

Judgment in architectural competitions as communicative deliberative practice

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Abstract

The judgment process in architectural competitions has long been considered as one of the most complex and controversial practices. This, on one hand, is because of architecture itself and the multi-faceted nature of the architectural design, and on the other, for the complexion of the judgment process and the diversity of stakeholders involved in the decision process. Framing the judgment process as a democratic practice, this paper aims to explore the nature of the judgment process in architectural competitions, utilizing deliberative democracy as a frame of reference, through comparative critical analysis approach to the existing body of knowledge. The communicative action theory is used as a model by which negotiations or communications leading to the decision in judgment process of an architectural competition can be integrated in the process and understood from a new angle. Laying foundation for future research, this paper argues that, in order to reach a rational mutual decision, dialogic and instrumental deliberation are both essential to a successful judgment process in architectural competitions. In addition, conducting an effective communication between all the stakeholders involved in the decision process to promote transparency, is vital to reach a common understanding that allows for sharing a common ground to reach consensus.

1. Introduction

The judgement process plays a substantial role in architectural competitions, as the main aim of judgement, supposedly, is to choose the proposal that best meets the requirements of the brief. However, this process has repeatedly seen to be controversial, for several reasons but mostly – as this study frames it – due to lack of clear communication between all involved parties and stakeholders.

On the other hand, architectural competitions can be perceived as a social democratic phenomenon. Because of the critical standpoint of this study, and also for the fact that decision making and communication form the main two elements of the judgement process, therefore, this study focuses on the theory of communicative action as one of the main contributions to the critical realism theory, which combines aspects of decision making and

communication in its core structure. The emphasis is on the concept of deliberative democracy as one of the applications of communicative action theory into political sciences where dialogue forms the major means of proceeding deliberation.

Utilising critical comparative method – with its four main areas of concentration as discussed later in section 4 of this paper, this study sets out to theoretically investigate the judgement process in architectural competitions in comparison with deliberative democracy. This will enable the research, in its next developmental stages, to come up with suggestions for change to contribute to clarifying some of the complexities inherent in the architectural competitions with an aim to enhance transparency and fairness of this practice.

2. Background

2.1 Judgement in architecture

Judgment is used for almost every single decision people have to make on a day-to-day basis. However, it is not that simple when it comes to notions whose definition are a matter of dispute such as aesthetics, excellence, uniqueness, etc. This is especially the case when the judgement process switches from an individual to a collective mode, where it is more likely to bear broader, deeper and longer impacts on the society with many stakeholders involved, not only within the judgment process but also impacted as a result of such process. This is even more the case when relativity manifests itself and values and how they are framed play a substantial role in the decision process; the term “good” for instance, might bring up the questions of “good to who?”, “good to what extent?” and “good for what?” (Benedikt, 2007).

The question of whether judgement is a process within decision making or vice versa, remains subject to different opinions and sometimes controversy. In English language, judgement is a “mass noun” defined as the ability to make considered decisions or to come to the sensible conclusion(Oxford Online Dictionary) . This definition includes three main principles of judgement: the ability (experience or expertise), considered decision (deliberating all the circumstances related to, and all stakeholders/ parties involved in the decision), and sensible conclusion (reaching at a final conclusion or choice based on full considerations of alternative options). Also, as a “count noun”, Judgement is defined by Oxford Dictionary as an opinion or a conclusion. This definition takes into consideration the idea of an opinion, which conveys the subjective feature of judgment. In addition, the third definition of judgement is to “...*Criticize or condemn someone from a position of assumed moral superiority*”. This definition denotes very interesting features of judgement that is criticism as one of the main factors affecting judgement. It also utilizes “moral superiority”, which conveys features of the personal qualities required for the makers of judgement. Those qualities can be understood not only in the moral context of integrity, but also in the practice context as expertise and knowledge. Cambridge Dictionary Online (2016), defines judgement as “...*the evaluation of evidence to make a decision*”. This definition contains another important feature of judgement, which is evidence, required to back up the decision.

Hence, all the previous definitions can be summarised in few points:

- It is closely related to decision-making
- In judgement all related circumstances and stakeholders have to be considered, which implies the necessity of comprehensiveness and inclusivity.
- In judgement, there would be an unavoidable subjectivity.
- In judgement, criticism is a valuable feature.
- In judgement, evaluation of evidence is a part of the decision process.

- For judgement makers, integrity, knowledge, and expertise, are essential

Judgment in architecture needs to be carried out carefully. This is because buildings are not disposable products. They will last for a long time with some unforeseen short- to long- term effects not only on their users or immediate context but also on broader global context and future generations to come. As such, poor judgment may even result in life-threatening effects if it is related to construction or environmental issues. Therefore, in architecture, rigorous evaluation is essential. In addition, public's exposure to buildings makes architecture and the process of its judgment/evaluation of paramount importance way beyond principal technicalities pertaining to buildings as an artefact within the built and natural environment. Therefore, judgment process is a matter of public interest as much as it is personal to those who use, live or work in the spaces subject to, or produced as a result of such a process.

