

**EXPLORING THE AGONISTIC CRITIQUE OF  
DELIBERATIVE DEMOCRATIC THEORY:  
THE SPACE OF PASSIONS AND RHETORIC  
IN DEMOCRATIC DELIBERATION**

**MARK LAWRENCE MARCELO SANTIAGO**

**(B.A. (Magna Cum Laude) ATENEO DE MANILA UNIVERSITY)**

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## Summary

*In what ways can persons in a pluralistic democratic society confront, discuss and eventually solve their various political problems?* Contemporary deliberative democratic theorists like Seyla Benhabib, critically following Jürgen Habermas's discourse ethics, responds to this question by articulating a theory of democratic deliberation that appeals to reason and argumentation. Agonistic pluralists such as Chantal Mouffe, however, retort that the main problem with this response is its excessive rationalism that dismisses the role passion plays in democratic practice. Responding in part to the agonistic critique posed by Mouffe, my goals in this thesis are as follows: I wish to unpack the nuances within the theory of deliberative democracy in order to arrive at a position fairer towards theorists of deliberative democracy. Then, I hope to show that both deliberative democratic theory and its agonistic critique possess a tendency, which makes each of these views susceptible to each other's criticisms.

Although often unacknowledged, some of the proponents and critics of deliberative democratic theory exhibit an opposition between reason and passion, and this leads some of them to either purge rhetoric out from their idea of democratic deliberation, or in Mouffe's case, exaggerate the rational moment in her assessment of the theory of democratic deliberation so as to render the theory of deliberative democracy fatal to democratic practice. I will show that both sides can be caught in this bind. By privileging reason over passion (as in deliberative democratic theory's case) or renouncing reason in favor of passion (as in Mouffe's agonistic critique's case), they, in turn, do not see the possibility of understanding the relationship between political agency and political judgment in synthetic terms.

In short, in this thesis, I argue that one stumbling block to the question initially posed above is a sharp presupposed opposition between reason and passion, a by-product of contemporary democratic theory's reception of the age-old divide between philosophical speech (dialectic) and persuasive speech (rhetoric) in the history of Western democratic thought. I suggest that it is only through an *adieu* to this intellectual legacy, a residue of a tradition which goes all the way back to Plato, received by Kant and reflected in the contemporary writings of some deliberative democratic theorists and their critics, that we might arrive at a more balanced theory of democratic deliberation. As a result of this observation in the history of political thought, I defend a view of democratic deliberation that envisages democratic reason as a counterpart, and not the nemesis of democratic passion: an account of democratic deliberation friendly to rhetoric. This account aims to balance the mainstream rationalist account, criticized for its failure to entertain alternative forms of political communication as it accommodates the agonistic criticism, without necessarily rejecting the general theory of deliberative democracy. I support this view through a reading of the first chapter of Aristotle's *Tekhne Rhetorike*, more famously known as the *On Rhetoric*. I argue that in this philosophically under-assessed work, Aristotle provides us with a robust view of rhetoric that can be useful to a theory of democratic deliberation through articulating the tripartite *pisteis* (proofs) of persuasion namely *ethos*, *logos*, *pathos*.

## Note on Abbreviations

CC.....	<i>Claims of Culture</i>
CE.....	<i>Communicative Ethics and Current Controversies in Practical Philosophy</i>
DD/AP.....	<i>Deliberative Democracy or Agonistic Pluralism?</i>
I&D.....	<i>Inclusion and Democracy</i>
IPRR.....	<i>Idea of Public Reason Revisited</i>
PL.....	<i>Political Liberalism</i>
RHET.....	<i>Rhetoric</i>
RTP.....	<i>Return of the Political</i>
TDM.....	<i>Toward a Deliberative Model of Democratic Legitimacy</i>
UD.....	<i>The Utopian Dimension in Communicative Ethics</i>
YA.....	<i>In Defense of Universalism</i>

\* For complete bibliographical information regarding the books and articles above, see References on pp. 95-99 of this thesis. An explanation on every abbreviated book or article also appears in a footnote within the section where it is used.

## CHAPTER 1

### INTRODUCTION

(Socrates) separated the science of wise thinking from that of elegant speaking, though in reality they are closely linked together... This is the source from which has sprung the undoubtedly absurd and unprofitable and reprehensible severance between the tongue (lingua) and the brain (cor), leading to our having one set of professors teach us to think and another to teach us to speak.

-Cicero, *De Oratore* III, xvi 60.

#### 1.1. Background of the Study and Statement of the Problem

*In what ways can persons in a pluralistic democratic society confront, discuss and eventually solve their various political problems?* For the past two decades, numerous democratic theorists concentrated their efforts in formulating a solid response to this question. Their answer lies within the horizon of the question itself: discussion through rational argumentation, or simply, deliberation. This sustained interest in the axis between rationality and democratic politics led to what John S. Dryzek calls the “deliberative turn” in democratic theory.<sup>1</sup>

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<sup>1</sup> John S. Dryzek, *Deliberative Democracy and Beyond: Liberals, Critics, Contestations*. (Oxford: Oxford University Press, 2002), 1-3. Dryzek’s book is a helpful introduction to anyone wishing to understand deliberative democracy in general. He explains the relationship between aggregative democracy and deliberative democracy. Furthermore, he provides a significant discussion of the main critics of deliberative democratic theory. He points out at least three main groups of theorists critical towards the theory: namely liberal theorists, social-choice theorists and difference theorists. He also suggests several novel and

At the core of this deliberative turn is a belief that rational communication among citizens can help illuminate aspects of democratic institutions and practices only partially glimpsed and realized through the more traditional ways of making and forming democratic decisions. It is primarily a turning away from the aggregative model of democracy, the theory of democratic decision-making akin to the addition of persons' private and particular interests through voting.<sup>2</sup> It can also be seen as democratic theory's "linguistic turn" as deliberative democratic theories pay crucial attention to the decisive role of speech and language in democratic politics.<sup>3</sup>

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provoking theses, such as the widening of the deliberative forum by accommodating "non-human political agents" and by paying attention to the "transnational" scope and possibilities of democratic deliberation.

