USING FORCE TO GAIN VOICE: THE PROSPECTS AND LIMITS OF USING
COERCIVE MECHANISMS TO SECURE DELIBERATIVE INCLUSION

by

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ABSTRACT
USING FORCE TO GAIN VOICE: THE PROSPECTS AND LIMITS OF USING COERCIVE MECHANISMS TO SECURE DELIBERATIVE INCLUSION

This thesis analyses the impact of marginalised groups using coercive mechanisms as a strategy for deliberative inclusion. It engages the literature on deliberative democratic theory that makes a case for using non-linguistic mechanisms to gain entry to exclusionary deliberative forums. This research explores its limits through a linguistic-based microanalysis of an "extreme" case where marginalised political agents employed threats of force – the apparent antithesis of deliberation – in an attempt to secure inclusion. The case is that of a military mutiny in the Philippines in 2003, where a group of junior officers took over the central business district to publicly air their demands for reform to the military. This strategy opened up spaces for junior officers who did not have access to channels for grievance articulation to persuade government officials to launch reform programs that addressed their concerns in exchange for their peaceful return to barracks. The case highlights that the manner of gaining access to deliberative forums has an effect on the dynamic of the deliberative process. It is argued that while non-linguistic mechanisms can be constructive in opening deliberative spaces, they also risk limiting the deliberative process and outcomes that are borne of coercion.

TABLE OF CONTENTS

AFP	Armed Forces of the Philippines
CPP	Communist Party of the Philippines
DND	Department of National Defence
EDSA	Epifiano delos Santos Avenue
FFFC	Feliciano Fact-Finding Commission
ISAFP	Intelligence Service, Armed Forces of the Philippines
ISDS	Institute for Strategic and Development Studies
MILF	Moro Islamic Liberation Front
NICA	National Intelligence Coordinating Agency
NPA	New People's Army
NRP	National Recovery Programme
PDEA	Philippine Drug Enforcement Agency
PMA	Philippine Military Academy
PNP	Philippine National Police
PSG	Presidential Security Group
RAM	Reform the Armed Forces of the Philippines Movement
RSBS	Retirement Separation Benefit System
SWAG	Special Warfare Action Group
SWS	Social Weather Stations

INTRODUCTION

DELIBERATIVE THEORY: FROM WHAT'S DESIRABLE TO WHAT'S POSSIBLE

The literature on deliberative democracy has been a major intellectual force in the past two decades. It has shifted democratic discourse from an aggregative or "vote-centric" tradition to a "talk-centric" one where democracy is considered a matter of effective communication and not just preference aggregation (Dryzek, 1996, p.15). Deliberative theory maintains that democratic authenticity is achieved through deliberation: a "special" process of political communication wherein "deliberators are amenable to changing their judgments, preferences and views during the course of their interactions, which involve persuasion rather than coercion, manipulation or deception" (Dryzek, 2000, p.1). Democracy is considered more as a platform for publicly exchanging and weighing reasons to generate agreements and less as a market for pushing for private interests, as in the case of lobbying or bargaining (Parkinson, 2006, p.3).

A major criticism of deliberative theory is its focus on conceptualising "what is desirable rather than what is possible" (Phillips, 1995, p.190). Classic deliberative theory is viewed to have only identified the ideal conditions and principles that distinguish deliberation from other forms of political action. Its normative approach lacks an account of how its ideals translate to actually-existing circumstances. Questions are raised about the feasibility of having a cooperative and reason-based discussion under conditions of political exclusion, economic inequality and cultural marginalisation.

Due to these criticisms, a number of deliberative democrats set off a theoretical trajectory focused on the complexities of deliberating under suboptimal conditions. Some have toned down the prominence classic deliberative theory has accorded to reason-giving as the ideal form of

political justification. Instead, reason-giving is considered just one of a variety of communicative modes acceptable in deliberation including rhetoric, storytelling, testimony and humour (e.g. Young, 1996; Dryzek, 2000; Parkinson, 2006; Chambers, 2009; Mansbridge et al., 2006). A model of deliberation that incorporates a diversity of speech styles recognises that some discourses, particularly disenfranchised ones, are best articulated through expressive means to generate attention and promote understanding. Other theorists go further, arguing that deliberative democracy should also make room for non-persuasive modes of communication including sit-ins, walkouts, civil disobedience and other dissident tactics (e.g. Fung, 2005; Parkinson, 2003; Kadlec and Friedman, 2007; Rostbøll, 2009). This is a major shift since deliberation has been distinguished from other modes of political practice by emphasising persuasion rather than coercion, systematic exchange of reasons rather than disruption (Habermas, 1998a, Dryzek, 2000). Advocates of this view argue that when there are systematic barriers that deter marginalised groups from participation, use of coercive tactics for the sake of deliberative inclusion is warranted. They take into account the different levels of access and privilege political agents have in deliberative forums and offer the necessary theoretical adjustments for deliberation to be a more inclusive and relevant model of political action in an unjust world.

Deliberative inclusion: Connecting theory to practice

This thesis is motivated by these theoretical developments. It engages the literature that advocates the use of non-persuasive mechanisms and a variety of speech styles for marginalised groups to overcome deliberative exclusion. Although a strong normative case has been made regarding the acceptability of these strategies, there has still been no clear indication of their effectiveness in making deliberative forums more inclusive. At best, anecdotal examples have been cited to

support these normative claims but a systematic study that identifies the possibilities and limitations of these strategies has yet to be made. For example, Iris Marion Young (1996) has argued that activists' fiery communicative styles have to be incorporated in the deliberative model to decentre the privilege deliberative theory accords to systematic and dispassionate forms of reason-giving associated with white, bourgeois, western, heterosexual men. While Young has provided strong normative bases for this theoretical position, an account remains to be given of the practical efficacy of these communicative styles in obtaining a better hearing for marginalised discourses. An assessment of what these speech styles contribute to generating better understanding and mutually-acceptable agreements between differently-situated interlocutors is necessary. Without such an account, this line of reasoning falls into the same trap of providing a set of normative guidelines without taking into consideration the complexity of their application.

This thesis aims to contribute further nuance to this theoretical approach by analysing the impact of using coercive strategies on the deliberative process itself. It is concerned with the extent inclusion can be enhanced by using non-persuasive discursive tactics to pry deliberative spaces open. Inclusion, this thesis argues, is not just a matter of gaining physical access to deliberative forums but also about taking part in a deliberative process where marginalised discourses could be engaged with and carefully considered. To systematically assess these tactics' effectiveness, this research maps out the process of translating "inclusion by gaining access" into "inclusion by taking part" in a particular, extreme case of coercion. It presents a linguistic-based microanalysis of a deliberative encounter to bring into sharper focus the *process* of negotiating deliberative norms to secure inclusion. Such approach enables this piece to closely analyse the dynamic of argumentation, the contingencies and limitations of particular discursive tactics and their effects on immediate deliberative outcomes. This thesis' micro-orientation also allows for a sustained examination of the ways in which interlocutors that "coerced" and "were coerced" to

engage in discussion adjust their deliberative expectations and communicative strategies when deliberating in a forum with coercive origins. It is through such micro-orientation that the openings, practical limitations, specific challenges and immediate consequences of using different discursive tactics can be systematically examined.

Research strategy

This research aims to answer the question: *What is the impact of marginalised groups using coercive tactics to secure deliberative inclusion?* The strategy for answering this question is two-fold. First, an "extreme" case study is selected to generate empirically-grounded insights into the possibilities and limits of deliberative inclusion. The case is extreme as it is one where a marginalised group employed aggressive and violent strategies to gain access in a deliberative forum. Analysing such case magnifies the consequences of using coercive tactics for the deliberative process. It is conceptually advantageous in that it pushes the literature to consider the boundaries of the justified use of coercive tactics and its consequences on the deliberative process. The 2003 military mutiny in the Philippines is the selected case study for this research. On 27th July 2003, junior officers from the Armed Forces of the Philippines (AFP) forcibly took over the Oakwood Serviced Apartments in Manila's central business district. They declared their withdrawal of support from the chain of command and expressed their grievances against the military. The officers claimed to have exhausted all possible channels within the AFP for communicating their discontent and that the mutiny was their last resort in order to be heard. In spite of the presence of high-powered firearms in the government and the mutineers' camps, the incident was terminated without a single shot fired. The mutiny was resolved through a series of informal dialogues and formal negotiations between the mutineers and government emissaries. In these

discussions, the mutineers' grievances were listened to and possible solutions to their concerns were discussed. The parties reached an agreement regarding the terms of the mutineers' return to barracks and the actions to be taken to address their problems. This incident illustrates the impact of using coercive tactics to generate public attention and pressure neglectful officials to engage with their subordinates' discourses. It also highlights the opportunities and constraints for dialogue in a situation where both parties are under duress and the threat of force is imminent. Finally, this extreme case allows for an assessment of the extent to which junior officers secured inclusion and the consequences of challenging the chain of command as a strategy for articulating their dissent. Data on this case is derived from twenty eight face-to-face interviews with incarcerated and pardoned mutineers,[1] government officials and some of the junior officers' colleagues who did not join the mutiny. Secondary data were also gathered including court testimonies, transcripts of legislative enquiries and documents used in the Feliciano Fact Finding Commission (FFFC), an independent body tasked to investigate the causes of the mutiny. Fieldwork was conducted from November 2008 to 2009.

The second strategy for answering the research question is an analytical one. A pragma-dialectical approach is employed to systematically examine the observations from the empirical case. Pragma-dialectics is a strand of discourse analysis which evaluates the way language is used in argumentation (van Eemeren and Grootendorst, 2004, p.53). It uses a model of critical discussion to assess how a "difference of opinion" is handled in practice: "How… differences are expressed, how… the participants attempt to prevent, resolve or settle them, and which strategies… they use to regulate them" (van Eemeren and Grootendorst, 2004, p.98). Pragma-dialectics has been used in analysing judicial argumentation, political discourse and literary

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[1] The mutineers were detained for charges of coup d'état. Some plead guilty to these charges and received presidential pardon while those who refused were still in jail during fieldwork.

criticism. This research is the first expressly deliberative analysis that empirically applies these tools.[2] Most analytical approaches to deliberation only go as far as describing the institutional conditions that enable or impede deliberation but fail to capture the *process* of exchanging reasons (Curato, 2008). The dynamic exchange of justifications is one of the distinguishing characteristics of a deliberative encounter and it is important for a complete empirical account of deliberation to take this into consideration. A pragma-dialectical approach responds to this methodological gap. It provides appropriate heuristic tools to map how deliberative and non-deliberative speech acts were used across the different stages of deliberation and how this affects the quality of agreements or outcomes. This approach is particularly responsive to this research's aim of analysing the process of translating inclusion by gaining entry to taking part by providing standards that gauge how arguments were articulated and engaged with. Through this approach, this research can make systematic observations about the relationship between the coercive manner of articulating differences of opinion and how this affects the dynamic of resolving such differences.

Aims

This thesis aims to make a theoretical, methodological and empirical contribution to the literature. Its primary aim is to make a theoretical contribution by developing an empirically-grounded account of the impact of using coercive tactics to secure deliberative inclusion to the deliberative process itself. As mentioned, the literature can be further nuanced by identifying the risks, challenges and limitations of using coercive strategies for inclusion. Examining how these

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[2] Andrew Knops (2006) first identified the value of drawing on theories of argumentation to illustrate deliberation's emancipatory potential. This piece is discussed in more detail in chapter five.

discursive tactics work in practice allows for further theoretical refinement of what deliberative inclusion entails and the identification of other possible remedies for exclusion in deliberative forums. Apart from this goal, this research also aims at instigating reflection on one of the aspects of democratic practice that deliberative theory has overlooked thus far. By examining the case of a military mutiny, this thesis exposes the fragility of the democratic space – the space where deliberative forums rest – once the military is fragmented and its channels for communication are challenged by its officers. Although there is a nearly uncontested normative expectation that the armed forces must remain accountable to democratic institutions and merely act as its coercive apparatus, it is also widely acknowledged that the military is also subject to tensions and disagreements. The case of military officers is worthy of deliberative theory's attention especially in analysing the effectiveness of its communicative channels.

A methodological contribution is also made by contributing to the repertoire of empirical approaches that gauge deliberative practice. It illustrates how the process of exchanging deliberative and non-deliberative speech acts can be captured and come up with an analysis that takes into consideration the dynamic character of deliberation.

Finally, this research is a contribution to area studies, particularly in understanding the 2003 mutiny in the Philippines. To date, this is the first detailed analysis of this incident. Existing studies usually append this incident as a manifestation of the Philippines' politicised armed forces and has not yet been the subject of comprehensive empirical research.

Main claims

Findings from the empirical case suggest that using threats of force as a strategy for inclusion created a delicate speech situation where the application of deliberative norms was limited.

Interlocutors had to come up with mutually-acceptable agreements within a limited time frame. They also had to discuss the terms of the mutineers' return to barracks knowing that violence was an option in terminating the standoff should talks fail. Consequently, the interlocutors exercised care and discretion in their selected discursive approach. This entailed emphasising some deliberative norms while sacrificing others in order to ensure that the discussion was sustained. Politeness and respect were emphasised because both parties were careful not to put off their fellow interlocutors and agitate them to revert back to using coercive tactics. Although gestures of politeness and drawing on both parties' shared speech cultures were crucial in generating mutual trust and shifting the dynamic from using coercive tactics to engaging in peaceful discussion, this came at the expense of critically discussing and scrutinising each others' proposals. Sacrificing this norm had an impact on the quality of agreements generated in the process particularly because the interlocutors did not make the bases of their agreements explicit. It also deterred inclusion from being fully upheld because marginalised opinions were not engaged with and carefully considered. Instead, the interlocutors were encumbered with the difficult task of ensuring that the communicative process continued and did not deteriorate into a shootout. As the application of deliberative norms was limited to suit the demands of the situation, the immediate deliberative outcomes were also limited.

Analysis of an extreme case highlights the impact of using coercive tactics as a strategy for inclusion. It is constructive insofar as it facilitates the entry of previously marginalised groups in deliberative spaces. However, using these tactics also runs the risk of creating new barriers for deliberation. Forcing another party to engage in discussion violates the values intrinsic to deliberation including mutual respect and trust (Rostbøll, 2009, p.32). As the empirical case illustrated, recuperating from the injuries caused by coercion entails a painstaking process of rebuilding communicative relationships necessary for a cooperative way of resolving

disagreements. The process of rebuilding such relationships may require the prioritisation of some deliberative norms at the expense of others. It could also benefit from alternative forms of reason-giving and distinct speech styles advocated by some deliberative democrats as means to better articulate positions and understand each others' standpoints.[3] While this thesis recognises the contribution of coercive tactics and different communicative modes in enhancing the inclusiveness of deliberative forums, it maintains that explicit forms of reason-giving play an indispensable role once communicative relationships have been established. It is through the distinct process of exchanging and carefully considering reasons that mutually-acceptable and legitimate agreements could be generated. In order for a deliberative forum to be considered fully inclusive, interlocutors must be able to identify the bases on which their agreements rest and consider it to be a product of a fair discussion where everyone had an equal chance of affecting the outcomes.

Chapter overview

This thesis is structured in six substantive chapters. The first chapter maps the movement of literature in deliberative democratic theory. It examines the shift from the classic model which establishes deliberation's basic normative principles to the "expanded" model which reformulated deliberative principles to address a context of suboptimal political conditions. This chapter identifies the expanded model's responses to the criticisms of classic deliberative theory, particularly in relation to issues of marginalised groups' exclusion from deliberative forums. The expanded model addresses these issues by broadening the range of acceptable communicative

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[3] The term "standpoint" is used as another term for "opinion" or "argument," following the terminology van Eemeren and Grootendorst used in their model. This model is discussed in chapters one and two. The term must not be confused or related to the way it is used in feminist or identity politics discourse.

modes in deliberation, including rhetoric and coercive tactics. These strategies enable

marginalised political agents to better articulate their concerns and increase the pressure for

dominant groups to integrate them into the deliberative process. While receptive to this

theoretical trajectory, this chapter raises concerns about the loosening of what counts as

"deliberative." It concludes by suggesting pragma-dialectics as a framework for delineating

deliberative from non-deliberative speech acts to ensure that the expanded model retains

deliberation's normative standards of political justification.

The second chapter begins by identifying some theoretical gaps in the expanded model

and introduces the motivations for this research. It discusses the empirical study's design, data

gathering strategy, analytical process and ethical considerations. It introduces pragma-dialectics'

heuristic tools, including its translation of the theoretical concepts identified in chapter one such

as "reasonableness" and "illocutionary speech acts" into workable interpretive terms. It also lays

out pragma-dialectics' model of critical discussion that provides a set of analytical standards that

ascertain the "deliberativeness" of speech acts depending on the stage of discussion.

The third, fourth and fifth chapters are empirical chapters analysing the mutiny. The third

chapter sets the context, describing the political conditions in which junior military officers

operated. It narrates the junior officers' experience of marginalisation in the service, particularly

their lack of access to authentic and consequential communicative channels for could expressing

their discontent. This chapter describes the normalised practices and institutionalised cultures

that discredit the channels for grievance articulation in the AFP. It also argues that even though

junior officers seem to be "privileged" political agents in that they are able-bodied, highly-

educated and relatively economically-privileged men,[4] their lack of access to communicative channels that allow them to express meaningful dissent marks their exclusion.

Chapter four narrates the strategies junior officers used to overcome their exclusion. It identifies the extra-institutional channels they considered as well as the process that led them to select the coercive tactics they used to penetrate the public sphere. Two key observations are presented. First, the decision to launch a mutiny was a result of a series of meetings among junior officers akin to what Nancy Fraser (1999) describes as subaltern counter-publics. These counter-publics were isolated discussions among like-minded junior officers where they discussed their insights and strategies for inclusion. These meetings also upheld deliberative norms in that junior officers treated each other as peers, critically engaged with each others' opinions and allowed everyone to openly express any concern. This scenario greatly departs from the arrangement in the military hierarchy, where norms of hierarchy and deference were promoted. The decision to mobilise and publicly express their grievances through extra-institutional means was a product of the junior officer group's series of discussions and consensus. Second, it is observed that when judged from the junior officers' context, the decision to launch a mutiny is faithful to deliberative democracy's goals. This conclusion is based on Archon Fung's (2005) standard of deliberative activism, which provides a set of normative guidelines that assess the justifiability of the use of coercive tactics. By understanding the mutineers' actions in this light, the incident can be appreciated as a cry for inclusion, which departs from the mainstream depiction of the mutiny as an attempt to seize political power.

The fifth chapter analyses the dynamic of the mutiny. It examines the impact of using coercive tactics to articulate a difference of opinion to the process of addressing such differences.

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[4] Although there are female officers in the AFP, the junior officers who participated in the mutiny were all men.

This chapter is structured following pragma-dialectics' model of critical discussion to analyse the relationships between coercive and non-coercive speech acts and their impact on the resolution of the standoff. A key observation in this chapter relates to the double-edged role of force in this incident. While threats of force from both the mutineers and the government increased the cost of rejecting a peaceful, discussion-based way of resolving the standoff, force also limited the quality of engagement that transpired in the negotiations. As mentioned earlier, the tense situation made interlocutors extremely wary about the critical exchange of arguments. Both parties were successful in reaching mutually-acceptable agreements about the terms of the mutineers' return to barracks and ways of addressing their concerns but these agreements were weak and later on contested because the process of reaching them did not involve a *critical* or deliberative exchange of reasons. Although adjusting communicative norms to suit the requirements of a suboptimal speech situation may be necessary, explicit forms of reason-giving are still indispensable when generating mutually-acceptable agreements. This chapter concludes by arguing that the junior officers' entry and further engagement in the public sphere as a consequence of the mutiny is hinged on the success of the delicate negotiation process.

The final chapter draws on the insights from the mutiny and leads to the conclusion that while non-persuasive mechanisms can open up spaces for deliberation, they also risk limiting the quality of deliberation that comes out of it. This chapter cautions that gaining access to deliberative forums through non-persuasive means may elicit a corresponding coercive response from the party being "forced" to engage in deliberation, which creates another barrier towards a reason-based form of discussion. It also identifies the challenges of building a communicative relationship between interlocutors who began their discussion by using coercive tactics. This entails a sensitive process requiring both "deliberative diplomats" and "deliberative democrats," with each role emphasising a set of deliberative norms depending on the stage of discussion. It is

argued that not all goods deliberation promises can be secured at the same time (Thompson, 2008). Deliberation is best appreciated as a long-term process of building communicative relationships and exchanging discourses. The final argument this chapter raises relates to the use of speech cultures as a strategy for inclusion. While acknowledging the importance of accommodating a variety of speech styles in deliberation, it should also be recognised that there are some instances where speech cultures could further disenfranchise marginalised groups or discourses. Speech cultures are valuable because they allow better expression of positions and consequently, understanding. However, some speech cultures do the opposite which may distract or devalue the message delivered. The junior officers' speech culture of rendering aggressive statements and forceful demands impeded rather than enabled their arguments to be better appreciated by the wider public. It distracted the issue away from their grievances and generated more attention to their forcible manner of engagement. While not discounting the achievements of using coercive tactics in opening up exclusionary deliberative spaces, this chapter argues that marginalised agents should also consider the risks and limitations when deciding on their strategy for inclusion.

The deliberative tradition of democratic theory is as old as democracy itself. Its roots stretch as far back as fifth century BC Athens, where deliberative forums composed of equal citizens engaged in discussion and considered this an "indispensable preliminary to any wise action" (Thucydides II.40 in Elster, 1998, p.1; Fishkin, 2002, p.222). However, only in the past two decades has deliberative theory become an area of intense research activity. Its revival came at a time when democracy was unseated from its comfortable position of historical inevitability (Fukuyama, 1992) and forced on to a defensive footing. The unease about democracy's viability is manifest in the proliferation of literature that explores democracy's tensions with global capitalism (Chua, 2003), its violent nature (Ross, 2004) and the uncivil tendencies of civil society, the supposed lifeblood of democracy (Chambers and Kopstein 2001; Kopecky and Mudde, 2003; Payne, 2000).

Deliberation rehabilitates democratic theory by placing the process of reasoned discussion at the heart of the political. Deliberative theory gained currency from its critique of the predominant yet increasingly discredited aggregative form of liberal democracy.[5] For deliberative democrats, preference aggregation only captures the constellation of utilitarian interests and political compromises among competitive political actors. It is an insufficient form of democratic

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[5] Deliberative democrats usually preface their accounts of deliberation as a response to theorists advocating "elitist" democratic practices (e.g. Schumpeter, 1976, p.295). In their study on citizen juries, Graham Smith and Corinne Wales (2000) frame deliberative democratic theory as response "to the perceived weaknesses of liberal democratic theory and practice" (Smith and Wales, 2000, p.52). David Miller (2007) wrote a piece that explicitly compares deliberation and liberalism, arguing that deliberation is less vulnerable than liberalism in terms of arbitrary decision rules. Robert B. Talisse does the same in the book *Democracy after Liberalism* (2005), where he systematically explains liberalism's failures and how the state could promote "deliberative virtues" as a response to these failures. Simone Chambers (2003) perhaps articulated the distinction between aggregative democracy and deliberation best by saying that democratic theory upholds the "talk-centric" tradition over the "vote-centric" one.

practice in that the private nature of voting deters citizens from characterising or qualifying their preferences in the same manner that an open discussion would (Fearon, 1998, p.46). Individuals are left to make judgments in isolation from their peers, depriving them of the opportunity to test, defend and reconsider their standpoints in light of new information (Warren, 1996, p.242). Having preference aggregation as the main currency of democracy also suppresses the democratic obligations citizens owe one another. These obligations include publicly rendering other-regarding reasons for upholding such preferences as well as carefully considering and engaging with others' standpoints. Upholding these obligations form an important normative dimension of democracy which involves treating citizens as active political agents worthy of engagement and not just objects of legislation and enforcement (Gutmann and Thompson, 2004). Indeed, the theoretical engagement between deliberative democrats and liberals became a springboard for more debates about the forms democracy should take in place of aggregative democracy's discredited practices.

Although deliberative theory has contributed to broadening the democratic imagination, it is faulted precisely for its inability to go beyond the "imaginary" realm. Some critics relegate deliberation as a theory waiting for practice, a "pipe dream hardly worth the attention of a serious person" (Posner, 2003, p.163). Deliberation's institutional preconditions are described as utopian and nothing more than an ideal speech situation inapplicable to the real world (Shapiro, 2003, p.32). Under "actual" speech situations marked by inequality, deliberation is not only accused of perpetuating the advantage of those who have access to deliberative forums but also for producing its own version of exclusion by giving more voice to those who are "better than others at articulating their views in rational, reasonable terms" (Sanders, 1997, p.348). Due to these criticisms, some deliberative democrats reformulated the classic conception of deliberation in an

expanded model that considers the complexities and challenges of deliberating under imperfect conditions.

This chapter surveys the literature that provides an account of deliberating in a non-ideal speech situation. It begins by introducing classic deliberative theory and the principles that make deliberation a distinct form of political participation. The second part identifies this model's limitations and the theoretical revisions an expanded model puts forward. This section identifies two key concerns that an expanded model seeks to address, both of which relate to the issue of deliberative inclusion: (1) marginalised groups' lack of access to deliberative forums and (2) the further exclusion of marginalised groups during deliberation due to the dominance of bourgeois speech cultures. Issues of inclusion are serious criticisms of deliberative theory because it is deliberation's claim to inclusiveness that makes it a distinctly democratic form of engagement. An expanded model claims to be able to provide theoretically-informed yet practical responses to the above mentioned issues by negotiating the deliberative norms that should be upheld or suspended to suit the context of an adverse political environment. An expanded model also initiates a new theoretical trajectory by diversifying the range of acceptable communicative modes in deliberation away from reason-giving and towards the use of activist tactics, testimonies and rhetoric. By accommodating "less elitist" modes of communication, a more inclusive, egalitarian and expressive model of deliberation is conceived. Although this chapter is receptive to these responses, it cautions against the potential for deliberative theory to slide down the slippery slope of allowing almost any form of communication to be categorised as "deliberative" (see Bächtiger et al., 2010, p.48). The chapter concludes by suggesting a normative and interpretive standard based on *pragma-dialectics* – a model of critical discussion that provides a framework for delineating deliberative from non-deliberative speech acts. It is necessary to lay down such explicit criteria to ensure that the expanded model remains faithful to the normative principles that make

deliberation distinct from other political practices. This theoretical position informs the analysis of the empirical study, particularly in analysing the contributions, limitations and disadvantages of using different communicative modes to instigate and engage in deliberation.

Classic deliberative theory

Deliberative theory's classic formulation is framed as a normative theory of democracy that conceptualises the ideal of political justification (Cohen, 1997). It theorises the ways in which political engagement and decision-making *ought* to be conducted to serve as bases for judging the legitimacy of political processes and outcomes (Chambers, 2003, p.308). It is premised on an idealised model of communication, normally derived from Habermas's notion of an "ideal speech situation" where all participants in dialogue have an equal opportunity to initiate communication and to put forward and refute assertions in a coercion-free environment (Habermas, 2001, pp.97-98). Premised on these conditions, classic deliberative theory identifies three characteristics that distinguish deliberation from other democratic traditions.[6]

1. Process of exchanging reasons

Deliberation takes place in an argumentative forum, where reasons are exchanged between free and equal citizens (Habermas, 1998a, p.305; Cohen, 1996, p.99; Warren, 1999, p.342; Cooke, 2002, p.53; Bohman, 2004, p.23; Parkinson, 2006, p.1). Exchanging reasons is motivated by the aim of reaching "rational consensus" or generating outcomes interlocutors support for identical

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[6] The classic model of deliberative theory is not clear-cut and is complicated by a number of debates. Contentious points include deliberation's scope and aims, the standard for "reasonableness" and the appropriate site for deliberation. Gutmann and Thompson (2004, pp.21-39) provide a succinct summary of these debates.

reasons. It is presupposed that when citizens engage in communication with this motivation and persist long enough without distortions, rational consensus is reached (Habermas, 2001, p.99).

Classic deliberative theory puts a premium on reason-giving because it produces justifiable outcomes and expresses mutual respect (Gutmann and Thompson, 2004, p.4). Justifiable outcomes are produced because participants are challenged to discard their parochial views and privatised understandings by providing other-regarding reasons or reasons "all could accept" in public debate (Bohman, 1996, p.5; also Benhabib, 1994, p.33). Publicly justifying preferences allows political agents to weigh and adjudicate rival claims and let the "unforced force of the better argument" prevail (Habermas, 1975). Because everyone is given equal opportunity to put forward their positions, those whose standpoints are rejected can be confident that their peers thoughtfully considered their arguments in reaching a decision instead of seeing the outcome as unfair or arbitrary (Fearon, 1998, p.62).

Engaging with and carefully considering opposing arguments is also an expression of mutual respect. In deliberative terms, respect is manifest not through the immediate acceptance of others' views but in a willingness to discuss them. To engage with opposing arguments is to recognise the equal civic and discursive status of one's peers (Gutmann and Thompson, 1999, p.45; 245); not engaging with another's views, as Christian Rostbøll argues, "is to treat her as if she is incapable of responding to reasons, as irrational, and to disregard her status as a fellow citizen" (Rostbøll, 2008, pp.202-203). By treating fellow interlocutors as peers deserving an honest account of one's actions, deliberative democrats eschew the use of coercive inducements external to critical discussion. Apart from obvious manifestations of coercion such as physical assaults, threats and bribery, there are also more discreet political manoeuvres that purposely undermine fellow interlocutors' rational capacity such as invoking the authority of sacred texts, tradition or expert knowledge and persuasion through rhetorical performance aimed at

manipulating emotions or appealing to known prejudices (Chambers, 1995; Cooke, 1994; Parkinson, 2006). In both cases, the interlocutor avoids critical discussion and forms an asymmetrical relationship where the deliberative forum is used to impose a predetermined and self-interested will instead of using it as a venue to arrive at a proposal acceptable to all (Manin, 1987, pp.351-52; Fearon, 1998, p.62).

2. Preference transformation

Some forms of political action such as protesting, campaigning and lobbying can be similar to deliberation in terms of putting forward public reasons for a position. However, they differ from deliberation because communication is one way. A distinct feature of deliberation is the expectation that participants weigh and reflect on their preference in light of other people's reasons and change their original preferences should there be a more reasonable argument. As Cheryl Ann Hall points out, the etymology of the word deliberation lies "not in *ratio* (reason) but in *libra* (scales). To deliberate is to weigh alternatives before choosing among them" (Hall, 2007, p.88). This is considered one of deliberation's strengths (Parkinson, 2006, p.32).

Deliberative democracy's principle of preference transformation is a response to Rational Choice Theory's premise that individuals choose a particular course of action based on a fixed set of preferences. Deliberative theory challenges this view in two aspects. Firstly, it interrogates the presumption that individuals are mainly egotistical, self-regarding and inclined to protect their personal interests over others. Instead, *homo-economicus* is only a manifestation of an individual's cognitive failure to come up with other-regarding reasons due to the limitations of certain political practices. Deliberation "civilises" *homo-economicus* through exposure to reasons which surpass one's "bounded rationality" – a situation where a person has a limited amount of

information about their options (Simon, 1972). Apart from letting an individual have a better appreciation of one's interest, a consequence of exchanging reasons and information is the generation of "inter-subjective knowledge" or understanding of other people's needs, wants, and insights. Other political arrangements such as preference aggregation do not actively encourage this as individuals are left to make judgements in isolation from one another and lack the opportunity to defend and revise their views (Warren, 1996, p.242). Secondly, deliberative theory challenges Rational Choice Theory by arguing that individual preferences are not stable and fixed but are capable of changing in light of new information and reasons (McAfee, 2004, pp.45-49). Built in with deliberation's conceptualisation of preference transformation is its distinctive account of fairness. A fair democratic process provides opportunities for actors to gain more information, allowing them to overcome unfair inequalities in rationality (Festenstein, 2002, p.103). Access to information provides the opportunity for citizens to further reflect and possibly change their preferences. James D. Fearon calls this deliberation's "additive value" in that participants can cooperatively think of issues, reasons or solutions that may not have occurred to an isolated subject. (Fearon, 1998, pp.49-50).

3. Inclusion

Classic deliberative theory argues that ideally, democratic decisions should be based on the deliberation of all citizens (Manin, 1987, p.352). No one should be excluded and "all of those who are possibly affected by the decisions have equal chances to *enter and take part*" in the discussion (Habermas, 1998a, p.305; emphasis added). In this definition, inclusion is not just defined as the extent to which citizens can gain formal entry to deliberative forums (equal chance to enter) but also the extent to which citizens are given the same opportunity to articulate their

standpoints and obtain a full hearing of their objections and requests in the course of deliberation (equal chance to take part). Inclusion in deliberation demands a different kind of democratic ethos that affords special respect to views that are usually ignored in traditional political channels, requiring interlocutors to practice civic magnanimity and charitable understanding towards views that are new or different. The relevance, insightfulness and quality of a citizen's argument are ascertained during the inter-subjective process of deliberation and not pre-judged based on the interlocutor's personal background or group affiliation (Hicks, 2002, p.230). This relates to the earlier point about the importance classic deliberative theory places on reason-giving because it is through reason-giving that political influence is equalised. By saying that no economic or social background is prima facie privileged, all deliberators have a chance at getting their standpoints adopted depending on the way they persuade their peers through reason. This definition of inclusion makes deliberation distinctly democratic in that it argues for deliberation "by the people" instead of deliberation "for the people." While the latter alludes to a technocratic form of deliberation where experts and politicians with a specific agenda debate in place of the people, the former conceives a democratic discussion as one where all citizens have the same capacity to shape deliberation's outcomes (Neyer, 2006). Under deliberative democratic conditions, citizen participation is not just symbolic or tokenistic but substantive and engaged (Dryzek, 2000, p.2).

Integral to the notion of inclusion is the characterisation of the "deliberative space" which, in principle, all citizens should have access to. A common of way of describing this space is to depict it as a "communicative network of public spheres" involving both informal and formal deliberative structures (Habermas, 1998a, p.229). The informal structures or the "public space" are avenues for civil society groups, journalists, academics and ordinary citizens to either passively consume or actively engage with a diversity of discourses. Manifestations of the public space include public debates, parallel forums or discussions for example in universities,

neighbourhood associations, letters to the editor, radio phone-ins or the proverbial cafes. Organised forms of micro-deliberative forums such as deliberative polls, town hall meetings, consensus conferences and citizen juries are also part of the public space in that they generate deliberatively-informed discourses which contribute to public debate or, in some instances, provide recommendations to decision-making bodies (see Dryzek and Goodin, 2006, p.220). Deliberation in the public space – whether in organised micro-deliberative forums or more informal communicative avenues – does not occur as one-off interactions but, as John Parkinson observes, "at any one moment, people will be engaged in many such threads which change and interact overtime" (Parkinson, 2006, p. 6). Different communicative avenues in the public space can be appreciated as part of a "macro-deliberative forum," where opinions are formed through unstructured and open conversations (Hendriks, 2006, p.487). Except for a few cases, the public space is characterised by the fact that no authoritative decisions are made in it. [7] Relief from the burdens of decision-making allows this space to be the breeding ground for new issues and arguments over time. Public space is "enabling and liberating" as there are no formal agenda constraints and time for discussion is in theory unlimited (Rostbøll, 2008, p.187). An inclusive public space is one that allows an "unimpeded circulation of contesting discourses" which does not exclude any participant or discourse that challenges existing social arrangements (Hicks, 2002, p.229).

While public space is the site of opinion formation, empowered space is the site of decision-making. Institutions of the empowered space take the form of micro-deliberative forums including legislatures, international organisations and stakeholder meetings and are also part of the macro-deliberative system. An empowered space is considered inclusive by two standards.

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[7] To date, there are very few mini-publics that are empowered to make binding decisions (Dryzek and Goodin, 2006, p.222, 225). The case of participatory budgeting in Porto Alegre is an exceptional example, where participants' decisions have direct impact on policymaking (see Fung and Wright, 2001).

Firstly, as mentioned earlier, all participants or representatives should have equal access to the floor and receive a fair hearing of arguments. Openness should also be upheld in that anyone can raise any argument and object to any proposal at any point. Secondly, an empowered space is inclusive if the collective decisions made are consistent with the discourses in the public space and these discourses are subject to the representatives' considered reflection (Dryzek, 2001, p.660). Essential to this criterion is the representatives' ability to convey their principals' views to other representatives and relay other representatives' arguments back to their principals (Parkinson, 2006, p.32; Rostbøll, 2008, p.230). In this context, inclusion is not only judged on the dynamic within the empowered space but also the interplay between the empowered and public spaces in the macro-deliberative system. As Habermas states:

> the success of deliberative politics depends not on a collectively acting citizenry but on the institutionalisation of the corresponding procedures and conditions of communication, as well as the interplay of institutionalised deliberative processes with informally developed public opinions (Habermas, 1998a, p.298).

Inclusion is upheld when there are practices and avenues that "transmit" the discourses from both spheres. The public space should be able to shape the decisions and outlooks of the empowered space or translate its "communicative power" to the "administrative power" of the state while the empowered space should be able to give an account of their decisions to their constituents (Habermas, 1998a, p.299; Dryzek, 2010, p.12, 25). It is through this dynamic interplay that citizens are able to claim that they are included in the deliberative system and able to take part in the discursive process.

The classic formulation of deliberative democratic theory sets out an alternative vision for conducting politics that claims to rise above the use of power to arrive at self-interested ends. As a normative theory of political justification, it lays out key deliberative principles to serve as guide in assessing deliberative practices and identifying changes that can be made to improve them

(Gutmann and Thompson, 1996, p.245). However, these principles, and in particular their application to the real world of political practice, have been criticised. The next section identifies the main arguments, and deliberative theory's response.

Criticisms and reformulations of the classic deliberative ideal

One of the major criticisms of classic deliberative theory is its indifference to existing political realities. Although it is recognised that a normative theory is meant to present alternatives and not acquiesce in existing political realities (Thompson, 2008, p.499), classic deliberative theory is faulted for failing to provide practical standards for deliberating under non-ideal circumstances. By using an ideal speech situation as the theory's premise, it offers "little guidance regarding the responsibilities of deliberative democrats in the decidedly non-ideal circumstances that characterise contemporary politics" (Fung, 2005, p.398). Without an account of how current conditions marked by political exclusion, economic inequalities and cultural marginalisation can be altered to approximate the deliberative ideal, deliberative theory runs the risk of irrelevance (Fung, 2005, pp.400-401).

Deliberative democrats address this critique in various ways. On the theoretical level, some acknowledge that the classic model imposed "narrow limits on what constitute authentic deliberation" (Dryzek, 2000, p.2). They have responded by providing an expanded definition of deliberation, arguing that it suffices to define "authentic" deliberation as deliberation that induces reflection in a non-coercive fashion (Dryzek, 2000, p.2; also Hall, 2007; Austen-Smith in Gambetta, 1998, p.19).[8] This perspective still emphasises preference transformation or considered

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[8] Bächtiger et al. (2010) make a similar distinction between the "classic" and "expanded" models of deliberation. They label the classic model as "type one" deliberation which is based on the Habermasian

reflection on opposing positions as well as the disapprobation of manipulation, deception and propaganda. The principle of inclusion is still upheld in that authenticity is gauged by the "degree that reflective preference influences collective outcomes" (Dryzek, 2000, p.2). However, the expanded model supports a more "tolerant position," which decentres reason-giving or argumentation to give way to other forms of communication such as rhetoric, humour, emotion, testimony and gossip (Dryzek, 2000, p.1). Incorporating a variety of modes of communication makes this a more inclusive model of deliberation in that it gives space for modes of expression that do not conform to the restrictive rationalist ideal. Other versions of the expanded model take a step further and argue that there is a "complementary rather than antagonistic relation of deliberation to many democratic mechanisms that are not themselves deliberative" (Mansbridge et al., 2010, p.64). While the classic model defines deliberation in contrast to other political practices, this position argues that non-deliberative mechanisms such as voting, fair bargaining and negotiation may involve the use of coercive power when it comes to decision-making but this could be acceptable as long as it is deliberatively justified (Mansbridge et al., 2010).

Apart from making theoretical adjustments, other deliberative democrats have addressed criticisms through empirical research. This approach aims to be circumspect about classic deliberative theory's "cavalier" claims by being mindful of the practical issues of deliberating in a non-ideal speech situation (Chambers, 2003, p.318). There are two manifestations of this approach in the literature. Firstly, some deliberative democrats take on the task of designing deliberative forums or what Simone Chambers calls "minipublics" to translate deliberative theory into practice. Minipublics are deliberative forums where a small group of citizens meets to discuss and decide on an issue. Examples include deliberative polls, citizen parliaments and consensus conferences. With this design, the deliberative ideal of inclusion where all citizens are given an

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model of rational discourse while the latter is called "type two" deliberation which involves more flexible norms of discourse.

equal chance to participate is reformulated in practical terms by selecting representatives to give

some sense of what deliberation and its outcomes might look like if conducted on a larger scale

(Chambers, 2009, p.330). This approach also provides recommendations on institutional design

to address inequalities that could undermine the deliberative process. For example, deliberative

polling suggests that all participants should be made to read "carefully balanced briefing

materials" before deliberating to offset inequalities based on educational background or access to

information (Fishkin and Luskin, 2005, p.288). Deliberative practitioners Alison Kadlec and Will

Friedman (2007) also address the issue of inequality through institutional design, arguing that

deliberative forums should consciously give more opportunities for marginalised stakeholders to

articulate their viewpoints – a position that slightly departs from the classic model which

emphasises equal access to the floor by all citizens. By examining the dynamic of minipublics,

deliberative theorists and practitioners gain insight about the nuts and bolts of implementing

deliberation in the real world and can suggest practical solutions to the deficiencies of current

political conditions (Chambers, 2009). Secondly, some social scientists aiming to contextualise

deliberation in the real world treat deliberative theory as a "hypothesis" to be tested in order to

support, refute or refine its claims. Dryzek calls this the "empirical turn" in deliberative theory

where observations from existing practices inform the conceptualisation of deliberation (Dryzek,

2010, p.8). Instead of theorising deliberation "a priori from normative principles," they build

deliberative theory "from the ground up" by looking for deliberative practices, trends, potentials

and limitations that are "embedded" in existing contexts (Tucker, 2008, p.128).[9] For example,

Mansbridge et al. (2006) conducted an inductive study that determines explicit and implicit

deliberative norms based on the observations of small-group deliberation facilitators. This

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[9] The last part of this chapter argues that Habermas's model of deliberation can also be appreciated as one that is built from the ground up by basing it on the "social facticity" of language and not drawn from abstract normative principles.

research probed how facilitators themselves define "good" or authentic deliberation based on their experiences. Some of their findings diverged from the "narrow" principles of classic deliberative theory but retained the expanded model's normative thrust. For example, facilitators identified the importance of "good emotional interaction" alongside "good reason-giving" to ensure a positive group atmosphere conducive for deliberation. Also, the classic depiction of deliberating to decide on the "common good" was appreciated by the facilitators in a more limited sense, stating that deliberation is carried out not to collectively define the common good but to identify interlocutors' "common ground."

The theoretical and empirically-motivated critiques of the classic deliberative model established a new theoretical direction that aims to account for the complexities of deliberating in a non-ideal speech situation. Two particular elements of this development, both of which deal with the practicality of deliberative inclusion, will now be discussed in more depth: (1) the lack of access of marginalised groups to deliberative forums (vs. the ideal of having equal chance to enter) and (2) the exclusion of marginalised groups during deliberation itself due to the dominance of particular speech cultures (vs. the ideal of having equal chance to take part). These are of particular importance, since it is the concept of inclusion that makes deliberative democracy distinctly democratic. Failure to address the practical issues of inclusion is a major barrier to deliberating in a democratic manner outside the ideal speech situation. The next section suggests that an expanded model is responsive to these issues, although, as will be discussed later in this chapter, care must be taken to ensure that the expanded model's responses remain faithful to deliberation's key principles.

One of the bases of the accusation that deliberation is an elitist and exclusionary mode of political participation relates to the bourgeois origins of its idealised model of engagement (Young, 1996; Sanders, 1997). Habermas (1989), in particular, based his model of deliberation on the analysis of the "public sphere" of early modern Europe, where rational discussion on public matters was conducted in coffee houses, salons, and the like aiming to hold the absolutist state accountable. While this model emphasises the importance of upholding reason over tradition in the emergence of a democratic polity, it has been criticised for privileging the assembly of a narrow segment of the European population composed of propertied, educated white men. Revisionist historians (e.g. Landes in Fraser, 1992) point out that Habermas's model fails to take into account other counter-publics that were contemporaneous with the bourgeois public sphere which also contributed to the emergence of a democratic polity. These counter-publics include "nationalist publics, popular peasant publics, elite women's publics, and working class publics" (Fraser, 1992, p.116). Instead of bringing out the inclusive character of such a political formation, Habermas's model was accused of resting on a significant number of exclusions (Fraser, 1992, p.113).

Although classic deliberative theory has moved away from the exclusive character of the bourgeois public sphere by emphasising the principle of inclusion, it is nevertheless plagued by the same criticisms. Formally stating that regardless of socio-economic background, citizens should have equal access to deliberative platforms does little to provide a critical normative framework for the reform of a political system that already grants formal rights of equality but is still prone to political exclusion and cultural marginalisation. Young identifies this weakness through a specific example:

> Even when a series of public hearings are announced for an issue, people who might wish to speak at them need to know about them, be able to arrange their work and child care schedule to be able to attend, to able to get to them, and have enough understanding of the hearing process to participate. Each of these abilities is unevenly present among members of society (Young, 2001, p.680).

In this critique, Young captures the tension between granting formal entry to all citizens (by announcing a series of public hearings) while remaining silent on the practical issues of accessibility. Without an account that bridges the formal and the practical, deliberation is merely perpetuating the exclusion that women, racial minorities and economically disadvantaged sectors experience in formal liberal institutions while continuously privileging those who have access to "elitist" and demanding forms of participation. The expanded model of deliberation offers three responses on this issue of access: representation, discursive enclaves and deliberative activism.

