The Dissensual Logic of Deliberative Democracy

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I. Introduction

Deliberative democracy has been viewed as a talk and consensus based approach to democratic innovation at the intersection of 20th and 21st century. Deeply influenced by Habermasian model of ideal speech situation, most researchers have been trying to build up theoretical models that can form or represent an ideal speech situation. Its empirical test also follows this tendency in measuring, evaluating, or assessing the quality of deliberation and its distance from theoretical model.

However, the overemphasis on consensus and its purity in deliberation may tame the irreducible element of dissensus in political community and turn consensus deliberation into an exclusive and static form of democracy. In this paper, drawing from Jacques Rancière’s ideas of politics as interruption, “the part of those who have no part”, and the redistribution of the sensible, I try to displace deliberative democracy with a dissensual logic which gives priority to participation and relies on deliberative moments when new forms of participatory deliberation are created due to a redistribution of how to perceive the order of political community.

In the following paragraphs, I will first introduce the development of deliberative democracy under Habermas’ influence and its turn to the concept of deliberative systems in recent years. The next part of this paper, I will give a brief account on Rancière’s main ideas and its implication to renew our way of formulating deliberative democracy. After formulating a dissensual logic of deliberative democracy, I will try to discuss some research agendas for future development of deliberative democracy.

II. Habermasian Deliberative Democracy

The revival of deliberative democracy and its 'deliberative turn' (Dryzek 2002) in the 1990s can be attributed to the works of John Rawls (1993, 2001a, 2001b) and Jürgen Habermas (1979, 1984, 1991, 1996). Although Rawls and Habermas have disagreement on public reason, public justification, and other normative issues, their difference is not incompatible but constitutes a family resemblance that invites scholars to revise, complement, or expand the discussion of deliberative democracy. However, in comparison to Rawls, Habermas holds a greater influence among researchers in the field of deliberative democracy. His ideas of communicative rationality, ideal speech situation, public sphere, and public use of reason have long-lasting influence and inspiration to his followers.
In his view (Habermas 1996), in order to form an unfiltered and unbiased consensus, deliberative democracy is about individuals using their innate communicative ability to conduct rational debate and letting free speech circulating in public sphere. How deliberative democracy actually works can be characterised as a relationship consisted of concentric circles. In the centre of the circle lies in the formal public sphere, which are where parliament, government and court are located. The formal public sphere plays the role of main body for decision-making through a consensus reached by rational deliberation among political representatives of citizens.

The circles outside the centre circle are where the informal public sphere locates. The informal public sphere includes countless forums, workshops, meetings, and public hearings. Debates and discussions among citizens in the informal public sphere would circulate and form opinions about different public issues. The consensus gathered in the process of opinions-formation would become pressure toward the formal public sphere and push representatives in the formal sphere to seriously take their opinions into consideration. Therefore, the informal public sphere holds an indirect effect on the actual process of decision-making.

No matter how the deliberation is conducted in the formal public sphere or the informal public sphere, in order to gain mutual understanding and reach consensus, the ideal deliberation should be followed by what Habermas calls the ‘ideal speech situation’. Inspired by his elaboration of universal pragmatics, the ‘ideal speech situation’ is a normative reconstruction of ‘universal conditions of possible understanding’ (Habermas 1979, p. 1) and is consisted of speakers’ recognition on validity claims under the condition of four components. The four components are comprehensibility, truth, truthfulness, and rightness (Habermas 1979, p. 3). Comprehensibility means that the speakers’ utterance must be clear enough in order to make sure that the interlocutors understand each other. Truth corresponds to speakers’ intention to deliver proposition and knowledge that can be shared. Truthfulness represents speakers’ utterance is trustworthy, and rightness connects to the requirement that interlocutors speak properly for the sake of utterance being acceptable and agreeable. (Habermas 1979, pp. 2-3) Along with the four components in the ideal speech situation, speakers should use their rational ability to make arguments in exchange for better arguments that can be accepted by all.

Following the critique of instrumental rationality by works of Max Weber (2002) and early Frankfurt School theorists (Horkheimer & Adorno 2002), Habermas’ academic career is to save rationality from falling into the iron cage built by the instrumental rationality. He discovers the innate human capacity of communicative rationality and critiques that current system of capitalism has colonized our communication and concealed our undistorted communication in the lifeworld, which is where ideal communication happens (Habermas 1979).

Therefore, Habermas’ goal is to revive the unfinished promise of Enlightenment through his discovery of communicative rationality and ideal speech situation. His structure is to use these two ideas to create a process from opinion-formation to will-formation via deliberation in the public sphere at both the formal and the informal levels. The concentric circles mentioned above further shape a more structural system of deliberative politics in the normative issues of democratic legitimacy and public justification.
III. Development of Deliberative Democracy after Habermas

Although Habermas’ deliberative politics has attracted substantial criticisms (Sanders 1997; Mouffe 1999; Young 2001), scholars in the field of deliberative democracy are more willing to inherit and expand many of his ideas. The development of deliberative democracy after Habermas follows his step in expanding the meaning of deliberation, adjusting the relationships between the formal sphere and the informal sphere, as well as putting more emphasis on the role of the informal public sphere.