<sup>2</sup> It is frequently noted that the *aggregative model* was primarily inspired by the work of Joseph Schumpeter. See for example his seminal work *Capitalism, Socialism and Democracy* (New York: Harper and Brothers, 1947). Also worth noting is Anthony Downs' *An Economic Theory of Democracy* (New York: Harper and Brothers, 1957). I will not elaborate my discussion on this model, but as I say in my note above, Dryzek's book provides a comprehensive comparison of this model vis-à-vis deliberative democratic theory.

<sup>3</sup> There are many camps of deliberative theorists of democracy. From the early 1990s to the early 2000s, there emerged a considerable amount of literature that can be counted as general statements of the theory. The literature, as it stands now is legion and this is just a partial list of the ones I consulted for this paper: Aside from Dryzek's *Deliberative Democracy and Beyond*, he also has an earlier work entitled *Discursive Democracy: Politics, Policy and Political Science*. (New York: Cambridge University Press, 1990) which counts as one of the earliest systematic works on the theory. Simone Chamber's *Reasonable Democracy: Jürgen Habermas and the Politics of Discourse*. (Ithaca, NY: Cornell University Press, 1996) is an early statement explicitly following Habermas' discourse ethics. One of the main theorists I discuss in this thesis also follows Habermas' discourse ethics in her own model of deliberative democracy. See Seyla Benhabib's "Toward a Deliberative Model of Democratic Legitimacy," in *Democracy and Difference: Contesting the Boundaries of the Political*, ed. Benhabib (Princeton: Princeton University Press, 1996). James Fishkin's *Democracy and Deliberation: New Directions for Democratic Reforms*. (New Haven: Yale University Press, 1991) is also worth looking into. Another major statement of theory is Amy Gutmann and Dennis Thompson's *Democracy and Disagreement*. (Cambridge, Mass.: Harvard University

To be sure, as many historians of political thought would quickly warn us, the philosophical spirit that shaped some of the central concepts behind contemporary deliberative democracy can be historically located in the ancient history of democratic thought. The idea of democracy, that is *demos kratia*, a government that puts emphasis on the power of the people to decide its course, can be said to have concurrently grown while philosophy was being cultivated in fifth century Athens.

This is not to say that the major Greek philosophers favored democracy as the best type of rule. Plato is surely one of the most hostile critics of democracy and Aristotle sees it only as the best of the worst of regime-types available.<sup>4</sup> What I am saying is that the concepts of reasoned talk and argumentation, which proved

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Press, 1996). A book symposium on this work is Stephen Macedo's *Deliberative Politics: Essays on Democracy and Disagreement* (New York: Oxford University Press, 1999). The latest book by Gutmann and Thompson is *Why Deliberative Democracy?* (Princeton: Princeton University Press, 2004). This book contains several responses to the criticisms forwarded in Macedo's *Deliberative Politics*, and one of their newer lines of argument pertains to the form of political communication worth-accommodating in a theory of democratic deliberation is also transformed. I shall return to this work and this point of transformation in the last chapter. Each theorist has various philosophical presuppositions and intellectual bearings and this in part influences their differing views of what ought to consist the theory.

<sup>4</sup> I owe this extremely important point to the anonymous "content reader" of this thesis. In his comment, he raises the rather important historical fact, which Habermas raises at the opening of *The Structural Transformation of the Public Sphere*: "the absence of any public sphere (a private space for the deliberation of public ideas) in attic Greece." He was extremely sensitive to notice that my attribution of Ancient democracy as the earliest example of a public sphere was due to my Arendtian reading of Greek society. Finally, he raised the critical point that while Aristotle and Plato lived in Athens, it is misleading for me to attribute the beginnings of deliberative democracy to their writings. To this, I replied above that I just see that the term deliberation and its accompanying burden of argumentation were concepts that first received theoretical attention and practice in the works of both philosophers. I failed to articulate that the marriage of the concepts of "deliberation" with "democracy" is a very a contemporary move in the history of democratic thought.



to be central to the contemporary meaning of the term deliberation initially got sharpened in this phase of Western intellectual history. For example, we see in Plato's Socrates, in his dialogues with the citizens of Athens, the significance of justifying the truthfulness of one's beliefs through the public defense of reason in the agora. And as this thesis duly explores, we find the relevance of deliberative speech in illuminating the ends of our political lives in Aristotle's practical philosophy, as expressed in his often philosophically neglected work, *On Rhetoric*.

This deliberative turn, therefore, in a sense, also points us to a re-turn to ancient concepts in democratic theory embedded in the long and winding tradition of Western political thought.

However, as we also know from the classical tradition of democratic theory, these philosophers rendered a quite uninspiring picture of democracy. Albeit in different ways and on varying levels, Plato and Aristotle objected to democracy precisely because the *demos*, according to them, are not entirely capable of reasoned argumentation.

As can be discerned in various statements of deliberative democratic theory, implicated in them are numerous and often conflicting assumptions about the nature, status and aims of democracy and of course, deliberation itself. And in the burgeoning literature on this theory, one major issue that recently caught the attention of both its proponents and critics pertains to the form of democratic deliberation such a theory ought to endorse. For some of its critics, democratic deliberation is very suspicious because it presupposes a rational form of argumentation supposedly marginalizing the role passions play in democratic societies. This criticism is pointed towards the way mainstream theories of

deliberative democracy seem to generally view democratic deliberation: as a decision-making process aiming for rational consensus.

