Scraping the Bruise and Calling It Healing: Dialogue and Violence in Contact Zones

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"Contact" is the term often used to describe relationship-building encounters between opposing groups. Peace education programs arrange "contact" between Palestinians and Jewish Israelis, for example. The design of such experiences is based in a line of research that is practically its own field, with studies that examine questions such as whether participants should study the conflict between their groups or a distant conflict, what kind of shared goal should be pursued, how long the contact should last, what outcomes are produced and for how long any attitudinal or behavioral change persists. This field is known as intergroup contact.

"Contact" is also an official term for police stops. Police make "contact" when they stop a young African American man and insist on searching him, even if as far as he knows he has done nothing wrong. They make contact if they throw him against a car or the ground to handcuff him. They make contact if they humiliate him by searching him in front of his friends. Or his children. They make contact if they kick him repeatedly in the groin, as police did to Eric Adams when he was 15 years old, long before he became a candidate for mayor of New York.[1] When researchers study the effects of such experiences, the myriad of fear, violence, and ambivalence is shorthanded to police contact.

These two uses of the word reflect dramatically different but equally pervasive conceptions of what happens during dialogue across the fault lines of ideology and politics. Plenty of commentators call for dialogue across these lines as if it is the key to saving democracy.[2] But for many activists and political theorists, dialogue is more akin to the contact of a police stop: defined by the relation of power and rigged from the beginning in favor of the more powerful.

This is not only a divisive issue among practitioners of politics, but also for its theorists. Political theorists have long debated the merits of an agonistic

conception of democracy, in which we channel our differences into non-violent but adversarial competition,[3] as opposed to a deliberative democracy, in which we attempt to learn from each other through dialogue.[4] In other words, is our time best spent protesting on the streets or understanding our opponents in public forums?

I will argue that the tacit, mostly unidentified question at the center of this debate concerns the possibility of learning. Should people be asked to learn from and about those who have caused them great harm? Are people in power willing and able to learn from those who are different and less powerful than themselves? Or must those who hold power be compelled to change through legal and political pressure? In short, when, how, and why should a political problem be addressed by asking people to learn in deliberative dialogue? If contact is inevitable, what form should it take?

This problem of whether and when people should try to deliberate has been addressed within political theory recently as a question of inequality, as structures of privilege condition who listens to whom and how speakers' words are judged.[5] Danielle Allen adds to this that inequality creates distrust, which negates the possibility of productive deliberation.[6] Jürgen Habermas would agree: he acknowledged that trust is a prerequisite for communicative action,[7] and also that deliberation will be most fruitful among those who share a common "lifeworld," which can be understood as shared experiences and worldviews.[8] But, for Allen, deliberative dialogue is useful to the extent that it facilitates communication *across* such divisions. In response to Habermas, then, she develops a theory of how deliberation could not only rely on trust, but in fact create it, even in settings characterized by inequality.[9]

To assert that deliberation should cultivate trust does not, however, answer the prior question of when it is appropriate to ask people to engage in this way. In fact, the question becomes especially provocative if deliberation is meant to create trust. How could it be evaluated whether the cultivation of trust is a worthy goal, as opposed to a sole reliance on agonistic methods such as protest? The divisions about which Allen is concerned are those in which trust is absent for good reason, after all, given that she focuses on racial divides

rooted in histories of oppression and inequity.

I argue, first, that when the question is identified not obscurely as "should we try to deliberate," but specifically as "should we try to learn," then further questions arise that can guide those considering deliberative dialogue as a means to navigate political struggle. These questions revolve around who should, who is willing to, and who can learn from whom as well as the likely consequences of asking people to so learn. Second, I suggest that deliberative dialogue is but one of many vehicles for the possibility of learning in politics. Facilitating political learning through means that do not rely on trust creation may be in some settings both ethically and practically superior to methods that aim to create trust.

