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A Sequential Analysis of Democratic Deliberation

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Abstract Recent developments in deliberative democratic theory have witnessed a renegotiation of classic deliberative principles to conceptualise the form deliberation could take under suboptimal speech situations. Application of deliberative virtues is negotiated, suggesting that different contexts warrant different deliberative expectations. Such approach presents a topical model of deliberation but it also raises concerns regarding the extent of these norms' negotiability, whether there remain core deliberative virtues that cannot be compromised regardless of the context. This piece addresses this theoretical challenge by putting forward a sequential analysis of democratic deliberation. It draws on pragma-dialectics, an approach to the study of argumentation that examines how a 'difference of opinion' is handled in practice. It suggests that deliberative norms and discursive tactics have specialised functions at particular moments of exchange while retaining focus on components that make deliberation a distinct form of political practice.

Introduction

One of the recent developments in the study of deliberative democracy is the shift from the classical conceptualisation of deliberative theory which identifies ideal conditions and normative principles that distinguish deliberation from other forms of political participation to a more practical model which translates deliberative theory's idealisations into a framework that provides guidance on deliberating in actually existing circumstances. This development takes into account criticisms against deliberation's classical model, particularly its alleged indifference to the complexities of current political realities. It conceptualises the form deliberation could take under suboptimal political conditions (as opposed to Habermas's ideal speech situation) marked by political exclusion, economic inequality and cultural marginalisation by renegotiating deliberative principles to suit the context of adverse political environments (see Ba¨chtiger et al, 2010; Mansbridge et al, 2010). With this approach, a more topical and relevant model of deliberation is conceived.

The 'practical' model adds nuance to deliberative theory by taking into consideration two issues. The first one addresses the issue of culture by broadening the range of permissible speech styles in a deliberative encounter. Unlike the classical model which identifies systematic reason-giving as the ideal form of political justification (Habermas, 1998), the practical model relegates reason-giving as only one among several modes of communication in deliberation including rhetoric, storytelling, testimony and humour (Young, 1996). It considers the complexity of diverse societies by giving equal consideration to views articulated in ways that depart from the traditional form of rational argumentation. It recognises that interlocutors have different ways of articulating their positions and that various discursive tactics can contribute to inter-subjective understanding. For example, Polletta and Lee (2006) argue that storytelling's open-ended nature encourages interlocutors to draw lessons together from the storyteller's narrative, fostering a cooperative environment necessary for generating inter-subjective understanding. Mansbridge et al (2006) identify the constructive role of humour in facilitating a free and comfortable flow of discussion while Dryzek (2010), Chambers (2009) and Hall (2007) recognise the importance of rhetoric in emphasising the significance of a particular discourse, especially for groups seeking to advance marginalised points of view. Other theorists go further, arguing that deliberative democracy should also make room for 'non-persuasive' modes of communication including sit-ins, public shaming, civil disobedience and other dissident tactics (Fung, 2005; Kadlec and Friedman, 2007; Rostbøll, 2009; Parkinson and Mansbridge, 2012). This is a major shift in

deliberative theory considering deliberation, in its classical conceptualisation, has been distinguished from other forms of political practice by emphasising persuasion rather than coercion, systematic exchange of reasons rather than disruption. Advocates of this view argue that when there are systematic barriers that deter groups from accessing deliberative forums, the use of coercive tactics for the sake of deliberative inclusion is warranted. They take into account the different levels of access political agents have in deliberative forums and offer necessary theoretical adjustments for deliberation to be a more inclusive and relevant model of political action in an unjust world.

The second issue relates to the characteristics of the deliberative forum. The application of deliberative virtues is contextualised, suggesting that different discursive forums warrant different deliberative expectations. For example, Warren (2006) argues that in societies divided by race and religion, the deliberative virtue of sincerity can be compromised in favour of 'civilising hypocrisies'. Expressing opinions in a straightforward manner may expose one's prejudices, upset fragile social relationships and hold back possibilities for future deliberation. In this context, amicable gestures and good manners – or what he calls 'deliberative diplomatic' virtues – deserve to be prioritised in order to create necessary conditions for deliberating across lines of difference. The location of the discursive forum in the deliberative system also has an impact on the virtues emphasised. Some theorists (Habermas, 1998; Mansbridge, 1999; Hendriks, 2006) argue that micro-deliberative forums or institutionalised sites for decision-making require a set of deliberative norms that are distinct from virtues necessary in macro-deliberative forums or sites of civil society engagement. Goodin (2005) cites the example of rational justification as a key deliberative expectation in the parliamentary chamber whereas the principle of preference transformation is not as pertinent. In legislative debates, proposals are expected to be scrutinised through an orderly exchange of justifications even though 'no one seriously expects to change any other MP's mind'. It is, after all, the role of the political opposition to oppose. On the other hand, macro-deliberative forums place less emphasis on systematic exchange of rational justification. As the site of opinion formation, macro-deliberative forums such as the media and informal political discussions are more concerned in ensuring the unimpeded circulation of contesting discourses and equal opportunity for participants to engage in a way that one chooses. Such extent of openness cannot be expected in micro-deliberative forums as its design requires decisions to be made given a limited amount of time. The deliberative expectation that all views should be represented in the discursive space is more relevant in

macro-deliberative forums, which, ideally, inform deliberation in sites of decision-making. By disaggregating the components of the deliberative system, advocates of the practical model are able to reinterpret and assess the applicability of deliberative norms. There has been increasing recognition that not all goods deliberation promises can be secured at the same time (Thompson, 2008, p. 176). Deliberation has come to be viewed as a contingent affair, necessitating judgments on the relevance of deliberative norms given particular contexts.