One of the most consistent critics of deliberative democracy following this vein of thought is the political thinker Chantal Mouffe. Mouffe deliberately rejects deliberative democracy on the grounds that as a theory, it fails in acknowledging that any democratic society is ridden with “irreconcilable conflicts” and “antagonisms.” She insists that it is futile to understand democracy in rational terms precisely because it would impose violence rather than foster difference in our pluralized societies. More than anything, Mouffe's criticism assumes a huge hostility against rationality and the philosophical baggage of the Enlightenment. In her introduction to a special issue of *Philosophy and Social Criticism* on “Politics and Passions,” she makes this clear:

It is...crucial for democratic theory to grasp the dynamics of constitution of those antagonisms instead of wishing them away with pious declarations. This requires *relinquishing the rationalist perspective* which predominates in this discipline and which impedes acknowledging the complex and ambivalent nature of human sociability and the ineradicability of social division. By remaining blind to the place of passions in the construction of collective political identities, modern political theory has been unable to understand that the main challenge confronting democratic politics is not to eliminate passions in order to create rational consensus, but how to mobilize them toward democratic designs (emphasis mine).<sup>5</sup>

In her powerful tirade against “modern democratic theory,” Mouffe rejects, in *toto*, the critical axis informing most theories of deliberative democracy: the relationship between rationality and politics. According to her, it is dangerous to dream that reason can help us solve the problems besetting democratic politics.

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<sup>5</sup> Chantal Mouffe, “Politics and Passions: Introduction”, *Philosophy & Social Criticism*, 28, no. 6 (2002), 615-16.

For her, more than reason, passion is key.

Her criticism, articulated in the terms of her own “agonistic and radical pluralist” model of democracy is in tune with the post-modern and post-structuralist critiques prevalent in most areas of intellectual and political inquiry today. It is a testament that at the wake of the deliberative turn in democratic theory also comes much skepticism and pessimism about its purportedly utopian dimensions: the dream of a rational consensus hoping to serve as the basis of solidarity and integration of a democratic society. She posits that the deliberative tradition is flawed precisely because it does not acknowledge political society for “what it is” but only for “what it should be.” One of her main charges is that this type of democratic thinking is not only dissatisfying but more importantly, it is impotent because it does not grasp the specificity of “the political.”<sup>6</sup>

To a certain extent, one can easily agree with Mouffe’s observation. A cursory review of the earliest books and essays instigating the revival of interest in deliberative democracy among political theorists shows that most of them articulated an attempt to reconcile democratic politics with rationality.<sup>7</sup> This is

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<sup>6</sup> Mouffe is only one among several political theorists who adhere to an agonistic conception of democracy. Hannah Arendt is a pivotal thinker in this tradition. See, for example her *The Human Condition* (Chicago: University of Chicago Press, 1958). Bonnie Honig, following Arendt, has also a significant account of agonism. See her *Political Theory and the Displacement of Politics*, (Ithaca and London: Cornell University Press, 1993). William Connolly also endorses agonism. See *Identity/Difference: Democratic Negotiations of Political Paradox*, (Ithaca and London: Cornell University Press, 1991). Except for a very brief recourse to Arendt’s political thought, I do not discuss any of these other thinkers in this thesis. I focus on Mouffe’s version of agonism, which she explicitly endorses as an “alternative” to deliberative democratic theory.

<sup>7</sup> See, for example, the collection of essays by James Bohman and William Rehg, *Deliberative Democracy: Essays on Reason and Politics* (Cambridge, Mass.: MIT Press, 1997). In the introduction to this book, it was highlighted that the

also probably a partial result of these theorists' philosophical responses to two of the foremost architects of this revived tradition: John Rawls and Jürgen Habermas. And Mouffe seems to be correct in pointing this out. However, as I will clarify in this thesis, Mouffe does not properly acknowledge that some deliberative democratic theorists are aware that passions play a role in democratic deliberation. And more importantly, despite their adherence to a general theory of deliberative democracy, they do not all agree as to what resolutely constitutes democratic deliberation.

This thesis partially arose as a reaction to the wholesale rejection against deliberative democracy forwarded by Mouffe in her writings. I find her dismissive stance against the theory somewhat dissatisfying due to its lack of nuanced attention towards various views within deliberative democracy. Her criticisms sometimes misconceive their aims and misleadingly conflate some of the content of their arguments. Also, her writings seem to exhibit a lack of sensitivity to the various ways deliberation is defined and characterized within the theory of deliberative democracy. I suggest that this rejection be rethought in light of several

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theoretical debts of deliberative democratic theory to the practical philosophy of John Rawls and Jürgen Habermas are tremendous. According to Bohman and Rehg, the "major statements" of the idea of deliberative democracy can be culled from essays by Habermas like "Popular Sovereignty and Procedure" and Rawls's "The Idea of Public Reason." They also took note of Jon Elster's "The Market and the Forum: Three Varieties of Political Theory" and Joshua Cohen's "Deliberation and Democratic Legitimacy." All of these essays are included in their edited collection. It is through reading the essays in this book that I came up with the idea of "reason and politics" as the main axes of deliberative democratic theory. Of course, it is precisely these axes that critics would sooner try to dismantle. Like Dryzek's *Deliberative Democracy and Beyond*, this is a helpful introduction to the idea of deliberative democracy and the philosophical debates that surround it.

theoretical transformations, for example, of Jürgen Habermas's theory of discourse ethics forwarded by other deliberative theorists such as Seyla Benhabib and Iris Marion Young.

It is the general point of my thesis then (1) to unpack the nuances within the theory of deliberative democracy further in order to arrive at a fairer position towards theorists of deliberative democracy. (2) I also aim to clarify that while a theory of deliberative democracy is inextricably bound with a particular theory of democratic deliberation, in my view, to achieve a really adequate and sound criticism of either, it is important that these two issues be uncoupled from each other and judged accordingly. However, my analytical task does not stop in an attempt to critically answer Mouffe through the resources of deliberative democratic thought. My last general objective is (3) to show that both deliberative democratic theory and its agonistic critique are underpinned by a theoretical tendency, which makes each of these views susceptible to each other's criticisms. What is this tendency? And where exactly does this third objective lead us?