I draw in this argument on an effort to create, and then *not* create, police-community dialogue in Charlottesville, VA. Police-community dialogue is an especially vexing endeavor, particularly in regard to the operation of power, inequality, and exploitation. The police view these exchanges as a form of contact akin to, but intentionally distinct from, the "contact" in which they routinely engage when on patrol. Whether they succeed in adequately differentiating between these forms of contact reveals much about what is at stake when people attempt to learn from each other across such divisions.

I first support my argument that learning is at the heart of deliberation. Focusing on Danielle Allen's theory of political friendship due to its detailed treatment of deliberation in settings of inequality, I show how Allen's argument can be interpreted as relying on learning and its limitations based on that interpretation. Next, I tell the story of police-community dialogue in Charlottesville and the insights it reveals for how political learning can — and sometimes should — proceed outside formal deliberation and dialogue and through means that neither rely on nor attempt to create trust between opposing groups. I conclude that the importance of learning in politics need not rely on dialogic deliberation as its vehicle.

In making this argument, I acknowledge both the insights of deliberative theorists such as Habermas on the potential for people to engage

in understanding-oriented conversations in which they learn, as well as the concerns of agonistic theorists such as Chantel Mouffe and everyday citizens who worry that attempts to create trust and commonality through discourse can obscure the operation of power, and, moreover, that formal dialogue may in some circumstances "put the cart before the horse" to create trust through talk rather than action.

LEARNING, ARGUMENT, AND RESISTANCE IN POLITICAL THEORY

While deliberative theorists rarely speak explicitly in these terms, it is the potential for learning that makes deliberation distinct from other forms of political engagement. The process of voting aggregates views and interests. Protests and lawsuits similarly pursue predetermined aims — and the success of the pressure exerted through such acts is often thought to reflect the consistency of the demands, foreclosing claimants' ability to be open to new perspectives. Deliberation, in contrast, is meant to transform those perspectives through an exchange wherein each view becomes better informed and considered.[10] In his description of the ideal conditions for deliberation, Habermas envisioned participants who are open to the reasons of others and are persuaded by the argument that best articulates the common good. In other words, they learn from one another and formulate new ideas based on this learning. Indeed, Habermas insisted that the rationality to which deliberators should conform "remains accidental if it is not coupled with the ability to learn from mistakes, from the refutation of hypotheses and from the failure of interventions."[11] Similarly, a more recent foremost democratic theorist describes deliberation as a form of "social learning."[12]

Yet whether within any deliberation people actually learn in response to the reasons of others is the subject of extensive debate. Many political theorists argue that "common sense" favors dominant interests; hence, what can appear to participants like the most "reasonable" solution could in fact be harmful to marginalized people. As such, proposals for how to advance the "common good" may convince majority groups even though that good is unlikely to be genuinely common.[13] Second, marginalized people's modes of expression are

less likely to be accorded status, particularly if they do not meet dominant conceptions of knowledge and rationality.[14] Marginalized voices will remain marginal as their credibility is doubted. Deliberation that prizes "rational consensus" is especially problematic, theorists argue, given the ways that conceptions of rationality can be culturally specific and tied to other markers of status such as formal education.[15] In different ways, these theorists suggest combining elements typically considered "deliberative" (i.e., argumentation) with those thought of as dialogic (namely, greeting, narrative, and rhetoric). Understanding these structured conversations as *deliberative dialogue*, then, rather than separating the two forms of speech, is one way to address the systemic issues that condition what and from whom people are willing to learn.[16]

Danielle Allen offers a particularly direct means of addressing the problem of inequality through drawing on aspects of dialogue within deliberation. She argues that the central problem of deliberation — indeed, of democracy — is distrust, particularly distrust bred of inequality. Criticizing Habermas for stating that deliberation requires trust but neglecting how trust is created,[17] Allen proposes that deliberation can build it. Speakers can build trust by appealing to interests and emotions, Allen argues, in contrast to Habermas' insistence that rhetoric be avoided in favor of rational argumentation and conflicting interests be transcended in a search for a common good (*TTS,* 56.). Allen describes how deliberators can gain trust by appealing to listeners' emotions and interests during deliberation and then proving themselves trustworthy through their actions outside deliberation (*TTS*, 91). Once citizens trust each other, deliberation offers them a way to learn about each other's lives and then, most ambitiously, to develop "political friendship," which entails sacrificing on each other's behalf (*TTS*, 126). Even more ambitiously, Allen argues that those who have been privileged by history must return the sacrifices of those who have been oppressed (*TTS*, 106).