*Democracy and Disagreement* written by Gutmann and Thompson (1996) is the first book to make the effort. In this book, they try to reformulate a theory of deliberative democracy that is composed of deliberation in the forms of countless forums and discussions happening in the area between the formal and the informal sphere (Gutmann & Thompson 1996, p. 40). However, unlike Habermas who assumes a continuity from moral deliberation to political deliberation and gives deliberation an absolute priority, Gutmann and Thompson takes deliberation as a mediation to channel moral disagreement at the political realm in order to maintain the separation between politics and morality. By keeping deliberation only in its political function and emphasizing the equal priority of liberty and opportunity, deliberation should be conducted according to criteria of reciprocity, publicity, and accountability (Gutmann & Thompson 1996, pp. 13-5). Deliberation thus dissociates from its function in morality and gains its purpose for serving disagreement resolution in the political realm.

The deliberative democracy that Gutmann and Thompson envision is the one they call ‘middle democracy’ (Gutmann & Thompson 1996, p. 40). ‘Middle democracy’ imagines deliberation to be operated in the form of small scale forums and happen in both the formal public sphere and the informal public sphere. Its mission is to deepen current system of liberal democracy by promoting good quality of deliberation as the base for liberal politics.

Although the publication of *Democracy and Disagreement* can be seen as a middle way to engage in the debate between Rawls and Habermas, it has a deeper meaning in the development of deliberative democracy. First, their elaboration of deliberation redefines the meaning of deliberation and shifts its function from Habermasian ideal speech situation to utilitarian use in liberal politics. Moreover, their version of deliberation corresponds to the reflection on solving feasibility and practicality of deliberation, which sees it only feasible in small scales of talk and inescapable from dealing with the role of disagreement.

In addition, their work represents the trend in theory of deliberative democracy from normative investigation to establishing new models of deliberative democracy that makes the ideal deliberation approachable and meets the challenges from its implementation in the real world. Although most theorists recognize deliberation as an activity of reason-giving arguments among rational citizens, the meaning and function of deliberation are not the same among different theorists. The meaning and function are readjusted and shifted according to emphasized aspects. This tendency implies that the meaning of deliberation extended during the development of deliberative democracy. Theorists thus have tried to broaden the scope of deliberation by pushing its limit.
One of the influential elaborations is Iris Marion Young’s critique on deliberative democracy. In her paper called ‘Activist challenges to deliberative democracy’ (Young 2001), she constructs an imagined conversation between deliberative democracy theorists and social movement activists. This imagined conversation is trying to expose their characteristics, purpose, functions, and the ways they argue respectively. In doing so, Young not only tries to show their tensions and differences but also implies that the two sides should learn from each other and broaden our scope of what deliberation should be. In another paper entitled ‘Communication and the Other: Beyond deliberative democracy’ (Young 1996), apart from recognizing that deliberative democracy proposes a discussion-based democracy that is beyond interest-based model of democracy, she problematizes and challenges the assumption of deliberative democracy that ‘deliberation is both culturally neutral and universal’ (Young 1996, p. 123). She criticises that deliberation in the eyes of deliberative democracy theorists may privilege formal, general, dispassionate, rational, dispassionate, and disembodies speech that hides gender, racial and cultural biases and is usually owned by people with better education and social-economic status (Young 1996, pp. 122-4).

Moreover, with an emphasis on difference, she thinks that it is a problem for deliberative democracy to assume consensus and unity as its goal or departing point because the assumption that deliberative democracy theorists make is exclusionary. In her view, if we recognized the fact that our society is plural and different, then what we need to do is to take different elements in speech like emotions, cultures, body language, etc. into consideration. Consequently, we should put our focus on how to use communication and discussion to turn private interests into public reason, and we should expect us to listen, learn and understand each other in those transformed public reason. What Young sees in deliberative democracy is not consensus or unity but transformation that everyone undergoes in the process of communication. In her view, this idea of deliberation under the premise of pluralism and difference corresponds to Hannah Arendt’s idea of publicity. (Young 1996, pp. 125-8). Following her critique, Young maintains that her re-interpretation of deliberation should be better understood as communicative democracy and welcomes the inclusion of greeting, rhetoric and storytelling into her idea of communication in order to broaden the meaning and scope of deliberation. (Young 1996, pp. 129-31)

Another influential elaboration in broadening the scope of deliberation is Jane Mansbridge’s Everyday talk and Deliberative System (1999). In this paper, drawing from the idea that ‘the personal is political’, she argues that deliberative democracy should include everyday talk happening in the forms of daily conversation, media reports, meeting, forums, etc. in both the formal and the informal public spheres because these everyday talks contain richer resources and potential in shaping our engagement in politics and forming common opinions in decision making.