One response to the complexity and demands of gaining entry to deliberative platforms is to use representation. Representation detaches the concept of inclusion from headcounts and focuses on ensuring that all perspectives or discourses are heard in deliberation. This not only overcomes the issue of scale but also exclusion of members of underprivileged groups who are less likely to be available compared to their better-off counterparts. Selecting a representative offsets the potential for privileged groups to dominate through numbers by virtue of their availability and resources. The debate about which forms representation should take in deliberative democracy is a substantive one and is not discussed in depth here. Suffice to mention that some advocate representation based on the "politics of presence" (Phillips, 1995; Parkinson, 2003; Young, 2000) while others advocate representation based on the "politics of ideas" (Dryzek and Niemeyer, 2008). The first group argues representatives should be selected based on their social characteristics such as age, income, ethnicity, sexual preference and so forth. The gist of this argument is that selecting representatives based on their distinct social location ensures that all opinions are equally represented. It assumes that those coming from similar social positions

have substantive similarities in their experience, qualifying representatives to articulate the perspectives of their constituents. That way, deliberators can examine an issue from different standpoints and generate outcomes that are responsive to a diverse set of concerns. On the other hand, supporters of the "politics of ideas" approach suggest that inclusion of all relevant discourses is more important than representing particular social perspectives. John Dryzek and Simon Niemeyer (2008) argue that there is no assurance or even a strong likelihood that selecting representatives with different social characteristics will generate a diverse set of discourses. Directly ensuring that all discourses are represented produces a more inclusive deliberative arrangement, considering "there may be more than one discourse relevant to black interests or women's interests, which a unitary framing of that group's interest will not capture" (Dryzek and Niemeyer, 2008, p.483). Representing all discourses also ensures that policymaking or deliberation generates justifiable outcomes because all aspects of an issue will have been considered.[10] In spite of their differences, both models of representation respond to the challenge of inclusion by attempting to provide an efficient, less demanding and fair way of designing deliberative platforms.

Although deliberation's account of representation attends to some practical issues of inclusion, the basic yet substantive impediment to excluded groups or discourses penetrating the public sphere remains to be addressed. Representation is premised on the idea that "something" – whether individuals with shared characteristics or discourses – is worthy of representation or acknowledgment in deliberation. The greater challenge then lies in providing an account of *how* these groups or discourses can enter and be recognised in an exclusionary public sphere.

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[10] The debate between representation based on the politics of ideas and the politics of presence is discussed in-depth in Dryzek and Niemeyer (2008) and Parkinson (2003). Both articles provide details on how representatives could be selected as well as the ontological and normative justification for doing so.

Jane Mansbridge (1996) and Nancy Fraser (1992; 1999) respond to this challenge by advocating the formation of "discursive enclaves" or "counter-publics." These are informal discursive formations where subordinated social groups forge bonds of solidarity, discuss and invent counter-discourses related to their perceived injustices and work out their strategies for inclusion (Mansbridge, 1996, p.47). These enclaves are different from ordinary deliberative sites in that they are "protected spaces" where ideas are insulated from reasonable criticism from outside and participants are released from the deliberative responsibilities of providing other-regarding reasons and reaching out to interlocutors with different views. Instead, these spaces encourage marginalised groups to think about their own identities, interests and needs.[11] Those from disadvantaged sectors need such "special" protection in order to think about their positions more carefully, develop confidence in their ideas, marshal their forces and feel supported by similarly-situated peers (Mansbridge, 1996, p.58). Once counter-vocabularies and interests have been established, participants can enter the public sphere and deliberate with interlocutors from different social locations or opposing discourses. Through wider engagement, subordinated groups can contribute to expanding the public discourse because "in principle, assumptions that were previously exempt from contestation will now have to be publicly argued out" (Fraser, 1992, p.124). Fraser gives the example of the late twentieth century American feminist counter-public which developed their own range of journals, films, lecture series, festivals and local meetings. These efforts enabled women to invent a new vocabulary to describe social reality such as "sexism," "marital rape" and "double shift." By developing such language, women were able to reframe their self-understanding and interests, which consequently lessened – though did not completely abolish – their discursive disadvantage in the public sphere (Fraser, 1999, p.67).

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[11] In this model, the articulation of "interest" is considered compatible with deliberation. Formulating arguments based on self-interest reduces the possibility of obfuscating the excluded group's needs by allowing them to articulate particularistic arguments based on their unique experience of injustice (Johnson, 1998, p.174; Mansbridge et al., 2010, pp.72-73).

Apart from developing discursive enclaves, some deliberative democrats also advocate the use of activist tactics as a strategy for deliberative inclusion. As discussed earlier in this chapter, classic deliberative theory distinguished deliberation from activism in that the former promotes preference transformation while the latter puts a premium on intransigence and resistance. The tension between deliberation and activism was also clearly articulated in Young's (2001) article *Activist Challenges to Deliberative Democracy*. In this article, Young narrates the activist's suspicions of the deliberative democrat. She depicts the former as someone who typically "eschews deliberation, especially deliberation with... official representatives of institutions he believes perpetuate injustice or harm" (Young, 2001, p.673). Sitting down and exchanging arguments with individuals one believes are wrong is considered "laughable" and a luxury only political and economic elites have access to (Young, 2001, p.673). Activists see deliberative outcomes as superficial policy adjustments incapable of addressing deep social inequalities and the more important task lies in challenging the institutional terms in which deliberation takes place and the dominant discourses that deliberation perpetuates. These involve using non-deliberative strategies such as mass mobilisations, sit-ins, public shaming and mockery which are aimed at rupturing a stream of thought instead of weaving an argument (Young, 2003, p.678).

While Young clearly delineates the difference between activism and deliberation, she cautions her readers that "such exclusive opposition between the stances is artificial, of course" (Young, 2001, p.688). She explains that in one's political life, an individual moves between the two stances, depending on the issues at stake, kinds of interlocutors involved and possibilities for action. She recognises that a serious advocate of justice needs "*both* to engage in discussion with others to persuade them that there are injustices that ought to be remedied and to protest and engage in direct action," even though it is rare that these strategies are employed simultaneously (Young, 2001, p.689; emphasis in the original). Hence, Young's position, when read closely, does

not necessarily pose an indiscriminate opposition to deliberation. There is an appropriate place

for each approach and the challenge lies in ascertaining when either is appropriate.

Fung frames the deliberation-activism debate in similar terms. He argues that "there is

less opposition between deliberation and activism" and that the latter can be used as a strategy to

improve an excluded group's chance to access deliberative forums. He states:

> [...] the most sensible stance for a deliberative democrat who lives and acts in circumstances
> characterised by inequality is also to advance deliberation through persuasion when possible, but
> not limit his means to persuasion only. I call this perspective *deliberative activism* because it holds
> that widespread inequality and failures of reciprocity can justify *nonpersuasive, even coercive, methods for
> the sake of deliberative goals* (Fung, 2005, p.399; emphasis added).

Fung recognises that reason-giving alone does not prompt the deep institutional transformation

for which systematically excluded groups clamour. Consequently, he acknowledges that a

deliberative democrat need not be limited to reason-giving methods under conditions of extreme

economic inequality and political exclusion. To do so is to "play the part of wishful-thinking

political fools who act in the world as they would like it to be, rather than the world that they

actually inhabit" (Fung, 2005, p.400). This, however, does not mean that deliberative democrats

should give up on their distinct normative framework that holds them accountable to a higher

standard of political behaviour (Fung, 2005, p.400). Instead, Fung identifies four principles that

serve as a guide in securing deliberative inclusion without giving up on one's deliberative

principles. These principles are fidelity, charity, exhaustion and proportionality (Fung, 2005,

p.402). Fidelity refers to a political agent's loyalty to deliberation. This requires tolerance of

deliberation's imperfections, judging that deliberation's benefits outweigh its shortcomings.[12] It

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[12] Mark Warren (2007) shares Fung's position in that he advocates the use of strategic and even
hypocritical speech acts in order to persuade others to notice "unpleasant facts." However, he diverges
from Fung's position in that he does not consider fidelity to deliberation as necessary to make these
strategic manoeuvres acceptable. For Warren, the deliberative intentions of participants are not as
important as the deliberative outcomes of such actions.

also entails commitment to improving contemporary political institutions in a deliberative direction, instead of aiming for institutional rupture as in the case of a revolution. Meanwhile, the principle of charity calls the deliberative activist to presume that one's potential interlocutors are ready to engage in good faith deliberation until proven otherwise. Exhaustion must also be practiced in that the deliberative activist tries all possibilities to institute fair and open deliberation and it is only when all other options are exhausted that one uses non-deliberative political methods. When deliberative activists have exhausted all options and are left to use non-linguistic methods, they should adhere to the principle of proportionality: that the non-persuasive method is "scaled according to the extent to which political adversaries and opponents reject the procedural norms of deliberation and substantive values that ground it" (Fung, 2005, p.403). These efforts ensure that the costs of "rejecting reason" or formal deliberative processes are high enough to persuade adversaries to engage in deliberation (Fung, 2005, p.403). Fung outlines an example of how a deliberative activist might act in a situation where there is substantial inequality and powerful actors are unwilling to deliberate:

> According to the principle of exhaustion, he first attempts to persuade unwilling parties to engage in deliberation on public issues. In many cases, these appeals will not be received warmly. Once persuasive appeals have been exhausted, the principle of proportionality allows nondeliberative forms of action to coerce unwilling parties to deliberate. Temperately, the deliberative activist might attempt to generate political pressure by mobilising money, popular support, media attention, or legal and administrative pressure. Since many powerful actors in contemporary democracies publicly endorse deliberation even when they do not accept its demands in practice, some may be moved by these pressures and by their own embarrassment to take deliberation seriously. When these methods fail because resistance to deliberation runs deep and resulting injustices are substantial, he might resort to civil disobedience (Fung, 2005, pp.408-409).

Even in the case of civil disobedience, a deliberative activist still ensures that its application is consistent with deliberative principles. Habermas himself considers civil disobedience as a regular part of mature democracies, as long as it is justified based on constitutional principles and

expressed in terms that appeal to the public's sense of justice instead of promoting private and unjustified interests (see Habermas, 1985; Thomassen, 2007, p.202).

The spirit of Fung's argument about using non-persuasive mechanisms as a prelude to deliberative inclusion is shared by other theorists. David Estlund argues that when power gets in the way of reason, less powerful political agents can deviate from deliberation and use their own power as a counterbalance (Estlund, 2002, p.10). Parkinson shares the same view, considering activist engagement as important when:

> the "gentlemanly" rules of deliberation shut down other voices, where agendas are manipulated, where agreements fail to recognise effects on the excluded. Because deliberative forums cannot be perfectly inclusive, insurgent action is required to challenge their outcomes (Parkinson, 2003, p.191).

Rostbøll argues similarly, supporting the use of non-deliberative means as long as their use is justified to others. That way, the use of non-persuasive mechanisms remains faithful to deliberative norms by considering one's adversary as "reason-responsive even though they simultaneously realise that their adversaries are forced to listen" (Rostbøll, 2009, p.33). Holloway Sparks adds another normative criterion to the use of "dissident practices." Apart from justifying their use to others, these practices should "preserve the possibility of ongoing debate and disagreement" (Sparks, 1997, p.75). John Medearis (2004) relates this point to social movements that justify the use of coercion to transform unequal power relations into a more inclusive, equal and deliberative democratic arrangement. Francis Dupuis-Déri (2007) identifies specific contributions of confrontational action to deliberation, including the stimulation of participants' imagination, promotion of action and identification of the defects in official deliberative processes. Indeed, the logic of deliberative activism has gained considerable support within deliberative theory and has provided a range of normative criteria which establish the relevance of activism in securing deliberative inclusion.

Kadlec and Friedman extend Fung's notion of deliberative activism by considering its role not only prior to deliberation but after it. Activism is not just valued for its ability to make deliberation inclusive and authentic but for ensuring that it is meaningfully connected to the process of change (Kadlec and Friedman, 2007, p.20). They call this the "outcomes-oriented phase of deliberative activism," where deliberative activists compel those with power to deliver the outcomes of deliberation. Deliberative activists could make it impossible or difficult for leaders to ignore the outcomes of deliberation through petitions, demonstrations and media coverage while those who responded positively could be "rewarded through positive press or votes" (Kadlec and Friedman, 2007, p.21).

Representation, discursive enclaves and deliberative activism are some of the responses offered by an expanded model of deliberation to address the issue of marginalised groups accessing deliberative spaces. These responses "expanded" the classic model in that they provided terms in which deliberative norms should be (or should not be) upheld to suit the context of deliberating in non-ideal conditions. Representation translated the ideal of all citizens deliberating by arguing that the essence of having everyone deliberate is not having everyone present, but rather having all perspectives or discourses represented. Discursive enclaves advocate the suspension of publicity and the obligation of providing other-regarding reasons to let subordinated groups reflect on their own interests and gain confidence in their ideas before engaging in broader debate. Deliberative activism provided a normative justification for the use of non-persuasive and even coercive means to pry deliberative forums open. Taken together, these responses have identified some acceptable strategies for deliberative inclusion, particularly for historically and systematically subordinated groups who may not necessarily be able to avail themselves of their formal right to be included in deliberation without adopting these strategies.

Overcoming exclusion during deliberation itself

The previous section identified strategies and normative guidelines for marginalised groups to secure deliberative inclusion. However, gaining access to deliberative spaces does not necessarily translate to equal chances to participate in the deliberative process itself. As Lynn Sanders points out, the "invitation to deliberate has strings attached," where participants are expected to abide by informal norms which define what counts as "proper" deliberation (Sanders, 1997, p.370; Gutmann and Thompson, 2004, p.10). "Proper" deliberation involves a specific kind of communication – one that is contained, respectful and orderly (Sanders, 1997, p.356). These criteria, critics argue, do not express "pure universal reason," but are culturally-specific, mimicking modes of communication practiced in institutions that are dominated by white, upper-class males such as modern parliaments, courts and scientific debates. Dispassionate speech styles, logical coherence and representational accuracy have currency in these institutions while tentative, conciliatory or unruly speech styles are not accorded much credence (Young, 1996, p.124). This judgement, critics argue, is a contingent one, conditioned "by the membership of groups structured along the lines of privilege and disadvantage" (Williams, 2003, p.137; also Sanders, 1997). To this extent, deliberation enacts its own "structural bias" where actors who imbibe "rationalist" speech cultures are able to dominate proceedings and exercise more leverage in shaping deliberation's outcome (Young, 2003, p.110). This leads critics to consider deliberation to be an elitist process run by an "aristocracy of intellectuals" where:

> power is likely to flow to the deans and the directors, the professors and the pundits, all those who, by virtue of advanced education, quickness of thought and fluency of speech, can persuade others of their prowess in high deliberative arts (Berkowitz, 1996, p.36).

The preponderance of such "hegemonic speech cultures" deters deliberation from being an inclusive model of participation because it further marginalises those who are unfamiliar or uncomfortable using such culturally-specific forms of "rational" speech. Citizens that fail to conform to the demands of rational speech are those who are already excluded in formal political institutions, namely "women; racial minorities, especially Blacks; and poorer people" (Sanders, 1997, p.349). For this reason, Young proposes an alternative model called "communicative democracy," which indicates "an equal privileging of any form of communicative interaction where people aim to reach understanding" (Young, 1997, p.65). Communicative democracy considers jokes, greetings, storytelling or testimony and rhetoric – forms of speech Young associates with women and other minority groups – as equally acceptable as rationalist speech in deliberation. By acknowledging the diversity of speech styles and approaches towards reaching understanding, Young creates a more inclusive model of deliberation that is responsive to the demands of a plural and diverse society (Young, 1997, p.63).

Deliberative theory was able to comfortably incorporate Young's proposal of accommodating different speech styles in deliberation. After all, there is no deliberative democrat – or at least none in the mainstream – who exactly fits Young's caricature as someone who argues for the perpetuation of "hegemonic speech cultures" in deliberation. Young's critique is better appreciated as a contribution to the conceptualisation of deliberative inclusion, which entails giving equal consideration and respect to arguments that are articulated in different ways. Recent developments in deliberative theory support this approach by considering argumentation or reason-giving as one of a variety of forms of communication in a deliberative setting. Francesca Polletta and John Lee (2006) argue that storytelling is important in helping deliberators articulate their own and understand others' preferences as well as appreciate unfamiliar views. Mansbridge et al. (2006) cite the constructive role of humour in facilitating a free and comfortable flow of

deliberation while Hall (2007) acknowledges that passionate or emotional speech establishes the significance of an argument to the speaker. Zsuzsanna Chappel (2010) suggests that using images could be useful in deliberation especially when conveying issues or positions that are better communicated through images than words. Kadlec and Friedman (2007) also argue that using activist tactics is not just a prelude to deliberation but a part of the deliberative process itself. Unlike Fung who considers activist tactics to be "noncommunicative methods" used to lever deliberative institutions open (Fung, 2005, p.403), Kadlec and Friedman maintain that these are "communicative acts" in themselves when they are accompanied by reasons and leave enough room for feedback and contestation.

> We think it is viable to view some instances of activist protest as deliberative communicative acts, meant to foreground important truths and provoke thought and reasonable responses on the part of both direct adversaries and wider audiences. We certainly think that carefully calibrated, symbolic acts of nonviolent protest by Ghandi and King can be viewed in this light (Kaldec and Friedman, 2007, p.20).

There has been a burgeoning of literature that acknowledges the compatibility and positive contributions of using a variety of communicative modes in deliberation. This move makes an inclusive model of deliberation in that it makes space for diverse, expressive and subjective ways of presenting and engaging with others' arguments. However, this theoretical development poses a question regarding the ways in which an expanded model can "avoid the same problem of manipulation and hence how we know that agreements are reached autonomously" (Røstboll, 2001, p.178). Lincoln Dahlberg raises a similar concern, stating that "just as narrow subdued deliberative forms may squash difference, so too might strongly passionate styles" (Dahlberg, 2005, p.120).

Some deliberative theorists have responded to this issue by providing standards for the acceptability or "deliberativeness" of particular communicative modes. Most of these standards

have been developed in relation to rhetoric. Considering that classic deliberative theory has been suspicious of rhetoric's manipulative tendencies, advocates of the expanded model delineate when rhetoric is constructive and counter-productive to deliberation. Chambers (2009), for example, considers rhetoric to be "deliberative" when it prompts "considered reflection about a future action" and engages with citizens' practical judgement (Chambers, 2009, p.335). This is contrasted to rhetoric's "plebiscitary form," which merely aims to "bring along as many people as possible and have little back talk as possible" in pursuit of a self-interested goal (Chambers, 2009, p.330; 337). Dryzek (2010) takes this a step further, arguing that rhetoric is not just a complementary but a necessary component in deliberation, particularly for groups seeking to advance marginalised discourses. He argues that rhetoric is integral to increasing the relative weight of a certain discourse as well as in bringing reflective and competent actors together. He calls this "bridging rhetoric" which is distinguished from "bonding rhetoric." The latter is concerned to improve communication between likeminded individuals and rhetoric is used to pander to and further polarise opinions. Dryzek cites the example of Martin Luther King, Jr., who made rhetorical appeals to a white audience by invoking the discourse of constitutional liberalism to advance the African Americans' civil rights agenda. While King's appeals were justified through reason-giving, rational argumentation alone could not have effectively transmitted his message and prompted reflection among differently-situated Americans. The assistance of bridging rhetoric was required (see Dryzek, 2000, p.52).

Setting standards for the "deliberativeness" of different modes of communication is a necessary move for the advocates of an expanded model of deliberation. Without these standards, the expanded model is in danger of "becoming so broad" that it starts to "admit communicative distortions that are problematic" (Bächtiger et al., 2010, p.34). Clear theoretical and heuristic boundaries on the expanded model are necessary for it to avoid a slippery slope of

allowing almost any form of communication to be categorised as deliberative. The next section addresses this dilemma by going back to deliberation's linguistic roots. It argues that referring back to Habermas's linguistic model of deliberation lends insights to a workable standard that delineates deliberative from non-deliberative modes of communication. However, it is also argued that Habermas's theory is incomplete and needs updating, particularly in relation to normative and heuristic questions such as "what counts as reasonable?" The final section draws on the pragma-dialectical model of critical discussion to fill this gap.

Deliberation's linguistic roots

One of the shortcomings of Young and Sanders's critiques of deliberation is that they only go as far as interrogating the culture-specific aspect of language or its "surface structure" (McCarthy, 1984, p.227). This section argues that understanding deliberation requires attention not only to language's culture-specific characteristics but also its culture-transcending qualities. Habermas's linguistic theory provides the framework for this approach. His work on Universal Pragmatics identifies the universal qualities of language which serve as a foundation for deliberation. Using this framework, it is argued that deliberation, at least in the Habermasian sense, does not inherently favour any speech culture or form of reasoning but maintains an important set of criteria for the range of speech acts that can be considered deliberative.

Habermas's linguistic theory is based on the reconstruction of taken for granted assumptions or daily routines of discourse which are "partially inscribed in the social facticity of observable practices" (Habermas, 2006, p.413). He explains that language is governed by presuppositions or rules that underlie the production of meaning. These presuppositions are not "counterfactual thought experiments" but a set of assumptions people must make whenever they

communicate (Benhabib, 1996, p.84). The most basic presupposition Habermas identifies is that understanding is the inherent telos of speech (Habermas, 1984, p.287). In every utterance, a speaker implicitly claims to be:

1. uttering something *intelligibly*;
2. giving (the hearer) *something* to understand;
3. making *herself* thereby understandable; and
4. coming to an understanding with *another person* (Habermas, 1998b, p.22; emphasis in original).

It is these basic and taken for granted assumptions that make social engagement possible. A speaker enters into a discussion precisely because it is presumed that he or she will be understood. Even utterances that intend to deceive or lie capitalise on this presupposition, allowing one to devise a strategy that takes advantage of it.

Habermas explains that when there is disagreement on the validity of an utterance, participants have three options: to break off communication altogether, switch to strategic action or engage in the level of argumentative speech (Habermas, 1984). The first option entails exit and giving up on the possibility (perhaps temporarily) of social cooperation. The second option or strategic action is communication through inducements such as threats of force, bribery, deception and plebiscitary rhetoric. Habermas categorises speech acts that promote strategic action as "perlocutionary speech acts" or those oriented towards generating an effect upon the hearer regardless of whether the hearer agrees or disagrees with a standpoint (Habermas, 1984, pp.292-93; also see Benhabib, 1984, p.115). These speech acts are non-deliberative because they make inter-subjective understanding irrelevant by "forcing" or "coercing" participants to accept a claim (see Chambers, 1995, p.237). Habermas expresses normative disapprobation of strategic action because inducements, as mentioned earlier, downplay opposing arguments as obstacles to be overcome instead of legitimate concerns that deserve to be addressed. This also explains why Habermas privileges the third option of engaging in argumentative speech or deliberation as the

mechanism for resolving differences of opinion. He favours deliberation not only because of the epistemic benefits and legitimate outcomes gained in the process. More than these considerations, deliberation is favoured because it upholds the linguistic presupposition of understanding as the *telos* of speech. In Habermasian terms, to deliberate is to use "illocutionary speech acts" which are utterances aimed at generating understanding. Interlocutors can claim that they understand an utterance if they know the reasons that make it acceptable (Habermas, 1984, p.282). To do otherwise and to employ perlocutionary speech acts is to exploit or be "parasitic" on the background assumptions that make communication possible in the first place. Habermas's categorisation of perlocutionary and illocutionary speech acts provides the foundation for delineating reasonable and unreasonable discussion moves in deliberation. A speaker's discussion move is reasonable in the Habermasian sense:

> not only if he is able to put forward an assertion and, when criticised, to provide grounds for it by pointing to appropriate evidence, but also if he is following an established norm and is able, when criticised, to justify his action by explicating the given situation in the light of legitimate expectations (Habermas, 1984, p.15).

This definition is a procedural one where rationality is constituted not by prescribing its substantive characteristics but through the manner in which an interlocutor handled a difference of opinion. To this extent, it is argued that Habermas does not necessarily reject any speech culture but only its perlocutionary nature: its potential to downplay or escape from one's communicative responsibility of providing justifications to a challenged assertion.

Franz van Eemeren and Rob Grootendorst offer a useful development of Habermas's standards by conceptualising a reasonable procedure as one that creates possibilities for "resolving differences of opinion (its *problem validity*) in combination with its acceptability to the discussants (its *conventional validity*)" (van Eemeren and Grootendorst, 2004, p.132; emphasis in original; also Knops, 2006). This conceptualisation is consistent with Habermas's linguistic theory as it foregrounds the inter-subjective character of reason as understanding by describing the

process of critical discussion where interlocutors submit their standpoints to each others' critical

doubts to reach understanding (van Eemeren and Grootendorst, 2004, p.16). The criteria for

problem and conventional validity that is set out is a refinement of Habermas's theory as it offers

a clear benchmark for the kinds of speech acts that are acceptable in critical discussion: a speech

act does not only have to contribute towards resolving a difference of opinion, it must also be

acceptable to the discussants. This distinction provides the heuristic tool, which is discussed

more in the next chapter, that allows one to judge speech acts that may force agreement between

interlocutors in the sense that they formally express assent to a particular conclusion, but that is

not based on the shared understandings of those involved. This distinction also provides the

theoretical link as to why Young's (1996) preferred communicative modes could be considered

"deliberative". Speech acts that do not express an argument in a "traditional" sense could still

provide "conventional validity" or perform an illocutionary function that is constructive to the

deliberative process. For example, storytelling may serve as the best vehicle for a speaker to share

one's history and social position, allowing interlocutors to understand one's views better than

rendering a distanced and carefully constructed logical argument (Sanders, 1997, p.372). On the

other hand, dispassionate speeches that deliberation allegedly privileges can be perlocutionary if

couched in technical-scientific terms as a way of disengaging with the broader public. Some

speech cultures such as disruptive tactics may appear perlocutionary in that they begin with

particular goals but may be "illocutionary in the final instance" in that they are ultimately

"informed by an impetus toward communication and understanding" rather than serving as an

intervention to put forward particularistic goals (Drexler and Hames-Garcia, 2004, p.58). In other

words, different speech cultures have their own propensity to be illocutionary and perlocutionary

and the challenge for deliberative democrats is to ascertain how particular speech acts between

specific interlocutors in a set context contribute to resolving a difference of opinion and generate inter-subjective understanding.

An important caveat: reason-giving as prerequisite to generating agreements

The accommodation of different communicative modes in deliberation has broadened the field's appreciation of what it takes to deliberate across cultures and under imperfect conditions. These developments provide deliberative theorists and practitioners some latitude in ascertaining the range of acceptable communicative modes, depending on context. Gutmann and Thompson identify this as the "dynamic conception of political justification," where deliberative norms are developed based on a particular context and available cultural resources (Gutmann and Thompson, 2004, p.132). Habermas himself acknowledges that there are multiple forms of communication that contribute to rational will formation and that deliberation is only a "syndrome" that depends on the network of communicative processes and multiple forms of argumentation (Habermas, 1994, pp.5-6). Based on the literature presented above, one could say that deliberative theory has embraced a plurality of communicative modes in deliberation and the debate has moved on from ascertaining whether alternative communicative modes are acceptable to deliberation to a debate about when communicative modes could be considered deliberative (e.g. Dahlberg, 2005, p. 120; Polletta and Lee, 2006; Chambers, 2009; Dryzek, 2010).

While the previous section made a case for different speech cultures' potential for establishing shared understandings or conventional validity, this research also maintains that a further nuance is warranted if deliberation as a "special" process of communication is not to lose its critical purchase. This is where van Eemeren and Grootendorst's conceptualisation becomes particularly relevant. Apart from considering conventional validity as a criterion for considering a

speech act as deliberative, it also requires problem validity. The speech act must contribute to the resolution of a difference of opinion. Admittedly, such a qualification is a contentious one as it opens up the debate about the relationship between deliberation and consensus. This debate has been framed in terms of "consensus" and "difference" democrats, with the latter arguing that there are disagreements inherent in democracy and that these disagreements are the stuff that constitutes the political (see Mouffe, 2000; also see Dryzek, 2000, pp.48-50; Gutmann and Thompson, 2004, pp.26-29). To permanently resolve disagreements is to "supersede" pluralism and allow for the "crystallisation of power relations" (Mouffe, 2000, p.46; 49). Consensus democrats address this debate in a variety of ways. Dryzek, for instance, explains that deliberation can generate consensus where participants agree on a course of action but for different reasons (Dryzek, 2000, p.170). This arrangement provides room for differences and unique identities to flourish, considering participants are not expected or "forced" to settle their deep differences but reach an agreement based on reasons that are consistent with their values. Like Dryzek, Gutmann and Thomspon also have a rather relaxed notion of consensus, arguing that deliberation does not aim at eradicating differences but enriching "the economy of moral disagreement" – the intersection of one's own understandings with the position one opposes (Gutmann and Thompson, 1996, p.85). Benhabib shares the aforementioned views, arguing that it is important to maintain value-pluralism in modern democracies as unifying these values entails sacrificing fundamental liberties. Benhabib argues for consensus not on substantive issues but on procedural ones in that there must be consensus on "the processes and practices for attaining and revising beliefs" (Benhabib, 1996, p.73).

This research agrees with these conceptualisations, particularly the qualification placed on maintaining pluralism and difference as part of a healthy public sphere. However, this research makes a distinction between (a) differences that are best unsettled and left further contested and

(b) issues that necessarily have to be resolved, at least temporarily, in order for political agents to coordinate their future actions. The former may relate to open-ended moral, ethical and policy debates which are recurrently contested in public space and to a lesser extent in empowered space. It is valuable to keep these debates in the public sphere open and decisions made in the empowered space provisional to maintain deliberative democracy's capacity for self-revision (see Gutmann and Thompson, 2004, p.138). The latter – which is the focus of this research – involves situations where unresolved differences literally place political agents in a standoff and deter them from ascertaining what to do next. The *main* point of contention in these events is not an issue of morality or "truth" but proposals that suggest how to coordinate future actions through a "working agreement" (see Kock, no date, p.1; Bächtiger et al., 2010, p.48). This research uses the example of military mutiny but other empirical scenarios that could potentially fall under this category include strikes, civil disobedience and other forms of collective action meant to disrupt the status quo. While disagreements on fundamental principles cannot be immediately resolved between conflicting parties, these standoffs cannot go on in perpetuity and some agreement has to be generated, at least in the interim, to allow the coordination of future actions. This is the basis for this research's support to van Eemeren and Grootendorst's two-fold criteria of conventional and problem-solving validity of speech acts. In a situation where interlocutors agree to gather together to resolve a standoff, speech acts have to contribute not only towards generating shared understandings but also towards resolving differences of opinion. Otherwise, a speech act could be considered "unreasonable" because it is irrelevant (e.g. speech acts that contribute to understanding but are not intended to resolve the difference at hand) or coercive (e.g. they resolve the issue at hand but are not based on shared understandings or justifications opposing parties could accept).

Several deliberative democrats have already argued along the same lines. While Gutmann and Thompson acknowledge that rhetoric is equally as justifiable as logical argumentation in the broader political arena, especially in provoking deliberation, they also clarify that rhetoric itself is not deliberation. They argue that "deliberative democracy is different" because of its fundamental principle of citizens offering "one another justifications for the laws they collectively impose on one another" (Gutmann and Thompson, 2004, p.51; 126). Hence, when an issue is offered in the public agenda through rhetoric, it must yield to rational argumentation once subject to deliberation. Benhabib also makes a similar distinction:

> With respect to modes of communication like "greeting, rhetoric and storytelling," I would say that each of these modes may have their place within the informally structural process of everyday communication among individuals who share a cultural and historical life world. However, it is neither necessary for the democratic theorist to try to formalise and institutionalise these aspects of communicative everyday competence, nor is it plausible – and this is the more important objection – to build an opposition between them and critical argumentation. Greeting, storytelling, and rhetoric, although they may be aspects of informal communication in our everyday life, cannot become the public language of institutions and legislatures in a democracy for the following reason: to attain legitimacy, democratic institutions require the articulation of the bases of their actions and policies in discursive language that appeals to commonly shared and accepted public reasons (Benhabib, 1996, p.83).

Benhabib's statement makes clear that the communicative modes that Young endorses have their role in informal communicative spheres but maintains that formal democratic institutions necessarily require reason-giving to explain the bases for actions. Alternative communicative modes can lubricate deliberation and promote understanding but these could not be used as substitutes for explicit-reason giving when justifying proposals.

Summary

An expanded model of deliberation translated classic deliberative theory's idealisations into a framework that provides guidance on deliberating under imperfect conditions. Three main themes were addressed. First, the need to include previously excluded groups warrants a renegotiation of classic deliberative principles. Under conditions of extreme inequality, marginalised groups do not have to be limited to public reason-giving as a mechanism to overcome their exclusion. They can begin by creating protected spaces or discursive enclaves where similarly-situated individuals can collectively think about their interests, needs and positions before they engage in a more critical public sphere. Using non-persuasive or even coercive mechanisms can also be acceptable to secure access to deliberative forums, as long as the selection of these mechanisms was subject to normative tests that ensure their consistency with deliberation's goals. These efforts are acceptable because they contribute to making a more inclusive deliberative sphere, where different perspectives or discourses are substantively (not just formally) represented and considered.

Second, this chapter observed that gaining access to deliberative space does not necessarily translate to gaining equal chances to take part in the deliberative process itself. Deliberation can further exclude marginalised groups by favouring styles of speech that are associated with privileged social actors. An expanded model of deliberation responds to this critique by acknowledging the diversity of speech styles that can contribute to generating inter-subjective understanding. With this acknowledgment, a more inclusive model of deliberation is conceived – the kind that celebrates diverse ways of expressing subjective positions and convincing other interlocutors.

Finally, this chapter argued that while these two theoretical modifications created a model of deliberation that is responsive to current political realities, it is important to maintain a clear standard that delineates "acceptable" and "unacceptable" speech acts in deliberation. The final part of this chapter reviewed and refined Habermas's criteria and introduced pragma-dialectics' standards of conventional and problem validity. Considering the expanded model is open to using a diverse set of speech acts to promote understanding, this chapter maintains that pragma-dialectics' two-fold criteria of problem and conventional validity provides a clear normative and interpretive framework that helps ascertain the "deliberativeness" of particular speech acts. This chapter discussed the normative bases for this distinction and the next chapter discusses this framework's interpretive function. The next chapter also identifies some critical theoretical gaps in deliberation's expanded model and how this research addresses them.

CHAPTER II

RESEARCHING COERCION AND DELIBERATIVE INCLUSION

The previous chapter provided an account of deliberating in a non-ideal speech situation. It argued that political conditions marked with sharp inequalities warrant a renegotiation of classic deliberative norms. It discussed the justifications for marginalised groups using non-persuasive mechanisms to open deliberative spaces as well as the accommodation of a variety of communicative modes that depart from traditional forms of reason-giving. Through these theoretical modifications, a more inclusive and topical model of deliberation is conceived.

This research engages the growing literature on deliberative inclusion by examining the impact on the deliberative process when marginalised groups use non-persuasive mechanisms as a means of securing a deliberative hearing. Investigating this topic helps address three important gaps in the expanded model of deliberation. Firstly, it establishes the link (or lack thereof) between gaining access to deliberative spaces and ensuring a more inclusive deliberative process. As mentioned in the previous chapter, gaining access to deliberative forums does not necessarily translate into gaining equal chances to engage in deliberation (see p.39). Consequently, it is important to monitor the dynamic of translating "inclusion by gaining entry" into "inclusion by taking part." Although accessing a deliberative site is already a considerable achievement for previously excluded groups, it is equally important to ascertain the extent to which such strategy impacts on the deliberative process and outcomes that ensue.

Secondly, the complexity of resolving a difference of opinion when deliberation is borne of coercion is examined. The mechanisms used in creating deliberative spaces may have an effect on the deliberative process in the same manner that strategies for institutional design affect the dynamic of deliberation. Given this, it is important to understand the circumstances that emerge

out of coercively creating a deliberative opportunity and the kinds of deliberative norms that are upheld or compromised when interlocutors are "forced" to engage in discussion. This is another context of deliberating under imperfect conditions that is worth consideration by an expanded model of deliberation.

Finally, the practical limitations of using non-persuasive mechanisms as a strategy for deliberative inclusion deserve to be assessed. Theories of deliberative inclusion such as discursive enclaves and deliberative activism mostly provide an account of the normative foundations and effectiveness of these strategies in penetrating the public sphere. By extending this account to understanding the consequences of using non-persuasive mechanisms to secure deliberative inclusion, the prospects and limits of these strategies can be better appreciated.

Research question

The main question this research aims to address is: *What is the impact of marginalised groups using coercive mechanisms to secure deliberative inclusion?* Answering this question entails three stages. The first stage unpacks the concept of "marginalisation" and the manner in which it is experienced by certain political agents. It examines the historical forms of exclusion they encounter as well as the formal and informal barriers that deter them from accessing deliberative forums. This stage is important because it contextualises the nature of marginalisation and how it affects the kinds of strategies for inclusion employed. This relates to the second stage, which involves analysing the process of selecting non-persuasive mechanisms to secure deliberative inclusion. Apart from ascertaining the political agents' reasons for choosing a particular mechanism, this stage also examines the extent to which deliberative activism's standards of fidelity, exhaustion, charity and proportionality have been considered. While there is a range of literature justifying the use of

non-deliberative methods for the sake of deliberative inclusion, Fung's standards provide the clearest normative benchmarks to gauge whether the planned use of a coercive tactic is within deliberative theory's normative realm. Finally, the third stage examines the process of resolving a difference of opinion after a marginalised group expressed dissent through coercive means. This is done by mapping the range of illocutionary and perlocutionary speech acts used and how these speech acts relate to one another. This research presents a critical assessment of the prospects and limitations of such process. Each of these stages is discussed in the three succeeding chapters.

Instrumental case study

A case study is the selected research method to generate an empirically-grounded account of coercion's impact on securing deliberative inclusion. Analysing one particular case allows for the systematic characterisation of the intricacies of social action, "the different levels of meaning that inform actions, decisions and chosen means to communicate" (Feagin et al., 1991, p.12). However, the case study in this research is used in an "instrumental" sense, based on its contribution to the refinement of conceptual constructs and theoretical conjectures rather than solely focusing on the context's specificities and unique characteristics (Stake, 1995, p.8).

A military mutiny and ensuing negotiations were chosen as an "extreme" case of coercion aimed at securing deliberation. Choosing an "extreme" case is conceptually advantageous because it illustrates the process, tensions and challenges of shifting from the use of force as a strategy for capturing communicative space towards a discussion-based way of resolving a difference of opinion. It pushes the literature to think about the boundaries of the justified use of coercive mechanisms and their impact on the deliberative process. While the most "extreme" example

used by advocates of deliberative activism is civil disobedience, it is important to know the extent of allowable non-persuasive mechanisms to secure deliberative inclusion. An extreme case is also fitting because it magnifies the pressures of deliberating under imperfect conditions. It draws attention to how agreements are reached under time pressure, mutual distrust and other contingencies.

The selected empirical case for this research is the 2003 military mutiny in the Philippines. On 27th July 2003, 324 junior officers and enlisted men of AFP's elite units took over the Oakwood Serviced Apartments and declared they were withdrawing support from President Gloria Macapagal-Arroyo, their commander-in-chief. Junior officers complained about systemic corruption in the AFP and the collusion of the military high command with armed secessionist movements. The incident was peacefully terminated with junior officers returning to barracks after six hours of dialogue between junior officers and government emissaries. This encounter is popularly called the Oakwood Mutiny.

The Oakwood Mutiny has been chosen for study for three reasons. Firstly, one can make a case that this is not just a mere attempt to seize power but a communicative act of a group of disgruntled junior officers. Instead of assaulting the state's coercive machinery the junior officers, holed up in a private luxury apartment, politely asked the residents to leave and setup a command centre from which they could air their concerns. As reported in the news and official government documents, the officers publicly claimed to have exhausted all possible procedures for grievance articulation and were left with no alternative but to express their dissent in this manner.[13] Secondly, this incident is an apt illustration of a dialogue that emerged through the forcible seizure of communicative space by individuals claiming to have been marginalised and aiming to

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[13] ABS-CBN News Network's coverage of the incident relayed the claim that the mutiny was the junior officers' last resort to express their grievances. National broadsheets also framed the issue in a similar manner (see Tubeza et al, 2003, p.A1, A19). The FFFC (pp.80-81) also cited this as one of the "provocations" that led the junior officers to launch a mutiny.

make their grievances public. This standoff was resolved through a series of discussions between military men without a single shot fired. To this extent, the case provides rich material with which to analyse the possibilities and limits of generating agreements in a highly tense situation where both parties are under duress and the threat of force is imminent. The third reason for selecting this case is a practical one. The standoff only lasted for twenty two hours, providing an adequate amount of material for close investigation. Having a specific and manageable length of time – when the incident started and ended – is a methodological advantage. Because the aim of the case study is to analyse the prospects of deliberation borne of coercion, the length of the standoff is brief but sufficient to map the transition and interaction of persuasive and non-persuasive mechanisms using a particular framework.

Research design

Resolution-oriented reconstruction was chosen as the most responsive framework to the research question posed above. It entails collating and organising data in a manner that allows the stages involved in resolving a difference of opinion to be mapped. It lends insight into the processes and in particular the exchanges that characterised each stage (van Eemeren and Grootendorst, 2004, p.26).[14] This research design is useful because it foregrounds the *process* of exchanging speech acts rather than just taking note of the background conditions during the conflict. It is this focus that gives resolution-oriented reconstruction its critical edge because it maps how illocutionary and perlocutionary speech acts are rendered to resolve a difference of opinion. This facilitates the analysis of the transition from using non-deliberative speech acts in order to gain entry to a deliberative process using (or not using) deliberative speech acts to take part in that

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[14] The model of critical discussion is discussed later in this chapter.

deliberation and generate agreements. The model of critical discussion also allows for the analysis of the rules of discussion that emerge based on the interlocutors' inter-subjective understanding and how these rules affect the communicative process.

Because the first two stages of this research aim to characterise the nature of the political agents' marginalisation and the process of planning their strategies for inclusion, this research extends the body of data to events leading up to the mutiny and examines its relationship to the mutiny itself. It also reconstructs the mutiny's immediate aftermath to understand the implications of the agreement reached.

Data gathering strategy

The objective of resolution-oriented reconstruction was interpreted in a fairly loose sense during the data gathering stage. Although it provided some guidance on the kinds of data necessary for reconstruction, assessment of the data's relevance was suspended until the data analysis phase. This was done to give space for other potentially pertinent themes to emerge. Additional effort was spent gathering information about the discussions that occurred during the mutiny because little information is available on this matter. Participants opted not to document these encounters because the event was considered an affair among gentlemen based on trust. The lack of documentation proved to be controversial after the standoff as opposing sides have different accounts of what was said and promised in their discussions, as reported in the news. With this in mind, extra caution was taken to keep a keen eye out for inconsistencies in the data and to ensure that opposing parties' narratives were properly represented in the process.

Exploratory fieldwork was conducted in Manila in July 2008. Considering the 2003 incident still had concrete repercussions during the period of data collection,[15] it was deemed important to have a sense of the field to better manage the research design and anticipate logistical and ethical issues. The early detection of the breadth and limitations of accessible data allowed time to adjust the data gathering strategy. For instance, during the exploratory fieldwork it was discovered that court martial proceedings were inaccessible. This would otherwise have been a potentially rich source of information as it presents the AFP's official reconstruction of the event. Not having access to this meant that alternative sources of information had to be strengthened, such as improving the list of key informant interviews. It was also during the preliminary fieldwork that contact with one of the commissioners of the FFFC was established. The FFFC is an ad hoc body mandated by the President to investigate and "evaluate all the facts and circumstances surrounding the rebellion, its roots, and the provocations that inspired it" (FFFC, Annex A). Its final report is considered the authoritative account of the Oakwood Mutiny as it had the authority to summon witnesses, experts and other parties whom it considers to have information relevant to the Commission's purpose (FFFC, Annex A). Commissioner Carolina Hernandez kindly offered her personal files as reference except for confidential documents and notes taken during closed door meetings.[16]

Primary data

Primary data was collected through face-to-face interviews. The FFFC Final Report (2003) and news articles from major broadsheets provided initial guidance in drawing up the list of possible

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[15] During the fieldwork, the junior officers were still being tried for coup d'état and rebellion.
[16] Commissioner Hernandez is the researcher's colleague at the University of the Philippines. She is a professor emeritus in political science.

respondents. The list had four categories, representing each hypothesised role during the negotiations:

1. *The core group of mutineers.* The government identified them as the "leaders" of the mutiny and they acted as official negotiators with government emissaries.

2. *Informal negotiators.* These individuals are reported to have "softened up" the mutineers to engage in dialogue with the formal negotiators. They are mostly classmates of the mutineers from the Philippine Military Academy (PMA) and some government officials who were considered sympathetic to the mutineers' cause.

3. *Formal negotiators.* These are the formal government emissaries tasked to convince the mutineers to stand down.

4. *Government officials.* These officials had the power to extend negotiation deadlines, accept or reject the proposals of the mutineers through the intercession of the negotiators and could authorise the use of force.

One of the shortcomings of basing the list of respondents on the FFFC's Final Report is the report's noticeable partiality to hearing from decision-makers during the incident. While this suited the Commission's purpose, this project had to extend the list to other junior officers and enlisted men who may not have directly influenced the outcome of the incident but nevertheless played a role in it and were considered in making decisions. Further distinction was also made between junior officers who were no longer detained due to a presidential pardon and those who were still in jail. The amended list includes:

1. *Junior officers.* These officers were not part of the core group but communicated the decisions and commands of the core group to enlisted personnel.

a. *Detained.* These officers are still undergoing trial for charges of coup d'état and rebellion.

b. *Pardoned.* These officers are discharged from military service after pleading guilty to the charge of coup d'état and were granted a presidential pardon.

2. *Enlisted men.* These were the recipients of commands and were in-charge of securing the area. Their rank is lower than that of the junior officers' but they comprised the bulk of mutineers present in Oakwood.

The aim of drawing up these categories is to ensure that the resolution-oriented reconstruction took into consideration all perspectives and roles in the mutiny. Quota sampling was the technique used in selecting respondents, aiming to interview at least one respondent per category (Bryman, 2004, p.102). Appendix 1 lists the breakdown of respondents per category. Twenty-eight interviews were conducted for this research.

Capt. Gary Alejano, a personal contact inside detention, served as liaison with the other detained respondents.[17] He made arrangements with the custodial centre to grant entry to the researcher and to include her on the list of frequent visitors to ease bureaucratic procedures in subsequent visits. He coordinated with three members of the core group, himself included, to be interviewed during the first visit. He then made suggestions for possible respondents in subsequent visits. On his own initiative, he organised the interviews according to service units, a category previously not considered in the research design. Two respondents from the air force were interviewed together, followed by a one-on-one interview with a junior officer from the marines. A group interview with five enlisted men from the marines was also organised.