Although often unacknowledged, some of the proponents and critics of deliberative democratic theory exhibit an opposition between reason and passion, and this leads some of them to either purge out (or deny) other forms of communication such as "rhetoric" from their idea of democratic deliberation; or in Mouffe's case, exaggerate the rational moment in her assessment of democratic deliberation so as to render the theory of deliberative democracy fatal to democratic practice. I will show that both sides can be caught in this bind. By privileging reason over passion (as in deliberative democratic theory's case) or renouncing reason in favor of passion (as in Mouffe's agonistic critique's case),

they, in turn, do not see the possibility of understanding the relationship between these two spheres of political agency and political judgment in synthetic terms.

In short, I argue that one stumbling block to the question initially posed above is a sharp presupposed opposition between reason and passion, a by-product of contemporary democratic theory's reception of the age-old divide between philosophical speech (dialectic) and persuasive speech (rhetoric) in the history of Western democratic thought. I suggest that it is only through an adieu to this intellectual legacy, a residue of a tradition which goes all the way back to Plato, received by Kant and reflected in the contemporary writings of some deliberative democratic theorists and their critics, that we might arrive at a more balanced theory of democratic deliberation.

As a result of this observation in the history of political thought, I defend a view of democratic deliberation that envisages democratic reason as a counterpart and not the nemesis of democratic passion: an account of democratic deliberation that takes the passions and rhetoric seriously. This account aims to balance the mainstream rationalist account, criticized for its failure to entertain alternative forms of political communication as it accommodates the agonistic criticism, without necessarily rejecting the general theory of deliberative democracy. I support this view through a reading of Aristotle's *Tekhne Rhetorike*, more simply and famously known as *On Rhetoric*. I argue that in this philosophically under-assessed work, Aristotle can serve as a guide for us to see (theorize) a more robust and holistic view of democratic deliberation. This can be done through retrieving and rearticulating the tripartite *pisteis* (proofs) of persuasion namely *ethos*, *logos*, *pathos*, in Aristotle's defense of rhetoric. As I will show as well, other thinkers

within the deliberative tradition support a return to some Aristotelian insights on political communication through reading *On Rhetoric* politico-philosophically.

To elucidate the exposition, criticism and my various views, I will proceed with four main chapters. Here is my plan:

(1) In the **second chapter**, I begin by introducing Rawls's idea of public reason. Then, I will follow it with an exposition of deliberative democratic theory through the model of Seyla Benhabib. I highlight that each time Benhabib explains her theory, she severely criticizes Rawls's idea of public reason. In turn, I try to defend Rawls in part. Here, I start to unpack the polyvalence of theoretical attitudes among various types of deliberative democratic theorists and what differentiates deliberative democratic theory from other democratic theories such as Rawls's liberal democratic model.

(2) In the **third chapter**, we turn to the agonistic critique against deliberative democracy forwarded by Mouffe in her writings. Here, I mainly discuss her epistemic objection and the philosophical and political bases of her concept of agonistic democracy.

(3) Then in the **fourth chapter**, contra Mouffe's agonistic critique, I offer a possible response on behalf of the deliberative democratic theorists. Here I will focus on Seyla Benhabib's reconstruction of Habermas's discourse ethics, the foundation of their theories of deliberative democracy. Attention will also be paid to Hannah Arendt's influence over this reconstruction project. Then, I will attempt to "think with Benhabib against Benhabib" by discussing a possible obstacle to her account of democratic deliberation.

(3) In the **fifth chapter**, we push our discussion towards the philosophy/rhetoric divide, which I argue to be an obstacle in both Benhabib's and Mouffe's democratic theories. Here, I suggest that the split between philosophy and rhetoric can be construed in friendly rather than antagonistic terms. This kind of suggestion is definitely not new and has already been offered as early as Aristotle's *On Rhetoric*. Here, what I recommend is that we improve the form of democratic deliberation we have been picturing in this thesis by rekindling the interpenetration of the three *pisteis* (proofs) of persuasion, which Aristotle already insightfully explored in this work.

In sum then, the general problematic and argumentative scope of this thesis involves the following: a theory of deliberative democracy, its critical dialogue with a stream of liberal thought, its criticism from the vantage point of agonistic democracy, a rejoinder from the deliberative point of view and finally, a resuscitation of a tradition of communication often cast aside by this kind of democratic thinking: rhetoric.

## **1. 2. Scope, Limitations, Genesis and Methodology of the Study**

At this juncture, I wish to point out a set of important caveats regarding the scope and limitations of this thesis. First of all, I am very much aware that Seyla Benhabib's account is only one among many other models of deliberative democracy.<sup>8</sup> There exist many other models from other thinkers (mainly from disciplines as diverse as philosophy, political science, policy science, law,

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<sup>8</sup> See my notes 1, 2 and 3 above for a sampling and partial list of the literature on deliberative democratic theory.



communication and sociology) who have articulated their own theories of deliberative democracy. It would be difficult and impossible to track them all down in an academic exercise of this length and scope.