2.2 Architectural competitions

In architecture world, architectural competitions act as the biggest and most important means, contexts, or venues where the architectural design is peer reviewed and judged (Benedikt, 2007). They have been part of the design tradition since 448 BC when the ancient Greeks first organised a design competition for a war memorial on the Acropolis. Ever since, the quality and the value of architectural designs have been a matter of public debate (Strong, 1976, Volker, 2010, Haan and Haagsma, 1988). They illustrate potential futures through the visualisation of the projects, where the prospect of a certain place is being explored, tested, evaluated, and judged. It is a way of pre- conceptualisation of how it could be if the proposals were to be applied. It is also the venue to investigate, closely, how organizers, juries and competition teams produce, communicate, visualize and evaluate images of the future built environment (Andersson et al., 2013a, Volker, 2011). In addition, architectural design competition enables a choice between different design options in shape of visualised proposals for those representing the public or the client (Spreiregen, 1979). In an attempt to pursue excellence in architecture, it is conventional that the quality of design proposals is judged by jury panels (or committees) of experts especially commissioned to work together with representatives of the client in an effort to decide on the best proposed entry. (Rönn, 2010, Volker, 2010, Rönn, 2011)

In architectural competitions, the centre of the event is related to evaluating the entries (proposals) and making a judgment about their quality. The jury then discusses and gradually comes to the final selection by considering each entry and its potential to fulfil the competition program. The selection is carried out in form of negotiations based on the quality of the entries (Rönn, 2011). One of the premium platforms for architectural judgment is architectural competition, where a group of assumingly competent people (jury members) are given the task of finding the best design solutions among many entries (Rönn, 2011). In fact, architectural competitions have long been used as a method to seek out for the best designs, and as democratic opportunity where a set of alternatives can be tested through the judgment process in an effort to select the best project in a transparent manner (Chupin, 2011). Although they open the way to the art of architecture and creative freedom, this has to be done within a set of rules and criteria through a transparent process, and through disciplined and expert procedures (Guilherm and Rocha, 2013, Strong, 1976 cited in Svensson, 2013).

The judgement process in architectural competitions normally starts after the submission of the entries. The jury is usually formed of representatives of all interested parties i.e. clients, organising bodies, experts, and sometimes even members of the end users community. The jury's assignment is to identify the proposal which best meets the competition's objectives. Rönn (2009) suggests judging is done in several steps. First the jury members would meet

to discuss the competition task, the judgement criteria and priorities, and the decision conditions. After that the first viewing would take place, where the juries would pick their preferred entries based on the preliminary criteria. Then the best proposals are shortlisted and poor solutions are eliminated (Volker, 2010). These quality judgements are made keeping in mind the goals, intentions and requirements of the competition programme. However, the choice of the winner can also be influenced by “tacit knowledge” in the professional quality assessment of the proposal (Rönn, 2009). In addition to both set and clear criteria and the tacit knowledge, several other subjective factors, arising from the fact that judgement in any subject can be affected by personalities, expertise, knowledge, and personal taste of the people who are responsible for making the judgement, contribute to this process. It is however very difficult to formalise and streamline such subjective measures.

The Royal Architectural Institute of Canada, defines architectural competition as a " method of obtaining a design solution to a sponsor's requirements that relies on a process which is fair and equitable to all stakeholders." (Chupin, 2011) . Stakeholders here refer to the sponsor, the professional advisors, the jury, the technical committee, the competitors and the public. However, what is less concrete is the notion attributed to terms “fair and equitable”, which obviously is open to interpretation.

Svensson (2013):148 quotes Guilherm and Rocha (2013) as they assert that:

“Competitions are a standard administrative method for procuring design services and reflect the equitable distribution of design commissions, the need for openness in the distribution of public funds, the quest for better design, further public participation and overall improvement of the built environment”.

What is questionable about this definition is its prescriptiveness about competitions being a “standard administrative method”. What is also interesting is their emphasis on “further public participation”; what hardly ever happens for the fact that the public devolve their decision to the often limited, if any representative that they may have on the jury panel.

Both definitions highlight fairness and equitability of the process to try to draw attention to the seminal importance of openness and transparency, but there is no indication of how these are going to be achieved. Architectural competitions, as highlighted by (Andersson et al., 2013c), presumably earn their most effective powers only through the use of structural framework; a framework that sustains a driving force that fosters the gradual- but eventually complete- inclusion of all stakeholders, in the process of agreeing on a winning design entry. In that sense allegedly architectural competition has a vital role in constituting an arena for best practice of architectural production and evaluation.

Despite the fact that, knowledge about the fundamental dynamics of architectural competitions is still pretty much an unexplored realm (Andersson et al., 2013c, Volker, 2010), it is the combination of the pursuit of excellence in design, and the competitive dimension of this practice that makes design competitions a lively context for investigating the motivations and patterns that lay beneath this interesting practice, and make a very fertile ground for research.