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[17] The researcher was introduced to Capt. Alejano through Leslie Advincula-Lopez, the researcher's colleague at the University of the Philippines. Lopez knew the mutineers through her father, a navy officer who personally knew the incarcerated junior officers.

59

Responding to the researcher's request, he organised an interview with Gen. Danilo Lim, one of the government's emissaries in Oakwood but now incarcerated in the same custodial centre for his alleged participation in another mutiny the same group launched in November 2007.[18] Contrary to expectations, gaining access to incarcerated mutineers was relatively unproblematic.

There was less success in contacting pardoned officers. After they received pardon and discharge from military service, there is no record of their new careers apart from word of mouth. A personal visit to the headquarters of the Philippine Drug Enforcement Agency (PDEA), a government agency reported to have recruited pardoned mutineers, proved to be productive. Two pardoned mutineers immediately agreed to an interview. They then referred other discharged officers working with PDEA but based in other regions to be interviewed when they visited the headquarters of the agency in Manila.

There was also difficulty in accessing government emissaries and government officials who were directly involved in handling the mutiny. Since 2003, these individuals, particularly high ranking military officers, have been shuffled around different assignments and it was difficult to keep track of the agencies where they could be reached. Other government officials, particularly those depicted by the media as close to the President, did not respond to the invitation in spite of persistent requests to their staff. There were also pardoned mutineers who politely refused to participate in an interview. Capt. Gerardo Gambala, whom the government and media describe as the leader of the mutiny, is an example. His interview could have provided an account of the negotiations from one of the people was in the forefront of the process. He could have also provided a different perspective on the incident considering he was one of the two core group

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[18] On 27th November 2007, the nineteen remaining officers tried for coup d'état walked out of their own trial and marched to the Manila Peninsula Hotel. Once again, the junior officers and Gen. Danilo Lim, one of the negotiators during the Oakwood Mutiny, identified the ills of the Arroyo government and demanded her resignation. The standoff was quashed with an armoured personnel carrier assaulting the hotel and forcibly capturing the officers.

members who asked for pardon and sought a career outside of military service.[19] In cases like this, secondary data was used as an alternative source of information such as Gambala's testimony in the FFFC and Senate Enquiry. While some intended interview questions were raised in these forums, the questions were raised in a structured manner which made the responses limited. This is understandable considering those forums have aims different from this research. In such cases, every effort has been made to interpret the data based on the context in which it was expressed.

Interview design

The design of the interview varied depending on the respondents. The logic and ethics of elite interviewing were employed when talking to the core group, legislators and other government officials. This involved researching the respondent's role in the incident in advance and crafting a more specific interview guide that clarifies perceived inconsistencies with the secondary data (see Aberbach and Rockman, 2002; Lilleker, 2003). On the other hand, interviews with incarcerated and pardoned mutineers apart from the core group were designed to be more relaxed and less structured. Interviews usually started by making it clear that the project hopes to better understand the Oakwood incident by "hearing their side of the story" considering they were discouraged from speaking in other forums due to the possible implications for their legal case. Among the common themes raised in the interview were the interviewees' experiences and assignments before going to Oakwood, their reasons for joining the mutiny, their most meaningful or unforgettable memory in Oakwood and their recollection of the dialogue that

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[19] Gambala is now working for Campus Crusade for Christ. In an email to researcher, he explained his reason for begging off the interview, saying that he does not "want to dwell on what happened in Oakwood anymore" and he has "no more stories to tell except how God saved me."

ensued. These themes were not framed as a specific question to allow for flexibility in raising these topics. Because the format was fairly loose, there were many instances when the respondents dwelled on topics, which on the surface, did not seem to contribute to reconstructing the Oakwood incident. Examples include their experiences and analyses of corruption in the AFP, their difficulties in the field and anecdotes about bad commanders. When this happened, respondents were allowed to carry on without intervention. Their biographical narratives helped in understanding their contexts, background assumptions and what they considered relevant in constructing a coherent story about the Oakwood Mutiny.[20] Interviews with detained mutineers had no time constraints: the detainees themselves said they had a lot of spare time inside the detention centre[21] and the best way to express gratitude to them was to listen and appreciate their stories independent of this project. As Jennifer Schlosser points out, "providing an outlet in which inmates can speak candidly about their lives or experiences can quite often be more beneficial than some tangible reward" (Schlosser, 2008, p. 1508). However, Schlosser also calls for caution when asking inmates to "construct a narrative of socially relevant life events" as it is "one of the largest 'landmines' researchers may encounter" (Schlosser, 2008, p. 1515). She is concerned about the effects of incarceration to the respondents' narratives as they may have been manipulated or brainwashed while under the state's custody (Schlosser, 2008, p.1515). This advice is applicable in a slightly different way to the detained officers. They were subject to "organisational embeddedness" (Gubrium, 1988) in the sense that those who held out in jail were considered the group's "hard core". This group was not only unwilling to make concessions to secure their freedom but was also the same group who walked out of their own

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[20] This approach proved to be beneficial during the data analysis phase, where seemingly peripheral anecdotes during the interview provided relevant information on the junior officers' reasons and motivations.

[21] The researcher usually stays from 10:00 am to 5:00 pm, the permitted visiting hours in the custodial centre.

trial and took over another hotel in 2007 to once again call for the President's resignation.

Through the years, this group has developed a collective identity as part of a resistance movement

and developed a language of dissent which may serve as a lens in making sense of their actions in

2003. This research takes the position of exercising charitable understanding when interpreting

the respondents' narratives instead of prejudging them as ideologically duped, symbolically

violated or self-aggrandising. Charitable understanding or interpretive generosity entails

appreciating these narratives in their own terms and context (see Holmwood, 2009).

Research Ethics

This research followed the ethical framework set by the Economic and Social Research Council

(2010) and the British Sociological Association (2002) (see Appendix 3). Specific ethical issues

related to interviewing respondents in prison were thoroughly discussed with the Department of

Sociology's review panel before entering the field.[22] As suggested by one of the panellists,

literature on prison research was studied with particular attention to interviewing techniques and

applicable ethical guidelines (Gubrium, 1988; Schlosser, 2008). Most respondents received letters

of invitation which explained the purpose of the study, their rights as respondents and the way

their responses will be used in this research. The letter also contained the contact information of

the project's supervisor should the respondents have complaints about the conduct of the

research. Those who did not receive a letter were made aware of its contents before the interview.

They were also informed that the interview was recorded to maintain accuracy and could be

stopped upon their request. As mentioned earlier, this research was conscious of the ethical

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[22] The Head of Department, Prof. John Holmwood, together with Dr. Shelley Budgeon and Dr. Therese
O'Toole were part of the review panel.

considerations when undertaking data gathering in prison. The lawyers of the detained respondents were notified that their clients were participating in this research while the respondents were informed that they could choose not to answer questions that they considered personally or legally sensitive. Some respondents did hold back on some details while others indicated to the researcher when what they were about to say was "off the record." This confidential information was used in data analysis but not included in the write-up. The anonymity of the participants was also ensured. When respondents did not voluntarily identify themselves, they were not pressed to give their names. This was the case for the enlisted men and pardoned officers who just identified themselves by their nicknames. In the write-up, respondents were identified using a code such as "detained marine officer 1." Other identifiers apart from service unit are withheld such as accents, appearance and mannerisms (Israel, 2004, pp.719-720). Transcription of interviews was not outsourced and all recorded interviews were saved on disk and kept in a secure place.

Issues of researcher's safety in the field were seriously considered. Journalists and researchers who interviewed incarcerated officers were consulted about their risk assessment of interviewing inside the detention centre. None of them expressed discomfort at their experience and one even vouched for the congeniality, humour and openness of the detainees.

Establishing contact with a local think tank, the Institute for Strategic and Development Studies (ISDS), was also helpful in the course of data gathering. Commissioner Hernandez is the founder of ISDS and the Institute served as the local host of this project during the data gathering stage. Apart from serving as the home base for the research, ISDS made a staff member available to act as main contact person during fieldwork. As standard procedure, the staff member was informed before conducting an interview of the location and time it was intended to finish. The staff member was also informed as soon as the interview had ended.

Mobile phones were not allowed inside the detention centre, making this arrangement even more important in terms of ascertaining the researcher's whereabouts. Having sorted out the safety issues and other logistical details, the actual fieldwork was conducted from November 2008 to May 2009.

Secondary data

This research utilised three major sources of secondary data: court documents, the FFFC files and transcripts of legislative enquiries. Among the relevant court documents were sworn statements and after-operations reports from the AFP and the Philippine National Police (PNP). These documents were useful because they established the event's timeline from different perspectives. Sworn statements provided a great amount of detail about the conversations that occurred among junior officers and their peers who did not join the mutiny. After-operations reports outlined the scale of force the AFP and PNP used throughout the day as well as the level of force they were prepared to use.

The FFFC files were also useful, particularly the tape recordings of witness testimonies. As mentioned earlier, some key personalities were inaccessible for interviews so these recordings served as practical substitutes. The transcripts of the legislative enquiries had the same function. Because both the FFFC and legislative enquiries were conducted less than a month after the mutiny, they were used as a comparator to the information gathered in face-to-face interviews conducted six years after the mutiny.

Video footage and media coverage of the mutiny were also obtained from ABS-CBN, the Philippines' largest news network. The junior officers' press conference and surrender statement were closely studied as these were the best sources of information for characterising the emotions

and rhetorical styles in the incident. Survey data from the Social Weather Stations (SWS) regarding the mutiny is used in chapter five as an indicator of the public's reaction towards the mutiny. Appendix 1 enumerates all the primary and secondary data used for this research.

A note on translation

The interviews were conducted in both English and Filipino while testimonies in the FFFC and legislative enquiries were mostly in English. In the empirical chapters, statements made in English are quoted verbatim and identified as "original statement" while statements in Filipino are translated, noting "author's translation".[23] Translations are noted within the text. This research acknowledges the politics of "the researcher as translator" and the "cultural brokering role" this entails (Temple and Young, 2004, p.173; also Spivak, 1992). This is particularly relevant in translating not only Filipino to English but the cultural dimension of "military lingo," including the lexical choice, expressions and literary forms used (Simon, 1996, pp.137-138). This research takes the issues related to translation seriously, especially as the data analysis tools used are reliant on discourse analysis.

Two steps are taken to ensure that translation and interpretation issues are addressed. The first step relates to the issue of substance. The researcher's position as an "outsider" during interviews was explained to the respondents, stating that the researcher is not well-versed in the terms used in the military and may have to ask for their definitions every now and then. This provided the window for the researcher to ask the meanings of some common expressions. For example, after transcribing most of the interviews with the mutineers, it was noticed that the term

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[23] Filipino is the designated national language which evolved from Tagalog, the dialect used in metropolitan Manila and its surrounding regions.

"team player" was expressed in a derogatory or irritated way by three respondents, e.g. "[the problem with him is that] he's such a team player." Probing what this expression meant, a respondent who mentioned this term again in a subsequent visit explained to the researcher that a "team player" was used in that context to disparage a junior officer who unthinkingly follows what his commander says. The derogatory use of this term was also used in reaction to the dismissal of inquiring officers as "obstructionists" and "bad team players." Chapter five identifies other such expressions that played a critical role during the negotiation process.

The second step relates to the issue of form. One of the peculiar characteristics of the Filipino language is the substantive integration of English. It is not uncommon for respondents to start their statements in English and infuse Filipino phrases. When this happens, the translation reflects the original English syntax and the infused Filipino words are translated. The translations also aim at maintaining the statements' character by reflecting silences, pauses, grammatical errors and the speech's overall tone (e.g. academic, casual, deadpan).

Data analysis

After exiting the field, the process of data analysis was conducted in two phases. The first phase entailed going through the entire body of data to obtain a sense of familiarity and criticality. Field notes were encoded and initial observations were reflected on. A soft version of grounded theory was employed in the sense that chunks of data were segmented or coded into provisional categories (Creswell, 1998; Partington, 2002). These provisional categories were less beholden to the focus of this research but were more concerned with identifying the resonant themes in the interviews and testimonies. This exercise was useful in appreciating both the commonality and diversity of the respondents' narratives as well as the mutineers' social position. These categories

were then "winnowed" into "small, manageable set of themes" (Creswell, 1998, p.144) to generate a "storyline" (Geiger and Turley, 2003) that makes sense of the respondents' narratives. For instance, "trust" was a resonant theme in the junior officers' interviews. This provisional code was collapsed as a sub-code for the category "gentleman's agreement." Trust, together with the sub-categories "reputation" and "masculinity" describes the nature of a gentlemen's agreement or the characteristics of the consensus opposing parties arrived at. Although grounded theory was applied in a rather loose way compared to Barney Glaser and Anselm Strauss's (1967) classic version, it was suitable to the demands of this project. It provided the contextual understanding necessary for analysing speech acts using resolution-oriented reconstruction.

Resolution-oriented reconstruction

The second phase of data analysis is the resolution-oriented reconstruction of the Oakwood Mutiny. A linguistic-based microanalysis of the case is made for two reasons. Firstly, having such focus allows for a close examination of the immediate impact of using perlocutionary speech acts to articulate dissent. It responds to the current gap in the literature, which is to ascertain the response of the party being "coerced" to engage in discussion and the challenges that comes with it. As discussed earlier, the expanded model of deliberation has provided the normative justification for using coercive tactics to secure inclusion but has yet to identify the practical considerations involved in such approach. Reconstructing the dynamic after coercive tactics have been employed lends insight to the *specific* issues deliberative activists deal with in their quest to penetrate the public sphere. Second, limiting the analysis to this event provides the necessary focus to closely examine the process of transition (or the lack of it) from using perlocutionary speech acts to articulate dissent to using illocutionary speech acts (or continuous use of

perlocutionary speech acts) to resolve a difference of opinion. Through resolution-oriented reconstruction, the complex process of "negotiating" inclusion *after* coercive tactics have been used can be analysed. Analysing this stage is crucial as it sets the tone of the extent to which marginalised groups can secure access in the macro-deliberative sphere.

Resolution-oriented reconstruction is derived from what van Eemeren and Grootendorst call the "pragma-dialectical approach" to discourse analysis. It is pragmatic because the components involved in resolving a difference of opinion are "speech acts" performed in a specific context (van Eemeren and Grootendorst, 2004, p.22). Speech acts are analysed not through their formal, a priori properties as in the case of formal logic but based on insights inductively generated through empirical observations. In this regard, insights from grounded theory complement this approach because they provide the background context of the speech acts rendered. It is "dialectical" because the process "is premised on two parties who try to resolve a difference of opinion by means of a methodical exchange of discussion moves" (van Eemeren and Grootendorst, 2004, p.22). The focus on the dialectical aspect of discussion makes resolution-oriented reconstruction a suitable methodology for capturing the dynamic of resolving a difference of opinion. Often, the methodologies that gauge deliberative quality only provide a descriptive account of the institutional conditions that promote or hinder deliberation. However, these formal properties only indirectly measure the substance of justification (Bächtiger et al., 2010, p.31) and do not necessarily cover the "intersubjective/interactive quality of what transpires in deliberation" (Rosenberg, 2005, pp.212-213).[24] Since it is the process of exchanging, revising,

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[24] For example, Steiner et al.'s work on the Discourse Quality Index gauges deliberation based on a number of indicators (participation, level of justification, content of justification, respect, and constructive politics) but these only capture the static and institutional conditions of deliberation and not the process itself. Measures such as deliberative polls also have the same limitation. These quantify the level of preference change before and after deliberation but an account remains to be given of whether it is the deliberative process itself that prompted the shift of preference and not other external factors such as threats, plebiscitary rhetoric or other sources of pressure.

rejecting and accepting reasons that makes deliberation a unique form of political engagement, it is methodologically imperative to capture deliberation's dynamic aspect, particularly the ways in which non-deliberative communicative modes play a part in the process (see Curato, 2008). One of the aims of this research is to demonstrate how pragma-dialectical approach accomplishes this, considering this is the first full-blown study in deliberative theory that uses this approach.

The conceptual starting point of a pragma-dialectical approach is a "difference of opinion."[25] The process of resolving a difference of opinion is tracked using a model of critical discussion: a heuristic instrument that serves as guide in evaluating speech acts or discourses based on a set of norms which determines the extent to which an argumentative exchange deviates from the procedure that is most conducive to resolving a difference of opinion (van Eemeren and Grootendorst, 2004, p.59). Chapter one discussed the justifications for using "resolution," "consensus" or "agreement" as the idealised outcome of argumentation (see pp.49-50). This idealisation is also methodologically beneficial as it provides a "normatively powerful criterion for distinguishing ways of using language" (Markell, 1997, p.389). By using consensus (in the Habermasian sense) as the gauge of resolving a difference of opinion, empirically-grounded distinctions between perlocutionary and illocutionary speech acts can be drawn.

Pragma-dialectics further refines the distinction between perlocutionary and illocutionary speech acts using Searle's (1979) typology. These categories identify the kinds of speech acts often used in critical discussion. These are: *assertives* that assert the truth of a proposition or express judgment on its acceptability; *directives* that make the listener do or not do something, such as an order, prohibition or request; *comissives* that promise to do or refrain from doing

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[25] This is different from other approaches to deliberation which monitor deliberative institutions (e.g. parliament, deliberative polls) or those that track how issues are debated in a deliberative system.

something and *declaratives* that call into being a particular state of affairs such as opening or adjourning a meeting (van Eemeren and Grootendorst, 2004, pp.63-65). These categories serve as a guide in characterising a discursive exchange and identifying how particular speech acts advanced or impeded a reasonable discussion. For example, directives or orders could be considered perlocutionary if they prohibit an interlocutor from participating in the discussion while they could also be illocutionary if they request interlocutors to further provide justifications for their position. Identifying and classifying the kinds of speech acts in a body of data is the first step in resolution-oriented reconstruction. The advantage of going through a speech act analysis is demonstrated by the key insights presented in chapter five, particularly the way directives were used in the Oakwood incident and the role comissives played in terminating the standoff.

Having ascertained the kinds of speech acts used in an exchange, the next task is to analyse the distribution of speech acts in the stages of a critical discussion. Van Eemeren and Grootendorst identify the four stages of critical discussion: confrontation, opening, argumentation and conclusion. It is possible and perhaps often the case that argumentative exchanges diverge from the model's idealised sequence and the analytic task lies in rearranging speech acts in a way "that best brings out their relevance to the resolution process" (van Eemeren and Grootendorst, 2004, p.104). Each of these stages has rules identifying the speech acts appropriate to each stage and the possible "violations" of discussion rules a speech act could commit. Pragma-dialectics translates or operationalises Habermas's concept of strategic action by providing a set of critical standards – though admittedly not exhaustive – that one can use to diagnose when speech acts are used in a perlocutionary manner. This approach is particularly useful to the aims of this research of understanding how illocutionary or deliberative speech acts relate to non-deliberative ones in a hostile situation.

Parties establish that they have a difference of opinion in the *confrontation stage*. In Habermasian terms, this stage marks the break from the "normal sphere of speech" as discussants do not fully agree on a particular standpoint (van Eemeren and Grootendorst, 2004, p.10). The first analytic task is to determine the topic and extent of the disagreement. Understanding the severity of disagreement provides some indication of the level of argumentation necessary in the succeeding stages. This is done by analysing the speech acts that express an interlocutor's doubt or contradiction (van Eemeren and Grootendorst, 2004, p.60). The second task, as in all discussion stages, is to ascertain whether discussion rules in this phase are violated. Among these violations include speech acts that dismiss one's interlocutor as an illegitimate or unworthy party in discussion. This may come in the form of trivialising the other party as "stupid, unreliable, biased or otherwise unworthy of credibility" which makes one's opposition fall on deaf ears (van Eemeren et al., 2002, p.111). Placing limits on which standpoints can be rejected is also a violation of discussion rules. One may say that a certain standpoint is sacrosanct and cannot be challenged, labelling the interlocutor's opposition as taboo. Broadly speaking, these violations point at speech acts that deny an interlocutor the right to participate in discussion (van Eemeren et al., 2002, p.111).

Speech acts that fall under the *opening stage* are those that set up the discussion rules and express commitment to start a discussion (van Eemeren et al., 2002, p.25). The roles of the protagonist and antagonist are assigned, although it is possible for discussants to assume both roles if one party offers an alternative standpoint instead of just rejecting what their opponent articulated (van Eemeren et al., 2002, p.25). "Meta-discussion" may also occur at this stage if parties deliberate on the rules of discussion. This usually happens in institutional settings such as courts and parliaments where interlocutors explicitly draw up the rules of discussion (van Eemeren et al., 2002, p.143). This research's case study also had an extended "meta-discussion,"

as discussed in chapter five. However in some if not most cases, these considerations are implicit and not overtly articulated. This is usually the case in routine or everyday arguments, where interlocutors have tacit assumptions that sufficient common ground exists for an argumentative exchange to ensue (van Eemeren and Grootendorst, 2004, p.61). The analyst may have to rely on background information or supplementary analytical tools such as grounded theory to disclose these assumptions. An opening stage is successful if the discussants agree to conduct the discussion in accordance with shared rules. Violations could occur if a party is tricked into accepting discussion rules or parties have different interpretations or have been misinformed of these rules.

The *argumentation stage* is the phase where the protagonist puts forward justifications and refutes counter-arguments to support their standpoint (van Eemeren et al., 2002, p.64). Defending a standpoint rests on two minimum requirements drawn from Grice's Communicative Principle: "the defence must be conducted by means of arguments, and those arguments must be genuinely relevant to the standpoint being defended" (van Eemeren et al., 2002, p.19). Argumentation usually takes the form of *assertives* which could be evaluated based on the standards presented in chapter one: their problem-solving effectiveness or problem validity and inter-subjective acceptability or conventional validity. Pragma-dialectics provides specific heuristic tools to systematically scrutinise an arguments' validity. One way of doing this is by identifying an argument's "unexpressed premises" or hidden assumptions (van Eemeren et al., 2002, p.50). This analytical strategy recognises that ideas that are indirectly expressed can nonetheless be important components of critical discussion. In some cases, they are indicative of the participants' shared taken for granted assumptions while in other instances they can be the source of misrepresentation leading to a "false consensus" or ambiguous agreements. Chapter five provides a relevant illustration on how unexpressed argumentation could lead to such agreements. Another

way of analysing arguments is by using the critical standard of "fallacies" or violations in rules of argumentation. In contrast to the way fallacies are defined in logic and other strands of philosophical or linguistic theory, fallacies in pragma-dialectics are based on the normative model of argumentative discourse. This means that an analyst, when determining fallacious moves, does not claim to discern the "essence" of reasonableness but considers the impact of a fallacy based on the discussion rules interlocutors inter-subjectively accept (van Eemeren et al., 2002, p.175). Non-argumentation is a common fallacy, manifested when a speaker maximises agreement by exploiting the interlocutor's emotions and biases to reduce disagreement. One could also pull rank based on expertise or authority to get away with not providing reasons to support one's standpoint (van Eemeren et al., 2002, p.120). While these discussion moves may convince the other party to withdraw their standpoint, this does not contribute to reaching consensus through rational understanding because the interlocutor was left unaware of the reasons that made his or her standpoint unacceptable.

The final phase is the *concluding stage* where parties "assess the extent to which a difference of opinion has been resolved and in whose favour" (van Eemeren et al., 2002, p.25). However, a successfully defended standpoint does not imply that it is necessarily true or acceptable outside that deliberative encounter (van Eemeren et al., 2002, p.135). While the concluding stage may lead to a resolution of a difference of opinion, this may also be a springboard for new discussions to ensue. Parties may start a new discussion using different premises or arguments, or come up with new standpoints based on the result of the previous discussion (van Eemeren and Grootendorst, 2004, p.62). A table identifying the relationship of resolution-oriented reconstruction and the typical speech acts at each stage of argumentation is placed at the end of this chapter.

Some limitations

This research's focus on a linguistic-based microanalysis of an extreme case has some consequences on the scope and limitations of this project. These consequences are three-fold. Firstly, selecting an extreme case, though conceptually advantageous in generating an empirically-grounded theory, runs the risk of focusing on the case's idiosyncrasies instead of identifying processes and themes that can help make sense of broader or more general patterns (Eisenhardt, 1989, p.547; Gerring, 2004, p.347). This research is conscious of this critique, especially since the case study is an empirical rarity. Rather than putting forward a generalisable model of a micro-deliberative forum borne of coercion, this research frames its engagement with deliberative theory as an attempt to broaden the discussion about the use of coercive tactics as strategy for inclusion – its consequences, accompanying issues, and immediate impact. As mentioned earlier in this chapter (pp.56-57), the case study is used in an instrumental sense to sharpen existing theories on deliberation by pointing at the gaps and seeking to fill them (Siggelkow, 2007, p.21). It is used as a starting point to identify the range of challenges deliberative activists face when extreme forms of coercion are used as mechanism to articulate dissent. To this extent, this research acknowledges that its empirically-grounded theoretical conjectures are partial but nevertheless flags up important issues worth the consideration of deliberative theorists and practitioners.

Secondly, employing a pragma-dialectical methodology opens up this research to standard critiques against a linguistic approach to deliberation. Critics argue that it is impossible to draw conclusions from merely analysing the distribution of speech acts and generate inferences as to whether these utterances are oriented towards the resolution of a difference of opinion (Ulbert and Risse 2005, p. 363). Moreover, pragma-dialectics' emphasis on procedural rather than

substantive aspects of rationality are often interrogated in relation to its tendency to gloss over

the normative content of arguments put forward (Siegel and Biro, 2008; 2010; Lumer, 2010).[26]

These evaluative risks are managed by supporting pragma-dialectics with a grounded theory

approach (see p.72). Instead of solely relying on Searle's categorisation of speech acts and

distributing them into stages of critical discussion, insights from grounded theory provide the

contextual nuances on how speech acts were used, and consequently, categorised. Data from

interviews were also used to help interpret the meanings and impact of particular utterances,

especially those that involve linguistic subtleties, value judgments and rhetorical styles, particularly

of charismatic or effective speakers. The pragma-dialectical framework allows for these

methodological adjustments and advocates the use of various sources of empirical evidence to

enrich the process of reconstruction (Rees, 2001, p. 186).

The third limitation of this research relates to data gathering. Typical sources of data for

resolution-oriented reconstruction are transcripts and other documented proceedings. These

sources provide robust observations because all speech acts or utterances are accounted for.

However, as mentioned in the early part of this chapter, the series of discussions in the mutiny

were not documented. The reconstruction of this event undertaken for this study relied on first

hand recollection through interviews and other secondary data. When possible, these pieces of

data were compared to testimonies in the FFFC and legislative enquiries to give a sense of the

narratives' consistency. As far as data gathering for this case study is concerned, this research has

considered all possible sources of data in view of the limitations. Although the available data was

enough to conduct a resolution-oriented reconstruction and categorisation of speech acts, this

research was not able to use pragma-dialectics' other heuristic tools. For example, pragma-

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[26] This critique within argumentation theory mirrors the debate in deliberative theory, as to whether
deliberation should be appraised in terms of its procedural or substantive component. For a brief analysis
of this debate, see Gutmann and Thompson, 2004, pp. 23-26.

dialectics have guidelines on how to analyse argumentative structures and argumentative schemes (van Eemeren et al., 2002, pp.96-102). These tools could generate insights into the interlocutors' argumentative capacities by analysing the way they justify a standpoint and refute a counter-argument (causation, analogy etc). Effectively carrying out this procedure requires statements to be documented verbatim and there is not enough data on the case study to do this. While these added analyses could have contributed more detail in understanding the discursive process in the mutiny, the analyses generated from the available data have been adequate in answering the research questions identified above.

Summary

This chapter has outlined the research process involved in generating insights about the impact of using coercive mechanisms to secure deliberative inclusion from an empirical case study of an "extreme case." It discussed the rationale for selecting such an "extreme" empirical case and the process of gathering primary and secondary data. It introduced resolution-oriented reconstruction as an analytic framework that fills a methodological gap in studying deliberation. It argued that tracking the dynamic stages of argumentation allows for the examination of the process of exchanging reasons as well as the ways in which perlocutionary speech acts or "violations" in critical discussion deter a successful resolution of differences. This analytic framework is supported by grounded theory which provided the background context for understanding speech acts and understanding unexpressed premises. Themes from grounded theory also generated textured insights into the junior officers' motivations and interpretations of the incident.

The next three chapters present the findings from the empirical case. Chapter three examines the junior officers' experiences of marginalisation, particularly the institutional norms

and socialised practices that deterred them from expressing meaningful dissent. Chapter four analyses the extra-institutional options they explored, and the process that led them to select a military mutiny as the mechanism for capturing communicative space. After contextualising the events leading up the mutiny, chapter five analyses the dynamic of resolving a difference of opinion after the junior officers expressed their disagreements in a forcible manner. It examines the relationship of deliberative and non-deliberative speech acts in generating agreements as well as the implications of conducting discussions in a situation borne of force.

Distribution of Speech Acts in Argument

I	Confrontation
Assertive	Expressing a standpoint
Commissive	Acceptance/nonacceptance of standpoint
	Upholding nonacceptance of standpoint
[Directive	Requesting a usage declarative]
[Usage declarative]	Definition, specification, amplification, and so on]
II	Opening
Directive	Challenging to defend a standpoint
Commissive	Acceptance of the challenge to defend a standpoint
	Agreement on premises and discussion rules
	Decision to start a discussion
[Directive	Requesting a usage declarative]
[Usage declarative]	Definition, specification, amplification, and so on]
III	Argumentation
Directive	Requesting argumentation
Assertive	Advancing argumentation
Commissive	Acceptance or nonacceptance of argumentation
[Directive	Requesting a usage declarative]
[Usage declarative]	Definition, specification, amplification, and so on]
IV	Concluding
Commissive	Acceptance or nonacceptance of a standpoint
Assertive	Upholding or retracting a standpoint
	Establishing the result of the discussion
[Directive	Requesting a usage declarative]
[Usage declarative]	Definition, specification, amplification, and so on]

(van Eemeren and Grootendorst, 2004, p. 68, table 3.1)

CHAPTER III

MARGINALISED MILITARY MEN

The issue of exclusion in deliberative theory has come to be associated with social categories that are traditionally considered "marginalised." These include women, ethnic or linguistic minorities and economically disadvantaged groups (Young, 1996, p.123; Sanders, 1997, p.349; Williams, 2003, p.125; Parkinson 2006, p.36). As mentioned in chapter one, they suffer from deliberative exclusion due to their lack of economic power and cultural capital necessary to measure up to the demands of rational argumentation (see pp.29-30, 39-40). Consequently, deliberation is accused of perpetuating the advantage of white, bourgeois men who are better placed to shape deliberative outcomes due to their privileged social location.

This chapter departs from the typical depiction of excluded groups in deliberative practice. It suggests that junior military officers – the personification of hegemonic masculinity[27] and coercive power – are also subject to exclusionary communicative practices comparable to those experienced by traditionally marginalised groups. Chapter one discussed the marginalised groups' difficulty in translating inclusion by having space in the deliberative forum into substantively taking part in the process of deliberation (see pp.39-40). Junior officers in this case study faced similar communicative challenges in the military organisation. Although there were formal mechanisms for grievance articulation, organisational norms and ritualised practices of disesteem in the military discredited these avenues from becoming sites of meaningful engagement. This chapter suggests that possessing social characteristics associated to privilege

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[27] Hegemonic masculinity refers to the cultural ideals of manhood that subordinates other masculinities. It is "not assumed to be normal in the statistical sense; only a minority of men might enact it ... It embodied the currently most honoured way of being a man, it required all other men to position themselves in relation to it, and it ideologically legitimated the global subordination of women to men"(Connell and Messerschmidt, 2005, p.832).

does not necessarily ensure deliberative inclusion. "Privileged" social agents such as junior officers can also suffer from deliberative exclusion because there are deeply entrenched practices and norms that deter them from accessing authentic and consequential channels to express their dissent.

To systematically present this observation, this chapter is divided into four parts. The first part is a context-setting one, locating the military's place in Philippine political history. It argues that as an institution, the AFP has been both a "servant" to the civilian government and an "author" of the nation's political destiny. This characterisation lends insight to the broader political context where AFP operates and the historical bases of the institution's shared understandings and collective self-image. The second part discusses how these shared understandings or institutional consensus is challenged within the AFP. It argues that the military is not a monolithic organisation but an institution composed of different factions harbouring different grievances and levels of political influence. The nature of these grievances as well as the process of articulating these concerns through institutionally-sanctioned channels are discussed. The third part characterises the shortcomings of these formal avenues, particularly the ways in which military norms and ritualised practices of disesteem discredit these procedures. These practices deter junior officers from expressing meaningful dissent, leading them to be excluded from the institution's communicative procedures. Based on the observations from the empirical case, this chapter concludes by discussing deliberative theory's value as a framework for recognising forms of communicative exclusion that do not conform to indicators classically attributed to marginalised groups.

The AFP as servant and author

The concept of civilian supremacy is a staple principle in most studies on democratisation. It argues that the rightful place of the military in a democracy is limited to "assistance in formulation and implementation of national defence policy" (Agüero, 1995, p.20). While it is the responsibility of the officer corps to provide professional assessments on matters related to national security, complete loyalty and diligent execution of the mission is expected of the military once the civilians make a decision (Bacevich, 1997, p.200). Theories of democratisation emphasise that the military is only an implementing arm of the civilian bureaucracy or in Peter Feaver's (2003) words, its armed servants. This arrangement between the state's civilian administrative body and its coercive arm guarantees the continual existence and integrity of the nation state. In functionalist terms, the armed forces' role is to protect "the nation and its government, which, in turn, provides individual protection and a structure of law" (Gal, 1990, p.4). Challenging the civilian bureaucracy deters the military from effectively performing its role of providing security – the most basic requirement for the existence of a nation state. The military functions best when it is focused on its principal objective of fighting and winning wars (Finer, 1975, p.6).

Although it is reasonable to conceptualise the military as the "servant" of the civilian bureaucracy, the contingencies and shifting contexts it faces on a daily basis also necessitates it to be flexible and dynamic. In practice, military officers are not mere servants to their civilian masters but also act as authors of the state's political destiny. The flexibility of military norms has been more evident in the contemporary nature of military missions or what Charles Moskos (2000) calls the emergence of "postmodern militaries." After the Cold War, Moskos observes a shift in the armed forces' task from fighting wars to conducting missions that are not considered

military in the traditional sense. The new discourse on security demands militaries to move away from purely combat-related activities and engage in missions of winning hearts and minds such as humanitarian operations, peacekeeping and community-building. Assuming these roles reflects the recognition that security threats such as terrorism and insurgency cannot be solely dealt with through the application of brute force. The current security landscape requires creative, charismatic and political soldiers who do not lose sight of the mission's broader objectives and are directly engaged in the construction of the nation's political destiny (Barnes, 1996, pp.112-113).

Historically, the AFP has assumed the role of both servant to the civilian government and author of the nation's political destiny. The former relates to the AFP's historical role as instrument for regime maintenance. Apart from performing its basic task of securing the state from threats, some accounts charge the AFP with carrying on its colonial role of protecting the interests of elites and local landlords. The AFP is a subservient appendage of the civilian bureaucracy to the extent that it remains complicit in the patrimonial and *clientelistic* political dynamic that has deterred the Philippines from being a modern, functional democracy. However at two critical historical junctures, the AFP took on the role of game-changer by arbitrating a political stalemate. By overtly intervening in politics, the AFP took part in peacefully though extra-constitutionally ousting discredited regimes and has since solidified its role as an indispensable political agent.

AFP as servant (of elite interests)

Unlike its Southeast Asian counterparts, the AFP was not born of a nationalist revolutionary army fighting for independence but was a brainchild of Gen. Douglas MacArthur, the United

States' Army Chief of Staff from 1930 to 1935. As an American colony, the Philippine forces

were under the command of the US Army Forces in the Far East when the Second World War

began. At that point, twenty six Filipinos had already graduated from West Point and that group

composed the core cadre that founded the PMA in 1936 (McCoy, 2001, p.107). The Philippine

military's subservience to the Washington was not severed even after independence in 1946

(Selochan, 2004; McCoy, 2001). After the war, Washington mandated the AFP to maintain

internal order while the United States integrated the Philippines with the US global defence

system, consequently relieving AFP of its duty to secure the state from external threats (McCoy,

2001, p.117). Until the Philippine Senate rejected American bases in 1991, the Philippines was

home to the United States' largest overseas military installation. Today, the Philippines receives

the highest level of International Military Education and Training funds in East Asia and the

Pacific and the twelfth biggest share of US Foreign Military Financing in the world (Balana,

2009). The Philippines' "traditional relations of dependency with the United States" are strong

(Kraft, 2003, p.144).

Considering the Philippines has been receiving support from the United States and has no

major territorial disputes with its neighbours,[28] it has been convenient for the AFP to carry on

with its American-defined mission of internal pacification. This raises a curious point about the

nature of the internal threats the AFP is designed to "pacify". Some scholars (McCoy, 2001; De

Quiros, 1990; Tiglao, 1990; Kessler, 1988) have noted that the Philippine military, in its various

historical forms, has been used "not to ensure peace and justice but to protect the privileged

position of the ruling elite" (Kessler, 1988, p.215). Before the Americans institutionalised the

Philippine Constabulary that eventually evolved into the AFP, its predecessor was the Spanish

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[28] Apart from the Spratly Islands of the South China Sea where the Philippines, China, Vietnam, Taiwan, Malaysia and Brunei have overlapping sovereignty claims, the Philippines, being an archipelagic state does not have the same level of border disputes compared to its neighbours.

Guardia Civil, which is known for clamping down on bandits and protecting landlords (Kessler, 1988, p.215). The Philippine Army is also traced to its mercenary origins, with eighty percent of Filipino officers documented to have collaborated with the Japanese and pacified the country in the same manner as they once did for the Spaniards and Americans (Beeson and Bellamy, 2008, p.157; De Qurioz, 1990, p.26). The Japanese used the collaborating army to suppress the Hukbalahap[29] rebellion, the armed group of the Communist Party of the Philippines (CPP). To date, the CPP is fighting Asia's longest running Maoist insurgency that continues to be a part of AFP's mission for internal pacification, along with the three-decade old secessionist movement in the South. Richard Kessler considers this the perpetuation of the army's "pre-war role as an enforcer of landlord interest" (Kessler, 1988, p.215).

AFP's role as protector of elite interests is a reflection of the way the Philippine state bureaucracy is structured. Emerging from the late-Spanish and American colonial periods, the Philippine political system is characterised by a complex system of political patronage with "a limited degree of centralisation and a weak state apparatus" (Wolters, 1984, p.3). To consolidate the relics of the Spanish feudal-colonial state, the American rulers, through the leadership of President William Howard Taft, implemented a "policy of attraction" which aimed to win over the loyalty and support of educated elites, local landlords and village chiefs by awarding them positions in local governments (Hutchcroft and Rocamora, 2003, p.262). This strategy translated the colonial oligarchs' economic base to political power, allowing them to run strong local governments at the expense of a centralised bureaucracy. Consequently, governors and local officials were able to establish "almost autonomous fiefdoms" in their respective provinces, taking particularistic control over all levels of governmental apparatus (Steinberg, 1994, pp.57-58;

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[29] A contraction for "Hukbo ng Bayan Laban sa Hapon" or the "People's Army Against the Japanese" in English.

see May, 1984). Even though patrimonial practices have been characteristic of Philippine politics since the Spanish period,[30] such colonial relations have been institutionalised in modern political structures through the American rulers' design. To date, the central government is still considered to be:

> an abstraction, an alienated entity, whose only palpable dimension is the episodic patronage dispensed by bosses and politicians, which merely reinforces the poor's real condition of dependence. This same alienated condition causes the electorate in many places to repeatedly elect convicted criminals, underworld characters, and known grafters, simply because such behavior is *irrelevant* to the more advantageous local clientelist functions those persons discharge (de Dios and Hutchcroft, 2002, p. 260; emphasis in the original).

The state is continuously held hostage by a deluge of particularistic demands from unorganized masses and particularistic actions of or on behalf of deeply entrenched oligarchs (Hedman, 2001, p.169). Governance in the Philippines is generally regarded as a personal affair, where a family member, a landlord or a politically dominant patron provides jobs, loans and physical protection while the subordinates pay back their debt of gratitude through loyalty, deference and even violence against their patron's rivals (Gonzales and Buendia, 2001, p.257). As David Wurfel notes, congressmen often feel that they are spending "most of their time... running an employment agency" (Wurfel, 1988, p.80). Personal connections with patrons are considered the best item on one's credentials when applying for a job in government – and to a certain extent, even in the private sector – where competitive examinations and other objective measures of qualifications are marginal in the process (Hutchcroft and Rocamora, 2003).

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[30] Franz Hirtz (1998) presents an interesting argument about the "tenurial complexities" in the indigenous Philippine society. Issues of tenure, he argues, go beyond standard owner-tenant relationships but are built on traditional, non-capitalist bonds among actors. He uses this insight to explain the weakness of land reform programmes in the Philippines as they fail to consider the historical rootedness of these particularistic relationships.

Translated to the military context, the patron-client practice takes effect when a soldier's *personal* loyalty to one's commander becomes the most important consideration when it comes to promotions, assignment and other benefits.

> Bootlicking and personal loyalty develop in the chain of command down to the lowest level. A major service commander (two star general) will have to be loyal to his Chief of Staff (four star general). A division or a brigade commander (one star general) will have to be loyal to his major service commander ... This style of personal loyalty from the highest to the lowest chain of command destroyed the *esprit de corps* in the organization. The soldiers in the field, especially non-commission officers (the sergeants down to the lowest private), were offended to see their counterparts in the Headquarters getting promoted ahead of them. Officers who overstayed in the field felt the same way (Guerrero, 1988, p.56).

The supremacy of personal relationships weakens military professionalism and solidarity especially when those who invested in norms of military professionalism are sidelined by those who get ahead by transgressing. Contrary to the military's ideal type where soldiers are appreciated based on their technical qualifications and professional competencies (Metron, 1940, p.565; Janowtiz, 1964, pp.53-54), a young military officer in the AFP learns to see the world in terms of personal relationships, which is usually carried over to his or her view of leadership where personality traits and connections are cultivated and emphasised (Davide et al., 1990, p.69).This concern gets magnified when it comes to the issue of promotions. From the rank of colonel and above, the Commission of Appointments composed of elected officials from the Congress and Senate have control over promotions. This arrangement is meant to provide a structure to civilian control over the military. However, it also provides elected officials with political leverage over officers. Consequently, as Eva Hedman explains, through "more informal channels, congressmen exerted considerable influence over [the officers'] assignments and rotations," which usually involve "special benefits" for officers who are willing to overlook "smuggling, illegal gambling and other lucrative activities" in place of a kickback shared by both patron and client (Hedman, 2001, p.169). It is also common for a provincial commander to

"kowtow with the governor and to the local landowner or businessman who dispenses patronage" as these links become important in the next round of promotions (Tiglao, 1990, p.4; Hedman, 2001, p.168).

With patronage as the lifeblood of politics, "many military officers have come to terms with the unspoken rule that, generally, loyalty to a person supersedes loyalty to a principle" (Yabes, 1991, p.238). Local officials wielded considerable power over local police and military forces, while some cultivated private armies used for "election campaigns and criminal rackets well beyond the plate of civil society or civilian politics as commonly conceived" (Hedman, 2001, p.168; Hutchcroft, 2000, p.300). John Sidel calls this "bossism" in the Philippines, defining bosses as "predatory power brokers who achieve monopolistic control over both coercive and economic resources within given territorial jurisdictions or bailiwicks" (Sidel, 1999, p.19). The absence of a strong, centralised bureaucracy encouraged the privatisation of law enforcement among local politicians through private armies and warlordism. With these conditions, Paul Hutchcroft argues, the Philippines fails to fit the Weberian definition of statehood as it lacks an effective monopoly of force and is too weak to control much of its territory (Hutchcroft, 1998, p.42). Hutchcroft's observation made a decade ago could not be more relevant today, as the Philippines has been classified in 2010 as in danger of being a failed state by Foreign Policy's Failed State Index (2010). One of the major factors that affected the Philippines' rank is the AFP's failure to consolidate the state's coercive power and disarm private armies. The audacity and impunity of these private armies are clearly exemplified with the Maguindanao Massacre. The mayor of the Maguindanao province and at least a hundred gunmen from his political clan's private army stand accused of shooting fifty seven people – thirty two of them members of the media – in a convoy to the Commission on Election to file the certificate of candidacy of the incumbent's challenger on 23rd November 2009. This is considered the worst incident of political violence in the Philippines and

the single deadliest event for the press worldwide (see Tran, 2009). Such an incident indicates that the local politicians have massed private armies strong enough to undermine the state's coercive apparatus and intimidate contenders for political power. Periodic elections in the Philippines amidst all its imperfections is enduring and is considered the heart of Philippine politics because it institutionalises a civilised way of moderating intra-elite and inter-clan competition (De Quiros, 1990, p.29). Events like the Maguindanao massacre discredit the modest advances electoral competition has achieved in the country.

The AFP's historical origins, the structure of the Philippine bureaucracy and the political culture of clientelism in the Philippines are three factors that facilitate the AFP's performance of its role as servant to the civilian (elite) bureaucracy. However, as the next section discusses, to depict elected officials and local landlords as dispensers of political favours and military officers as underlings waiting for spoils is to simplify the contemporary political dynamic. The patron-client relationship of elected officials and military officers is one that is complicated by the events of the past three decades, which witnessed the entry of the military in the political centre stage.

AFP as Author

The enforcement of Martial Law from 1971 to 1982 greatly altered the political landscape by centralising state power and patronage to President Ferdinand Marcos and those who were personally close to him. The military once again acted as collaborators but this time to a civilian dictator, who was able to shift the power relationship between the military and civilian politicians to the military's advantage (Hedman, 1991; Miranda, 1995). In this period, the military turned into local kingpins, effectively substituting for local politicians as dispensers of political favours. Provincial commanders were sought for protection, employment and support instead of

governors and mayors (De Quiros, 1990, pp.35-36). Although it is acknowledged that the military performed political roles even before Martial Law by facilitating elections, actively supporting a political candidate and holding civilian positions while in active military service (see Selochan, 2004; Kessler, 1988; De Quiros, 1990), it is only during the Marcos era that the military's ability to rule entered public consciousness. More importantly, it was also in EDSA the process of toppling the Marcos dictatorship that the military's role shifted from a recipient (pre-Martial law) and dispenser (during Martial Law) of patronage to a serious political contender (De Quiros, 1990, p.36). In February 1986, a faction of the armed forces called Reform the AFP Movement (RAM) staged a failed coup attempt against President Marcos. Following the call of the influential Manila Archbishop Jaime Cardinal Sin, civilians massed in Epifiano Delos Santos Avenue (EDSA), Manila's major artery linking two military camps, to act as human shields for the mutinous soldiers. The civil-military alliance that ousted the dictatorship has been romantically labelled as the EDSA People Power Revolution.