It is also in this sense that any contemporary student of democratic thought cannot ignore deliberative democracy for it certainly dominates the field. One can easily discern in the most recent literature attempts of many democratic theorists to intermesh or counterpoise their various perspectives with the idea of deliberation. In some cases, theorists attempt to use the insights and principles of deliberative democratic theory to question how well they work and fit in with their own presuppositions and philosophical biases. However, there is also a legion of writings on how the deliberative democratic perspective could be “applied” in such areas as “public law, international relations, public policy, empirical research and identity politics.” As Simone Chambers, in her concise and illuminating article “Deliberative Democratic Theory” claims, “deliberative democratic theory has moved beyond the ‘theoretical stage’ and into the ‘working theory stage.’”<sup>9</sup>

For Chambers, it is no longer a question of “what deliberative democratic theory is,” but “what deliberative democratic theory is doing these days.” Chambers says that we have reached a point where the major theoretical foundations of deliberative democratic theory have been laid down, and the role of the deliberative democratic theorist is showing, so to speak, how the theory works. Chambers’ statement signals that deliberative democratic theory is now

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<sup>9</sup> See Simone Chambers’ “Deliberative Democratic Theory,” *Annual Review of Political Science*, 6 (2003), 302-26. This article is also a good review of the most important literature on the subject, a partial list of which I already enumerated in the introductory part of this chapter.

mature enough to take hold of normative political issues without necessarily questioning its main presuppositions—including its genealogy, its permutations in the hands of various theoreticians and the many philosophical routes it had taken before it arrived at its level of acceptance today.

I support and agree with Chambers' general point above. However, as a student of political theory, I also see that there are still crucial questions yet to be explicated from the point of view of political thought vis-à-vis the theory of deliberative democracy. Needless to say, like many other concepts in the history of political thought, the ideas of democracy and deliberation are “essentially contested concepts” and their open-ended nature will always subject them to theoretical criticism.<sup>10</sup> In short, as long as there are thinkers from various persuasions engaged in understanding these concepts, criticisms that would eventually demand theoretical responses do not need to stop.

For example, as I realized while researching for this thesis, the debate between deliberative democrats and agonistic pluralists was started and primarily constructed by Mouffe in her books *On The Political*, *The Democratic Paradox* and *The Return of The Political* and many other individual essays and interviews. Thus far, aside from a few remarks made by Benhabib in her introduction to the book *Democracy and Difference* where one of Mouffe's articles appears, Benhabib has not replied to nor systematically assessed Mouffe's agonistic critique of deliberative democratic theory. Thus, I try to explore how Habermas-inspired theorists of deliberative democracy, such as Benhabib and Young would theoretically respond

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<sup>10</sup> See Walter Bryce Gallie's “Essentially Contested Concepts”, in W.B. Gallie, *Philosophy and Historical Understanding*, (London: Chatto & Windus, 1964), 157-91.

to Mouffe's scathing remarks. In a way, this thesis belongs to recent attempts to begin a constructive dialogue between these two bodies of political thought, both of which have separately become linchpins of hotly contested debates in democratic theory today.<sup>11</sup>

My next point covers the intellectual genesis of this thesis.

Albeit written in a straightforwardly theoretical fashion, this began as a project hoping to illuminate some basic questions I have been struggling with for a few years now, both as a student of political thought and as a citizen of a particular democratic community. Most of my earlier questions that allowed this thesis to take shape mainly pertain to the status of democracy as practiced in my native homeland, the Philippines. While I do not explicitly discuss the empirics of Philippine democratic practice, it is the intent to understand how and why democracy works and does not work in the Philippines that guided my politico-theoretical inquiry through and through.

My initial aim was simple: to understand what kind of democratic theory would best improve democratic practice in the Philippines. However, as I went deeper into my research, I gradually realized that this simple question demands an

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<sup>11</sup> There are several recent scholarly articles that have already explored the tensions between deliberative democratic theory and agonistic pluralism. For such articles, see especially Ilan Kapoor, "Deliberative Democracy or Agonistic Pluralism? The Relevance of the Habermas-Mouffe Debate for Third World Politics", *Alternatives* 27 (2002), 459-487. Also, see recent articles by Simona Goi, "Agonism, Deliberation, and the Politics of Abortion" in *Polity* 37, No. 1 (2005), 54-81. John Dryzek, "Deliberative Democracy in Divided Societies", *Political Theory* 33 No.2 (2005), 218-242 and Robert W.T. Martin "Between consensus and Conflict: Habermas, Post-modern Agonism and the Early American public sphere" in *Polity* 37, no.3 (2005), 365-388. I acknowledge these essays, especially Dryzek's as my driving forces to think critically on the relationship between deliberative democracy and agonism at large.

extremely complex response that cannot be encapsulated in a one-size-fits-all formula or in a short academic exercise such as this. In addition, the more I thought about the multifarious angles of my questions, it became more apparent that I should tailor the scope of this thesis around the central questions being fought in the field of democratic theory instead, rather than seek for a model for the Philippines without carefully studying many extraneous conditions making such a model fully justified. Such a constellation of conditions exists and cannot be ignored: the long history of religious and political strife in Southern Philippines, the economics of poverty, multiple colonialisms (with the democratic form of government as a result of American imperialism from the early 1900's to the early 1950's for example) and of course the unpredictable drama of Philippine *realpolitik* and its accompanying burdens, with the culture of corruption and a present crisis of leadership topping many other concerns.

With these considerations in mind, I decided that this thesis could better be pursued in the method and tradition of political theory and a close reading of texts of political and democratic theorists. While my hope for illuminating some aspects of Philippine democracy remains undiminished, this thesis will not be able to capture either the depth or the breadth of issues pertinent to Philippine democracy as I initially desired. I hope to engage in this project perhaps later, when I am better equipped with the social scientific skills required in accomplishing such a task thoroughly and when my insights about the nature of democracy and the Philippines deepen and mature.

A few words about the methodology I employed herein are in order.