I suggest that the political friendship Allen proposes relies for its creation and its effects on learning. First, people must be open to learning whether their interlocuters are trustworthy rather than rely on preformed opinions of them. Indeed, Allen argues that "At its best, democracy is full of contention and fluid

disagreement but free of settled patterns of mutual disdain" (*TTS*, 52). To break free from such patterns, people must be willing to learn something new that challenges those expectations. Second, once trust is established, it is meaningful only if people are willing to learn about each other's lives and concerns such that they are moved to sacrifice in response. Third, they must also learn, if they are not already convinced, that they have been privileged by history such that it is their turn to sacrifice. Hence, for Allen's formulation to succeed, people must be open to learning whether others are trustworthy and must then be willing to learn about others' concerns and one's own debt to those others.

In discerning whether deliberation in settings of inequality and distrust is an appropriate means to navigate a political struggle, then, it is worth asking questions about who should and can learn from whom and for what reasons. To demonstrate what such questioning can yield, I turn to an example.

A STORY

In the months preceding the deadly Neo-Nazi rally in Charlottesville, VA, on August 12th, 2017, local residents were already afraid. The Klan had marched only a month before, and word spread that the younger "alt-right" crowd would be larger and more threatening. Rally organizers and attendees had already made numerous comments online about the violence they planned to commit. While this was a source of fear and anger for the anti-racist organizers who planned to counter-protest, they were also concerned about violence from another source: the police. During the July Klan rally, police had used what many considered to be an outsized expression of force against local civil rights activists for the purpose, as many activists saw it, of protecting the Klan. In city council meetings and on the streets, many expressed their outrage at the police.

Yet as August 12th approached, some anti-racist activists considered another approach. Perhaps if we can talk to the police ahead of time, they thought, we might avoid further violence. Perhaps the police misunderstand us, some activists hoped, and conversation could show that we protest not to cause trouble but to secure the country's fundamental principles. This could diminish police proclivity to use force against us, some thought optimistically,

and, at the very least, others conceded, we may understand more about when and how police choose to use force and protect ourselves accordingly.

I had conducted a study of police-community dialogue a few years earlier, so people reached out to me to see how a meeting between community members and police might be arranged. I contacted the police department, which was enthusiastic about this meeting. It was scheduled for the week before the 12th. Another faculty member and several community members worked with me to organize a meeting with community members in advance. We spent hours discussing how to speak so that police might hear, sensitive to what might heighten officers' defensiveness and what might yield their receptivity. As a gesture of good faith, we sent our questions to the police in advance.

The police cancelled the meeting. There were reasons: an emergency city council meeting had been scheduled, the police explained, and, moreover, they did not have answers to our questions. The meeting was not rescheduled.

August 12th came a week later and shattered any hope that trust might develop between the police and the community. Anti-racist activists found themselves undefended against self-proclaimed White Supremacists. Stories circulated of panicked civil rights activists running to the police and being greeted with their jeers. Clergy reported fearing for their lives and credited Antifa with saving them. While community members had feared police violence, what they got instead was police inaction.