Stressing the role of everyday talk is not to lower the importance of deliberation in deliberative democracy. By carefully arguing that the criteria for judging deliberation can apply to everyday talk without difficulty, Mansbridge indirectly broadens the meaning and scope of deliberation with her idea of everyday talk and attempts to introduce the idea of deliberative system, which can be seen as flexible sets of individual sites where everyday talk and deliberation are conducted. However, the idea of deliberative system in her paper is a relatively vague concept, which is more like a revised combination of Habermasian ‘two-track’ process and ‘middle democracy’ elaborated by Gutmann and Thompson.
After Mansbridge proposing the idea of deliberative system, attempts have been made to elaborate this idea to capture a bigger picture of deliberation in a polity with different emphases. Robert Goodin (Goodin 2005, 2008) emphasizes the characteristics of distribution, division of labour, and the observation of sequential effect in a deliberative system. Carolyn Hendriks (2006) follows Habermasian structure of two-track procedure and highlights the role of integration in the concentric system. John Parkinson (2006) concentrates on legitimacy-building process in given moments of a deliberative system. James Bohman (2007) slightly mentions Habermasian idea of ‘an international negotiation system’ and imagines it as a constellation of different institutions conducting deliberation when he talks about the impossibility of democracy beyond the state. Sharon Krause (2008) praised that Mansbridge’s deliberative system is an open system that incorporates diverse type of discourses, so the approach of the deliberative system can be a good deliberative practices which embrace sentimental judgment without losing the pursuit of reason. Dennis Thompson (2008) sees the deliberative system as a conceptual framework to be established as a ‘middle-range theory’ in order to analyse the question of ‘how deliberation should be allocated within the democratic process?’ and bridge the theory and practice in deliberative democracy. John Dryzek (2009) puts the idea of capacity into the deliberative system and builds deliberative capacity as a variable to see how the level of performance in both democratic and non-democratic regimes can affect the quality of democratization.

Especially in Dryzek’s elaboration in bridging the deliberative system with deliberative capacity, he clearly summarized his idea about the relationships between deliberation and democracy, which may be agreed by most scholars of deliberative democracy. He says:

In a deliberative light, the more authentic, inclusive, and consequential political deliberation is, the more democratic a political system is. (Dryzek 2009, p. 1380)

That is to say, deliberative system is something parallel and attached to political system, and its quality would determine the quality of democracy and the progress of democratization. In his version of deliberative system, five elements constitute this system. They are public space, empowered space, transmission, accountability, and decisiveness. (Dryzek 2009, pp. 1385-86) Bearing with a strong sense of Habermasian two-track model, the public space works like the informal public sphere that circulates and forms discourses, opinions and ideas at all platforms. In comparison with public space, empowered space operates like the formal public sphere that plays the role of making actual and major decisions about public issues. In order to bridging the two spaces, transmission functions as the bridge and means to bring influence and pressure from public space to empowered space. As long as the transmission between the two spaces is smooth, it means the empowered space is accountable to the public space. Eventually, when these four elements can perform well, the deliberative system can make sure that its decision is not monopolized by the empowered space or small group of power elite.

Whereas these five elements form the deliberative system, Dryzek also proposes five determinants that decide whether deliberative capacity can emerge and grow. They are literacy and education, shared language, voting system, state structure and institutions, and political culture. In addition to the determinants of deliberative capacity, he concludes three obstructions that may prevent
deliberative capacity from cultivation. They are religious fundamentalism, ideological conformity, and segmental autonomy. (Dryzek 2009, pp. 1394-97)

Nevertheless, although researchers feel the need to introduce the idea of deliberative system into deliberative democracy and contribute their versions to this idea, what the deliberative system is has not been clearly explained. It is not until the publication of the book *Deliberative Systems* that theorists have a clear definition on the deliberative system and its relative research agenda:

A system here means a set of distinguishable, differentiated, but to some degree interdependent parts, often with distributed functions and a division of labour, connected in such a way as to form a complex whole. It requires both differentiation and integration among the parts. It requires some functional division of labour, so that some parts do work that other cannot do as well. And it requires some relational interdependence, so that a change in one component will bring about changes in some others. A deliberative system is one that encompasses a talk-based approach to political conflict and problem-solving - through arguing, demonstrating, expressing, and persuading. In a good deliberative system, persuasion that raises relevant considerations should replace suppression, oppression, and thoughtless neglect. Normatively, a systemic approach means that the system should be judged as a whole in addition to the parts being judged independently. We need to ask not only what good deliberation would be both in general and in particular settings, but also what a good deliberative system would entail. (Mansbridge et al. 2012, pp. 4-5)

The above definition is from the opening chapter of this book, which Mansbridge and other scholars in the field of deliberative democracy revisit the idea of deliberative system. Their re-elaboration can be seen as an extension and revision of Mansbridge’s early work on everyday talk and deliberative system. In their revisit, the deliberative system includes all forms of talk, and all forms of talk are treated as parts that form interconnected systems. In addition, the boundaries of systems are flexible when the boundary and scope of a deliberative system depend on aspects that researcher wants to draw upon and approach. Mansbridge and other scholars call this systemic approach as ‘the systemic turn’ (Mansbridge et al. 2012) in deliberative democracy.

‘The systemic turn’ in deliberative democracy is influential because it offers an further integrated thinking when deliberative democracy is usually seen as only feasible in form of small scale forums or meetings, which scholars call it ‘mini-public’. When most studies tend to focus on individual sites where ‘mini-public’ locates, a bigger context and interactions between other parts of deliberative sites would be easily ignored. Adopting systemic view can provide a more holistic and contextual perspective to see how different parts of deliberation working together to reach consensus and decision making.

