

# EXCLUSIONS OF THE PUBLIC SPHERE CONCEPTION

## EXAMINING DELIBERATIVE AND DISCOURSE THEORY ACCOUNTS

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### Abstract

The deliberative conception of the public sphere has proven popular in the critical evaluation of the democratic role of media and communication. However, the conception has come under sustained critique from poststructuralist-influenced theorists, amongst others, for failing to fully account for the exclusions that result from it being defined as a universal norm of public sphere deliberation. This paper examines how this critique may be answered. It does so first by exploring how (sophisticated) deliberative theory can reply to the critique, and second by turning to the poststructuralist-influenced critics – specifically post-Marxist discourse theorists – and asking how they might provide a way forward. With respect to the first, the paper finds that deliberative theory can, and often does, account for the exclusions in question much more than critics suggest, but that there remains concern about the conception's radical democratic status given that exponents (seem to) derive it extra-politically. With respect to the second, the paper finds that a post-Marxist discourse theory reading – that embraces radical contingency – of the deliberative public sphere conception provides a purely political framework for theorising deliberative exclusion (and associated politics), and thus offers an ontological and democratic radicalisation of the public sphere conception. However, given the embrace of radical contingency, and thus acceptance of inelminable power, the paper concludes by indicating that this radicalisation may illicit concern about its radical democratic status.

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## Introduction

The deliberative conception of the public sphere has proven to be very popular in theorising and evaluating the role of media and communication in democratic politics (e.g. many articles in *Javnost*). The expansion in recent times of digital social networking and democratic-oriented movements – Arab uprisings, Occupy, Spanish indignados, Chilean student protests, and so on – is only likely to increase interest in the conception since it promises to provide the means for the critical evaluation and guidance of the full range of democratically-oriented communication that takes place through these movements and their media. However, the deliberative public sphere conception has also attracted much criticism. While a lot of this criticism has been solidly rebutted and silenced by deliberative democrats (see, for example, Habermas 1992a; Bohman 1996; Chambers 1996), some critique persists. This paper considers the deliberative public sphere conception with respect to one of the most sustained critiques, which comes (largely) from poststructuralist-influenced critics: the conception has exclusionary effects that are undemocratic.

There are various formulations of the deliberative public sphere norm, but in general the conception is understood as a communicative space constituted by deliberation (rational-critical debate) over common problems, leading to critically (in)formed public opinion that can guide and scrutinise official decision making processes (see Habermas 1989, 1992a; Benhabib 1996; Bohman 1996; Chambers 1996; Gutmann and Thompson 1996, 1996, 2006). Rational-critical debate is broadly understood by deliberative democrats to involve (the criteria of) reasoned, reciprocal, inclusive, equalitarian, sincere, and coercion-free argumentation over disputed issues, motivated by the aim of reaching understanding and agreement. It is important to note that deliberative democrats see this communicatively defined public sphere conception as both normative and descriptive: it is understood as a universal norm that is scientifically and/or theoretically derived or reconstructed from how everyday (“flawed”) deliberative practices *are*, for how communication *should be* to enable democracy.<sup>1</sup>

Advocates claim this deliberative conception of the public sphere is a radically democratic norm for the evaluation and guidance of democratic practice. It is claimed to be democratic on the grounds that approximating its deliberative criteria, as summarised above, will produce a sovereign public by constituting rational-critical public opinion that can hold decision makers accountable to “the public.” This understanding is claimed to be *radically* democratic on the grounds that the criteria are universal (to be extended equally to all concerned) and that sovereignty is based solely on the public’s will (those constituting the public having no other foundation for judgement and decision but themselves). Communication media are seen as central to the practical realisation of this deliberative understanding of radical democracy, enabling rational-critical debate and opinion formation across space and time (Goode 2006; Habermas 2006).

However, various critics have argued that the deliberative public sphere conception fails in terms of radical democracy because, among other things, it does not take into account the exclusion(s) involved in defining deliberation.<sup>2</sup> Poststructuralist-influenced critics have been particularly vocal, arguing that deliberative democrats promote *one* form of communication as *the* universal norm of public

sphere communication at the expense of other forms, without accounting for the resulting exclusion of those “voices”<sup>3</sup> that do not conform to the specific form pronounced as democratically legitimate. Yet the conception continues to prove popular as a critical standard for understanding the democratic role of face-to-face, mass-mediated, and digitally networked communication (e.g. Chambers and Costain 2000; Gimmler 2001; Goode 2006; Butsch 2007; and see many articles in *Javnost*). Given this continuing popularity and deployment, it is crucial for scholars of democratic communication to question and thoroughly investigate the deliberative public sphere conception with respect to the exclusion critique, and thus its ongoing radical democratic status. Here I undertake such questioning and investigation. I do so in two ways. First, I examine the extent that deliberative theory can take into account the exclusions resulting from its defining of deliberation and the public sphere. This examination draws upon and pulls together existing work from “sophisticated” deliberative theory – particularly work stemming from Jürgen Habermas’ public sphere theory – that has not been adequately acknowledged by critics or systematically assembled to investigate the strength of the exclusion critique. Second, I turn to the poststructuralist-influenced critics – specifically those drawing on post-Marxist discourse theory given their interest in theorising radical democracy – and ask how their reading of the deliberative public sphere conception might move beyond negative critique and contribute to a radical democratic conception of the deliberative exclusions.