Seyla Benhabib claims that it is important to be aware of the presence of different voices in a text. For her, reading is not a solitary act but a dialogue on reading and interpretation with the author speaking in the text as well as a wider community. In reference to designating interpretations to Hannah Arendt's multivalent political theory, for example, she writes:

Reading is a dialogue between the author, the reader, and the community of past and present interpreters with whom one is in dialogue, all reading is polyphonic; it is perhaps less like an ordered conversation than a symphony of voices.<sup>12</sup>

Moreover, in the introduction to her book *The Reluctant Modernism of Hannah Arendt*, Benhabib gives a striking justification of her position in relation to method and interpretation in political theory. Her account is worth quoting in full, as it would enlighten the reader as to my own readings of various works within political theory at large and democratic theory in particular:

In general, to understand another's thought and to evaluate its cogency, it is necessary to know the questions and puzzles a thinker seeks to answer. To understand these questions and puzzles, in turn, it is necessary to reconstruct those social, historical, personal and conceptual contexts that form a horizon of inquiry for a thinker. As Hans-Georg Gadamer has shown, the reconstruction of past arguments and theories always involves a "fusion of horizons." Understanding always means understanding within a framework that makes sense for us, from where we stand today. In this sense, learning the questions of the past involves posing questions to the past in the light of our present occupations. The reconstruction and interpretation of another's thought is a dialogue in which one asks a question, seeks to comprehend whether this question is meaningful for the other, listens and reformulates the answer of the other, and, in light of this answer, rearticulates one's original position. Every interpretation is a conversation, with all the joys and dangers that conversations usually involve: misunderstandings as well as ellipses, innuendos as well as surfeit of meanings.<sup>13</sup>

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<sup>12</sup> See Seyla Benhabib's *The Reluctant Modernism of Hannah Arendt*. (Thousand Oaks: Sage Publications, 1996),198.

<sup>13</sup> Ibid, xxxiv.

As much as this thesis is about my reading of various texts of political and democratic theorists, it is also a meeting of the realities that we concurrently share and not share. Through their texts and ideas, I was able to see where they stand vis-à-vis politics. This attempt to engage them in dialogue is one way of re-evaluating their ideas from an-other's eyes, from a different angle of the world. And I acknowledge a strong affinity to some of these polylogues, because of their power to illuminate and make sense of some of the political realities from where I stand.

In the process of seeking insights from political theory, I realized a paradox: while its language is widely encompassing it also speaks on particular political issues. This language of universality enables one to give one's ideas form in a historicized way without falling in the traps of parochialism or myopia. Giving meaning to politics through political theory, however, does not simply mean laying down a clear-cut framework to a particular set of realities *ala* a procrustean bed, that is, producing cookie-cutter analyses of political issues from the lens of a theorist. This is why my position as the subject engaging in this reflection is deeply crucial. As political theory gets re-thought against each subject's historical, cultural, socio-psychological and philosophical Weltanschauung, both the subject and the theories she studies experience fundamental shifts and changes.

Through the analyses of some key concepts in the history of political and democratic thought, I hope to show the importance of bringing to the fore and confronting democratic issues at the level of theory, for it is in this terrain that

certain analytical distinctions, meanings, interpretations and revaluations are made and re-thought; and as such, could eventually affect democratic practice.

However, I wish to reiterate that while I primarily touch on the subject of deliberative democracy and its critique in a theoretical vein, I am also mindful of the many hurdles inherent in the perplexing world of democratic practice. Ultimately then, the intention behind these readings is not merely to reconstruct the meanings we can tease out of these writings, but to genuinely grapple with the relationship between democratic reason and passion in actual and particular deliberations: a set of complex tasks, the consequences of which this thesis cannot fully pre-empt.

## CHAPTER 2

### THE DELIBERATIVE TURN IN DEMOCRATIC THEORY

#### 2. 1. The Rawls-Benhabib Debate Over the Idea of Public Reason

In his article “Kantian Constructivism and Reconstructivism: Rawls and Habermas in Dialogue,” Thomas McCarthy attempts to arbitrate a fruitful philosophical conversation between two of the most influential political philosophers of the twentieth century.<sup>14</sup> He notes at the essay’s beginning that this conversation has long been postponed primarily because of the split between Anglo-American Analytic and European Continental philosophies in North America, where interests in their theories had flourished significantly in the last two decades. However, this split, while a thorny issue in American philosophical academia, can be bracketed momentarily if we return to these two theoreticians’ common point of departure: Immanuel Kant. As acknowledged by Mc Carthy and by Rawls and Habermas themselves in their various writings, they both share a profound indebtedness to Kant’s practical philosophy.<sup>15</sup>

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<sup>14</sup> See Thomas McCarthy’s “Kantian Constructivism and Reconstructivism: Rawls and Habermas in Dialogue”, *Ethics*, Vol. 105, No. 1 (Oct., 1994), pp. 44-63. McCarthy’s essay is pivotal for my understanding of the relationship between the political and moral thought of Rawls and Habermas. It was after encountering this essay that I began to think about the many veins of their debate; some of which fork in the writings of deliberative democratic theorists such as Seyla Benhabib.

<sup>15</sup> In general, they both derive from Kant’s practical philosophy as Mc Carthy and many other commentators like Kenneth Baynes and Seyla Benhabib argue. See Kenneth Baynes *The Normative Grounds of Social Criticism: Kant, Rawls and Habermas* (New York: SUNY Press 1992) and Seyla Benhabib *Critique, Norm and*



Kant's influence over Rawls's and Habermas's accounts of practical reason is pervasive and it can serve as a trajectory through which we can analyze how their debates take place. However, it should be noted that in addition to Kant's influence, they also took the debates over Kantian ideas such as "public reason" to a new plane, as they struggle with deep societal and political problems of our times, such as those posed by pluralism and cultural diversity. Habermas, for example, is very much credited for instigating philosophical interest over deliberation in democratic thought and practice, making him one of the chief architects of deliberative democratic theory. His theory of communicative action and his notion of the public sphere serve as pivotal linchpins of contemporary accounts and debates on how to think about the formation of a well-ordered democratic society. Likewise, Rawls, through the publication of his book *Political Liberalism*, clarified how we can sustain a stable political society in the age of pluralistic and conflicting metaphysical (philosophical) and religious doctrines through his theory of liberal democracy.

