

The Heart of the Matter: Pragma-dialectics as a Methodology for Researching Deliberative Practice

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Various methodological innovations have surfaced to empirically capture the concept of deliberation. Generally, these approaches use a set of institutional and procedural indicators to gauge deliberative quality – to what extent deliberation took place and how close it is to the ideal type. Although these approaches' chosen indicators are theoretically-informed and empirically-verifiable, this paper argues that these methodologies still fail to capture the heart of deliberation. As Rosenberg (2005) points out, simply examining institutional and static features of deliberation and test whether 'these processes meet the standards of coherence, logic and orientation to ... common good suggested by deliberative democratic theory' does not directly 'address the intersubjective/interactive quality of what transpires in deliberation' (pp. 212-213). To demonstrate this observation, the first part of this paper inventories existing methodological innovations and the extent of their contribution to deliberative theory. Although different approaches subscribe to different conceptions of deliberation, a deliberative process broadly involves 'debate and discussion aimed at producing reasonable, well-informed opinion in which participants are willing to revise their preferences in light of discussion, new information, and claims made by fellow participants' (Chambers, 2003, p. 309). Hence, in order to capture the essence of deliberative practices, it is imperative to have an empirical account of its dynamics – the actual process of exchanging reasons and revising preferences – rather than keeping tabs on institutional conditions that allow deliberation to ensue or analysing deliberative outcomes as indicators of 'good' deliberation.

The second part of this paper fills in this gap by putting forward *pragma-dialectics* as an empirical approach to deliberation. Pragma-dialectics is a strand of discourse analysis that specifically looks at argumentative exchanges which is part of a 'systematic attempt to resolve a difference of opinion by means of a critical discussion' (van Eemeren and Grootendorst, 2004, p. 95). Methodologically, it is important to bring out deliberation's linguistic component because 'arguments are made explicit in language' (Knops, 2006, p. 610) and it is through the process of exchanging reasons or arguments that the course of deliberation is defined. Habermas (1970, 1979, 1984) himself grounds deliberative theory in a linguistic model that accounts for the formation of intersubjective consensus, which is often overlooked by most approaches. Also inherent in Habermas's model of language are idealised suppositions or norms that serve as a critical standard against actions that distort communication. To this extent, pragma-dialectics remains faithful to Habermas's linguistic approach. However, Habermas's unfinished project remains ambiguous about how his model can critically evaluate deliberative practice (Knops, 2006, p. 617). As Knops points out, the field has moved on since Habermas developed his model – 'Recently, theorists have developed a dialectical model of argumentation' which 'adds two dimensions to Habermas's formula – a treatment of the dynamic stages of deliberation and the language appropriate to each stage' (pp. 600-601). Moreover the pragma-dialectical model of critical discussion picks up where Habermas left off by providing specific standards on prickly issues such as 'What make an argument reasonable?' and 'What moves

distort deliberative exchanges?'. This gives pragma-dialectics an edge over other approaches that merely compare deliberative practices to a tick box of operationalised standards of deliberative quality. The last part of this paper provides an empirical example of how pragma-dialectics is used in analysing an argumentative exchange.

Review of empirical approaches to deliberative theory

Any methodological approach to deliberation necessarily privileges a certain strand of deliberative theory. Selection and operationalisation of deliberation's indicators in itself require some judgment on which components of the theory are relevant enough to emphasise and how certain acts are already sufficient to be considered as manifestations of deliberation. This section identifies three categories of empirical approaches to deliberation and which theoretical tradition of deliberation they subscribe to. The first approach typically singles out a component of deliberation and considers it as key indicator of deliberative quality. Methodologically, this employs a comparison between pre- and post-deliberative scenarios, keeping tabs of deliberation's outcome. This approach is best exemplified by *Deliberative Polling* (Ackermann and Fishkin, 2002; Fishkin and Luskin, 2005) and *Intersubjective Rationality* (Niemeyer and Dryzek, 2007). Unlike the first kind, the second approach does not privilege one element as definitive of deliberation. Instead, it uses a set of indicators associated with deliberation mostly based on Habermas's Discourse Ethics. To gauge deliberative quality, these indicators are indexed and analysed in a continuum. This is called the *Discourse Quality Index*. The last approach analyses *speech acts* in deliberative encounters to understand deliberative quality. This brings out the linguistic dimension of Habermas's deliberative theory and is most akin to the suggested methodology of this paper.

Pre- and post-deliberation comparisons

Deliberative Polling privileges the idea that deliberation is about changing one's judgment, preferences and views upon encountering 'the more reasonable argument'. In brief, deliberative polling comes up with a random sample¹ of individuals who are made to answer a conventional survey about their pre-deliberative preferences on a certain issue or policy. Conventional polling reflects 'normal, everyday levels of inattention and disagreement' where public opinion is 'seasoned strongly by neither information nor reflection' (Fishkin and Luskin, 2005, p. 287). Those who answer the polls and agreed to participate in deliberation are sent balanced informational packets and requested to attend small group discussions and plenary sessions. This gives them the opportunity 'to weigh opposing arguments in discussions with heterogeneous interlocutors, and then harvesting their more considered opinion' (Fishkin and Luskin, 2005, p. 287). At the end of deliberations, the same survey is conducted. The results of this post-deliberative survey are believed to mirror public opinion if the public as a whole were given the chance to deliberate. Results show that 'changes of opinion are often dramatic' (Ackermann and Fishkin, 2002, p. 156) which demonstrate deliberation's ability to make a difference when participants gain information – '(b)y and large, the preference changes are information-driven, in the sense that it is the participants who emerge knowing the most who disproportionately account for the net change in the sample as a whole' (Fishkin and Luskin, 2005, p. 291).

While successful in establishing the value of deliberation in making participants more meticulous in opinion formation, comparing pre- and post-deliberative scenarios fails to establish that the change of preferences is due to the ‘force of the better argument’ rather than external inducements or coercion. Even if perfect institutional conditions are in place – i.e. participants have access to ‘carefully balanced’ informational packets and given opportunities to exchange ideas in small group discussions – this approach still faces the burden of empirically demonstrating that there is a correlation between the quality of institutional conditions to the quality not only of deliberative outcomes but also of the actual deliberative process. As Steiner et al (2004, p. 54) point out – ‘(w)hen it is stated in the above quote that “changes of opinion are often dramatic,” it would be interesting to know when they are dramatic and when they are not, and how this depends on the quality of deliberation’. To broaden this concern, what seems to be lacking in the model of deliberative polling is the justification as to why changing of one’s mind is an appropriate or accurate gauge of deliberation. While Fishkin and Luskin (2005, p. 285) explicitly mention that the root of deliberation is ‘weighing’, it remains to be explained why the net change of opinion is equitable to reflective and careful evaluation of reasons.

Another methodology that falls under the first approach is *Intersubjective Rationality* (Dryzek, 2005; Niemeyer, 2007; Niemeyer and Dryzek, 2007). This approach advances a differently theorised ideal type of deliberation. It acknowledges the ‘potentially oppressive condition of rational consensus’ (Niemeyer, 2007, p. 7) associated with Habermas and presents ‘meta-consensus’ as a more realistic and definitive gauge of deliberative quality. Meta-consensus happens when deliberators agree on which values, beliefs and preferences are relevant and legitimate in the deliberative process (p. 7). In this sense, a good outcome is not a situation where deliberators agree on what is ‘right’ but the ‘extent to which the positions resulting from deliberation reflect the integration of an enlarged domain of all relevant issues’ (p. 8). Unresolved differences after deliberation are acceptable under this model as long as these differences are due to *intersubjectively consistent reasons*.