My aim is not to provide a final judgment on which approach (deliberative theory or post-Marxist discourse theory) is better – in the sense of being a more radically democratic understanding of the public sphere – and thus which should be embraced and deployed in thinking about and researching the public sphere and its exclusions. Rather, my aim is to explore and clarify the contribution and limits of each approach with respect to accounting for the exclusions that result from defining the public sphere norm, providing the basis for, first, the reader to judge for themselves which approach to take and, second, future media-communication research and public sphere theorising.

## How Does the Deliberative Public Sphere Account for Its Exclusionary Effects?

One of the most persistently articulated critiques of the deliberative public sphere conception is that, despite its democratic aims, it fails to take account of its own exclusionary effects. Poststructuralist-influenced critics of deliberative democracy are particularly vocal on this point, arguing that the deliberative public sphere norm, which is supposed to define democratically legitimate communication and to differentiate persuasion from coercion, actually supports domination by not accounting for, and in fact obscuring, the exclusions involved in this defining (Villa 1992; Coole 1996; Mouffe 2000; Rabinovitch 2001; Norval 2007; Devenney 2009). In order to be considered legitimate deliberators, subjects must come to internalise the rules of the *particular* deliberative form of communication deemed universally valid or be excluded from the public sphere. As a result, participants whose naturalised modes of communication are closer to what is determined to be valid are advantaged over others. That is, in order to be equally included, some participants must be more disciplined than others into fitting the deliberative norm, disciplin-

ing that involves the exclusion or repression of those voices judged illegitimate (be they irrational, strategic, or private). The problem for poststructuralists here is not with exclusion per se, since they see all norms as necessarily exclusionary, but rather that they see such exclusion as not being accounted for in theorising the deliberative public sphere and, in fact, obscured by the positing of a universal norm of public sphere deliberation.

In examining how deliberative democrats can, and already do, respond to this critique it is important to put forward a sophisticated deliberative position. To critique a weak stylisation may be a useful strategy for discrediting the position under interrogation and for highlighting the strengths of the critic's own argument, but problematising a sophisticated position advances theory further. To exemplify a sophisticated deliberative argument I draw particularly upon Habermas' work and the work of those building upon it, which not only offers a highly developed conception of the public sphere, but has been the basis for much deliberative theory and research, including with respect to the democratic role of media and communication (e.g., Chambers and Costain 2000; Gimmler 2001; Goode 2006; Butsch 2007; Hove 2009; and many articles within *Javnost – The Public*).

A sophisticated deliberative theorist can respond to the above critique with a number of persuasive arguments. First, s/he would argue that anyone who promotes any conception of democracy cannot but make normative claims (whether implicit or explicit) as to what democracy is and is not, drawing a line between what is and is not democratic communication, and thus between democratically "legitimate" and "illegitimate" exclusion. In fact, constitutive exclusion is not only understood by deliberative democrats as necessary, but elements to be "legitimately" excluded are clearly defined (being the negative of the deliberative criteria listed above – insincere, coercive, unequal, etc). Even the requirement for "inclusive" deliberation must be defined by exclusion.

However, second, in disagreement with poststructuralists, deliberative democrats do not see norms, including those defining the boundary between what is democratically "legitimate"/"illegitimate," as necessarily or equally normalising, at least in the disciplinary and (illegitimately) exclusionary sense described above in the poststructuralist-influenced critique. To act according to a norm is not necessarily the same as to be normalised, which is about social conformity and de-individuation (Alexander 2001).<sup>4</sup> Communicative norms can be more or less democratic, more or less autonomy enhancing, more or less reflexive, more or less coercive, and so on. Of course, any norm will demand certain behaviour from participants, and thus constitute subjectivity in particular ways. But deliberative democrats do not see such demands and constitution as necessarily disciplinary and exclusionary. Deliberative democrats see the public sphere norm as providing a communicative structure through which critical reflection on constraining and exclusionary social relations, and possibilities for greater inclusion and freedom, can take place (Habermas 1996). As Chambers (1996, 233-234) argues, public sphere deliberation involves "the *endless* questioning of codes," the reasoned questioning of normalisation. Through deliberation participants are constituted as rational-critical subjects, and as such deliberation provides an opening *towards* autonomy rather than a movement towards subjugation and social conformity.