While this event successfully restored competitive elite democracy in the Philippines (see Putzel, 1999, p.211), the attempted coup that sparked a mass uprising effectively breached the barrier between the military and political authority (Tiglao, 1990, p.1). The AFP has become a formidable contender for political power. This event disposed of the idea that officers have to be subordinate to the civilian political elite. Seven coup attempts were launched in the six years of Corazon Cojuangco-Aquino's presidency, with members of the RAM claiming that civilians like Aquino reaped "the spoils of victory, like thieves ... breaking into their homes in the middle of the night" (Yabes, 1991, p.9). While mainstream interpretations of EDSA emphasise the peaceful civilian component of the uprising, a contending military interpretation argues that the civilians would not have been there if it were not for the mutinous soldiers, indicating the officers' sense

of entitlement in instigating social change (Yabes, 1991, p.9). Wurfel effectively summarises the paradox this poses:

> This was indeed the supreme irony of the democratisation process. The intense politicisation of the military from 1985, which proved essential for toppling the autocrat, remained the primary threat to the consolidation of political democracy from 1986 (Wurfel, 1990, p.126).

The 1986 Revolution changed the political landscape for the military. It also redefined the process of political succession for civilians. As mentioned earlier, electoral competition in the Philippines is an enduring political practice to moderate intra-elite competition. However, the People Power Revolution broadened the citizens' political vocabulary in terms of leadership succession. Although not mandated by the 1986 Constitution, Filipinos after EDSA consider it their right to "de-legitimise and overthrow an unpopular regime" by demanding its resignation (Gonzales and Buendia, 2001, p.285).

This was the formula used in January 2001, when once again, the influential Archbishop Cardinal Sin in tandem with former President Aquino led another mass demonstration in EDSA to demand President Joseph Estrada's resignation who was accused of plunder and corruption, among other things. This event is called *EDSA Dos* (EDSA II). The President refused to resign from his post until the fourth day of the mass protest when the military high command led by Chief of Staff Angelo Reyes declared the AFP's withdrawal of support from Estrada and backed his Vice President, Gloria Macapagal-Arroyo as constitutional successor. The military claimed to have sided with the people, although there have been authoritative accounts describing EDSA Dos was a well planned civil-military plot (see Hernandez, 2002, pp.40-41), an "elitist backlash against a president who had overwhelmingly been elected by the poor" (Mydans, 2001) or a "mob rule as a cover for a well-planned coup" (Overholt quoted in Mydans, 2001). Whether EDSA

Dos was a spontaneous and cooperative or a sinister civil-military endeavour, it is difficult to deny that the military's participation was the game-changer in this event.

Although the Supreme Court ruled that Arroyo's extra-constitutional ascent to the presidency was legitimate, her regime was built on insecure grounds without popular mandate. The protesters in EDSA that catapulted Arroyo to presidency were composed of organised civil society groups and labour unions. Meanwhile, Estrada kept loyal supporters among the disorganised urban poor and rural people. The wrath of Estrada's supporters peaked when the deposed president was arrested and thousands of Estrada supporters from the urban poor stormed the Presidential Palace, this time to depose Arroyo. Arroyo declared a State of Rebellion and relied on the armed forces, along with some backroom negotiations, to disperse the incident. This incident exposed the fragility of the Arroyo regime. As a consequence, Arroyo looked to the military for political support through personal rewards to officers perceived to be friendly and cooperative with her fragile regime. These loyal officers were "rewarded" in the form of appointments to coveted civilian posts such as heading diplomatic missions and key government agencies including the Presidential Management Staff, Social Security System, National Irrigation Administration and even the Manila Economic and Cultural Office (Curato and Arugay, 2010). Some civil society groups expressed concern about the "militarisation" of the civilian bureaucracy, with military elites tightly integrated and exercising considerable influence in the day-to-day operations of a civilian government.[31] Junior officers in this case study operated in this political environment.

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[31] An example of military elites usurping civilian roles is when Retired General Hermogenes Esperon, a known Arroyo ally, was assigned to become the Presidential Adviser to the Peace Process. What used to be a cooperative endeavour among peace educators, civil society groups, rebel returnees and civil servants became a platform for Esperon to push for an all-out war against the CPP, which entails increased military autonomy in crafting strategic plans. Without civilian oversight over these missions, there has been a sharp increase of extra-judicial killings of left-leaning activists, journalists and community organisers, which compelled the United Nations to send a special rapporteur to conduct a fact-finding mission. Human

The military's historical role of being a servant to the civilian bureaucracy and author of the nation's political destiny is manifest in the AFP's broad constitutional mandate of being the "protector of the people and the state."[32] In different historical junctures, the military has invoked this mandate either to support their non-partisan position as agents for regime maintenance or to justify their direct political involvement as "protector" of the people from discredited regimes. Military historian Alfred McCoy observes that the AFP has "embraced politics with a certain ambiguity – reaching for power but holding back, serving politicians but feeling tainted by compromise, or backing a dictator but somehow betrayed in doing so" (McCoy, 1999, p.5). The AFP's mandate and self-image have never been fixed but historically contingent, constantly reinterpreted and renegotiated within the ranks. The next section unpacks this theme further by characterising the spaces for contingencies and negotiations within the military's rigid and hierarchical organisation. It contextualises this dynamic in the case of junior officers who were directed to take on the role of agents for the Arroyo regime's maintenance. It maps the challenges and tensions junior officers experienced while performing this role.

Seeds of disagreement

Military sociologist Morris Janowitz describes the military organisation as the personification of Max Weber's ideal construct of a bureaucracy (Janowitz, 1964, pp.41-42). It has an elaborate set of hierarchical rules designed to establish clear lines of accountability and ensure role efficiency. The socialisation process in the military promotes organisational cohesion through a "sociological stripping process," where an individual's area of autonomous activity is eliminated through a

Rights Watch, the European Union and other human rights watchdogs expressed concern over these persecutions particularly the perpetrators' impunity and the strong evidence that links the military to these killings (see Curato and Arugay, 2010).

[32] Article 2 Section 3 of the 1987 Philippine Constitution

regimented daily lifecycle while one's social background is disregarded by instilling norms of

impersonality (Merton, 1971, p.57). The soldier becomes a number, recognisable only by rank and

insignia (Finer, 1975, pp.6-7). This process is particularly relevant for postcolonial nations where

communal, tribal or familial commitments tend to be stronger than that of national affiliation (see

Sidel, 1999). By ensuring that an individual is a soldier first, subsuming other identifies as

son/daughter, husband/wife, father/mother, ethnic minority or religious devotee, the

organisation limits all other attachments that may be "separatist" in substance (Janowitz, 1964,

p.64).

In spite of this stiff socialisation, it is common practice in the armed forces for other

social ties to take precedence over official military flowcharts (Feit, 1973, p.12; also Ohnuki-

Tierney, 2002; Wong et al, 2003; Rukavishnikov and Pugh, 2006). There are a series of informal

networks in the armed forces defined by resonant social categories that are supposedly weakened

by military socialisation. Class is an example, with military officers known to carry the frustrations

of their class origin in the armed forces (Feit, 1973, p.168; Wong et al, 2003, p. 9). In the case of

the AFP, entering the military is viewed as an "alternative path to power," with officers drawn

from economically better-off families having the potential to enter the inner circle of the military

elite while the enlisted personnel and other regular officers from the lower-middle strata get a

shot at social mobility, if not economic stability, by keeping a decent job (Miranda, 1995, pp.10-

11; McCoy, 2001, p.113). Geographical affiliations are also important ties within the AFP, with

officers sharing the same linguistic and regional background known to look out for each other.[33]

As mentioned earlier, familial and kinship ties remain strong, as personal relationships are the

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[33] Filipinos are often described as "regionalistic" in that they retain intense loyalties to their native
provinces and take pride in their linguistic heritages. As Yen Le Espiritu (1996) argues, "So strong is this
regionalistic feeling that the Filipino of one region looks down upon his countrymen of another region."
The predominance of regionalistic over nationalist aspirations is considered as a major deterrent for
national unity (see Ascuncion-Lande, 1971).

main currencies in Philippine political life. This extends to personalistic loyalties of military officers to politicians. Factions in the AFP usually mirror the factions in politics (e.g. Marcos versus Aquino faction, Estrada versus Arroyo faction), with officers supporting politicians in power benefitting from the regime – as in the case of political appointments and promotions – while those in the out-group maintain their links to the political opposition. Based on this, it is important to appreciate the Philippine military not as a monolithic political actor with a strong sense of institutional cohesion and a uniform set of interests to defend (Curato and Arugay, 2010). Although the AFP has managed to present an institutional stand either to be a servant or an author, the institutional consensus is borne of a contentious process within a fractious military organisation. As McCoy observes:

> Armies have an illusory unity that often deceives analysts of their politics. All the drill and discipline mask countless fault lines and factional divisions. Once an army moves toward power, every officer has a half-dozen lines of allegiance – class, service unit, rank, region and ethnicity. The deceptive coherence of the chain of command conceals these splits from outsiders until the moment of action, making analysis of military politics difficult (McCoy, 1999, p.10).

In this case study, it is observed that rank or PMA class was the resonant fault line when the AFP assumed the role of servant to the Arroyo regime. The professional and social position of a junior officer is a complex one. On one hand, junior officers enjoy social esteem by virtue of their prestigious educational background in the military academy, embodiment of hegemonic masculine characteristics, social privileges associated to their rank and relatively privileged economic position (see Connell and Messerschmidt 2005).[34] They are also in a position of leadership, taking direct command over enlisted personnel. They are celebrated as ideal citizens able to transcend personal interests to selflessly serve the nation (Moskos, 2001, p.21). Their

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[34] In developing countries, soldiers enjoy higher pay and greater social security than other sectors of the working force (Feit, 1973, p. 10).

hardships in performing their constitutional mandate as protectors of the state are recognised through elaborate military rituals such as the awarding of military decorations, service medals and ribbons. These forms of recognition are usually accompanied by material rewards such as pay increases and improved benefits. On the other hand, junior officers also occupy a submissive position in relation to senior military officers and high ranking government officials. In highly unequal societies, junior officers could perceive senior officers and political leaders as "closed elites that were bound to each other but not to the people" (Norden, 1998, p.161). War and economic downturns often shift the junior officers' identification away from military and political elites and towards the masses as they too are in the frontlines and share the brunt of instabilities (Norden, 1998, p.158). The junior officers' disenchantment with their superiors is further highlighted when Arroyo placed top-ranking military officers in key civilian posts (see p.96). As government's security policy became increasingly militarised, the AFP was led to fight an all-out war on two fronts – against the New People's Army (NPA) which is the CPP's armed group and the Abu Sayyaf, the secessionist movement in the South linked to Al Qaeda. As a consequence, junior officers[35] from PMA classes of 1995 and below were made to render extended combat duties. The PMA class of 1995 – the instigators of the mutiny – sustained the highest number of casualties in the field, some of them serving in the frontline for almost eight years (Zamora, 2003, p.A1).[36] A respondent from the class of 1995 stated that there were even instances when he and his peers were in combat in the South for six straight months without any breaks (Detained air force officer 1, interview). Some military officers described the class of 1995 to have "borne the brunt of war" (Detained air force officer 1, interview, translation; also Detained air force officer

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[35] Those with the rank of captain and below

[36] This article also reported that ninety five percent of the disgruntled officers were company commanders which led the troops in the frontlines.

2, interview).[37] Spending years in the field exposed junior officers to the harsh realities of combat, leading them to observe and reflect on the challenges in the field. Their observations prompted their frustrations and dissent against the government and the military high command, effectively questioning the bases for their obedience and servitude to the Arroyo regime. Based on interviews with junior officers, their disagreements with the military hierarchy could be summarised in two categories.

The first category of grievances relates to "material" issues, particularly the corruption in the military high command and the lack of support for troops. These grievances are linked in that the corruption of funds by those from the top disadvantages junior officers and enlisted personnel in the frontline. Two testimonies from junior officers clearly illustrate this point:

> Recently, sir, in the *Balikatan* [shoulder-to-shoulder] exercises [with American soldiers]... we're supposed to be there to train the troops to be more efficient in the field. But what happened, during *Balikatan*, and I know there's a huge budget for this, we did not have any bullets. It was so embarrassing to our American counterparts, were asking bullets from them just so the training could proceed. So, we borrowed bullets from them. No bullets were sent to us [from the headquarters]. Later on, I learned that the budget was released but it was not used to buy bullets. It was "converted" to buy vans and staff cars of senior officers (Capt. Gary Alejano, testimony in the Senate Enquiry, 14th August 2003; author's translation).

> [...] we are doing the fighting there in the front with the soldiers' combat pay of ₱240 (£3)... [and] a hazard pay of ₱120 (£1.5), while people in the GHQ (General Headquarters) are having staff cars that are not even used most of the time. There's nothing wrong with generals using Kennedy jeeps or CMCs... [but] the needs of people at GHQ and other headquarters should not be attended to first before those in combat (Capt. Milo Maestrecampo, testimony in the Senate Enquiry, 14th August 2003; original statement).

The grievances raised in these testimonies are characteristic of the kinds of concerns raised in interviews with other junior officers. The complaint about the lack of support to troops was

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[37] "Bearing the brunt of war" was one of the justifications the junior officers put forward during the press conference in mutiny. They explained their decision to launch a mutiny through emotionalised testimonies of their experience of "fighting a never-ending war" and seeing their men die in vain (see pp.164-165). This was framed as an experience that is unique to the junior officers of PMA class of 1995 onwards, which contextualises the extent of their frustration and subsequent use of extra-institutional forms of dissent.

substantiated within the context of misappropriation of funds by top officials who are known to be close to the President. This caused demoralisation among the troops. There was a shared sense among junior officers that the war was being used as a "milking cow" by corrupt generals to justify the AFP's huge budget allocation and increased financial aid from the United States. Although the issue of corruption has been endemic, if not normalised within the Philippine bureaucracy and even in the AFP, the issue of corruption in these two wars was particularly disconcerting for junior officers and enlisted men because the corrupt officials benefitted at the expense of their safety. A common narrative among the respondents relates to their first hand experience of seeing bullets from the Department of Defence (DND) arsenal falling in the hands of both the NPA and the Abu Sayyaf. One junior officer stated that he frequently saw a stash of bullets with DND markings in enemy camps they overturned. An enlisted man recalled that his commander literally made him look the other way as the commander sold DND's bullets to men who seemed like emissaries of the Abu Sayyaf (Capt. Milo Maestrecampo, testimony in the Senate Enquiry, 14th August 2003; Detained enlisted man 4, interview). A number of respondents described this practice with a Filipino metaphor, which when roughly translated states, "our own bullets kill our own men." Another respondent felt that going to combat is practically a suicide mission, as the resources in the frontline were not even enough to give them confidence that they can come out of the war alive. He felt as though the servicemen in the frontlines were just being used as "pawns" to support the corrupt officials' "looting game" (Detained marine officer 3, interview, translation). Given such observations, junior officers considered their service to the civilian regime and military leadership as unacceptable.

The second category of disagreement is framed in relation to broader issues of war. As mentioned earlier, the AFP is carrying on with its American-defined mission of internal pacification. This entails military officers fighting their fellow Filipinos, which does not sit well

with some junior officers who have reflected on this arrangement during their field assignments.

One of the mutiny's leaders state:

> We're killing our fellow Filipinos. Our brothers. I'd fight them if they were Japanese.[38] Because we were taught nationalism and patriotism in the PMA. You're trained to defend your country. That's why I became a soldier because I want to protect my countrymen, defend them... Only to find out that in the field, I end up, not just fighting the enemy who are also Filipinos, but making the lives of ordinary people miserable. Once, I was assigned in Quezon and I've seen a town, a whole town, literally burn to ashes. No intention, it's not our intention, it's a casualty of the encounter... Our rocket chopper accidentally hit a gas station and the town was literally burnt to ashes. So when I asked my commander, who's going to take charge from here? He just quipped, "Charge to experience. Collateral damage." And the sad part is, the people there just accept their fate and do not care anymore (Detained Marine Officer 2, interview; original statement).

In this statement, the marine officer was expressing his frustration that his career in the AFP has ended up being more of a burden than a service to his countrymen. His observations led him to realise that war has been a common part of his countrymen's lives to the point that the injustice of being a war casualty was taken in a nonchalant manner. Other leaders of the mutiny interrogated the reasons for the never-ending war they are fighting, realising that that injustices and poor provision of basic services give desperate people the reason to join rebel groups.

> Just imagine, we are the representatives of the government in the field where government presence is not felt. We're the representatives. We can see the problems there! The government just makes promises [about uplifting their livelihood] so they end up catching the bait, joining the rebels because the government doesn't have a representative there, right? So we see that. Do you want us to just play blind? To just ensure security? We see the social issues, economic issues, the people's plight. Every officer knows that. We are fighting a never-ending war (Detained marine officer 1, interview; author's translation).

> My soldiers have been fighting this war for so long. But, during my second lieutenant days, if I will get awards, I tend to be happy. But as years passed by, during my fifth, sixth, seventh and eighth year, I began to realise that these awards I won is a symbol of disgrace . We should not be proud of these awards because for a simple reason, we have been given that much award and yet you look up to the community which you are supposed to serve. And yet, what is happening. You go to Basilan, three years before your, after your first assignment, you go back there hoping that the roads are already fixed but it has even deteriorated than before... when I was operating in Jolo sometime in 2001 or 2002, we saw communities where there is even no basic life support system. Children have to fetch water, carry big gallons for seven to ten kilometres. They have no

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[38] This comment could have been made in reference to World War II, when Philippine soldiers fought side by side with the Americans against the Japanese.

electricity... so how can those in the GHQ [General Headquarters] be surprised that when they thought the Abu Sayyaf has been reduced to 200 people, then suddenly they realised that its membership swelled again (Capt. Milo Maestrecampo, FFFC testimony; original statement).

Together with the earlier statement, these observations illustrate the junior officers' recognition of the multifaceted nature of war and that the success of their missions could not be limited to their combat operations. Their presence in the field was linked to broader issues of governance and social justice, which necessitated responses well beyond their responsibilities as military officers. Even though these grievances were not unique to the mutineers,[39] their extended combat experience rendered them most exposed and vulnerable to the unjust realities in the field. These observations fuelled their frustrations and deep disagreements with government policies, which led them to explore avenues where they could articulate their positions. The next section examines the institutionally-sanctioned mechanisms available for junior officers to express their dissent.

Communicative channels in the AFP

Thus far, this chapter has characterised the contentious nature of the AFP as well as the junior officers' disagreements with the military top brass and the civilian government. Although the military values norms of obedience and solidarity, it is also recognised that the organisation hosts spaces for contingencies and dissent. It is imperative for the military organisation to engage with dissenting opinions especially those related to troop morale and combat efficiency. Failure to effectively communicate and successfully resolve disagreements compromises the institution's

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[39] Some government and military officials dismissed the junior officers' grievances as the same gripes that military officers used to justify the coups d'état in the 1980s (see Zamora, 2003).

cohesion and effectiveness. For this reason, the armed forces have institutionalised formal and informal mechanisms to communicate within the ranks.

The military's emphasis on hierarchical procedures is reflected in the formal mechanisms set out to address complaints within the service. Following the chain of command, military personnel with criticisms or concerns on internal matters are urged to communicate with their immediate superior. The immediate superior is then tasked to seek solutions to the problem or elevate the issue to the next level in the chain of command if the solution is beyond his scope (FFFC, 2003, pp.79-80; Evan, 1962, p.192). If the commanding officer does not act within a reasonable amount of time or fails to address the complaint, the officers can write a formal complaint to the commanding officer's commander (Cohn and Gilberd, 2009, p.81). Officers are also responsible for completing an "after-encounter report," which has a field that asks an officer to report problems during combat and recommend forward actions to the headquarters (Maj. Gen. Glenn Paje, testimony in the Congressional Enquiry, 20th August 2003). Alternatively, officers or enlisted men can file their complaints in offices created to address specific complaints. The Office of the Inspector General (OTIG) looks into concerns relating to technical competence and troop morale and makes corresponding recommendations to the chief of staff. The Office of Ethical Standards and Public Accountability (OESPA) and the Office of the Military Ombudsman investigate allegations of corruption and unethical conduct against active military personnel. According to Weber, the subordinate's right to appeal is an attribute of a rational-legal bureaucracy where the authority of office holders is limited unlike organisations run by traditional and charismatic leaders (Weber, 1947, p.331). Putting these procedures in place is part of democracy's regard for due process where norms of impartiality in handling conflicts prevail.

Apart from formal channels, there are also informal yet institutionalised mechanisms of grievance articulation that the AFP promotes. As the Secretary of National Defence explains:

> At the lowest level, we encourage our officers ... to continually dialogue with their men because we are always told that the mission of the commander ... is to accomplish the mission and look after the welfare of your men. So, when you look after the welfare of your men, you have to know what their problems are so you can attend to them ... That is informal, but that is institutionalised. Then, we have grievance mechanisms such as the troop information. That is – we encourage that at least maybe once a week, probably during Saturdays, the soldiers are assembled together with the officers and then, there is dissemination of information. For instance, what welfare and benefit measures are being planned or implemented or approved for the welfare of the soldiers? If they have any complaints, then they can do so (Secretary of National Defence, Angelo Reyes, testimony in the Senate Enquiry, 1st August 2003; original statement).

This communicative space, based on the Secretary of National Defence's description, is valuable as it is also the venue where the commander relays information to the troops, which may put the officers and soldiers' grievances in perspective. Improving the lines of communication between the senior and subordinate is one of the FFFC's recommendations:

> Thru such fora as fellowship, gatherings, bull sessions [or informal discussions], simple and inexpensive get-together parties, the commander gets to feel the pulse of his subordinates. The practice of "commander's presence in the field" should be encouraged, to impress upon one's subordinates that the commander is indeed always looking after the welfare of his men, and not only interested in the mission's accomplishment (National Police Chief Director General Hermogenes Ebdane, written briefing for the FFFC; original statement).

These formal and informal mechanisms are purposive communicative platforms designed to ensure troop morale and organisational efficiency. These spaces are not necessarily designed to be "deliberative" in the sense that the military's notion of "due process" is intimately connected to hierarchical practice. Equality is not upheld as officers cannot directly challenge a higher ranking official. Instead, they are expected to course their complaints to their immediate superior who has the prerogative to adjudicate whether or not the issue brought to his attention is worth further consideration. Officers are also prohibited from raising concerns that are not within their

immediate sphere of responsibility, which goes against the deliberative norm of openness. In these institutionalised channels, officers can only raise concerns that directly affect their day-to-day operations. Otherwise, as mentioned earlier, the officers' effectiveness is compromised when they are distracted by broader organisational or political issues.

In spite of the limited space for communication in the military, it is worth acknowledging that some deliberative norms are also upheld in these channels. Critical thinking and engagement are accepted in that officers are "not required or encouraged to obey blindly, without questioning orders and policies underlying them" and instead, they "have a duty to look for the truth and to speak out when policies are illegal or wrong" (Cohn and Gilberd 2009, p.81). Officially-sanctioned procedures are in place precisely to enable soldiers,

> who are neither professional philosophers nor lawyers to have a sense that they know what is and what is not legitimate and to provide soldiers on all levels of the military hierarchy with a sense that following orders does not necessarily make them cogs on a wheel (Levine, 1990, p.17).

This is the reason why in principle, all officers should have access to their immediate superiors and the departments tasked to handle their concerns. Access to these channels provides officers the opportunity to have their concerns considered by an impartial authority and help them ascertain the legitimacy of their standpoints. These channels also have room for preference transformation. Because authority in the military is depersonalised, higher ranking officials proved to be wrong or misbehaving could be rebuked and replaced and the lower-ranking official's standpoint could be upheld. There is also a broad recognition that persuasion is more important than coercion in maintaining institutional consensus. Although the military has a set of regulations for punishing dissenters, the requirements of military solidarity depend "more upon knowledge and power of persuasion than on command authority" (Barnes, 1996, p.107). Good military leaders are expected to be able to convince and motivate their troops without hostility.

Promoting institutional consensus among the troops require a "managerial soldier," someone who does not espouse the military mind of conservatism but the kind that has politically adaptive characteristics, charisma and articulacy (Janowitz, 1964, pp.10-11). The PMA has been responsive to the need of developing the managerial kind of leaders in the officer corps. The PMA moulds its cadets not only to be a "perfect fighting weapon" but an officer with a holistic range of "non-military" skills such as public speaking, debating, publishing and even ballroom dancing (Former army officer 1, interview, translation). The junior officers' training in the Academy enabled them to develop confidence and finesse in articulating their ideas either with a small group or a huge crowd.[40] They are trained to speak in a "gentlemanly" yet authoritative way, which entails speaking in a calm, accurate and restrained manner (Former army officer 1, interview, Army colonel 1, interview). These communicative competences were observable during interviews with junior officers. Most of them started their narratives in English as a sign of formality. Their choice of words was meticulous, providing exact details on their claims whenever possible. Some even had a habit of citing the sources of their insights or even jokes, either from academic texts or from people they know. They are also adept in narrating testimonies, linking their personal experience to broader principles and social issues. Based on these observations, the junior officers can be considered as espousing the communicative competences that deliberative theory allegedly privileges, which are confidence, representational accuracy, dispassionate speech styles and logical coherence. However, as the next section illustrates, having formal access to communicative channels and espousing communicative competence do not necessarily ensure that junior officers were (communicatively) empowered within their institution.

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[40] This training also equips junior officers with social skills necessary for their counter-insurgency efforts.

Discredited communicative channels

Earlier in this chapter, the junior officers' two major disagreements against the military high command were identified: the "material" issues related to corruption and troop welfare and broader concerns about the war. Apart from these two issues, it is observed that junior officers also had grave concerns about the available channels for grievance articulation in the AFP. The issues they raised can be interpreted as issues of inclusion, as defined in chapter one. Although these channels are not necessarily designed to be "deliberative" in the strict sense, they nevertheless fail to provide an "authentic" and "consequential" avenue where junior officers' disagreements are properly addressed. It is observed that the principle of due process that these channels seek to uphold has been discredited by the ritualised practices of disesteem in the military service. To this extent, junior officers and their discourses can be considered excluded or marginalised in the military.

Inauthentic

Chapter one identified a major challenge in deliberative inclusion, which is translating one's ability to access deliberative spaces to substantively participating in those forums (see pp.39-40). It was discussed that even though one is able to claim space in a deliberative forum, there are discursive practices that deter other participants from meaningful and substantive participation in the deliberative process. The junior officers' experience with the AFP's communicative channels is similar. Even though the AFP has clear channels for grievance articulation, some military norms and ritualised practices end up discrediting these avenues' communicative potential. The deterrents for an authentic form of engagement are two-fold.

The first one relates to the demands of engaging in these channels. Some junior officers argued that the available channels for grievance articulation are "too bureaucratic" and "time consuming" (LtSg. Antonio Trillanes, interview; Detained marine officer 1, interview; Detained marine officer 2, interview). This was particularly relevant in the case of OESPA and OTIG as these channels required complainants themselves to collate and document evidence to support their claims. This was infeasible for two reasons. First, junior officers were preoccupied with their duties in the field. Their assignments deterred them from spending time and effort substantiating their urgent claims, effectively rendering these channels inaccessible. Second, Lt.Sg. Antonio Trillanes – one of the mutiny's leaders – explained that the form of corruption in the AFP was so sophisticated leaving no paper trail or any form of evidence that would hold water in these investigative bodies (Lt.Sg. Antonio Trillanes, testimony in the Senate Enquiry, 14th August 2003). For example, a number of junior officers and enlisted men have already witnessed or "sensed" that senior ranking military officers have been selling DND's bullets to enemies of state, to the point that this illicit practice has been considered "common knowledge" not only among servicemen but also among the communities they operated in (Detained enlisted man 2, interview; Detained enlisted man 4, interview). However, concerned officers found it difficult to provide hard evidence on this practice apart from gathering personal testimonies from different sources. This approach was difficult because not all officers shared the same level of aversion towards these practices. Some junior officers colluded with higher ranking officers, making it difficult for other well-meaning officers to secure cooperation from their peers.

This relates to the second deterrent for authentic engagement. The inclination to report an anomaly or even air grievances either to one's commander or in OESPA was in tension with dominant military norms. These norms were manifest through everyday discourses and expressions that put down an officer expressing dissent. These expressions could be categorised

into three. The first set of expressions made a dissenting officer appear deviant; an "obstructionist" who is just "looking for trouble" (Detained marine officer 3, interview, translation; also Former army officer 1, interview) or not being a good "team player" (Detained marine officer 1, interview; Army major 2, interview). Interestingly, these expressions were often articulated by their peers. The second set of expressions trivialised an officer's complaint. One was asked to "suck it up like a man" (Air force captain 1, interview; also former marine officer 1, interview) and accept the "realities in the field." As military officers, their commanders told them that they "were no longer glamour boys," referring to the officers' experience as a PMA cadet. A cadet's life in the Academy is well provided for, the barracks are immaculately neat and Fort Del Pilar's surroundings exude grandeur. Realities in the frontline diverged from this ideal scenario and a complaining junior officer was dismissed as someone who was just having a hard time adjusting (Detained marine officer 1, interview; also detained marine officer 2, interview). By trivialising the officers' concern as "realities in the field" that "real men" should get used to, they were made to put up with how things were (Enlisted marine officer 1, interview; former marine officer 2, interview). The third category of expressions is the kind that invokes the discourse of "professionalism" as a way of discouraging an officer or a soldier from engaging with broader issues. A complaining enlisted man was told to "keep yourself busy," the premise being, if one had time to complain and rationalise, one was not busy enough (Detained enlisted man 3, interview; detained enlisted man 4, interview). On the other hand, junior officers were socialised to adopt the saying "wait 'til you become," which suggested that an officer only had to be preoccupied in successfully accomplishing the task on hand and should wait 'til he or she becomes the chief of staff or reach a higher ranking post to enact change (Army major 1, interview; air force officer 1, interview). While it was "natural" for officers to "theorise" and "rationalise" while they were in the field, this was considered a distraction from effectively

performing one's duty (Army Major 2, interview; Army Major 1, interview; Air force captain 1, interview). The Commander of Task Force Libra – the task force in-charge of dispersing the mutiny – summarises this point clearly:

> Well, well, when you say you want to advance your professional career, ah, that also means, you know, you're serving the nation. Because if you're not a professional officer, you have no business within the armed forces ... Just last night, I was surfing the internet ... so I read what Pete Sampras said about Roger Federer. And he said, "I like Roger Federer, because he focused much of his life on tennis. That's why he's successful. And he brought prestige to the game. Unlike others who use tennis for other purpose, endorsement, to make money, but he was focused on tennis." So in the same manner ... if you're passionate about your profession, that means you're dedicated to your profession, and in return, helps bring more contributions to the stability of the armed forces to protect the government. Otherwise, you're distracted. How could you say be an asset of the armed forces for the government? (Gen. Efren Abu, interview; original statement)

While acknowledging the value of upholding professionalism in the military service, this section makes a broader point about the deliberate or inadvertent use of expressions in the AFP to discourage dissent or disagreement. When analysed based on pragma-dialectical terms, these expressions worked as "strategic manoeuvring" in that they effectively shut down the discussion through non-argumentation (van Eemeren and Houtlosser, 2003, p.392). Non-argumentation came in the form of presenting a standpoint as if it did not need proof at all.[41] The expression "wait 'til you become" was a form of non-argumentation in that it invoked the principle of professionalism and made it appear sacrosanct and beyond interrogation or reinterpretation. When junior officers brought up broader concerns about poor governance as root causes of war, they were effectively interrogating the concept of "professionalism" in the armed forces, whether they should continue to be servants to a questionable regime or interpret professionalism in another way by protecting the people from perceived injustices. This standpoint was effectively put down through the expression "wait 'til you become," stating that such arguments were out of

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[41] This is also called the fallacy of evading the burden of proof (van Eemeren et al., 2002, p.116).

place because of their speaker's low rank. Non-argumentation was also manifest with expressions that discredited junior officers as interlocutors with legitimate concerns. These expressions placed doubt on the junior officers' credibility by labelling them as obstructionists or bad team players. Their worthiness to be partners in interaction was also undermined by emphasising their lack of experience as fresh graduates of the Academy (van Eemeren et al., 2002, p.111; van Eemeren and Houtlosser, 2003, p.392). Through personal attacks and dismissive comments, the other party relieved itself of the obligation to further provide reasons why the junior officers' comments were unacceptable (van Eemeren et al., 2002, p.112). In these cases, the difference of opinion was terminated at the confrontation stage, where both parties established that they do not agree on some standpoints but did not commit to further discussion. This made the available channels in the AFP "inauthentic" to the extent that military norms and bureaucratic procedures deterred junior officers from having their standpoints recognised as valid and worthy of further discussion.

Inconsequential

As discussed in chapter one, a criterion for judging the inclusiveness of communicative space is its ability to provide mechanisms that transmit the discourses in that forum to the empowered space or decision-making bodies (see pp.24-25). For junior officers, the institutionally-sanctioned channels in the AFP did not meet this criterion. Officers who attempted to use these channels failed to make an impact on organisational reform. For example, Capt. Milo Maestrecampo, one of the mutineers' leaders, explained that he had conscientiously filled in after-encounter reports, requesting the replacement of outmoded equipment. However, these reports only "get stuck in the pipeline" and no response was heard (Capt. Milo Maestrecampo, Senate Enquiry, 14th August

2003, translation). Moreover, the inconsequential nature of these channels did not only stop at inaction but was also reflected in the retaliation of the superior implicated in one's complaint. As the FFFC explains:

> In truth of course, very few officers and soldiers have the courage to present a complaint directly to the commanding officer. It is simply unreal to expect an officer or soldier to bring to his immediate superior, much less to the commanding officer directly, a complaint to the effect that the commanding officer is probably guilty of a corrupt illegal act... Most military personnel are apprehensive that, if they criticise a senior officer, they could become "marked men" who could subsequently be given a "hard time," e.g., assignment to a non-performing department, curtailing privileges, delay in consideration for promotion and so forth (FFFC, pp.80-81).

Respondents for this research corroborated this observation. Asked why they did not express their discontent through institutionally-sanctioned channels, particularly direct communication with their immediate superiors, the mutineers responded "it's like committing suicide!" (Detained marine officer 1, interview, translation), "my commander will just get back at me" (Detained enlisted man 2 and detained enlisted man 3, interview, rough translation). One respondent said it is not a good move either to bypass the erring commander by reporting him to his own superior because the latter "can be an accomplice or even the protector of your own commander" (Detained marine officer 1, interview, translation). A number of junior officers cited the well-publicised case of Ensign Phillip Pestaño to illustrate the untrustworthiness of the military hierarchy. [42] Ensign Philip Pestaño was a navy officer found dead in his cabin with a gunshot in his head. The AFP ruled his death as suicide but further investigation by Human Rights Watch ruled it as homicide. Witness accounts recalled Pestaño having an argument with senior military officers aboard the ship because Pestaño refused to sign the ship's manifest. He discovered that

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[42] It also generated media interest because Ensign Pestaño was from an elite family and graduated with honours from the PMA. The Jesuit community also took an active role in making his case public as Pestaño graduated high school from one of Manila's exclusive Jesuit academies. However, it is important to note that there are also a number of other similar cases that did not get the same amount of attention. These are documented in Trillanes's thesis.

the ship was used to smuggle illegal goods while the senior officers were overheard saying "be reasonable, this is big business. This involves important people. Approve this cargo" (Justice for Phillip Pestano, 2010). Pestaño's case was particularly memorable for junior officers because it happened in 1995, the year they entered military service. This case gave them some sense of the difficulties in dealing with the chain of command, especially when higher ranking officials put younger officers in a compromising situation. This case inspired Lt.Sg. Trillanes to systematically investigate the nature of corruption in the Philippine Navy in his Masters in Public Administration thesis (see Trillanes, 2002). In this piece, Trillanes observed a pattern similar to the Pestaño case; that whistleblowers of anomalies in the AFP fail to get institutional support and worse, were subject to punishment, retaliation and "silencing." He documented the case of a navy officer who reported the illegal sales of fuel in his ship and was discredited by the OTIG as mentally ill. The case was resolved by ordering the officer to undergo a neuropsychiatric evaluation. Cases like these reinforced the junior officers' concerns about the futility and even dangerous consequences of using official channels for grievance articulation. This was also the same reason why Lt.Sg. Trillanes refused the offer of Senator Gregorio Honasan – a former colonel turned senator who launched a wave of violent coups in the 1980s – to sponsor a legislative enquiry on the anomalies in the AFP. The enquiry could have been an opportunity to link the junior officers' complaints to policymaking that AFP-sanctioned channels could not provide. However, Trillanes felt that based on precedent, an open enquiry would place him in a difficult situation as it is "very easy for them [military high command] to discredit me" (Lt.Sg. Antonio Trillanes, sworn statement, 21st August 2003). He further argued that a civilian-led investigation could not provide sufficient guarantees for checks and balances considering the deeply entrenched and overt relationship of patronage between legislators and implicated military officials. The high ranking officers that would be accused of corruption in these investigations

were those known to be close to the President, making it difficult to get a fair hearing in a Senate

body composed of the commander-in-chief's allies. Honasan concurred with Trillanes's analysis.

As part of the political opposition, Honasan recognised that he could not provide "protection"[43]

to Trillanes if he testifies on the anomalies in the Philippine Navy (Sen. Gregorio Honasan,

interview).

Voicing one's concerns using institutionalised channels has been discredited in the eyes of

junior officers not only because they failed to produce results but also because of the high risks of

articulating disagreements in the service. There are military discourses and methods of

"disciplining" or "silencing" junior officers that shun dissenters and whistleblowers. These norms

and precedents put in question the possibilities for authentic and consequential forms

communication in the AFP's institutionalised channels.

Summary: Marginalised military men

This chapter presented observations from the empirical case that illustrate the junior officers'

exclusion from authentic and consequential channels for grievance articulation. Although these

avenues have been institutionalised, there were major barriers that deterred junior officers from

accessing them. On the basic level, offices such as OTIG and OESPA have demanding

requirements that junior officers could not meet because of the nature of their rank and

assignments. This is reminiscent of Young's comment mentioned in chapter one (see p.30) that

even if there are announcements or information that such avenues exist, the demands of everyday

life get in the way of participation. Even though junior officers embody some privileged social

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[43] It is inferred that "protection" in this context means both physical protection (i.e. ensuring the witness's safety) and protection in terms of Trillanes's career (i.e. Honasan acting as political patron of a young officer; see p.88).

characteristics, this section argued that they are also subject to submissive relationships with senior military officers and high ranking government officials. This submissive relationship is particularly heightened during wartime, when junior officers render extended combat duties, which lessens the opportunities to meaningfully and effectively communicate grievances with their seniors who were the very same proponents (or beneficiaries) of the "never-ending" war. Moreover, there were norms and practices in the military that shut down opposing ideas through non-argumentation. In pragma-dialectical terms, responding through non-argumentation deterred the discussion from progressing from the confrontation stage where parties realise their difference of opinion to the opening stage where both parties decide that they will resolve their difference of opinion through discussion. Instead, junior officers were treated as unworthy of engagement by trivialising their concerns, invoking the sanctity of particular doctrines and labelling them with pejorative terms. These expressions and discourses ritualised disesteem in the service in that officers were not considered serious parties to a discussion. Finally, it was observed that the costs of using these channels were high, deterring junior officers from using them at all. The precedents cited in the previous section were just some examples of stories or accounts that influence the officers' assessments about the costs of speaking up, which include inaction, retaliation and punishment. Under hostile conditions, individuals were less inclined to talk and put forward new ideas (Warren, 1999, p.40; Islam and Zyphur, 2005, p.94).

Before concluding this chapter, it is worth pointing out that the form of exclusion that junior officers experienced was ascertained because deliberative theory was used as a framework for analysis. By examining the institutional conditions, forms of argumentation (or non-argumentation) and the barriers for communication in these institutional channels, it was observed that junior officers also suffer from a form of exclusion comparable to traditionally marginalised groups. Using a deliberative and pragma-dialectical framework to uncover forms of

exclusion is an approach that an expanded model of deliberation has not yet accounted for. While the expanded model has revised classic deliberative theory to make a more inclusive model of deliberation, its notion of "exclusion" is still based on social categories that have been classically considered as marginalised (e.g. Young, 2003, p.579; Hendricks, 2006, p.495). This chapter illustrated that marginalisation and deliberative exclusion are not necessarily correlated to economic power and other indicators of social privilege such as ethnicity, educational background and gender. The field of masculinity studies has contributed to challenging the essentialist categorisation of men as possessors of political power as such conceptualisation eclipses the complexity and diversity of men's experience (see Connell and Messerschmidt, 2005). This chapter argued along the same lines by demonstrating how the military's hegemonic masculine normativity was used to silence opposing standpoints and serve as a foundation for discourses that deter further engagement (i.e. "suck it up like a man"). Although junior officers enjoyed economic privilege and social esteem compared to their civilian counterparts, they were nevertheless subject to norms and practices that perpetuate disesteem and disengagement (see Fraser, 1999, p.35). Junior officers were marginalised because the standpoints they put forward were against their peers' and their superiors' predominant dispositions and that there were coercive discourses, threats and practices that can be easily mobilised put down their opposition.

Observations from the empirical case demonstrate the potential of deliberative theory to be perceptive and cognisant of other forms of marginalisation that do not conform to traditional indicators. Although there continues to be sufficient reason for deliberative theory to address issues of exclusion among women, ethnic minorities and economically disadvantaged groups, "it is an empirical question to what extent economic and other inequalities undermine the equality of opportunity of influence required within deliberative processes" (Rostbøll, 2008, p.228). Deliberative theory can be pushed further and be more responsive to issues of exclusion through

empirical research identifying various manifestations of deliberative exclusion. Possessing social characteristics associated with privilege do not necessarily translate into deliberative inclusion. It is observed that junior officers were subject to exclusionary practices comparable to those experienced by traditionally marginalised groups, particularly the challenge of translating "access" to deliberative forums into "taking part" in the deliberative process.

CHAPTER IV

THE ROAD TO OAKWOOD IS PAVED WITH GOOD INTENTIONS

The previous chapter characterised the circumstances that deterred junior officers from accessing authentic and consequential avenues for grievance articulation. This chapter carries on with the analysis by identifying the junior officers' strategies to overcome their exclusion. It examines the alternative channels they explored to express their dissent as well as the process of selecting non-persuasive communicative modes to secure their inclusion. This chapter presents two main observations. Firstly, the decision to launch a mutiny is an outcome of a series of discussions among junior officers that upheld deliberative norms. These discussions took a form comparable to Fraser's (1999) conceptualisation of a counter-public where like-minded officers exchanged their views within a "protected space" before engaging in a more critical public sphere. Secondly, when analysed within the context of the junior officers' distinct social location and suboptimal circumstances, the decision to launch a mutiny broadly satisfies the criteria of deliberative activism (Fung 2005; see chapter one, pp.34-38). This observation establishes the premise that the junior officers' use of coercive mechanisms is governed by principles that put forward deliberative goals and not just driven by messianic officers' thirst for power, as depicted in some accounts.[44] Taken together, these two observations lend insight to the justifications as well as provocations that prompted the mutiny.

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[44] The Davide Commission (1990), the investigative body tasked to look into the causes of the wave of coups in the 1990s describes coup plotters as military officers with "messianic complex." The FFFC reiterates this position (FFFC, 2003, p.36). The chief of staff and the President also attached the same label to the mutineers (see Papa and Dizon, 2007; Labog-Javellana and Cabungcan, 2003)

Exploring other channels for grievance articulation

Dissent in the armed forces "has manifested in as many ways as there are soldiers with imaginations" (Cohn and Gilberd, 2009, p.61). In the book *Rules of Disengagement: The Politics of Honour and Military Dissent*, Marjorie Cohn and Kathleen Gilberd (2009) identify the forms of resistance American GIs take to express their disagreement with military policies. Examples include applying for a conscientious objector status, organising picket lines, rallies and street theatre and publishing underground gazettes and blogs. Junior officers from the AFP also explored similar avenues. Some published articles in AFP's official newsletters such as the Ranger Gazette to expose the anomalies in the service and call for reforms in the armed forces (Capt. Milo Maestrecampo, testimony in the Senate Enquiry, 14th August 2003). Others explored the possibility of conducting silent protests by wearing arm bands symbolising their condemnation of corruption (LtSg. Antonio Trillanes, sworn statement, 21st August 2003). More subtle forms of resistance were also employed through absenteeism or disobedience from orders they consider illegitimate or unacceptable.[45] These acts are unconventional, though not necessarily illegal, in that they aim to disrupt institutional cohesion to generate attention and prompt reforms in policies or practices that they consider unacceptable. Although expressing resistance in the armed forces is not uncommon, junior officers in this case study are distinct in that their individualised acts of resistance evolved to a network of military men ready to go beyond institutional boundaries to express their dissent. This section traces the development of these strategies for inclusion: from

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[45] At that time, blogging and other Internet-mediated forms of dissent were not yet accessible to junior officers. Today, there are a number of blogs run by military officers that openly critique the military establishment. Examples of these blogs include: Soldiers Defending the Nation (translation) http://www.sundalo.bravehost.com/ and Support Filipino troops http://www.supportfilipinotroops.blogspot.com/ [Accessed 20th August 2010]

informal chats among *mistahs*[46] to a series of "deliberative meetings" where officers openly discussed their views and options for publicly articulating their grievances.

Gripe sessions and pacts among peers

Gripe sessions are common ways of expressing one's grievances. These are informal and spontaneous meetings over a bottle of beer among *mistahs*. Because of their shared experience of hardship as cadets in the PMA, *mistahs* consider their relationship as "closer than brothers" (see McCoy, 1999) or as a junior officer states, "*mistah* is thicker than blood" (Detained air force officer 2, interview; original statement). An informal discussion among similarly-situated and sympathetic peers allows one to be honest, open and candid about one's observations and disagreements with the military service. "Beer makes you honest," one respondent jokingly explained (Former army officer 1, interview; original statement).