As the one-year anniversary of the rally approached, the community was still reeling from a sense of radical betrayal by the police. But a desire arose among some community members to revisit the issue of police-community relations, and a small group composed of faculty and community members met to consider whether an attempt at dialogue should be renewed. In the wake of a very public, painful betrayal by the police, though, a decision was made that it would be unethical as well as impractical to create a dialogue that would depend on learning, outside of an institutionally grounded commitment to change. What resulted instead was a process in which members of our small group began reaching out to diverse local residents to ask them about their

experiences with and perspectives on policing in Charlottesville. We asked people what they wanted from police, without suggesting to them that what they should want is a relationship.

Why we made this change, and what it yielded, reveal much about when, why, and how people should be asked to engage in public, formal discourse with people whom they oppose. What we found when we began to talk to local residents provided answers for what, in retrospect, would have been helpful to articulate as questions to frame our process. These questions are as follows:

*Who **should** learn from whom and why?*

If Allen is correct that deliberative dialogue not only requires but can also create trust and, based on my analysis, that the creation of trust relies on a mutual willingness to learn, a first question concerns who should learn from whom. Should local residents be asked to learn new ways of viewing police through conversation, and then, based on that, come to trust the police, learn about officers' concerns, and consider making sacrifices for them?

Allen's own argument suggests that they should not. Sacrifice is only legitimate when it is reciprocal, she avers, and people who have been oppressed have made too many involuntary sacrifices. Although she suggests that in some settings police-community dialogue can be a way to improve relationships and give communities a voice in policing, she argues that trust in such settings must be shored up by what people, particularly the more powerful, do outside the conversation (*TTS*, 152). Community members may benefit from a better understanding of a police officer's views and experiences, such as if the conversation humanizes officers and illuminates why they behaved as they did on August 12th and outside that day. This might reduce anger and create a willingness to work together. But, in a city where the police lost the public's trust and have not had the chance to regain it, it may be unethical to ask people to give trust on the basis of rhetoric within a public forum.

However, our interpretation of the history of racially biased policing in Charlottesville, impressions of the experiences of people of color in the city currently, and awareness of the anger toward police that resulted from August

12th led us to believe that the police should learn from the community. We thought they should listen to the community's experiences and make changes in policing practices and policies in response. There was less certainty, though, about what good would come from such listening, such as whether or how it would have any influence on policing. Our uncertainty was based on our answers to the next set of questions.

*Who **can** learn from whom?*

If Allen argues that trust can be created when people move from patterns of disdain to new evaluations of each other and then learn each other's problems and sacrifice in response, this creates a high bar for police officers. Based on my previous research and the personal relationships of different members of our working group, we anticipated that there would be some individuals within the police department who could learn from community members, in the sense of being open to residents' experiences and supporting policies meant to ameliorate tensions. But we also anticipated that there would be officers who would be exhausted by the listening process and whose own anger might be stoked by complaints against them.

Most importantly, as we began to speak with community members, it became clear that few whom we interviewed had a desire to speak with the police. In 2015, many people did choose to attend public forums with the police. But when we began asking people in 2018, we did not hear a strong desire for conversation. What we heard was that for many African Americans in Charlottesville, their survival strategy had been to avoid the police through attempts to be "invisible" in public spaces. Teaching the police about their experiences was not a task most residents with whom we spoke relished.

Given the tendency among political theorists and members of the public to see understanding-based approaches as defined by deliberative dialogue, this evaluation might seem to suggest that the situation calls for an adversarial approach, relying on public pressure or lawsuits to compel police to change. These tactics remain important tools for change. In addition, though, several community members were still compelled by the possibility of learning that

dialogue promises — even when we did not believe that dialogue would necessarily deliver it. So, this leads to the questions, again:

*Who **should** learn from whom?*

We still hoped that the Police Department, particularly leaders who formulate policies, might learn from residents' experiences. This does not require individual line officers, themselves exhausted and angry from a year of strife, to learn. But how could the Department learn if not through conversations between officers and residents? This leads to the next question:

*Who **can** learn from whom?*

While police and residents have been situated on opposing sides of a visceral political battle, community members might more profitably learn from other community members. Moreover, the burden placed on local residents who are asked to tell their stories might be reduced if they tell those stories to people who are not only sympathetic, but also empathetic: people who have walked in their shoes. We began to work with two members of our community whose professional work concerned the improvement of policing: one student of criminal justice and one founder of a nonprofit that develops programs connecting police to local children. Both are also African-American and had first-hand understanding of racially-biased policing in Charlottesville. They reached out to people who trusted them to ask them for their experiences and views on policing.