Addressing New Challenges

The shift from the classical to the practical model of deliberation, while introducing a more topical version of deliberative theory, also brings forth a new set of challenges. The flexible application of deliberative norms raises concerns regarding the extent of these norms' negotiability and whether deliberative democracy still has core principles that cannot and should not be compromised regardless of the context. In a jointly written article, five scholars of deliberation express concern over the 'rapid proliferation of the term deliberation' to the point that it is in 'danger of concept stretching'. Current models of deliberation, they observe, suffer 'from the risk of becoming so broad as to admit communicative distortions that are problematic' from the classical model's perspective (Ba¨chtiger et al, 2010, p. 34). Clear theoretical boundaries are necessary for the practical model of deliberation to avoid the slippery slope of allowing almost any form of communication to be categorised as 'deliberative'. Such clarity is important if the practical model were to retain deliberation's distinct normative framework that holds political agents to a higher standard of political behaviour.

In this article, I aim to address this theoretical challenge by putting forward a sequential analysis of democratic deliberation. I argue that negotiating the applicability of deliberative virtues and speech styles not only entails understanding the characteristics of the deliberative context but also the requirements of particular stages or sequences of deliberation. Some theoretical developments have already appreciated deliberative theory along these lines. Goodin (2005), for example, proposes a model of 'distributed deliberation'. He argues that all deliberative virtues cannot be on constant display at every step of the decision-making process in a representative democracy. Instead, deliberative tasks are divided up and shared among different political actors in different 'stages' – from caucuses, parliamentary debates, election campaigns and post-election bargaining. For Goodin,

distributing deliberative virtues across different stages is 'good enough' from a deliberative point of view instead of aiming for an ideal where all deliberative virtues are simultaneously at play. Ba¨chtiger et al builds on Goodin's conceptualisation, suggesting that deliberation can accommodate different forms of communication at different stages but underscores that a process can be 'truly deliberative' only when there are 'deliberative drifts', or having at least one sequence where argumentative rationality, reflexivity and sincerity are upheld (2010, p. 56). Both theoretical developments examine a deliberative process by partitioning it into smaller sequences and identifying the critical elements of deliberation at each stage.

I extend this theoretical development by mapping out the sequences involved in a deliberative encounter and the specialised function of deliberative virtues and speech styles[1] at each stage. While Goodin's notion of deliberative sequences refers to 'speech events' or sites of deliberative exchanges, I conceptualise the stages of deliberation in terms of its progression from the articulation of a difference of opinion to its conclusion. I suggest that this approach allows for an examination of the extent to which particular discursive styles contribute to the deliberative process and facilitate the achievement of specific deliberative outcomes. To develop this model, I critically draw on some components of pragma-dialectics – an approach to the study of argumentation which examines how a 'difference of opinion' is handled in practice.[2] As deliberative theory evolves from a strongly normative account of how ideal argumentation should proceed to one that takes into consideration practical realities, I suggest that pragma-dialectics can provide some analytical tools that can help in updating and contextualising the norms of deliberative practice.

This article is presented in three parts. In the first section, I introduce key features of the pragma-dialectal approach and the ways in which its stages of critical discussion can be used as springboard to develop the sequential aspect of deliberation. I translate these stages into deliberative terms in the second section. I argue that not all deliberative virtues and forms of speech are equally functional at every stage of deliberation. While I consider the expansion of deliberation's repertoire of acceptable speech styles as a welcome development in deliberative theory, I suggest that it is important to locate their specialised functions in particular moments of exchange in order to assess their role in the deliberative process. I conclude this piece by locating the sequential approach's contribution to deliberative theory. I discuss how such analysis, though modified to respond to the demands of current political realities, remains faithful to the normative principles that make deliberation different.

Pragma-Dialectics and Deliberative Democratic Theory

Pragma-dialectics accounts for the ways in which language is used in argumentation. It is 'pragmatic' in that it analyses utterances based on a context of interaction that takes place in a specific cultural-historical background and not through their formal, a priori properties as in the case of formal logic. It is 'dialectical' because the analysis is premised on two or more parties trying to resolve a difference of opinion through a methodical exchange of discussion moves. Its basic thrust is to conceptualise a set of critical standards that determine the extent to which language use is in agreement with the norms of reasonable discussion (van Eemeren and Grootendorst, 2004, pp. 9, 22).[3]

The theoretical goals of pragma-dialectics and deliberative theory are consistent insofar as both are concerned with theorising the procedure for resolving a difference of opinion. Both share the same normative grounding, privileging critical discussion as a way of resolving disputes while eschewing the use of coercive tactics to secure agreement. Pragma-dialectics affirms the fundamental deliberative ideal that all discussants have the 'unconditional right' to put forward or call into question every claim while discussion moves that obstruct the realisation of this ideal are considered violations of the norms of critical discussion (van Eemeren and Grootendorst, 2004, p. 135). The goal of the discussion is not to test the truth of an interlocutor's position but for participants to cooperatively reach a shared understanding of the matter and resolve their difference of opinion. Both also conceptualise 'argumentation' in broad and pragmatic terms. An argument is appreciated based on its procedural function in critical discussion and not based on a set of rules on logical validity. Like the practical model of deliberation, pragma-dialectics considers rhetoric and other speech styles as normatively acceptable as long as they are not used at the expense of speakers' dialectical obligations. I will discuss these dialectical obligations in the succeeding sections.

Pragma-dialectics and deliberative theory have been developing in parallel tracks in the study of politics. Pragma-dialectics has been widely appropriated in fields of discourse analysis and judicial argumentation (see Vedung, 1987; van Rees, 2007) but its link with deliberative theory is seldom made explicit. Knops (2006) was first to frame pragma-dialectics as a development of Habermas's model of deliberation by translating pragma-dialectics' model of critical discussion in deliberative terms. He used the pragma-dialectical

approach to elucidate the mechanism of rational argumentation and the ways in which it empowers otherwise disadvantaged groups.