Third, sophisticated deliberative democrats do not claim to have finally identified and reconstructed the true and infallible public sphere norm. Rather, they

argue that since the deliberative public sphere conception is scientifically-theoretically derived or reconstructed from social practice, rather than metaphysically founded, it is hypothetical or provisional: context bound, fallible, and revisable (Habermas 1985, 86; Benhabib 1996; Chambers 1996; Markell 1997). In particular, the norms' derivation/reconstruction is understood to be related to a particular social-cultural context rather than to a value-free process. For example, Habermas' particular deliberative public sphere reconstruction, which has attracted criticism for an over-emphasis on "rationality" in contrast to "aesthetic-affective" forms of communication, has been influenced by his childhood experience of Nazi propaganda (Habermas 2004). The norm's situated and revisable status explains variations in the specific deliberative public sphere conceptions that theorists derive or reconstruct from different practices.<sup>5</sup> Moreover, this status means that the norm is open to ongoing scientific-theoretic challenge and revision on the basis of practical empirical evidence, challenge and revision that this paper is part of and that deliberative democrats participate in through engagement with their critics so as to refine their derivation/reconstruction of the norm (Habermas' work is exemplary here), including refining what is deemed democratically "legitimate" exclusion. Furthermore, fallibility means that in practice there will be democratically "illegitimate" exclusions as a result of the application of a deliberative norm that is not-yet fully derived/reconstructed, exclusions that the ongoing revision of the norm are aimed at eliminating (as far as possible).

Fourth, in parallel with their accounting for the exclusionary effects of the deliberative public sphere norm, sophisticated deliberative democrats also acknowledge the exclusionary effects of cultural contexts on the practical interpretation and application of norms. Deliberative norms and the strength of arguments will always be culturally interpreted, leading to some voices being advantaged over others simply due to their situated interests and ways of speaking affording them more "reasonable" voice – as satisfying particular understandings of good argument (Habermas 1992b, 477; 1996a, 324; Dryzek 2000; Smith 2011). In addition to the exclusionary effects of different cultural contexts, "illegitimate" exclusions result from uneven distribution of the political-economic capital (principally time and money) necessary for effective participation in deliberative practice, as well as from various forms of direct coercion, such as bribery, threats, and violence (Habermas 1996). Such inequalities and coercion in "communicative power" largely arise as the result of the domination of communication by states, corporations, elites, and influential interest groups (Habermas 2006). Moreover, the positing of a deliberative public sphere norm works to illuminate, rather than ignore or obscure, communicative inequality, coercion, and exclusion. This illumination is in fact the very purpose for explicating the deliberative public sphere norm: to facilitate critique (by participants and observers alike) of existing political norms and practices so as to bring to the fore deliberative inequalities and exclusions and to think about how to reduce these and advance democracy: hence the enthusiasm for the deliberative public sphere conception by those involved in media-democracy research.

Finally, sophisticated deliberative theorists have not only taken account of exclusion in deriving and approximating a universal public sphere norm, but have increasingly theorised the *politics* of exclusion in deliberative practice (in *practice* if not in the public sphere norm's derivation/reconstruction), including in relation to

mass media and digital communication (Gimmler 2001; Butsch 2007; Hove 2009; Wessler 2008). More specifically, a range of deliberative theorists have explored the role of “non-deliberative” forms of communication (including those deploying aesthetics, affect, civil disobedience, and “rhetoric”<sup>6</sup>) in contesting “illegitimate” public sphere boundaries, and some of these theorists have even claimed that agnostic contestation is complementary to, or congruent with, deliberation (Habermas 1985, 1992a, 1996; Benhabib 1996; Markell 1997; Dryzek 2000; Brady 2004; Fung 2005; Dupuis-Déri 2007; Knops 2007; Chambers 2009; Hove 2009; Rostbøll 2009). Moreover, many of these theorists have addressed the politics of exclusion in deliberative practice by taking up “counter-publics” theory, which has been influenced by, and in turn influenced, a range of critical and feminist theorists (Negt and Kluge 1993; Fraser 1997; Squires 2002; Warner 2002) and rhetorical scholarship (Asen 2000; Asen and Brouwer 2001; Hauser 2007; Huspek 2007). As a result, deliberative theory and research, and particularly work exploring the democratic role of communication, now embraces the need for multiple and vibrant counter-publics – alternative deliberative arenas that form in response to, and may foster challenges to, exclusion from dominant public spheres. And a variety of media-public sphere research has already shown how such counter-publics can be, and are being, fostered through a range of communication media.<sup>7</sup>

### The Democratic Deficit

The above points seem to provide a thorough reply to the poststructuralist-inspired critique of the failure of the deliberative public sphere conception to adequately account for its exclusionary effects. The sophisticated deliberative democrat defends the importance and possibility of scientifically-theoretically deriving or reconstructing a universal norm of public sphere argumentation that involves certain “legitimate” exclusions of undemocratic elements while agreeing that “illegitimate” exclusions will occur in the application of any public sphere norm due to failure or imperfection in both the norm’s derivation/reconstruction and in deliberative practice. Thus, for deliberative democrats, improving upon the scientific-theoretic derivation/reconstruction and the practical implementation of the deliberative public sphere norm is a never ending task. Moreover, deliberative democrats have expanded deliberative theory to account for the politics of deliberative exclusion in practice, conceptualising how voices illegitimately excluded from public spheres may contest their exclusion and become heard.