Methodologically, deliberative quality is gauged based on the level of ‘intersubjective consistency’. Using Q methodology, the deliberators’ subjectivity is determined by having them order their positions from a set of statements – i.e. from ‘most agree’ to ‘most disagree’. Usually, these are statements about values and beliefs that are related to the issue being deliberated on. Ordered subjective positions or the ‘Q sort’² are then summarised through factor analysis which presents a picture of the deliberators’ subjective landscape. These subjective positions are then evaluated against deliberators’ ordered preferences of policy options. With this, if ‘we plot the level of agreement between pairs of individuals on a scatter plot, with subjective and preference agreement along x- and y-axes respectively, an intersubjective rational situation will result in a positively sloped regression line. The more points that fall outside the positive regression, the lower the intersubjective rationality’ (Niemeyer, 2007, p. 12). The point of a quantifying intersubjective consistency is to demonstrate that ideally, agreement of deliberators in terms of policy preferences are proportional to the level of agreement in terms of reasons or subjective positions (ibid). Deliberators who agree on values and beliefs should also agree on the action or policy that realises these values. Like deliberative polling, this approach compares pre- and post-deliberative situations, with empirical results often demonstrating increased intersubjective rationality after deliberation.

One can say that the acceptability of this methodology is as good as the acceptability of its novel theoretical development on ‘meta-consensus’ and ‘intersubjective rationality’. The latter half of this paper argues for an alternative methodology that supplements Habermas’s model without necessarily having to give up on key theoretical commitments. Moreover, as in the case of deliberative polling, the proponents of this approach recognise they can only account for deliberation’s ‘transformative component without any direct assessment of its procedural legitimacy’ (p. 29). Although intersubjective rationality provides a sophisticated account of deliberative outcomes, by definition, deliberation is what happens in between pre- and post-deliberative scenarios. While it is valuable to uncover the level of agreement on wider issues such as the legitimacy of disputed beliefs, choices and values, it still fails to capture the procedure involved in generating ‘meta-agreements’. Reaching meta-consensus entails the same deliberative process used in reaching rational consensus. The theoretical preference for meta-consensus does not absolve this methodology of the burden of empirically accounting for the practices that contribute to the emergence of a ‘genuine’ meta-consensus versus practices that are deceptive and distorting of communication. Moreover, focusing on meta-consensus deters this methodology from further examining the deliberative process that follows after meta-consensus has been reached. It remains to be explained how and why a more productive deliberative engagement on specific issues happens due to the deliberators’ acceptance and respect for legitimate issues instead of other factors such as coercion, bribery or demagoguery. Finally, the notion of ‘intersubjective consistency’ as gauge or ideal type for deliberative quality needs to be questioned. An ‘ideal outcome’ where deliberators who agree on values also agree on policies that realise these values operates on the assumption that there are policies equitable to certain values and subjective positions. This assumption betrays one of the key thrusts of deliberation which is to go beyond individuals’ – including the researchers’ – bounded rationality and realise that there are many permutations with individuals’ subjective positions and policy preferences. To cluster these preferences together does not give justice to the diversity and nuances of reasons which is exactly what deliberation seeks to bring out.

Nevertheless, focusing on deliberative outcomes has been widely utilised. In assessing legislative deliberation, Lascher (1996) suggests testing lawmakers’ understanding of key factual information before legislative deliberations begin and survey them again after a binding decision has been reached (p. 514). He suggests keeping tabs on ‘how positions shift during the course of deliberation, particularly among lawmakers with unusually high self-interest stakes in legislation’ (p. 515). Apart from observing actual deliberation, one can also ask lawmakers themselves a battery of questions about how much they learned from legislative deliberations, why and how their views changed over time. While the relatively unconstrained and free flowing nature of in-depth interviews allows access to the deliberator’s subjective evaluations, this approach also gives the researcher a lot of latitude in framing the interview and interpreting results (see Dryzek, 2005). For this reason, a number of studies consider interviews only as supplement to their main methodology. For example, Dryzek uses depth interviews after the Q sort to allow the deliberators to explain their preference ordering, particularly on items that may appear inconsistent to the interviewer (2005, p. 207). Similarly, Nanz and Steffek (2005) use open or semi-structured interviews as supplement to discourse analysis to account for the discrepancy between formalised rules and participatory practices in negotiations. Interviews are particularly important when informal negotiations happen behind the scenes where neither participant observation nor content analysis of minutes or transcripts is possible. Nanz and Steffek also use the logic of pre- and post-deliberative comparisons. They study the contributions of

civil society organisations (CSOs) in intergovernmental negotiation processes (i.e. IMF, WTO and the UN). To do this they conduct a discourse analysis of the initial arguments (T0) made in negotiations and identify those made by CSOs and other actors. They then analyse the ‘fate’ of CSOs’ contributions by mapping the changes that occurred from the initial sets of arguments (T1).³ To account for changes before and after the negotiation process, they compare the draft of negotiation texts between T0 and T1. This somehow indicates the response of negotiators to CSOs’ arguments. To see if CSOs influenced the negotiation agenda, they monitor the emergence of issue-specific negotiations or establishment of new working groups and the like (p. 380). However such outcome-based approach glosses over the nuances of the negotiation process, particularly the exchange of arguments that are not necessarily reflected in the negotiation drafts or outcomes. At best, this approach only captures the arguments the CSOs have won and lost but not necessarily explain how and why they won or lost the argument.⁴

Discourse Quality Index

Although Nanz and Steffek also utilise pre- and post-deliberation comparisons, they do not privilege a single indicator of deliberation. For example, instead of emphasising ‘preference change’, Nanz and Steffek consider this as only one of the four criteria to assess the ‘democratic quality’ of deliberative decision-making. Apart from ‘responsiveness to stakeholder concerns’ which represents preference change in their study, the other three indicators include access to deliberation, access to information, and inclusion of all voices (p. 373). These indicators are operationalised and placed on a scale. For example, responsiveness is scaled as follows: “(0) concerns and positions of CSOs are not discussed at all; (1) state actors justify their proposals with reference to concerns voiced by CSOs; (2) CSO concerns are incorporated into state actors’ positions and/or become part of the agenda of the meeting” (p. 376). A deliberative encounter that scores “2” in each of the indicators⁵ is declared as possessing high democratic quality.

Like Nanz and Steffek, Steiner et al (2004) also use a quantitative scale called the Discourse Quality Index (DQI).⁶ Based on Habermas’s discourse ethics, they nominated the following indicators: participation, level of justification, content of justification, respect, and constructive politics. Using debate transcripts, coders score each relevant ‘speech units’ just like Nanz and Steffek’s model. Results demonstrate deliberation in a continuum – from no deliberation at one extreme to ideal deliberation at the other extreme (p. 55). Although scores are aggregated to summarise deliberative quality, this approach also recognises the value of unpacking DQI into individual elements (p. 165). For example, a deliberative encounter may score high in ‘content of justification’ – i.e. the speaker explicitly frames his arguments in terms of the common good but score low on ‘respect’ – i.e. counterarguments are ignored.