His argument, however, can be pushed further. Aside from clarifying the mechanisms of rational argumentation, the pragma-dialectical model also serves to foreground the interactive quality of deliberation. Thus far, deliberative democrats largely focused on analysing the characteristics of the deliberative space and consider it as an indication of the quality of the deliberative process. Deliberation is considered successful if it occurs under conditions where the discursive space is inclusive, information is accessible and avenues to articulate diverse opinions in a respectful and systematic manner are available. However, focusing on the institutional context where deliberation takes place is insufficient as it fails to account for deliberation's dynamic and inter-subjective quality. Even recent developments in deliberative theory such as Ba¨chtiger et al's (2010) distinction between classical (Type I) and flexible (Type II) models of deliberation as well as Parkinson and Mansbridge's (2012) conceptualisation of the role of 'non-deliberative' modes of communication in the deliberative system are rather silent about deliberation's dynamic character, particularly in terms of the evolving demands of a deliberative exchange as it progresses. Without such account, characterisation of the deliberative process remains partial.

I suggest that pragma-dialectics can be used as springboard to address this gap. I draw on its analytical framework which unpacks the process of articulating a difference of opinion, the participants' attempts to prevent, resolve or settle them and the strategies used to address these differences (van Eemeren and Grootendorst, 2004, p. 98). I critically appropriate its model of critical discussion to deliberative theory by identifying the dynamic stages of deliberation, the pertinent deliberative virtues at each stage and when these virtues can be compromised to give way to more pertinent norms in order to secure desired deliberative outcomes. Such sequential nuance permits a clearer delineation of the boundaries of deliberation while recognising the contribution of diverse speech styles to a deliberative exchange.

Deliberative Sequences

Before translating the stages of critical discussion in deliberative terms, several qualifications are in order. First, even though the terms 'sequences' and 'stages' have been used, I do not aim to pitch this approach as an idealised model where deliberation takes a rigid, linear character. It is often the case, and perhaps more optimal in some instances, that deliberative

exchanges diverge from the sequence I will identify in the subsequent sections. Stages may occur and recur in a different chronology depending on a variety of factors, such as the way disagreement is expressed and the quality of discursive relationships between interlocutors. Rather, this approach is best appreciated as an analytical tool which systematically maps out the constellation of discursive styles and deliberative virtues in a particular exchange and the ways in they contribute or deter the achievement of deliberative goals. The purpose of this approach is to bring into sharper focus the changing demands of deliberation as it progresses, thereby requiring different forms of communication in order to bring about desired deliberative outcomes.

Second, as I will discuss in further detail in the latter part of this article, the sequential model aims to emphasise the interdependency of different stages that lead towards the completion of a deliberative exchange. Instead of focusing on the boundaries of each stage – that is, when does one stage end and another begin – this approach serves its heuristic value if it is used to bring out the impact of an utterance rendered at a particular moment to the entirety of the deliberative process. It facilitates the assessment of a speech style's contribution to deliberation based on the congruence of its function to the demands of the stage when it was rendered.

In the succeeding sections, I identify the sequences of deliberation based on a broad application of pragma-dialectics' stages of critical discussion. I begin each section with a characterisation of the norms of critical discussion in pragma-dialectical terms, followed by a contextualisation of these norms in deliberative theory. I also discuss the ways in which these norms are violated and identify corresponding deliberative remedies. Pragma-dialectics does not usually identify these remedies, necessitating an expansion of its coverage to take into consideration important developments in deliberative theory.[4]

Confrontation stage

A critical discussion begins with the confrontation stage – when a participant expresses a point of view and another casts doubt on it. In Habermasian terms, this stage marks the break from the 'normal sphere of speech' as discussants do not fully agree on the validity of the statement. Ideally, all interlocutors have 'unlimited freedom' to put forward and express scepticism over any viewpoint and are prohibited from preventing others from doing the same (van Eemeren and Grootendorst, 2004, p. 136). This is called the 'freedom rule' in pragmadialectics, whose fulfilment is contingent on the creation of social conditions that

guarantee freedom of expression (van Eemeren and Grootendorst, 2004, p. 191). Deliberative virtues of openness and inclusivity are significant at this stage in that anyone wishing to articulate an opinion must have access to forums that allows him or her to do so.

In highly institutionalised deliberative spaces such as the parliament, the confrontation stage is typically marked by the political opposition formally expressing disapproval towards a proposal or challenging the party in power to justify its decisions. In other micro-deliberative forums such as participatory budgeting or stakeholder meetings, a difference of opinion is established through any form of expression that conveys doubt. This may not be immediately apparent in less structured deliberative spaces such as the social media or informal political conversations, requiring careful interpretation and analysis of the flow of exchanges.

As advocates of the practical model of deliberation have pointed out, imperfect discursive conditions could prevent differences of opinion from coming to light, and consequently have no chance of being discussed. A reasonable critic could be kept out of discussion by using threats or physical force. Limits could also be placed on perspectives that can be challenged by, for example, declaring certain ideas as sacrosanct and therefore not open to question. Critical parties may also be discredited as unworthy of discussion by casting doubt on their intellectual capacity, credibility and integrity. Pragmadialectics considers these acts as 'fallacies' or violations of the norms of critical discussion. These are considered violations because they restrict a party's freedom of action by putting him or her under pressure to withhold objection. They hinder critical discussion and undermine the value of deliberative enquiry in that violators evade their dialectical obligation to explain the bases of their positions (van Eemeren et al, 2002, p. 111).