As I make clear in this chapter, we also see in Seyla Benhabib's writings a contiguous vein of this debate between Habermas and Rawls. In fact, one can easily discern that in most of her essays on deliberative democratic theory, which she often claims to be inspired by Habermas's discourse ethics, she always allocates a portion in distinguishing what makes it a more tenable option over Rawls's idea of public reason.

Before going further, I wish to make a few remarks on placing Rawls side-by-side with Habermas, (or in the case of this chapter, Benhabib) on deliberative democratic issues. First, at the outset, it may appear misleading, even incorrect, to categorize Rawls as a deliberative democratic theorist. Rawls is more known among philosophical circles as one of the staunchest defenders of liberalism, especially political liberalism and liberal democracy. However, partly due to his debate with Habermas, Rawls was able to reconsider his position. For example, he eventually admitted in his essay “The Idea of Public Reason Revisited” that he endorses deliberative democratic theory, albeit framed in his own set of philosophical presuppositions. Thus, it also seems not entirely inappropriate to consider his later writings as contributions to the burgeoning literature on deliberative democratic thought. As I also highlighted earlier, many anthologies introducing deliberative democratic theory feature Rawls as one of its chief architects.

However, Simone Chambers suggests in her essay “Deliberative Democratic Theory” in the section “Who is a Deliberative Democratic Theorist?” that while Rawls “joined the deliberative turn” as he admits in *The Law of Peoples* that he was “concerned with a well-ordered constitutional democracy . . . understood also as a deliberative democracy,” we cannot quickly give Rawls the title “deliberative democrat” for this will make deliberative democratic theory an extremely wide theoretical field than it actually is.<sup>16</sup>

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<sup>16</sup> See John Rawls, *The Law of Peoples* (Cambridge, MA: Harvard Univ. Press, 1999), 139.

It becomes obvious then that whether we ought to consider Rawls as a “deliberative democratic theorist” or not is an open question. My opinion in this debate is somewhere in the middle: that we can treat Rawls’s ideas as pivotal in understanding the theory of deliberative democracy while maintaining that he does not paint a theory of deliberative democracy *per se*, as Habermas and Benhabib straightforwardly does in their writings. More importantly, while he eventually saw deliberation as central to his theory of liberal democracy, his theory corresponds to issues different from the ones articulated by the more deliberate “deliberative democratic theorists.” I hope that these various divergences become clearer in the next few parts of this chapter.<sup>17</sup>

## 2.2. Rawls’s Idea of Public Reason

Rawls’s political turn from *A Theory of Justice* to *Political Liberalism* marked a substantial change in his idea of public reason. He acknowledges this in the conclusion of “The Idea of Public Reason Revisited.” He says that the “two books are asymmetrical, though both have an idea of public reason.” In the first, “public reason is given by a comprehensive liberal doctrine”, while in the second, “public reason is a way of reasoning about political values shared by free and equal citizens that does not trespass on citizen’s comprehensive doctrines so long as those doctrines are consistent with a democratic polity.” He argues that the well-ordered constitutional democratic society of *Political Liberalism* is “one on which the dominant and controlling citizens affirm and act from irreconcilable yet

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<sup>17</sup> See Simone Chambers’ “Deliberative Democratic Theory,” *Annual Review of Political Science*, 6 (2003), 308.

reasonable comprehensive doctrines. These doctrines in turn support reasonable political conceptions—although not necessarily the most reasonable—which specify the basic rights, liberties, and opportunities of citizens in society’s basic structure.” (IPRR, 614)

In this light, Rawls suggests that “a well-ordered society will have a wide agreement on principles of political justice.” And an overlapping consensus of “comprehensive views” supports this agreement. A part of this is a principle of public reason for public political advocacy about constitutional essentials and matters of basic justice. For him, the basis of political life should be “more or less agreed upon,” and set outside ordinary political power struggle. One possibility for this to happen would be if everyone subscribed to the same religious or other comprehensive view; and if everyone had a similar opinion of that view’s consequence for politics. This possibility, however, faces the obstacle of the inevitable plurality of comprehensive views. Still, since people with different comprehensive views might share similar ideas about political justice, a consensus on the basic political structure of society remains a possibility. It is this possibility that Rawls’s theory examines, and where his idea of public reason rests.<sup>18</sup>

Now we turn to the other philosophical presuppositions of Rawls’s idea of public reason.<sup>19</sup> Rawls strictly imposes a “definite structure” to it, and sees every

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<sup>18</sup> Ken Greenawalt, “On Public Reason”, *Chicago-Kent Law Review* 69: 669 (1994): 671-674. I am grateful to Greenawalt for clarifying the basic structure of Rawls’s argument. Rawls himself acknowledges Greenawalt for contributing to the shaping of his own conceptions.

<sup>19</sup> For this section, I will be using two main sources interchangeably. The first source is Rawls’s Lecture VI, “The Idea of Public Reason,” in *Political Liberalism*, and an updated version of it in his *Collected Papers* and *The Law of Peoples* entitled “The Idea of Public Reason Revisited.” The structure and main

aspect as indispensable. One of the most important features of this idea is that it is a “reason of citizens sharing equal citizenship”. Rawls says that public reason is characteristic of a democratic people: “it is the reason of its citizens, of those sharing the status of equal citizenship.” He argues further that the “subject of their reason is the good of the public: what the political conception of justice requires of society’s basic structure of institutions, and of the purposes and ends they are to serve.” Public reason then, for Rawls, is “public in three ways: as the reason of citizens as such, it is the reason of the public; its subject is the good of the public and matters of fundamental justice; and its nature and content is public, being given by the ideals and principles expressed by society’s conception of political justice, and conducted open to view on that basis.” (PL, 213)

The idea also claims that justification in public reasons “appeal only to presently accepted general beliefs and forms of reasoning found in common sense, and the methods and conclusions of science when these are not controversial.” (PL, 224). Therefore, when we employ public reason we do not “appeal to comprehensive religious and philosophical doctrines, but rather ‘a reasonable balance of public political values.’” (PL, 243)