These empathetic listeners could then amplify the voices of local residents to people who not only *could* learn from them but also *should,* in that they are in a position to effect change: the newly established Police Civilian Review Board. Through conversations with a member of the Board, we learned that they wanted to hear from the community but had been barred by the City from receiving complaints directly. Our listening process could inform their formulation of policies. We decided that the community members on our team could listen to and learn from people with whom they have trusting relationships and then compile a detailed report for the Board.

CONTACT

What this approach suggests is that the question of what form contact should take is not a dichotomous choice, even though the public debate often frames it this way. The approach offers another means to respond to the problem of trust and its relationship to learning in democracy, and, more particularly, in deliberative dialogue. Habermas knew that deliberation requires trust and envisioned it occurring between those who already have it. Allen proposes that deliberation could create the trust that deliberation requires. But when such a task seems impractical or unethical, it is possible to create dialogic contexts of learning between people who already trust each other and then convey what is learned to those who can exert influence. This does not directly create trust between the police and the community, but, arguably, it would not be appropriate to accomplish this discursively when many community members desire a change in practice before discourse. It allows, however, the possibility of learning through a dispersed process of speech wherein those who *can* learn *do* and pass on what they have learned to others who *should* learn because they can act.

Understanding learning as central to deliberative dialogue illuminates such possibilities by bringing to light guiding questions regarding the ethics and practicality of trust creation. The questions themselves, though, provide few definite answers. Experts' reflections on who should and can learn will on their own yield little. Perhaps the most difficult aspect of what I suggest is that those in a position to facilitate dialogue must begin from an assumption that they do not know the answers and can only learn them from asking the people who would be participants in any proposed dialogue. Understanding deliberative dialogue as based on learning, then, also means that those in a position to create it must themselves become learners.

This is difficult because it is indeterminate. There is never a single identifiable community, for one, but rather overlapping and intersecting groups and individuals with different needs, desires, and interpretations of events. The group of which I am a part has tried to approach this problem by being clear about who we are learning from and from whom we are not hearing. But what we learn stops far short of representing any group; it is simply the best we can do with the time and resources we possess. Moreover, the process of learning

from community members before making decisions involves living with the suspicion that nothing is being accomplished. What this means is that those who are considering how to respond to a political problem spend a good deal of time learning what the people it affects want before they do anything. While this sounds straightforward, it is rarely practiced, in part because it asks people who are in the position to do something to wait. This is the case whether the problem is police-community relations, corporation-community relations, or tensions on campus following a traumatic public event, such as an election or sexual assault. In other words, whether to hold a deliberative dialogue or address the problem through other means requires not only discerning whether people want to, should, and can learn from each other. It requires also that those in a position to act instead first learn.

To understand deliberative approaches to political problems as based on learning, then, requires as much of the would-be organizers as it does of the potential participants. It requires that those in a position to ask others to learn to first learn themselves. They must learn first whether people want to learn and then from whom it is possible and ethical to learn. This does not suggest in any way that there should be gatekeepers to dialogue who decide who is permitted to speak to whom. But it does suggest that those wishing to initiate learning-based action on others' behalf will be most successful and do the least harm if they are willing to wait and first learn themselves — or, should I say, ourselves.

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16 Martha McCoy and Patrick Scully, "Deliberative Dialogue to Expand Civic Engagement: What Kind of Talk Does Democracy Need?" *National Civic Review* 91, no. 2 (2002).

17 Allen, *Talking to Strangers,* 56. This work will be cited a *TTS* in the text for all subsequent references.