Casual drinking sessions may appear mundane but these gatherings serve as a venue for *mistahs* to take stock and realise that their situation is shared by their peers even though they belong to different service units and have been assigned to different parts of the country. "As the intake of beer decreases," former colonel Honasan recalls, "serious talk increases" (Sen. Gregorio Honasan, interview; original statement). However, there is also an unspoken rule of exercising discretion, especially if one's complaint relates to a senior officer that is known to be close to a *mistah* present in that session. As gentlemen, relationships of patronage are respected and not crossed. If *mistahs* consider each other as brothers, some junior officers have developed a strong

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[46] *Mistah* is the term used for one's classmate in the PMA. Its origins are unclear although some say it is a distortion of the word "mister."

relationship to a senior officer and such relationship is likened to a father and son. This is usually

the case with junior officers who serve as military aides of generals.[47]

Although gripe sessions provide an outlet for officers to let off steam and have a

meaningful conversation about their experiences, this avenue was still inconsequential for the

mutineers. As one junior officer explained:

> Actually, it's [gripe session], um, what we call, in the *cavaliers*[48] lingo, *bolahizing*. It's just, maybe you're familiar with, just *bolahan*. For example, we meet, we talk over a bottle of beer, and then people start bringing up their gripes (Former air force officer 1, interview; original statement).

Bolahan, which in local parlance literally means ball (*bola*) or going around in circles, describes the

nature of these gripe sessions. After a session, officers return to their respective service units and

go about their usual duties. After a few months, when a group of *mistahs* are back in the

headquarters or assigned to the same area, they meet again and go through the same process.

Although the origins of the military reform movement in the 1970s was traced to a series of

serious gripe sessions that eventually evolved to be the group that launched a coup against the

Marcos dictatorship,[49] these sessions are usually just used as opportunities to vent and not

generate action plans to resolve problems. This was one of the mutineers' criticisms against their

mistahs who just participate in these sessions, complain and do nothing (Detained marine officer

1, interview; detained marine officer 2, interview, Sen. Antonio Trillanes, interview). Felipe

Miranda categorises such officers as "devotees of strategic waiting," or those who make a

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[47] A classic example of this widespread practice is the relationship of Marcos's Defence Minister Juan Ponce Enrile with Col. Gregorio Honasan. Their relationship is often likened to father and son with Enrile dispensing patronage to Honasan as well as his staff in the Defence Ministry, sending them to prestigious graduate schools and exposing them "to the intricacies of power" (Tiglao, 1990, pp.18-19; Coronel, 1990, pp. 60-61).

[48] Cavaliers or cavs, is a term for fellow graduates from the PMA but not from the same year.

[49] In 1982, Honasan's group of middle-ranking officers coalesced into a small, secret group called the Reform the AFP Movement (McCoy, 1999, p.231).

"pragmatic calculation" not to rock the boat and wait for their time to enter the circle of the military elite. In his empirical study on politicisation of the military, Miranda concluded that the prominent leaders of the Philippine military follow this track (Miranda, 1995, p.12). Interestingly, some mutineers reversed the meaning of term "team player," to mean a derogatory term for an officer who blindly follows one's superior.

For the mutineers, going around in circles was not enough and they decided to do something proactive to ensure that their grievances were addressed. Some mutineers described how they made a pact with some of their *mistahs* to close ranks, continue communicating with each other and not to engage in corrupt practices. One of the mutineers' leaders recalled:

> Sometime in April of 2001, I had the opportunity of meeting with my classmates, Lt.Sg. James Layug and Capt. Gerry Gambala when we were all based in Sulu. During that time, every time we were not on the battlefield, we would spend time together and discuss our experiences in the Armed Forces. This is how we first discussed the problem of corruption and how it affected those of us who are on the field. In those discussions, the three of us agreed that we should be having more such discussions with our fellow officers so that through peer pressure, officers of the Armed Forces of the Philippines would be able to avoid corrupt practices through peer pressure (Capt. Milo Maestrecampo, sworn statement, 21st August, 2003; original statement).

Similar comments are noticeable in all of the mutineers' interviews and sworn statements. Some narratives go along the lines of making a pact to create a subculture of moral uprightness within the AFP by starting with themselves and then influencing the units under their command to walk the straight path. However, the mutineers later on realised that this approach was too conservative. They recognised that the problem was not with the people composing the AFP. Instead, the problem "had something to do with the system and our culture which cannot be remedied by a few good men" (Detained marine officer 2, interview, translation). Some cited examples of military officers who started out "nice" and "compassionate to the troops" but ended being compromised as they ascended the ranks.

The mutineers considered gripe sessions and pacts among peers as inadequate communicative forums. Although gripe sessions facilitated an open and candid discussion among similarly-situated peers, this did not act as a proactive forum for addressing their grievances. If anything, these sessions established the commonality of experience among *mistahs*. This led the mutineers to take it upon themselves not only to ensure that they walk the straight path but also do something proactive to instigate change.

Joining a political campaign

After spending at least five years in the field, junior officers, upon the recommendation of their superiors, are given the opportunity to take up higher studies. Some go to West Point or Fort Bragg, while others prepare for alternative careers by taking up Master of Business Administration in the prestigious Asian Institute of Management. Others take a more academic track by enrolling in a postgraduate degree in Public Administration, Strategic Studies or Political Science. Often described by his peers as "scholarly" and "intellectual," Lt.Sg. Antonio Trillanes opted to take up Public Administration in the University of the Philippines. Trillanes, who eventually became the figurehead of the mutineers, wrote several research papers in the course of his studies which allowed him to systematically analyse the problems he and his peers had talked about in gripe sessions.[50] One of his *mistahs* shares:

> First, um, the first thing Sonny [Trillanes's nickname] and I talked about is, what really is corruption. Because all of us, we're, shouting corruption, corruption, there's corruption here, that's why we don't progress and yet, we can't um, we can't [identify] where theft is happening...

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[50] One of the papers Trillanes wrote is "Preventing Military Interventions." This piece is a critique on the FFFC's recommendation (such as the appointment of a civilian chief of staff) and focused on the broader issue of good governance as key to preventing military interventions. He completed his studies while he was in detention.

so we tried to identify the problem. So, Sonny, [took up] masters, we helped him research. That's when he identified the kinds of corruption in the AFP (Detained marine officer 2, interview; original statement).

Trillanes's project not only served as reference but also as a venue for his peers to participate in researching and understanding corruption in the military and providing concrete policy recommendations.

This research project became the bridge between junior officers and Sen. Gregorio Honasan. As mentioned earlier, Sen. Honasan was a former military rebel turned senator. Gringo, as Honasan is fondly called by the media, embodies the political possibilities for a military officer. He was the captain of PMA Class 1971,[51] heralded as a war hero for his efforts in quashing the insurgencies in the South, worked for the Ministry of National Defence during Martial Law, took up an MBA in the Asian Institute of Management, plotted coups against both a dictator and a democracy icon and later on embraced the complexity of electoral democracy by joining the political mainstream and becoming the first independent candidate to win a seat in the National Senate in 1995.[52] Honasan is reputed to be a dashing, eloquent, charismatic yet enigmatic figure. He even became a pop culture icon for his cinematic images during EDSA People Power wearing a flak jacket fastened by ammo belts and carrying an Uzi submachine gun. To date, Honasan has been a Senator for twelve years. Because of his background, Trillanes and his peers considered him a sympathetic audience for their cause. Trillanes left a copy of his research on corruption in Honasan's office. As mentioned earlier, Honasan offered a Senate Enquiry based on Trillanes's research but the latter declined (see p.117).

Honasan considered running for President in the 2004 elections. As part of his preparation, he arranged a series of meetings with what he calls his brain trust composed of well-

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[51] Captain is the distinction given to a cadet exemplifying the highest ideals of leadership.

[52] Honasan was granted presidential pardon by President Fidel Ramos in 1992. Ramos was a retired general and was together with Honasan when they launched a coup against Marcos.

respected professors of sociology, political science, history and public administration from the University of the Philippines to draft his platform for governance which he called the National Recovery Programme (NRP) (Sen. Gregorio Honasan, interview; Prof. Francisco, Nemenzo, interview). He invited Trillanes to be part of this drafting committee. Prof. Francisco Nemenzo, a member of Honasan's brain trust, described Trillanes as "curious" and "asking very good questions" and maintained a deferential attitude towards the academics (Prof. Francisco Nemenzo, interview). His *mistahs* who did not join the mutiny described him as "elated" and "bragging" about collaborative work with academic heavyweights (Lt.Sg. Christopher Magdangal, FFFC testimony; Army Major 2, interview). Trillanes explained that he was "flattered" because his paper was "appreciated" and his participation in the drafting committee allowed him to "provide inputs that can possibly reform not only my organisation but other organisations as well" (Lt.Sg. Antonio Trillanes, FFFC testimony). Working with Honasan's brain trust provided Trillanes the opportunity to engage in political discourse with respected civilians and claim ownership over a programme of government that he and his peers took part in crafting. As Trillanes narrates:

> I gave my output, for the program of government of Senator Honasan and eventually it came out sir, February of this year [2003], the National Recovery Program, sir. When it came out, sir, I'm proud, sir that I'm proud of that as well as the inputs of my classmates, sir. So we were part of that and we gladly, we saw in that document the hope that making the formula that can change not only the AFP but maybe the government itself. So we're proud of that sir (LtSg. Antonio Trillanes, FFFC testimony; original statement).

Other members from PMA batch 1995 also expressed pride and ownership of the NRP, describing it as "ours," hence deserving of support (Detained marine officer 1, interview; detained marine officer 2, interview). The NRP addresses a range of issues from crime and

insurgency to foreign debt, providing a set of solutions in bullet points.[53] The NRP presents a left-wing approach to policy, manifest through its proposed reforms including the renegotiation of foreign debt and re-evaluation of the Philippines' commitments to the World Trade Organisation, although none of these reforms were discussed in detail.[54] On the other hand, the section on AFP-related reforms was disproportionately long, detailed and bold. Among the proposed reforms included the forced retirement of high ranking military and police officials to give way to a more meritocratic appointment of the military high command. Also proposed was the restructuring of the OTIG, placing it under the direct operational control of the commander-in-chief. This proposal aimed at insulating the OTIG from influence and pressures from the military high command. By making the Inspector General report directly to the civilian commander-in-chief, the office could accomplish its "mandated tasks with dispassionate and unbiased perspective" (NRP, 2003). The proposal to restructure the OTIG specifically addresses the weakness of channels of communication in the AFP. Trillanes claims to have written this section.

After the NRP's draft was finished, Trillanes kept in touch with the academics he met and introduced them to his *mistahs*. Prof. Nemenzo described Capt. James Layug as "quiet" but "profound" and Capt. Gary Alejano as "sharp" and "the smartest among the group" (Prof. Francisco Nemenzo, interview; translation). On the other hand, Prof. Randolph David, the sociologist in Honasan's brain trust described them as "clearly frustrated" and wanting to act on things.[55] The discussions among academics were limited to Trillanes's *mistahs*, which eventually became the "core group" or "leaders" of the mutiny. Among the things the mutineers learned in

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[53] Honasan and Trillanes in their respective interviews clarified that the NRP was meant to be simple so that ordinary Filipinos can understand it while its later version, the Blueprint for a Viable Philippines, was designed to be more substantive.

[54] The left-wing take on policy is not surprising because the professors Honasan consulted were reputable left-wing academics.

[55] David mentioned this in a casual conversation with the researcher.

this discussion was their sympathy to "left-wing" ideas, considering the AFP socialised its officers to fight the "left-wing" movement of the CPP and the NPA.

As early as late 2002, campaign paraphernalia promoting the NRP were distributed in vote-rich provinces and symposiums on the Blueprint for a Viable Philippines, the academic version of the NRP, were being held. The promotion of the NRP picked up among junior officers. Trillanes, along with his *mistahs*, distributed copies of the NRP during the PMA Alumni Homecoming in February 2003. Trillanes recalled that his fellow officers "gravitated towards me and shared their experiences of corruption in the AFP. I knew I was doing something right" (Lt.Sg. Antonio Trillanes, interview). Layug said that the dissemination of the NRP prompted discussions among peers about proactively doing something "to propagate the programme" and "that there should be some form of expressing our stand" (Lt.Sg. James Layug, sworn statement, 21st August 2003). This led junior officers to have structured discussion groups not only about their thoughts on the NRP but also on broader issues of governance.

Sen. Honasan's presidential bid served as the platform for junior officers to establish a link between their military-specific issues to broader issues of governance. Through Trillanes's research and the support of his peers, the junior officers had the opportunity to contribute and claim ownership over a comprehensive programme that could provide the political solution to their institutional problem. Apart from this, the process of drafting the NRP allowed the junior officers to engage in discourse with prominent academics and broaden their views particularly about "left-wing" ideas. This also gave them access in a forum that discussed what they could not in the military hierarchy such as issues beyond the scope of the military institution. Honasan's planned presidential bid opened up communicative opportunities for disgruntled junior officers. However, this bid did not succeed. After the mutiny in 27th July 2003, Honasan was accused of

conspiring with junior officers and his arrest was ordered. Honasan's political plans were then discontinued.

Deliberative counter-publics

The previous section discussed the junior officers' ownership of the NRP as well as their proactive decision to propagate that platform. Dissemination took the form of meetings first among *mistahs* from PMA's class of 1995 and later with underclassmen[56] known to be close to these officers. It is observed that the structure of these meetings is comparable to Fraser's counter-publics and in these counter-publics, the rules of discussion upheld deliberative principles. This section characterises the dynamic of these discursive enclaves and how they served as a forum for junior officers to decide on their strategy to publicly express their dissent.

Formation of a counter-public

Chapter one described "counter-publics" as discursive enclaves where members of subordinate social groups formulate oppositional interpretations of their needs, identities and interests (see pp.32-33). These are "protected spaces" where like-minded individuals are insulated from the pressures of a critical public sphere to understand themselves better, forge bonds of solidarity and work out alternative conceptions of social order (Fraser, 1999, p.67; Drexler, 2007, p.10; Mansbridge, 1996, p.57; Welsh, 2002, p.698). Chapter one identified the development of these discursive enclaves as a strategy for inclusion, in that these forums provide members of subordinated groups the opportunity to gain confidence in their positions before they enter the

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[56] Officers from a younger PMA class, in this case referring to officers younger than PMA class of 1995

public sphere and deliberate across lines of difference. The structure of the junior officers' meetings is comparable to Fraser's characterisation of counter-publics. These characteristics are two-fold.

Firstly, the composition of the junior officers' meetings was limited to like-minded and similarly-situated officers who personally knew each other. This composition was primarily due to the clandestine nature of these meetings. The AFP upholds the principle of non-partisanship[57] and the fact that these political meetings intended to disseminate and support a presidential candidate's platform goes against this principle. Consequently, it was decided that it was best to keep these meetings discreet and by invitation only to avoid possible sanctions and negative publicity. Officers from PMA class of 1995 only invited underclassmen they personally knew, either from the PMA, from the same service unit or both. The statement of a junior officer who ended up withdrawing his participation in the meetings illustrates this observation:

> After my deployment at Naval Air Detachment South... in the first week of February 2003, LtSg. Manuel Cabochan PN (Philippine Navy) sent a text message: "Squadmate, how are you?" and asked me if I could visit him at his office at [the] Headquarters... I replied "Anytime you're free Sir" ... [He] was my squad leader when I was a plebe at PMA. He then replied: "You're really snappy, squadmate, are you free now?" With a positive reply, I went to his office. We had casual talks at his office. He asked me how my deployment in the South was. We had a lengthy conversation about the endless skirmishes in Mindanao. Later in our conversation, he asked me if I agree. He told me that the best we could do was to start within ourselves and adapt an anti-corruption attitude, which I strongly agreed. He later invited me to a meeting with some of his classmates to talk about various issues and concerns of the government (Lt.Jg. Nerelito P. Martinez, sworn statement, 22nd August 2003, parts in quotation were translated by the author).

Limiting the participants to like-minded officers allowed these meetings to consolidate a counter-public within the AFP. As mentioned in the previous chapter, there were a substantial number of officers – or using Fraser's term, "dominant publics" – that utilised discourses supporting the

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[57] During the election period, the Commission on Elections deputises the AFP to implement Task Force HOPE (Honest, Orderly and Peaceful Elections). The military is deployed all over the country to secure voting and canvassing precincts and ensure that both voters and poll watchers are safe from intimidation and election-related violence. This explains why soldiers could not openly support a political candidate.

status quo or inaction (see p.112-113). These dominant discourses also functioned as obstructions to further engagement by shutting down dissenting views through non-argumentation. The junior officers' discursive enclaves provided an alternative forum for officers to discuss views that were previously exempt from contestation in institutionally-sanctioned channels (Fraser, 1992, p.142). These include challenging the principle of non-partisanship by openly supporting a presidential candidate and thinking about solutions to problems that are beyond the scope of the armed forces such as poverty and corruption. The next section characterises the dynamic of their discussion in more detail. At this point, it suffices to point out that this platform brought together like-minded officers to identify pertinent issues, develop a counter-vocabulary to make sense of these issues and reflect on their roles as servants and authors. Part of this counter-vocabulary is the broadened range of possibilities for future action, which included publicly exposing the anomalies in the AFP.

Secondly, limiting the discussion to like-minded officers provided a "protected space" for junior officers to have an authentic form of engagement. These enclaves literally protected junior officers from persecution, retaliation or humiliation from senior officers who considered their positions unacceptable and damaging to institutional cohesion. Unlike the AFP's hostile and high-risk avenues for grievance articulation (see chapter three, pp.118-119), these meetings provided an environment where trust and loyalty among colleagues prevailed. Trust and loyalty within the group is not only borne of professional rituals that generate group solidarity but also animated by deep personal relationships (see chapter three, pp.90-92). These are evident in the respondents' comments such as: "Of course he wouldn't let me down, he's my son's godparent" (Army officer 1, interview, translated), "He knows me and my family so well, he's even our wedding sponsor" (Air force officer 3, interview, translation) and "We literally grew up with each other in [Camp] Nicholls" (Detained marine officer 2, interview, translation). These personal

relationships provided the assurance that no one would tell on his peers. Even those who opted to withdraw from succeeding meetings carry with them an implicit agreement:

> If you don't want [to carry on], you just have to waive, but with a gentleman's agreement that you won't tell on your peers. It's like gentleman's agreement among *cavaliers* (Former air force officer 1, interview; original statement).

Apart from literally protecting junior officers from the risks of putting forward dissenting views in the AFP, discussing among like-minded individuals allowed junior officers to be comfortable in articulating their positions. The exchange happened in a supportive environment where officers were able to reflect on their experiences, re-evaluate their own positions after hearing others' views and suggest forward actions that were not limited by the permissible scope of their function as "servants" of the Arroyo regime. Those who felt uncomfortable with the flow of the discussions graciously opted out of the succeeding meetings while those who remained did not convince them to stay on.[58] Such arrangement further consolidated the "counter-public" in that those who stayed were members who continued to support similar positions after considering a variety of views. These clandestine meetings gave space for junior officers to synthesise their views without being discouraged by participants from the dominant public. One could reasonably speculate that the decision to publicly expose the anomalies in the AFP would not have been consolidated if these ideas were exposed to military officers who were constitutional hardliners or civilian officials who could have berated the officers' position in legislative enquiries. It is the presupposition that one's loyalty and sympathy lie in the group that paved the way for an egalitarian, inclusive and open structure of these meetings.

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[58] Lt.Sg. Arsenio B. Loyola, Lt.Jg. Jim P. Razo, Lt.Jg. Franklin B. Rotono and Ens. Rodelio N. Sarmiento recounted in their respective sworn statements that they participated in one meeting but decided not to join the next meetings because they felt uncomfortable about the political nature of the meetings.

Deliberative meetings

The previous chapter acknowledged that the AFP's formal communicative avenues have room for practices associated with deliberation such as critical thinking, persuasion and formal access but the dominant public's norms end up shutting down engagement and discrediting dissenting discourses (see pp.104-105, 88-89). The junior officers' meetings had a different dynamic. The previous section identified trust, loyalty and sympathy as the presupposed norms in this discursive enclave. This section further characterises this dynamic and suggests that the rules governing their discussions upheld deliberative norms. The manifestations of these rules are three-fold.

Firstly, these meetings upheld equality in the sense that military hierarchy was suspended. The meetings were "networked" with no clear command structure organising the collective's endeavours. Instead, there were several discussion groups where various officers were invited to attend, from PMA class of 1995 to the class of 2003, the newest graduates of the Academy at that time. Some groups met more than others, developing a consistent cluster of attendees, while others had fluctuating attendance. Based on evidence from sworn statements, these groups were usually composed of ten to twenty people. A senior marine officer explained that groups like these have no formal, traceable organisation, making it difficult if not impossible to hold anyone accountable as the "orchestrator" to pin the organisation down (Col. Ariel Querubin, interview). A quip by a younger officer demonstrated this point. He said that his most memorable experience in Oakwood was finding out that his other *mistahs* were there because they had not seen each other since graduation and did not know that they also participated in the meetings until the day of the mutiny (Former marine officer 1, interview).

Apart from being "networked" or lacking a clear command structure, the suspension of the military hierarchy was also evident in the "flat" structure of the meetings and the practice of "collegiality." As Trillanes explains:

> we would like to look at ourselves as peers, as a collegial group. I'm not going to use egalitarian but it's just a collegial thing. We're classmates, we're not supposed to be more than the other. So that's how we treated each other (Lt.Sg. Antonio Trillanes, interview; original statement).

For officers from the class of 1995, collegiality was marked by not assigning a leader, while collegiality for underclassmen was manifest with their right to openly challenge their seniors. Unlike institutionally-sanctioned channels, no-one pulled rank and commanded a soldier to "keep yourself busy" or labelled a dissenting officer as a "bad team player." Although there was still a distinction among ranks, the underclassmen were clear in describing those from the class of 1995 as "seniors" and not leaders or superiors (Pardoned air force officer 1, interview; Detained marine officer 1, interview). This showed an acknowledgment of the rank and the respect that comes with it but not necessarily the seniors' infallibility.

The flat structure and practice of collegiality relate to the second deliberative norm upheld in these meetings: inclusivity. Although these meetings were called to promote and discuss the NRP, the discussion was open to any agenda. Some proposed ways of articulating their dissent while others used this communicative space to just share their grievances and observations in the field, similar to a gripe session (Former air force officer 1, interview; former army officer 1, interview). Such arrangements allowed the participants to show respect to each other by not restraining any standpoint, discrediting an idea or trivialising a concern. These meetings also increased the underclassmen's respect for their seniors not because of their status but because of their behaviour. As an enlisted man states:

> We have high respect for them [class of 1995] because they don't just undermine [our opinions] just because they're officers and we're enlisted [men]. We were able to open up to them or suggest, like "sir, this is what we have to do." [...] They welcomed our suggestions, like "sir, we can still do this, just go on," or sometimes, for example, [when] we feel that we're irrelevant, they get hot headed, [we say] "sir, it's really like that, we just have to wait for the right time," those things, suggestion and recommendation to them [are appreciated] (Detained enlisted personnel 4, interview; author's translation).

Finally, standpoints in these meetings were open to challenge. This arrangement was particularly new for military officers socialised to follow orders and consider their superior's views as final. Fallibility of the superior was also related to the principle of equality not only of rank but of intellect, as underclassmen and enlisted personnel's views were given equal weight. This statement summarises this point:

> [The group is] flat in the sense that everybody can suggest that even [if] you're so junior, you can question the, um, the, plan of the senior... For me, personally, I like that. I like a flat [organisation] in a sense that you can suggest because the decision of those above you are not always correct, so they [more junior officers] can at least enlighten them [more senior officers] (Detained air force officer 1, interview; author's translation).

As everyone could speak their minds, it was inevitable that differences of opinion would surface. One of the mutineers' counsels described the group as "like brothers who are always fighting [debating and discussing]" based on his visits to the detainees (Christopher Belmonte, interview). This relates to the third deliberative characteristic of these meetings. Decisions were reached through a process of persuasion and discussion. The statement below succinctly summarises this observation although most respondents have a similar description.

> If we need to decide on something and then we need, umm, we won't sleep on it. Continuous debates, open floor. You have to speak your mind. For example, if you're the only one [left], and everyone else is convinced, and you still have a concern, you [the group] cannot just say go and go as long as someone else still has a concern. That has to be heard... It cannot be the case that only one [person] can decide because when we entered, it's like, when we entered the group, it was instilled in you that you're part of the group. You have no leader, you're free to speak your mind,

whatever you want to say, you have to say it (Former air force officer 1, interview; original statement).

Unlike in the military where decisions were ultimately made by higher-ranking officials, the decision-making procedure in these groups was based on consensus (Detained air force officer 1, interview; detained air force officer 2, interview), compromise (Air force officer 1, interview) or voting (Atty. Christopher Belmonte, interview; Rep. Rufino Biazon, interview). Although there was no clear of set criteria for which decision-making mechanism was used in different contexts, all meetings privileged the exchange of views and persuasion as mechanisms for reaching decisions and no decisions were implemented through commands.

There were several topics commonly discussed in these "networked" meetings.[59] One of the contentious subjects related to the manner of expressing their dissent. Some explicitly entertained the idea of a military coup or regime change similar to EDSA I and II (see chapter three, pp.91-92). Others suggested a campaign demanding the resignation of known corrupt civilian and military officials. There also were those who were content in openly supporting Honasan's presidential bid. On the other hand, there were some participants who suggested that the group should assume an independent position and develop a group identity as junior officers, instead of just supporting NRP and Honasan. The specifics details of these issues were not resolved. Instead, based on available information, there was a broad agreement within the "network" that at some point, the officers would have to mobilise to *publicly* express their grievances through "*non-violent*" yet *extra-institutional* means. Based on the mutineers' narratives, the term non-violent refers to their refusal to use physical force against citizens, government

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[59] The data presented in this section is based on statements junior officers mentioned in passing. Most respondents refused to delve into the specifics of these clandestine meetings following the advice of their lawyers. If there were more available information, this section could have analysed the process of exchanging standpoints using resolution-oriented reconstruction. Such approach could have provided more insight on the "deliberativeness" (or non-deliberativeness) of these meetings. This section judged the meetings as "deliberative" based on the respondents' descriptions.

officials or other military officers as a way of expressing their dissent. In military terms, however, this does not necessarily preclude the use of arms for self-protection. A number of respondents explained the justification for emphasising the "non-violent" nature of their plan. References to the 1989 coup d'état were made, where fellow soldiers and even brothers were shooting at each other, leaving a hundred people dead, including civilian casualties. The officers were clear in stating that such a scenario is counterproductive to their plight, which is to improve the well-being of their fellow officers and soldiers (Detained air force officer 1, interview; Detained marine officer 1, interview; Detained marine officer 3, interview). Others provided a more pragmatic justification, stating that "Filipinos are peaceful people" and "would never put up with a violent movement" (Detained marine officer 2, interview, translation; also Detained air force officer 1, interview). It can be inferred from this justification that junior officers recognised the importance of the public's support to their plight and that their plan should be attuned to their countrymen's political culture. On the other hand, their decision to use extra-institutional forms of dissent was based on their disenchantment with existing channels, as discussed in the previous chapter (see pp.105-113). Publicity was significant to this extra-institutional approach as junior officers were seeking to engage with a broader audience in the public space instead of just confronting the military or civilian bureaucracy in the empowered space. It is worth pointing out that based on the data gathered, there is no account that explicitly identifies a mutiny or an armed protest as an option considered in these meetings, although this approach falls under of an extra-institutional form of dissent.

Based on these observations, this section suggests that the attempt to overcome the junior officers' exclusion through non-persuasive means is a product of a series of deliberative meetings within a discursive enclave of like-minded junior officers. These meetings were conducted under conditions of equality, openness and inclusivity allowing junior officers to freely

exchange their views. Although the details of their planned resistance were not resolved, agreement was reached regarding the broad contours of their selected tactic. The next section discusses the circumstances that led the mutineers to launch a mutiny while the final part of this chapter assesses whether their efforts satisfy the criteria of deliberative activism (Fung, 2005; see chapter one, pp.34-38).

The road to Oakwood

As these networked discussions expended, rumours of destabilisation plots threatened the Arroyo administration. The previous chapter mentioned that Arroyo's government is built on insecure grounds and destabilisation rumours consistently kept her military allies on their toes (see p.96-27).[60] As a precautionary measure, Arroyo's military allies tried to reach out to the "suspected coup plotters" to clear the air and avert the deterioration of the situation. Both mutineers and non-mutineers identified two government-led initiatives related to this.

Following the logic of tapping personal relationships, the chief of the Presidential Security Group (PSG) asked his aide, Lt.Sg. Christopher Magdangal, also from PMA class of 1995, to get in touch with his *mistahs* to clarify the rumours. Magdangal phoned Trillanes and asked him to explain his involvement in these rumours. Trillanes explained that the controversy might have stemmed from his research paper on corruption in the Philippine Navy. Magdangal told Trillanes that he should have been informed about this paper, especially since he had direct access to the President as part of the PSG. However, it is understandable why Magdangal was left out of the loop. As mentioned earlier, discretion is exercised during gripe sessions or reunions

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[60] Three days after assuming presidency, five army companies were known to have loyalties to Juan Ponce Enrile and Gregorio Honasan – known Estrada allies – were monitored heading from Cagayan Valley to Manila but were successfully intercepted by government troops.

when one of the *mistahs* is known to be close to the senior official being criticised (see pp.123-125). For a mutineer, Magdangal is an example of a junior officer latching on to influential military elites as part of his strategy for career advancement.[61] After their phone conversation, Magdangal made arrangements for Trillanes to meet President Arroyo to present his research. The details of what went on in that meeting are unclear to date. Trillanes claimed that the President scolded him for being too abrasive and politicised (Lt.Sg. Antonio Trillanes, interview). As punishment, she ordered to place him under protective custody. On the other hand, Magdangal and the PSG chief maintained that the President was cordial and even praised Trillanes for his bravery. Magdangal explained that Trillanes was placed under protective custody not as punishment but for his security as Trillanes claimed that he had received death threats because of his paper (Lt.Sg. Christopher Magdangal, FFFC testimony).[62]

After this meeting, rumours of destabilisation plots continued. "Unauthorised" and "suspicious" troop movement was monitored in Southern Philippines (Marfil and Pazzibugan, 2003, p. A1, A18). The chief of staff intervened and sought to ease the tension by hosting a dinner between the President and some members of PMA class 1995. Held just four days before the mutiny, the officers claimed to have left the dinner "frustrated" as the President was only interested in pleasantries and uttered general statements against corruption without engaging with the officers' concerns (FFFC, 2003, p.41). At midnight on 25th July, just two days after the dinner with the President, the AFP identified the suspected leaders of the plot as absent without leave (National Security Adviser Roilo Golez, Congressional Defence Enquiry, 31st August 2003). The military high command circulated their photos to the media and ordered their arrest.

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[61] The respondent requested strict anonymity on this comment.
[62] The Office of the Press Secretary released an official statement regarding this matter. See Office of the Press Secretary, 2003.

The next time the junior officers were seen was on the morning of 27th July, when they forcibly took over the Oakwood Serviced Apartments along with three hundred other armed junior officers and enlisted men, most of whom participated in the previous meetings. The officers gave the media a copy of their pre-recorded statement declaring their withdrawal from the chain of command and demanding the resignation of the President and other members of the military high command. The bulk of this video narrated their grievances, particularly the sales of ammunitions to enemies of state and the prolongation of the war for the benefit of corrupt military officials.

The circumstances that led junior officers to Oakwood are contested by the mutineers and government officials. The mutineers maintain that their journey to Oakwood was triggered by the threatened arrest of some officers including Trillanes because the government got wind of their plan to expose anomalies in the AFP. Going to Oakwood was, according to them, a spontaneous act of self-defence, to ask their fellow soldiers and the public – just like EDSA I – to support and protect them in airing their grievances before the government effectively silenced them. Trillanes and his peers mobilised the network that was built through their meetings and asked them if they were willing to assemble in Oakwood. As one of the leaders explains:

> He [Capt. Gerardo Gambala] told me the situation [of his impending arrest], "*Bok* [mate], are you willing to express?" I said yes. So I went there. I voluntarily went there. For the other people, there was this cell phone, we texted each other, this is the situation, okay, we have options, we can either go to jail without expressing ourselves or we can go to Oakwood and express ourselves and then everybody came there (Capt. Milo Maestrecampo, FFFC testimony; original statement).

On the other hand, the FFFC argues that the Oakwood incident is not as "spontaneous" as the mutineers portray it to be. The facts gathered by the Commission "point to the political goal of taking power" (FFFC, 2003, p.33) but the coup d'état was prematurely executed due to the early

discovery and disclosure of the plot.[63] The Commission further explained that the "recruitment" or discussion groups that discussed the NRP "exploited the soldiers' legitimate grievances against the AFP, for which Honasan's NRP was the purported sole solution" (FFFC, 2003, p.33). As of time of writing, these issues are still being debated. The verdict on whether the Oakwood incident is a spontaneous expression of grievances or a botched attempt at an elaborate coup plot is best left to the court. For the purposes of this chapter, it suffices to acknowledge that the mutiny was not exactly the "planned" outcome of the junior officers' series of meetings. Both the mutineers' and FFFC's accounts are consistent in describing the event of 27th July 2003 as a *reaction* to the series of events that transpired before it. At that point, the junior officers' counter-publics have not yet discussed the details of their strategy. As the junior officers' counsel states, "the group was so young, they're just starting, in fact, they haven't even gotten around to naming their movement" (Pulido, University of the Philippines Symposium on the Oakwood Mutiny, 11th December 2003, translation). Nevertheless, the takeover of Oakwood was consistent to the general agreement that their resistance would be public and extra-institutional.

Deliberative activism?

Thus far, the empirical chapters have set out two major points. Firstly, the previous chapter characterised junior officers as "marginalised" political agents based on their exclusion from authentic and consequential channels for grievance articulation in the service. It was argued that issues of exclusion are not only experienced by traditionally marginalised groups. Junior officers present a case where individuals embodying social characteristics associated with privilege are

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[63]This interpretation was also covered in national broadsheets. The article "There will be a coup attempt over the weekend" (Marfil and Pazzabugan, 2003, p.A1, A18) published the summary of AFP's intelligence briefing regarding the impeding coup d'état.

subject to practices that deter them from accessing channels of communication. Secondly, this chapter discussed the efforts that junior officers made to overcome their exclusion. It was observed that the development of counter-publics through clandestine meetings provided a "protected" discursive forum where deliberative norms were upheld and unhindered exchange of views was conducted. To this extent, junior officers had some success in overcoming their exclusion by having access to communicative spaces where they could openly articulate their views and conceptualise future actions to address their grievances. In these discursive enclaves, the participants agreed that they would advocate a public, extra-institutional means of expressing their dissent. However, as the previous section discussed, the circumstances leading up to the 27th of July prompted junior officers to regroup and assemble in Oakwood under arms to support their beleaguered peers. This assembly involved an armed takeover of Oakwood's premises, declaration of withdrawal of support from the chain of command and a public pronouncement of the justifications for their actions. In broad terms, these actions reflect the agreements made in the discursive enclaves although the circumstances that prompted their assembly were not of their choosing.

Before the next chapter discusses the dynamic of this incident in more detail, this section first examines whether the junior officers' journey to Oakwood satisfies the criteria deliberative activism (Fung, 2005). Chapter one discussed a number of accounts providing normative justifications for using non-persuasive mechanisms as a strategy for deliberative inclusion (see pp.33-39). Fung's account provides the clearest normative benchmark in assessing whether such choice for political action is justifiable in deliberative terms. While this chapter already established that the decision to go outside institutional boundaries to publicly express dissent was an outcome of deliberative meetings, it is also important to examine whether this decision is governed by principles that put forward deliberative goals. By using this standard, this chapter

acknowledges that there could be decisions borne of deliberation that support the use of non-persuasive mechanisms but these tactics could be designed to put forward self-interested political goals. Hence, the principles of deliberative activism are useful in delineating deliberative outcomes advocating the use of non-persuasive mechanisms aimed at advancing self-interested goals to ones that are accountable to a "higher standard of political behaviour" aimed at promoting deliberative goals (Fung, 2005, p.400).

The succeeding sections evaluate the junior officers' choice of political action and suggest that their decision to use non-persuasive mechanisms satisfies Fung's criteria. It is important to underscore that this evaluation is contextualised to the junior officers' circumstances and distinct social location. It is recognised that Fung's standards are premised on the ethics of civil society engagement and the military as an institution is beyond the scope of this framework. However, the junior officers present a unique case in that they were attempting to penetrate the public space while carrying with them an ethos that has been limited by military socialisation. This distinct context necessitates a charitable interpretation of deliberative activism's principles in a way that acknowledges the complexity and limitations of the junior officers' context.

Fidelity

Technically, the junior officers were not composed of "purposeful deliberative activists" (Fung, 2005, p.410). Their plan of action was not explicitly aimed at improving the military institution or civilian bureaucracy to a deliberative direction. Instead, their *articulated* aims in the discursive enclaves were rather limited in that they wanted to secure a forum to publicly express their grievances and bring about solutions to these problems. During the mutiny, their articulated aims

were also limited to demanding for the military high command's resignation, including the commander-in-chief.

Although the mutineers did not use the language of deliberation in their political action, there is sufficient reason to consider them as loyal to the method of deliberation. The manifestations of their fidelity to deliberation are two-fold. Firstly, junior officers, socialised under hierarchical structures and military norms, ended up modelling their discursive enclaves on the deliberative ideal once they were outside the structures of military power. This setup was not consciously planned but more of a "deliberative imperative" (Blondiaux and Sintomer quoted in Sintomer and Maillard, 2007) for individuals who had limited access to deliberation to take part in a cooperative discussion under relatively relaxed and coercion-free conditions. Observations from interviews support this point. None of the respondents were able to explain how such arrangements came about, with explanations limited to statements such as "it's really just like that , we just have to level with each other, whether you're junior or senior" (Detained air force officer 1, interview). This is reminiscent of the theoretical argument raised in chapter one, which considers deliberation as a set of presuppositions social agents make when communicating, especially when resolving a difference of opinion (see p.44). These observations demonstrate that social agents presuppose deliberation as a meaningful and legitimate mechanism for reaching understanding among peers, where ideas have more currency than traditional sources of power such as rank or seniority. While junior officers did not express loyalty to deliberation through words, they did so in practice.

Secondly, the decision to publicly articulate their grievances through extra-institutional means could be interpreted as a mechanism for "unclogging" obstructions towards authentic and consequential engagement. Demanding the resignation of corrupt senior military officers placed them in the spotlight, creating the necessary pressure to instigate a discussion about the junior

officers' problems in both public and empowered spaces. The mutiny broadened the range of discourses in the public sphere and within the military by reasserting the importance of the military officers' plight. As the next chapter discusses in more detail, the mutineers were able to secure a series of public investigations about their grievances, which can be considered an opening for more deliberative ways of resolving their concerns. For these reasons, the junior officers' series of political actions – from their discursive enclaves to their takeover in Oakwood – were consistent with the principle of fidelity.

Charity and exhaustion

The principle of charity requires deliberative activists to assume that their would-be interlocutors are willing to engage in good faith deliberation unless proven otherwise. They are expected to exhaust all available means to institute fair, inclusive and open deliberation before resorting to coercive communicative tactics (Fung, 2005, p.403). The previous chapter discussed the justifications for the junior officers' lack of confidence towards institutionalised communicative avenues run by senior officers (see pp.105-113). Some had first-hand experience of their interlocutors' lack of reciprocity by discrediting or trivialising their positions (see p.110). Others based their assessments on popular narratives illustrating the discouraging responses of senior officers when younger officials voice their dissent (see pp.112-113).

If evaluated based on a strict interpretation of the principles of charity and exhaustion, junior officers could be faulted for not utilising all possible persuasive mechanisms to ensure that their grievances are heard. None of them tried to gather evidence and submit a formal complaint to OESPA or OTIG. Instead, they judged these channels as futile based on narratives and precedents. They declined Honasan's offer for a Senate Enquiry on their grievances because they

were sceptical about the efficacy of these channels. Trillanes also did not reach out to his *mistah* in the PSG who could have relayed his research to the commander-in-chief. Instead, the *mistah* was ruled out as a possible liaison by virtue of his assignment in the PSG. However, as mentioned in the early part of this section, the junior officers' judgments deserve to be understood within the context of the military organisation. Unlike the sphere of civil society where citizens have more latitude in exploring alternative channels using persuasive means, the military organisation is subject to what the previous chapter described as a high-risk environment for grievance articulation (see p.114). Based on the available information to the mutineers, attempts to use existing channels ran a high risk of being discredited, severely punished and "marked" for the rest of one's career. These risks were high because if they materialised, the officers' professional careers were not the only one compromised (see chapter three, p.114; also FFFC pp.80-81), but also their ability to further fight for reforms. To this extent, the principle of exhaustion is balanced with the danger and costs of using *all* possible communicative avenues. In the junior officers' case, they have exhausted avenues for persuading high ranking officials to respond to their concerns that do not compromise their safety such as filling in after-encounter reports, publishing in newsletters, meeting with the chief-of-staff and the President.

While the mutineers expressed little confidence in their senior officers as reasonable interlocutors, their decision to publicly express their grievances illustrated their confidence to the public not only as an audience but a fellow interlocutor. In their prepared statement broadcasted during the mutiny, junior officers stated:

> To all our fellow members of the AFP and the Filipino people, if you judge that what we are fighting for is wrong, we stand here before you and you can take our lives. But if you judge that we are right, we ask you to take a stand and support our struggle (Group Message to the Filipino People, Oakwood Makati, 27th July 2003; original statement).

In this statement, junior officers reached out to the public and let themselves and their claims be judged by their fellow countrymen. This statement presupposed that the Filipino people are reasonable interlocutors whom they owe such option. This view was also reflected in the way a mutineer framed his experience in Oakwood:

> I told myself, let's go there . We have to say something. Let's say our piece. Just in case the people find it in their hearts to listen to us. They might just listen to us. Let the people decide. That's what we did (Detained marine officer 2, interview; original statement).

Statements about letting the people hear their piece and decide whether to support them is a common part of the mutineers' interviews and testimonies. This view lends insight to the point raised earlier in this chapter, about the mutineers opting not to physically attack those who disagree with their position. They recognised that Filipinos do not appreciate imposition of views through violent regime change and military coups. They respected such political culture and trusted the public to reflect on the merits of their political action. The mutineers could claim to have exercised charity by assuming that the public are good-faith interlocutors worthy of engagement.

Proportionality

Based on the principle of proportionality, the choice of non-linguistic mechanism should be scaled according to the extent to which interlocutors reject deliberative norms. The "greater their rejection, the more the deliberative activist is at liberty to conduct politics by non-linguistic means" (Fung, 2005, p.403). Ultimately, using non-linguistic mechanisms aims at increasing the cost of rejecting a reason-based discussion.

The manifestations of non-linguistic mechanisms in the mutiny are two-fold. Firstly, force was used to take over and secure the premises of the apartment complex. For analytical purposes, the term "force" is used to refer to the threatened use or direct physical violence to secure the compliance of another despite resistance.[64] Secondly, demands were made for the resignation of the military high command. One could argue that such "extreme" approach violates the principle of proportionality in that drastic changes were demanded in a threatening manner. Although junior officers reached out to the public through their prepared statement, they did not aim to engage with the senior military officials they were critiquing and opted to demand for their resignations instead. However, this section suggests the principle of proportionality should be appreciated in relation to the junior officers' internal calculus in calibrating the scale of non-linguistic mechanisms vis-à-vis the potential gains for the advancement of their aims (Fung, 2005, p.402).

As far as the use of force was concerned, this was limited to securing communicative space for the mutineers. The officers knew that going to Oakwood was considered an "unauthorised troop movement" and the AFP and PNP would be mobilised to hunt them down. As experts in the management of violence, their primary "tactical consideration" was self-defence and bringing weapons was a strategy to make their arrest difficult. As one mutineer quips, if they did not have weapons, the government troops "could have just thrown stones at us! Even the security guards [from Oakwood] won't believe we're from the AFP [laughs]" (Detained marine officer 2, interview, translation). Taking defensive positions in Oakwood was to "deceive as much as possible, just so the government forces could not come near us" (Lt.Sg. James Layug, testimony in the Senate Enquiry, 14th August 2003). Part of this deception was choosing

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[64] This reflects the basic Weberian definition of "power" as the "probability that an actor in a social relationship will be in a position to carry out his own despite resistance, regardless of the basis on which this probability rests" (Weber, 1978, p.53).

Oakwood as site for mobilisation. The apartment complex is a "neutral" territory that could not be easily identified or intercepted by government forces. Aside from self-defence, weapons were also a necessary component in securing communicative space for officers to directly express their positions to the public. The snipers on the rooftop, the rangers in the ground floor and the Special Warfare Group (SWAG) rigging the area with explosives were components in obtaining physical space for officers to publicly air their grievances. The occupation of a luxury apartment complex in the central business district drew dramatic and urgent attention to the junior's plight, allowing them to capture the political centre stage albeit for just a few hours. This gave them the opportunity to generate media attention and directly communicate to the public and have leverage over the scope of issues raised and the manner of communicating these issues.

The mutineers were clear in stating that the use of force in this incident was only limited to ensuring their physical safety. Almost all junior officers clarified in their interviews that the first shot in the mutiny would not come from their side, that they did not intend to wreak havoc or instigate a violent confrontation and that they were just there to expose the anomalies in the AFP. The evidence gathered for this research corroborates these claims. The mutineers had no clear command structure and maintained the group's flat and collegial character. During the mutiny, junior officers only had "tasking" but not a clear hierarchy. One respondent states:

> Gambala [was in-charge of] operations, because he was the operations officer in the brigade. I was doing the tactical side because I brought people with me. Milo, also tactical because he brought the rangers with him, [while] I brought the SWAG, we're the bulk of the army. Now, we need someone who had a pretty face [laughs]. Just kidding. "Mate,[referring to Trillanes], you're the most political among us," he took up masters, he did the research, he has the idea, so we made him front to the media ... It's flat because we're from the same [PMA] batch (Lt.Sg. James Layug, interview; author's translation).

