitimate powers get established. In all studied cases, lack of balance between actors is made and unmade, power relations and institutional hierarchies are transformed. The fourth dimension: we are led to grant a special attention to temporal modes of action and judgement in examining how signs of irreversibility and openings on the future are produced: what is a precedent? At which level is a situation considered irreparable? What hold does action have in the present configuration? What visions of the future do the actors endorse? How are emergency and time pressure collectively elaborated and debated? This problematic refers back to historical semantics as proposed by Reinhart Koselleck<sup>36</sup>. Finally, we must analyze the way in which technologies modify the modes of public existence of the disputed processes by providing new critical support to the actors – as it is currently the case on the web.

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<sup>36</sup> Reinhart KOSELLECK, *Le Futur passé. Contribution à la sémantique des temps historiques*, Paris, Ed. de l'EHESS, 1990.