

Group Difference and Institutional Accommodation: Deliberative resources and activist challenges

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DOSSIER: IN MEMORIAM, IRIS MARION YOUNG (1949-2006)

Article: 41→45 Notes: 46 Bibliography: 46

41

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GROUP DIFFERENCE AND
INSTITUTIONAL ACCOMMODATION:
DELIBERATIVE RESOURCES AND
ACTIVIST CHALLENGES

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At the end of *Activist Challenges to Deliberative Democracy* Iris Young asserts that a full account of democratic theory needs both deliberative democracy and activism. The problem with this, as Young points out, is that “the two kinds of activities cannot usually occur together”; given this, our best response is to “affirm them both while recognizing the tension between them” (2001, 689).

With this statement, Young draws attention to a serious gap in deliberative democratic literature. *Activist Challenges* addresses new ground in deliberative theory and the work that Young does here to illustrate the tension between deliberative democracy and activism is very important. In large part as a response to feminist critiques of impartiality, particular constructions of rationality, and acceptable modes of speech that devalue women’s contributions (1990, 7, 97, 99-107; 1996, 123-24; 2000, 36-51) deliberative theorists spend a considerable amount of time and energy discussing the mechanisms that we can use to make deliberations more inclusive. While there is definitely a need for this, this is certainly important, an unintended consequence of more inclusive deliberative procedures is that people who

do not appear to meet deliberative criteria cannot participate (either formally or effectively depending upon the situation) in deliberations. Moreover, after these revisions their exclusion now has greater normative force. This does not bode well for protestors: if deliberants make mistakes applying these criteria, then marginalized deliberants, who face exclusion as protestors, have no recourse.

It is here, in terms of marginalized deliberants, that Young addresses the tension between activism and deliberative democracy in terms of its impact upon marginalized deliberants. Her work is especially important in terms of framing this problem given her earlier work on social groups and, most notably, her use of difference as a resource. One of Young's most important contributions to democratic theory is the normative weight that she attributes to group difference and, in particular, the fundamental role that difference plays in creating social and institutional structures. In *Justice and the Politics of Difference* Young draws from social movements and feminist literature as she justifies why we ought to take difference into account. Intersections of class, race, sexuality, age, ability, and culture within feminist groups lead Young to focus upon a broader discussion of activism in which she goes beyond looking at women's oppression to deal with multiple oppressed groups (1990, 13-14). Young She argues that because equality sometimes requires different treatment for dominated or oppressed people. Consequently, we must focus upon the ways that group differences inform how we ought to understand group relations and how we ought to structure institutions when we theorize procedural issues of participation and decision-making (1990).

Young revisits the democratic potential of group difference in her later works (1996, 1997). Here sShe argues that we ought to use difference as a resource for democratic communication: people can only communicate across their differences if they use their social perspective as a way to identify partiality, expand social knowledge, and, ultimately, to move the terms of democratic debate from a perspective that unfairly assumes a biased standard of evaluation to one that people build collectively (1997). This move strengthens the institutional aspect of Young's work as it draws attention to the constitutive role that differently-situated groups have in terms of framing democratic discussions: a role that is particularly important when we turn our attention to the tension between deliberative democracy and activism.

These themes of difference and the constructive roles that groups play inform *Inclusion and Democracy*, in which Young offers her most comprehensive account of deliberative (communicative) democracy. Here, three things in particular stand out and connect this book to earlier works. First, Young advocates the key role that social group positioning ought to play. The concept of difference as a resource has a stronger normative basis in *Inclusion and Democracy*. : Young offers many specific, carefully-crafted arguments as to how differently-situated people can reframe democratic procedures. The deliberative use of greeting, rhetoric, and narrative takes feminist critiques into account. These new modes of communication Bbuilding on Young'sher earlier work. As she applies them there are now clear areas of practical application for difference as a resource arise, as well as and illustrations of specific ways that marginalized groups can pursue full and effective inclusion (2000, 57-77; 115-120).