Apart from legislative deliberations and international negotiations, the format of the DQI has been applied in various contexts such as assessing online deliberative forums (Janssen and Kies, 2005) and determining who possesses communicative power in the workplace (Dorriots et al, 1999). The advantage of a quantitative and indexed analysis is its ability to come up with definite conclusions in each case and make structured comparisons among different cases (Nanz and Steffek, 2005, p. 373). However as Dryzek comments, although DQI can be applied ‘to communication in all locations (a massive task), we still would not know how to weight the contributions of these various locations in

each system' (Dryzek and Niemeyer, 2007, p. 10). Another critique with this approach is the appropriateness of indicators and its faithfulness to theory. For instance, the operationalisation of participation as number of interruptions in a legislator's speech (Steiner et al, 2004) is reductionist of a normatively loaded concept. Similar to the first approach where justification is needed as to why preference change is considered key indicator of deliberation, the DQI also needs to justify why the selected indicators of deliberation are given equal weight. In Stenier et al's study, it may be the case that a highly interrupted but poorly justified speech (scores high in 'participation' but scores low in 'justification of content') scores equally with an uninterrupted and sophisticatedly justified speech (scores low in 'participation' but scores high in 'justification of content'). It could be the case that a speech is heavily interrupted because it is poorly argued and vice versa. Another questionable indicator is 'content of justification' which is indexed in this manner, from least to most ideal – explicit statement concerning group interests, neutral statement, explicit statement of the common good in utilitarian terms and explicit statement of the common good in terms of the difference of principle. This index assumes that promoting the common good in all kinds of debates is necessarily the most reasonable argument and any diversion from this reflects poor argumentation. Apart from the danger of unaccountable populists scoring high on this scale, this also ignores the idea that each exchange is unique and 'the common good' is a politically amorphous concept that takes a firmer shape in the course of deliberation. Rather than scoring statements in terms of invoking the common good, it is more attuned to the spirit of deliberative theory to take into account how the notion of the common good has been intersubjectively defined in the course of deliberation rather than how it was invoked by certain speakers. Unfortunately, this methodology, as in the case of others, does not explain how the debate on the common good pans out.

Speech Act Analysis

Similar to the DQI, the third approach also uses discourse analysis as the main tool to understand deliberation. Unlike the first approach that focuses on deliberative outcomes, the second and third approaches examine deliberation using various tools of discourse analysis. The third approach's specific instrument is *speech act analysis*. While the second approach operationalises indicators of deliberation and uses this as lens, the third approach focuses on the linguistic dimension of discourse analysis. Specifically, it examines individual utterances by classifying them as speech acts and taking into consideration their semantic and pragmatic relationships (Holzinger, 2005, pp. 242-243). It is informed by the pragmatic theory of language which 'reconstructs the meaning of language in a given context' (p. 241). In a way, it privileges Habermas's linguistic turn which considers language as central in explaining the structures of intersubjective understanding and social integration. By extension, it is also through an examination of language where systematic distortion of deliberative and communicative structures can be identified.

Holzinger's (2005) and Ulbert and Risse's (2005) studies are instructive examples of this approach. Both studies argue against the rational choice perspective that conceptualises speech making particularly in politics as strategic action.⁷ Instead, they contend that apart from strategic bargaining, arguing – a routine use of reasons for others to peruse the justifiability of claims – is also the currency of politics. Holzinger proves this claim by conducting a speech act analysis of the transcripts of legislative proceedings. She argues that 'in empirical terms bargaining and arguing can only be clearly distinguished on the level of individual utterances or speech acts' (Holzinger, 2005, p.

241). Based on Searle's categories, she classifies speech acts that are expected to occur in bargaining (i.e. demand, call for, desire, offer, accommodate ...) and those that are central to arguing (i.e. claim facts and values, assume, conjecture, believe ...) (p. 244).⁸ A quantitative analysis is then carried out to analyse the distribution of these speech acts. Insights from her case studies show that in debates about conflicts of interests, both arguing and bargaining occur. In the case of a mediation of a waste management conflict in the German County of Neuss, arguing happened more than bargaining. On the other hand, bargaining is more prevalent in debates on pure value conflict such as the German debate on embryonic stem cells (p. 253).⁹

Holzinger herself recognises that quantitative analysis 'loses the fact that individual arguing or bargaining speech acts (can) be of completely different relevance for the course of the process as a whole' (p. 243). To a certain extent, this study can be faulted for the most common criticism against discourse analysis – it merely counts words. Ulbert and Risse comment that it is 'impossible to draw conclusions from the sheer quantitative distribution of these speech acts' (2005, p. 363). Instead of looking for 'words' associated to arguing or bargaining, they analyse communicative utterances that can help distinguish arguing from bargaining or rhetoric. For instance, 'communicative situations where actors point to their rank or status to make an "argument"' do not qualify as deliberative (Risse, 2000, p. 18). Given that 'discursive rationality requires argumentative consistency', those actors that change their arguments to suit their audiences are regarded as engaging in rhetorical behaviour (ibid). On the other hand, argumentative or deliberative rationality can be detected in situations where 'actors change their mind in a communicative process even though their instrumental interests would suggest otherwise' (p. 19). Risse also enumerates some institutional conditions that allow for deliberation to occur such as coming to the negotiating table without fixed preferences, treating counterparts as serious and equal negotiation partners and non-use of aggravating language in tense situations (pp. 7-25).

Although the observations¹⁰ in Risse's case studies are sound, the absence of a framework for his data analysis makes his approach relatively undisciplined and discretionary especially when compared to DQI and Holzinger's approach. On the other hand, while Holzinger's speech act analysis brings out the value of disciplined linguistic analysis, its stiff methodology fails to bring out the 'pragmatic' use of language. In a way, Holzinger's quantitative approach to deliberation is reflective of the broader methodological issue the earlier approaches encounter – whether deliberation is best explained through quantitative approach. Although quantitative approaches lend insight into certain components of the deliberative process, it nevertheless fails to account for the heart of the matter – how deliberative exchanges progressed, what reasons were put forward, engaged with, accepted and rejected and more importantly, what other non-deliberative and coercive mechanisms were in operation during these encounters. The next section proposes pragma-dialectics as an alternative to these approaches.

The pragma-dialectical approach

Compared to the earlier approaches, pragma-dialectics analyses the actual deliberative process – from the emergence of a difference of opinion, to how these differences were discussed and subsequently resolved, settled or ignored. As noted earlier, the process of exchanging reasons is the heart of deliberation. However this dynamic process is not adequately captured by most

methodologies. The pragma-dialectical approach rises above this weakness and provides a coherent account on the heart of deliberation by anchoring its heuristic tools on deliberation's linguistic foundations.