Extending pragma-dialectics' conceptualisation, I suggest that the use of dissident discursive tactics performs a particularised function under these conditions. When interlocutors are systematically disenfranchised from participating in discourse, dissident tactics are useful in unclogging obstructions to deliberation. Marches, sit-ins, public shaming and strikes, or what Fung calls 'deliberative activism', ensure that the cost of rejecting deliberation is high enough to persuade adversaries to engage with their critics (Fung, 2005). Fung cites the example of students and workers occupying Harvard University's administrative office as part of their campaign to pay all Harvard staff members living wages. Protesters claimed that the sit-in was triggered by their failure to get a fair hearing with the Harvard Corporation and the continuous disregard for the issue of fair compensation in their

previous discussions with university administrators. The occupation 'forced' the administration to create a committee composed of administrators, students, faculty and union members tasked to deliberate and propose recommendations to address the issue of wages. In this context, the use of dissident tactics performs a deliberative function in that they create conditions for a more inclusive mechanism for decision-making (Fung, 2005).

Opening up discursive spaces through deliberative activism compromises virtues intrinsic to deliberation including respect and reason-giving. However, upholding mutual respect among interlocutors is impossible if there are parties that systematically violate their dialectical commitments by prohibiting disagreements from coming to the fore. In this case, coercive tactics may compromise the deliberative virtue of respect and reason-giving if their aim is to advance the charge of the confrontation stage, which is to allow differences of opinion to surface. These tactics may appear non-deliberative in that they 'force' their way into discussion but serve a deliberative function in the final instance if they are driven by the impetus to broaden deliberative spaces and promote shared enquiry.

Opening stage

The decision to resolve a difference of opinion through critical discussion signals the opening stage of deliberation. This stage sets the tone of discussion by establishing shared rules and conventions of argumentation. Among these rules include assigning interlocutors' dialectical responsibilities. Pragmadialectics calls the defendant of the standpoint the protagonist and the interlocutor challenging the standpoint the antagonist. It is possible, or perhaps often the case, that discussants assume both roles if one party offers an alternative position instead of just rejecting what the other has articulated (van Eemeren et al, 2002, p. 143).

Assigning roles to interlocutors is another important contribution pragmadialectics makes to deliberative theory as these roles clarify the rights and obligations of deliberators. Thus far, the deliberative model has a generalised conceptualisation of interlocutors' discursive obligations such as practicing respect, keeping an open mind and giving each other an honest account of one's views. By drawing on the pragma-dialectical model, these obligations are made more specific in relation to an interlocutor's role in rational argumentation. In the case of the protagonist, he or she has the right to defend his or her view and the obligation to provide justifications for such view as long as he or she has not retracted it or convinced the interlocutor of its validity. The antagonist, on the other hand, has the right to demand for justifications in terms he or she can understand and the responsibility to

withdraw the challenge once convinced of the protagonist's reasons. These roles suggest that there are specific deliberative expectations from interlocutors depending on their role in critical discussion. Deliberation's success is hinged on the performance of these roles.

The process of drawing up rules for discussion is usually explicit in formal deliberative settings such as courts and parliaments where participants openly debate the procedure for argumentation. The disputed rules become the subject of a 'meta-discussion' because the procedural norms themselves have been subject to deliberation (see Krabbe, 2003). On the other hand, this process remains largely implicit in informal deliberative settings. Shared rules or norms of discussion are often assumed, from basic rules of turn-taking to a commitment to a discussion-based way of resolving disputes. In pragma-dialectical terms, the opening stage is successful when discussants agree to deliberate in accordance with shared rules. Violations occur if a party is tricked into accepting discussion rules or when parties end up having different interpretations of these rules. In some cases, the implicitness of discussion rules causes deliberators to wrongly assume that they have the same deliberative expectations, which may lead to problems later on in argumentation.

In addition to the pragma-dialectical conceptualisation, I suggest that the opening stage is also the sequence in the deliberative process when adversaries turn into peers. If dissident tactics were used in the confrontation stage to articulate disagreement, participants are challenged to shift their discursive relationship from an antagonistic to a cooperative one. This, I argue, is a crucial stage in the deliberative process as it determines whether previously antagonistic parties share sufficient common ground in order for critical discussion to ensue. Otherwise, there is little point in proceeding with rational argumentation if parties do not share a mutual commitment in terms of procedure and basic democratic principles (van Eemeren and Grootendorst, 2004, p. 60). It is within this discursive context where I situate the necessity of 'alternative' discursive tactics such as jokes, anecdotes, small talk and gestures of amicability like handshakes and greetings. These preliminaries, though seemingly mundane, are essential in establishing discursive equality, civility and trust necessary for deliberation (Young, 1996). In peace negotiations, for example, a handshake between previously hostile parties marks the beginning of a commitment to a discussion-based way of resolving their dispute. Such forms of communication also foster amicability and respect, providing some grounds to convince both parties that a discussion is worth pursuing. Warren's argument I brought up earlier about the prioritisation of diplomatic virtues is particularly pertinent in this stage. The 'strategic deployment of good manners' enables both

parties to generate trust. Even if they cannot be entirely certain that their interlocutor recognises the validity of their claims, they can at least be guaranteed not to be humiliated or dismissed as co-equal peer in interaction. Warren calls this the 'discourse-enabling' purpose of good manners or what Ba¨chtiger et al (2010) label as the 'deliberative-capacity building' functions of alternative speech styles. These forms of discourse are not 'rational' in the traditional sense of the term[5] but lay the necessary foundations for a collegial, reason-based discussion to occur. They perform a specific function in the opening stage of deliberation, where interlocutors are tasked to generate shared rules of discussion and declare their readiness to engage with each other as peers.