However, this response does not in-fact get to the core of the poststructuralist-influenced critique, which stems from a (subtle) disagreement with deliberative democrats about the status of any public sphere norm. I will briefly outline this disagreement and subsequently the core concern. The disagreement stems from the poststructuralist commitment to an ontology of radical contingency: to the ultimate unfixity and thus contestability of all social relations/objectivity.<sup>8</sup> Given radical contingency, they insist on the inherent instability of all meaning/identity and the inescapable failure of all communication, and hence the impossibility of the existence (and derivability) of a universal deliberative norm (Coole 1996; Mouffe 2000). Thus, for the poststructuralist, any norm of public sphere deliberation – of “legitimate” democratic communication and exclusion – will be inherently lacking and contestable and thus in the last instance be determined/constituted politically,

even when deemed to be identified and derived/reconstructed through scientific-theoretic investigation (Devenney 2009; Jezierska 2011).

In contrast to this poststructuralist embrace of radical contingency and politics all the way down, deliberative democrats claim, in theory at least, to derive/reconstruct a universal public sphere norm from out of everyday practice. This suggests the possibility of an extra-political – and thus extra-democratic – determination of “legitimate/illegitimate” public sphere boundaries. In theory we can get outside politics to identify a universal norm, which explains the reason for only considering the politics of exclusion in relation to deliberative practice and not in relation to the norm’s derivation/reconstruction. Forms of communication, exclusion, and associated politics are understood to be, in the final instance, “legitimate” or “illegitimate” not by the political/democratic decisions of the public concerned but by the extent that they match or complement (in the case of non-deliberative forms) a scientifically-theoretically explicated universal normative conception of rational-critical debate (e.g. Chambers 1996; Markell 1997; Brady 2004; Fung 2005; Dupuis-Déri 2007; Knops 2007; Smith 2011). Smith’s (2008) argument, with respect to the politics of exclusion in practice, exemplifies the deliberative position here, the justification for activism being aligned to the extent that it accords with underlying “normative principles” of deliberative democracy. And this applies to the attempt to theorise the role of non-deliberative forms of communication in contesting “illegitimate” exclusion. As Norval (2007, 67) states, “alternative forms of expression are systematically subordinated to what is treated [by deliberative democrats] as the standard, namely rational argumentation.” Norval (2007, 68) shows this subordination to be the case even with theorists like John Dryzek who, while attempting to go beyond the problematic reason/rhetoric dichotomy, make emotion finally answerable (and as such subordinate) to reason. In earlier work, I too found a similar restriction necessary when theorising the role of aesthetic-affective modes of communication in relation to the Habermasian public sphere (Dahlberg 2005). It is true, as noted earlier, that specific deliberative rules practically applied in everyday situations are seen as open to public contestation, but this is not true for any universal norm of public sphere deliberation, which applied rules are judged against. It is also true that any universal norm of deliberation is understood as “fallible,” but this is so only in the context of scientific-theoretic derivation/reconstruction and not by way of the practical deliberation constituting the public sphere.

From this disagreement about the ontological status of the norm (universally embedded or politically constituted), we can identify the core of the poststructuralist-influenced critique of the deliberative public sphere: the deliberative public sphere conception involves an extra-democratic determination of the deliberative conception of normative public sphere communication, legitimate exclusion, and associated politics. “The public” is not finally in determination of the prescription of normative public sphere communication that everyday practical interaction is to be judged against. Moreover, to rephrase the critique at the start of this paper, those voices disadvantaged or excluded by this (extra-democratic) norm are not able, through practical deliberation, to legitimately contest and rewrite it. Hence, the public is neither fully sovereign nor equal, putting into question the radical democratic status of the deliberative conception.

In reply, sophisticated deliberative theorists (would) argue that they only aim to derive/reconstruct norms that are already implicit within and constituted through,

if in nascent form, everyday practical interaction. As such, the deliberative public sphere norm – and subsequently the definition of “legitimate” communication, exclusion, and associated contestation – is not to be understood as extra-political and extra-democratic, but rather as practically and democratically achieved: as constituted and grounded by the public and thus radically democratic. Yet post-structuralist critics maintain that this very claim – to the existence and explication of a universal public sphere norm – overlooks and obscures the necessary politics involved, including the politics involved in defining “legitimate”/“illegitimate” communication, exclusion, and contestation – and thus the claim blocks theorising how the public sphere conception may be democratically determined.

We have come to a deadlock here, in which the argument cannot be adjudicated without prior ontological and epistemological commitments being made: is the norm universally embedded or radically contingent, and how do we come to know either to be true? I am not going to make a commitment one way or the other and bring judgement to bear. This is not my concern here. Rather, I will take the examination in another direction, turning to the poststructuralist-influenced critics and asking what they can offer from an analysis that embraces an ontology of radical contingency and thus that embraces the impossibility of the existence and derivation of a universal norm. In other words, what can a poststructuralist position contribute, beyond negative critique, to conceiving a radically democratic public sphere that accounts for exclusions (and associated politics) in the drawing of deliberative boundaries?