2.3 Reported failures of the judgement process in architectural competitions

Perceived to be a legitimate tool to choose the best design, Architectural competitions have been seen as a democratic opportunity where a set of alternatives are tested through the judgment process in a transparent manner (Chupin, 2011). However, as with any democratic process, competitions have proponents and opponents who argue for or against them. The

criticism is mostly concerned with the credibility and transparency of judgment (Collins, 1971, Lipstadt and Bergdoll, 1989, Nassar, 1999 quoted in Chupin, 2011).

Credibility and fairness of the judgement process in architectural competitions has been in dispute for many years. arguably , one of the first documented evidences in this regard dates back to general account published in the British Architect and Northern Engineer (1877), where the history of competitions was claimed to have presented a sad picture of disappointment, deceit, deliberate injustice, and strange coincidences. The history of architectural competitions is full of disreputable stories. (Haan and Haagsma, 1988) go on to suggest that from the very beginning, the competition phenomenon seems to have had inherited the rivalry associated with the competition concept, jealousy, quarrelling, and backstabbing was a distinctive feature of most architectural design competitions.

As a result of the confidentiality associated with the judgement process in architectural competitions, most of the competitions have not been properly documented (Volker, 2010), and most of what was reported have only reached us through the press and non-formal publications. This has led to the difficult to trace back the reasons and drivers of these failures. This is also one of the reasons why transparency is vital when it comes to judging architectural design competitions.

In addition, Judging architectural competitions is difficult not only because of the nature of architecture itself but also because of the people involved in the process and the diverse nature of their intentions, understandings, tastes, agendas, personal initiatives or professional obligations, opinions, views, thoughts, and even sometimes prejudices etc. whether objective or subjective.

Although it looks like a bold claim, (Younés, 2012) asserts that the problems and failures associated with architectural competitions are mostly related to the nature of the people involved in the judgement process, where rivalry, envy, and even jealousy have a role to play. Those failures can be rooted back in to two main causes: influence and bias. Influence might affect the judgment deliberately or non-deliberately where bias is the deliberate favouritism of a certain entry or contestant.

2.4 Judgement as decision making

Judging architecture is not an easy task. It is complex, and by nature, morally, ethically and professionally challenging, where decisions need to be made only based on partial or limited information available to the jury. In addition, there is time, social and peer pressure, and sometimes even political pressure (Kazemian and Rönn, 2009). Therefore, decision makers need to be aware of their situation and the possible consequences of their decisions; what is most often very difficult to foresee especially if the project is of notable scale. Therefore, skills, experience and effective teamwork enhance the dynamic and the outcome of the decision process. Such skills can be comprehended in the tradition of sense making as a model of decision making (Volker, 2010).

Rönn (2010) claims that architectural design is a professional skill based on education and experience gained through practice. He therefore goes on to suggest that it is what makes architects in the jury panel lead, relying on their relevant experience which enables them to make intuitive decisions based on their tacit knowledge and unconscious memory systems; what members of the same profession share as a code of practice, and will lead them to accept peer review from within their own discipline. This said, it seems that he is implying that architects have a superior position in the jury.

In a traditional design competition, the jury panel judges the quality of design anonymously. The designs could act, in that situation, as boundary objects: an artefact that serves as an intermediary medium in communication between two or more people or groups involved (Collopy and Boland, 2004 as cited in Volker, 2010). In current practice, jury panels often consist, mainly, of architects and politicians and other stakeholders' representatives. Although politicians are supposedly experienced decision makers, decisions about architectural quality require domain-specific skills in the area of the built environment with some experience in less tangible aspects of design and aesthetics. Therefore, architects in the jury committee normally lead the decision process (Rönn, 2010).

Previous studies have used different models to explain or investigate the decision process in jury deliberation. For instance, Volker (2010) claims that the current practice of selecting architect for competition in a tender process appears to be based on two conflicting decision making models: (i) The legal model, which assumes a rational and sequential decision process in which alternatives are compared based on pronounced criteria and (ii) The naturalistic decision model which grants an pivotal role to the use of intuition. The origin of the current problems in decision process could consequently be found in these different rationalities (Volker, 2010). Both Volker (2012) and Kreiner (2013) claim that the decision process in architectural competitions can be seen as a sense-making process.

Van Wezemaal (2010) attempts to trace topology of relations between the stakeholders, where he adopts a Qualculative approach. The study concludes with a framework for the decision-making process in Judgement sessions in urban design competitions using aspects of Actor-Network Theory and the assemblage theory. Also in their ethnographic study of jury meetings, Van Wezemaal et al. (2011) look at aspects of a collective decision-making approach to the assessment of quality in urban design competitions. They found that the most relevant assessment criteria emerged during the decision-making process as a result of interaction between the diverse components of the judgement 'actants', namely people and entry materials.

On the other hand, according to (Svensson, 2010, 2013), the jury's evaluation of the architectural projects may be seen as a meeting between rationality and architectural critique. This is a consequence of the jury's formation of members representing differing interests, knowledge and professional backgrounds. Appointing a winner through a rational decision process, or alternatively, through an architectural critique method, represents two different ways of finding winners. The jury implements both methods. Politicians and officials utilise decision-making process to quantify the qualities while architects use critique as a means of direct assessment of qualities (Svensson, 2013, Andersson et al., 2013b).