Argumentation stage

When the protagonist defends his or her view against the antagonist's criticism marks the argumentation stage of deliberation. Ideally, the protagonist puts forward reasons to justify his or her claims and refutes counter-arguments to address the antagonist's reservations (van Eemeren et al, 2002, p. 25). In turn, the antagonist carefully considers the justifications put forward, whether they are comprehensible and convincing enough to overcome his or her doubt. In deliberative terms, this is the stage where the systematic and honest exchange of reason occurs, as well as the thoughtful weighing of positions before choosing among them.

The pragma-dialectical conceptualisation of the argumentation stage introduces theoretical developments that address some of the challenges faced by the practical model of deliberation. One of these developments is the definition of a 'reasonable' argument. In Habermasian terms, a speaker is reasonable:

> not only if he is able to put forward an assertion and, when criticised, able to provide grounds for it by pointing to appropriate evidence, but also if he is following an established norm and is able, when criticised, to justify his action by explicating the given situation in light of legitimate expectations. (Habermas, 1998, p. 15)

This definition is a procedural one, where rationality is conceptualised not by prescribing its substantive characteristics but through the interlocutor's manner of handling a difference of opinion. I suggest that this definition can be further developed by appropriating pragma-dialectics' standards. In pragma-dialectical terms, an argument is reasonable if it creates possibilities for resolving a difference of opinion (problem validity) and if it is acceptable to discussants (conventional validity) (van Eemeren and Grootendorst, 2004, p. 12). The criteria of problem and conventional validity refine Habermas's definition as it clarifies the kinds of

discussion moves that qualify as reasonable. Statements do not only have to contribute towards resolving a difference of opinion, they must also be acceptable to interlocutors.

The criterion of conventional validity provides the theoretical link as to why alternative communicative modes can be considered 'deliberative'. Statements that do not express an argument in the traditional sense could have conventional validity because they promote understanding. Storytelling, for example, allows a protagonist to contextualise his or her views in relation to his or her biography. This may enable the antagonist to appreciate the protagonist's views better, rather than when such views were presented in the form of a carefully constructed logical argument (Sanders, 1997, p. 372). On the other hand, dispassionate speeches – the kind that classic deliberative theory allegedly privileges – can be non-deliberative or fallacious if couched in technical-scientific terms as a way of disengaging or intimidating interlocutors. Non-argumentation is a common fallacy, manifest when a speaker maximises agreement by exploiting the interlocutor's emotions, lack of information and biases to reduce disagreement. One could also pull rank based on expertise or authority to get away with not providing reasons to support one's claim (van Eemeren et al, 2002, p. 120). These are violations of the norms of critical discussion in that they aim to secure agreement without enabling their interlocutors to understand the bases on which the agreements rest.

While the criterion of conventional validity explains why non-traditional forms of reason-giving can contribute to the deliberative process, the criterion of problem validity explains why these discussion moves are not enough. To be considered deliberative, discussion moves also have to contribute to the resolution of a difference of opinion. I recognise that some differences of opinion are best left unresolved and consensus is not necessarily the aim of a deliberation. There are open-ended moral and ethical issues that will always elicit opposing views, which is expected, if not celebrated, in an open, pluralist society (Mouffe, 2000). However, there are also situations where unresolved differences literally place political agents in an impasse, requiring them to come up with 'working agreements' so interlocutors can coordinate their future actions. It is within this context that I consider statements exhibiting problem validity as necessary. When interlocutors agree to resolve a dispute, discussion moves have to contribute not only towards generating shared understandings but also towards resolving differences of opinion. Otherwise, a discussion move could be considered 'unreasonable' because it is irrelevant – such as statements that contribute to understanding but do not contribute to resolving the difference of opinion – or

coercive – such as statements that resolve the dispute but do not allow interlocutors to understand the reasons that make resolution acceptable.

The dialectical responsibility to articulate statements with problem validity establishes the necessity of reason-giving in deliberation. When it comes to generating consequential agreements, on the questions of why and how things are to be done, providing justifications is an indispensable form of communication. This, I consider, is one of the reasons why some deliberative democrats maintain that a process can be truly deliberative only when there are moments involving systematic weighing of proposals and counter-arguments (Ba¨chtiger et al, 2010, p. 48). Putting reasons on the table allows views to be criticised, clarified, defended, revised and considered. This process makes deliberation unique in that discussants have access to different opinions, giving them the opportunity to be persuaded by reason. This also lends deliberation its distinct concept of equality in that exposure to different views allows individuals to overcome unfair inequalities in rationality by enlarging their perspectives, rising above the limits of their past and learning new possibilities. Even if participants do not end up agreeing with each other, they can at least be confident that their voices have been heard and their arguments understood and considered by their peers (Festenstein, 2002, p. 103).

The challenge then in the argumentation stage of deliberation is to enforce the transition of using 'alternative' discursive tactics in the confrontation and opening stage to systematic exchange of reasons. Going back to the example of the Harvard Living Wages Campaign, the dissemination of workers' testimonies about their hardships caused by 'poverty wage' during the sit-in (confrontation stage) was useful in conveying their experience of injustice. However, testimonies by themselves do not provide the language to express how their experiences of injustice can be rectified. Once the committee began deliberating on Harvard's employment and contracting policies (argumentation stage), these testimonies had to be translated to ethical and practical justifications for wage increase and better benefits. This was a necessary step in order for the committee to come up with acceptable recommendations on how the injustice caused by poverty wages can be addressed based on the proposals and justifications put forward. The same logic applies to greetings, small talks and other gestures of amicability. They are important in establishing interlocutors' discursive relationships but these do not provide the language necessary for generating mutually acceptable agreements. Once conditions of trust, civility and collegiality have been established by 'deliberative diplomats' in the opening stage, they must be able to transition to

becoming 'deliberative democrats' in the argumentative stage. In this sequence, respect and equality are no longer limited to extending courtesy and trying to avoid offending the other party. Instead, they are manifest in interlocutors' willingness to discuss opposing arguments in an open and honest manner. To honestly engage with each other's opinion is an expression of respect and recognition of the other's discursive status as peer in social interaction – that what he or she is saying is serious enough to be subjected to critical tests of reasons.