There are many directions one can go in order to explore this question given that there are a range of poststructuralist approaches available, and each of these can be deployed in various ways. I will explore the question through a poststructuralist discourse theory reading of the deliberative public sphere. More specifically, I will deploy the post-Marxist current of discourse theory stemming from the work of Ernesto Laclau and Chantal Mouffe, which draws on a poststructuralist reading of the Marxist tradition. Post-Marxist discourse theory is particularly applicable here given its concern for conceptualising radical democracy in the context of ineliminable exclusion and, moreover, because its adherents have not only been some of the most vocal poststructuralist-influenced critics of the deliberative public sphere, but have often developed discourse theory in direct critical engagement with deliberative theory (see, for example, Mouffe 2000, 2005a; Devenney 2004; Norval 2007). Moreover, in contrast to those poststructuralist critics who simply discard the “public sphere” (see for example, with specific respect to media-communication theory, Nguyen and Alexander 1996; Poster 1997), post-Marxist discourse theorists at various moments deploy the conception, accepting its importance for conceptualising radical democratic politics when thought of as a pluralist and conflict ridden political space that values multiplicity and struggle, rather than a space of rational consensus (see, for example, Laclau 1996a, 120-121, 2005; Mouffe 2005a, 2005b, 2007; Marchart 2011).<sup>9</sup> I will now briefly outline post-Marxist discourse theory, giving (somewhat stylised) news media examples for the specific purpose of illustrating the concepts necessary for the subsequent discourse theory reading of the deliberative public sphere.



## Post-Marxist Discourse Theory

Post-Marxist discourse theory is complex and rapidly evolving, and would be impossible to outline in full here. However, for the purposes of the reading to follow, it is necessary to provide a brief summary of the meaning of “discourse”<sup>10</sup> and a few other related post-Marxist discourse theory concepts. Laclau and Mouffe (2001) understand discourse as any relational system of meaning constituted by the “articulation” of “elements” (concepts, objects, and practices) into a structured totality. Articulation is seen as taking place through the *practice* of “hegemony,” which involves one element, a “privileged signifier,” being partially emptied of meaning and coming to assume the representation – which also involves the constitution – of a shared (universal) identity that links otherwise heterogeneous elements into a discursive whole, and in the process modifies the meaning of each (Laclau 1996a, 43, 2005, 70). Take for example the dominant discourse of “news.” The meaning of news can be understood to be hegemonically attained through the signifier “news” being partially emptied of its particular meaning – such as being “new” stories – and coming to represent a universal “news” identity, which is constituted in journalistic practices by the articulation of a series of other elements, including “balance,” “objectivity,” “relevance,” “timeliness,” and so on, each of which are subsequently modified in this relation, coming to act as “news values” or “news codes.” These “news values” are not simply abstract rules but are constituted and realised through news practice, in the process constituting what is told and how.<sup>11</sup>

Hegemony thus involves the systematisation of meaning and constitution of identity. And yet the resulting hegemonic relation (and thus discourse) is always radically contingent. Discourse (meaning/identity) is dependent – is contingent – upon a particular selection and combination of elements that rules out a myriad of other possible selections and combinations. Moreover, this contingency is logically necessary (i.e., is *radical* or ontological): any particular articulation of elements requires that other fixations are never final or total. This means that contingency is both a condition of possibility and impossibility of discourse. It also means that discourse is dependent upon a radical exclusion, an “excess” necessarily escaping categorisation and systematisation, which in turn means that excess is also a condition of possibility and impossibility of hegemonic articulation (Laclau 2005; Thomassen 2005). In the example of the “news,” the excess includes all that is left out of the articulation “objective,” “balance,” “timely,” etc., and all the contents and narrative forms that as a result are excluded in the telling of any news story. These exclusions enable “news” to gain identity and “the story” to be told coherently as “news” (as “objective,” “balanced,” etc.), but they also mean that the “news” is always a particular hegemonic construction and any resulting story is never the *full* story.

Hence, discursive articulation is always political, it is about what is included and excluded in the struggle to establish a taken for granted order against the impossibility of full closure. The formation of discourses “always involves the exercise of power, as their constitution involves the exclusion of certain possibilities and a consequent structuring of the relations between social agents” (Howarth and Stavrakakis 2000, 4). But excess means that discourses remain open and unstable, vulnerable to those elements necessarily excluded or escaping from articulation,

and thus vulnerable to re-articulation (Howarth 2000, 103-104). This re-articulation is contextually affected, that is, it is more likely in some instances than others. First, hegemonic systems are disrupted, and re-articulation is invited, when the ontological condition of radical contingency comes to the fore in “dislocatory” events – “out-of-the-ordinary” and unexpected events “that cannot be symbolised by an existent discursive order, and thus function to disrupt that order” (Howarth 2000, 111). Such events include sudden ecological changes, financial meltdowns, or unannounced spectacular and seemingly “irrational” acts by (previously) “unknown” agents. These events illuminate the discursive order’s radical contingency and can lead to its “dislocation,” subsequently inviting new articulations and thus new hegemonic (discursive) formations that allow (some) excess to become represented in re-articulations of the order (and thus no longer excessive). For instance, we can think of how the precariousness of the “news” discourse was made apparent in 2011-12 in the UK, if not worldwide, by the “phone hacking scandal,” in which certain news practices that cannot be symbolised as part of the hegemonic understanding of “news” were found at the very heart of the journalism practices of *News of the World*, amongst other newspapers.

