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Binary Deliberation: Enhancing the role of social learning in Deliberative Democracy

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Abstract

The aim of this paper is to outline a new framework based on an extension and of the current theories of deliberative democracy. The framework, which I call “Binary Deliberation” emanates from an analysis of the social learning phase of deliberative activity. Deliberation, in the theories of deliberative democracy, is usually treated as a decision-making procedure. However, this approach falls short to appreciate the full benefits of the deliberative process. Binary deliberation argues for an analytical separation between social learning and decision-making phases of deliberation in order to allocate a distinct sphere to those specific moments of deliberation oriented to interpretation of differences rather than making decisions.

Keywords: Deliberative Democracy, Social Learning, Hermeneutics, Habermas, Gadamer

After more than a decade of intense debate, the normative idea of deliberative democracy has now established itself as a viable option for designing democratic practice. Yet, the debate continues and there is still ample room to explore the ways deliberation can be implemented practically. While some difficulties stem from usual predicaments such as existing power relations effecting deliberation in various forms; some are generated by ambiguities in deliberative theory itself. One of these ambiguities is related to insufficient level of attention to the differences in internal dynamics of deliberation. The difference can be associated with the phases of deliberation as decision-making and social learning. A general trend among most deliberative theorists is to treat deliberation as a decision-making procedure. Yet, this tendency overlooks the fact that there is another important phase of deliberation oriented to social learning and understanding rather than decision-making.

The ambiguous treatment of social learning can be rectified by a framework in which social learning and decision-making aspects of deliberation are analytically distinguished. In this framework the social learning mode of deliberation is formally allocated its own dominion in the public sphere, equipped with its own resources and operated under its own terms. Salvaging social learning from the pressures of decision-making would enable its unique resources to flourish freely and enhance the outcome of decision-making procedures. Therefore, the social learning phase of deliberation can play an important role in the development of democratic governance. To this end, I will first outline the differences between social learning and the decision-making phases of deliberation. I will then critically engage with the theories of Habermas, McCarthy and Gadamer in order to emphasise the significance of social learning in deliberative practice. While Habermas is central to any discussion related to dialogic action due to the importance of his normative framework, McCarthy's critique of Habermas shows the shortcomings of his theory and points to what needs to be done. The key concepts of Gadamer's hermeneutics, on the other hand, provide fundamental ingredients for the foundation of my framework based on social learning. In the last section, I will introduce an alternative framework, the Binary Deliberation Model, based on the division of deliberation into two distinct phases; Structured Social Learning (SSL) and Decision-Making. I will support my discussion on the Binary Deliberation Model with the literature on social psychology.

Social learning vs. decision-making

Deliberation, in the theories of deliberative democracy, is often treated as part of a formal decision-making process. This approach fails to appreciate the full benefits of the deliberative process. It fails to see that deliberation also runs as an opinion formation process oriented to learning. This differs substantially from the decision-making process in terms of its structural and cognitive elements.

The scope of deliberation covers a vast range of human activity, yet its primary carrier, in an operational sense, is the cognitive activities of individuals, searching for a sense of consistency in their dealings with the issues at hand. Consistency is the logical link between positions individuals develop during deliberation and the cognitive skills they choose to evaluate these positions. In this sense participants apply different logic, hence cognitive skills, to the different stages of deliberation, which in terms of their aim and their orientation can be conceptualised in two distinct categories: social learning and decision-making.

Social learning is the first stage that individuals engage within a genuinely deliberative environment. The aim of interaction between participants is to develop an understanding

of each other's claims. In other words, the purpose of deliberation becomes one of evaluation of other perspectives. The orientation towards learning and understanding indicates that social learning processes operate at a distinctively different dimension in terms of their logic as well as institutional design.

The main cognitive skill that participants apply to the process at this stage is cognitive objectivity. Participants put themselves into each other's shoes in order to look at the various claims on the agenda from an objective perspective. Hence, interpretation of differences becomes the focus of the deliberative practice and reaching agreement does not assume a priority during deliberation. The lack of pressure to make a decision also bestows upon social learning a different set of spatial and temporal properties. Most importantly, deliberation does not operate under formal time and space constraints as in most decision making oriented procedures. This paves the way for a more inclusive and more informal deliberative framework in which differences can be expressed in a variety of more satisfactory ways. The social learning stage of deliberation, therefore, is primarily a hermeneutic practice. It fits well into Gadamer's notion of "the fusion of horizons", in which the traditional and the new converge to form a new perspective on the issue at hand (1989). In the fusion of horizons, nobody is fully detached from their subjective views, yet then arrive at a new juncture through learning without specifically striving for a rational agreement. Since it is oriented to broaden the scope of understanding both the flow of information and the impact of deliberation make a horizontal move among participants.

Yet, if participants do not seek at a decision, what is the merit of discussion? Deliberative theorists give various answers to this question. Warnke maintains that "in the first place, we come to understand perspectives other than our own; in the second place, we often learn from them" (2001; 313). Fearon echoes Warnke's succinct summary of the benefits of discussion. He highlights several reasons why deliberation, even only for the sake of exchanging ideas, has a value. Fearon's argument does not deal directly with the social learning aspect of deliberation, but nonetheless reinforces the idea that when deliberation works with an orientation to learning it could "improve the likely implementation of the decision" (1998; 45). Fearon also argues that the quality of discussion helps to gain the legitimacy of final decision in the eyes of the group, thus contributing to group solidarity. In a similar vein, Bohman maintains that unrestricted public discussion increases the democratic quality of the decisions because it takes into account all existing positions (1998).

Fennema and Maussen also underline the importance of public discussion "as more dispersed and less institutionalized forms of public debate" distinct from the regulated arena of public deliberation that is linked to decision-making (2000). They conceive public discussion as a learning process and contend that public discussion should be as unrestricted as possible so that different positions become visible in public eye. Fennema and Maussen suggest that this broad inclusiveness could not only contribute to the overall quality of decisions in the long run, but could also counter some arguments against deliberation that it favors the articulate.