In short, these studies individually look at different aspects of decision making using different theoretical lenses. However, they all agree on the complexity of the process also the nature of duality associated with the models used in the decision. This duality between legal and intuitive, or rational- and dialogue-based decisions appears to be a characteristic associated with the decision process in architectural competitions. It can also be noted that these models look at decision-making as a collective process, without taking into account the fact that it is not only a group process, but also consists of individual and organisational aspects that need to be considered when the judgement is carried out.

3. Setting the scene: Judgement in architectural competitions

The process starts with the decision to conduct a design competition. It is made mainly by the client – either as an individual or organizational entity – mostly based on the client's intent to seek the best quality work, or a new innovative way of thinking, sometimes as a publicity strategy either for the future project or building or for the organization

itself (Andersson et al., 2013b). After the decision is made, normally the client would seek consultancy on how to conduct a competition. This consultancy might come from the organization itself or from an independent body such as a competition consultancy professional or architecture practice. Then, the client normally recognizes and communicates their needs, requirements, visions, and opinions to the organizers (in verbal or written format), where the organizers then interpret those needs and requirements into a design brief in written format. This can be marked as the first 'leap of communication' and interpretation, where any missing piece of information or misunderstanding can cause a different interpretation; what might impact the design brief. The second leap of communication follows when the brief is announced to the public – in open competitions – or selected architects and designers – in limited or 'by-invitation' competitions – who will then start their own reinterpretation of the brief based on their own background knowledge, experience, and expertise as well as their specific architecture design process and style. Then those thoughts, visions, needs and requirements are translated and represented in a design proposal in form of 2D drawings, physical models or 3D visualization; what forms the third leap of communication.

Once the architects submitted their work, the judgment process begins. The jury members will then have their take on the brief, sit together to discuss the design task and the judgment criteria, where they normally weigh and prioritise the criteria according to their collective understanding – or interpretation – of the task. This marks the fourth leap of communication. The fifth and probably the most important leap of communication from this study's point of view start when the jury proceeded with the first viewing, and the non-competent proposals were eliminated, to help start process of shortlisting. To do this, entries are normally separated into smaller groups for shortlisting. Then the jury would meet again and discuss the shortlisted proposals in an attempt to reach consensus on the winning proposal(s). Before these discussions, where most of influences and biases can appear, each jury member has come up with their own shortlisting priorities either individually or in small group of two or three. Then in the group meeting they will discuss and justify their decisions in form of critique or dialogue. At this stage, a new understanding of the design task, inspired by the submitted work and also informed by the differences between the judges and their expertise, background knowledge and preferences or experience, emerges which will affect the criteria for the decision. This effect could come in shape of new criteria, revised criteria, or new priorities that impact the weight of certain criteria; what, in this study, will be referred to as 'the evolving criteria'. These discussions between the jury members can be perceived as the most significant leap of communication. It is where misunderstandings, misinterpretations and miscommunications can occur with a detrimental impact on the decision process; where biases and influences – deliberate and not-deliberate – appear. Even when there is a common understanding and shared terminology, the different backgrounds and expertise of jury members would affect their judgment and their priorities, especially if the brief has not particularly been clear enough (see Figure 1).

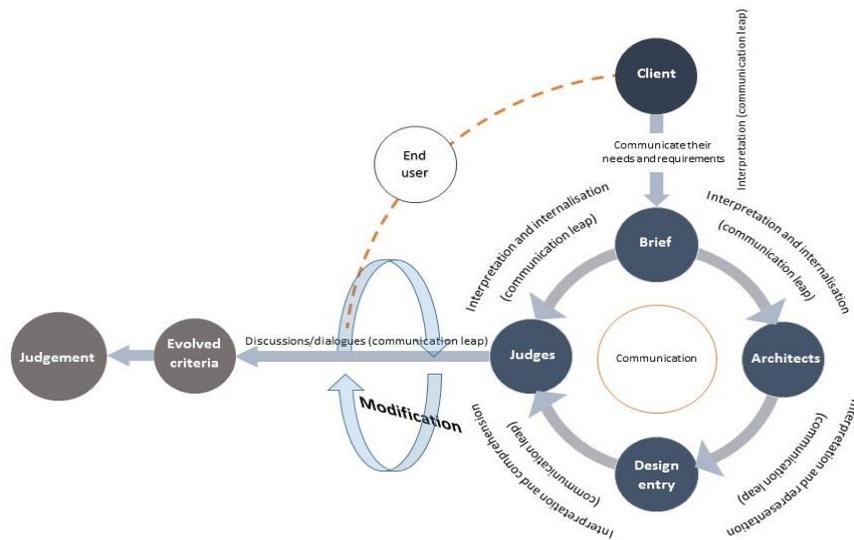


Figure 1: Main ‘Leaps of Communication’ in the judgment process in architectural competitions

This stage of competition plays a vital role in steering the judgment and decision process. It is where the criteria are being shifted, re-weighted or re-prioritized, and the thoughts and visions of different experts are merged, resulting in new evolved comprehensive version of the design brief and criteria. This version, that the contestants are unaware of, is the cause of most of controversy and distress associated with the judgment process in architectural competitions.