At its core, deliberation is rooted in Habermas's pragmatic theory of language or *Universal Pragmatics*. Although most theories and empirical studies on deliberation recognise their intellectual debt to Habermas, it is rather uncommon to encounter any approach that explicitly grounds its methodology and analytical tools on deliberation's linguistic foundations. The literature surveyed above fails to track the actual deliberative procedure partly because they gloss over deliberation's linguistic dimension. Deliberation is distinguished from other processes of decision-making or opinion-formation such as voting, advertising or lobbying because it puts emphasis on the 'give and take of public reasoning between citizens' (Parkinson, 2006, p. 1). The argument a speaker puts forward in public reasoning, together with his or her commitments and background assumptions are made explicit in language and consequently open to scrutiny and interrogation (see Knops, 2006, p. 61; van Eemeren and Grootendorst, 2004, p. 53). It is the externalised form of reasoning that matter in pragma-dialectics rather than the individual's internal reasoning process and psychological dispositions (van Eemeren and Grootendorst, p. 54). Moreover in Habermas's work, language is not just considered an instrument for communication but is the pre-existing context that provides sufficient commonalities among speakers for communication to ensue. This rests on the universally shared presuppositions of speech or *validity claims*: that what the speaker says is true, sincere and normatively appropriate (Habermas, 1984, pp. 99, 329). These suppositions also serve as critical standard to understand how actual practices stray with these expectations and consequently, diagnose where communication has gone wrong. While Habermas's work provides the theoretical anchor on the linguistic core of deliberation, his work can be considered unfinished. Key questions such as 'What is an argument?', 'What are the standards for reasonableness?' or 'What moves in deliberation distort communication?' are not answered in his work in a manner that has a clear methodological bearing. This is where pragma-dialectics can contribute. Although pragma-dialectics has been used as a framework in fields such as literary criticism (Schmidt, 1976), judicial argumentation and political discourse focusing on the relationship between media and ideology (Vedung, 1987), it has not yet been comprehensively used in analysing deliberation. Knops (2006) has referred to the usefulness of pragma-dialectics in understanding deliberation's emancipatory potential and his ideas can be extended by applying pragma-dialectics as a methodological approach to deliberation.

A faithful development of the Habermasian model

Pragma-dialectics is a strand of Argumentation Theory. The basic thrust of Argumentation Theory is to develop a set of tools that determines 'to what extent argumentation is in agreement with the norms for a reasonable discussion' (van Eemeren et al, 2002, pp. xii-xiii). In a way, Argumentation Theory is a development of Habermas's model by providing a specific set of heuristic tools for analysing communicative exchanges in a systematic, disciplined yet theoretically faithful manner. Pragma-dialectics specifically looks at the manner language is used to resolve a difference of opinion. It is 'pragmatic' – in contrast to Holzinger's approach – because the moves rendered to resolve a difference of opinion can be in the form of verbal activities (speech act) or particular forms of oral

or written language use (speech events) understood in specific cultural-historical contexts (p. 52). It is 'dialectical' because it looks at the regimented opposition in verbal communication with parties exchanging and advancing reasons to 'move from conjecture and opinion to more secure belief' (van Eemeren and Houtlosser, 2000, p. 297). Its focus on the dialectical component of deliberation clearly differentiates this methodology from other quantitative and output-based approaches.

Pragma-dialectics uses a *model of critical discussion* to analyse deliberative practices. The model of critical discussion is an 'ideal argumentative discourse aimed at resolving a difference of opinion by determining whether the standpoints at issue ought to be accepted or not' (van Eemeren et al, 2002, p. 23). This model has a heuristic function as it serves 'as a guide in the detection and theoretical interpretation of every element in, and aspect of, the discourse or text that is relevant to a critical evaluation' (van Eemeren and Grootendorst, 2004, p. 59). It also serves a critical function by providing a set of norms that determines 'in what respects an argumentative exchange of ideas diverges from the procedure that is the most conducive to the resolution of a difference of opinion' (ibid).

Considering 'resolution of a difference of opinion' as an ideal outcome of argumentation is a crucial feature of pragma-dialectics. For Habermas, using consensus as conceptual category captures the 'unavoidable inertial features of social complexity' or the 'underside of communicative social relations' (Habermas, 1996, p. 326). He argues that social interaction is anchored on the idealising supposition that individuals unavoidably make when engaging with others – the idea that their speech acts will be understood and can possibly lead to agreement. Methodologically, pegging deliberative practices to consensus as ideal outcome not only permits a 'phenomenological description of human communication but also a normatively powerful criterion for distinguishing ways of using language' (Markell, 1997, p. 389). Habermas's distinction between the communicative and strategic uses of language is reflected in pragma-dialectics. *Communicative action*, a form of social interaction where participants exchange reasons oriented towards mutual understanding relates to van Eemeren's notion of *argumentation* where participants engage in a social activity to cooperatively establish the acceptability of a standpoint through the exchange of reasons. Pragma-dialectics differs from other strands of argumentation theory like the epistemo-rhetorical approach which focuses on how a speaker wins an argument by maximising methods of persuasion (van Eemeren and Grootendorst, 2004, p. 34). The use of rhetoric and other manipulative moves in deliberation can be equated to Habermas's notion of *strategic action*, where actors employ inducements rather than reasons to resolve a difference of opinion. Rhetoric, emotional manipulation, threats of force and bribery are examples of these inducements. Strategic action is considered an obstacle to deliberation because it undermines reasons as basis for reaching consensus. Instead of treating deliberators as fellow participants in the communicative process, strategic actors treat them as objects to be overcome to achieve a self-interested goal (Habermas, 1996, p. 27). However in contrast to Habermas, van Eemeren and Houtlosser (2000, 2003) recognise the potentially complementary relationship of a resolution-minded dialectical objective and the rhetorical objective of having one's own position accepted. They put forward a concept called *strategic manoeuvring*, where 'parties seek to meet their dialectical obligations without sacrificing their rhetorical aims'. Deliberators take advantage of the opportunities present in the dialectical situation to rhetorically direct the discourse to a direction that best serves their interest (van Eemeren and Houtlosser, 2000, p. 295).

In its pure form, communicative action leads to consensus because exchange of reasons in a situation divorced from brute and symbolic violence allows the force of the better argument to prevail (Habermas, 1971, p. 284). Pragma-dialectics shares this position, explaining that a difference of opinion is only resolved 'if a joint conclusion is reached on the acceptability of the standpoints at issue on the basis of a regulated and unimpaired exchange of arguments and criticism' (van Eemeren and Grootendorst, 2004, p. 58). It is important to recognise that pragma-dialectics emphasises that the goal of deliberation is not to maximise agreement but reach an agreement through a process of testing disputed standpoints as critically as possible (p. 188). This is an important emphasis because strategic action may also lead to consensus – or meta-consensus for that matter – but one that is false and brought about by factors other than reasons. Settling a disagreement can be achieved 'in an uncivilised manner by forcing the party into submission' (van Eemeren et al, 2002, 24). It is then the task of discourse analysis to 'carry out empirical research to examine how differences of opinion are handled in practice. How are these differences expressed, how do the participants attempt to prevent, resolve, or settle them, and which strategies do they use to regulate them?' (van Eemeren and Grootendorst, 2004, p. 98).