In contrast to social learning, deliberation as decision-making aims at a specific decision. This is usually a formal process oriented to making decisions under some limited time and space conditions. At the end of the process participants are forced to make a decision through voting, consensus, or some other kind of agreement. The main difference between social learning and decision-making then is their orientation to understanding and agreement respectively. An important consequence of decision-making procedures is that the urgency of reaching a decision overwhelms opinion-

formation and prevents a broadening of the scope of learning. A highly precious element of deliberation, time, is characteristically limited in decision-making procedures, thus limiting the amount of information to share. In this sense, the hermeneutic function of social learning ceases its operation and retreats to the background since the deliberation moves into a different stage. With this, the logic and the internal dynamics of deliberation also change. The flow of information follows a vertical pattern towards achievement of a final outcome in contrast to horizontal movement in social learning. This shift in the way deliberation functions results in subordination of understanding and learning under the pressure of reaching agreement.

Probably the most important consequence of the shift from social learning to reaching agreement (or from understanding to decision-making) occurs at the level of personal engagement between participants. Orientation towards decision-making undermines the role of cooperative interaction by triggering an inclination towards protecting the existing configuration of interests, thus leading to a strategic power struggle among participants. Chambers' study of constitutional reform in Canada in the 1990's illustrates this point vividly (1998). She notes that the debate about the reform became "less of a conversation and more of a win-lose battle" as soon as the pressure to make a decision arrived. In a similar vein Dryzek argues that decision-making processes might exacerbate the possibility that deliberation could turn to an identity contest, if decision-making is linked to sovereignty challenge (2005). Clashes between identities rather than constructive engagement would surely have a detrimental impact on the quality of whole process. Fung, on the other hand, raises the point that in decision-making oriented procedures participants only take deliberation seriously if they believe it will influence decision. In this sense, decision-making oriented procedures encourage strategic calculations rather than learning (2003).

The strategic use of deliberation within decision-making processes is also highlighted by Sunstein, who argues that under the pressures of decision-making, members of a deliberating group could polarise their pre deliberation tendencies towards a more extreme point, instead of moving towards agreement (2002). Sunstein, on the other hand, observes that his findings are at odds with Fishkin's Deliberative Opinion Polling (DOP) conducted in several countries (Fishkin, 1995). DOP, in which small groups of participants from different backgrounds are asked to deliberate about various issues, has found no systematic tendency toward polarisation, even though it was identifiable in some cases. After analyzing the differences between his cases and the DOP's Sunstein concludes that the difference stems from the institutional design of the deliberative procedures. In DOP cases, a large pool of information, including participants from various backgrounds, were available. The most important, though, is that there was no pressure for decision making at the end of deliberation. Those factors, according to Sunstein, have considerably reduced the possibility of group polarisation in DOP cases.

Habermas: Establishing Dialogic Necessity

The deliberative framework based on the distinction of different phases of deliberation, as discussed above, envisages that the members of collective bodies develop an understanding of their differences on the issues common to them. Defining social learning as perspective taking immediately highlights the intersubjective nature of deliberation - individuals learn how to tackle the fragmented nature of the social world in reciprocal relations with others.

This reciprocal relationship invokes a certain mode of interaction in which participants accept that their action carries a dialogic substance. In other words, when they sincerely

attempt to understand each other they operate on an intersubjective basis. Analyzing this action mode is, therefore, important in order to highlight the dynamics of deliberation oriented to social learning. As Elster asserts, the idea of deliberative democracy simply rests on argumentation, not only because it proceeds by argument, but also because it can only be justified by argumentation (1998). Thus, any theory which puts deliberation at the centre of its framework logically needs to establish its foundation through an analysis of argumentative speech.

The framework that Habermas draws in his theory of communicative action and discourse ethics later on provides important insights on the social learning aspect of deliberation, more specifically on the kind of role that social learning plays in human communication. It specifically focuses on the intersubjective nature of human communication, which can then be used to derive conclusions for a democratic polity. Establishing deliberation as a dialogical process helps Habermas to construct his framework on the basis of presuppositions of dialogue, which he inherently links to human speech.

Habermas investigates construction of a common social world through analysis of different stages of socialisation (1987). Drawing from Mead's theory of socialisation, Habermas argues that the fundamental ideas of morality, such as equality of respect and common good, are digested into the moral consciousness of individuals through a social learning process achieved through each individual's dialogue with others. Habermas's emphasis on the intersubjective and dialogic conditions of moral development provides a resourceful basis for the social learning capacity of deliberative processes. The fact that development of moral consciousness goes hand in hand with recognition of other worldviews; that in order to reach this stage it is necessary to look at the world from others' points of view; and all this constitutes a constructive learning process, paves the way to formulation of a framework in which the social learning aspect of deliberation could be rescued from its neglected position.

Habermas posits two main points. Firstly, communication is the main medium to establish coordination of social activity. Secondly, communication aimed at coming to agreement has to satisfy a certain level of rationality which is already embedded within the structures of language. Indeed, without referring to a model of speech, Habermas asserts, the process of understanding remains unresolved. Thus, he adds, understanding can be fully appreciated "only if we specify what it means to use sentences with a communicative intent" (1987; 287). With this, Habermas's framework lays the ground for developing a deliberative environment oriented to learning and understanding, that is, the process of understanding could indeed be as legitimate as a decision-making process since both ultimately rely on the same premise; the rules of argumentative speech. Deliberation in either form can produce fair results in the eyes of participants as long as they act sincerely.