The officers from the air force were assigned to escort the apartment guests out of the building and ensure that no other civilians were left in the premises. This is a critical detail in the

mutineers' tactical decision as it illustrates that they were not interested in taking hostages and using them as bargaining tools with the government. Oakwood's chief of security stated that "a certain Captain San Juan" talked to him and explained that "they do not intend to harm anyone." He adds, "at no time during the entire event was any weapon brandished or held in a threatening manner" and "in fact, every solider behaved politely and courteously throughout the event, addressing Oakwood staff as 'sir' and 'ma'am'" (Michael Brown, written testimony for the FFFC, 30th July 2003). The mutineers were even careful not to cause physical damage to Oakwood's premises. An air force officer instructed his men to "be careful with the furniture, make sure your guns won't damage the expensive wooden panels" (Detained air force officer 2, interview; author's translation). They also left an "IOU note" at the door of the nearby supermarket where they got some food supplies (Detained air force officer 1, interview). These small acts of courtesy illustrate the care the mutineers took in ensuring that they did not unnecessarily hassle or threaten anyone in the process of securing communicative space.

Demanding the resignation of the military top brass – the second non-linguistic mechanism in this incident – can also be deemed proportional to the junior officers' aims. As mentioned earlier, the officers had already lost confidence with high ranking officers as potential interlocutors. In order for an authentic and consequential discussion to ensue, communicative channels have to get rid of officials that cannot uphold fairness and good faith deliberation. Junior officers did not rule out the possibility of dialogue but aimed to create space where their views would not be discredited and trivialised. The mutineers thought the existing arrangement was not conducive for dialogue, especially since the officials they would have to talk to were the officials who ordered their arrests.

Assessing the proportionality of the junior officers' selected non-persuasive mechanisms could also be appreciated in relation what the junior officers opted not to do. The literature on

military interventions considers the rank of junior officers (captains, lieutenants) as strategically placed to launch a military coup or a violent regime change and install a junta. They are in a strategic organisational position because they are sufficiently close and influential to younger officers and are in direct command of battlefield soldiers. They are also in-charge of key military posts and can easily mobilise troops to attack military camps and other government installations (Feit, 1973, p.8; Huntington, 1996, p.9). In spite of this opportunity, the mutineers did not opt for a brazen attack to forcibly overthrow the regime and impose their control over the nation. They took over a private apartment complex in the central business district where they could setup a "command centre," get access to the media and the public to air their grievances. Two air force officers narrate their view on this matter:

Researcher:	If you're uncomfortable labelling Oakwood as coup, then what is it?
Detained air force officer 1:	Just to air our— [interrupted]
Detained air force officer 2:	If it were [a coup] we should have attacked camps.
Detained air force officer 1:	Yes, because we were so many, 300, in my view, tactically, we could have done that.
Detained air force officer 2:	Yes, we could have taken over camps.
Detained air force officer 1:	We can out-manoeuvre a camp. Even the GHQ [General Headquarters] itself. We can out- manoeuvre their people [government troops] because we know the preparation there, we're [part of the] elite forces. So yes, it's a protest (author's translation).

Judging based on the context of junior officers, their calibrated use of force and demands for resignation could be considered proportional to their aims. By brining arms and generating public attention, the mutineers increased the cost of ignoring their grievances, leading the government to send negotiators to engage with their demands. One could reasonably speculate that had the

mutineers gone all out in using force, no dialogue could have occurred and the government could have immediately ordered a shootout to bring the standoff to an end. The calibrated use of force and the clarity of their aim to express their grievances created space for the government to reach out and conduct a dialogue. The next chapter examines this process further. While this section has established that the junior officers' use of non-linguistic mechanisms is justifiable under the principles of deliberative activism, the next chapter examines the impact of this strategy to their inclusion in the public sphere. It analyses the dynamic of a communicative exchange that was borne of forcibly capturing communicative space to express dissent.

CHAPTER V

GENTLEMAN'S AGREEMENT, GENTLEMAN'S ARGUMENT

The junior officers have successfully secured communicative space in the public sphere through coercive mechanisms. By forcibly taking over an apartment complex in Manila's central business district, they were able to generate extensive media coverage and draw public attention to their grievances. They were also able to advance proposals to enhance or unclog the discredited communicative channels in the AFP by demanding the military high command's resignation. This elicited a response from the empowered space with the government sending negotiators to discuss the ways their grievances could be addressed. These strategies allowed junior officers to penetrate the public sphere and overcome the exclusion they experienced in the military organisation. However, as chapter one points out, gaining entry in exclusionary communicative channels does not necessarily yield to an authentic and consequential deliberative process. Deliberation requires particular institutional conditions and discursive obligations to generate legitimate and mutually-acceptable outcomes. A complete assessment of deliberative inclusion requires an examination of the transition from "gaining entry" to "taking part". Examining this process is necessary to understand the possibilities, limits and risks of using coercive mechanisms to instigate deliberation.

To systematically go about this assessment, this chapter is structured based on the pragma-dialectical model of critical discussion (see chapter two, pp.73-79). This approach maps the transition (or the lack of it) from using coercive speech acts to open up deliberative spaces to using a range of persuasive speech acts to generate mutually acceptable agreements. Each stage tracks the changes in background conditions, normative expectations, violations of discussion rules and the manner in which these factors relate to the process of resolving the conflict. Based

on this analytic process, this chapter argues that the mutineers' manner of "gaining entry" affected the manner of "taking part" in discussion. The threatened use of force played a double-edged role in this incident. On one hand, threats of force not only opened up communicative space but also ensured that interlocutors were committed to peaceful discussion as breakdown of talks would lead to violence. To this extent, threats of force increased the cost of rejecting a reason-based way of resolving disputes between the mutineers and government emissaries. However, it is also observed that forcibly opening up a deliberative forum created a restrained or limited communicative environment. Interlocutors were careful not to agitate each other and unnecessarily push opposing parties to quit the discussion. Consequently, some communicative norms were more privileged over others. Norms of deference and politeness were heightened while openness and critical engagement were downplayed. Gestures of respect allowed interlocutors to gain confidence in the communicative process but it also limited the kinds of standpoints put forward and debated. Because interlocutors were careful not to be perceived as adversarial and overly critical, the terms of agreement were not substantively debated and explicitly fleshed out, leading to a weak, unclear and contested agreement after the standoff. This chapter concludes by re-examining the expanded model of deliberation discussed in chapter one. It is argued that although deliberative norms have to be adjusted in a suboptimal speech situation, providing explicit reasons for one's proposal is indispensable when generating agreements both parties can accept (see chapter one, pp.47-51).

Confrontation stage

The seeds of the junior officers' disagreement with the military high command were discussed in chapter three (see p.98). In the mutiny, these disagreements were framed as justifications for their

demand for the military high command's resignation. Below is an excerpt of the mutineers' public

statement. It was broadcasted nationwide between four to five in the morning by a cable news

channel (FFFC, p.18).

> We are the Armed Forces of the Philippines. Today we stand before our people to declare our withdrawal of support from the chain of command of the AFP and the government of Gloria Macapagal-Arroyo. We are not doing this because we want power or we want to destabilise our country. We are doing this because of the following major crimes of the government against our people:
>
> First, the GMA [Gloria Macapagal-Arroyo] government, through the AFP leadership... has been selling bullets and arms from the government arsenal to the MILF [Moro Islamic Liberation Front], Abu Sayyaf and the NPA... This is why there is a war for over thirty years now, and still our enemies have not run out of bullets. As evidence, all bullets that were recovered from the enemy had the markings that they came from the DND arsenal... They do not want the war to end so that it will continue to be a milking cow of greedy and treacherous officials in the AFP and in the government. We have experienced the true situation of our soldiers. We have shared hardships and sacrifices in the face of an armed conflict, but the support we need against the jaws of death have been pocketed by a few leaders looking out only for their selfish interests...
>
> Second, the GMA government... is responsible for the Davao City bombings. They did this to finally tag the MILF as terrorist, to serve as basis for asking from the anti-terrorist fund of the USA before GMA's [state] visit...
>
> We tolerated their [Arroyo administration's] stay in power because they promised to clean up the government and lift up the Filipino masses from poverty. But over two-and-a- half years have passed since the GMA government was swept into power, and corruption among officials in government continues...
>
> [We] demand the resignation of our leaders in the present regime. It is no different from past administrations. This is a regime that thinks of nothing but holding on to power, to enrich themselves, and to coddle rich and influential personalities.
>
> (Group Message to the Filipino People, Oakwood Makati, 27th July 2003, read by Capt. Gerardo Gambala; original statement)

In pragma-dialectical terms, the mutiny could be interpreted as a difference of opinion regarding

the mutineers' demand for Arroyo and the military high command's resignation. Although the

bulk of the mutineers' statement is composed of *assertives* or claims against the Arroyo regime,

these were used as justifications to their *directive* or demand. The government rejected this

demand by making a corresponding *directive* for the mutineers to give up their positions by five in

the afternoon. This demand was justified based on the President's mandate to uphold the

constitution and counteract junior officers engaged in "unlawful political action." Below is an

excerpt from the President's ultimatum to the mutineers:

> I would like to address this message directly to the soldiers in Makati [City].
>
> This is your Commander in Chief.
>
> I would like to remind you that there is absolutely no justification for the actions you have taken. You have crossed the line of professionalism and are now engaged in unlawful political action backed by the use of force…
>
> I am duty bound, under the same oath you took, to uphold the Constitution at all times. For this reason, I am giving you up to five o'clock this afternoon to stand down, surrender down your weapons and return to barracks.
>
> Past this deadline, the Chief of Staff is authorized to use reasonable force to dislodge your group quickly and efficiently, and arrest you. I urge you, in the interest of those who still believe in your cause, to make the right decision now…
>
> (Office of the President, 27th July 2003; original statement)

Apart from articulating a difference of opinion through directives, there were two other

communicative modes at play in the confrontation stage: the show of force and testimonies. The

next sections analyse the role these played in the confrontation stage.

Communicating through force

Threats of force were the predominant mode of communication in the confrontation stage.

These threats served two functions. First, both parties utilised threats of force to express their

disagreements. The previous chapter discussed the way junior officers used force to secure

communicative space to express their dissent (see pp.141-156). On the other hand, the

government reacted to the mutineers' seizure of communicative space by deploying troops in

Oakwood. The mutineers mobilised in Oakwood at midnight and by five in the morning, the

government forces were already in defensive position. This was even before the President issued

the threat of using "reasonable force" should the mutineers fail to step down by five in the

afternoon. Within Oakwood's vicinity, there were 197 enlisted personnel, twenty four officers

and a set of armour and mobility assets. Police and military contingents were positioned at

"chokepoints" all around Manila and nearby provinces (Maj. Gen. Emmanuel Teodosio, After

Operations Report, 28th July 2003).[65] The taskforce's mission was to "contain and neutralise" the

mutineers and to take the "necessary and appropriate actions and measures to suppress and quell

the rebellion." [66] The AFP used force to reclaim the physical and communicative space the

mutineers forcibly captured, implying that such space was not rightfully theirs. As far as the AFP

was concerned, regardless of the mutineers' justifications for wanting communicative space, the

mutineers' presence in Oakwood was an "unauthorised troop movement" that must be

contained.

Second, threats of force put forward an implicit standpoint, either to defend or challenge

the status quo. The forcible takeover of Oakwood together with the articulation of the mutineers'

demand could be interpreted as an open contestation of the state's legitimate monopoly of

violence. Breaking away from the chain of command and bringing government-issued firearms to

Oakwood were physical attempts to contest the AFP's cohesion while holding the military high

command accountable for their alleged misconduct. The mutiny, as in the case of supporting

Honasan's presidential campaign, openly challenged the principle of non-partisanship in the AFP

and the mutineers took it upon themselves to make a political judgement on the legitimacy of the

Arroyo regime. The government's deployment of force was their response to this expression of

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[65] Maj. Gen. Teodosio's full after-encounter report is in Appendix 2. This report itemises the military
resources the marines used during the mutiny.
[66] Taken from: Maj. Gen. Emmanuel Teodosio, After Operations Report, 28th July 2003 and Pres. Gloria
Macapagal-Arroyo, General Order Number 4: Directing the Armed Forces of the Philippines and the
Philippine National Police to Suppress Rebellion

the mutineers' views. The presence of government troops demonstrated that the AFP was still intact and that orders were flowing through the chain of command. In the Philippine Marines' after operations report, the mutineers were referred to as "enemies" (Maj. Gen. Emmanuel Teodosio, After Operations Report, 28th July 2003) while the memo from the PNP referred to them as "rebels" (Director General Hermogenes E. Ebdane, Jr. Memo addressed to HE [Her Excellency] Gloria Macapagal-Arroyo, 31st July 2003). Labelling the mutineers in such manner isolated them as a fringe group of military officers, not representatives of the military institution. As Gen. Abu states:

> ...during that time, our thinking was, uh, when we say, we fought the NPAs, the MILF, we'll fight them the same way. We would. As what I've said in the Feliciano Commission, they said, "General, how do you look at the situation? What was your resolve to fight?" I was asked by Commodore Robles. I said, I said, "the situation was different but the resolve to fight was the same"... I mean, it's a different situation, you are fighting soldiers who are about the same age of my eldest daughter, okay? So different situation but the resolve to fight then was the same. I mean, we will crush them the same way we should fight the NPAs (Gen. Efren Abu, interview; original statement).

This could also be interpreted as AFPs counter-argument to the mutineers' point against non-partisanship, as the AFP continued to defend the seat of democratic power, regardless of the personalities governing it. While the mutineers' show of force could be interpreted as a strong expression of dissent, the government's response could be taken to mean their readiness to use force to defend the state against "rebels" upon the President's command.

Using force both as a medium to establish a difference of opinion and put forward an implicit standpoint defined the kind of political environment both parties had to deal with. The presence of weapons established both parties' readiness to use force to defend or reclaim the communicative space the mutineers seized. The deadline imposed by the President effectively placed restrictions on the amount of time the mutineers could express their dissent without being

assaulted by government forces. It also defined the range of possibilities for resolving a difference of opinion – from the mutineers withdrawing their standpoint and peacefully returning to barracks to government forces suppressing the mutineers' political action through violent confrontation.

Testimony

Apart from the prepared statement which explained the mutineers' reasons for going to Oakwood, the junior officers held a press conference where their grievances were discussed in more detail. At noon, the mutineers let the media enter Oakwood's sixth floor lobby, formed a semi-circle, faced the media and publicly aired their position. Any officer could come forward and speak but among the longer speeches came from Lt.Sg. James Layug, Capt. Milo Maestrecampo and Capt. Gerardo Gambala, the captain of the PMA class of 1995. Trillanes was granting side interviews. The press conference had a similar function with the prepared statement in that both discussed the justifications for the mutineers' actions. However, the press conference was different in three ways.

Firstly, the press conference was the mutineers' first time to directly address the public. Prior to the press conference, the mutineers communicated to the public through Trillanes's brief interviews where he responded with punchy one-liners, such as "if you [the public] believe in what we are fighting for, we urge you to come here and lend your support."[67] The press conference was the junior officers' first and only chance to personally share their grievances and justify their actions. Apart from the press conference, the rest of the mutiny was dealt with behind closed doors.

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[67] Based on ABS-CBN News's video footage

Secondly, directly addressing the public allowed the mutineers to personify their concerns and put a face to their suffering without being edited out by the military hierarchy or having their concerns narrated in the form of a cold, dispassionate report from a formal investigative body. The mutineers' testimonies were a process of self-characterisation where they revealed their social location and the "physical, temporal, social and emotional obstacles" attached to it (Young, 1996, p.131). For example, a junior officer framed his withdrawal from the chain of command in relation to his experience of "fighting a never ending war" while his troops do not even have decent combat boots. Although this testimony had some unexpressed justifications as to why a never ending war and lack of support to ground troops warrant a break from the chain of command, this subjective narrative lends insight to the unfortunate realities in the military service which fuelled his frustrations and willingness to risk his life and career just to express his experience of injustice. Seeing and hearing the mutineers personally express themselves also allowed the public to realise the junior officers' humanity, rectifying the images and video footage broadcasted earlier in the day of mutineers as aggressors bent on using force. Capt. Gambala used the press conference as an opportunity to clarify their purpose:

> We are not terrorists. What we are speaking is the truth and we are willing to die for what we are fighting for... In the name of the brave soldiers who are here with me right now, we want to say to the Filipino people that we are not terrorists. We are soldiers who want to speak the truth (Capt. Gerardo Gambala, quoted in *Philippine Daily Inquirer*, 28 June 2003, p.A19).

This statement, articulated in a passionate yet calm manner, challenged the public's initial impressions and judgement about the mutineers' character and motives.

Finally, the press conference allowed the mutineers to express their concerns in an emotional way. The prepared statement and Trillanes's earlier interviews were articulated in a rather straightforward and even deadpan manner, making the press conference the first chance

for the officers to demonstrate their emotions. This is distinct from the typical image of an officer who is socialised to "putting on a good face – a face of calm, a face of solemnity" (Sherman, 2005, pp. 86-87). The anger that came with the mutineers' testimonies overcame these constraints. The officers passionately delivered their speeches, some raised their voices, others maintained calm, while most graphically narrated their hardships and expressed raw emotion without any following any prepared statements.

While the literature on deliberation and emotion often reacts to the coding of "emotion as female" and "reason as male" (Mansbridge, 1996, p.125), this incident demonstrated how men – even "alpha males" – can use anger and emotion as an integral part of communicating a standpoint. The first chapter (p.42) made a distinction between the rhetorical use of emotions as a communicative tactic to avoid engagement vis-à-vis the use of emotions to emphasise the weight of a certain discourse. In this context, it is observed that emotions and passionate rhetorical styles were used in a constructive way. They allowed the mutineers to get to the heart of the issue, critically engage the status quo and make their anguish and injuries explicit. Without it, "reason lacks bite and sharpness," especially since the topic being discussed relates to troop welfare involving life and death (Hoggett and Thompson, 2002, p.114). For example, the mutineers mentioned the sales of government arms and bullets to the enemies of state as one of their grievances in their prepared statement (see p.150). This was further justified when a mutineer expressed his anger against such corrupt practice. He narrated that a soldier died in his arms after being shot by a bullet which turned out to be from the DND arsenal. He described how he felt "sick to the stomach" when he had to go to the soldier's family to report his death.[68] Another officer narrated the injustice of soldiers receiving a hazard pay of two hundred forty pesos (£3.50) while officials in the headquarters use flashy staff cars for unofficial business.

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[68] This information was gathered from a casual chat with a mutineer outside the interview.

Through these emotional testimonies, the officers were able to justify their actions as motivated by deep-seated frustrations, indirectly refuting the impression that this was just a cold-blooded and calculating ploy of opportunistic and messianic officers.

Violations

While the previous section portrayed testimonies as a positive contribution to the mutineers' plight, it is worth recognising that some characteristics of these testimonies were in violation of the rules of critical discussion in the confrontation stage (see chapter two, p.76). The violation is manifest with the way the mutineers as well as the government dismissed each other as unworthy of discussion. On the part of the mutineers, this became pronounced when they appropriated their testimonies and subjective experiences as "truth," justifying their refusal to enter into discussion with the government they considered illegitimate. While the press conference was useful to the extent that it allowed the mutineers to publicly articulate their suffering, it was also unconstructive in so far as these testimonies were used to justify their intransigence and demands. In this regard, testimonies demonstrated conventional validity in that they allowed the public, and possibly the government, to understand their standpoints but they did not have problem validity because their intransigence did not contribute to opening up spaces for a communication-based way of resolving the dispute (see chapter one, pp.46-47). The government also committed the same violation of dismissing the mutineers as unworthy of discussion by responding through a counter-demand, ordering them to return to barracks. Their consequent show of force communicated their refusal to talk to the mutineers and considered them "rebels" that could be put down upon the order of the commander-in-chief. Before the negotiations happened, the government seriously considered attacking Oakwood if the mutineers did not surrender by five

o'clock. They were considered unworthy of discussion because they would have a tendency to be "recidivists" and needed to be disciplined right away (Gen. Efren Abu, interview). Based on these violations, it is observed that the confrontation stage did not provide conditions conducive for critical discussion.

Opening stage

The opening stage demonstrates the process involved in softening both parties' intransigence which opened up the situation for critical discussion. This section discusses the parties' communicative roles, the characteristics of the "meta-discussion" (see chapter two, pp.76-77) that occurred and the speech acts used to push for a dialogic and peaceful way of resolving the standoff. Characterising the opening stage is important in understanding the transition from using coercive mechanisms to using persuasive mechanisms to resolve the standoff.

Discussion roles

The government's initial reaction of writing off the mutineers as unprofessional officers unworthy of discussion is consistent with the dynamic within the military organisation where senior officers dismiss complaining junior officers through non-argumentation (see chapter three, pp.112-114). The reason for the government's shift of strategy from non-argumentation to reaching out to the mutineers was unclear. Available data suggests that a series of cabinet meetings between five in the morning to twelve noon convinced the President to open doors for communication and designate retired general turned Ambassador Roy Cimatu as the chief negotiator (Amb. Roy A. Cimatu, written narrative for the FFFC, pp.1-2). It can be inferred from

government officials' narratives[69] that the threat of force played a role in convincing, if not pressuring, the government to send emissaries and peacefully resolve the standoff. Similar to the standpoints expressed in the mutineers' discursive enclaves (see chapter four, p.131), some government officials expressed concern over the possible escalation of violence which might replicate the bitter encounter of the 1989 coup. While Gen. Abu's troops were in combat-ready positions, other government officials pushed for a dialogic way of resolving the dispute. To this extent, one could categorise the government as the "protagonist" as it took the responsibility of convincing the mutineers to (a) engage in negotiations and (b) in that negotiation, discuss the terms of their return to barracks. Convincing the mutineers to engage in negotiations was the topic of the "meta-discussion" in the opening stage while discussing the terms of the mutineers' return to barracks was main point of discussion during the argumentative stage of critical discussion. Based on the available data, no effort on the part of the mutineers was noted insofar as convincing the government to step down, aside from their demands and justifications. Hence, during the "meta-discussion" in the opening stage, the mutineers are the "antagonists."[70]

In the opening stage, the job of the protagonist was fulfilled by informal negotiators who either convinced the mutineers to engage in discussion or to step down. Some commanders called their men on their mobile phones and tried to convince them to retreat. This was articulated in a casual tone, such as the commander saying, "I can fetch you there, if you want" and mutineers responding "I'm sorry, sir, I've already made up my mind." No further convincing happened after this (Pardoned marine officer 1, interview, translation; pardoned army officer 1,

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[69] These include narratives of the following: Department of Interior and Local Government Secretary Jose Lina, interview; Chief of Staff Narciso Abaya, FFFC testimony; Ambassador Roy Cimatu, FFFC testimony

[70] Negotiation theory would categorise this as "interactive problem solving" where conflicting parties respond to a shared problem by bringing together influential representatives of each group to directly communicate with each other. See Kelman, 1996.

interview). The government also got in touch with Trillanes's mother to go on live television and ask her son to surrender but this approach did not bear fruit.[71]

The AFP's assignment of troop positions also allowed for some convincing to happen on the ground. The marine battalion was deliberately assigned to the front right wing of the vicinity to directly face the enlisted marine personnel from the mutineers' side (Maj. Gen. Emmanuel Teodosio, AFP Commandant, After Operations Report, 28th July 2003). The commanding general designed the troop positions in such manner to make the mutineers realise that if the situation were not resolved peacefully, they would be forced to shoot their peers. Some enlisted men recalled that their classmates from the government side contacted them on their mobile phones and warned them of the area they were assigned to assault (Detained enlisted personnel 2, interview; detained enlisted personnel 3). That way, should an assault occur, the mutineers could adjust their tactical positions so they would not be compelled to directly fight with soldiers they personally know (Detained marine officer 3, interview). Moreover, the commanders of the AFP's deployments were either classmates or immediate upperclassmen of the core group in the PMA. A member of the PMA class of 1994 intimated that he thought of going to the nearby gas station should an encounter happen as he could not bear to see his underclassmen being assaulted (Army major 1, interview). These gestures on the ground emphasised that a violent confrontation was an unbearable way of resolving the standoff, reinforcing the parallel discussions happening in the sixth floor lobby.[72]

In the sixth floor lobby, different personalities visited the core group throughout the day to convince them to engage in dialogue. Amb. Cimatu calls this "sequential-type dialogue

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[71] It was reported that Trillanes's mother was the one who personally asked President Arroyo to extend the deadline from 5:00 pm to 7:00 pm (see Cabungan et al, 2003).

[72] Literature on negotiation and settlement considers a "mutually-hurting stalemate" as a common opening for dialogue. In William Zartman's article "The Timing of Peace Initiatives: Hurting Stalemates and Ripe Moments," he explained that successful mediations are more likely when both parties recognize that violence will not promote their goals (Zartman, 2003, p.20).

negotiation"[73] where the government sent some officers from PMA class of 1995 to talk to their *mistahs* in an attempt to win them round to the idea of negotiation.[74] Apart from government emissaries, opposition senators Rodolfo Biazon, Vicente Sotto and Gregorio Honasan voluntarily went to Oakwood to convince the mutineers to negotiate. Biazon and Honasan's appearance was particularly symbolic because it was Biazon who commanded the troops fighting the military rebels in the 1989 coup which Honasan led. The presence of both senators symbolised the reconciliation and cooperation of military officers who previously fought each other. It also indicated the political opposition's support to the Arroyo regime's attempt at peacefully putting an end to the standoff.

While a range of personalities fulfilled the role of protagonist during the opening stage, the mutineers were represented by the core group throughout the day. Each member of the core group represented a service unit (i.e. navy, marines, army and air force). Because decisions had to be made fast during the mutiny, the officers devised a system where a service unit representative would consult his troops and the result of the consultation would be reported back to the core group. This way, each service unit's concerns were considered before the core group made a decision. The service unit representative was then tasked to report back to his unit and explain what the core group decided on. This arrangement suspended the group's flat structure because

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[73] Since there was no definition of "sequential-type dialogue negotiation" in Cimatu's testimony, it is inferred that this process involves discussing issues one after another, in contrast to a "simultaneous negotiation" where issues are settled simultaneously but independently of each other and a "package deal approach" that discusses all issues all together as a bundle. This inference is based on Keeney and Raiffa's work on negotiations (1976).

[74] At that point, the mutineers were not aware that their *mistahs* reached out to them as part of an order from the military high command. The mutineers found out about it when they were already incarcerated. Some mutineers expressed distress and anger over this issue during the interviews for this research. Some mutineers felt betrayed as their *mistahs* were only there "to do a job" (*trumabaho*) and not necessarily look after their welfare.

a "cooperative council"[75] was making decisions although collegiality was still upheld in the sense that everyone was still consulted and could have a say on how the dispute was handled. For example, it was the solely the core group's decision to begin negotiating although some of the mutineers were bent on holding out until the President resigned.[76]

Meta-discussion

Apart from ascertaining discussion roles, another analytic task at the opening stage of critical discussion is to examine how interlocutors come up with shared rules of discussion and how these shared rules are transformed into "conventions by which the parties are bound during the discussion" (van Eemeren and Grootendorst, 2004, p.142). Generating shared rules and conventions on how to resolve the mutiny was a sensitive but vital process as failure would lead to a violent end to the standoff.

This difficult process was facilitated by the interlocutors' shared speech cultures. Speech cultures are styles of speech and presentation (Young, 2003) that a particular group internalises, in this case military officers, when communicating with their peers (see chapter one, p.40). Military speech cultures had three functions in the opening stage. Firstly, they contributed to encouraging the mutineers to engage in peaceful discussion among military men. Speech cultures in this context were manifest in mundane linguistic and non-linguistic gestures such as distinct military handshakes, pats on the back, inside jokes, references to peers through monikers and sharing of food and drink. These preliminaries, as Young argues, serve the political function of asserting

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[75] "Cooperative council" was the term used by Oakwood's Chief of Security to describe how decisions were being made during the mutiny.

[76] Based on the narrative of enlisted man 2 and pardoned army officer 1 in their interviews. There is insufficient data that allows for a closer examination of the mutineers' decision-making process at that time.

discursive equality and establishing the trust necessary for having a discussion in good faith (Young, 2000, pp.59-60). They are also gestures of magnanimity, signalling that interlocutors view their peers not as objects but persons worthy of recognition and respect (Warren, 2006, p.175). This is an important observation as it demonstrates how reasons – in their traditional logical form – do not have to be explicitly articulated to convince a party to engage in dialogue. Instead, spontaneous and other-regarding tactile forms of communication bring opposing sides together towards conditions of amicability, respect and equality, providing some grounds to convince the other party that a discussion is worth pursuing. One of the core group's *mistahs* succinctly encapsulates this dynamic in his narrative:

> Seeing food on the table, I broke the ice; "*bok* [mate], why don't you feed us!" Capt. Eclarin chided, "it's nice here, huh? [There is] aircon, coffee." Everything seemed fine. We laughed and held hands as if nothing serious was happening. They opened up. They narrated the cause they considered worth dying for. We listened. Their concerns on the military were hard to contest all because we ourselves personally know it. It is quite obvious that their only concern was to be heard (Capt. Philip G. Alvarez, written testimony for the FFFC, parts in quotation are translated by the author).

In this statement, Capt. Alvarez alluded to an important point about the value of sympathetic listening as this demonstrated commitment to discussion. Capt. Alvarez and his peers did not present themselves as outsiders but as peers willing to listen.

The second manifestation of speech cultures in the opening stage was an emphasis on personal rather than professional relationships. The mutineers' classmates wore civilian clothes, bringing out the friendly nature of their visit. A military uniform would have made them appear confrontational and emphasised their role as servants of the government. This distinction was important because, as mentioned in the previous chapter (see pp.123-124), at that stage in the core group's professional career, many of their *mistahs* were already serving as aides of the top-ranking military officials whose resignations they demanded. Instead of highlighting their

professional positions, references to personal relationships abound such as a mutineer telling his *mistah*, "Please tell your mom I'm sorry I wasn't able to inform her that I'd be here" (Army major 2, interview, translation). This statement alluded to the mutineer's profound relationship to his classmate to the point that he was considered an adoptive son of his classmate's mother. Commodore Tirso Danga, one of the government negotiators who was let in early, asked Lt.Sg. James Layug, a member of the core group, to reconsider his hardline position as a personal favour to him as James's "father" or mentor in the military service. The previous chapter (see p.123) described the relationship among *mistahs* as "closer than brothers" and in these talks, brotherhood was the language used to supersede political differences. Informal negotiators framed this difference of opinion as "one that stays in the family," something "that we can just talk about among ourselves." (Valeroso, 2003). Discursive equality at this stage was framed in personal rather than civic terms as personalities mattered a lot in generating trust and cooperation among the interlocutors. The emphasis on personal relationships contributed to establishing the foundations for discussion, where the mutineers were assured of a sympathetic audience willing to listen to their problems.

This relates to the third role of speech cultures in the opening stage, which was to assist in framing discussion rules. It was observed that apart from the selection of the official negotiating panel – which is examined in the last part of this section – there was no explicit discussion regarding rules of argumentation. Rather, it was speech cultures or preliminary gestures that set the tone for discussion, which was carried on during the argumentation stage or the negotiation proper. These assumptions were three-fold. Firstly, there was an implicit agreement that the mutineers have priority in turn-taking. Their classmates, and later on the formal negotiators, provided them enough latitude to continue recounting their grievances against the AFP. This observation is based on interviews and sworn statements, with some respondents

describing the talks as "circuitous" as the mutineers "keep referring back to their gripes" and that their complaints just kept on "snowballing" and had moved away from their initial justifications for launching the mutiny.[77] In spite of this, the negotiators continued to listen. The deliberative principle of all interlocutors having equal access to the floor was withheld in favour of the group claiming to be marginalised (see Kadlec and Friedman, 2007; see chapter one, p.19, 24). Secondly, military speech cultures shaped the rules of argumentative engagement. Because the discussion was among brothers and "within the family", there were some indications that the discussion took the form of a cooperative problem solving process instead of an upfront bargaining or non-deliberative negotiation (see Mansbridge, 2009). This theme will be revisited in the next section. At this point, it suffices to indicate that the cooperative nature of the discussion set the tone for the kinds of arguments or reasons advanced. A basic rule of critical discussion relates to each discussant's right to put forward any standpoint or call any standpoint into question (van Eemeren and Grootendorst, 2004, p.135). However, in this case, this rule was not upheld. Because the interlocutors were careful in not putting off the mutineers from negotiating, they exercised propriety in challenging and putting forward opposing standpoints. Withholding reasons did not entail suppression of opinions but entailed sensitivity or judgement on the appropriateness of putting forward a standpoint given a certain context. As the earlier statement by Capt. Alvarez demonstrates, the mutineers' *mistahs* representing the government challenged neither the mutineers' assertions nor their demands for resignation. Apart from sympathetically listening, they were sensitive enough to argue that the mutineers were already successful in that they were able to publicly air their grievances and generate attention to their plight. They also explained that talking to the formal negotiators was the next logical step as the formal negotiators

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[77] Based on the accounts of Amb. Roy Cimatu, Sen. Rodolfo Biazon, Prof. Renato Velasco, Capt. Philip G. Alvarez, Army Major 1 and Army Major 2

had the mandate to officially address their demands. The word "surrender" was not used "as that would be provocative" (Capt. Philip G. Alvarez, written testimony for the FFFC). It can be inferred that such form of argumentation was accepted as this was the same reason Trillanes gave when he explained to the rest of the mutineers why they welcomed negotiators:

> We decided to talk to the government negotiators in order to *push for the investigation* of the irregularities we have discovered. That way, we saw an opportunity to achieve our objectives (Lt.Sg. Antonio Trillanes, sworn statement; original statement; emphasis added).

Sen. Biazon also influenced the moderation of the mutineers' demands from the resignation of top government officials to pushing for investigation of the anomalies in the AFP. Sen. Biazon, AFP's former chief-of-staff, knew how to engage with disgruntled officers. He recalled that just like the mutineers' classmates, he "mostly listened" and spoke for only a few minutes. He told the mutineers, "I don't want to get into an argument about what you believe in... I just don't want soldiers shooting at each other" (Sen. Rodolfo Biazon, interview). After emphasising the interlocutors' shared aims of resolving the dispute in a peaceful manner, he suggested that the mutineers' demands could be categorised into three.

> First, which among your demands can be granted by the government tonight? Tonight. Number one. Second level. What are the mid-term demands that will need, for example, passage of laws, etcetera, etcetera. Then, the last level is the long term. Because it seems that you want to re-culture the Filipino people. That will definitely take a long time [laughs]. So, let's see the first level. What can the government give you now? [Defence Secretary] Reyes resign. [Intelligence Chief] Corpus resign. Uhhh, [PNP Chief] Ebdane resign... these may be given to you tonight. Midterm. Investigate the bombings in Davao. Investigate corrupt procurement of the materials in the Armed Forces of the Philippines. Investigate this anomaly, that anomaly. We did not reach the long-term [demands]. I told them if you want to re-culture the Filipino, that's difficult (Sen. Rodolfo Biazon, interview; original statement).

Sen. Honasan, the main proponent of the NRP, concurred with Sen. Biazon's suggestion, saying that it is best for the mutineers' demands to be revised "to a realisable level" (Sen. Gregorio

Honasan, sworn statement, 3rd September 2003). These reasons contributed in narrowing down the points of contention in formal negotiations.

The examples above illustrate how distinct military speech cultures shaped the manner in which argumentation was exchanged among those who were immersed with it. The military officers acting as protagonists knew the sensitivities entailed in convincing their fellow officers to negotiate with the government. An example of a civilian engaging with military officers presents a clear illustration on the importance of sensitivity in a tense situation. Assistant Press Secretary Renato Velasco, a former political science professor present in the informal negotiations, recalled that he tried to talk or "give a lecture" to the mutineers by sharing his experience as a former activist and government officer aware of the systematic corruption in the government. He tried "to explain to Trillanes and company that we are in a democracy and there are procedures and processes that had to be observed especially by soldiers like you" (Asst. Secretary Renato Velasco, FFFC testimony). He recalled that he had to cut his speech short as Capt. Maestrecampo, glared at him, got annoyed and picked up his rifle and placed it on his lap (Asst. Secretary Renato Velasco, FFFC testimony). Sen. Sotto described Velasco as "agitating" the mutineers, to the point that Sen. Biazon had to "firmly tap his shoulder," indicating that he had to stop talking (Sen. Vicente Sotto, Senate Enquiry, 28th August 2003).[78] This incident illustrates how Velasco, a civil servant and academic, did not have the same appreciation of the speech culture necessary for such an encounter. He acted as an agitating outsider – a lecturer – in a situation where the norms of discussion revolved around equality, trust, respect and personal familiarity. Alien norms easily stood out and caused tension as it offended the implicit norms of discussion.

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[78] Assistant Secretary Velasco was there as Honasan's escort. As mentioned in the previous chapter (see p. 127), Honasan was threatened arrest due to his alleged involvement in plotting the mutiny. Honasan asked Velasco, his fraternity brother known to be close to the President, to accompany him to Oakwood. Velasco served as Honasan's "guarantor," that the latter would not escape or incite the mutineers to violence.

In spite of the headway the protagonists made in convincing the mutineers to engage in negotiation, there remained one unresolved concern: the selection of the negotiators. Both sides agreed that the formal negotiating panel should be composed of one representative from each service unit. Both sides also agreed on the negotiators representing the government. The negotiators were high-ranking officers known to be personally close to the mutineers. The mutineers' only reservation was the nomination of Amb. Cimatu as chief negotiator. Chapter three (see p.96) discussed how the President "rewarded" her favoured generals with appointments in civilian posts and Amb. Cimatu was perceived as one of the benefactors. After retirement, Amb. Cimatu was appointed as special envoy to the Middle East and the mutineers saw him as another corrupt general, part of the "comptroller family" in the AFP known for their notorious "conversion" of military funds.[79] The protagonists suggested that the mutineers nominate another negotiator whom they trust, and the mutineers selected Max Soliven, a distinguished columnist and publisher of a national broadsheet (Capt. Philip G. Alvarez, written testimony for the FFFC). In spite of this, the mutineers remained adamant against accepting Amb. Cimatu as chief negotiator. Analysing the testimonies of the informal negotiators, it was observed that no new reasons were offered to the mutineers to accept Amb. Cimatu. Narratives related to the process of convincing the mutineers involved speech acts such as "insisting," "kept on saying," and "prodding," which gives a sense that none of the protagonists actually gave the mutineers a definite reason as to why they should accept Amb. Cimatu. The protagonists just said that they "doubt if the deadline will be extended," urging the mutineers to yield. True enough, half an hour before seven in the evening – the new deadline the President imposed after hearing the mutineers were open to negotiation – the government's assault forces moved, causing

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[79] The FFFC defines conversion as the transformation "of allocated funds into cash, most commonly in collusion with suppliers and some of the officers involved in the procurement process in an AFP unit. The process of conversion involves the disregard or short-circuiting of the procurement process" (FFFC, 2003, p.66).

tensions among the ground troops. As former chief-of-staff, Sen. Biazon phoned the incumbent chief-of-staff and requested him to withdraw the government troops from assault positions. He personally vouched for the productivity of the preliminary discussions, stating the planned assault was not necessary. The chief-of-staff granted his request (Sen. Rodolfo Biazon, interview). After this, Sen. Biazon, together with the other informal negotiators urged the mutineers to accept the government panel as the deadline was fast approaching. It can be inferred that the mutineers accepted the government negotiators not because they were convinced of the reasons for doing so but because of the looming deadline for assault. While distinct military speech cultures convinced the mutineers to engage in negotiation, it was the threat of force that coerced them to accept Amb. Cimatu.

Thus far, this section identified the role of speech cultures in framing the rules of discussion in terms of turn-taking and argumentative structure. The third and final contribution of military speech cultures relates to the exclusivity of the preliminary discussion to a group composed mostly of military men. As mentioned earlier, having a preliminary discussion among individuals who personally know each other allowed for ease in sharing concerns and brainstorming on proposals for the negotiation to ensue. However, the absence of publicity placed the mutineers in a paradoxical position. The mutineers were able to amend their preferences and avoid the deterioration of the situation through the relief military speech cultures provided but it effectively isolated the mutineers from the communicative space they secured for themselves. In other words, there was a shift from the mutineers' engagement in the public space to a private discussion in the empowered space where binding agreements were made through a discursive engagement limited to the sixth floor of Oakwood. The mutineers' discourse was also narrowed down to the nuts and bolts of the negotiation, leaving out the broader issues the

mutineers risked their lives and careers for. The issue effectively became about what happens to the mutineers, instead of why their demands should be accepted.

In summary, this section discussed the importance of military speech cultures in the opening stage of critical discussion. It had a two-fold function: to encourage the mutineers to engage in discussion and to implicitly frame the rules of discussion. These rules of discussion were carried over to the argumentation stage, where the official negotiators still gave the mutineers the advantage in turn-taking, practiced sensitivity in engaging with them and conducted the negotiation in private. In spite of the progress of the preliminary talks, this section also highlighted the role force played, particularly in pressuring the mutineers to accept a chief negotiator they did not like. This is a glaring violation of the discussion rules in the opening stage. Although both the protagonist and antagonist were able to come up with shared rules of discussion through military speech cultures, the threat of force served as arbiter in a stalemate.

Argumentation stage

Reaching the argumentation stage of discussion was not an uncomplicated feat for opposing parties that had initially considered the use of force to terminate the standoff. This section examines the process of exchanging reasons among the interlocutors that allowed them to reach an agreement both parties could accept. This section argues that when appreciated in its context, the argumentation stage in the mutiny had a "deliberative moment" insofar as both sides provided other-regarding reasons, practised respect and upheld deliberative norms.

The implicit discussion rules in the informal talks were carried over to the argumentation stage. The interlocutors treated each other in personal terms. Amb. Cimatu recalled that his opening statement to the mutineers was the *directive* "relax," as if he "was still their commander." Although this could be interpreted as a subtle way of pulling rank and giving orders, this could also be an expression of a senior officer acting as "father" to the younger officers. Amb. Cimatu considered himself "close" to the mutineers because they were together in one of the most difficult military operations against the Abu Sayyaf in 2001 (Amb. Roy Cimatu, Congressional Enquiry, 31st July 2003). This interpretation was not reciprocal because the mutineers were suspicious of his integrity, as mentioned in the previous section. It was the presence of Commo. Tirso Danga from the marines, Col. Danilo Lim from the army and the newspaper publisher Max Soliven that addressed the mutineers' suspicions because they considered these men to be sympathetic to their cause. Commo. Danga was known to be close to one of the members of the core group (see p.174) while Col. Lim has a reputation of being a reform-minded military officer. Both senior officers also had a history of being military rebels in the 1980s and were reintegrated in the military service as part of the government's reconciliation policy. Also included in the negotiating team was Lt. Col. Eduardo Oban from the air force, Admiral Ruben Domingo and Capt. Feliciano Angue from the navy. Unlike in the meta-discussion where the senators, commanders and junior officers' *mistahs* acted as protagonists and the core group as antagonists, the mutineers and negotiators assumed both discussion roles in the argumentation stage. The topic of discussion related to the terms of the junior officers' return to barracks and both sides put forward proposals on this matter.

The personal nature of the discussion was also manifest in the manner in which the discussion was set up. The discussion was rather informal. The mutineers and negotiators sat in a "circular formation" in a "table-less discussion" (Commo. Tirso Danaga, FFFC testimony; Amb. Roy Cimatu, Congress Enquiry, 31st July 2003). No one took down notes or recorded the discussion as a manifestation of trust among gentlemen. The core group held on to their weapons during the discussion and were not asked to put them away even though some government officials warned the negotiators that they could be used as hostages if the negotiation turns sour.[80] This too, was an expression of trust and presumed good faith among negotiators.

Apart from the informal and personal nature of the discussion, it was observed that the mutineers continued to have the advantage in terms of turn-taking. The mutineers continued to bring up new grievances apart from the ones mentioned in their prepared statement and press conference. New complaints included "blatant favouritism" in the AFP which compromised the meritocratic standards of promotion (Amb. Roy Cimatu, Congressional Enquiry, 31st July 2003; Lt. Col. Eduardo Oban, FFFC testimony). As Col. Danilo Lim recalled:

> There was a tendency to keep referring back to the issues raised... issues of corruption, issues of discrepancies to the treatment of people in uniform, privileges etcetera. So, things like this kept cropping up, so it took some time... for both parties to eventually agree (Col. Danilo Lim, FFFC testimony; original statement).

The formal negotiators were admitted at half past six in the evening and it was not until half past nine that both parties began discussing the terms of their agreement. The formal negotiators considered the mutineers' continuous airing of grievances as the reason for the length of discussion.[81] As in the case of informal talks, the formal negotiators sympathetically listened and

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[80] The source of this comment requested for strict anonymity.
[81] Based on Col. Danilo Lim and Adm. Ruben Domingo's testimonies in the FFFC and Amb. Roy Cimatu's written statement for the FFFC

did not interfere with the mutineers' testimonies. Also similar to the case of the preliminary talks, the impending threat of force was used as justification for the discussion to move forward. Amb. Cimatu told the mutineers that he doubted if the President would still extend the deadline as she had earlier and that they "should end this already" (Amb. Roy Cimatu, written testimony for the FFFC). Invoking the impending threat of force steered the discussion away from the mutineers' airing of grievances to discussing the terms of their agreement.

Topics of argumentation

Three points were discussed that set the terms of the mutineers' return to barracks. The first topic relates to the grievances the mutineers brought up. Amb. Cimatu prefaced the discussion by saying that he was there to "solve the crisis" and not to "solve a political problem" (Amb. Roy Cimatu, Congressional Enquiry, 31ˢᵗ July 2003; original statement). The "truth" or acceptability of the mutineers' grievances was not contested. The manner of expressing these grievances, i.e. breaking from the chain of command, was not explicitly challenged either. Without contesting these assumptions, the discussion of the mutineers' grievances revolved around the ways in which these grievances could be addressed after the mutiny. From the mutineer's end, they demanded:

> ...to have an independent investigating body... with regard to the sales of ammunitions and arms to the enemy of state... that's number one... Number two is to have an investigative body to investigate the different bombings in Mindanao, in Davao particularly (Capt. Gerardo Gambala, testimony in the Senate Enquiry, 14ᵗʰ August 2003; original statement).