Second, and relatedly, Young's chapter on inclusive political communication develops her work in *Communication and the Other*. Whereas in her earlier article Young focuses upon how greeting, rhetoric, and storytelling work (in terms of the group-specific critiques that people level and how this approach can convince others of inherent biases in old modes of communication), she is much more specific in *Inclusion and Democracy* about the ways that deliberants can use these modes of communication in order to expand the scope of deliberative democracy (2000, 57-77; 115-120). The communicative approach helps deliberants to address hegemonic views, as Young points out with an instance of narrative in which feminist activism led to sexual harassment legislation (2000, 72-73). In another case, Young cites Carol Mosley Braun's successful use of rhetoric in the US Senate, and praises the positive contribution of "her extreme and even disruptive speech" (2000, 67). These examples, in addition to their contribution to the inclusive potential of deliberative democracy, are also interesting in terms of their activist roots. When Young returns to greeting, rhetoric, and narrative in *Inclusion and Democracy* her examples extend the scope of communication from her examples in "Communication and the Other. Beyond Deliberative Democracy" to argue that the range of necessary "forms of making a point" also include "visual media, signs and banners, street demonstration, guerilla theatre, and the use of symbols" (2000, 65). These latter examples have a clear basis in social movement literature and, in terms of

the role that activism plays to question existing structures, support what Young labels a more antagonistic model of deliberative democracy (2000, 49).

Finally, Young emphasises that in order to have truly inclusive deliberations we must listen to people's claims "unless and until they can be demonstrated as completely lacking in respect from all others, or incoherent" (2000, 70). With this admission the range of permissible arguments is, at least initially, very wide and stands in contrast to many other versions of deliberative democracy that narrow the range of acceptable discourse.¹

The amendments that Young makes have considerably far-reaching implications. The types of reasons that deliberants can use and the modes of communication that people can engage in to present them in this expansive model of deliberative democracy mean that marginalized people will have greater political efficacy. Deliberants have to listen to arguments that many conceptions of deliberative democracy exclude, and even where marginalized groups might be unsuccessful in their claims Young is careful to insist that deliberants must establish procedures to register dissent (2000, 24).

This last point is important. The problem that activism poses to deliberative democracy is a significant one for deliberative theory. If we do not take activism seriously then we ignore, risking deliberative legitimacy, the potential cost to marginalized groups who are contemplating leaving deliberations because of their effective exclusion. If marginalized groups leave because of this then deliberative legitimacy is at risk.

In response to this potentially unjust exclusion, Young makes two institutional moves to address activism in a deliberative democratic context. The first is to expand the scope of reasonableness to include (some) arguments that activists make, and the second is to recommend that deliberants address activist challenges by creating "inclusive deliberative settings" (2001). The purpose of these settings is to let activists examine social and economic structures when they argue that structural injustice works to effectively exclude them from deliberations. The idea is that by deliberating separately, people will be more likely to articulate what is wrong with the starting premise and to convey the seriousness of this to the deliberative group (an approach that is similar to the work that consciousness-raising groups do). The inclusive deliberative settings are separate from the deliberative group: they exist "for the most part . . . outside of and opposed

to ongoing settings of official policy discussion" (2001, 684-685) and, as such, appear to be part of the larger deliberative structure. It is unclear as to what, exactly, inclusive deliberative settings will consist of. Given Young's account, however, it makes the most sense to think of them as ad-hoc deliberative groups. Calling for these groups to be "outside of and opposed to" the ongoing discussions of the "official" deliberative group suggests two things. First, activists are still institutionally connected to the deliberative group and, as such, must still meet deliberative criteria in inclusive deliberative settings. Second, it suggests that people in the deliberative group will continue to conduct their own deliberations on the basis of the premise that activists contest.

Establishing these inclusive deliberative settings does give activists more power within a deliberative framework, but the problem remains that the people in the (original) deliberative group still have the balance of power. This power manifests itself in (at least) two ways. First, because deliberative criteria will still govern the inclusive deliberative settings activists risk co-optation. Activists who would gather in inclusive deliberative settings have starting premises that already meet deliberative criteria, but nonetheless find their premises marginalized because the rest of the deliberative group (who hold the balance of power) choose to frame deliberations differently. Activists are free in inclusive deliberative settings to frame deliberations according to their own premises: these ad hoc groups can go on to deliberate as they otherwise would — although with the obvious thought that they will give to convince people within the deliberative group to reconsider. Young does not directly argue for this extension of deliberative criteria, but it is implicit in the way that she discusses inclusive deliberative settings as a solution. Nothing about the activist's response to the problem is incompatible with deliberative criteria: the problem is one of framing and Young's assertion that the deliberative group has to help create these deliberative settings suggests that they will (and can) do so only if people in inclusive deliberative settings meet deliberative criteria.