Furthermore, as mentioned in the book of *Deliberative Systems*, highlighting the systemic characteristics of deliberation is to distribute the burden of decision making to the whole structure of deliberative sites instead of putting the responsibility on any single site or the formal public sphere like parliament and government (Mansbridge et al. 2012, p. 5). Distributing the burden of decision making to the whole system also means that every member in the political community participates, discusses, and shares the responsibility in the process of decision making.
Therefore, the systemic approach to deliberative democracy is to assess the function of the whole system rather than focusing on the quality of few deliberative sites. Normatively, a good deliberative system may not be the one that all parts of deliberative sites perform high-quality and well-functional deliberation. Instead, a good deliberative system is the one that all parts support and connect with each other when most of them perform relatively good quality of deliberation.

Although the idea of deliberative system provides a fresh, holistic, and structural view in investigating deliberative democracy in theory and practice, the systemic approach does not abandon the traditional view on evaluating the quality of deliberation in individual sites. On the contrary, the systemic approach calls for a more integrated view in collecting more cases and data in forming a structural assessment. Consequently, the core idea of deliberative democracy still lies in the setting of ideal deliberation.

The ideal deliberation envisions a rational and public discussion among free citizens through reason-giving arguments, and its goal is the possibility of reaching consensus through ideal procedure. The possibility of consensus assumes the possibility of mutual understanding via communication. These assumptions lead to theoretical and empirical studies to build the ideal model of deliberation and evaluate how far the empirical case is from theoretical model.

The systemic approach also adopts the same strategy by evaluating the quality of individual sites and assessing the interactions between individual sites in different areas of deliberation at systemic level. The difference of systemic approach from traditional approach lies in its view beyond individual sites, when the interactions between different parts of a system is more important than the quality of deliberation in any given part of a system. For the same reason, the failure of individual sites may not be the failure of a whole system, but the failure of a deliberative system may reflect some serious defects in its parts.

By prioritizing the deliberative systems, deliberative democracy gains a vantage point in re-imagine its theoretical direction, but it also exposes some unanswered questions that this paper wishes to further radicalize the discussion of deliberative democracy.

First of all, in the view of Mansbrige and other scholars, the deliberative system has flexible boundaries which depend on how a researcher draws its boundaries according to researchers’ questions and agenda. The flexible view on system is a smart way to develop this concept, but a question comes immediately: When a deliberative system is drawn out, are the parts of a system already known and settled in its right place waiting to be understood and investigated? If the answer is yes, then the ideal form of deliberative systems in its normativity and theoretical model is equilibrium of institutions. Its pursuit of politics is a stable political machine which aims to tame political conflict and struggle to its minimal level. Its politics is a politics of depoliticization.

If the answer is no, then how should we imagine deliberative systems without setting its boundaries of parts? Is it so important to assume deliberative systems without knowing its parts? What would it be so different when we imagine deliberative systems without knowing its parts?
In order to further investigate this issue, I will like to introduce French thinker Jacques Rancière’s thinking of dissensus and dis-agreement as principle of politics. Inspired by Rancière’s thinking, it can give us a new thinking about how to re-imagine deliberative democracy and its research strategy.

IV. Jacques Rancière’s view on Politics

Instead of assuming that the participants in deliberation own the same capacity of communicative rationality and eventually reach mutual understanding and consensus through ideal deliberation, Rancière engages the issue of communicative capacity from the principle of politics. By revisiting the classic definition in Aristotle’s Politics, he highlights the non-equivalence between political animal and speaking animal. Human as political animal is defined by its speaking capacity, but the assumption of what can be counted as speech rather than voice is the result of politics. The role of politics, in Rancière’s view, is to separate speech from, so politics predominantly decides what can be understood as speech and what should be regarded as voice. (Rancière 2004, pp. 1-17)

The difference between speech and voice lies in whether the sound can be made and is heard and understood. When a voice is not heard or understood, the voice maker is not recognized as a part of a community. However, these voice makers still exist in a political community without recognition or even live besides members of a political community. Their voices hold potential to be understood as speech but yet stay behind darkness. What Rancière sees is the zone of non-differentiation between speech and voice in human history, and this is where politics engages. That is to say, when classical definition takes what a speaking subject is for granted and equalizes it with political subject, Rancière problematizes our usually definition of speaking subject and questions that our usually understanding of what politics is already is a result of political function. Consequently, he has to reinterpret the classics and redefine our common understanding of politics.

Following Rancière’s reinterpretation of politics, politics not only distinguishes speech from voice, but also redistributes the order of political community because speech marks the fundamental feature of political community and constitutes its order. However, politics is commonly associated with foundational legal framework, administrative affairs, institutional arrangements, bureaucratic management, and other things related to total control of state and society. In Rancière’s view, our common understanding of politics is not the politics in his sense but a term he calls it the police, which echoes Foucaudian sense of governmentality and takes control of every aspects of individual life at the levels of both state and society. He tries to reverse our common definition of politics and redefine the meaning of politics:

1 As one of the most important critics of deliberative democracy from the group of radical democracy theorists, Chantal Mouffe’s shares some commonality with Rancière’s thought. For example, both of them consider liberal democracy in our age has turned itself into a phase of what they called ‘post-democracy’, which turns voters into consumers with seduction of distracted campaigns and falsely claims that parliamentary system can represent people. Moreover, both of them stress the role of disagreement in democracy. However, whereas Mouffe focuses on the idea of antagonism and treats consensus as a result of hegemony in her project of radical democracy, Rancière puts more attention on demonstrating how politics as the principle that decides the way we run our political community and is ambivalent toward whether consensus is a hegemonic function. In my view, I would see Mouffe as a thinker that stand a more oppositional position to deliberative democracy when Rancière plays a less oppositional role toward deliberative democracy. It is also the reason I try to renew the idea of deliberative democracy via Rancière thought rather than Mouffe’s idea.
Politics is generally seen as the set of procedures whereby the aggregation and consent of collectivities is achieved, the organization of powers, the distribution of places and roles, and the systems for legitimizing this distribution. I propose to give this system of distribution and legitimization another name. I propose to call it the police.² (Rancière 2004, p. 28)

By reversing our common understanding of politics into the police, politics in Rancière’s view not only represents a principle that separates speech from voice and but also stands for a special meaning in relation to the police. Whereas the police is in charge of maintaining and managing political community’s order by securing the boundaries between speech and voice, politics is its opposition which in different moments, takes the voice into account as speech by recreating new boundaries between voice and speech. When politics happens, it disturbs given boundaries and understanding of what should be counted as speech and voice. Rancière defines politics as such that:

I now propose to reserve the term politics for an extremely determined activity antagonistic to policing: whatever breaks with the tangible configuration whereby parties and parts or lack of them are defined by a presupposition that, by definition, has no place in that configuration- that of the part of those who have no part. This break is manifest in a series of actions that reconfigure the space where parties, parts, or lack of parts have been defined. Political activity is whatever shifts a body from the place assigned to it or changes a place’s destination. It makes visible what had no business being seen, and makes heard a discourse where once there was only place for noise; it makes understood as discourse what was once only heard as noise. (Rancière 2004, pp. 29-30)

From the sides of the established order, politics is challenging its order, so to the order of speech and the police, politics plays the role of the wrong that shakes the distribution of power and order inside a political community. Therefore, the wrong dissociates from its common meaning and represents the happening of politics, which is dissonance with established police order. The wrong occupies a special position that poses contention and exposes the limit of the police. Like the beginning of politics, the wrong is the parts that is not counted as speech and inclusively excluded from the police order, so its appearance demands a recount of the political community that has been miscounted from the very beginning. By articulating the relationships between politics, the wrong, and parts, Rancière sees politics as moments when the part of those who have no part gains speech, position, place and entitlement in a political community. He says:

For political philosophy to exist, the order of political idealities must be linked to some construction of city "parts;" to a count whose complexities may mask a fundamental miscount, a miscount that may well be the blaberon, the very wrong that is the stuff of politics. What the "classics" teach us first and foremost is that politics is not a matter of ties between individuals or of relationships between individuals and the community. Politics arises from a count of community "parts," which is always a false count, a double count, or a miscount. (Rancière 2004, p. 6)

² The italic is not in the original text but made by author.
The whole political principle of the wrong does not take the parts in a political community as given and settled. Instead, the wrong assumes fundamental miscounts in the constitution of a polis. This is where politics engages, and its logic resembles the position of democracy in political philosophy. When democracy in the views of political philosophy always treats people as one unity out of naturalization or construction, Rancière contends this presumption. He emphasizes that democracy is just like politics, which happens in the moments of counting the uncounted.

In addition, when Rancière’s uses terms like the part of those who have not part and the count of the uncounted, his politics/police binary and its voice/speech distinction entail strong spatial categories. The spatial categories also contain an aesthetic dimension which he calls ‘the redistribution of the sensible’. It means that the political wrong not just redraws the line between voice and speech but also generates new understanding of the world to the extent that it redistributes our sense of the place, space, and the world.

By using terms that contain the spatial and aesthetic dimensions, Rancière proposes a version of politics that is so different from theorists of deliberative democracy. Whereas theorists of deliberative democracy attempts to establish models to promote the construction of consensus and reduce disagreement to its minimal degree, Rancière embraces the irreducible disagreement in the political community and treats any reachable agreement as the result of voice/speech delineation. To be more precisely, his disagreement is not merely epistemological disagreement, moral disagreement or ethical disagreement. His disagreement, which can be called as logic of dissensus, assumes the impossibility of communication and is fundamental polemics between worlds.

For example, in the strike or labour movement that leads to the negotiation between owners and workers, negotiation is usually thought to be about workers' wage and welfare, so the direction of dispute settlement would follow the guideline to see where is the line to balance the interests between these two groups. From the perspective of deliberative democracy theorists, according to ideal deliberation, a negotiation like this is to design an ideal procedure and expect that the representatives of owners and workers can give rational arguments about their requirements. As long as interlocutors can compete themselves with better arguments, the consensus they meet is the best they can get.

However, from Rancière’s perspective, the point does not lie in ideal procedure or rational debate but rests in an irreducible disagreement behind the negotiation exists. As long as the negotiation cannot leave beyond wage, welfare, profit, and cost-benefit calculation, the negotiation is a product of the police. It does not mean the negotiation is always the product of the police order. However, as long as the way owners and workers understand the negotiation does not go beyond those common issues discussed before, the negotiation is a repetition of established order that presumes what can or cannot be talked.