A pragma-dialectical framework requires arguments to take the form of *assertives* (see chapter two, p.77) and if one were to strictly interpret this rule, the mutineers' demands or *directives* could be considered a violation of discussion rules in argumentation. However, it is also important to

appreciate this *directive* in relation to its transformation from the confrontation to the argumentation stage: from demanding the President and military high command's resignation to the creation of investigative bodies looking into the anomalies they exposed. These demands do not reflect the mutineers' intransigence but their preference transformation or willingness to cooperate in discussion by toning down their demands. These demands were symbolic of the mutineers' reversal from eschewing institutionalised processes to endorsing investigations as a way of addressing their grievances. Amb. Cimatu responded to these demands through a *commissive* – a promise to relay these demands to responsible government agencies.

On the surface, resolving this dispute through a "promise" from a government emissary appears counter-intuitive to the mutineers' original goal and motivation for breaking from the chain of command. In the first place, it was the weakness of government agencies that led them to protest under arms. However in military speech cultures, a "promise" or simply saying "okay" is a loaded term (Detained marine officer 1, interview). As Mark Warren comments, a promise "is a discursive bond rooted in shared understandings communicated in speech" (Warren, 1999, p.342). In this case, the discursive bond is rooted in a military officer's combat experience where he learned to trust that his fellow officers could effectively fulfil their tasks and that they could be counted on in perilous situations (van der Kloet et al., 2004, p.136). This is a requirement of combat efficiency, where military officers are not considered autonomous agents capable of securing themselves alone but interdependent actors who can turn to each other as sources of reciprocal strength. Because the participants in the negotiation shared combat experiences together and developed personal relationships out of it, the negotiating team's "promise" to the mutineers had some currency. As military officers sharing a deep discursive bond, the *commissive* was built on the expectation that one would act not only as an officer looking out for the welfare of his colleagues but also as a brother or a father looking out for well being of one's own.

175

The second topic of argumentation relates the mutineers' demands for the resignation of the chiefs of the Intelligence Service of the AFP (ISAFP) and the PNP as well as the secretary of the DND. They justified this demand based on these officials' incompetence and inability to look after the welfare of their men. It is noticeable that the mutineers dropped the demand for the President's resignation. There was only one piece of evidence gathered that explains this observation:

Sen. Loren Legarda:	You initially asked the President to resign and eventually, negotiations were made. You had never withdrawn that demand that the President resign?
Lt.Sg. Trillanes:	The group, that's the group consensus, ma'am. But personally, right now, I'm still demanding for her resignation, ma'am.
Sen. Loren Legarda:	The consensus of the group during the course of the negotiations was to withdraw the demand for the President to resign?
Lt.Sg. Trillanes:	No, ma'am it's not to withdraw but not to put it in the demand in the negotiating table.

(Senate Enquiry, 14th August 2003; original statement)

This statement provides a partial picture on the dynamic of decision-making among the mutineers regarding the demands they put forward to their interlocutors. They decided based on consensus and the process of discussion was open to all. This process was replicated when the core group put forward their demands for resignation of the military high command to the negotiators. After the core group articulated their demands, a younger mutineer stood up and interrupted, "*Bok, bok* [mate, mate], that is not right! How sure are we that when [Defence Secretary] Reyes and [ISAFP Chief] Corpus resigns, our cause will be advanced? And besides, that's the President's prerogative" (Commo. Tirso Danga, FFFC testimony, translation). Following the mutineers' flat, discursive structure operating based on consensus, the core group withdrew the demand for resignation of officials.

The final topic of argumentation relates to the forward actions to be taken by the AFP in relation to the mutineers' "unauthorised movement." While the other two issues were resolved through a *commissive* and a retraction of demands, this issue was resolved through an exchange of proposals. The box in the following page demonstrates the discursive exchange among the interlocutors:

Box 1
Exchange of proposals during the argumentation stage

Proposal 1 [From the core group/protagonist] Give clemency to all the mutineers	Rejected	Justification [From the negotiators/antagonist] Historical precedent of clemency	Standpoint was not defended	Proposal was withdrawn.
Proposal 2 [From the core group/protagonist] Punish the core group; reinstate the rest	Confusion on proposal	Clarification [From negotiators/antagonist] Reinstatement happens after discharge from service	Clarification was accepted	Proposal was withdrawn.
Proposal 3 [From the core group/protagonist] Punish the core group; admonish the rest	Rejected	Justification [From negotiators/antagonist] Admonition only is a shameful outcome.	Standpoint was not defended	Proposal was withdrawn.
Proposal 4 [From the negotiator/protagonist] Package the agreement based on the Articles of War.	Not rejected	Further justification [From negotiators/antagonist] Honourable and credible resolution of dispute	No further challenge	Proposal was accepted.

A noticeable feature of this exchange is the lack of commitment in defending one's standpoint as well as the lack of demand for justification as to why such proposal should be accepted or rejected. For example, as the topmost row indicates, Trillanes on behalf of the mutineers proposed absolute clemency for all mutineers. Adm. Domingo rejected this standpoint. He

explained that based on historical precedent, not holding anybody directly accountable for military coups just "boomeranged on the armed forces." The practice of giving clemency to coup plotters in the 1980s was not effective as military officers like himself, Col. Lim and Sen. Honasan were emboldened to launch further coups. This also upset the ecology of the AFP, as those who remained loyal to the regime felt aggrieved seeing renegade officers reinstated in the service, receiving the same benefits and promotions. This dynamic made the AFP a weak and fractious institution in the 1980s. For this reason, Adm. Domingo made clear that "there should be people who will be punished for it" (Adm. Ruben Domingo, Senate Enquiry, 28th August 2003). No one from the core group defended their proposal and it was withdrawn. A member of the core group then put forward another proposal: for the core group to get punishment while the rest of the junior officers would be reinstated (Amb. Roy Cimatu, written testimony for the FFFC). This counterproposal took into consideration Adm. Domingo's concern about not having anyone directly accountable to this extra-institutional exercise. By accepting full accountability of the collective's action, the core group tried to assuage the negotiators' concerns. However, this proposal was unclear to the negotiators because "reinstatement" meant that junior officers would be first discharged from the service. Trillanes clarified that he meant "return to military control" or return to the arrangement prior to the mutiny. The negotiators clarified that for this to happen, "the military personnel should undergo the process according to the Articles of War (AW 105)... [the] process is: custody, investigation and corresponding punishment" (Amb. Roy Cimatu, written testimony for the FFFC). The core group accepted this clarification and withdrew their proposal. They then put forward their third proposal, suggesting that the core group would face all the consequences of their actions and the rest would be admonished. Commo. Danga, on behalf of the negotiators, rejected this proposal. He explained that "in the military justice system, admonition is just like a reminder – a reminder that you have committed

an offence, it's even lesser than a reprimand" (Commo. Danga, FFFC testimony). He further

narrated, "I said, 'it will be so shameful if we do that, if we just admonish or reprimand. We will

be laughed at!'" (Commo. Danga, FFFC testimony). The mutineers did not further justify the

proposal. Instead, Commo. Danga offered a counter-proposal: to "package" the agreement

according to the military justice system under the Articles of War. That way, both sides were able

to save face and appear accountable to their actions. Reference to the 1989 coup was again made,

citing the shame the military institution suffered when, in the spirit of political reconciliation, the

officers responsible for the bloodiest coup in Philippine history were punished by just doing

thirty push ups. The mutineers accepted this proposal. A possible justification for the mutineers'

acceptance of this proposal relates to their implicit acknowledgment that they transgressed

military norms.[82] Behaviour that fails to conform to military norms deserves sanction, making it

shameful if there were no corresponding punishment for their behaviour. Consequently, as

officers and gentlemen, the mutineers accepted this proposal. Having reached an agreement,

Amb. Cimatu called for a break, said he had "to clear the agreement with Malacañang,"[83] made a

phone call,[84] and confirmed the agreement to his fellow interlocutors (Amb. Roy Cimatu, written

testimony for the FFFC).

Concluding stage

After both sides agreed on the terms of the mutineers' return to barracks, the interlocutors shook

hands. The agreement among the military officers was based on trust and honour. The

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[82] This conjecture is based on the interviews of some mutineers who expressed their acknowledgment that they did violate military norms. Although this comment was more resonant with pardoned mutineers, some detained mutineers also share the same view.

[83] The official residence and office of the President of the Philippines

[84] No piece of data gathered was able account for the person Cimatu talked to on the other line. Sen. Biazon assumed it was the Executive Secretary while others surmised he talked directly to the President.

handshake among *cavaliers* "closed the deal" and was considered as good as a binding contract (Pardoned marine officer 2, interview). Both parties banked on "warrior's word" in place of recorders or documents that formalised their agreement. Warrior's word presupposes integrity and reliability, which "distinguishes PMA alumni from others, that when one says something, he definitely stands by it" (Pardoned air force officer, interview; original statement). In this case, "*palabra de honor* [word of honour]" matters "even more because the negotiators [personally] know each other" (Detained enlisted personnel 3, interview; original statement). A high ranking officer who breaks his word of honour is heavily sanctioned by military norms as a double-crossing officer who would not be able to look his junior officer straight in the eye or is permanently discredited within the chain of command (Pardoned marine officer, interview). The government panel was composed of esteemed and credible high ranking officers, who, the mutineers assumed, would not do anything to lay their reputations on the line. These were the assumptions that served as bases for the agreements in the negotiations.

After the deliberative negotiation, the core group gathered their respective service units and explained the agreement. Trillanes faced the media in a calm and dignified manner and explained that they are standing down because they have achieved their goals in Oakwood.[85] Junior officers left Oakwood in a jovial mood, some were even chanting a military hymn (Pardoned air force officer 1, interview; Gen. Efren Abu, FFFC testimony). They boarded the trucks that took them back to barracks, carrying the government-issued weapons they brought with them. For the junior officers, they left Oakwood with dignity.

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[85] Based on video footage from ABS-CBN News

The junior officers scored some victories in the mutiny. Out of the three topics discussed in the argumentation stage, two materialised in favour of both mutineers and negotiators. Firstly, Amb. Cimatu was able to fulfil his promise of elevating the mutineers' grievances to responsible government agencies. The mutineers' demands for investigation pushed through, with Pres. Arroyo ordering the creation of the FFFC to closely examine the grievances and the provocations that led the junior officers to launch a mutiny. The government even formed a task force that oversees the implementation of FFFC's recommendations. The mutiny also became a platform for social movements and non-government organisations to reach out to junior officers. For example, the convenors of the Initiatives for Peace Mindanao asked the mutineers' help to probe the Davao bombings and "entrust their evidence and testimonies" to the grassroots-based Commission (Pacificar, 2003). Viewed this way, the mutiny was able to instigate a series of deliberative forums aimed at addressing their grievances.

Secondly, the mutineers saw the resignation of ISAFP Chief Victor Corpus while the DND Secretary Angelo Reyes was replaced by a civilian technocrat known for his integrity and management skills. Even though the mutineers had retracted their demands for resignation, the President still reacted to them by doing more than just shuffling the composition of the military high command. Officers who did not participate in the mutiny observed that after Oakwood, the "material support really went to [the troops on] the ground," (Air force officer 1, interview, translation) and that the commanders made an extra effort in asking their men about their gripes (Army major 1, interview). As the co-founder of the RAM notes:

> By airing the AFP's dirty laundry, the mutineers got the public and the international community's attention. So in that context, the group one-upped the AFP leadership. They were able to reach

their objective and pressured the leadership to get their act together (Former Lt. Diosdado Valeroso, University of the Philippines Symposium on the Oakwood Mutiny, 11th December 2003, author's translation).

There have also been some indications of a broadened public consciousness and sympathy towards the mutineers' plight. A survey conducted by SWS (released on 30th September 2003) revealed that seventy percent of respondents declared that the mutineers' accusations against the government were either "definitely" or "probably true" although sixty four percent said that the mutineers' charges, "even supposing for them to be true, did not justify the rebellion." The mutiny failed to create heroes of junior officers, with the mutineers garnering a negative nine percent trust rating.

The distinction the public made between the content of the mutineers' grievances and the process of articulating them is evidenced by the electoral victory of Lt.Sg. Trillanes. In 2004, Trillanes ran as an independent candidate for Senator while in detention. He garnered more than eleven million votes, beating candidates from political dynasties. Trillanes became the second senator – second to Sen. Honasan, that is – to win a national position without the support of a political party.[86] This could be considered as a broad indicator of the public's support for mutineers' plight as long as it is advanced within the boundaries of parliamentary procedure.

Violations of discussion rules

While the first two agreements were upheld after the mutiny, the third one about the junior officers' status after the mutiny was not. After the mutineers boarded the trucks that brought them back to their respective barracks, their mobile phones and firearms were confiscated. They were initially allowed to move around the barracks but later transferred to a confined space where

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[86] The opposition adopted Trillanes as "guest candidate" in their senatorial slate.

they were effectively jailed.[87] When this happened, the mutineers thought the negotiators betrayed them. The mutineers, together with Adm. Domingo, Col. Lim, Col. Oban and Max Soliven interpreted the agreement in this manner: only the five members of the core group would take full responsibility for their actions under the military justice system while the rest of the mutineers would be subject to the Articles of War and admonished after. For Amb. Cimatu and Commo. Danga, the agreement was that the rest of the mutineers would be subject to the Articles of War though not necessarily resulting to admonition. The mutineers were further surprised when they found out that apart from trying everyone in a court martial, they were also charged of a civil case of coup d'état. The content of the agreement continues to be a point of contention to date.

The confusion over the agreement could be traced to the process of conducting the negotiations using a military framework. The discussion ensued within a discursive enclave which relied on military speech cultures to structure the flow of discussion. The participants debated in a vacuum, failing to consider the broader political context involved as they reached a gentleman's agreement. This has three implications. The first one relates to the interlocutors' lack of information, or as the FFFC puts it, "mutual ignorance" on Article 134 of the Revised Penal Code which mandates civilian courts to try coup d'état charges (FFFC, 2003, p.37). Instead, the military men used the 1989 coup as reference for their proposals. The exchange between an FFFC commissioner and Col. Lim demonstrates this point:

Commissioner:	I don't see how military men necessarily mean only court martial when they speak of full consequences of the law. After all, military men live in civilian society.

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[87] Each service had different arrangements. The officers from the air force were free to walk around the barracks but not allowed to leave while the marines were literally caged in a small area. However, the general dynamic of locking them up and depriving them of access to the outside world was the same.

Col. Lim:	Yes, your honour. I totally agree, your honour. But maybe it's this kind of thinking, because based on, based on previous coup attempts in the past, I don't remember those involved in uniform facing cases before civilian courts and I understand also that this is a new law enacted right after the December 1989 coup, so maybe this is all explaining why, why we never talked of cases before civilian courts, your honour... we have gotten so used to military men using court martial.

(Col. Danilo Lim, FFFC testimony; original statement)

Because civilian authorities were not consulted in the deliberation among military men, the Department of Justice asserted that they had nothing to do with the agreement and that they would file charges of coup d'état against all the mutineers (Max Soliven, *The Philippine Star*, 8 August 2003).

The second example relates to how the negotiators understood the importance of settling the standoff with honour and credibility, making the proposal of admonition acceptable for both sides. Because the negotiators knew and trusted each other, there was a sense that they negotiated on "personal" terms, failing to take into account the independence and authority of the military justice system. The exchange between a commissioner from the FFFC and Commodore Danga illustrates this point:

Commissioner:	Did you say that there was an understanding of the terms... that the other troops there, other than the five young officers will only get admonition?
Commodore Danga:	Yes, sir. Eventually. But they will have to go through the process, your honour.
Commissioner:	Does that mean that at the end of the court martial procedure, they would only get admonition?
Commodore Danga:	Yes, your honour.
Commissioner:	But how could you commit a body, a court martial tribunal [inaudible]
Commodore Danga:	Your honour, I did not commit... when I made my comment that it should be packaged according to the military justice system, it was because I was aware, like what happened in Manila Hotel [1989 coup]

	when we were given only thirty push ups [as punishment]. We would be the laughing stock of the world.
[...]	
Commissioner:	So was there anything in the course of the negotiation that made you conclude that Cimatu was satisfied with admonition?
Commodore Danga:	Yes, your honour. Because during that time, your honour, we were negotiating, Gen. Cimatu, I heard, committed them the admonition

(Commodore Tirso Danga, FFFC testimony; original statement)

In this exchange, the Commissioner hinted at the way the negotiations prejudged the process of the military justice system. Because the negotiation was treated as an internal matter limited to officers who knew each other, the execution of such promises was not necessarily secured once it involved other institutions. The government panel's mandate was only to "ensure the siege situation would not deteriorate into a major crisis situation and ... to resolve the crisis peacefully" (Amb. Roy Cimatu, Congressional Enquiry, 31st July 2003; original statement). After the siege, the panel no longer had the mandate to follow up on the agreements they forged.

This relates to the third example of the difficulties of reaching a gentleman's agreement in a vacuum. A gentleman's agreement was forged based on the military personalities involved in the negotiations. However, as mentioned earlier, the government panel was negotiating on behalf of the civilian government, which is not necessarily subject to the same norms and conventions of the negotiation process. As a legislator observes:

> They [the government] made Gen. Cimatu go to Oakwood on behalf of the government and made an exchange of commitments [with the mutineers]. Unfortunately, the political leadership can easily set aside whatever commitment Gen. Cimatu made because everything was verbal [laughs]. And probably, political leaders did not see it was binding unlike how soldiers would treat their word given to a fellow soldier. (Rep. Rozzano Rufino Biazon, interview; original staetment).

Once the mutineers and negotiators parted ways, the norms of discussion changed. The mutineers started to deal with the politics of the civilian bureaucracy which operated based on a

different set of norms. The government's discourse on the mutiny was succinctly encapsulated by

the commentary of one opinion columnist:

> It is the reality of conflict that the losers – whether in wars or in failed coups – do not dictate the terms of settlement. In the Oakwood agreement, the government had the upper hand; the mutineers faced annihilation in combat and the consequences of lives lost and property destroyed in urban warfare would have been appalling if the soldiers did not accept the ambiguities of the agreement. What is amazing is the gall of the losers at Oakwood to dictate the terms of the interpretation of the agreement, with regard to the venue of action the government would take to punish them for taking up arms and for the coup attempt (Amado Doronila, *Philippine Daily Inquirer*, 13th August 2003).

This (civilian) discourse considers the mutineers as "losers" who must be gracious enough to

abide by the rules of warfare. This appears to be in contrast to the tone of the negotiations, where

the mutineers were considered successful in that they were able to publicly articulate their

grievances and got the government panel to elevate their demands for investigation to proper

authorities. The gentlemen's agreement created a way for the mutineers to stand down with

dignity and honour, only for the officers to be locked up in their barracks with barbed wired-

walls. All mutineers were tried under the military justice system and the civilian courts, leading

some of them to plead guilty on both justice systems to secure their freedom. Others held out in

the detention centre. Some enlisted men were reinstated while all officers were discharged from

the military service. The agreement on admonition was not upheld.

The FFFC identified a major implication of this situation. It explained that the differences

in interpretation of the agreement by the mutineers, negotiators and the government's

prosecutorial agencies "may have created a perception that the rebel officers were 'betrayed.'"

The FFFC warns that should this sentiment continue to exist and become widely shared by the

officers and soldiers, "it could become a tool for recruitment and tend to discourage future

negotiations with the government in a similar situation" (FFFC, 2003, pp.37-38). A detained

officer broadens this analysis:

> We try to have a peace agreement between the GRP [Government of the Republic of the
> Philippines] and the MILF, and then the NPA... how are we going to make a deal with the real
> enemies of state if they hoodwinked, betrayed their own soldiers. If I were MILF, I wouldn't
> believe them... that's why we said [detained mutineers], nothing will happen with this
> administration's peace talks (Detained air force officer 1, interview; original statement).

These implications demonstrate a paradox that came out of the negotiation process. Insofar as

the negotiations reinforced the military norms of trust and honour, its aftermath provoked a

groundswell of mistrust against the military hierarchy and the civilian bureaucracy. The lack of

clarity on the agreement left the mutineers high and dry after they were subject to the

complicated dynamic of civilian and military politics when they returned to barracks. The next

section provides a diagnosis of how such confusion came about.

Diagnosing deliberative failure

One drawback of communicating among individuals with the same speech cultures or

presuppositions relates to the interlocutors' inability to set off deliberation's "emancipatory"

function, which is to make assumptions explicit. Making claims and reasons explicit allows them

to be criticised, clarified and defended, making it "more difficult to resist the better argument"

(Knops, 2006, p.5). After all, the legitimacy of decisions or agreements that are arrived at through

deliberation is rooted in the very process of putting reasons on the table to ensure that

interlocutors understand the bases on which the agreement rests (see chapter one, p.19). The

failure of the mutineers and negotiators to make the most out of this function is manifest in the

concluding stage, when both parties realised that they had different interpretations of the agreement.

Because both parties were deliberating under conditions of personal relationships and professional trust, their shared understandings that served as bases of their agreement were presumed, unarticulated and left un-reflected. Although both parties agreed that the mutineers would be tried under the Articles of War, the details of this arrangement were not explicitly spelled out. None of the interlocutors explicitly asked the procedures for implementing such agreement. No one tried to recall or summarise the terms of their agreement either. As gentlemen, both sides relied on the warrior's word and trust that their *cavaliers* would not let them down and "will watch their backs" (Detained marine officer 2, interview, translation). This situation presents a good illustration of the implications of generating agreements without inter-subjective understanding. Inter-subjective understanding requires comprehending an utterance based on the conditions that make it acceptable and the reasons expressed to back up such claims (Habermas, 2001). In this situation, the acceptability of the agreement was based on presuppositions and privatised understandings instead of the inter-subjective practice of argumentation. While the negotiators did reach an agreement and some deliberative norms were upheld in the process, the agreement could be considered "false" or "distorted" not because interlocutors purposely manipulated the discussion or engaged in strategic manoeuvring but because the agreement was not arrived at through the process of justification that makes assumptions explicit. Although trust and shared speech cultures contribute to a peaceful and cooperative discussion, they also present the danger of acting as substitutes to explicit reason-giving. In this case, a result of this is an ambiguous understanding of the agreement. Although this chapter recognised the indispensable role of speech cultures in facilitating a peaceful discussion, it maintains that one disadvantage of overly relying on speech cultures is the failure to

interrogate the nuances of standpoints that appear familiar or delivered by a trusted and reliable peer.

The manner of gaining entry affects the dynamic of taking part

The Oakwood Mutiny started as a plan hatched by a group of frustrated junior officers who decided to express their dissent in an extra-institutional way. Pushed by circumstance (see chapter four, pp.141-144), they mobilised under arms and forcibly took over an apartment complex where they setup a command centre and directly communicated their grievances to the public. The (proportional) use of brute force was the key in opening up a forum that could not have been accessed had junior officers endured the discredited avenues for grievance articulation in the AFP (see chapter three, p.110).

The forcible manner of gaining entry to the public sphere affected the quality of communicative space the junior officers secured. The mutiny's coercive origins had an immediate impact on the dynamic of resolving the dispute in two ways. Firstly, force did not cease to be relevant after communicative space was secured and difference of opinion was established. Instead, threats of force continued to be appropriated as perlocutionary speech acts after the confrontation stage. In both opening and argumentation stages, threats of force were used as substitutes for illocutionary speech acts when the discussion encountered an impasse. Instead of providing reasons, the informal negotiators invoked the impending deadline for a shootout when the mutineers refused to accept Cimatu as chief negotiator (see pp.178-179). The same threat was used during negotiation proper, when the deadline was used to steer the discussion towards generating the terms of the mutineers' return to barracks (see p.189). Emphasising time constraints also served a perlocutionary function in that it pressured the mutineers to adjust their

standpoints to what can be "possibly" achieved in that instance (see p.176). This threat placed junior officers in a paradoxical position in that they used coercive mechanisms to secure communicative space where they could publicly articulate their previously excluded standpoints but these standpoints had to be toned down once they engaged in a constrained discussion that could not accommodate, much less substantively engage with such "extreme" positions. These examples illustrate that the mutiny failed to have a complete transition from using coercion to gain entry to using persuasive speech acts when taking part. Instead, gaining entry through coercion effectively made threats and force as currencies in resolving the dispute.

Although threats of force were the main perlocutionary speech acts used in the incident, it is worth recognising that the same threats increased the cost of rejecting a reason-based way of resolving the standoff. It provided an implicit form of argumentation, such as the placement of troop positions which emphasised the implications of a shootout (see pp. 169-170). It also served as a leveller, considering both parties acknowledged that no side would win should violence occur. Consequently, threats of force encouraged both parties to commit to the communicative process and attempt to generate outcomes both parties can accept. As mentioned earlier, the mutineers' show of force changed the equation for a previously indifferent and dismissive military bureaucracy, with the commander-in-chief persuaded that junior officers had to be engaged with through government emissaries. What was initially intended to be a platform for junior officers to make demands and directly air their grievances in the public space was transformed to a forum where the mutineers could directly engage in the empowered space.

Secondly, the communicative space's coercive origins placed limitations on the background conditions for discussion. Although threats of force made the discussion with the empowered space possible, they also created suboptimal conditions for communication by placing interlocutors under intense pressure to reach an agreement. The continued presence of

government troops outside Oakwood and the looming deadline created circumstances where the mutineers could not fully secure deliberative inclusion. Deliberative norms that constitute authentic deliberation were not upheld simultaneously (e.g. respect and critical exchange of standpoints) because the circumstances required the prioritisation of some norms over others.

The interlocutors operated in a delicate speech situation where they were encumbered with the difficult task of selecting the appropriate approach towards communicating with the party that "forced" or "was forced" to engage in discussion. Because force never ceased to be an option in terminating the standoff, both parties were careful that none of their discussion moves put off or agitate fellow interlocutors. Once both parties established meta-consensus that the standoff is best resolved through peaceful means, interlocutors opted not to be critical of standpoints that could trigger further disagreements and consequently prolong the standoff. Instead of openly articulating concerns or challenging standpoints, the interlocutors relied on personal relationships and shared speech cultures to establish mutual respect, trust and confidence in the communicative process (see p.172).

The prioritisation of respectful gestures and other tactile forms of communication came at the expense of critical engagement and directly interrogating and debating standpoints. An example was brought up earlier about a political science professor who tried to engage in dialogue by providing reasons based on generalisable principles but only ended up antagonising the mutineers (see p.177). The discussion rule was that the mutineers had an advantage in terms of turn-taking and that government emissaries are not in the position to interrogate their claims (see p.182). In a sensitive communicative situation where both parties were under duress, respect, politeness and deference became the necessary norms to sustain the discussion.

Even though the prioritisation of these communicative modes was indispensable in sustaining a peaceful and cooperative discussion, the case study also illustrated how these speech

styles were not enough when the task at hand was to generate agreements regarding the terms of the mutineers' return to barracks. As Lorenzo Simpson argues:

> dimensions of communicative action – greetings, for example – that cannot in principle be assessed in terms of validity conditions... – or in terms of their promise as proposals for reconfiguring one's view of the physical, social, moral or aesthetic dimensions of the world – should not be construed as bearing propositional content relevant to the issue at hand... They should be viewed rather as *facilitative boundary conditions of communication*, conditions like civility or reaching agreement on the shape of a negotiating table (Simpson, 2000, p.431; emphasis added).

When it comes to generating consequential agreements, on the questions of "why" and "how" things are to be done to resolve a conflict, reason-giving or explicit justification still has a privileged status over other communicative modes (see chapter one, p.48). The observations from the case study provides the empirical support to the theoretical argument made in chapter one (see pp.46-47), that a distinction must be made between arguments that have conventional validity, problem validity and both. Testimonies, shared speech styles, personal relationships and pleasantries held conventional validity insofar as they engendered trust and respect, which are the necessary preconditions for a communicative exchange that promotes understanding (see Bachtiger et al., 2010, pp.53-54). However, these communicative modes were insufficient when the task at hand was to generate the terms of resolving the dispute. It was the process of exchanging and weighing proposals that held problem validity necessary to come up with the terms of agreement. However, this process was compromised during the negotiations. The military officers continued to rely on their exclusive speech culture and shared vocabulary when exchanging proposals. This came at the expense of overtly articulating reasons and assumptions necessary for reaching inter-subjective understanding. It was mentioned in chapter one that agreements may be reached for different reasons but these reasons must be clearly articulated and understood by both parties so they know the bases on which the agreement rests (see p.49).

Otherwise, an agreement based on un-reflected and unarticulated assumptions could be easily contested, as in the case of the mutiny (see p.193).

This consequence illustrates the main argument this section puts forward, that the manner of securing communicative space affects the dynamic in that space. Coercively capturing communicative space runs the risk of creating a delicate speech situation where norms of respect and deference were emphasised while explicit reason-giving was compromised. This had an impact on the quality of agreements generated, particularly when the bases on which the agreements rest were unclear.

Amidst its imperfections, the negotiation process paved the way for the mutineers to access and engage with the public sphere after they stepped down. The mutineers' subsequent participation in prosecutorial hearings and public investigations was made possible by the successful handling of the negotiation process – from tapping on speech cultures to using tactile forms of communication expressing deference – which deterred the unravelling of a crisis situation into bloodshed. The use of coercive tactics to penetrate the public sphere can be considered productive but its success was hinged on a challenging, delicate and highly contingent negotiation process with the party the mutineers "coerced" to engage in discussion. However, the conduct of the negotiation process imposed some limitations on the extent to which the junior officers secured inclusion in the public sphere after they stepped down. The mutineers ended up incarcerated, hence unable to access all possible avenues for political participation in the macro-deliberative system. This limitation was a consequence of the lack of deliberativeness of negotiation process (see p.198), where the terms of both parties' agreements were not based on inter-subjective understanding. These challenges, along with some prospects for using coercive tactics to secure inclusion are discussed in the next and final chapter.

Epilogue

Seven years after the mutiny, the junior officers have been discharged from the military service due to their violation of the Articles of War of conduct of unbecoming an officer and a gentleman. Some found new careers in PDEA and Office of the Presidential Adviser on the Peace Process while some even found lucrative jobs in private security companies. Those who held out in jail and did not plead guilty were granted amnesty on 12th October 2010 by President Benigno Aquino, Arroyo's successor.[88] Following Trillanes' lead, they embraced politics fully and all its complexity and ran for local posts in the May 2010 elections. None of them won but they proudly claimed that they have "transcended the usual tag of a military reform group." They have been active in politics and "even underwent a caucus with government by which we were supposed to be accredited as a political party."[89] The fugitive Capt. Nicanor Faeldon – one of the members of the core group – resurfaced after two years of hiding and voluntarily surrendered to the marine headquarters. In 14th December 2005, Faeldon escaped the detention centre, arguing that he will never get a fair trial under the Arroyo administration. He went underground for four years while maintaining an online campaign against the Arroyo regime. Like the rest of the mutineers, he considers the Aquino government as legitimate and could provide a fair hearing on his pending case of coup d'état. He also said that there are better opportunities for genuine reforms under the new regime.

In his first command conference, President Aquino emphasised that he wanted the military high command "to ensure that there is a feedback mechanism that follows the chain of command" (Ager, 2010). Among Aquino's first controversial initiatives was to ask the

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[88] The implementation of the amnesty is subject to the concurrence of the House of Representatives.
[89] Former Lt. Ashley Acedillo, group spokesperson quoted in Howard, 2010.

Department of Justice to review the mutineers' case because for him, they were also victims of injustice (Ramos and Ubac, 2010). Unlike the Arroyo administration that was bent on prosecuting the mutineers, Aquino, as the new commander-in-chief, shifted the official discourse by depicting the mutinous officers as the aggrieved party that must be given a fair and sympathetic treatment.

In the researcher's visit to the detention centre a few months before the mutineers were released, a mutineer showed their "war room" with a big map of the Philippines with sewing pins puncturing each province where they have a volunteer organisation supporting their electoral campaign. A mutineer quipped, "we used to have something like this but that was to know where the troops will come from"[90] pertaining to the night before the mutiny. Indeed, the mutineers have gone a long way from finding their voice in their discursive enclaves to confidently speaking their minds in front of the media and their constituents. They remain critical of the status quo but embraced the complexity of Philippine politics. The mutineers' participation in electoral politics – the heart of Philippine democracy – illustrates how they eventually became integrated in the public space and through Sen. Trillanes, the empowered space. One reason why this case study is such an interesting context to examine using a deliberative lens is because it demonstrates deliberation's promise. Even individuals who were socialised to have limited deliberative capacity sought participation in a political space where a plurality of perspectives could be engaged in.

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[90] This was mentioned in a casual conversation with the researcher.

CHAPTER VI
LIMITATIONS OF DELIBERATION SECURED THROUGH COERCION

This research was designed to examine the impact of marginalised groups using coercive mechanisms to secure deliberative inclusion. It began with the premise that deliberating in an imperfect speech situation necessitates an adjustment of classic deliberative theory's normative requirements. Under conditions of exclusion and inequality, the use of coercive tactics and non-traditional forms of reason-giving can be justified as long as they put forward deliberative goals. This thesis engaged with this theoretical trajectory and examined how employing these tactics affects deliberative processes and outcomes. This was done through a two-fold research strategy of first selecting an extreme case as the basis for generating empirically-grounded insights and second employing a pragma-dialectical approach in data analysis. Analysing a military mutiny allowed this thesis to recognise the tensions and challenges as well as the possibilities of using coercion as a strategy for inclusion. Even though the mutiny unfolded under exceptional circumstances and could not offer a complete and generalisable characterisation of the dynamics of deliberative inclusion, the case study was instrumental in highlighting the interaction of illocutionary and perlocutionary speech acts in a communicative forum secured through coercion. The examination of such an extreme case brought into sharper focus the processes involved. This revealed issues that should be taken into account whenever the use of such a strategy is considered. Analytically, the process of non-deliberative pressure leading to deliberation was systematically captured through a pragma-dialectical approach to discourses analysis. This mapped the relationship between different discursive strategies and identified their constructive and obstructive roles depending on the stage of critical discussion. Through pragma-dialectics,

this thesis was able to translate the expanded model's theoretical modifications into an analytical framework that exposed the complex dynamic of using different discursive strategies in practice.

In this concluding chapter, observations from the empirical case are related back to the expanded model's prescriptions on how to overcome deliberative exclusion by drawing out the wider implications of this research for that broader project. Advocates of using coercive tactics for gaining access to deliberation have explained the potential of such methods for opening deliberative spaces but have not explicitly recognised their limitations (e.g. Fung, 2005; Kadlec and Friedman, 2007; see p.2). This chapter argues that while non-persuasive mechanisms can be constructive in accessing deliberation, they also risk limiting the deliberative process that emerges. Manifestations of these risks are three-fold. Firstly, coupled with the aim of using coercive tactics to gain entry to a deliberative forum is the risk of eliciting a perlocutionary response from the party being "forced" to engage in discussion. Instead of increasing the cost of rejecting a reason-based discussion (Fung, 2005; see chapter one, pp.34-38), coercive tactics may be used as justification to further exclude "aggressive" or "violent" marginalised groups from deliberation, particularly in the empowered space where gentlemanly rules of discussion continue to prevail. Secondly, a deliberative forum with coercive origins poses the challenge of building a communicative relationship between interlocutors. Extending the insights from the previous chapter, it is argued that building such a relationship is a painstaking and sensitive process, requiring the competencies of both "deliberative diplomats" and "deliberative democrats" to uphold deliberative inclusion's requirements of respect, equality and civility. Thirdly, this chapter suggests caution about the use of speech cultures as a strategy for inclusion. Critics of deliberative democracy, and now, in response, some deliberative democrats consider accommodating alternative modes of speech into deliberative exchanges as an antidote to deliberative forums' bias towards dominant styles of speech. While recognising the positive contribution of

accommodating a plurality of speech styles in deliberation, this research demonstrates that it is also worth acknowledging that speech cultures could further marginalise excluded groups from the deliberative process instead of allowing their standpoints to be clearly articulated and appreciated. By acknowledging these limitations, this chapter aims to provide a more nuanced and circumspect account of the expanded model's strategies for inclusion.

Coercive tactics as justification for further exclusion

When deciding to use coercive mechanisms to secure deliberative inclusion, deliberative activists aim at securing a communicative space that provides a better chance of a fair hearing compared to the suboptimal conditions of the status quo. The literature supporting the break from "gentlemanly" rules of discussion has emphasised these tactics' constructive role in building up the necessary pressure for privileged groups or powerful actors to accommodate marginalised discourses (see chapter 1, pp.34-38). Even though these tactics may involve forms of rule-breaking, they are motivated by a broader goal of expanding access to deliberative forums where previously excluded concerns can be heard, engaged with and carefully considered.

In practice, however, using coercive mechanisms, even if they abide by the principles of deliberative activism (see chapter one, pp.35-36; chapter four, p.145), also runs the risk of failing to penetrate the public sphere. Instead of increasing the cost of rejecting a reason-based discussion, using these strategies, particularly illegal or extra-legal ones, could be used as justification to discredit and further exclude marginalised groups. The party being "forced" to engage in discussion may cite the marginalised group's disruptive and disrespectful behaviour to legitimise their refusal to engage. The opposing party may also challenge the deliberative activist's "internal calculus" that influenced the decision to use such tactics, i.e. the selected non-persuasive

mechanism was excessive or not all avenues for deliberative engagement have been explored. This could serve as basis for further shutting out previously marginalised groups from communicative forums and react with retaliatory perlocutionary speech acts. Coercive tactics are not fail-safe strategies and may even be counterproductive to the marginalised groups' aim of deliberative inclusion if not received well by the party forced to engage in discussion. These are some of the risks that existing literature on deliberative activists have to acknowledge.

As the case study of the Oakwood mutiny showed, the government's initial reaction was to dismiss the junior officers as unworthy of discussion and terminate the mutiny through force. Although there was a shift in strategy in the middle of the day from using force to engaging in negotiations, this was not a straightforward or inevitable decision. The government was able to justify its earlier perlocutionary response because of the unlawful or extra-legal tactic the officers used to express their positions (see chapter five, p.60). Deploying heavily armed military contingents in Oakwood signified the government's efforts to discredit the mutinous officers as "rebels" deserving of the legitimate use of force by the AFP. Had the government opted to adopt the proposed strategy of "containing and neutralising" the mutineers (see chapter five, p.157), the junior officers could not have successfully secured the space where their concerns could be addressed.

The evidence from this research receives some corroboration from a study by Fung (2005). Fung's example of students and workers taking over Harvard University's administrative offices as part of the Living Wages Campaign alludes to the difficulty of obtaining access to deliberative forums through non-persuasive tactics. Although Fung uses this example to illustrate the effectiveness of the takeover in instigating the formation of a more inclusive committee that examines the issue of wages, it also points out, albeit indirectly, the challenges of using these tactics. The takeover was stigmatised as contradictory to the spirit of the university being a

community where reason is privileged (Fung, 2005, p.409). Fung quotes Harvard University President Neil Rudenstine, stating "that he would be pleased 'to continue to exchange views, in appropriate settings, once an environment of genuinely free discussion has been restored'" (Fung, 2005, p.411). Similar to the mutiny, the Harvard administration's disavowal of the protesters' coercive tactics was manifest by the use of perlocutionary speech acts, such as the daily deployment of police officers around campus and literally shutting the door of the University President's office when campaigners approached (Harvard Living Wages Campaign, 2002).

The mutiny and the Harvard Living Wages Campaign illustrate the risks created by pressuring powerful actors to engage with marginalised groups using coercive tactics. The junior officers and Harvard campaigners' actions were discredited as inconsistent and damaging to established democratic practices, even though both cases subscribed to the principles of deliberative activism and aimed at making these practices more inclusive and transparent. While both cases ended up with a discussion-based way of resolving the dispute, this was a product of difficult choices and contingent decisions among political actors who commenced their engagement with an adversarial tone.

There are other cases where using coercive tactics not only made it difficult to immediately instigate inclusive deliberation but also further excluded marginalised groups from deliberative forums. The case of the 2009 round of climate negotiations in Copenhagen is an apt example. In spite of its imperfections, the climate regime has been described as one that "provides significantly more access to civil society actors" compared to other regimes such as international financial institutions (Fisher, 2010, p.11; also Fisher 2004). The relatively inclusive climate summit took a different turn in Copenhagen. One of the discursive tactics the Climate Justice Movement planned to use was to "take over the conference centre for one day and transform it into a People's Assembly" (in Fisher, 2010, p.14). This plan was disseminated online

before the negotiations began, allowing the summit's organisers to react by reducing the access of

NGOs to the negotiations citing concerns over security. Organisations such as Friends of the

Earth had their accreditation revoked and their leaders escorted out of the conference centre.

Diana Fisher points out the irony of trying to increase access in these summits:

> To ensure the safety of the Parties negotiating *inside*, the regime has little choice but to limit access to members of civil society. Ironically, the more civil society actors try to participate – and the diversity of the perspectives represented by the civil society actors involved – the less access they are likely to have... Although outsider tactics are an effective means of gaining media attention, they have the unintended consequence of increasing the disenfranchisement of civil society in international regimes (Fisher, 2010, p.16; emphasis in the original).

The irony Fisher points out is important to consider in understanding the limits of deliberative

activism. Although coercive mechanisms are useful in ensuring that marginalised discourses are

represented through the media in the public space, this may come at the expense of their

disenfranchisement in the empowered space. Tactics such as takeovers or sit-ins pose "security"

concerns as legitimate issues that have to be addressed, justifying the physical exclusion of these

groups from formal deliberative forums. Another paradox relates to the risks involved in scaling

these tactics. While using "extreme" tactics increases the risk of their users being dismissed due to

"security issues" and eliciting retaliatory perlocutionary responses, resorting to "traditional" or

expected forms of protest may be ineffective in generating the attention required for promoting

deliberative inclusion.

Taken together, these examples illustrate the difficult dynamic of securing inclusion

through coercion. All three examples witnessed perlocutionary responses from parties being

coerced to engage in discussion. This is particularly relevant for "extreme" cases where the other

party could justify disengagement because of the marginalised group's threatening or extra-legal

manner of articulating their dissent. This risks creating new barriers for inclusion, potentially the

emergence of a standoff between parties opting to use perlocutionary speech acts as the language

for expressing their disagreements, with no room for reason. Consequently, the challenge lies in translating such coercive engagement into a persuasive one. This process has not yet been mapped out by the existing literature. It is the subject of the next section.

Challenges of building a communicative relationship

Establishing a difference of opinion through coercion presents the challenge of shifting the discursive strategy from "fighting" to "talking". This raises the question of when opposing parties can begin to consider each other as interlocutors rather than adversaries (see Qvortrup, 2007, p.58). As Rostbøll argues:

> When we use coercive mechanisms to further the prospects for subjecting political decisions to the rule of reasons in the future, we will know that we have violated important values intrinsic to deliberation; we will have treated our adversaries as responsive to force rather than reasons, and thus will have failed to respect the conception of the person expressed in deliberative decision-making (Rostbøll, 2009, p.32).

The use of coercive tactics purposely injures or disrupts an established social relationship, which in the case of marginalised groups, is one of inequality and exclusion. Advocates of the expanded model argue that although coercive and contestatory speech acts cause disruption, they ultimately aim at "establishing a relation with an impetus toward communication and understanding" (Drexler and Hames-Garcia, 2004, p.58; chapter one, pp.34-38). However, as argued in the previous chapter, recuperating from the violations in the confrontation stage and transitioning to a discussion oriented towards inter-subjective understanding is complex (see pp.199-202). Creating a new discursive relationship based on equality, openness, sincerity and trust is a difficult and painstaking process, which involves making judgments on which deliberative norms to uphold and which ones to tone down to suit the demands of the communicative space. Extending the argument made in chapter five, this section claims that building the

communicative relationship necessary for an inclusive deliberative process requires both deliberative *diplomats* and deliberative *democrats*. The former are relevant during the opening stage of critical discussion while the argumentative and concluding stages need the latter. This distinction adds further nuance to the expanded model of deliberation in that it clarifies the "proper" place of different communicative practices depending on the stage of critical discussion.

In the provocative article "Deliberating on Sensitive Issues," Warren argues that in some contexts, the deliberative process could benefit more from "deliberative diplomats" rather than "deliberative democrats" (Warren, 2006, p.117). The opening stage of a critical discussion borne of coercion is one of the contexts where the former's competencies are necessary. Warren conceptualises a deliberative diplomat as someone who favours using "civilising hypocrisies" such as good manners or what the previous chapter called "sensitivities" instead of sincerely and openly expressing one's opinion toward the other. He cites the example of an interlocutor who does not personally consider his or her fellow interlocutor as someone sharing equal discursive status but nevertheless makes insincere gestures of amicability and politeness. This, for Warren, is acceptable because such insincere gestures create the necessary conditions to begin a deliberative exchange across lines of difference (Warren, 2006, p.176). He argues that to act otherwise, and "to flush out insincerity – is also to humiliate the other, which in turn breaks a condition of discourse" (Warren, 2006, p.177). In the mutiny's case, some interlocutors such as Sen. Biazon and Amb. Cimatu had deep reservations against engaging with "putschists" but these personal and professional biases were withheld out of respect for the mutineers and the ongoing discussion. The "strategic deployment of good manners" enabled both parties to generate trust that even if they could not be entirely certain if their interlocutor agreed with their standpoint, they could at least be guaranteed not to be humiliated or dismissed as a co-equal peer in discussion. Respect and saving face are important in a context where participants have bruised

egos or are just starting to calm down from a tenser phase (Saunders, 2001, p.100). Warren calls this the "discourse-enabling" purpose of good manners where they perform an illocutionary function by establishing relationships among interlocutors cooperatively aimed at reaching understanding (Warren, 2006, p.177). Deliberative diplomats perform a critical function in building a communicative relationship based on equality, civility and respect. They lay the necessary foundations for a peaceful, reason-based discussion to occur, as well as build a new political relationship in place of the one disrupted by coercive tactics. These communicative responsibilities are necessary in the opening stage of argumentation, where interlocutors are tasked to generate shared rules of discussion and declare their readiness to engage with each other's standpoints (van Eemeren and Grootendorst, 2004, p.142; see chapter two, p.76).