Second, when people in inclusive deliberative settings finish their own deliberations and return to the deliberative group they still have to engage with the same framing of deliberative criteria and the same people who previously rejected their starting premise. Now, after deliberating in the inclusive deliberative settings people should have stronger (better developed) reasons that they can use to try to con-

vince the rest of the deliberants that their premises are important and that the deliberative group ought to re-frame deliberations accordingly. Creating inclusive deliberative settings greatly improves deliberative democracy's ability to effectively include marginalized groups. However, there are no guarantees that the deliberative group will listen, and if they do not then we are left with the original problem.

Young's push to develop institutional mechanisms to deal with protest is an important move in deliberative democratic theory. The structural changes that Young proposes with an expansive conception of reasonableness and inclusive deliberative settings show that she takes this significant problem seriously. The structure of the inclusive deliberative settings, however, as ad-hoc deliberative groups that deal with protest, however, is different from an institutional move that addresses activist groups. In Young's proposal the role of marginalized groups who would, without inclusive deliberative settings, mobilize as protest groups is one of a critical deliberants: people who, but for the chance to critique the framing of deliberations would otherwise leave to protest their effective exclusion. Critical deliberants, importantly, are not activists. Young's proposal addresses marginalized deliberants before they become (or after they agree to stop being) activists. The institutional ties between inclusive deliberative settings and the deliberative group work to keep would-be activists from leaving the deliberative group altogether, or, if they have already left, make sure that activists re-enter as deliberants.

The ability of Young's conception of deliberative democracy to address this exclusion is significant. The problem, however, is that this otherwise commendable response does not account for *activism*: that is, if there ought to be deliberative recognition of activists while they are outside of, and opposed to, the deliberative group. That Young's account concedes that deliberants agree that activists do make valid points about effective exclusion and that she accounts for this in her theory is a big step for deliberative democracy. However, the fact that it is deliberative democrats who, through a closely connected ad-hoc part of the deliberative group, address the valid points that activists raise means that Young's discussion of activism ends up becoming about the arguments that deliberative democrats are aware of because of the efforts of activists but is not a discussion of activism itself.

Despite the problems that Young runs into in terms of her ability to fully account for activism, her emphasis on the fact that delib-

erants have to listen to a wide range of arguments and must take dissent seriously is very important. Additionally, her advocacy of institutional measures that facilitate this (2000, 2001) is a significant move. When we look at the work that Young does in *Activist Challenges* here in conjunction with the activist-inspired sources that she draws from to emphasize the transformative role of group difference in *Inclusion and Democracy*, we are left with an important normative foundation on which we can address issues of inclusion and exclusion.

In *Justice and the Politics of Difference* Young begins with a story of a protest in Washington DC and looks to the constructive role that social groups play. By the time that Young wrote *Inclusion and Democracy* she had developed ways to theorize participation and decision-making that better encompass marginalized groups and alternative forms of effective political communication. These new approaches retain the earlier influence of social movements and feminist activism and, indeed, are inspired by them. Young still looks to the role that "creative acts of civil disobedience" (2000, 175) play in drawing focuses our normative attention onto the exclusions that still take place in democratic processes despite our best efforts. What is most interesting about Young's work is the way that she and consistently asks us to reframe democratic participation in the hopes of successfully addressing this. Taking group difference seriously led Young to identify activism as a significant challenge to deliberative democracy's claims to inclusivity; approaching group difference creatively and using it as a resource led Younger to develop a more inclusive conception of deliberative democracy. Taking group difference seriously led her to identify activism as a significant challenge to deliberative democracy's claims to inclusivity. and Reading these two aspects of her work in conjunction can, I hope, inspire push us to continue to draw from her work in this area and to press for additional creative institutional change in order to continue her work and to address the remaining challenges.

NOTES

¹ See especially Daniel Weinstock “Saving Democracy from Deliberation.” In R. Beiner and W. Norman (eds.), *Canadian Political Philosophy: Contemporary Reflections*. (Oxford: Oxford University press, 2001) pp. 78 –91.

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ARTICLES

46

ARTICLES