However, despite this important opening in his theory, Habermas shifts his attention to the formal bodies of deliberation such as parliament, administrative bodies and legal system particularly in his later work. He does this by developing a two-track model in which he assigns a division of work between opinion formations within the public sphere and will formation within formal bodies of decision-making (1996). Within this framework, while the broad, encompassing activities of the public sphere become home for social learning oriented practices operating within "an open and inclusive network of overlapping, subcultural publics"(1996; 307), the formal bodies of deliberation as the

sphere of “democratically institutionalized will-formation” represents the institutional base for decision-making.

One of the implicit motives driving Habermas’s two-track model is his commitment to the link between the purpose and the rational properties of deliberation. As I will discuss in detail later in the section on Gadamer, what concerns Habermas is that if the presupposition of reaching consensus were dropped from dialogue, then the deliberative process would lose its rational sense and become something else other than rational argumentation. In this sense, he conceives rational argumentation as the main alternative against coercion and manipulation. Therefore, the forms of rational argumentation protected within the formal deliberative institutions are essential for maintaining a non-fragile democratic polity. The result is decoupling opinion formation from decisions, where the core of decision-making power is delegated to formal deliberative bodies. With this, the role of citizens, who are supposed to be “the authors of the law,” is limited to acting as a sensory device only, since “civil society can directly transform only itself, and it can have at most an indirect effect on the self-transformation of the political system” (1996; 372). His statement, “discourses do not govern” (1992; 452), demonstrates clearly what concerns him. They can surely influence the administration “in a siege-like manner”, yet “communicative power cannot supply a substitute for the systematic inner logic of public bureaucracies” (1992; 452). To put it more succinctly:

Social movements, citizen initiatives and forums, political and other associations, in short, the groupings of civil society, are indeed sensitive to problems, but the signals they send out and the impulses they give are generally too weak to initiate learning processes or redirect decision-making in the political system in the short run (Habermas, 1996; 373)

“The authors of the law,” then, hope to influence decision-making processes through some indirect means such as elections and the media. Hence Habermas shifts his attention to formal procedures within the administrative bodies where a practice of rational debate is assumed as the rule. With this move, though, Habermas leaves a vast terrain of deliberative activity unattended. The issue here is not so much whether he is still interested in the informal discursive activities in the public sphere (surely he is), but whether this shift in his orientation is sufficient to utilise the rich, but untapped sources of deliberative activity outside the formal bodies of deliberation.

McCarthy’s Challenge to Habermas

McCarthy’s critique focuses on Habermas’s conceptualization of rationally motivated agreement and argues that Habermas perceives rationality from a rather narrow perspective. The reason, according to McCarthy, is that Habermas ties rational agreement too strictly to his theory of communicative action, positing that practical reason always acts towards reaching a consensus in dialogue (1991). McCarthy argues that in order for Habermas’s discourse ethics to serve as a realistic normative ideal for democratic theory in pluralistic societies, his emphasis on the scope of rational, moral consensus should be fine tuned by looking at the potential disagreements in the matters of ethical concern more carefully (1998).

McCarthy raises his objection at this point and argues that, due to his strict universalisability requirement, Habermas’s separation of discourses inadequately deals

with the fact that discourses are part of the concrete stories of different traditions and self-perceptions. McCarthy also points out that Habermas is aware of the predicament his analysis creates. Writing about abortion, for instance, Habermas readily acknowledges that “descriptions of the problem of abortion are always inextricably interwoven with individual self-descriptions of persons and groups, and thus with their identities and life projects. Where an internal connection of this sort exists, the question must be formulated differently, specifically, in ethical terms” (1998; 59). Yet, if this is true for abortion, it is the fact of pluralist societies that they are continuously challenged by similar types of problems. The most important societal problems causing deep divisions belong to the same category. As McCarthy asserts, these disputes “could not be resolved consensually at the level at which they arose” (1998; 127). Then, it is hardly a feasible proposal that the democratic practice weighs heavily towards rational consensus trying to realize a universal justification of norms through one right answer. Hence, McCarthy argues that it is necessary “to go beyond this either/or and try to capture the dialectical interdependence in practice of these analytically distinguishable aspects” (1998; 127).

Along this line he suggests that if something has to be decided from the standpoint of justice, the scope of “all” should be limited to the particular members of the society in question, to a particular time and place, yet should be inclusive of the whole range of interpretive and evaluative perspectives related to the topic in question. Being able to deal with persistent ethical and political differences then requires the utilisation of “cultural resources and institutional arrangements different from those suited to domains in which there is only one right answer to every well-formulated question” (1998; 152). The key concept for McCarthy is mutual accommodation as an alternative way of dealing with persistent ethical and political differences, operating on the basis of mutual respect and consideration of the humanity of others. Through mutual accommodation, differences can become part of a cooperative, harmonious and mutually supportive sphere of relations. This is a procedural framework in which rational acceptance does not come from “the force of the better argument” alone, but more from the acceptance that they abide by the rules of engagement which they conceive as fair “even when things do not go their way.” In this sense, McCarthy suggests a two-track version of justification of outcomes: direct and indirect justification. Habermas’s formulation of rational consensus can apply in direct justification, that is, directly justified outcomes are accepted by all - possibility of one single answer. On the other hand, indirectly justified outcomes “are accepted by different parties for the same procedural reasons, but different substantive ones” (1998; 146), hence the disagreements of a reasonable nature can coexist. With this, a sphere of dialogue based on mutual understanding, distinct from strategic use of decision-making procedures, becomes the focus of McCarthy’s argument. He comes very close to suggesting a framework based on a distinction between opinion formation and the decision-making dimensions of deliberation. Yet McCarthy moves no further and stops evaluating what the independent type of ethical-political dialogue he suggests entails in terms of its analytic features. He makes the need clear for the practices of an open-ended, mutual accommodation based processes with no ultimate consensus orientation. However, he elaborates neither the dynamics nor the logic of these practices in terms of evidently makes them different from, or how they can be related to, the practices of decision-making processes.