Concluding stage

In the concluding stage, parties assess the extent to which the dispute has been resolved. A difference of opinion is resolved if parties agree on the protagonist's defence and consequently, the antagonist's challenge is retracted. A conclusion to a critical discussion is legitimate if both parties understand the bases on which their agreement – or in some cases, continuous disagreement – rests.

A successfully defended claim, however, does not imply that the claim is 'true' or acceptable in the broader sense. Instead, it means that based on agreed-on rules, the protagonist was able to convince the antagonist of the acceptability of his or her view. This provision acknowledges the contextual nature of deliberation: that a resolved dispute does not indicate its final resolution in all contexts. Moreover, agreements forged through critical discussion is provisional in that it only stands for a period of time and may be challenged at some point in the future (van Eemeren et al, 2002, p. 135). Agreements can be challenged and subject to discussion again in light of new evidence, insight or realisation that the existing agreement was forged through coercion. Viewing resolution of a dispute in this manner allows for the accommodation of plural and continuous struggles in different deliberative contexts while also making provision for the possibility of generating agreements based on reasonable discussion.

Trust and sincerity are deliberative virtues that play a prominent role in the concluding stage. This is particularly relevant for agreements that require one or both parties to do or refrain from doing something as a result of their discussion. This stage of discussion also calls for an 'outcomes-oriented phase of deliberative activism', where deliberative activists compel those with power to deliver the outcomes of deliberation (Kadlec and Friedman, 2007, p. 21). In the case of the Harvard Living Wages campaign, students and workers picketed two months after the university administration accepted the recommendation of pay increases and better benefits for workers. Protesters criticised the

administration for failing to implement the committee's recommendation and the lack of marked improvement on the working conditions of janitors and dining hall workers. These forms of direct action are necessary as they ensure that deliberative outcomes are consequential and not futile.

Sequential Analysis of Democratic Deliberation: Key Contributions

As laid out earlier in this piece, the practical model of deliberation is faced with the challenge of identifying clear theoretical boundaries on the extent to which discursive tactics can perform deliberative functions. I have suggested that the sequential analysis of democratic deliberation can provide conceptual clarity on this matter. By disaggregating the deliberative process into stages, I have argued that discursive tactics and deliberative virtues perform a specialised function in each stage. Table 1 summarises the distribution of key deliberative virtues, tactics and discursive roles in each deliberative sequence. It maps out the indispensable deliberative virtues per phase that facilitate the successful completion of a deliberative encounter. In the concluding part of this piece, I discuss how the sequential approach addresses some of the persistent weaknesses of the practical model of deliberation.

Inter-dependency of discursive tactics

Unpacking the sequence of democratic deliberation and its requirements not only serves to illustrate the distinct demands of each stage but also emphasises the interdependency of each sequence. Reaching deliberation's conclusion is hinged on the successful use of discursive tactics at every stage. While I support the strand of deliberative theory that underscores the indispensability of reason-giving, the sequential model does not privilege the argumentation stage as the most important phase of deliberation. The argumentation stage is contingent on the kinds of disagreements that surfaced in the confrontation stage and the quality of discursive relationships and discussion rules set out in the opening stage. Greetings and other gestures of amicability are indispensable preliminaries to which the success of the argumentation stage rests. Likewise, straightforward argumentation may also compromise the opening stage when interlocutors have yet to generate conditions of respect and amicability. While there is broad scope for using alternative modes of communication, I have

Table 1: Deliberative sequences

	Confrontation stage	Opening stage	Argumentation stage	Concluding stage
Deliberative virtues	Openness Inclusiveness	Civility Respect	Sincerity Other-regarding Reason-giving	Inter-subjective understanding Sincerity
Discursive tactics	Rhetoric Activist tactics Coercive tactics	Greetings Storytelling Gestures of amicability	Exchange of reasons	Outcome-oriented activism
Deliberative characters	Deliberative activist	Deliberative diplomat	Deliberative democrat	Deliberative democrat Deliberative activist
Discursive relationship	Adversaries	Peers	Interlocutors	Peers

also cautioned against the limitation of these strategies particularly in generating inter-subjective understanding in the argumentation stage.

The sequential model underscores the importance of appreciating discursive tactics in relation to each other. The practical model has been successful in establishing the importance of accommodating different speech styles but has not yet mapped out the effect of different speech styles on the dynamic of the deliberative process. The sequential model provides that link in that it examines the interplay of different forms of communication without reverting to the classical model which foregrounds reason-giving as the crux of deliberation. It recognises that deliberation is a contingent process that requires a delicate balance of discourses that create spaces for inclusive deliberation and those that enable inter-subjective understanding.

Dynamic discursive obligations

A consequence of foregrounding deliberation's dynamic aspect is the shifting discursive obligations interlocutors have in each stage of discussion. The practical model has introduced the roles of different deliberative actors such as Fung's 'deliberative activist' and Warren's 'deliberative diplomat'. The sequential model affirms the importance of these roles but it also emphasises the importance of transition from one deliberative role to another – from being a deliberative activist in the confrontation stage to being a deliberative democrat in the argumentation stage.