However, and this is the second point with respect to context affecting re-articulation, re-articulations are, like all articulation, influenced by those “sedimented” meanings unaffected by the dislocation in question. As Thomassen (2005) explains, drawing upon Laclau, articulation is contingent but not arbitrary. Discursive articulation “takes place in an already partly sedimented terrain permeated by relations of power” (ibid, 295). As a result, in any particular case, some (re-)articulations are more likely than others. For example, given the sedimentation of the linkage between “free press” and “free markets” within social systems dominated by neo-liberal capitalist discourse, proposals for media regulation in light of revelations of “anti-news” practice are, in the absence of an effective challenge to neo-liberalism, largely conceived in terms of industry “self-regulation” or minimal government regulation to ensure “competition” (my specific reference point here is recent debates in Australia about media regulation in the context of two government reviews of the media).

As well as re-articulation being limited by sedimented social relations, radical contingency and the possibility for re-articulation can be (or is) discursively suppressed by “ideology,” where ideology, following Laclau (1996b, 2006), involves concealing excess, which leads to the misrecognition of the impossibility of the ultimate closure of discourse. In other words, ideology points to the naturalising of a particular discursive system, the process by which a discourse becomes decontested (Norval 2000, 328). The most explicit and possibly most prevalent ideological strategy, according to discourse theorists, is the drawing of an antagonistic frontier that clearly demarcates an “us” from a “them” (“the enemy”). The naming and explicit exclusion of an enemy operates to obscure excess and strengthen the hegemony (universalism) of a discourse by mythically representing all exclusion, and seeming to do so legitimately. For example, the case for the self-regulation of news can be strengthened by being explicitly contrasted to what is represented as self-regulation’s Other – total state control (signified by “China,” “North Korea,” “Iran,” etc.), while obscuring alternatives such as citizen elected regulatory bodies. The *News of the World* phone hacking scandal offers a second illustration: in the

aftermath of the hacking revelations, news organisations in the UK and throughout the world moved swiftly to (re-)align (i.e. re-signify) themselves and their products as “news,” and in the process reassert the hegemonic “news” discourse, by naming and expelling from the news community un-newsworthy practices (phone hacking) and those who were identified as responsible for introducing such practice (certain scapegoated individuals and the associated iconic news institution).

We now have the necessary concepts to undertake a brief discourse theory reading of the deliberative public sphere conception. The reading will be of a necessarily simplified and stylised deliberative model, given that deliberative theory is too complex and pluralist to represent in the space available here. However, my aim in what follows is not to attempt a “true” representation of “the” deliberative position, but to use the reading for the purpose of exploring how a poststructuralist (radically contingent) grounded position might contribute, if at all, to the theorisation of a radical democratic public sphere conception with respect to the exclusions resulting from defining deliberative boundaries.

## A Post-Marxist Discourse Theory Reading of the Deliberative Public Sphere

Following discourse theory, deliberative public sphere criteria and practice can be said to be discursively constituted. A hegemonic system of discourse defines, at any one time, what it means to be deliberative, and thus the boundaries of public sphere interaction. In order for deliberation to be carried out in a “rational” way, order must be brought to chaotic social space via normative deliberative criteria, and in the process certain forms and contents of communication discursively excluded (explicitly or as unnamed excess). I will focus here on how discourse theory understands such exclusion and associated politics in relation first to the deliberative public sphere conception and then to deliberative practice.

In terms of the deliberative public sphere conception, we can say from post-Marxist discourse theory that the (or any) deliberative norm is constituted through the articulation of a range of elements drawn from various democratic traditions, including autonomy, critique, equality, inclusion, inter-subjectivity, participation, reasoning, reciprocity, and reflexivity. These elements become hegemonically articulated into a discursive whole – and their meaning modified in the process – through being represented by, and as such identified as having a common relation to, the signifier “deliberative public sphere” (or “rational-critical debate”). As a result, the deliberative public sphere conception assumes a (seemingly) universal identity. However, different articulations will change the meaning of both part and whole, demonstrating the particularity of the discourse. For example, “autonomy” will change its meaning, as will the discourse as a whole, if articulated with “free markets” rather than with “equality.” Articulation is, of course, not random but influenced by the sedimented meanings of elements. For example, “deliberation” is clearly associated in modern Western thought with “reflexivity” and “reason,” while “public” is associated with “openness,” and “inclusion.” As a result we see family resemblances amongst different understandings of, and offshoots from, deliberative democracy and the deliberative public sphere.