These leaps of communication and interpretation added by the change in communication medium from spoken to written to visual, to written, spoken and written again creates gaps in knowledge which causes misunderstanding fuelled by lack of clear communication. Although these leaps are inevitable, there is always scope to enhance communication throughout the judgment process of architectural competitions to help improve transparency, fairness and accountability while reducing controversy and conflict.

4. Methods and Methodology

Outlining the judgment process as a democratic practice, and setting out to explore the nature of the judgment process in architectural competitions, this research deploys the critical comparative analysis method to investigate how insights from the deliberative democratic model can add to or enhance the judgement process in architectural competition practice. In doing so, it will start with a brief introduction to the context and background of architectural competition, and sets the scene around the judgement process in architectural competitions. The controversial legacy of architectural competitions with special reference to the problems associated with the judgement process will then be reviewed where problems pertaining to communication will be identified as an area where improvements can be introduced. Then, it utilizes deliberative democracy as a theoretical frame of reference, and through comparative critical approach, analyses the two areas: deliberative democracy and judgment process – in the context of architectural competitions. The choice of critical comparative analysis as the main methodology in this paper is supported by the idea that the unique mixed stand of this paper – which combines epistemological and ontological paradigms – is required by the nature of its inquiry and the way it sets out to build up its knowledge claims; what is known as critical realistic approach. This is a relatively recently articulated epistemological position (Meredith et al., 1989), derived from both objective and

subjective ontologies, that assumes: there is a reality that exists independently of human perceptions, but our access to this reality is always limited and skewed by those perceptions (Bhaskar 1978, 1989, 1993 cited in O'Gorman and MacIntosh, 2014). Also, the critical reality – search for causation – helps researchers to explain social events and suggests practical policy recommendations to address social problems (Fletcher, 2016). Critical reality also claim that the reality of meaning can only be understood through different layers of experience, points of view, or perspective. And the more transparent information is, the deeper the understanding becomes. Different levels of experience, points of view can add to our understanding of a phenomena and enhance transparency. In addition, the role of experience, background knowledge, and personal preferences is unavoidably effecting our perception and eventually our decisions (O'Gorman and MacIntosh, 2014). Critical realists also argue that our perceptions inform and guide our decision-making, yet many scientific theories have physical consequences independent of human experience (O'Gorman and MacIntosh, 2014). That is why critical realist epistemological stand has been chosen to help inform the nature of this inquiry to understand and evaluate the judgment process then to be able to suggest the much needed improvements.

Critical comparative analysis which is deployed in this framework, builds upon similarities and differences between the two phenomena – each in its unique context – and also the criticism they both are prone to. According to Collier (1993), comparison helps sharpen our power of description, and plays a fundamental role in concept formation. It establishes suggestive similarities and contrasts among cases or phenomena under investigation – in this case judgement process in architectural competitions and deliberative democracy. It can also contribute to the inductive discovery of new hypotheses and to theory building. He goes on to point out three goals for any comparative study of which the most but not the only relevant one is:

...the examination of a number of cases with the goal of showing that a particular model or set of concepts usefully illuminates these cases. No real test of the theory occurs, but rather the goal is the parallel demonstration of theory. This use of comparison plays an important role in the process through which theories are developed (Collier 1993: 108).

For this purpose, comparisons are made in four different areas: (i) the contexts of each phenomena, (ii) the nature of the stakeholders involved in each process, (iii) the nature of the dialogue involved, and finally (iv) the final outcome expected at the end of each process.

The decision to choose critical analysis approach, follows the tradition of critical social theory, which is a form of self-reflective knowledge, involving both understanding and theoretical explanation which aims to reduce entrapment in systems of domination or dependence (O'Gorman and MacIntosh, 2014). The selected approach will set out the research to theoretically explain the judgement process in architectural competitions in comparison with deliberative democracy. This will enable the research, in its next development stages, to come up with recommendations for change to contribute to clarifying some of the complexities inherent in the architectural competition with an aim to enhance transparency and fairness of this practice. Critical analysis tells us not just that injustice does exist, but how and why power plays take place historically and specifically, not simply as the general order of things: how injustice exists changeably rather than inevitably, politically rather than metaphysically- how our lives could have been different(Forester, 2009). Therefore, this change factor implied within the critical approach is what suggests that this research could follow this approach as criticism of the existing structure and then suggesting change is the ultimate goal of this study; what falls beyond the scope of this paper.

5. Critical comparison

5.1 Communicative action and deliberative democracy

Although the roots of deliberative democracy can be traced back to Aristotle and his notion of politics, the work by Jürgen Habermas on communicative rationality and the public sphere is often identified as a major contribution in this area (Ercan and Gagnon, 2014). According to the theory of communicative action, Habermas argues that citizens produce communicative reasons and achieve mutual understanding of the self and others through dialogue, and this is how they come to understand what their own interests are, what others want, and what fits the common good. Without this mutual understanding, citizens may not be able to participate in instrumental deliberations in a meaningful way to make rational decisions.