In fact McCarthy’s scheme carries an ambiguity towards his treatment of decision-making since it leaves the fundamental question of how to make democratically

legitimate decisions open. It is this ambiguity that leaves him susceptible to the kind of charge that Habermas lays. In reply to McCarthy, Habermas asserts that “given McCarthy’s premises, he cannot explain how democratic legitimacy is even possible” (1998; 395). Habermas refers to the fact that if democracy is accepted as a solution to fair decision-making, then reaching agreement ultimately becomes the apex of this practice. Habermas’s insistence upon rational agreement can be seen as a methodological requirement in that without referring to rational agreement no theory can define fair decision-making procedure as the crux of a genuine democratic polity. That is, that decision-making and rational agreement is indeed directly correlated, hence Habermas is consistent with his line of argument. Therefore, the dilemma does not so much stem from seeking rational agreement but more from imposing this requirement on all dimensions of deliberative practice, hence not allowing for a proper development of a different domain in which different kind of communicative activities orient themselves more towards understanding than rational agreement.

In deliberative theory, this domain corresponds to deliberation as social learning where opinion formative, interpretive actions of participants, distinct from decision-making, become the main paradigm through which the open-ended, inclusive features of deliberation oriented to understanding free themselves from the specific rules of engagement in decision-making practices. Within this domain, the resources of social learning are allocated to where they belong in order to achieve an orientation to understanding rather than functioning in the service of decision-making procedures only. Any attempt to broaden the framework of deliberation would be bogged down unless this shift in the orientation of deliberative practice is made clear, that is, a specific argument decoupling it from the references of decision-making is developed.

Gadamer Revisited: The Power of Hermeneutics

A specific argument for social learning from the perspective of deliberative theory requires an elaboration of how its interpretive, hermeneutic character can actually coordinate the process of deliberation. For this, Gadamer’s hermeneutics and Habermas’s engagement with it offer valuable insights. Habermas acknowledges that in building his communicative model of action he has taken all the functions of language equally into account, including Gadamer’s hermeneutics (1984; 95). His extensive engagement with Gadamer in the early stages of his theory was critical to establishing his framework. Particularly in more recent work, however, the role of Gadamer’s hermeneutic approach has gradually retreated to the background, with no clearly specified function. In order to revitalise the role of the interpretive, as well as inclusive and open-ended characteristics of learning processes, Gadamer’s hermeneutics needs to be revisited.

A likely outcome of applying a demanding level of rationality would be to undermine the important role that social learning could play within deliberative settings. It is normal to expect a competent level of rational attentiveness during a decision-making process, yet it could equally be limiting, as well as misleading, if this level is expected to govern deliberation oriented to social learning. This brings us back to the importance of acknowledging differences in the logic of different deliberative processes. In those settings where the initial aim is to develop an understanding of other parties, it is participants’ interpretations of various life stories that play a more functional role. In their

dialogic engagements, when participants seek to understand each other, they have to open themselves up in order to explain their positions and to understand what the other stories are. This does not necessitate an agreement, but an interpretive, hermeneutical sensitivity towards others, aiming at what Gadamer calls a “fusion of horizons” (1975; 273-274).

In the fusion of horizons, participants make themselves understandable to each other without relinquishing their original position, trying to find a common point rather than converting to an alternative position. Understanding, then, is conceived by Gadamer as “part of the process of the coming into being of meaning” in which nothing appears to be perfect rather than a continuous adaptation of different views (1975; 147). In their hermeneutical endeavour individuals try to situate themselves within the broader horizon of the context they are in. Their primary aim is to understand what is given to them and what constitutes the meaning and the importance of it. For that, they do not have to disregard their original hermeneutic position, yet they need to open themselves to the opposite claims and allow them to enter into a dialogic conversation (1975; 289). In this sense, understanding always operates with a practical aim in mind and the fusion of horizons works as a test of the claims of each horizon. It is only by this process that individuals come to an understanding of themselves and situate themselves correctly within “one great horizon.” When our historical consciousness places itself within historical horizons, this does not entail passing into alien worlds unconnected in any way with our own, but together they constitute the one great horizon that moves from within and, beyond the frontiers of present, embraces the historical depths of our self-consciousness (1975; 271).

In this framework, Gadamer drops away the dichotomised relationship between understanding and misunderstanding in a way that no communication process is seen to be perfect and complete. Yet they are inclusive of all features that are part of the identity structures of individuals. Gadamer thereby introduces one of his fundamental contributions to hermeneutic theory. He asserts that prejudices are also part of individuals’ identities. They are constitutive of the meaning of each horizon to the extent that they effectively shape the existing boundaries of horizons. Thus, he maintains that no process of understanding can be conceived properly without acknowledging the role of prejudices (in Rabinow and Sullivan, 1979; 151).

What is at issue here for Gadamer is that one interprets and understands what is given from a selective perspective bound by personal social and cultural circumstances. Understanding operates under the auspices of a certain frame of reference and the gap between different reference points could only be narrowed down through the dialogic practices of a community. In this sense, the immediate interest behind hermeneutics is not to develop a critique of existing circumstances but instead coming to an understanding through dialogue about the issues of common interest.

This is exactly where Habermas feels uneasy about the hermeneutic tradition. He is concerned that the lack of critical touch in the interpretive actions of participants would turn dialogue to only a simple act of speech with no immediate reference to a future direction, thus “assimilating action to speech, interaction to conversation” (1984; 95). Predictably, Habermas’s concern here is related to mobilising the rationality potential residing within the communicative action of individuals. He asserts “reaching an understanding functions as a mechanism for coordinating actions only through the participants in interaction coming to an agreement” (1984; 99). In other words, if the dialogue is not oriented to reaching agreement in a way that the rational assets of communication are overlooked as in hermeneutic practice, then it would fail to capitalise on its own critical potential.