The hegemonic raising to universal status of a particular deliberative public sphere conception, obscuring other possible articulations, is supported by the

drawing of an antagonistic frontier, that is, by defining “deliberation” against what it is not: any communication signified as “coercive,” “unreasoned,” “instrumental-strategic,”<sup>12</sup> “unreflexive,” “hierarchical,” “closed,” and so on. These signifiers, in discourse theory terms, are framed as the “enemys” of deliberation, to be excised from the deliberative public sphere. The explicit exclusion of these elements operates to mythically suture the deliberative discourse: their exclusion makes the discourse seem whole/universal in that it seems to represent both democratic and undemocratic aspects of communication. In the process, the deliberative discourse ideologically obscures the exclusion of other, unnamed, elements (and thus voices) that exceed, and would tell the lie to, its neat boundaries and universal normative claims, excessive elements such as aesthetics, embodiment, and passion, as feminist critics in particular have pointed out (Squires 1998; Young 2000; Mouffe 2002; Norval 2007). Such excess is an always potential threat to the norm’s universal claim, the basis for contestation and re-articulation of the boundaries of the deliberative public sphere conception (including the basis for the poststructuralist critiques of the conception, and also for the deliberative revisions).

This discourse theory reading can be considered a radicalisation of the deliberative public sphere conception in both ontological and democratic terms due to “deliberation” and “the public sphere” being based upon particular discursive (hegemonic) articulations and associated inclusions and exclusions, rather than upon a universal rational-critical norm of communication (however hypothetically conceived). The public sphere conception becomes radicalised ontologically through being understood as radically contingent (a hegemonic construction). And as such it is radicalised democratically: “the public” must explicitly decide their own deliberative norms without reference to any other ground, including to universal rational-critical debate. This radicalisation – the public sphere norm (and hence “the public” and “sovereignty”) as hegemonically constituted – also means the deconstruction of any theory-practice divide. Public sphere norms, and thus legitimate definitions of deliberation and exclusion, are made and re-made on the basis of hegemonic practices, whether within “everyday” communication or (specialised) “scientific-theoretic” investigation. Hegemonic politics is also seen as applying to the contents of everyday deliberative practice. Post-Marxist discourse theory suggests that, just as with the struggle over the public sphere deliberative norm, at any one time there are likely to be a number of discourses vying to define what particular contents are more and less legitimate for public deliberation (inclusion/exclusion).

This hegemonic struggle to define both deliberative norms and contents will be dominated by taken-for-granted discourses. With respect to the defining and institution of deliberative norms, participants within particular debates (including academic ones) will draw upon socio-culturally available interpretations and criteria of deliberation. With respect to the contents of deliberation, one discourse (e.g., media self-regulation) may come to dominate public sphere deliberations on a particular issue (e.g. media regulation) by explicit exclusion of other discourses (e.g., state control and regulation), setting up an antagonistic frontier that is itself constituted upon the occlusion of unnamed (excessive) others (e.g., community, citizen, and autonomous options). Sophisticated deliberative democrats, as noted earlier, would agree that norms and contents of deliberation are structured by so-

cial context. However, discourse theory provides a means – a coherent conceptual framework – for theorising the logic and politics of the deliberative exclusions involved, without recourse to an extra-political ground.

To recap, given a post-Marxist discourse theory reading, we can talk about deliberative public sphere boundaries as discursively constituted and politically struggled over. In any theorisation and practice of deliberation, the defining or policing of boundaries of what can and cannot be said will be subject to ideological moves, including the setting up of antagonistic frontiers that institute explicit exclusions and obscure alternative conceptions of the public sphere excessive to the hegemonic conception. But since excess is radical, there is always the *possibility* of political contestation of the boundaries of hegemonic deliberation and hence re-articulation of the public sphere conception.

### A Radicalised Public Sphere?

This paper has examined and clarified two approaches to a radical democratic conception of exclusions resulting from deliberative public sphere boundary drawing.<sup>13</sup> I first outlined how deliberative public sphere theory takes exclusion into account much more extensively than poststructuralist-influenced critics claim. However, I also argued that the poststructuralist critique does raise concern about the public sphere conception being (finally) determined extra-politically in deliberative theory, and hence concern about limits to its radical democratic status. Given this concern, I turned to the poststructuralist critics, specifically to post-Marxist discourse theorists, and asked how they might contribute – on the basis of radical contingency – to theorising the deliberative public sphere exclusions in such a way as to ensure the radical democratic value of the conception. I showed that a post-Marxist discourse theory reading of the deliberative public sphere offers a comprehensive conceptual framework for taking account of the exclusions and associated politics that not only define but also challenge and re-articulate the (discursive) boundaries of the public sphere conception in theory and practice. In the process, the discourse theory reading could be argued to ontologically and democratically radicalise the public sphere conception. This conception is ontologically radicalised as it is conceived as radically contingent, and it is democratically radicalised as this poststructuralist ontology means that the public sphere norm (and the public sphere itself) is defined only by hegemonic/political struggle and not by any extra-political ground.