The theory of communicative action is a social theory. The most significant applications of this theory is in politics as primarily suggested by Habermas (1984). The theory of communicative action suggests that in any decision process, reason cannot be generated from outside a specific society, nor does it pre-exist in individuals' subjective minds. By contrast, it is produced by the social interactions between the involved parties; what he calls communicative action. Habermas also declares that rationality is a collective construction produced by social interaction, not a pre-set or given logical necessity. Communicative action itself is not necessarily rational. It is however, the generator of public reason, because it is originated in mutual understanding. Communicative action can be found in many discursive forms, or speech acts, including discussions, debates, argumentations, and deliberations (Habermas 1984, Kim and Kim 2008). Equally, in the judgement process in architectural competitions, as suggested by many scholars, the jury members' reform or reshape their understanding of the design task and the brief and re-prioritise the judgement criteria through the discussions and dialogues after the first viewing of the design entries, and through these discussions they can reach a mutual understanding of the design task (see Figure 2).

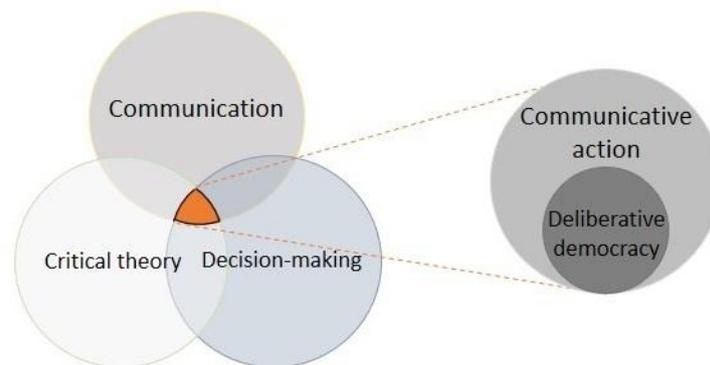


Figure 2: The critical comparison: Scope and Applicability

Habermas (1984) also highlights that the origin of rationality is not the subject consciousness but the communicatively interconnected community, where non-purposive conversation is the basic form of interaction: "I shall speak of 'conversation' when the weight is shifted in this way from purposive activity to communication" (Habermas 1984: 327). As it is the case for architectural competitions, the role of dialogues and arguments and side talks are undeniable. Their impacts on the process are inevitable, and it is through these speech acts that juries can reach mutual understanding in best case scenario, or sometimes where prejudices and conflicts are being formed, otherwise. It is through dialogue where the jury

members construct their understanding of their preferences and for the design task in a process of construction of self and the context.

Kim and Kim (2008) claim that deliberative democracy is a self-regulating system that must produce its own rules and resources through deliberation. They use insights from Giddens's 'Theory of Structuration' to conceptualize democracy as a 'structuration' or the "rules and resources, recursively drawn upon and reconstituted in processes of interaction" (Giddens, 1991: 253, Giddens, 1976: 121 cited in Kim and Kim, 2008), states that "social structures are both constituted by human agency, and yet at the same time are the very medium of this constitution". Similar to rules and resources, structure also both enables and constrains social actions (Kim and Kim 2008). In addition, they present an example of the duality of structure in language use. They argue that in order to speak English, for example, one need to (a) follow certain rules such as English grammar and (b) learn certain resources such as English vocabularies. However, a linguistic grammar (the rules) and vocabularies (the resources) can be produced only through recursive language use behaviour. As suggested by Giddens (1984:25), "...structural properties of social systems are both the medium as well as the outcome of the practices which they recursively organize". Only language users can produce rules for language use. Similarly, the rules for deliberation are to be produced only through deliberation. Likewise, if one looks at the judgement process as deliberative democratic practice, the preliminary brief is constituted by human's agency which then works as a medium of this constitution as rules and resources. This structure (brief) enables as well as constrains social action which in the frame of the architectural competition constitutes of judgement process.

In the same way, and back to the same example, Kim and Kim (2008) argue that English grammar is a set of rules that English speakers should follow, although there is no legislative body that creates the linguistic grammar. For them, linguistic grammar is a set of conventional rules produced by speakers' actions themselves that is why it is always in flux. A conventional rule may be retrospectively 'discovered', but it cannot be prospectively designed or planned. In this sense, deliberative democracy is a structure that simultaneously enables and constrains instrumental and dialogic deliberations (Kim and Kim, 2008). Similarly, in the judgement process, there are preliminary rules or conventions, expectations, and design criteria that were created previously. However, these rules and expectations are reconstructed and reshaped for each unique competition on-situ, through the deliberation process, dialogues and discussions, allowing the jury members to understand and regulate, simultaneously, the process of judgement by promoting transparency and encouraging dialogue between all the stakeholders.

