Dialogic Consensus as a Moral Philosophical Grounding for Deliberative Democracy

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Abstract

Deliberative democracy aims for citizens to come together, in a structured way, to discuss and deliberate about policy issues which affect them. Because of the essential inter-subjective bonds amongst members of a community, dialogue amongst members which aims to decide about what is best for the community, is a situation in which we can usefully call upon moral philosophical precepts. Here we consider a possible philosophical foundation for these community deliberations. Dialogic consensus is a process of inclusive, non-coercive and reflective dialogue aimed at reaching a consensual decision as to what is best for the community involved. It follows principles of universalizability and ideal speech situations, so that the values of the community can be maximised. Dialogic consensus can be justified both epistemically and normatively, and provides a potential moral philosophical underpinning to deliberative democracy.

Keywords: Deliberative Democracy, New Democracy, Dialogic Consensus, Citizen Decision-Making

Introduction

Liberal democracy defers deliberations about policy issues affecting citizens, to their proportionately-elected, usually partisan, parliamentary representatives. In contrast, deliberative democracy locates as its centre-piece, 'community and reflection … within informed, respectful and competent dialogue' [1]. One example is the Sydney Australia, newDemocracy Foundation (https://www.newdemocracy.com.au). This independent and non-partisan foundation aims to develop alternative models of citizen-based democracy. Initiatives include mini-publics, community juries, and citizen juries, planning cells, world cafes, and citizens' parliamentary groups [2-5]. In broad terms, in a decision-making forum, randomly-selected but representative citizens are invited to join together within their community, in order to discuss and determine solutions for a community-identified problem. The meetings are facilitated, literature is pre-distributed and invited experts comment upon the facts of the matter. Small-group discussions amongst the participating citizens then follow. At the conclusion of the process, policy issue solutions which the community forum has agreed to, are published.

From our perspective, the initiatives may also be characterised as ones wherein members of the community faced with a problem, come together to have an assisted or facilitated conversation, dialogue or discourse, to explore and understand "what matters most" to the community. It is not news to recognise that to solve a community problem, members of the community should have a conversation. What we aim to do here is to explore placing that dialogue on a more robust philosophical footing. Since all members of a community are necessarily in-relationship with each other, we argue that we should recognise community decision-making conversation as having a basis in moral philosophy, and hence as situations in which we can usefully call upon moral philosophical understandings.

The notion of discourse has various meanings, depending on the academic discipline and situation. Discourse, in general, refers to the use of language as a part of a social practice. The emphasis is on the elucidation of knowledge in terms of its meanings and values. In this paper, dialectic (from the Greek dialegesthai, to converse, and dialegein, to sort or distinguish) means 'to pass from one part—an object, a notion, a problem—to another by the means of language and reason' [6]. The association of dialectic with truth-seeking after reasoned argument, has a very long history. In The Sophist, Plato's Socrates contrasted dialectic with sophistry. Sophists were paid orators who sought to argue the case they were assigned, without regard for the truth of their argument. Philosophers, on the other hand, favoured dialectic—in which they offered and received arguments, evaluated them for truth and meaning, and thus sought to discover truth in the arguments presented. Since citizens in the community are to be affected by policy-making decisions, these citizens need to dialogue in order to determine what matters to them, in order to make the best decision in the situation.

Dialogic consensus has been proposed as a process of inclusive, non-coercive and reflective dialogue aimed at reaching a consensual decision as to what is best for medical patients during clinical consultations [7,8]. It involves mutual understanding of the values held by the patient and their family and others whom they see as significant, set against the actual reality of the situation at hand. The 'situation' includes the clinical illness itself, the supports they may have, and the values which are important to them.

Our contemporary era is characterized by a wide plurality of ethical perspectives, values, social and cultural beliefs, and ways of living. Consequently, significant cultural, religious, social, ethno-political and value diversity have developed within our communities. We believe that dialogic consensus has a potentially important role in fortifying the philosophical foundations of deliberative democracy.

This process of dialogic consensus as an inclusive, non-coercive and reflective dialogue, draws upon the writings of the continental philosopher, political scientist and sociologist Jürgen Habermas. He proposed the twin concepts of the discourse theory of morality and the principles of communicative action [9,10].

Habermas' discourse theory of morality generalises and expands the Kantian categorical imperative, as determined by ethical monologue, to a wider consensus-seeking dialogue. Hence all accept that the decision is able to be universalized as being in the best interests of everyone in the discourse. Klaus Günther distinguishes two kinds of discourse – that of justification, and that of application [11]. The former may be understood to seek a generalizable truth, independent to context. The second asks the question whether its application is appropriate in this particular case. The latter is concrete and action-guiding in the particular context.