This is an important development because thus far, the practical model has largely focused on the justifiability of taking on different deliberative roles to suit the context of

adverse political environments. As the sequential model illustrates, these roles are only relevant at particular sequences. By taking on these roles, deliberative actors are making commitments to adjust their deliberative strategies in the process. A deliberative activist during the confrontation stage uses coercive tactics to ensure that previously excluded views are given due attention while also making a commitment to find zones of agreement with the party 'coerced' to engage in deliberation (a task in the opening stage) and provide justifications for his or her position (a task in the argumentation stage). This provision distinguishes deliberative activists from activists. Deliberative activists use dissident tactics to overcome barriers to participate in a deliberative process. Activists, on the other hand, while also constructive in expanding the range of discourses in the deliberative system, do not necessarily commit themselves to the norms of critical discussion and remain outside the parameters of formal deliberative practice. Similarly, deliberative diplomats must be able to shift their role to deliberative democrats in order to engage in the process of argumentation. Deliberative democrats take on the role of protagonists and antagonists in critical discussion and are subject to discursive obligations that are distinct from the functions of non-deliberative actors. Without going through these transitions, at best, deliberative activists and deliberative diplomats have only created the facilitative conditions for deliberation but could not claim to have delivered deliberation's promise of generating inter-subjective understanding or enriching the economy of moral disagreement.[6] This, I argue, is a necessary distinction the sequential analysis offers as it ensures that deliberative theory, while willing to make theoretical adjustments to respond to the demands of imperfect political realities, is still anchored on normative standards that makes deliberation different.

Sequences and deliberative outcomes

Finally, unpacking deliberative sequences facilitates understanding of the relationship between the use of discursive styles at particular stages and their impact on deliberative outcomes.[7] This insight can be used in both planning and evaluating deliberative exchanges. For example, deliberative forums which aim to build civic relationships and social acceptability among previously hostile parties can be designed in such a way that more time and effort are allocated in the opening stage where gestures of amicability and respect are exchanged. Participants can be encouraged to tell their stories in order for the rest of the group to develop a better appreciation for their distinct experiences and subjective views. The topic of deliberation given in the confrontation stage can be calibrated to avoid opening up

divisive issues which may cause altercation and injure emerging discursive relationships. Facilitators can also be instructed to watch out for adversarial speech styles in argumentation, even if these serve to provide intelligent and substantive justifications of a particular view. When relationships begin to be strained in the argumentation stage, facilitators can revert to the techniques of the opening stage, especially since the main aim is to build civic relationships.

On the other hand, deliberative forums designed to generate epistemically superior decisions can benefit from a 'harsh' confrontation stage where participants are challenged to re-examine their taken for granted views and articulate the bases of their opinions using terms others can understand. This could be a sensible arrangement for groups that already have an established collegial relationship in that their respect for each other could withstand confronting reasoning from their peers, which can facilitate deeper understanding of a particular issue and decision-making based on a considered view.

Needless to say, designing and evaluating deliberative exchanges is a contextual matter. Empirical research on how particular sequences are or can be managed to secure desired outcomes can bring clarity to some of these conceptual and practical issues. Disaggregating deliberative sequences can provide guidance in identifying the stages of deliberation that are worth emphasising depending on the desired outcome. The practical approach to deliberative theory, as well as empirical studies on the subject, have illustrated that desirable deliberative outcomes cannot be secured at once. The sequential analysis serves to provide a measured and circumspect account of what deliberative outcomes can be reasonably achieved given the interplay of the dynamic in each deliberative sequence.

Conclusion

This piece aims to provide conceptual clarity on some of the theoretical challenges deliberative democratic theory faces today. One of these challenges is identifying the extent to which deliberative virtues and discursive tactics can be negotiated to suit the context of adverse political environments. I have addressed this challenge by proposing a sequential analysis of democratic deliberation. I have argued that assessing the negotiability of particular norms not only entails examining the demands of a deliberative forum but also the requirements of particular stages. By drawing on the pragma-dialectical approach, I have argued that discursive tactics are not equally functional at each stage of discussion but serve to achieve particular goals of each sequence. I have supported the strand of deliberative

theory that considers reason-giving as an indispensable component of deliberation but I have argued that systematic argumentation is not the focal point of deliberation. In order for systematic argumentation to take off, there are indispensable preliminaries that must be carried out, which alternative forms of communication can provide.

Unpacking the stages of critical discussion also serves to place the dynamic or interactive aspect of deliberation in the foreground. As suggested earlier, the existing literature tends to depict deliberation as static process by conducting an inventory of the presence or absence of particular conditions and deliberative virtues to gauge the deliberativeness of a process. I have argued along the same lines as Goodin, that not all deliberative virtues can be exhibited at the same time. The deliberative process entails a number of shifts in roles and transitions in tactics as the process evolves in order to reach its conclusion. In some instances, the emergence of one deliberative virtue is contingent on sacrificing of another principle, as in the case of openness and respect in the confrontation stage and the different manifestations of the principle of respect in the opening and argumentation stages. The sequential model of deliberation allows for the distinct dynamic of a deliberative exchange to be mapped out, critiqued and analysed. As deliberative theory continues to be modified in order to account for practical political realities, the sequential approach provides a conceptual anchor which distinguishes deliberation as a distinct form of political practice.

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About the Author

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Notes

1 I use the terms speech styles (Young, 1996) and discursive 'tactics' (Fung, 2005) interchangeably in this piece. These refer to verbal utterances and non-verbal

communicative modes that serve a function in communication. Examples of these styles and tactics have been extensively discussed by Young (1996) in her conceptualisation of Communicative Democracy.

2 The pragma-dialectical model, also known as the 'Amsterdam School' in argumentation theory, is developed by Frans van Eemeren and Rob Grootendorst. They have published several books on the subject which conceptualise theoretical models and heuristic devices to analyse argumentative practice (see van Eemeren and Grootendorst, 2004).