It is ironic that the answer to Habermas’s concern lies in his own theory. That is, if the universal pragmatics of speech presuppose a rational attitude towards differences among participants, then a dialogue oriented towards understanding should ultimately be able to develop a rational and critical attitude during deliberation. As he acknowledges:

Participants, however diverse their backgrounds, can at least intuitively meet in their efforts to reach an understanding. In all languages and in every language community, such concepts as truth, rationality, justification, and consensus, even if interpreted differently and applied according to different criteria, play *the same grammatical role* (1996; 311).

This role is being able to take a reflexive, rational attitude toward their own cultural traditions by the members of different cultural groups. Habermas also asserts that under the conditions of modern societies, in which a positive law and secularised politics are achieved, even religious or metaphysical worldviews would lose their fundamentalist character, simply because they have to compete with other world views “within the *same* universe of validity claims,” assuming the presuppositions of secularised thought (1996; 551, note 59). The underlying assumption here is that the rational and critical thinking are embedded within the pragmatics of daily communication to the degree that all traditions are capable of developing a self-reflective, critical discourse whereby they can distinguish between what is true and what they hold to be true as long as they subject themselves to the presuppositions of argumentative speech (1995; 138). Yet, if this is the case, it becomes difficult to justify Habermas’s critique of Gadamer that hermeneutic interpretation is prone to lose the critical edge that is required for making universally valid justifications.

The difficulty does not seem so much to stem from the difference in what they say, but more from the focus of Habermas’s analysis. Under Habermas’s scheme, the critical potential that the hermeneutic action carries is mostly elaborated from, thus subordinated to, the conditions of formal deliberative practices. If the difference between understanding and agreement in his framework was clear enough, that is, if he distinguished the deliberative sphere of understanding oriented to social learning from

the formal decision-making oriented deliberative procedures, then Gadamer's hermeneutic could have found its proper place within the informally structured practices of deliberation.

In fact, Gadamer is as close to Habermas as he can be in relation to the interaction between understanding and agreement. He too argues that understanding involves primarily coming to an agreement. It is a dialogically reached agreement in the sense that it involves a process, which takes others' claims seriously, defines and tests them against one's own prejudices and reaches a new understanding of the issue at hand. As Warnke points out, Gadamer perceives understanding as an appropriation process through which participants reach a "better" position by becoming able to see strands of agreement and disagreement at the end (1987; 103). That is why Gadamer defines hermeneutic understanding as a learning experience broadening the horizons of participants. The result of this process goes beyond the original positions of participants, reflecting a transformation to a new view and a new stage of the tradition (1987; 104). In other words, the critical dimension that Habermas is concerned with is embedded within the conditions of dialogue between different traditions in Gadamer. Each tradition carries its own critical reflection into the dialogue. Unlike Habermas, Gadamer does not emphasize a strong orientation towards agreement; instead, he substantially relaxes the dose of rational behaviour in favor of a more informal exchange between parties.

Gadamer's framework provides an essential ingredient for the social learning point of view. His hermeneutic emphasis on the dialogic character of understanding complements the role of social learning in deliberative processes. The challenge for deliberative theory is to make the essentials of Gadamerian and Habermasian frameworks converge within the same framework. The features of Gadamer's hermeneutics serve deliberation as social learning well. Similarly, Habermas's theory, particularly in his early work, has enough room to accommodate a hermeneutic approach. As Axel Honneth indicates, Habermas reaches the fundamental premise of his theory, that is, human subjects are united with one another through the medium of linguistic understanding, through a study of hermeneutic philosophy (1995). In his later works, however his concentration on the formal deliberative procedures oriented to decision-making impedes him from benefiting from this early insight. Thomas McCarthy has rightly pinpointed this tendency quite early by stating that the critical theory of Habermas is becoming more formal and universal and less hermeneutical and situational (1978).

The importance of Gadamer for my argument lies in his assertion that traditions are not self-contained and completely isolated from others. Hence, it is always possible to find different ways of surpassing the boundaries of each tradition so long as there is a sincere dialogue seeking to comprehend the claims of other traditions. What is required is no more than a deliberative environment oriented to learning in which the primary role of dialogue is hermeneutic understanding. The key point is that when divided traditions meet each other, their first task is to develop an understanding of one another to overcome different interpretations of the issues at hand. This is clearly a hermeneutic task which does require establishment of its own deliberative sphere freed from the pressures of decision-making procedures, open to reasonable disagreements without converging on one answer.

Binary Deliberation Model: An Alternative Framework

So far, I have argued for the need for a new framework in order to rescue the social learning aspect of deliberation from its subordinate status in existing practices. The redesign option itself immediately manifests new challenges to the idea of social learning. Two key and interrelated questions going to the heart of democratic legitimacy arise: Firstly, if social learning is an arena where the function of deliberation is limited to opinion formation with no clear link to decision-making, then the role of social learning in legitimate decision-making remains unclear. An immediate upshot of this ambiguity would be to reduce politics to relational subjectivity in that deliberative activity is narrowed down to mutual accommodation of differences only. The obvious danger here is to relegate the sphere of social learning to a talk shop since the democratic capacity created during the process of understanding and negotiating differences would linger on air with no specific purpose in mind.