Moreover, to extend Rancière’s idea, politics only happens when the part of those who have no part gain a place and an entitlement in political community. This happening not only takes struggle but also reflects a change in understanding the world. For example, the civil rights movement in 1960s not only gives minority groups rights but also redefines people's understanding about rights and how we can renew our political system. It also holds the same reason with the LGBT movement when
recent ruling from the high court in the US gave the right to equal marriage to the LGBT group. This ruling changes how we think of rights and the LGBT group when it gives the group the right they did not have. From this perspective, dissensus not only means the disagreement behind groups but also represents the transformation of our mindset before and after the happening of politics.

Seemingly, Rancière’s thinking of dissensus may look incompatible with theory of deliberative democracy. However, in the next parts of this paper, I would try to argue that his thinking holds great potential to contribute to the theory of deliberative democracy and inspire a new way of doing theoretical and empirical research on deliberative democracy.

V. Toward a Dissensual Logic of Deliberative Democracy

Theorists of deliberative democracy recognize that deliberative democracy is not a new thing but a revival of ancient idea, which can be found at its birthplace of Athenian democracy conducting direct democracy via rational discussion among free and equal citizens. Although reaching consensus in decision making and governance seems to be its goal, the underlining need for discussion reflects not just human’s basic speaking capacity as political animal, but fundamental disagreement and conflicts in political community. Radically speaking, deliberation reflects the existence of irreducible disagreement rather than a goal for reaching consensus. Where there is deliberation, there is disagreement.

Even though theorists of deliberative democracy recognize disagreement in political community, they all focus on building ideal model of deliberation in order to avoid or reduce the level of disagreement. It means that disagreement must be eliminated or contained to a controllable limit so that ideal deliberation can meet the goal of reaching consensus. In the ideal deliberation, members must consent to ‘the better argument’. The possibility of reaching consensus requires members to be citizens who have the same language ability to make rational argument and to be understood. The idea of consensus through deliberation assumes that voice/speech distinction and citizens’ participation are given without contention. Therefore, reaching consensus via deliberation is not to face the irreducible disagreement in political community but to secure participation and established structure of power in political community by creating a closure of dispute, debate, and dissensus, which are the elements of politics in Rancière’s idea.

Consensus in this sense is a manufactured result that reproduces the established structure of power in the name of reasonable and better arguments. In order to overcome this trap of consensus, deliberative democracy should face the irreducible disagreement in political community and radicalize itself by shifting its focus from building consensus to embrace dissensus. This is where Rancière stands a very important position. His theory not only gives a fundamental critique of deliberative democracy but also redefines it from his perspective on dissensus.

As mentioned above, theorists of deliberative democracy believe that the plantation of deliberation and its growth in the political system can deepen our democratic systems, but they ignore that the emergence of deliberation is a reflection of disagreement waiting to be faced and solved. Because theorists of deliberative democracy put too much emphasis on problem-solving, they seldom face and question the meaning of disagreement behind all deliberation. If we follow Rancière’s line of
thinking, deliberation is not just the need for discussion and the existence of dissensus behind our political community.

Deliberation reflects an opening of dissensus that may or may not redefine the boundary of voice and speech. Instead of perceiving deliberation as a zone of better arguments spirally replacing each other until the final and settled one, deliberation should be viewed as a zone of struggle that voices are trying to take place in the area of speech if we view deliberation from the perspective of dissensus. When voices struggle to be spoken out, heard, understood, and accepted, it also takes system of speech changing its tune in order to hear and understand voices clearly. The whole process of reaching consensus in deliberation may be viewed as either reproducing how we perceive the world or generating a new way of understanding. At the outcome of each deliberation, when the consensus is reproduced within the given boundaries of speech, groups who occupy the position of established power will strengthen their ability to sustain their interests. In contrast, when a new way of understanding is generated at the end of deliberation in each round, the boundaries between voice and speech will be redrawn. With the redefined boundaries, the part of those who have no part has a place to occupy, an entitlement to gain, and is counted as part of political community.

However, just like what the discussion of the deliberative systems informs, the outcome of an individual deliberative site cannot fully determine whether politics happens in the whole political community. Only a systemic approach can offer a more profound perspective in assessing a broader and deeper interaction between different parts of deliberation in a deliberative system.

Whereas Mansbridge and other scholars’ discussion on the deliberative systems expects a good interaction and health connection between given parts of deliberation in different areas that form a broader system, the systemic approach inspired by Rancière’s thinking does not assume that all parts in the deliberative systems are given. Instead assuming all parts are given in the deliberative systems, what should be noted is the emergence of the parts that were not counted as parts of the deliberative systems. That is to say, corresponding to the discussion on the deliberation at the individual level, the deliberative systems from the perspective of dissensus will emphasize the emergence of redefinition on the boundaries between voice and speech. Systemic change in its voice/speech delineation would mean that another group of people takes place and gains an entitlement in the political community because they are capable of speaking out and being understood. It also means that the systemic change forms another access to include better, broader and deeper participation. In order to better explaining this type of idea about deliberative democracy, I would like to call it ‘dissensus deliberative democracy’.

