Deliberation and Strategic Action: How they Mutually Enhance Norm Diffusion

In the international socialisation literature, the cross border diffusion of norms tends to be analysed through competing explanatory and prescriptive models centred on strategic action and deliberation. In what follows, I critically reflect on the assumptions behind this work. I argue that norm diffusion frequently involves a productive interplay between each mode of influence, with the cost–benefit calculations of strategic behaviour enhancing the communicative reasoning of deliberative behaviour, and vice versa. Moreover, while the success-oriented behaviour of strategic action represents a departure from the deliberative tenet that political outcomes should emerge through an assessment of what everyone could reasonably accept, I contend strategic intent can still be justified from a deliberative standpoint whenever it compels actors in positions of strength to be receptive to the claims of actors in positions of weakness.

Deliberation and Strategic Action: Incompatible Logics?

Strategic action and deliberation encompass two modes of influence that help explain how and why individuals, civil society groups, corporations, states, and intergovernmental organisations comply with or reject contentious norms present in international law and ethical discourses. Actors complying for strategic reasons are motivated by a success-oriented logic. They anticipate they will secure more benefits than incur costs, or correspondingly, reject reform demands because they anticipate the costs of compliance will outweigh any likely benefits. Accordingly, an actor who responds to a set of demands on strategic grounds is unconcerned with the broader justifiability of this act. Rather, he/she sees it as the most effective way of maximising core interests in light of the available opportunity structures.

Whereas strategic action refers to a 'logic of consequences', deliberative or communicative influence refers to the interrelated logics of 'arguing' (Risse 2000, 1–2) and 'appropriateness' (Checkel 2005, 804). Actors alter their behaviour not because it will simply bring them advantage, but because it is perceived as the most justifiable thing to do from the standpoint of all affected parties. Deliberative influence is asserted through practices of questioning, criticising, publicising, educating and persuading (Risse and Sikkink 1999, 13–14; Dryzek 2000, 131). Those submitting to it are prepared to alter their preferences following exposure to new information, ideas, and arguments that prove they were initially mistaken about their thinking.

The instrumental reasoning of strategic action and the communicative reasoning of deliberation tend to be studied in isolation of one another or are simply treated as competing pathways of reform. This is particularly evident in the burgeoning research on 'Europeanisation' that has emerged since the European Union's and North Atlantic Treaty Organisation's eastward enlargement into formerly communist states. This body of work is compartmentalized between theorists who focus on the impact of material inducements (Kelley 2004; Schimmelfennig 2005; Vachudova 2005) and social learning (Gheciu 2005) to explain shifts towards pro-normative behaviour by accession states. However, this research leaves unexplored questions on how each mode of influence might mutually interact to produce norm conformance, even though an awareness exists that neither rational choice nor deliberative pathways on their own provide a complete explanatory picture of accession reform.

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For example, Judith Kelley asserts that membership conditionality 'may not only be about getting the incentive right, but also about getting the dialogue right' (2004, 453). Nevertheless, Kelley still concludes one-sidedly that deliberation played an insignificant part in overturning policies hostile to minorities in post-communist accession states on the grounds that policy-makers there were unreceptive to moral arguments for change and were more intent on securing the material spoils of Euro-Atlantic membership (2004, 451–452).

Others avoid combining the two modes of influence on normative grounds. This sentiment is most prevalent in deliberative circles, where the bargaining behavior and egoism of strategic action has traditionally been considered coercive and improper for the enactment of policies that are of moral significance (Habermas 1998, 4). An unshakable commitment to this separation is expressed by Seyla Benhabib (2002, 143–144), who rejects out of hand attempts to increase the global appeal of human rights on strategic grounds. As she asserts, if we believe human rights 'constitute the moral foundation for democracies everywhere, then we must be ready to argue for their validity on the basis of reasons we think can be justified from the standpoint of all humans' (143–144). In these terms, it would be inappropriate for American leaders to say, 'We accept human rights because from our point of view, they are the best way to spread our way of life throughout the world' or Chinese leaders to say 'We accept a minimum list of human rights because, from our point of view, they permit us to gain international credibility and to access international markets' (143–144).

While there are good explanatory and normative grounds for making a distinction between strategic action and deliberation, they rarely, if ever, separate cleanly in practice. There are a variety of reasons for this.

1. Strategic Behaviour can be Consistent with Moral Outcomes

Self-interested behaviour can be consistent with the achievement of morally significant goals, rather than simply function as an impediment. Indeed, if moral justifications on their own are doing little to ameliorate human oppression, there is nothing to gain by dogmatically adhering to them. A just arrangement arrived at on strategic grounds is still far more desirable than no just arrangement at all. In reality, this is the stark choice reform initiatives are confronted with, as those pressed to relinquish power and privilege will be weighing up the risks of doing so from their own vantage point. When well-being is perceived to hinge on the continued subordination of others, there may simply be too much at stake for mutual understanding to be the guiding motivation of politics. For this reason, Benhabib's demand that we pursue reform only on the basis of reasons we think can be justified from the standpoint of all human beings is utterly utopian and loses sight of the moral purpose of such reforms, namely, to alleviate human suffering.