The second question is, if citizens cannot link their deliberative practice to the decisions made on their behalf and if there is no clear formula to narrow the gap between citizens and their representatives, then sustaining the level of engagement and deliberative capacity, flourished during the social learning oriented practices of citizens, could become doubtful. It is therefore essential that an alternative framework should not only grant social learning its own formal space, but also show how this space can be integrated into the decision-making phase. I have previously shown the role that social learning played in the theories of Habermas and McCarthy. I have also concluded that, despite their different levels of conceptual engagement with it, none offers a framework based on a systematic analysis of social learning. The lack of such analysis becomes even more pressing in the face of questions that I raised above. In the case of Habermas, for instance, his dual-track model not only subordinates the impact of social learning to the formal realms of decision-making, but also leaves one of the most important questions open, that is, how to sustain citizens' deliberative capacity and their level of engagement within a setting in which the link between their effort and the outcome is ultimately tied to the decisions of a third party? As Ryfe argues the ambiguity in the relationship between talk and action indicates a structural ambivalence within deliberative democracy (2005). Fragmentation of modern societies undeniably and inescapably creates different layers between the legitimate owners of the decision-making power and the moment of actual decision-making. In this context the discontinuity between the people as the authors of the law and the legislatures who ultimately author the law needs to be addressed carefully when this discontinuity manifests itself in the form of a simple but important question: "why participate if influence can only be achieved indirectly?"

A satisfactory answer to this question should entail measures to enhance the democratic capacity of citizens in different participatory practices within the public sphere. Unless the capacity gained within these practices is visibly and comprehensibly linked to actual decision-making processes, the question of "why participate" would remain a continuing dilemma for democratic societies. Giving a proper answer, therefore, to this question requires development of a framework which aims to achieve two goals; first, creating a formal sphere for social learning so that it can function in its own terms; second, linking social learning back to the decision-making moments of deliberation in order to create a more sustained and better legitimated deliberative practice.

The Binary Deliberation Model, aims at resolving this dilemma. Binary Deliberation envisages deliberative activity, where possible, always structured in a two-phase form in which social learning is separated from actual decision making process. The first phase is strictly oriented toward understanding specifically to facilitate the broad, inclusive, informal means of deliberation. I refer to it as Structured Social Learning (SSL). In the second phase, deliberative activity specifically moves towards making decisions. It differs from standard decision-making processes because it builds upon, hence benefits from, the outcomes of the SSL phase. Therefore, the scope of participants' engagement within the Binary Deliberation Model weaves through both phases. The separation, in this sense, is only a temporary step to achieve better decision-making outcomes. In other words, the SSL and decision-making phases work in tandem in a mutually inclusive fashion. Perhaps most importantly, while the decision-making phase benefits from the SSL phase, repeated applications of this model could in turn influence future outcomes within continued SSL phases. That is, each repeated applications of the model could potentially facilitate the development of new and higher levels of social understanding so far as the Binary Deliberation Model is conceived in continuum.

The Structured Social Learning (SSL) Phase

Claus Offe concludes an essay with an important question, "Is it conceivable that the 'social capital' of trusting and cooperative civic relations can be encouraged, acquired and generated -and not just inherited?" (1999; 87). Offe's question is critical simply because if democratic theory assumes that the longevity of political systems largely depends on the level of attachment among citizens, then trust certainly plays a central role in the process of building a democratic polity. If decision-making oriented deliberation is prone to switching to the strategic forms of communication, then how to get participants out of this power game cocoon and establish trust between them becomes an immediate priority for deliberative theory. The Structured Social Learning phase of Binary Deliberation model aims at providing a solution to this undertaking.

The SSL phase builds understanding between group members by enhancing communication between them. There are potentially many advantages offered by the SSL process. It is structured in such a way that the process never loses sight from its main purpose, which is to identify values, interests and preferences of individuals and to learn from them. An important aspect of deliberative process, cognitive objectivity, can be learned during this process. Talking to other people and being involved in their point of view plays a significant role in establishing cognitive objectivity (Heider, 1958; 228).

A key issue is to allow individuals to express their identity freely so that they feel respected, hence more involved in the process. Research in social psychology indicates that reaching an understanding between conflicting parties is most likely to be successful when the process serves as a forum in which the parties are fully satisfied with the level that they are allowed to express themselves (Eggin *et al*, 2002)). Free expression of identities, feelings and thoughts allows participants to establish a link between themselves and the goals of the deliberative process. This link is crucial because it creates a self-defining reference point which works as a yardstick for participants to compare themselves with the broader social context in which they are located. During the process of forming a yardstick, the issues discussed from the ethical and moral points of participants enable them to establish the points of commonality within the group (Bruner; 2004). These commonalities are critical because the attitude

change becomes more likely when participants establish a common reference point with others (Haslam *et al*, 1996).

The SSL phase could also offset the impact of group polarisation. Eggins *et al*. argue that the length and frequency of deliberative gatherings sustained over time is an important factor in offsetting the effect of group polarisation (2002; 889). They indicate that group polarisation occurs under conditions where a representation of group identities is insufficient. They examine the impact of group identities over time and conclude that structural factors that ultimately enhance identity have a positive impact upon participants' experience of the process and their capacity to work productively (2002; 897). A corollary to the study is the finding that if participants feel that their contributions are valued, their relationship with others has a more positive spin. This in turn contributes to the process by creating an shared identity. The importance of time is also underlined by the Common In-group Identity Model. Gaertner *et al*, shows that after an extended period of contact people can develop a new and more inclusive category underlining similarities, hence reducing intergroup bias (1999).

In a case study of environmental management Kelly highlights the impact of social learning on participants' attitudes and preferences. He reports that the process and facilitation methods organized between landholders, researchers and government staff and based on a participatory learning cycle encouraged participants to be open about their preferences, goals and values. The process coupled with the impact of having an open and transparent style produced a high degree of trust among participants (2001). Therefore, the first phase of Binary Deliberation, the Structured Social Learning process, could hypothetically offer the following potential outcomes:

Better understanding, hence trust: Communication between different groups would break the mental cycle that stereotyping creates. In most cases this process would also generate trust among group members.

A sense of belonging, hence shared identity: Being able to express personal point of views would generate a sense of belonging to the wider community potentially to develop a shared identity.