Because the dissensus deliberative democracy shifts the focus from good interaction between parts of deliberation at system level to the emergence of part of those who have no part, the dissensus deliberative democracy also reflects a shift of researching deliberative democracy from talk-based approach to participation based approach. Nevertheless, the shift from talk-based approach to participation based approach does not mean abandoning talk in the dissensus deliberative democracy. On the contrary, talk still plays an important role in the dissensus deliberative democracy because just as Mansbridge deepening the discussion by bringing everyday talk into deliberation and enriching deliberation’s content, the dissensus deliberative democracy tries to radicalize the limit of deliberation by bringing the participation in the content of deliberation.
so, the feasible way to approach participation is still discursive, and participation based approach via the mediation of discourse can deepen our understanding of deliberation.

In general, the dissensus deliberative democracy aims at tracing the process of deliberation to see whether deliberation at both individual and systemic levels is a reproduction of given consensus or an emergence of dissensus which generates new way of understanding and innovates new model of participation. In order to further elaborate this perspective, some research agenda and perspectives can be raised in the following section.

VII. Research Agenda from the Perspective of the Dissensus Deliberative Democracy

Archon Fung and Erik Olin Wright wrote a paper called *Deepening Democracy: Innovations in Empowered Participatory Governance*. In this paper, they focus on several innovative experiments on participatory governance around the world and try to engage the discussion of deliberative democracy with empirical cases. The article later was combined into an edited book with five papers on the cases they mention about and commentaries from other scholars. On the paper version, they called their approach as Empowered Deliberative Democracy (EDD), but when the article was put into a book chapter, they change the term to Empowered Participatory Governance (EPG).

Their swing from EDD to EPG shows the conceptual difficulty in putting deliberation and participation together although they are related. Whereas theorists of deliberative democracy secure a strict boundary of deliberation, participation is only an important and independent part of the discussion in deliberative democracy. However, if we look this issue from the dissensus deliberative democracy, which takes deliberation as a linguistic action struggling to participate in political community, then the ideas of EDD and EPG not only merge but also constitute one of the radical forms of deliberative democracy.

Fung and Wright’s idea corresponds to the participatory studies, another branch of studies related to deliberative democracy. Participatory studies have been influenced by Benjamin Barber’s *Strong Democracy* (2003) and Carole Pateman’s *Participation and Democratic Democracy* (1970). Both of their ideas highlight the role of participation as direct action in enhancing citizen’s engagement in public affairs and deepening given democratic systems by amplifying participation’s efficacy.

When participatory studies are approached via the perspective of deliberative democracy, participatory practice is observed in individual site of deliberation to see the quality of deliberation and level of inclusion according to ideal model. Participatory studies can also be treated from the perspective of participatory governance, which aims at assessing the level of participation and the political efficacy of each participatory practice.

Whereas Fung and Wright’s works situate in between these two approaches and invites more interdisciplinary engagements, John Gaventa’s research on participatory practice (1982), inspired by Steven Lukes’ three dimensions of power (1974), focuses more on power analysis in each participatory practice and its broader socio-political context. Thus, he not only pays attentions to the visible conflict and shift of power structure in each participatory practice, but also treats the invisible
and ideological structure equally important as the other two dimensions of power that filter our perception of what can be made public and political.

From Fung and Wright to Gaventa’s research on participatory governance, they all attempt to highlight the importance of participation as a response and supplement to the studies of deliberative democracy. Especially when Gaventa brings power analysis into the studies of participatory practice, his approach can be seen as aiming at what is lacked in the studies of deliberative democracy. Theoretical and empirical studies of deliberative democracy usually assume the ideal deliberation is a power empty status, so researchers either envision an ideal deliberative polity from normative investigation, which is detached from real world, or test the distance of real world deliberation from its ideal model.

This attitude of avoiding power analysis in the studies of deliberative democracy reflects the tendency that theorists of deliberative democracy treats politics in its purity, so idea like power as the fundamental idea in political analysis must be excluded from its ideal form. This tendency turns the politics of deliberative democracy into a depoliticised politics that secures the boundaries between voice and speech by staging an ideal deliberation. In contrast, by resorting to Rancière’s politics/police distinction, dissensus deliberative democracy can propose an alternative mode of deliberative democracy that can shed light on the issue of participation, deliberation and power.

When Rancière raises the idea of politics/police distinction, politics as disturbance and interruption is entangle and blended with the order of police. As Rancière responds to his commentators, he says that “the opposition between politics and police goes along with the statement that politics has no ‘proper’ object, that all its objects are blended with the objects of police (Rancière 2011, p. 5). Also, whereas police holds power, occupies places, and forms order, politics has no proper object, stands in the opposition of the police, and breaks with it. It means that politics is heterogeneous from the police, and the happening of politics is the meeting of these two heterogeneous logics.

The intention that Rancière defines politics in this way is to dissociate politics from the concept of power while he still wants to maintain the connection between politics, police and power. Therefore, power belongs to the logic of the police, while politics is the principle that breaks with it. In addition, under such circumstance, politics will not be part of power structure when some scholars try to claim the statement that ‘everything is political’. In Rancière’s view, when everything is political, everything can turn into police. Therefore, he proposes the idea that ‘nothing is political in itself’, but ‘everything may become political’ (Rancière 2004, p. 33). This idea of defining politics can avoid turning politics into either part of the power structure or being detached from the real world as normative ideal. The mission therefore is not to claim anything as political but to put emphasis on making things political.