Warren acknowledges the tension between this strategic deployment of good manners and the importance deliberative theory accords to "free expression and unrestricted dialogue" (Warren, 2006, p.176). Refraining from the articulation of a contentious view may prevent difficult issues from coming to the fore and becoming a subject of an honest, reason-based and resolution-oriented discussion (Lenard, 2006, p.631).[91] As the previous chapter pointed out (see p.202), greetings and other discourse-enabling speech acts, while useful in setting the communicative process in motion, do not provide the language necessary for generating mutually-acceptable agreements. For this reason, this section argues that in order for deliberative inclusion to be fully upheld, deliberative diplomats must be able to transition to becoming deliberative democrats during the argumentation stage. In this stage, the appreciation of

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[91] Patti Tamara Lenard (2006) presses Warren to make a distinction between politeness manifest in the *content* of the speech and politeness manifest in the *demeanour* or manner in which the speech is presented. She clarifies that there is no deliberative democrat who does not support exercising self-restraint and unqualified truth-telling in deliberation (Lenard, 2006, p.360). However, she takes issue with purposely putting forward insincere positions in deliberation. Sincerity, according to Lenard, is the principle that holds deliberative democrats accountable to their expressed speech acts. Without it, deliberative theory is unable to delineate manipulative speech or deception in deliberation.

deliberative norms such as respect and equality is no longer limited to marginalised groups receiving the same kind of courtesy and respect accorded to traditionally powerful groups. Respect and equality should also be manifest in the interlocutors' willingness to discuss opposing arguments as a form of recognition of the other's legitimate viewpoints and equal civic status. Refusal to do so is not only an act of disrespecting the other party's views as unworthy of discussion (see Gutmann and Thompson, 2004, p.45; chapter one, p.19) but also a roadblock towards creating an authentic deliberative process. Bächtiger et al. (2010) share a similar position in that they consider a process "truly deliberative only when there are 'deliberative drifts.'" (Bächtiger et al., 2010, p.56). Even though deliberation can benefit from alternative modes of communication, there should at least be one moment involving "a systematic weighing of counterarguments and proposals and connection of particular perspectives to more generalisable interests" (Bächtiger et al., 2010, p.59). These, they argue, are indispensable components of a communicative encounter in order for it to be considered deliberative.

Viewed this way, the limitations of the mutiny could be diagnosed as the failure of government emissaries as well as the mutineers to shift their roles from being deliberative diplomats to being deliberative democrats. The government emissaries' discursive strategy of listening and purposely not challenging "what the mutineers believed in," though helpful in creating a supportive environment in discussing the terms of the mutineers' return to barracks, effectively limited the feedback that junior officers received on their standpoints from their interlocutors who had different views. The communicative space the junior officers secured for themselves was not maximised in deliberative terms in that it failed to be an authentic forum where interlocutors could widen their understandings and prompt thoughtful reflection through the critical exchange of standpoints. Instead, the informal dialogues and formal negotiations exhibited similarities with the communicative channels in the AFP in the sense that norms of

politeness and gentlemanly rules of diplomacy constricted the quality of engagement. Although the mutiny was different in that the junior officers were able to publicly articulate their positions and directly communicate with representatives in the empowered space, the series of respectful dialogues deterred them from tapping into what chapter five described as deliberation's "emancipatory" function or deliberation's ability to bring out "the better argument" (see p.198; see Knops, 2006).

This point can be applied more generally to post-conflict scenarios with militant or even terrorist movements. These are similar in that the parties involved will not have yet built confidence in the communicative process or with their fellow interlocutors. A decision must be taken on when to shift from being deliberative diplomats to democrats, as well as the conditions that warrant the adjustment of particular deliberative norms. The expanded model of deliberation has acknowledged the importance of adjusting deliberative norms depending on the context and this insight, from the particular case study of this research, suggests that these adjustments should be made based on the stage of critical discussion. Acting as a deliberative diplomat during the argumentation stage, though helpful in sustaining the discussion, does not hold problem-validity in that it fails to provide resolution-oriented speech acts necessary to reach consensus or understanding. On the other hand, acting as a deliberative democrat during the opening stage may be premature. An honest scrutiny of the other's discursive status may discourage interlocutors from further engaging in discussion, making these apparently illocutionary speech acts – in that they are understanding-oriented – perlocutionary in the final instance – in that they obstruct the quest for inter-subjective understanding. Recognising the demands of each phase is an important addition that an expanded model of deliberation should recognise. It permits a

clearer account of which norms and practices can be legitimately emphasised or downplayed depending on the pragma-dialectical stage of critical discussion.[92]

Speech cultures as deterrents of inclusion

One of the expanded model's responses towards the issue of deliberative exclusion is to accommodate different speech cultures instead of privileging the traditional, rationalist form of argumentation (see chapter one, pp.39-43). This theoretical trajectory has gained the support of many deliberative democrats as a way of promoting more inclusive deliberative practices (Young, 1996; Dryzek, 2000; Parkinson, 2006; Gutmann and Thompson, 2004; Chambers, 2009; Dahlberg, 2005; Hall, 2007). This section suggests that a critical reappraisal of the role of speech cultures in deliberation is warranted.[93] Using a specific style in communicating to both public and empowered spaces does not necessarily promote inclusion and overcome marginalisation. On the contrary, relying on speech cultures could itself be disempowering if this limits the possibilities for authentic deliberation to occur.

Again, this point is supported by observations from the research case study. Through the military academy and day-to-day combat experience, junior officers were socialised into a professional speech culture that promotes authoritative speech, conformity, emotional indifference and hierarchical deference (see Sherman, 2005). Chapter three (p.112-114) identified normalisation of disengagement as the outcome of such a speech culture. Even though the

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[92] Bächtiger et al. propose a "sequential approach" arguing that there are moments in deliberation that demand rational discourse and other moments that require alternative forms of communication that instigate reflexivity (Bachtiger et al, 2010, pp.34-35). This argument, however, does not exactly specify what each deliberative moment requires, unlike the pragma-dialectical model that sets out the communicative responsibilities of deliberators in each stage of discussion.

[93] It is acknowledged that these deliberative democrats do not promote speech cultures in absolute terms. Chapter one (p.42) discusses the distinction theorists like Dryzek (2000, 2010) and Chambers (2009) made in deliberative and non-deliberative speech cultures, particularly rhetoric.

mutineers tried to create a sub-culture or a counter-public that promoted collegiality, openness and candour (see chapter four, pp.131-135), the strong influence of AFP's "dominant" speech culture was difficult to overcome. The mutineers eventually applied the "dominant" speech culture when they forcibly made their way into the public sphere and aggressively articulated *directive* speech acts. Giving demands – a classic component of military speech cultures – was the familiar and most accessible manner of putting forward a standpoint for military officers. The potential for using one's own speech style in making a more inclusive communicative space was not maximised in the junior officers' case.[94] Instead of enabling them to be more articulate and better understood, using their culturally-specific form of speech pushed them even further to the fringe. Chapter five (p. 192) mentioned the public's poor reception to the mutineers' manner of articulating their standpoint, as reflected in the junior officers' low trust rating among the populace. The public also did not respond to Trillanes's call for mass mobilisation to support the beleaguered soldiers. Instead, the public made a distinction between the validity of the mutineers' message and the validity of their mechanism for articulating the message.

Admittedly, the military's speech culture is an extreme and unique case. However, it is through an extreme case that the boundaries of an analytical logic can be ascertained. If using the military speech culture of making demands and showing force served as a distraction rather than a vehicle for gaining inclusion, it prompts reflection on how exactly using culturally-specific forms of speech enable empower marginalised groups to get a fairer hearing in deliberative forums. This query points at two gaps in Young's model (see chapter one, pp.39-40). Firstly, deliberative theory's acceptance of different speech styles has to be balanced with the recognition of these speech style's limitations. The expanded model of deliberation has made a case for

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[94] Chapter five (pp.195-197) also discussed the downside of relying on speech cultures when deliberating in a discursive enclave.

accommodating different speech cultures to address the bias of deliberative spaces towards the dominant groups' communicative styles. However, translating this theoretical modification into practice proves to be difficult. In an imperfect communicative space where certain forms of speech and rules of discourse continue to dominate, it is challenging for audiences to appreciate non-traditional or unfamiliar modes of speech. This is particularly the case for contentious speech styles such as making aggressive demands as in the case of the mutiny or using dissent communicative tactics such as performative violence, sit-ins or public shaming. These tactics destabilise the communicative space and are not, by themselves, immediately understandable. For them to perform an illocutionary rather than a perlocutionary function, these tactics' appropriateness have to be justified in the deliberative exchange. During the mutiny, the officers defended their actions in their press statements (see chapter five, p.164) and testimonies (see chapter five, pp.163-166). They also continued to justify this mechanism after the mutiny in court proceedings, legislative enquiries and fact-finding body where they tried to explain the context of their action. Because the mutineers' speech style was different from the predominant modes of political engagement in the (civilian) public sphere, they had to take pains in explicitly justifying the bases for selecting their discursive approach in order to be understood. This dynamic is applicable to other contexts. For example, political agents in the empowered space should justify the accommodation of speech styles that depart from its "official" discursive language (Benhabib, 1996, p.83). Judges or legislators have the obligation to justify why, for example, a testimony about how one person *feels* about a particular issue or a story about someone's *personal* experience is acceptable in a deliberative forum with particular goals and rules of discourse. The same logic could apply to political agents in the public space that insist on reason-giving as discursive strategy in a communicative space that has become extremely exclusionary. Because these speech cultures do not conform to the "dominant" forms of speech, they need to be explicitly justified in

order to be appreciated and avert the risk of being judged as irrelevant, disruptive, incomprehensible or impertinent.

This relates to the second weakness of Young's argument on speech cultures. In conceptualising the role of speech cultures in deliberation, Young allocated the responsibility of charitable understanding to interlocutors possessing the "dominant" speech culture or to traditionally powerful groups. However, Young underemphasised, if not overlooked the communicative responsibility of marginalised political agents when it comes to getting their standpoints across. This communicative responsibility not only involves articulating something intelligible but rendering speech acts that have conventional validity and in the case of discussions in the empowered space, problem validity (see chapter one, pp.46-47). Fulfilling these conditions require marginalised political agents to adjust their speech styles in such a way that reaches out to differently situated audiences or what Dryzek calls "bridging rhetoric" (Dryzek, 2010, p.328; chapter one, pp.42-43). To make deliberative encounters authentic and consequential, marginalised agents have to take into account the dispositions of differently-situated interlocutors and engage using terms that others could appreciate. Otherwise, a standpoint runs the risk of being misunderstood or dismissed. Even though the junior officers provided some justifications for the use of coercive mechanisms, this tactic nevertheless diverted the public's attention to their method rather than their message, which was counterproductive to their goals (see chapter five, p.192). Susan George (2004) expresses a similar concern when it comes to social movements using coercive mechanisms to articulate their positions. She argues that violent protest tactics sometimes make it more difficult to get their arguments across as the public attention is directed to the tactic more than the message (George, 2004, p.237).[95] This is particularly the case in a

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[95] She does, however, also subscribe to deliberative activism's principle of proportionality in that violence against property is warranted "when all democratic means of redress have been exhausted." She cites the case of dismantling a McDonald's restaurant in France or uprooting genetically modified crops in open

mass-mediated conflict, where the public's discernment of a certain issue is contingent on the media's representation (Juris, 2005, p.414). There have been a number of studies that illustrate how the media usually "extract" the use of coercive protest tactics from their contexts, portraying participants as extremists or terrorists (Juris, 2005, p.416; also Bauman and Briggs, 1990; Gamson and Wolfsfeld, 1993; McLeod and Detenber, 1999; Smith et al., 2001). In these cases, inclusion in both public and empowered spaces is in danger of being compromised as using coercive tactics also increases the risk of devaluing or misrepresenting the message being delivered. Alternative forms of speech are equally subject to "distortions" in democratic communication, requiring its advocates to develop communicative competencies as Dryzek identified that allows them to better reach out to the broader public sphere. This is a practical consideration that marginalised political agents have to take into account when aiming to use coercive tactics to engage with an exclusionary deliberative space.

Accommodating different discursive tactics and speech cultures in deliberation is not just done for the sake of celebrating diverse forms of argumentation but because of the recognition that different speech cultures have their own illocutionary potential (see chapter one, pp.46-47). Speech cultures are strategies for deliberative inclusion. They are vehicles for marginalised discourses not only to be expressed but more importantly, to be understood. Some speech cultures do the opposite and to this extent, deliberative theory needs to have a cautious appreciation of speech cultures' role and critically assess their potential in either including or further excluding marginalised groups from deliberation.

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fields. She describes this "as more reminiscent of Boston Tea Party-type actions, with corporations or the WTO playing the role of King George" (George, 2004, p.231).

Limits and prospects of deliberation secured through coercion

The expanded model of deliberative theory has responded to the issue of exclusion by providing an account of how deliberation could work under suboptimal political conditions. It identified strategies that enable marginalised political agents to overcome their exclusion before and during the deliberative process. This thesis examined how these strategies work in practice. It analysed an "extreme" case where force was used to secure a space in the deliberative forum. By analysing such a case, the boundaries or limits of using these strategies could be explored.

This chapter argued that these strategies' effectiveness in securing deliberative inclusion have limitations. It cautioned against the risk of dominant groups citing the marginalised group's use of coercive mechanisms as justification to further exclude them in deliberative forums. It also clarified the extent to which inclusion could be upheld by using these tactics. While inclusion can be secured in terms of marginalised groups being physically present in deliberative forums, this may not go as far as ensuring access to an authentic deliberative process. As chapter five (p.199) argued, the manner of gaining entry affects the dynamic of taking part. The circumstances that emerge out of using coercive tactics deter these forums form being fully conducive to a deliberative process that can uphold all deliberative norms. The coercive origins of the deliberative space create another imperfect speech situation where deliberative norms are negotiated, with the roles of both deliberative diplomats and deliberative democrats bearing on particular stages of discussion. This argument provides an important theoretical nuance to the expanded model of deliberation by drawing on a pragma-dialectical framework and identifying the appropriate and necessary deliberative norms at each stage of critical discussion.

The case study also identifies some practical considerations that deliberative activists should take on board when using coercive tactics to secure inclusion. Aside from being

circumspect about the extent to which inclusion can be upheld, findings in the case study also highlight some key points for deliberative practice. These include the importance of employing bridging rhetoric rather than uncritically relying on one's own speech culture when articulating controversial or uncommon positions. While deliberative theory has made a clear normative point about the importance of respecting different speech cultures particularly of marginalised groups, it is argued that marginalised groups also have the deliberative responsibility to reach out to differently-situated interlocutors by employing discursive tactics that facilitate better understanding and engagement. This relates to the second consideration, which is to practice reflexivity when evaluating one's discursive tactics. The pragma-dialectical framework is particularly useful when interlocutors go through a process of self-evaluation as its rules for critical discussion can be appreciated as a "code of conduct" that interlocutors could use as benchmark when assessing and improving on their deliberative behaviour (van Eemeren and Grootendorst, 2004, p.188).

The limitations and risks involved in securing a communicative space through coercive mechanisms do not mean that it is not worth pursuing these strategies. As chapter five illustrated, the junior officers gained some victories (see p.191). The failure to generate authentic deliberation where all deliberative norms were upheld in this case simply illustrates "that not all the goods it [deliberation] promises can be secured at the same time, and that we have to make hard choices among them" (Thompson, 2008, p.511). Deliberation is a contingent affair, necessitating judgments on the part of interlocutors to ascertain which deliberative practices are relevant for a particular point in the discussion. This, after all, is the crux of an expanded model of deliberation – to provide an account on how deliberation could function under conditions that depart from ideal conditions.

Although the junior officers were not able to secure substantive deliberative gains in their exchanges with government emissaries and initial engagement with the public space, it is worth recognising that the mutiny was just the beginning of a series of discussions regarding their positions. As chapter five (p.191) related, the mutiny set off a series of discussions in the empowered space through fact-finding bodies and investigations, congressional enquiries, court cases and now Sen. Trillanes's participation in the national legislature, where the discussion was more open, critical and consequential. [96] The mutiny also had some impact on the public space, as evidenced by the survey data indicating the public's acceptance of the mutineers' standpoints as well as the effect it had on grassroots movements investigating anomalies in the government. This brings to mind the analysis of Harold Saunders, an expert on peace negotiations, explaining that it is only the initial encounter among conflicting parties where the process is delicate in that aggrieved parties have be convinced that discussion is worth pursuing. Once this is accomplished, official discussion rules can be implemented which allows for an open, probing and engaging discourse (Saunders, 2001, p.112). Even though the deliberative gains were limited in the mutiny, it nevertheless opened up spaces for further deliberations to occur. This exemplifies that indeed, deliberation is not a one-off affair in a particular forum but a process that operates within a network of discourses in the public sphere (see chapter one, pp.23-24). The breadth of deliberation's sites may require more hard work in overcoming obstacles to deliberative inclusion but it also creates possibilities for imaginative political agents to overcome their discursive marginalisation.

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[96] The court did not allow Trillanes to personally attend sessions in the Senate but he is able to file legislative bills. Despite his detention, he is considered "one of the most prolific members of the Senate" authoring 285 bills and twenty one resolutions in the first two years of his term. These bills are related to national defence and governance such as an act increasing the protection of whistleblowers and witnesses and increasing the subsistence allowance for all officers and enlisted personnel (see Tordecillas, 2009).

Directions for future research

This thesis engaged the expanded model of deliberation by identifying the impact and practical consequences of using coercive tactics to secure deliberative inclusion. Deliberative theory could benefit from further research on this matter. As long as there are groups claiming to be marginalised from the deliberative process, it remains important for deliberative theorists to continually conceptualise the deliberative virtue of inclusion and practitioners to consciously reflect on and assess the strategies used to secure access in deliberative forums. This final section suggests three directions for future research that were not covered in this study due to its scope and limitations.

First, a more holistic assessment of the long-term impact and broader implications of securing deliberative space through coercive tactics can be made through sustained research. This thesis has focused on the consequences of the mutiny on the negotiation process and the political developments in its immediate aftermath. Broadening the scope and timeframe allows for an assessment on how coercive tactics enhanced or damaged the *deliberative system* as well as the sustainability of outcomes secured through coercion. Such research could introduce another way of appreciating the relationship between force and deliberation, whether the short-term challenges of using coercive tactics ultimately result to positive reforms in the deliberative system in the long run.

Second, if the quality of data permits, the factors and processes involved in convincing "coerced" actors to engage with the party using coercing tactics deserves close analysis. Both studies on the mutiny and the Harvard Living Wages Campaign failed to generate detailed empirical data that lays out the contingencies that convinced the government and the University's administration to give up their initial perlocutionary approach and begin deliberating. Generating

insight into this process would clarify some conceptual issues about deliberative activism, whether it is the coercive tactic *per se* that triggered deliberation or other factors that convinced both parties to shift their tactics from a perlocutionary to an illocutionary one.

Third, a continuous theoretical reassessment on the relationship of coercion and deliberative inclusion is warranted. As discussed in chapter one (see pp.39-43), the normative position that justifies the use of non-linguistic discursive tactics has gained considerable support in the expanded model of deliberation. This theoretical trajectory could be further animated by taking into consideration the findings of empirical work on deliberative inclusion. This thesis endorsed the normative principles Fung put forward that justified the use of non-linguistic tactics but it also remained sensitive to the hazards of infusing coercive tactics in democratic processes and faithful to the core principles that make deliberation a distinct form of political participation. As deliberative theory continues to be modified in order to accommodate the demands of political realities, it is crucial not to lose sight of the broader debate about what makes deliberation different – its uneasy relationship with force and power and its commitment to higher standards of political behaviour.

INVENTORY OF PRIMARY AND SECONDARY DATA

List of interviewees and codes for respondents who were guaranteed anonymity

Detained mutineers
1. [Former Lieutenant Senior Grade] Sen. Antonio Trillanes
2. Detained Marine Officer 1
3. Detained Marine Officer 2
4. Detained Air Force Officer 1
5. Detained Air Force Officer 2
6. Detained Marine Officer 3
7. Detained Enlisted Marine Personnel 1
8. Detained Enlisted Marine Personnel 2
9. Detained Enlisted Marine Personnel 3
10. Detained Enlisted Marine Personnel 4
11. Detained Enlisted Marine Personnel 5

Pardoned mutineers
12. Pardoned Air Force Officer 1
13. Pardoned Marine Officer 1
14. Pardoned Army Officer 1

Informal Negotiators
15. Sen. Rodolfo Biazon
16. Sen. Gregorio Honasan
17. Rep. Rufino Biazon

Formal Negotiators
18. Maj. Roy Derilo, for Gen. Dionisio Santiago
19. Gen. Danilo Lim

Government officials
20. Gen. Efren Abu, Head of Task Force Libra
21. Former Secretary Jose Lina, Secretary of Department of Interior and Local Government
22. Army Major 1, government aide
23. Army Major 2, government aide

Miscellaneous, interviewed for context
24. Air Force Captain 1, recruited but did not join the attempted coup
25. Col. Gregorio Catapang, former member of an armed forces movement
26. Col. Ariel Querubin, jailed for another "attempted coup" in 2006
27. Christopher Belmonte, counsel of some mutineers, arrested for hiding fugitive mutineers
28. Prof. Francisco Nemenzo, "academic adviser" of mutineers

Sworn Statements submitted to the FFFC
1. Amb. Roy A. Cimatu, chief negotiator
2. Capt. Philip G. Alvarez, informal negotiator
3. Lt. Sg. Christopher Magdangal, aide de camp to the head of the Presidential Security Group
4. Mr. Michael Brown, chief of security, Oakwood Premiere Apartments

Transcripts of interviews with the FFFC
1. Col. Delfin Bangit, head of Presidential Security Group
5. Lt. Sg. Christopher Magdangal, aide de camp to the head of the Presidential Security Group
2. Gen. Victor Corpus, chief of Intelligence Services, Armed Forces of the Philippines
3. Capt. Frederick Rebong, Intelligence Services, Armed Forces of the Philippines
4. Cdre. Tirso Danga, informal negotiator
5. Lt. Col. Eduardo Oban, Jr., formal and informal negotiator
6. Prof. Renato Velasco, informal negotiator
7. Mr. Robert A. Rosetti, General Manager, Oakwood Premiere Apartments
8. Sen. Antonio Trillanes IV, member of the "core group"
9. [Former] Capt. Milo Maestrecampo, member of the "core group"

Reports prepared for the Feliciano Commission
1. "Chronology of events known to the National Bureau of Investigation as a result of its investigation" by the National Bureau of Investigation
2. "NCRPO Security Preparations re the Oakwood Incident" by the National Capital Region Police Operations
3. "Mutiny by a group of junior officers" by the Philippine National Police
4. "After Operations Report" by the Philippine Navy (Marines)
5. "Briefing on the 2003 State-of-the-Nation-Address (SONA) and the Attendant Destabilization Activities" by the National Intelligence Coordinating Agency
6. Memorandum from Ambassador Roy Cimatu, Chief Negotiator
7. Roster of Magdalo soldiers; includes full names, unit, assignment

Other documents
1. Transcript of the three-day Senate investigation of the Oakwood Mutiny
2. Transcript of the two-day Congressional investigation (Committee on Defence) of the Oakwood Mutiny
3. General Order No. 4 Directing the Armed Forces of the Philippines and Philippine National police to Suppress Rebellion; from the Palace
4. Proclamation No. 427 Declaring the State of Rebellion
5. "A Study of Corruption in the Philippine Navy"; by Lt. Sg. Antonio Trillanes, MA thesis in Public Administration
6. The Last Revolution, document prepared by the mutineers
7. The National Recovery Programme, Sen. Gregorio Honasan's platform for governance
8. Social Weather Stations Survey, released 30th September 2003

APPENDIX 2
AFTER OPERATIONS REPORT

Philippine Navy, Headquarters Philippine Marine Corps, Fort Bonifacio, Makati City
28 July 2003
Prepared by: MGen Emmanuel R. Teodosio, AFP, Commandant

Reporting Unit: Philippine Marine Corps
Period Covered: 26-28 July 2003

Mission: To undertake necessary action for the conduct of operation in order to contain and neutralize mutinous soldiers occupying Ayala Center, particularly Oakwood Hotel, Glorietta Complex, Makati Commercial Business District (MCBD), Makati City

Resources Used:

Personnel Strength

Units	Officers	Enlisted Personnel
COMD GRP	7	19
11MBN	7	77
PROV'L COY (CSSB)	3	29
SUPPORT UNITS		
Armor Unit (AABn)	4	23
Force Recon Platoon	2	25
Motor Transport		12
Medical Team	1	6
Mess Section		2
Commo Section		4
TOTAL	24	197

Armour and Mobility Assets

V-300 (900 MM)	2
V-300 (APC)	4
V-150 Commando	1
M35 Trucks	7
HMMV	2
Mini Cruiser Jeep	2
Suzuki Van (M/C)	3
Ambulance	1

Narrative/Chronological Events

26 July	12:00 nn	Declared Red Alert Status to all units aboard Manila/Cavite area
	14:00	Conducted muster of all units aboard MBRB at respective units/area. Started recalling all personnel outside camp and subsequently conducted inventory of all assets (firearms, equipment, vehicles and armor) on hand
	17:00	Conducted another muster of all units aboard MBFB. Reinforced Marine main gate, armoury, ammo depot and deployed one (1) squad advance security at vicinity Gate 3, Fort Bonifacio
	19:30	Another muster was conducted to all Marine units aboard MBFB. This time, including all available war assets
	22:45	CO, FRBn reported personally to the CPMC regarding the alleged disobedience action of some Officers and Enlisted Personnel, both organic students and directorates of different MCTC classes particularly ongoing FRC Class in Ternate, Cavite
	22:50	Conducted mobilization of al assets/personnel (aboard MBFB) and subsequently directed same to report in front of HPMC building for actual accounting
	23:00	PMRF Battle Staff was organized at the Office of the CPMC with MC2, MC3 and CG, CsSBde
27 July	00:55	The same group was monitored passed through PNP checkpoint in Tanza, Cavite and boarded two (2) dump trucks with one (1) panel pick-up as convoy escort
	1:05	Directed/dispatched one (1) company of 11MBn, one (1) V300 Commando and one (1) V150 Commando with controlling Command Headquarters under LTC Remegio Valdez PN(M) on board three (3) M35 trucks to intercept/block the mutinous soldiers. However, said group of rebel soldiers was able to elude the blocking force and proceeded to Ayala Center, Makati City
	2:00	Another group of PMC elements onboard one (1) V300 (APC) Commando and one (1) HMMV under Maj Herbert P. Escalera Pn(M) follow the initial troops towards Makati Commercial Business District in Ayala, Makati, conducted checkpoint along EDSA-Buendia Area and subsequently vacated the area to link-up with 11MBN under LCol Veldez PN(M). Tactical Command Post (TCP) was then established at SM EDSA Parking Complex with BGen Ignacio Villenberger AFP in Command.
	2:30	11MBn and Tactical Command Group linked up, activated Task Force Ayala and manned vantage points encircling Ayala Center Complex. Armor and elements of 11MBn occupied focal entries/exit around the complex and employed government forces snipers atop Twin Towers building along Ayala Avenue, Makati

		City
	3:45	Reamining members of PMar Task Force Ayala (TFA) moved out from MBFB composed of Command Group Headquarters under CPMC, CSSBde (P) Company under Capt Taha PN (M) and remaining elements of 11MBn under 1Lt Leopoldo Librailla PN(M) with two (2) V300 (90 RR Mounted) onboard 4-M35 trucks and two (2) HMMV bound for MCBD, Makati City
	4:30	Established Command Post at EDSA Parking Complex (back of Intercon Hotel). Emplaced Force Recon Snipers and remaining troops at Dusit Hotel, Park Square I and II, Shangri La Hotel and Landmark building complex.
	5:00	CPMC and staff officers/security conducted inspection/roving of troops deployed around Ayala Center Complex and its immediate vicinities.
	6:35	Component of TF Libra composed of 80IB with four (4) Armor assets and ten (10) M35 trucks under Maj Nepomuceno PA arrived MCBD to augment government forces/security requirements in the AOR. Subsequently conducted briefing to the designated CO of 80IB, regarding the present situation and force requirements. Said units remain on standby at vicinity Ayala/Buendia and Makati avenue for further deployment.
	7:00	P/DDG Aglipay PNP, SPD P/CS Guttierez PNP, Makati Police Chief P/SS Ruiz PNP and TF Libra Unit Commanders arrived Tactical Command Post (TCP), TF Ayala and subsequently coordinated the employment of CDM forces along Ayala Center point of entries and exit, thereby placing the entire complex sealed-off.
	7:15	Sen. Rodolfo G. Biazon and Congressman Rozzano G Biazon, lone district of Muntinlupa City arrived TF HQS and conducted dialogued to CPMC and all Commanders aboard HTFA.
	7:30	CPMC called for coordinating conference of all units/commanders involved in operation.
	8:00	Elements of TF Libra relived in-place elements of 11MBn with OPCON armor units manning along Makati Avenue from vicinity corner Alaya Avenue to Pasay Road. Relieved personnel under 2Lt. Libradilla PN(M) were immediately redeployed/reinforced troops along vicinity Ayala Ave to Pasay Road and to act as assaulting troops main effort (ME) when signal is given.
	8:45	MGen Efren Abu AFP, CG 2ID arrived and visit Command Group Headquarters. LtCol Antonieto E. Ga PN(M), designated Chief of Staff, TFA immediately conducted briefing/orientation regarding the present situation of MDCBD AOR.
	9:00	Conducted assessment of the situation and continued planning for the conduct of operations. Confirmed report of enemy disposition/defensive position manning Glorietta Mall Complex particularly the Oakwood Hotel Tower composed of more or less 270 fully armed troops.

	10:00	Continued conducting initial planning for the Concept of Operations in case negotiation fails. Phase I – Will be the occupation of respective battle stations/assigned areas, sector of fires and maneuver of respective units. 11MBn with attachment (FRBn/AABn) to act as the main effort (ME) to conduct the assault of right/front wing of Glorietta Complex (1 & 4) and the 80IB, PA (TF Libra) to assault the left/back wing of Glorietta Complex (2 & 3). While the SPOW, PAF to act as supporting effort (SE) at vicinity fronting Intercon Hotel and along Ayala Avenue. Phase II will be the execution of the assault. Phase III is the final phase and consolidation of forces.
	12:00	Conducted troops reprovisioning/noon mess
	13:00	CPMC final planning/briefing of troops assisted by MC3 and MC2 regarding the Concept of Operations in accordance with the President declarations of final deadline up to 17:00 for the mutinous soldiers to negotiate for their peaceful surrender/laying down of arms
	14:00	Executed Phase I of the Concept of Operations (Occupation of vantage positions/battle stations) [trigger?]
	14:30	CPMC and staff with security/escort conducted final inspection/roving of troops deployed along respective battle stations/positions prior the execution of Phase II.
	14:50	**First batch of mutinous soldiers** composed of 1 Officer and 13 EP facilitated for their surrender. Same was taken into custody at the TFA Headquarters by the overall Ground Commander for debriefing and proper disposition.
	15:00	**Second batch of mutinous soldiers** composed of two (2) officers and five (5) EP was facilitated for their surrender. CPMC conducted press conference and interview/dialogue with the members of media/press people.
	15:15	Government negotiating team headed by Amb. Roy Cimatu, Senators Gregorio Honasan, Tito Sotto and Rodolfo Biazon initiated peace negotiations with the mutinous forces at the Oakwood hotel.
	17:00	Set deadline was extended for two (2) hours up to 19:00 to give way for further peaceful negotiations
	18:00	Negotiations/peace talks ongoing
	19:00	Deadline was extended indefinitely for the continuing talks/negotiations
	20:00	Negotiations still in progress
	20:30	Peace negotiation was declared successful
	21:00	Troops started to pull out/consolidate from their respective battle stations/assault positions for back loading to MBFB
	21:30	First wave with the surrendered rebel soldiers departed MCBD for HPMC, MBFB. Same arrived in front of Brown Hall on or about 22:30
	22:30	Remaining troops/last wave departed MCBD. Same arrived MBFB

		on or about 23:00
	23:00	Assessment of operations/processing of surrendered mutinous soldiers at HPMC for further/proper disposition. Final interview of CPMC and participating units/personnel with the media/pres people.
28 July 2003	00:30	Operations terminated.

Assessment
- "The recent military operation conducted was considered very much successful. The timely arrival of Marine troops and the isolation of the Makati Commercial Business District areas being occupied by the rebel soldiers, prevented them to conduct further hostile actions" "The initial action taken by this Command preempted the escalation of the situation and contributed much to other sectors who facilitated the peace negotiation that leads to the successful surrender of the mutineers without any single bullet fired"

APPENDIX 3
ETHICAL FRAMEWORK USED IN THE THESIS

Statement of Ethical Practice for the British Sociological Association
As of March 2002

Introduction

This statement is one of a set of Guidelines on a variety of fundamental aspects of professional sociology.

The British Sociological Association gratefully acknowledges the use made of the ethical codes and statements of the Social Research Association, the American Sociological Association and the Association of Social Anthropologists of the UK and the Commonwealth

1) The purpose of the statement is to make members aware of the ethical issues that may arise throughout the research process and to encourage them to take responsibility for their own ethical practice. The Association encourages members to use the Statement to help educate themselves and their colleagues to behave ethically.

2) The statement does not, therefore, provide a set of recipes for resolving ethical choices or dilemmas, but recognises that it will be necessary to make such choices on the basis of principles and values, and the (often conflicting) interests of those involved.

3) Styles of sociological work are diverse and subject to change, not least because sociologists work within a wide variety of settings. Sociologists, in carrying out their work, inevitably face ethical, and sometimes legal, dilemmas which arise out of competing obligations and conflicts of interest.

4) The following statement advises members of the Association about ethical concerns and potential problems and conflicts of interest that may arise in the course of their professional activities. The statement is not exhaustive but summarises basic principles for ethical practice by sociologists. Departures from the principles should be the result of deliberation and not ignorance.

The strength of this statement and its binding force rest ultimately on active discussion, reflection, and continued use by sociologists. In addition, the statement will help to communicate the professional position of sociologists to others, especially those involved in or affected by the activities of sociologists.

Professional Integrity

5) Sociological research is a valuable activity and contributes to the well-being of society. Members should strive to maintain the integrity of sociological inquiry as a discipline, the freedom to research and study, and to publish and promote the results of sociological research including making data available for the use of researchers in the future

6) Members have a responsibility both to safeguard the proper interests of those involved in or affected by their work, and to report their findings accurately and truthfully. They need to consider the effects of their involvements and the consequences of their work or its misuse for those they study and other interested parties. Sociologists should note that there are national laws and administrative regulations (for example Data Protection Acts, the Human Rights Act, copyright and libel laws) which may affect the conduct of their research, data dissemination and storage, publication, rights of research subjects, of sponsors and employers etc..

7) While recognising that training and skill are necessary to the conduct of social research, members should themselves recognise the boundaries of their professional competence. They should not accept work of a kind that they are not qualified to carry out. Members should satisfy themselves that the research they undertake is worthwhile and that the techniques proposed are appropriate. They should be clear about the limits of their detachment from and involvement in their areas of study. (Also see 45.-47)

8) Social researchers face a range of potential risks to their safety. Safety issues need to be considered in the design and conduct of social research projects and procedures should be adopted to reduce the risk to researchers.

9) In their relations with the media, members should have regard for the reputation of the discipline and refrain from offering expert commentaries in a form that would appear to give credence to material that, as researchers, they would regard as comprising inadequate or tendentious evidence. (Also see 20.-24).

Relations with and Responsibilities towards Research Participants

10) Sociologists, when they carry out research, enter into personal and moral relationships with those they study, be they individuals, households, social groups or corporate entities.

11) Although sociologists, like other researchers are committed to the advancement of knowledge, that goal does not, of itself, provide an entitlement to override the rights of others.

12) Members should be aware that they have some responsibility for the use to which their data may be put and for how the research is to be disseminated. Discharging that responsibility may on occasion be difficult, especially in situations of social conflict, competing social interests or where there is unanticipated misuse of the research by third parties.

Relationships with research participants

13) Sociologists have a responsibility to ensure that the physical, social and psychological well-being of research participants is not adversely affected by the research. They should strive to protect the rights of those they study, their interests, sensitivities and privacy, while recognising the difficulty of balancing potentially conflicting interests.

14) Because sociologists study the relatively powerless as well as those more powerful than themselves, research relationships are frequently characterised by disparities of power and status. Despite this, research relationships should be characterised, whenever possible, by trust and integrity.

15) In some cases, where the public interest dictates otherwise and particularly where power is being abused, obligations of trust and protection may weigh less heavily. Nevertheless, these obligations should not be discarded lightly.

16) As far as possible participation in sociological research should be based on the freely given informed consent of those studied. This implies a responsibility on the sociologist to explain in appropriate detail, and in terms meaningful to participants, what the research is about, who is undertaking and financing it, why it is being undertaken, and how it is to be disseminated and used.

17) Research participants should be made aware of their right to refuse participation whenever and for whatever reason they wish.

18) Research participants should understand how far they will be afforded anonymity and confidentiality and should be able to reject the use of data-gathering devices such as tape recorders and video cameras.

19) Sociologists should be careful, on the one hand, not to give unrealistic guarantees of confidentiality and, on the other, not to permit communication of research films or records to audiences other than those to which the research participants have agreed.

20) Where there is a likelihood that data may be shared with other researchers, the potential uses to which the data might be put must be discussed with research participants and their consent obtained for the future use of the material.(iv). When making notes, filming or recording for research purposes, sociologists should make clear to research participants the purpose of the notes, filming or recording, and, as precisely as possible, to whom it will be communicated. It should be recognised that research participants have contractual and/or legal interests and rights in data, recordings and publications.

21) The interviewer should inform the interviewee of their rights under any copyright or data protection laws

22) Researchers making audio or video recordings should obtain appropriate copyright clearances

23) Interviewers should clarify whether, and if so, the extent to which research participants are allowed to see transcripts of interviews and field notes and to alter the content, withdraw statements, to provide additional information or to add glosses on interpretations

24) Clarification should also be given to research participants regarding the degree to which they will be consulted prior to publication. Where possible, participants should be offered feedback on findings, for example in the form of a summary report.

25) It should also be borne in mind that in some research contexts, especially those involving field research, it may be necessary for the obtaining of consent to be regarded, not as a once-and-for-all prior event, but as a process, subject to renegotiation over time. In addition, particular care may need to be taken during periods of prolonged fieldwork where it is easy for research

participants to forget that they are being studied.

In some situations access to a research setting is gained via a ´gatekeeper´. In these situations members should adhere to the principle of obtaining informed consent directly from the research participants to whom access is required, while at the same time taking account of the gatekeepers´ interest.
Since the relationship between the research participant and the gatekeeper may continue long after the sociologist has left the research setting, care should be taken not to compromise existing relationships within the research setting

26) It is, therefore, incumbent upon members to be aware of the possible consequences of their work. Wherever possible they should attempt to anticipate, and to guard against, consequences for research participants that can be predicted to be harmful. Members are not absolved from this responsibility by the consent given by research participants.

27) In many of its forms, social research intrudes into the lives of those studied. While some participants in sociological research may find the experience a positive and welcome one, for others, the experience may be disturbing. Even if not harmed, those studied may feel wronged by aspects of the research process. This can be particularly so if they perceive apparent intrusions into their private and personal worlds, or where research gives rise to false hopes, uncalled for self-knowledge, or unnecessary anxiety.

28) Members should consider carefully the possibility that the research experience may be a disturbing one and should attempt, where necessary, to find ways to minimise or alleviate any distress caused to those participating in research. It should be borne in mind that decisions made on the basis of research may have effects on individuals as members of a group, even if individual research participants are protected by confidentiality and anonymity.

29) Special care should be taken where research participants are particularly vulnerable by virtue of factors such as age, disability, their physical or mental health. Researchers will need to take into account the legal and ethical complexities involved in those circumstances where there are particular difficulties in eliciting fully informed consent. In some situations proxies may need to be used in order to gather data. Where proxies are used, care should be taken not to intrude on the personal space of the person to whom the data ultimately refer, or to disturb the relationship between this person and the proxy. Where it can be inferred that the person about whom data are sought would object to supplying certain kinds of information, that material should not be sought from the proxy.

30) Research involving children requires particular care. The consent of the child should be sought in addition to that of the parent. Researchers should use their skills to provide information that could be understood by the child, and their judgement to decide on the child´s capacity to understand what is being proposed. Specialist advice and expertise should be sought where relevant. Researchers should have regard for issues of child protection and make provision for the potential disclosure of abuse.

Covert Research

31) There are serious ethical and legal issues in the use of covert research but the use of covert methods may be justified in certain circumstances. For example, difficulties arise when research participants change their behaviour because they know they are being studied. Researchers may also face problems when access to spheres of social life is closed to social scientists by powerful or secretive interests.

32) However, covert methods violate the principles of informed consent and may invade the privacy of those being studied. Covert researchers might need to take into account the emerging legal frameworks surrounding the right to privacy. Participant or non-participant observation in non-public spaces or experimental manipulation of research participants without their knowledge should be resorted to only where it is impossible to use other methods to obtain essential data.

33) In such studies it is important to safeguard the anonymity of research participants. Ideally, where informed consent has not been obtained prior to the research it should be obtained post-hoc.

Anonymity, Privacy and Confidentiality

34) The anonymity and privacy of those who participate in the research process should be respected. Personal information concerning research participants should be kept confidential. In some cases it may be necessary to decide whether it is proper or appropriate even to record certain kinds of sensitive information.

35) Where possible, threats to the confidentiality and anonymity of research data should be anticipated by researchers. The identities and research records of those participating in research should be kept confidential whether or not an explicit pledge of confidentiality has been given.

36) Appropriate measures should be taken to store research data in a secure manner. Members should have regard to their obligations under the Data Protection Acts. Where appropriate and practicable, methods for preserving anonymity should be used including the removal of identifiers, the use of pseudonyms and other technical means for breaking the link between data and identifiable individuals. Members should also take care to prevent data being published or released in a form that would permit the actual or potential identification of research participants without prior written consent of the participants. Potential informants and research participants, especially those possessing a combination of attributes that make them readily identifiable, may need to be reminded that it can be difficult to disguise their identity without introducing an unacceptably large measure of distortion into the data.

37) Guarantees of confidentiality and anonymity given to research participants must be honoured, unless there are clear and overriding reasons to do otherwise, for example in relation to the abuse of children. Other people, such as colleagues, research staff or others, given access to the data must also be made aware of their obligations in this respect. By the same token, sociologists should respect the efforts taken by other researchers to maintain anonymity.

38) Research data given in confidence do not enjoy legal privilege, that is they may be liable to

subpoena by a court and research participants should be informed of this.

39) There may be fewer compelling grounds for extending guarantees of privacy or confidentiality to public organisations, collectivises, governments, officials or agencies than to individuals or small groups. Nevertheless, where guarantees have been given they should be honoured, unless there are clear and compelling public interest reasons not to do so.

40) During their research members should avoid, where they can, actions which may have deleterious consequences for sociologists who come after them or which might undermine the reputation of sociology as a discipline.

41) Members should take special care when carrying out research via the Internet. Ethical standards for internet research are not well developed as yet. Eliciting informed consent, negotiating access agreements, assessing the boundaries between the public and the private, and ensuring the security of data transmissions are all problematic in Internet research. Members who carry out research online should ensure that they are familiar with ongoing debates on the ethics of Internet research, and might wish to consider erring on the side of caution in making judgements affecting the well-being of online research participants.

Relations with & Responsibilities towards Sponsors and/or Funders

42) A common interest exists between sponsor, funder and sociologist as long as the aim of the social inquiry is to advance knowledge, although such knowledge may only be of limited benefit to the sponsor and the funder. That relationship is best served if the atmosphere is conducive to high professional standards.

43) Members should ensure that sponsors and/or funders appreciate the obligations that sociologists have not only to them, but also to society at large, research participants and professional colleagues and the sociological community. The relationship between sponsors or funders and social researchers should be such as to enable social inquiry to be undertaken professionally. In research projects involving multiple funders or inter-disciplinary teams, members should consider circulating this Statement to colleagues as an aid to the discussion and negotiation of ethical practice.

44) Research should be undertaken with a view to providing information or explanation rather than being constrained to reach particular conclusions or prescribe particular courses of action.

Clarifying obligations, roles and rights

45) Members should clarify in advance the respective obligations of funders and researchers where possible in the form of a written contract. They should refer the sponsor or funder to the relevant parts of the professional code to which they adhere. Members should also be careful not to promise or imply acceptance of conditions which are contrary to their professional ethics or competing research commitments.

46) Where some or all of those involved in the research are also acting as sponsors and/or funders of research the potential for conflict between the different roles and interests should also

be made clear to them.

47) Members should also recognise their own general or specific obligations to the sponsors whether contractually defined or only the subject of informal and often unwritten agreements. They should be honest and candid about their qualifications and expertise, the limitations, advantages and disadvantages of the various methods of analysis and data sources, and acknowledge the necessity for discretion with confidential information obtained from sponsors.

48) They should also try not to conceal factors that are likely to affect satisfactory conditions or the completion of a proposed research project or contract.

Pre-empting outcomes and negotiations about research

49) Members should not accept contractual conditions that are contingent upon a particular outcome or set of findings from a proposed inquiry. A conflict of obligations may also occur if the funder requires particular methods to be used.

50) Members should clarify, before signing the contract, how far they are entitled to be able to disclose the source of their funds, the personnel, aims and purposes of the project.

51) Members should also clarify their right to publish and disseminate the results of their research.

52) Members have an obligation to ensure sponsors grasp the implications of the choice between alternative research methods. Guarding privileged information and negotiating problematic sponsorship

53) Members are frequently furnished with information by the funder who may legitimately require it to be kept confidential. Methods and procedures that have been utilised to produce published data should not, however, be kept confidential unless otherwise agreed.

54) When negotiating sponsorships members should be aware of the requirements of the law with respect to the ownership of and rights of access to data.

55) In some political, social and cultural contexts some sources of funding and sponsorship may be contentious. Candour and frankness about the source of funding may create problems of access or co-operation for the social researcher but concealment may have serious consequences for colleagues, the discipline and research participants. The emphasis should be on maximum openness.

56) Where sponsors and funders also act directly or indirectly as gatekeepers and control access to participants, researchers should not devolve their responsibility to protect the participants´ interests onto the gatekeeper. Members should be wary of inadvertently disturbing the relationship between participants and gatekeepers since that will continue long after the researcher has left.

Obligations to sponsors and/or Funders During the Research Process

57) Members have a responsibility to notify the sponsor and/or funder of any proposed departure from the terms of reference of the proposed change in the nature of the contracted research.

58) A research study should not normally be undertaken where it is anticipated that resources will be inadequate.

59) When financial support or sponsorship has been accepted, members must make every reasonable effort to complete the proposed research on schedule, including reports to the funding source.

60) Members should, wherever possible, disseminate their research findings as widely as possible and where required make their research data available to other researchers via appropriate archives.

61) Members should normally avoid restrictions on their freedom to publish or otherwise broadcast research findings

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