Satisfaction: Inclusiveness and equality principles of the process would generate a sense of satisfaction among participants, which could lead to enhanced legitimacy when tied to the decision-making phase.

The Decision-Making Phase

A properly designed and executed SSL phase could be a springboard for developing trust and satisfaction amongst participants who upon entering the decision-making phase are expected to make more informed decisions. The importance of this process lies in the fact that participants, at the end, not only get to know each other better, but also by reaching a decision together they step into the realm of cooperation in which they one way or another step out of the realm of mistrust. Eggins et al. show that the positive outcomes produced in an earlier phase are carried over to a subsequent phase in which members of different groups come together to negotiate a collective strategy (2002). The two-phase structure of Binary Deliberation would encourage cooperative behaviour. If the positive sense of cooperation developed during the SSL phase of deliberation is followed by reaching a decision, then participants would be able to link their efforts to a concrete outcome. This link in return would not only make the deliberative process more sustainable over time, but would also increase the chance of achieving a better outcome which represents a common denominator of the choices and opinions of all parties involved. This is a powerful process in the sense that it could create the conditions of communication across the marginal sections of the community. That is, the possibility of reaching an agreement increases when social learning occurs. In other words, the greater the amount of learning achieved, the better the outcome of decision-making.

In the decision-making phase, the sense of satisfaction developed in the first phase could also lead to another important outcome: the fairness of the process. Research indicates that if participants feel satisfied with the fairness of the process they worry less about the nature of the final decision. Even if it is not in their favor they do not necessarily feel alienated from the process (Tyler, 2006; Pruitt *et al.*, 1993). It can be expected that satisfaction with the process should lead to an enhanced level of legitimacy.

The fairness of the process is also crucial to developing “a new sense of self” among participants as being part of a social group. The group value model suggests that people are more likely to develop a different sense of themselves related to a certain group when they receive fair treatment within this group (Tyler, 1989). Furthermore, fair treatment also increases people’s commitment to their group (Simon and Sturmer, 2003). The effect of developing a sense of social connection with others has been tested in a deliberative setting. In their study of a deliberative poll conducted in the Australian Capital Territory in 2002 on the question of whether or not the ACT should introduce a bill of rights, Eggins *et al* found out that exposure to information, fair treatment and social identification can all play a role in making participants more engaged in the process (2007). The most important factor is “when they are treated with respect and given opportunities to discuss issues, ask questions and to air their views in collaboration with other members of a relevant community” (2007; 99).

Another important outcome of the decision-making phase would be a likely change in the attitudes of participants. Intergroup contact theory in social psychology maintains that when individuals engage in positive social interaction with the members of a disliked group, such as making a decision together about a common concern, what they learn from this interaction becomes inconsistent with their general attitude (Pettigrew, 1998; Gilbert *et al*, 1998). This inconsistency ultimately leads to a change in attitudes to justify new behaviour. Therefore, at the end of the second phase, combined with the positive effects of the first phase of Binary Deliberation, it would not be unrealistic to expect a positive shift in negative attitudes towards members of other groups.

The hypothetical benefits of the second phase of the Binary Deliberation model, the Decision-Making Phase, could then be summarised as follows:

Better outcomes: Since participants would be better informed and more satisfied in relation to the issues they dealt with during the first phase, the quality of decisions in the second phase would be higher in the sense that they would reflect an overall satisfaction among participants.

Enhanced legitimacy: Being consulted in a process in equal terms with others would enhance trust not only in others but also in the political system, hence yielding in enhanced legitimacy.

Possibility of a change in negative attitudes: Meaningful cooperation could further enhance the possibility of a positive change in the attitudes of those who display negative attitudes towards members of a different group.

As stated earlier, the Binary Deliberation Model perceives the Structured Social Learning and decision-making phases working in tandem, that is, they are two distinct spheres of operation, yet they are also mutually inclusive in the sense that the process of Binary Deliberation cannot be assumed fully completed without a full realization of both phases. In addition to all positive outcomes listed above, what should be valuable in this process is that it is capable of having an influence beyond its boundaries. There is a potential for an enhanced level of understanding and trust to be aroused throughout these phases which could then become the foundation for a more sustainable participation level within the community. As Mutz indicates, studies in social contexts and social networks concur that participatory social environment renders more participation: “the more people interact with one another in a social context, the more

norms of participation will be transmitted, and the more people will be recruited into political activity” (2006; 96). Similarly, Pettigrew echoes Mutz by asserting that “intergroup contact and its effects are cumulative – we live what we learn” (1998; 78)

The positive attitudes developed within Binary Deliberation would, therefore, progress beyond the deliberative process and create a more generalized basis for future forms of cooperation. The successful and repeated applications of Binary Deliberation within a singular social sphere could create a continuously upwardly moving spiral of bonding and trust to be the future platforms for ever increasing cooperation within future Binary Deliberation engagements as well as general interaction within the broader social sphere.

In conclusion, the idea of deliberative democracy has undoubtedly offered a viable alternative to the question of how to deal with fundamental value differences. By tying the legitimacy of a social order to a discursively functioning framework, in which different perspectives and claims are negotiated through a dialogic process, deliberative democrats have opened a new chapter in democratic theory and practice. Yet, the challenge for deliberative theory has now reached a new point where an investigation into the internal differentiation of deliberative procedures has become essential. I have argued that ambiguous treatment of social learning in the theories of deliberative democracy could be rectified by an alternative framework, Binary Deliberation Model, in which the social learning mode of deliberation is formally allocated its own dominion in the public sphere, equipped with its own resources and operated under its own terms. Salvaging social learning from the pressures of decision-making, therefore, is essential to enable its unique resources to flourish freely and enhance the outcome of decision-making procedures.