The point can be illustrated through the international spread of minority rights norms. This process reflects a mixture of motivations, all of which are not moral in nature. For example, the UN introduced norms and standards for the protection of indigenous people on moral and humanitarian grounds, driven by a joint desire to atone for the historical injustice of colonialism and to prevent a return to racial segregation. By contrast, European international organisations endorsed the protection of national minorities for instrumental and geopolitical reasons, fearing the mistreatment of minorities by national governments would threaten international peace and security through the spillover of intrastate violence (Kymlicka 2007, 268–270). However, that the global spread of minority rights norms was not always moral by intention does not translate into outcomes that are any less moral by justification. It was, after all, self-interested calculations that motivated a shift towards egalitarian state–minority relations where mere appeals to communicative reason did not.

2. The Initiation of Deliberation requires harnessing Self-Interest

To the extent that conflict evokes strategic behaviour, kick-starting a process of deliberation relies on an incentive structure that makes deliberative engagement a matter of self-interest. As Mark Warren has noted, political contexts are 'characterised by low trust, high threat, and, hence, a bias toward the strategic use of communication' (2007, 285). When individuals are behaving as utility maximisers, deliberation is made more probable by presenting them with a set of alternatives that reduce the costs and increase the benefits of pursuing objectives through the 'force of better arguments', or alternatively, increase the costs and reduce the benefits of continuing to evade this communicative path of influence.

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Civil disobedience is an example of the latter scenario when it prompts the privileged to listen to those they have historically ignored. Disruptive and offensive behaviour calls to attention the unreasonableness of others and can make it politically costly to continue excluding from policy-making those with a stake in issues debated (Young 2000, 49). An example of the former scenario is the provision of security assurances by influential third parties to encourage mutually hostile ethnic groups to reflect on and revise their preferences on power-sharing. Such interventions reduce the sense of vulnerability each antagonist feels at the hands of the other when contemplating the redistribution of sovereign power, and therefore increases the scope for transformative dialogue when it would otherwise be overshadowed by a concern for self-preservation.

3. **Incentive Based Reform is reliant on Deliberative Practice in order to achieve Impact and remain principled**

Just as deliberation is dependent on harnessing self-interest, so too is strategic action reliant on deliberation in order to achieve impact. This can be illustrated through the extension and retraction of incentives. Even though this process is geared towards invoking instrumental reasoning, the power of incentives has social origins, as discourses alter how actors define and pursue interests and ideals, and therefore the kinds of incentives they are likely to perceive as attractive. This explains why the pull of incentives is not uniform, but varies across societies and moments in time, subject to how material resources are mediated and constituted by different norms and ideas (Bukovansky et al. 2012, 13–14).

The part played by deliberation in enhancing the appeal of incentives is evident in the eastward expansion of Euro-Atlantic institutions. The perceived national interest in joining the EU and NATO was not ready-made in states emerging from generations of communist rule, but had to be consciously generated among sections of the population indifferent or opposed to Euro-Atlantic integration (Subotić 2011). This reshaping of national interests was carried out by domestic and international, along with state and non-state actors, diffusing new ways of thinking on matters of government, security, and human rights so that joining Euro-Atlantic institutions was no longer perceived as threatening, but desirable and perceived as the most rational foreign policy choice in light of competing alternatives (Gheciu 2005, 994–1003).

4. **Strategic Action in one Location can generate Deliberative Behaviour in other Locations**

While strategic action is non-deliberative, a single episode of strategic behavior can nevertheless enable deliberation in other locations by stimulating truth-seeking, mutual respect and inclusive decision-making beyond the initial point of contact. This insight is gained by understanding societies as constituted by relationally interdependent institutions, associations and sites of contestation, whereby changes in one component can bring about change in others (Mansbridge et al. 2012). From this systemic perspective, behaviour may be success oriented in a single location, but causally deliberative within a broader system of political association when it sparks public debate and draws attention to previously overlooked facts and standpoints among the wider population.

An example of this dynamic would be the effects of protest. As a single episode of interaction, protest is anti-deliberative to the extent that its underlying motivation is to pressure, rather than persuade, someone into conformance. However, this coercive behaviour has deliberative consequences when it promotes the wider circulation of suppressed information, facilitates respectful relations and brings more voices into the policy-making arena (18–19).

5. **Assertions of Power are never wholly reducible to a Strategic or Deliberative Calculus**

Considered empirically, the assertion of influence is reducible to neither strategic nor deliberative modes of action. This irreducibility can be highlighted through reputational techniques of enforcement. Reputational enforcement produces pressure to conform in the absence of material side-payments. It is based, instead, on sanctions and rewards that are social in nature. These are delivered discursively through, on the one hand, criticising, shaming, humiliating, and condemning and on the other hand, praising, endorsing, encouraging and including (Risse and Sikkink 1999, 15; Johnston 2008, 80, 85–86). Nevertheless, while reputational enforcement is an intrinsically

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discursive activity, it is not primarily concerned with gaining the upper hand through persuasion. Rather, its intention is to invoke a cost–benefit calculation in response to negative and positive social sanctions. Correspondingly, those buckling under the weight of reputational enforcement follow a norm in order to capitalise on status gains and/or avoid the discomfort of being marked out as anti-social; that is, their motivations for complying are instrumental and not communicative.

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