Pragma-dialectics' heuristic tools

Pragma-dialectics' model of critical discussion employs a heuristic approach called *resolution-oriented reconstruction* (van Eemeren and Grootendorst, 2004, p. 26). Because this model is theoretically anchored on the consensus-oriented nature of discourse, its selection criteria in gathering empirical data is focused on speech acts that play a part in resolving a difference of opinion (p. 110). Data may involve both complex linguistic and possibly non-linguistic acts as long as they perform a specific communicative function in a discursive context (van Eemeren and Houtlosser, 2003, p. 388). Following Searle's (1979) typology, speech acts relevant to a critical discussion may involve *assertives* or those that 'pronounce the truth of a proposition' or 'express a judgment on its acceptability' (van Eemeren and Grootendorst, 2004, p. 63), *directives* or speech acts by which the speaker seeks to make the listener do or refrain from doing something, often in the form of an order, prohibition or request, *commissives* where the speaker pledges to do or refrain from doing something, often in the form of a promise or assurance and *declaratives* where a speaker calls into being a particular state of affairs such as opening or adjourning a meeting. Though not completely exhaustive, Searle's categorisation of speech acts serves as helpful guide in delineating which discussion moves contribute to a reasonable discussion and which ones do not. For example, 'directives such as orders and prohibitions, if they are intended literally, are taboo in a critical discussion' (p. 64). On the other hand, *expressives*, another kind of speech act where the speaker 'expresses his feelings' does not 'play a direct role in a critical discussion ... because the mere expressing of emotions does not create any commitments for the speaker or writer that are directly relevant in the sense of being immediately instrumental in the resolution of a difference of opinion' (p. 65). In cases of speech acts with unclear communicative purposes such as a remark or a side comment, the analyst is encouraged to rely on background information to determine if these contribute to the resolution of discourse. If this is not possible, maximal credit is given to the speaker by considering unclear speech acts as inputs in resolving a difference of opinion (van Eemeren et al., 2002, p. 43; van Eemeren and Grootendorst, 2004, p. 115). This follows the presupposition that in principle, resolution is the target of the discussants (van Eemeren and Grootendorst, 2004, p. 185). Monologues are also considered as part of a critical discussion even if there is only an implicit or hypothesised discussant. This is particularly

relevant in analysing editorials or testimonies where the speaker ‘makes an attempt to counter (potential) doubt or criticism of a specific or non-specific audience or readership’ (p. 59). Moreover, it is often the case that relevant parts of an utterance are left implicit or unexpressed in discourses (p. 103). In this case, the analyst is challenged to rely on background knowledge and ‘ensure that all parts of the discourse or text that are relevant to the resolution of the difference of opinion are represented in the analysis’ (ibid). These include ‘unexpressed premises, unexpressed conclusions, anticipated doubt, and so on, that are hidden in indirectness, presuppositions ... and other sorts of implicit formulations’ (p. 109).

The next task after determining the set of relevant speech acts is to ascertain which stage of the resolution process these speech acts belong to (p. 26). Each discussion stage has specific rules which are often implicit and taken for granted in discourses. As van Eemeren et al point out, it ‘is precisely the lack of “proper procedure” in a discussion – the lack of explicit rules – that causes many discussions to run into difficulty’ (2002, p. 26). The idealised model of discussion stages serves as a tool ‘for identifying where a real-life argumentative discussion goes wrong’ (p. 27). It serves a heuristic function in the sense that ‘elements that are only implicitly present in the discussion can more easily be identified, and the various elements of the discussion can be analyzed in a way that clarifies their role in the resolution process’ (ibid). It is possible and perhaps often the case that the deliberative exchange being analysed diverges from the sequence of the idealised model of critical discussion. Analytically, it is advised for parts of the discourse to ‘be rearranged where necessary in the way that best brings out their relevance to the resolution process’ (van Eemeren and Grootendorst, 2004, p. 104). This way, an optimal picture of the resolution process is developed.

Discourses begin with the *confrontation stage* where parties ‘establish that they have a difference of opinion’ (p. 25). In Habermasian terms, this stage marks the break with the ‘normal sphere of speech’ because the discussants do not fully agree on a given standpoint’ (van Eemeren and Grootendorst, 2004, p. 10). Analytically, the first major task in this stage is to identify the relevant standpoints articulated and challenged and how these relate to each other. Identifying this allows the analyst to later on track which disagreements were dealt with through argumentation, which ones were ignored and which ones were ‘won’ through strategic action. Secondly, as in all discussion stages, it is important to be wary of the violations of discussion rules that deter a rational resolution of a difference of opinion. In the confrontation stage, a key rule is in line with Habermas’s discourse ethics – all participants are entitled to put forward and challenge a standpoint and must not prevent others from doing the same (van Eemeren and Grootendorst, 2004, p. 136). This rule is violated when one discussant dismisses the other as a serious or legitimate party to the discussion by questioning his or her expertise, credibility or integrity or by keeping the opponent out the discussion through physical or symbolic force (van Eemeren et al, 2002, p. 111). Another obstacle in this stage is when one places limits on which standpoints can be doubted or rejected by declaring them sacrosanct or not open to question (p. 110). This deters differences of opinion to surface and be resolved through critical discussion.

This is followed by the *opening stage* where ‘parties decide to resolve the difference of opinion’ (van Eemeren et al, 2002, p. 25). In this stage, the roles of the protagonist and antagonist are assigned, bearing in mind that it is possible for discussants to assume both roles if one party advances his or her own alternative standpoint instead of just rejecting what the opponent articulated (ibid). Other

explicit and implicit participants in the deliberative process are also identified such as the actual or hypothesised audience, the arbiter or the judge as well as an identification of the (potentially) relevant participants who were left out in the deliberative process. Given that these considerations are not always overtly articulated in the deliberation, the analyst is expected to rely on background information and supplementary methodologies such as interviews and secondary data analysis to have a better grasp of the deliberative context.

Corollary to the task of identifying the participants' discussion roles is recognising the 'force of a standpoint taken on a proposition' as it can be 'stated with total conviction or, at the other extreme, it can be cautiously expressed as a suggestion' (van Eemeren et al, 2002, p. 6). This is an important nuance because the force and scope of a standpoint is indicative of the level of commitment a participant attaches to his or her externalised standpoint. For instance, a participant expressing slight doubt on another's standpoint cannot be held responsible in the later stages to provide a comprehensive defence of a slight doubt. On the other hand, a participant forcefully advancing a standpoint is expected to responsibly defend it when asked to do so. These distinctions are analytically crucial in ascertaining whether participants fulfilled their obligations in deliberation. This also lends insight as to whether participants violated discussion rules. An example of this violation is when the protagonist shifts the burden of proof to the one who questioned the standpoint or when the protagonist evades his or her obligation by presenting the standpoint as if it does not need further proof at all (p. 116).

It is also in this stage that discussants determine how much common ground they share in order to conduct a fruitful deliberation (van Eemeren and Grootendorst, 2004, p. 60). This discloses the discussants' mutual commitment, or the lack of it, to procedure and to uphold the strategy of 'voice' not 'exit' (Festenstein, 2002, p. 90). In some cases, this preliminary consensus remains tacitly assumed (van Eemeren and Grootendorst, 2004, p. 61) while in more institutionalised settings such as courts and legislative debates, these discussion rules are explicit. The discussants can also call into question discussion rules which will consequently be subject to a 'meta-discussion' analysed using the same heuristic tools of critical discussion (p. 143). In a way, Dryzek and Niemeyer's notion of meta-consensus is formed in this phase because this is the stage where participants establish shared premises that are crucial for further deliberation to be fruitful.

The next phase is the *argumentation stage* where the protagonist advances his or her arguments that 'are intended to systematically overcome the antagonist's doubts or to refute the critical reasons given by the antagonist' (p. 64). Defending a standpoint rests on two minimum requirements drawn from Grice's Communicative Principle – the 'defence must be conducted by means of arguments, and those arguments must be genuinely relevant to the standpoint being defended' (van Eemeren et al, 2002, 19). The speech acts involved in this phase are varied. Commonly,

'(b)y means of assertive, the protagonist performs exclusively the complex speech act of *argumentation*, while the antagonist accepts this argumentation by performing the commissive *acceptance* or declines this argumentation by performing the negation of this commissive; the antagonist can then perform the directive *request* to elicit a new argumentation. These are the *only accepted ways* of attacking or

defending standpoints in a critical discussion' (van Eemeren and Grootendorst, 2004, p. 143).