BIBLIOGRAPHY

- Bohman, J (1998) The Coming of Age of Deliberative Democracy; *The Journal of Political Philosophy*; 6; pp 400-425
- Bruner, J (2004) Life as Narrative; *Social Research*; 71 (3) pp 691-710
- Chamber, S (1998) Contract or Conversation: Theoretical Lessons from the Canadian Constitutional Crisis; *Politics & Society*; 26 (1); pp 143-172
- Dryzek, J (2005) Deliberative Democracy in Divided Societies: Alternatives to Agonism and Analgesia; *Political Theory*, 33: 218-42
- Eggins R, Haslam S.A, Reynolds K (2002) Social Identity and Negotiation: Subgroup Representation and Superordinate Consensus; *Personality and Social Psychology Bulletin*; 28
- Eggins R, Reynolds K, Oakes P, Mavor K (2007) Citizen Participation in a Deliberative Poll: Factors Predicting Attitude Change; *Australian Journal of Psychology*; 59:2, pp 94-100
- Elster J (1998) *Deliberative Democracy*; London; Cambridge University Press
- Fearon, J (1998) Deliberation as Discussion; in Elster, John (ed) *Deliberative Democracy*, London; Cambridge University Press
- Fennema M & Maussen M (2000) Dealing with Extremists in Public Discussion: Front National and "Republican Front" in France; *The Journal of Political Philosophy*; V8, No3; pp 379-400
- Fishkin, J (1995) *The Voice of the People: Public Opinion and Democracy*; New Haven; Yale University Press
- Fung, A (2003) Recipes for Public Spheres: Eight Institutional Design Choices and Their Consequences; *The Journal of Political Philosophy*; V11, No3; pp 338-367
- Gadamer H G (1975) *Truth and Method*; New York; Seabury
- Gaertner S, Dovidio J, Rust M, Neez A, Banker B, Ward C, Mottola G, Houlette M (1999) Reducing Intergroup Bias: Elements of Intergroup Cooperation; *Journal of Personality and Social Psychology*; 76
- Gilbert D, Fiske S, Lindzey G (1998) *The Handbook of Social Psychology*; Boston; McGraw-Hill; V2 pp 576-579.
- Habermas J (1984) *The Theory of Communicative Action I*; Boston; Beacon Press
- Habermas, J (1987) *The Theory of Communicative Action II*; Boston; Beacon Press.
- Habermas J (1992) Further Reflections on the Public Sphere; in Calhoun C (ed) *Habermas and the Public Sphere*; Cambridge; MIT Press
- Habermas J (1995) *Postmetaphysical Thinking*; Cambridge; Polity Press
- Habermas J (1996) *Between Facts and Norm*; Cambridge; MIT Press.
- Habermas J (1998) Reply to Symposium Participants; in Rosenfeld and Arato (eds) *Habermas on Law and Democracy; Critical Exchanges*; Berkeley; University of California Press.
- Haslam S, McGarty, Turner J (1996) Salient Group membership and Persuasion: The Role of Social Identity in the Validation of Beliefs; In J.L Nye & A.M Brower (Eds.) *What 20*
- Bora Kanra Working Paper 2009/3

- is Social About Social Cognition in Small Groups*; Thousand Oaks, CA; SAGE (pp 29-56)
- Honneth A (1995) *The Fragmented World of the Social: Essays in Social and Political Philosophy*; Albany; State University of New York Press
- Heider F (1958) *The Psychology of Interpersonal Relations*; New York; J. Wiley&Sons.
- Kelly, D (2001) Community Participation in Rangeland Management; *Rural Industry Research and Development Corporation*; Canberra
- McCarthy (1978) *The Critical Theory of Jurgen Habermas*; London; Hutchinson
- McCarthy, T (1991) *Ideals and Illusions*. Cambridge; MIT Press.
- McCarthy T (1998) Legitimacy and Diversity: Dialectical Reflections on Analytic Distinctions; in Rosenfeld and Arato (eds) *Habermas on Law and Democracy: Critical Exchanges*; Berkeley; University of California Press
- Mutz, D (2006) *Hearing the Other Side: Deliberative Versus Participatory Democracy*; Cambridge; Cambridge University Press
- Offe C (1999) How Can We Trust Our Fellow Citizens; in Warren M (ed) *Democracy and Trust*, Cambridge; Cambridge University Press
- Pettigrew T F (1998) Intergroup Contact Theory. *Annual Review of Psychology*, 49, 65-85
- Pruitt, Pierce, Zubek, McGillicuddy & Welton (1993) Determinants of Short Term and Long-Term Success in Mediation; in Worschel&Simpson (eds) *Conflict Between People and Groups*; Chicago; Nelson Hall;
- Rabinow and Sullivan (eds) (1979) *Interpretive Social Science: A Reader* ;Berkeley; University of California Press
- Ryfe D M (2005) Does Deliberative Democracy Work?; *Annual Review of Political Science*; 8, pp 49-71
- Simon B and Sturmer S (2003) Respect for Group Members: Intragroup Determinants of Collective Identification and Group Serving Behaviour; *Personality and Social Psychology Bulletin*; 29, pp 183-193.
- Sunstein, C (2002) The Law Of Group Polarisation, *Journal of Political Philosophy*; 10 (2); 175-195
- Tyler T R (2006) *Why People Obey the Law*; New Haven; Yale University Press;
- Tyler, T.R (1989) The Psychology of Procedural Justice: A Test of the Group Value Mode; *Journal of Personality and Social Psychology*; 57 pp. 830-838
- Warnke G (1987) *Gadamer; Hermeneutics, Tradition and Reason*; Cambridge; Polity Press
- Warnke, G (2001) Taking Ethical Debate Seriously; in eds Rehg, W and Bohman, J *Pluralism and Pragmatic Turn*; Cambridge; MIT Press