Habermas' principle of communicative action means that participants in the ideal dialogue use linguistic and non-linguistic expressions in the same way, all relevant arguments are brought to the dialogue, each is allowed to participate and express their attitudes, each can introduce or question any proposal, and there should be no internal or external compulsion applied by or toward to any speaker [12]. From a more philosophical perspective, it has been characterised as a form of linguistic interaction 'where all speech acts contain validity claims concerning comprehensibility, sincerity, truth and justification, which are openly criticizable and discursively redeemable' [12]. Discourse is rational, and presupposes that participants successfully share the perspective of others in the discourse. In our contemporary pluralistic society, bringing our own disparate beliefs to a decision-making place, and having an argument based solely upon reason, without being willing to try to understand the beliefs of the other participants, is unlikely to achieve any concordance.

The process seeks consensus, subsequent to inclusive and non-coercive reflective dialogue in a situation in which all participants have equal opportunities to contribute. Communicative action is an inter-personal interaction coordinated most commonly through speech acts but not coincident with speech acts. It is aware that what we say is not necessarily what others hear, and encompasses nonverbal communication.

There is a difference between unanimity, acquiescence, and consensus. Vote is majority decision. Unanimity is unanimous agreement, both publicly and privately. Acquiescence is agreement out of a sense of good-nature, altruism, coercion, or another reason which denies true argumentation. Consensus is general agreement, following argumentation, in reaching a decision about what is best for the community which is making the decision. Some individual members can legitimately disagree with the decision itself, but still agree that it is the best decision for the group. Borrowing from Susan Wolf's deliberations on the Kantian Contractionalist Formula of Derek Parfit, it may well be that, in the dialogue, an individual may not be able to follow their preferred principle, but will recognise that another principle, agreed to by all, might not be rationally unreasonable in the context at hand. In Wolf's words, during the dialogue, 'the recognition that everyone rationally could accept a principle may count as a reason for someone to accept the principle' [13]. That is, it may be possible for participants to accept a position which it is not reasonable for them to reject, and so reach consensus. Tolerance is an essential corollary to pluralism. Given this, only genuine, mutually respectful and transparent dialogue is likely to resolve conflicts.

Reaching unforced consensus amongst properly-informed stakeholder community members, has three tangible consequences.

First, it bestows cognitive or epistemic force upon the decision made. This claim follows from Habermas' three 'ways of knowing' [14]. First, empirical-analytic knowing focuses on empirical data capture of "facts". Second, historical-hermeneutic knowing focuses on understanding the meanings of the facts. Third, self-reflective or "critical" knowing derives from our cognitive drive to discern truth. The essence of this third way of searching out the truth is reflection upon the knowledge gained as the basis for praxis (practical action). Similarly, Apel proposed that knowledge and truth are related through three elements. They are: 1) consensus; 2) which is achieved through communication; and, 3) which is possible only when there is a commitment to public understanding of knowledge [15].

Second, it renders the decision made with what is known in moral philosophy as normative force. Normative force means that the decision has a sense of oughtness or shouldness associated with it. From a normative perspective, both Martin Buber's "I-thou" and Emmanuel Levinas' "the face of the Other" recognise the moral relationship in terms of an encounter, a meeting, a dialogue, an exchange, or a conversation, and so privilege the dialogical approach to morality as a means to understand the other's values and meanings, thus reinforcing 'the moral praxis of mutual action' [16]. For both Buber and Levinas, awareness of inter-subjectivity provides normativity. The pre-condition of mutually-respectful, non-coercive dialogue is required in order for consensus to have any claim to moral authority [17]. Our claim is that dialogic consensus imbues the decision with normative force. This, in turn, renders the process action-guiding.

Third, if this process of non-coercive dialogic consensus is understood and reflected upon, the community is less likely to have lingering doubts about whether the normatively right or best-in-the-actual-circumstances decision was made.

In summary, Habermas' "ways" of knowing theory, his discourse theory of morality and his principles of communicative action aim towards truth-seeking via participatory democracy. The dialogue aims to achieve consensus amongst participants, all of whom have equal opportunities to contribute. Consensus is attuned to alternative perspectives - aware of others (alterity), as well as being aware of inter-subjectivity. It is also aware that decisions and actions involving others must be able to be determined, regardless of one's own ethical positioning. Consensus implies respect for, and tolerance of, value pluralism; and is action-guiding. Dialogic consensus is especially relevant in community decision-making situations, and provides a firm moral philosophical underpinning to deliberative democracy and its initiatives.

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