In this stage, the analyst gauges how *reasonable* the arguments are. In Theory of Communicative Action, a discussant is reasonable 'not only if he is able to put forward an assertion and, when criticised, 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 the light of legitimate expectations' (Habermas, 1984, p. 15). This procedural conception of reasonableness takes a more definite form in pragma-dialectics. An argument is reasonable if it creates possibilities to resolve differences of opinion coupled with its acceptability to the discussants (van Eemeren and Grootendorst, 2004, p. 132). In this regard, the analyst is tasked to evaluate each single argument 'according to the degree to which it justifies (or refutes) the proposition to which the standpoint refers' (van Eemeren et al, 2002, p. 93). Apart from keeping tabs on the reasons used to defend and challenge a standpoint, one can draw from pragma-dialectics' heuristic tools to analyse an argument. These include bringing out an argument's 'unexpressed premises' or the 'things often left out of argumentation because they seem obvious' (van Eemeren et al, 2002, p. 50). Analytically, it is important to identify unexpressed premises, unexpressed conclusions and other ideas hidden in indirectness in order to have a fairer understanding of a speaker's commitments (van Eemeren, 2001, p 18). Moreover, in some cases, unexpressed premises are indicative of the participants' shared and taken for granted assumptions that allow deliberation to move forward while in other instances, unexpressed standpoints become a cause for misrepresentation or misinterpretation of arguments that lead to the breakdown of deliberation.

Apart from supplying unexpressed premises, reasons are also evaluated based on the argumentation structure and argument schemes used. How to use these heuristic tools has been clearly explained elsewhere (see van Eemeren et al, 2002, pp. 64-75; 96-102) and will not be repeated here. Suffice it to say that analysing arguments in this manner lends insight into the kind of argumentative approaches that are helpful or detrimental in reaching understanding. Analysing how a discussant explains his reasons also makes clear the speaker's commitment to critical discussion. While reconstructing arguments, it is important to be watchful of discussion moves that do not contribute to a resolution of a difference of opinion – i.e. utterances that are incomprehensible, irrelevant, redundant or meaningless as well as utterances that are inappropriate in a communicative situation or fallacies. Generally, fallacies are violations of the rules for critical discussion that hinder the resolution of a difference of opinion (p. 109). As implied earlier, these violations can occur in all discussion stages and both the protagonist and antagonist can be the guilty party (van Eemeren and Grootendorst, 2004, p. 162). While the concept of fallacies has been widely used in logic and other strands of argumentation theory, pragma-dialectic's conception of fallacy is linked to the normative model of argumentative discourse. This means that the analyst, in determining fallacious moves, does not claim to discern the 'essence' of reasonableness but considers the role a violation plays in relation to the discussion rules discussants intersubjectively accept (p. 175). Aside from irrelevant argumentation, another violation can be in the form of non-argumentation – when a discussant 'plays on emotions, sentiments or biases of the intended audience' (van Eemeren et al, 2002, p. 120). This may also involve invoking one's expertise in place of argumentation or expressing explicit or implicit threats to get the other party to agree. These violations are exertions of 'symbolic power' in

the deliberative process. While symbolic power may convince the other party to withdraw his or her standpoint, this does not contribute to reaching consensus through rational understanding.

The final phase is the *concluding stage* where parties 'assess the extent to which the difference of opinion has been resolved and in whose favour. If the protagonist withdraws the standpoint, the difference of opinion is resolved in favour of the antagonist; if the antagonist abandons his or her doubts, it is resolved in favour of the protagonist' (van Eemeren et al, 2002, p. 25). However, a successful defence of a standpoint only shows that based on agreed-on discussion rules, such standpoint can be successfully defended. This 'does not imply that the standpoint is necessarily true or acceptable in the broader sense' (van Eemeren et al, 2002, p. 135). While the concluding stage may lead to a resolution of a difference of opinion, this may also be a springboard for new discussions to ensue. Parties may start a new discussion using different premises or arguments, or come up with new standpoints based on the result of the previous discussion (van Eemeren and Grootendorst, 2004, 62). It is also worth pointing out that although agreements that come out of discussions stand for some period of time, 'it is provisional in the sense that it must be open to challenge at some point in the future' (Gutmann and Thompson, 2004, 6). These agreements can be subject to new discussions and modifications in light of new evidence and insight (Cooke, 1994, 39). Resolution of a difference of opinion or consensus, when viewed in this manner becomes less 'outmoded and suspect' (Lyotard, 1984, p. 66; see Mouffe, 2000) and instead, more accommodating of plural struggles in various deliberative contexts.

The heuristic tools outlined above demonstrate how pragma-dialectics captures the dynamics of deliberative practice. Rather than describing static institutional conditions that reflect deliberative quality, this approach takes into account both institutional contexts and the actual practices as key components in ascertaining deliberative quality. The following section demonstrates how these heuristic tools are used in an actual argumentative exchange.

Sample Case: Bill O'Reilly and Barack Obama on Iraq

This section provides a rough sketch as to how the pragma-dialectical approach is used in analysing deliberative exchanges in comparison to other approaches. Below is a portion of Bill O'Reilly's first television interview with Democratic Presidential Nominee Barack Obama.¹¹ The main argument between the two is whether the Iraq surge was a success or not.

[...]

O'REILLY: All right. Let's go to Iraq. I think history will show it's the wrong battlefield, OK?
And I think that you were perspicacious in your original assessment of the battlefield.

OBAMA: I appreciate that.

O'REILLY: I think you were desperately wrong on the surge, and I think you should admit it to the nation that now we have defeated the terrorists in Iraq, and the Al Qaeda came there after we invaded, as you know. We defeated them.

OBAMA: Right.

O'REILLY: If we didn't, they would have used it as a staging ground. We've also inhibited Iran from controlling the southern part of Iraq by the surge, which you did not support. So why won't you say, "I was right in the beginning. I was wrong about that"?

OBAMA: If you listen to what I've said, and I'll repeat it right here on this show, I think that there's no doubt that the violence is down. I believe that that is a testimony to the troops that

were sent and General Petraeus and Ambassador Crocker. I think that the surge has succeeded in ways that nobody anticipated, by the way, including President Bush and the other supporters. It has gone very well, partly because of the Anbar situation and the Sunni awakening, partly because of the Shia military. Look...

O'REILLY: But if it were up to you, there wouldn't have been a surge.

OBAMA: Look...

O'REILLY: No, no, no, no.

OBAMA: No, no, no...

O'REILLY: If it were up to you, there wouldn't have been a surge.

OBAMA: No, no, no.

O'REILLY: You and Joe Biden, no surge.

OBAMA: Hold on a second, Bill. If you look at the debate that was taking place, we had gone through five years of mismanagement of this war that I thought was disastrous. And the president wanted to double down and continue on an open-ended policy that did not create the kinds of pressure on the Iraqis to take responsibility and reconcile.

O'REILLY: But it worked! It worked! Come on.

OBAMA: Bill, what I've said is — I've already said it succeed beyond our wildest dreams.

O'REILLY: Why can't you say, "I was right in the beginning, and I was wrong about the surge"?

OBAMA: Because there's an underlying problem where what have we done. We have reduced the violence.