Dialogue has been believed to foster open-mindedness, to encourage representative minds, and to offer opportunities to view the world from others' standpoints, and to help people liberate themselves from their own private interests (Button 2005, cited in Kim and Kim 2008). In the contexts of judgement in architectural competitions, it is essential to effectively communicate, understand, mediate, and interpret others' speeches or actions to be able to reach a better understanding of their points of view or attitudes, to then be able to reach a better decision or consensus across the board. "To promote dialogue, we must facilitate conversation; to promote a debate, we must moderate an argument; to promote a successful negotiation, we must mediate proposals for action" (Forester, 2009:7) thus, it is imperative to promote clear communication between all the stakeholders involved in the judgement process if any attempt to improve this practice is intended.

Democracy is not only a way of reaching consensus but also about constructing the fundamental background on which we can collectively negotiate to achieve a consensus

(Kim and Kim 2008). Deliberative democracy requires two levels of deliberation: (i) instrumental deliberation: a procedural tool through which we negotiate and make decisions; and (ii) dialogic deliberation, or dialogue: through which we construct the concept of the self and the other, the sense of community, and public reasoning. Accordingly, dialogic deliberation is the prerequisite to purposive and rational deliberation (Habermas, 1984, Kim and Kim, 2008). In the case of judgement in architectural competitions, although there are specific goals or purposes for dialogue, it is inevitable that dialogue contributes – even if non-purposively – to the construction of self's understanding of the design task and eventually affecting self's judgements. Hence, judgement process in architectural competitions can be understood as a deliberative democratic process; where the public – along with the other main stakeholders – are represented by the nominees who act as jury panel members. Therefore, in order to reach a rational mutual decision, dialogic deliberation is essential to the decision-making process in architectural competitions, and that is why it is important to communicate transparently, to make it clear for others what really is important for oneself. By doing this we are allowing them to put themselves in our own position to be able to reach a common understanding that permits everyone to collectively share a common ground.

5.2 Deliberative Democracy

Most scholars define deliberative democracy as a collective decision-making system through public deliberation (Asen, 2004, Carpini et al., 2004, Hicks, 2002, Neblo, 2005). As previously described as a democratic practice (Chupin 2011), the judgement process in architectural competitions has a lot in common with deliberative democracy. It is defined as a collective decision-making process (Van Wezemael et al. 2011). However, the deliberation, in this case, is not public but through a group of representatives (a members in the jury panel), each of whom representing a party, a profession, a stakeholder group, or in many cases the public (specifically where a public project is involved). Deliberative democracy involves public or collective deliberation not only as a tool of using public reasoning and making collective decisions but also as a process of producing public reasoning and reaching a mutual understanding (Kim and Kim 2008). Similarly, in the judgement process in architectural competitions jury members normally reach the final decision after a process of dialogue, critique and/or discussion. In these discussions jury members exchange opinions and experiences in order to justify their preferences hoping to reach a mutual understanding that leads to consensus.

In addition, based on the instrumental view of deliberative democracy, scholars have sought empirical as well as normative prescriptions that may promote the “pure procedural justice” (Elster, 1998 cited in Kim and Kim 2008). On the other hand, the dialogic function of deliberation advocates the view that participants in a discussion-based decision process aim to cooperate, reach understanding and do justice. In this sense, deliberation is less about informed, epistemic, instrumental, or legitimate decision-making and more about the intrinsic standard of morality (Kim and Kim, 2008). In the same way, (Rönn, 2011, Svensson, 2013)suggestion, that in judgement process in architectural competitions, there are two strategies of decision making being used simultaneously during the deliberation, can correspondingly be compared with two types of deliberation rationalities in here. The rational model of decision-making – normally used by none-architects can be compared to the instrumental deliberation, whereas (ii) the dialogic model – normally used by architects can be compared to the dialogic deliberation.

What can be perceived as a paradox inherent in deliberative democracy is that the conditions of deliberation must be produced through deliberation itself (Kim and Kim, 2008). Similarly in the judgement process the jury members/decision makers reweight or reprioritise

the decision criteria from inside the setting and on-situ (Rönn 2009, Kreiner 2013). Although this process of change or evolvement of the decision criteria serves as a method to better communicate or clarify the design task potentials and restrictions, it can also be framed as a source of controversy. This is because the new emerging criteria have allegedly evolved in absence of, and/or without knowledge of one of the main participating stakeholder groups in this process, namely the contestants, and most importantly post incidence, e.g. once the architectural completion is already held and the entries are submitted based on what now has changed as a result of the discussions within the jury panel.

In addition, there is another similarity between judgement process and deliberative democracy that is they both share the same criticism. They both potentially allow those most skilled in rhetoric to sway the decision in their favour (Dryzek, 2010). This criticism has been made since deliberative democracy first arose in Ancient Athens (Elster, 1998 cited in Dryzek, 2010). As in deliberative democracy, in the judgement process too, in the dialogue and critique sessions, the jury members discuss and justify their opinions which sometimes influence others, where the most skilled in dialogue are able to sway the decision and influence the collective decision.