In order to make things political, politics can only take place in the realm of the police. Because politics blends within the police, it means that the idea of making things political should begin with understanding the current distribution of power in the police order. When Rancière chooses to use the police to describe our common understanding of politics as administrative management, institutional arrangement, and legal framework, etc., he is referring to Foucault’s idea of
governmentality in claiming that “the police described by writers of the seventeenth and eighteenth centuries covered everything relating to "man" and his "happiness" (Rancière 2004, p. 28).

Therefore, identifying the police order is equally important to the search of politics. This is a doublefolded task, and this idea has crucial implications to the dissensus deliberative democracy because Gaventa’s elaboration on three dimensions of power can be treated as a strategy in understanding the change of police order. Also, Rancière’s incorporation of Foucault reminds us of Foucault’s idea of governmentality, discourse analysis on power and view on error. The Foucault’s legacy may contribute to our understanding of police order as well.

In an article called *Life: Experience and Science*, Foucault (2003) praised George Canguilhem’s works and portrayed another strategy of doing philosophy of science. In this alternative strategy, philosophy of science and scientific development are viewed as a series of 'errors' instead of linear accumulation and progression toward truth. Error has special meaning here because it represents those anomaly, abnormality, interruption, chaos, discontinuity, unpredictability, and contingency in history. Foucault tries to capture the historical evolution of science and its epistemology in this non-linear manner of errors in order to save reason, as the most prominent drive in the promise of Enlightenment, from becoming despotism. Linear progression is the projection of our own expectation, and Foucault sees errors as the chance to release all the elements that we exclude because of this progressive projection.

How Foucault views error forms his operation of governmentality and discourse analysis on power. When governmentality can be simply understood as government’s 'conduct of conduct' in controlling and managing population under state sovereignty, he tries to approach discourses on the 'conduct of conduct' and map out different configurations in the historical evolution of governing techniques. Different configurations represent various modes of governing techniques with corresponding power structure, and the change of modes is the result of many contingent elements in history. Foucault’s focus on error is not merely seeing how different modes of governing techniques shift in the past due to errors and sustain their power and authority. Error is also the unpredictable elements for future change at the present.

From this perspective, Foucault’s view on error have similarity with Rancière’s idea of the wrong in the police/politics distinction because both error and wrong contribute themselves as unexpected elements in a given boundaries of political or epistemological regime. Whereas Foucault extends his idea on error from philosophy of science to the formation of society and state governance, Rancière directly draws the idea of the wrong from every beginning of politics in the history of political philosophy and western political history. These two directions converge in Rancière’s discussion on the police, and Foucault’s works and perspective can assist us with better understanding on the formation of the police order and its possibility for the emergence of politics. Consequently, dissensus deliberative democracy drawn from Rancière’s thought can contribute to several directions of its research agenda.

First of all, because the dissensus deliberative democracy argues a participatory based approach, it will follow the research strategies inspired by Fung and Wright. However, apart from measuring the level of participation and models of collaboration (top-down/bottom-up matrix), the analysing
strategy will focus on whether new ways of understanding and participation have been generated. Therefore, this is where Gaventa’s work will engage in the relevant studies that sees power in its three dimensions: 1) the change of power structure in visible conflict of policy making process and institutional innovation; 2) the invisible filter that decides the visibility of issues and its contestability; and 3) the ideological structure that determines how participants interpret their political community and the world.

However, when Gaventa’s work approaches ideological dimension of power via an institutional lens, Foucault’s approach via discourse analysis gives us a more flexible and diverse sources to investigate how ideology embodies in individual’s speaking activity and written works. In addition, Foucault’s work on error can also facilitate us in seeing not just those successful models of participatory deliberation. Unsuccessful participatory practice and deliberation can also contribute to our understanding on how the police order works and how certain voices might potentially break through the limit of speech. In this way, what we are really looking at is not ‘successful’ deliberation but deliberation that changes our way of thinking and includes the part of those who have no part.

Finally, echoing the discussion of the deliberative systems, dissensus deliberative democracy focuses not only on deliberation at individual sites but also on broader interaction at the systemic level. The boundaries of system may vary according to different aspects that the researchers tend to observe. At the first impression, it may be a drawback for not defining clear boundaries of deliberative system. However, the flexibility in defining the boundaries of the deliberative systems reflects the richness of interaction that dissensus may take part in any corner of the system with or without notice.

VIII. Conclusion

In the development of deliberative democracy, the deliberative turn is not just a one-time movement. The process of going back to deliberation expands the meaning of deliberation from deliberation in the formal public sphere to the informal public sphere. It then broadens its scope to everyday talk and systemic approach. This process implies a radicalization of deliberation, but most theorists of deliberative democracy do not notice this tendency. Inspired by Rancière’s works, this paper attempts to radicalize deliberative democracy from its opposite side of dissensus and proposes the idea of dissensus deliberative democracy.

In sum, the dissensus deliberative democracy does not aim at establishing ideal model of deliberation and measuring how far the deliberation in the real world is from its ideal. Instead, via everyday practice and institutional innovation, the dissensus deliberative democracy aims at two missions: 1) to depict the structure of the police order, which determines how consensus is reached; and 2) to capture where politics potentially lies to redefine the voice/speech distinction and count the miscounted in.

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