However, instead of a democratic radicalisation, the embrace of radical contingency could be read as undermining the democratic status of the conception, thus turning the table on the poststructuralist critique. The concern is that, given radical contingency, there is no ground outside power and sedimented cultural understandings upon which to base public sphere norms and contents, and for judging the legitimacy of any deliberation, exclusion, and associated forms of politics. Deliberative democrats, amongst others, would argue that a poststructuralist (and discourse theory) reading does not radicalise but relativise the public sphere conception – giving it over to power, domination, and exclusion – by basing it on pure politics (radical contingency). The pressing question then is, given a discourse theory (and poststructuralist) ontology and hegemonic logic, (how) can evaluation of the democratic value of any deliberative public sphere practice and associated

exclusions/politics (or of anything else, for that matter) be undertaken? Can we recover the public sphere's critical purchase so important to its deployment, particularly by media-communication theorists and researchers? Or is the idea that the discourse theory reading democratically radicalises the public sphere conception because conceiving it as achieved purely through hegemonic struggle fatally undermined by its own logic? These questions, developing from concern about the radical democratic status of the discourse theory reading of the public sphere conception with respect to exclusion, provide the starting point for future research.<sup>14</sup>

Thus, concern remains about the radical democratic status and limits of *both* the deliberative public sphere conception and the discourse theory reading of this conception. Examining these two approaches and identifying the associated concerns has been this paper's objective. The reader is invited to judge from this examination, drawing from their own intellectual and political commitments, which is a more satisfying and/or more radically democratic approach to conceiving the exclusions from deliberative public sphere boundary drawing and, moreover, invited to further explore the limits of each.

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### Notes:

1. Deliberative democrats derive or reconstruct the public sphere norm in a variety of ways, of which Habermas' (1984) formal pragmatic reconstruction of the presuppositions of argumentation is the best known. This can be contrasted with Habermas' (1989) earlier historical reconstruction, and with a range of other approaches that draw upon Habermas' work to various extents, including Benhabib (1996), Bohman (1996), Dryzek (2000), and Gutmann and Thompson (1996).
2. The poststructuralist-influenced critique outlined here parallels the concerns of feminists (Dean 1996, Fraser 1997, Young 2000) and scholars of rhetoric (e.g., Huspek 2007, Phillips 1996).
3. I use "voice" here to refer to the claims and stories that human agents seek recognition for.
4. Regarding norms, normalising, and Foucault, Alexander (2001, note 3, 374) argues that "[t]he existence of a norm, and its partial institutionalisation, cannot be equated with normalisation, a concept connoting ideological hegemony, social conformity, and de-individuation."
5. Examples of different articulations of deliberative democracy, often developing upon Habermas', include Benhabib (1996), Bohman (1996), Chambers (1996), Goodin (2003), Gutman and Thompson (1996). Other theorists develop similar public sphere formulations through critical dialogue with deliberative democracy, for instance, Dryzek's (2000) "discursive democracy" and Young's (1996) "communicative democracy."
6. In deliberative theory, in contrast to the American rhetoric scholarship, "rhetoric" has tended to be aligned with certain forms of aesthetic and affective performance as against "rational communication." For example, Habermas makes a distinction between everyday "normal" interaction that focuses on problem solving and rhetorical communication that emphasises style and enables "world disclosure," although he understands these modes of communication to overlap in practice – the distinction reflects a continuum rather than a binary opposition (see Jasinski 2001, xv-xvii).
7. See, Dahlberg (2007) for discussion of a range of media counter-publics research.
8. It needs to be acknowledged that, despite the embrace of radical contingency, poststructuralist

theories ... invoke certain infrastructural concepts – e.g., difference/différance, negativity, undecidability, iteration, excess, and radical contingency itself – as uncontested universals.

9. Mouffe (2005b) prefers to use the term “public spaces” over “public sphere” to emphasise plurality and to differentiate her “agonistic” approach from that of Habermas’ and other deliberative democrats.
10. Some deliberative democrats, including Habermas, use “discourse” to refer to a particular mode of debate, as in “scientific-theoretic discourse” and “practical discourse,” in contrast to the very broad definition it is given in post-Marxist discourse theory.
11. My discussion here of news is simplified and stylised so as to illustrate concepts from discourse theory. For an example of a discourse theory study of journalism and media professionals see Carpentier (2005). For further discussion of the relation between discourse theory and media communication, see Dahlberg and Phelan (2011).
12. Some deliberative democrats are now arguing for the inclusion of certain forms of “instrumental-strategic” action, such as bargaining, seeing these as complementary to deliberation within the contemporary public sphere. However, rational-critical debate continues to be seen as the heart of the public sphere and as the basis for democratic legitimacy (Habermas 1996, Hove 2009).
13. The specific concepts and frameworks deployed by deliberative and discourse theory can be expected to affect the theorising of the public sphere in a range of different ways, beyond the theorisation of exclusion discussed in this paper. For example, given its embrace of radical contingency and hegemonic logics, discourse theory cannot be used to explicate a set of public sphere criteria in the way that deliberative theory can. However, the exploration and elaboration of these other differences must be left to future research.
14. Nascent work on conceptualising a discourse theory-media public sphere conception has already been undertaken (Mouffe 2005b, Marchart 2011, Dahlberg 2011), but much work is still needed.

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