The participants in any deliberative democratic process must understand to which group they belong, what would fit their own self-interests, what the community values and background consensus are, and what the public good is. Besides, they should have communication skills and competencies, ideally backed up by argumentative reasoning (Kim and Kim, 2008). In the same way, if this is to be applied to the judgement process in architectural competitions, the jury members represent themselves firstly as individuals in addition to the expertise they carry. Secondly, they represent the values of the party, or stakeholder group that they belong to or they represent. Lastly, they ideally represent the public good, even indirectly in private projects where the envisaged building is going to have an impact on public perception at urban scale, or public rights of individuals. Furthermore, this comparison suggests that those jury members have to have better communication skills that enable them to pass their knowledge, thoughts, and preferences to others in the jury to then be able to reach a mutual understanding and later consensus.

6. Discussion and conclusions

The discussion follows the four main bases for the comparison as mentioned before.

First, the contexts: Judgement process and deliberative democracy are both processes intended to make a decision through deliberation, in the case of deliberative democracy. The deliberation could be directly guided or directed by the citizens, but most likely through their representatives as in any democratic construct. In the judgement process of competitions, however, it is almost always through representatives. Moreover, the settings of the two have other things in common. Limitations on time and resources, restriction on budgets, an expected outcome – regardless of what it is or how it is achieved, as well as a mutually agreed decision are what are shared as some elements, reasons, causes or effects of the two processes which bear some extents of similarity.

Second, the nature of the stakeholders involved: In deliberative democracy the stakeholders are mostly the public, or their representatives, and the organisations or the judicial system representatives. While in judgement process the jury members represent the organisations they belong too, or the entities they represent, i.e. the client, the public and the end users of the building. The difference, however, is that in deliberative democracy, in most of the cases representatives allegedly carry equal weight of their corresponding representees, whereas in architectural competitions, different jury members representing different stakeholder groups may carry different weights, even in the most subtle manner.

Third, the nature of the dialogue involved: The dialogue involved in both processes can take different forms. Sometimes it is in form of critique, while in other occasions it may take the form of negotiation or debate. The jury members in particular need to be skilful in, fully aware and in control of the sort of dialogue they are getting involved in as each one of those forms have a different purpose, and can lead to different consequences.

Fourth, the final outcome: Both processes should end up with a decision, even if that decision is not to be materialised or executed. However, in judgement process in architectural competitions the decision is a selection of one of already finished alternative. While in deliberative democracy the decision can be the outcome of compromises, or an alternative which has not been on the table from the beginning or a hybrid of some or all the preliminary suggestions with which the process of deliberation had started. This option is not possible in the judgement process of architectural competitions as jury members have to select one of the suggested alternatives or refuse to choose if they did not find a suitable entry. However, historically in very rare occasions, where probably the best practice in architectural competitions has not been followed, a member of the jury may have approached the client with an argument that they can provide an alternative entry which combines the collective strengths of all the entries possibly offering a more affordable solution.

Additionally what links communicative action to the problems associated with communication and decision making in the judgment process in architectural competitions is that in decision making there are three levels of decision involved: individual, group, and organisational. While it is the jury members' discretion and somewhat their responsibility to priorities the values affecting their choice and what level of decision is involved, the communicative action theory was found to offer a suitable theoretical approach towards this issue by suggesting that reason cannot be generated from outside the society – or setting in case of architectural competitions, nor does it pre-exist in individuals' subjective minds. Quite the contrary, it is produced by the social interactions that can be found in any decision process that involves a speech act, including discussions, debates, argumentations, and deliberations (Habermas 1984, Kim and Kim 2008). This is exactly the case of the judgement process in architectural competitions; what is a decision process heavily based on arguments, critique, or dialogue between all the stakeholders involved. In addition to speech acts it also involves other types of communicative activity which are the produce of interpretation and representation of texts and drawings throughout the different stages of the competition, starting from the brief (in form of text, written medium), the design entries (in form of drawings, visual medium), and the final jury report (in form of text, written medium), with switching back and forth to dialogue (in form of verbal communication, spoken medium).

To summarise, the judgement process in architectural competitions can be seen as a democratic practice where a group of representatives decide on behalf of a client, organisation, or the public, hence the deliberative democratic model was suggested as one of the direct applications of the theory of communicative action into politics and democratic practices, and as suggested, it can be applied into any democratic practice, including the judgement process in architectural competitions.

This paper claims that, in order to reach a rational mutual decision, dialogic and instrumental deliberation are both essential to a successful judgment process in architectural competitions. In addition, conducting an effective communication between all the stakeholders involved in the decision process is vital to reach a common understanding that allows for sharing a common ground to reach consensus.

Utilising a critical comparative method, this paper concludes that applying the deliberative democratic model into the context of judgement process in architectural competitions can be a way to enhance the current practice of architectural competitions by operationalising this model in the context of judgement process in architectural competitions, where both procedural and dialogic deliberations are deployed to help encourage accountability and promote transparency in all the forms and media of communication involved in the process of judgement.

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