3 Knops (2006) provides an extended discussion on the linguistic foundations shared by pragmadialectics and deliberation.

4 It is worth reemphasising that this article uses the pragma-dialectical model as springboard for creating the sequential model of deliberation and does not aim to apply all of pragma-dialectics' heuristic tools to the study of deliberative democracy. However, further research on the application of its other tools could be useful, such as pragma-dialectics' analysis of speech acts and argumentative schemes.

5 In deliberative theory, 'traditional' forms of reason-giving are described as argumentation that favours dispassionate speech styles and logical coherence. These are often associated to institutions dominated by white, upper-class males such as modern parliaments, courts and scientific debates (see Young, 1996, p. 124).

6 Enriching the 'economy of moral disagreement' is the term Gutmann and Thompson use to describe a situation where citizens manifest mutual respect as they continue to disagree on morally important issues (see Gutmann and Thompson, 2004, p. 153).

7 I am grateful to the anonymous reviewer for this insight.

References

Bächtiger, A., Niemeyer, S., Neblo, M., Steenbergen, M.R. and Steiner, J. (2010) Disentangling diversity in deliberative democracy: Competing theories, their blind spots and complementarities. The Journal of Political Philosophy 18(1): 32–63.

Chambers, S. (2009) Rhetoric and the public sphere: Has deliberative democracy abandoned democracy? Political Theory 37(3): 323–350.

Dryzek, J. (2010) Foundations and Frontiers of Deliberative Governance. Oxford, UK: Oxford University Press.

Eemeren, F.H. van and Grootendorst, R. (2004) A Systematic Theory of Argumentation: The Pragma-Dialectical Approach. Cambridge, MA: Cambridge University Press.

Eemeren, F.H. van, Grootendorst, R. and Henkemans, F.S. (2002) Argumentation: Analysis, Evaluation, Presentation. New Jersey: Lawrence Erlbaum Associates.

Festenstein, M. (2002) Deliberation, citizenship and identity. In: M.P. d'Entre` ves (ed.) Democracy as Public Deliberation. Manchester, UK: Manchester University Press, pp. 88–111.

Fung, A. (2005) Deliberation before the revolution: Toward an ethics of deliberative democracy in an unjust world. Political Theory 33(2): 397–419.

Goodin, R.E. (2005) Sequencing deliberative moments. Acta Politica 40(2): 182–196.

Gutmann, A. and Thompson, D. (2004) Why Deliberative Democracy? Princeton, NJ: Princeton University Press.

Habermas, J. (1998) What is universal pragmatics? In: M. Cooke (ed.) On the Pragmatics of Communication. Massachusetts: MIT Press, pp. 21–104.

Hall, C. (2007) Recognising the passion in deliberation: Toward a more democratic theory of deliberative democracy. Hypatia 22(4): 81–95.

Hendriks, C.M. (2006) Integrated deliberation: Reconciling civil society's dual role in deliberative democracy. Political Studies 54(3): 486–508.

Kadlec, A. and Friedman, W. (2007) Deliberative democracy and the problem of power. Journal of Public Deliberation 3(1): 1–26.

Knops, A. (2006) Delivering deliberation's emancipatory potential. Political Theory 34(5): 594–623.

Krabbe, E.C.W. (2003) Metadialogues. In: F.H. van Eemeren, J.A. Blair, C.A. Willard and A.F.S. Henkemans (eds.) Anyone Who Has a View: Theoretical Contributions to the

Study of Argumentation. Dordrecht, MA: Kluwer (Argumentation Library 8), pp. 83–90.

Mansbridge, J. (1999) Everyday talk in the deliberative system. In: S. Macedo (ed.) Deliberative Politics: Essays on Democracy and Disagreement. New York, NY: Oxford University Press, pp. 211–239.

Mansbridge, J., Hartz-Karp, J., Amenqual, M. and Gastil, J. (2006) Norms of deliberation: An inductive study. Journal of Public Deliberation 2(1): 1–47.

Mansbridge, J. et al (2010) The place of self-interest and the role of power in deliberative democracy. Journal of Political Philosophy 18(1): 64–100.

Mouffe, C. (2000) The Democratic Paradox. London: Verso.

Parkinson, J. and Mansbridge, J. (eds.) (2012) Deliberative Systems: Deliberative Democracy at the Large Scale. Cambridge, MA: Cambridge University Press.

Polletta, F. and Lee, J. (2006) Is telling stories good for democracy? Rhetoric in public deliberation after 9/11. American Sociological Review 71(5): 699–723.

Rees, M.A. van (2007) Discourse analysis and argumentation theory: The case of television talk. Journal of Pragmatics 39(8): 1454–1463.

Rostbøll, C.F. (2009) Dissent, criticism, and transformative political action in deliberative democracy. Critical Review of International Social and Political Philosophy 12(1): 19–36.

Sanders, L.M. (1997) Against deliberation. Political Theory 25(3): 347–376.

Thompson, D.F. (2008) Deliberative democratic theory and empirical political science. Annual Review of Political Science 11: 497–520.

Vedung, E. (1987) Rational argumentation and political deception. In: F.H. van Eemeren, R. Grootendorst, J.A. Blair and Ch. A. Willard (eds.) Argumentation: Across the Lines of Discipline. Proceedings of the Conference on Argumentation. Dordrecht, MA/Providence, RI: Foris Publications, PDA 3, pp. 353–364.

Warren, M. (2006) What should and should not be said: Deliberative sensitive issues. Journal of Social Philosophy 37(2): 163–181.

Young, I.M. (1996) Communication and the other: Beyond deliberative democracy. In: S. Benhabib (ed.) Democracy and Difference. New Jersey: Princeton University Press, pp. 120–135.