O'REILLY: Yes.

OBAMA: But the Iraqis still haven't taken responsibility, and we still don't have the kind of political reconciliation. We are still spending, Bill, \$10 to \$12 billion a month.

O'REILLY: And I hope if you're president, you can get them to kick in and pay us back.

OBAMA: They've got \$79 billion.

O'REILLY: I'll go with you.

OBAMA: Let's go.

O'REILLY: We'll get some of that money back.

[...]

If one were to use Fishkin's deliberative polling, the analyst's first task is to give a questionnaire to O'Reilly and Obama and/or a random sample of the audience before the debate and give the same questionnaire after. Should a 'dramatic shift in preference' happen after the debate, one can conclude that deliberation occurred. Given that there is no precise standard indicating what a 'dramatic shift in preference' entails, it is difficult to say whether deliberation in Fishkin's terms happened in this debate. Although O'Reilly alluded to supporting Obama's argument of making Iraqis independent, this does not necessarily indicate a shift in his original belief that Obama was wrong to consider the surge unsuccessful. Even if O'Reilly indicated some shifts in preference in the post-debate questionnaire, his inability to make this shift of preference explicit goes against the spirit of deliberation of publicly committing to a reasonable discussion and conceding when one's ideas were intersubjectively considered unreasonable.

Similar to deliberative polling, intersubjective rationality's approach requires the participants to answer a questionnaire ordering their subjective positions and preferences before and after deliberation. Although it is difficult to hypothesise how O'Reilly and Obama would respond to this questionnaire and assess whether their choices were due to intersubjectively consistent reasons, one can infer from the debate that there was some level of meta-consensus between the two. Both of them acknowledge a certain degree of success of the surge and the debate proceeded based on that premise. Nevertheless, as pointed out earlier, a strict adherence to this methodology does not provide mechanisms to describe how such meta-consensus came about — i.e. was there a 'meta-

debate' or were the two parties already respectful of each other's values and preferences from the start?

Utilising the DQI to characterise this encounter involves looking at key indicators of deliberation and code each unit of speech based on multiple criteria. While it is unreasonable to wholly import Steiner et al's (2004) and Nanz and Steffek's (2005) indices given that they were designed to gauge specific deliberative encounters, for illustrative purposes, some indicators such as 'level of justification', 'content of justifications' and 'respect' are borrowed to analyse deliberative quality in this context. Roughly, this encounter can be characterised as one that has 'inferior justification'. To slightly amend Steiner et al's index, a speech unit is coded as 'inferior justification' when a reason Y is given why X is or is not the case but no linkage is made between X and Y (Steiner et al, 2004, p. 172) – i.e. Obama argues that because the president failed to pressure the Iraqis to take responsibility (Y), the surge was unsuccessful (X). However, no sufficient linkage was provided as to why such pressure makes the surge unsuccessful. Coding 'content of justification' may be difficult in this scenario especially when it is broken down into the following criteria – 'explicit statement concerning group interests, neutral statement, explicit statement of the common good in utilitarian terms, explicit statement of the common good in terms of the difference of principle' (see pp. 56-61). Obama's statement that the US is still spending \$10-12 billion on Iraq can be considered an explicit statement concerning group interest (US's) when this debate is seen from an international perspective although the same statement can be seen as a statement of the common good in utilitarian terms when seen from a national perspective. Finally, in terms of the indicator 'respect', this exchange can be coded as having 'explicit respect' as any speech unit that has 'a single positive statement' (p. 175) can be coded as such. O'Reilly's concession to Obama's perspicacity about the war and Obama's concession about the war's partial success demonstrate positive reception of each other's standpoints in spite of their clashes later on in the debate. Clearly, a more worked out index gives a better characterisation of this encounter and can even be used to compare different presidential debates. However because the DQI is designed to describe the overall character of a certain deliberative encounter, it fails to capture the actual process involved in exchanging reasons. It may account for the general level and content of justification in this debate, but it fails to account for the response of the other party to 'inferior' justifications. It also ignores the 'meta-consensus' or shared premises of both speakers – that the Iraq war was wrong and that incidences of violence were down – that allowed the debate to proceed.

A pragma-dialectical approach provides sufficient heuristic tools to acknowledge these nuances. The first task in analysing this exchange is to ascertain the universe of relevant speech acts and delete those that do not contribute to the resolution of a difference of opinion. In this example, the selected portion of the transcript has already been 'sanitised' of irrelevant speech acts such as self-congratulatory remarks, greetings, personal introductions and the like. This exchange is then reconstructed according to the idealised model of critical discussion.

Obama and O'Reilly disagreed on two points in the *confrontation stage*.

1. O'Reilly *forcefully* said that Obama was wrong about the surge [assertive]. Obama *forcefully* challenged this standpoint [commissive].
2. O'Reilly *forcefully* said that the surge was a success [assertive]. Obama *cautiously* challenged this standpoint [commissive].

In the *opening stage*, the roles of protagonist and antagonist are assigned. At face value, it seems pretty straightforward that O'Reilly is the protagonist while Obama is the antagonist. After all, it was Obama who challenged O'Reilly's standpoint. However it is important to put this exchange into context. This is not a straightforward debate where both speakers assume the same obligations to defend a standpoint but rather an interview in O'Reilly's show which gives airtime for presidential candidates to make their case. In this context, the obligation to defend a claim is with the candidate. The burden of proof is also with Obama given that typically, 'the burden of proof rests with the party who wants to change the status quo; he or she must prove that the proposed alternative is better' (van Eemeren et al, 2002, p. 115). Moreover in this interview, the difference of opinion is not simply between O'Reilly and Obama but also between Obama and a wider viewing audience who still have doubts about Obama's standpoints.

The recognition of the legitimacy of discussion procedures also happens in the opening stage. Although interviews have relatively unambiguous discussion procedures (i.e. turn taking, length of answers, language used), the discussion procedures of this particular interview is reported to have undergone a separate debate or 'meta-discussion' three months before the actual interview. According to secondary data, Obama himself met with Fox News executives to ensure that he has a 'fair shake' in the interview from the reputedly neoconservative network (Washington Post, 03/09/2008, A22). Analysing how such 'meta-discussion' panned out about is beyond the scope of this example but it nevertheless can be examined by the pragma-dialectical approach.

As the interviewer, O'Reilly began by laying down the shared premises of both parties in the opening stage. These shared premises include:

1. Iraq is the wrong battlefield. Obama had the right original assessment.
2. Violence in Iraq is down.

This served as springboard for further discussion in the *argumentation stage*. O'Reilly forcefully argued that Obama was wrong about the surge because (1) the terrorists have been defeated and (2) not invading (2.1) would make Iraq a staging ground for terrorism and (2.2) the southern part of Iraq would have been controlled by Iran. This reasoning led him to his second standpoint, that the surge was a success. The unexpressed premise in reason (2.2) is that Iran's control of Iraq's southern part is wrong and this unexpressed premise was neither challenged nor explicitly accepted. O'Reilly's argument structure is called 'multiple argumentation' in the sense that he provided two 'alternative defences of the same standpoint' (van Eemeren et al, 2002, p. 64). Obama engaged with O'Reilly's multiple arguments by first concurring O'Reilly's reasons for considering the surge a success, manifested by nodding and saying 'Right' then defended his standpoint by raising alternative reasons for the surge's failure – (1) that the Iraqis have not taken responsibility because (1.1) there was no sufficient pressure from the US (1.1.1) as manifested by spending \$10 to \$12 billion on Iraq. Unlike O'Reilly, Obama's argumentation structure is 'coordinative' in the sense that 'there is only one line of defense so that if any part of it is eliminated, the whole defense is weakened or even destroyed' (van Eemeren et al., 2002, p. 76). The unexpressed premise in Obama's argument is that spending \$10-\$12 billion in Iraq is wrong and O'Reilly caught on with this indirect language by stating '... if you're president ... get them to kick in and pay us back'. However Obama carried on with his indirectness with a non-committal statement 'They've got \$79 billion'. Although indirect language

use is typical of everyday speech (van Eemeren et al, 2002, p. 51), election campaign period demands a different level of clarity and directness when pertaining to policy positions. In this context, Obama's indirectness in answering O'Reilly's query disabled him to make explicit his commitment to a particular standpoint and be held accountable to it in this exchange and in future exchanges. O'Reilly interpreted Obama's response as a yes which consequently led to partial agreement on the issue of Iraqi's financial independence. One can say that the partial agreement or *conclusion* is a 'spurious' one, given that it is possible for both parties to 'think they have reached an agreement, when in fact their agreement is based on their having given different definitions to the terms used in the standpoint' (van Eemeren et al, 2002, p. 136). This important detail cannot be captured by deliberative polling and other pre- and post-deliberation comparisons because they only track the net outcome without explaining how such outcome came about. While there was partial and spurious conclusion on the sub-issue of Iraq aid, conclusion has not been reached as to whether Obama was right or wrong in not supporting the surge.

Apart from Obama's failure to make his commitment explicit through language, other violations were committed in this exchange that deterred the resolution of their differences. Both parties were guilty of non-argumentation. When Obama spent more time praising the troops and the Sunnis than defending his own standpoint, he was at fault for not providing relevant argumentation in relation to his standpoint and instead focused on 'winning over a third party ... (by) playing on the emotions, sentiments or biases of the intended audience' (van Eemeren et al, 2002, p. 120). Meanwhile O'Reilly's constant interruptions stating 'if it were up to you, there wouldn't be a surge' and 'But it worked! It worked! Come on' can be considered disrespectful but looking at the bigger picture, his badgering interrupted Obama's non-argumentation, 'forcing' the senator to perform his obligation of defending his standpoint that the surge was wrong. While the DQI may score O'Reilly's attempts low in 'level of justification' (there is no explicit link between X and Y) and 'content of justification' (not framed in terms of the common good), pragma-dialectics compels the analyst to look beneath the surface and instead recognise how these interruptions contributed to the deliberative process.

Moving Forward

This paper demonstrates how pragma-dialectics can contribute in analysing deliberation. Its commitment to a consensus-oriented view of discourse provides disciplined heuristic tools in analysing argumentative exchanges. The strength of this approach lies in its attention to the argumentation process itself – how arguments are raised, questioned and defended. By looking at the linguistic nature of deliberation, reasons why consensus is or is not reached can be identified and suggestions as to how the discussion can be further improved can be raised.

While pragma-dialectics' advantage over other approaches has been put forward earlier, it is worth recognising that this methodology still fails to answer crucial questions in analysing deliberation. One of these crucial questions is – "Why did opinions change?" It cannot be simply assumed that a discussant withdrew his or her opinion based on the argument presented by his or her opponent. On this regard, supplementary methodology such as interviews or secondary data analysis is still relevant. Moreover in spite of pragma-dialectics' prescribed heuristic tools, it is reasonable to acknowledge that the analyst still has ample latitude in interpretation. For instance, selecting the universe of relevant speech acts is dependent on the analyst's theoretical predisposition. While van

Eemeren et al consider greeting, introductions and tangential anecdotes as irrelevant to the resolution of a difference in opinion, it is possible for the analyst to subscribe to Young and Dryzek's (Dryzek, 2000, pp. 52-66) perspective that these gestures contribute to confidence-building among deliberators and better understanding of each other's subjective positions. While the analysis above considered Obama's lengthy rhetoric on the troops as non-argumentation, other interpretations may classify this as confidence-building between two parties reputed for having different opinions on many issues. Nevertheless, such latitude is not necessarily a weakness as long as the analyst justifies the basis for such reconstruction. Indeed, no reconstruction is perfect and fail-safe. It is worth remembering that at the end of the day, 'the acceptability of any reconstruction will rest on its overall coherence, its accountability to the details of the text, and its consistency with other information about how this case works in particular, how related cases of this type of work in general, and how discourse in general is known to work' (van Eemeren et al, 1993, p. 44).

¹ For Fishkin and Luskin, random sampling is a manifestation of political equality – 'In theory, every citizen has an equal chance of being chosen to participate, and on average, over infinitely repeated sampling from the same population, the sample would resemble the population exactly' (2005, p. 287).

² Dryzek notes that the Q sort is not an instrument because an "instrument" implies measurement using some metric deployed by an observer. The subject is actually 'measuring' himself or herself. It is the subject who is doing the investigating – investigating the statements. The results constrain any subsequent interpretation by the analyst' (2005, p. 204).

³ For example, they analyse '(a) if governmental actors justify their position with reference to CSO arguments and if these arguments (b1) become part of the draft text under negotiation or (b2) are put as an item on the negotiation agenda, to be discussed in a working group or committee' (Nanz and Steffek, 2005, p. 379)

⁴ Although this weakness is supplemented by interviews, it still falls under the same trap of either overemphasising the respondents' subjective positions or the researcher's own understanding of the issue.

⁵ The inclusiveness criteria is only scaled between 0-1, 0 representing the absence of institutional arrangements made to safeguard inclusion and 1 representing the presence of institutional arrangements made to safeguard inclusion (Nanz and Steffek, 2005, p. 377)

⁶ According to Steiner *et al*, the novelty of their approach lies in submitting coding decisions on the deliberative model to reliability tests (2004, p. 5).

⁷ According to Austen-Smith, rational speakers 'choose their words to attempt to convince audiences to make one set of choices rather than one another; and rational listeners to recognise the strategic nature of the speeches in deciphering the truth or falsity of any arguments or claims that speakers may advocate' (1992, p. 47).

⁸ This process also uses several coders to ensure validity.

⁹ Holzinger qualifies her conclusion – 'Although there were many arguing and no bargaining speech acts in this plenary debate, there was no deliberation. In spite of the fact that this debate has been celebrated in Germany as a fine hour of deliberation (stem cells issue), this analysis of speech acts shows that it was a very rhetorical, only partially argumentative, and nondialogical debate ... It lies in the nature of plenary debates that we cannot expect deliberation or bargaining to take place in the plenary. The function of the plenary is the presentation of the positions, or of decisions already taken by the majority factions, and to take the final vote' (Holzinger, 2005, p. 251)

¹⁰ Risse's conclusions fit well with those of Holzinger's – 'Arguing processes are more likely to occur both in negotiating settings and in the public sphere, the more actors are uncertain about their interests and even identities; the less actors know about the situation in which they find themselves and about the underlying 'rules of the game' ('common knowledge'); and the more apparently irreconcilable differences prevent them from reaching an optimal rather than a merely satisfactory solution for a widely perceived problem ('problem solving')' (Risse, 2000, p. 33)

¹¹ Taken from <http://www.foxnews.com/story/0,2933,417563,00.html>

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