One considerable aspect of Rawls’s idea of public reason is his suggestion that the work of the Supreme Court exemplifies the use of public reason, and that is the “sole reason” it exercises (PL 235); for everyone else, the obligation to use public reason is less constricting. Aside from the Supreme Court, Rawls considers

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arguments of the two sources are basically the same, save for a few details, which is not part of this paper’s concerns. From hereon, I shall use IPRR to pertain to the essay “Idea of Public Reason Revisited” in Rawls’s *Collected Papers*, and PL to pertain to his book *Political Liberalism*.

those who engage in socio-political advocacy in the public forum, and for candidates and elections to hold the idea of public reason. For Rawls, therefore, the use of public reason and to whom it does apply follows very strict criteria. The use of public reason does not apply to all political deliberations of fundamental questions but only to questions that he refers to as essential to the “public political forum”, which he sees as divided in three parts: “the discourse of judges in their decisions, and especially of the judges of a supreme court; the discourse of government officials, especially chief executives and legislators; and finally, the discourse of candidates for public office and their campaign managers, especially in their public oratory, party platforms, and political statements.” (IPRR, 575)

This delimitation tells us that the idea of public reason does not apply to personal deliberations and reflections, or to reasoning within associations such as universities or churches, where religious, philosophical and moral considerations of many kinds properly play a role (PL 215). In conjunction with this, he imposes another delimitation. He says that for citizens and legislators, “the limits imposed by public reason do not apply to all political questions but only to those involving what we may call “constitutional essentials” and questions of basic justice. (PL 214)

Rawls expects that values specified by a fundamental political conception will give a reasonable public answer to all, or nearly all, questions about constitutional essentials, and that there is “an urgency for citizens to reach practical agreement in judgment about the constitutional essentials”. By constitutional essentials, he means two kinds: “fundamental principles that specify the general structure of government and the political process: the powers of the

legislature, executive and the judiciary; the scope of majority rule and equal basic rights and liberties of citizenship that legislative majorities are to respect such as the right to vote and to participate in politics, liberty of conscience, freedom of thought and of association, as well as the protections of the rule of law.” (PL, 227)

Conceptually speaking, these categorizations and delimitations seem clear, especially for the purpose of identifying the presuppositions of Rawls’s idea of public reason as a possible “mode of consensus” in a pluralistic democratic society. However, Rawls’s ideas pose certain philosophical and sociological problems pertinent to encouraging “participation” and “deliberation” in a democracy that, as we would see in the next section, Seyla Benhabib, following Jürgen Habermas, would seriously consider.

### **2.3. Benhabib’s Deliberative Democratic Theory**

Seyla Benhabib develops a vision of deliberative democracy based on a discourse theory of ethics.<sup>20</sup> In her last two books, *The Claims of Culture* and *The Rights of Others*, she reiterates this vision. She invites us to see how deliberative democracy may serve as a principle of democratic governance that in turn may help solve tussles plaguing democratic polities. In *The Claims of Culture*, Benhabib

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<sup>20</sup> The references to Benhabib’s thought and her presentation of her deliberative democratic model can be traced in the following work: *The Claims of Culture: Equality and Diversity in the Global Era* (Princeton: Princeton University Press, 2002) especially in its fifth chapter entitled: “Deliberative Democracy and Multicultural Dilemmas”. This chapter was developed from her previous writings which include: “Toward a Deliberative Model of Democratic Legitimacy” in *Democracy and Difference* (1996) and “Models of Public Space: Hannah Arendt, the Liberal Tradition and Jürgen Habermas” in *Situating the Self* (1992). For the purposes of this paper, I shall refer to the fifth chapter of *The Claims of Culture*, and use CC as a tool for citation.

readily admits that she privileges a conception of democracy that is deliberative.

She says that:

Democracy...is best understood as a model for organizing the collective and public exercise of power in the major institutions of a society on the basis of the principle that decisions affecting the well-being of a collectivity can be viewed as the outcome of a procedure of free and reasoned deliberation among individuals considered as moral and political equals. (CC, 105)

This deliberative conception of democracy, which she also calls “discursive democracy” at other times, provides the groundwork for her model. For her, one of the foundations of legitimacy in a democracy is that its political institutions represent the interests of all. She holds that public opinion should play a part in determining public policies and laws, and it is the process of rational deliberation in the public sphere that allows for a thorough grasp of the needs, interests and desires of the public and, in the cases she addressed in the book, cultural claims of persons and groups. Her approach uses elements that derive from Habermas’s model of discourse ethics, which she takes as her “meta-norm”. By a meta-norm, she means, a “rule of action, interaction, or organization”. (CC, 106)

She teases out two presuppositions from this meta-norm and calls them “principles”. A principle is a general moral proposition, such as “Do not inflict unnecessary conflict” or “Citizens must be treated equally”. She also highlights that a principle can have as many normative concretizations as possible, and that the same set of principles may be used for different instances and institutions. She defines two principles underlying the Habermasian model of discourse ethics as the following: (1) “universal moral respect” and (2) “egalitarian reciprocity”. (CC, 107) The first principle requires us to "recognize the rights of all beings capable of



speech and action to be participants in the moral conversation" and the second principle states that "within discourses each (participant) should have the same right to various speech acts, to initiate new topics, and to ask for justification of the presuppositions of the conversation, and the like". (CC, 19)

Aside from her general stance (deliberative democracy) and the norms and principles she offers, what delineates her approach from others is that it is a dual-track model. She places importance both on the "informal, de-centered and interlocking network of informal public spheres in civil society" and the "formally organized political public spheres of the state."<sup>21</sup> Interestingly, the two foci of her approach are usually seen as contradicting political spheres, the former usually represented by "political activities and struggles of social movements, associations and groups in civil society" and the latter by "established institutions like the judiciary and the legislature." (CC, 106)<sup>22</sup>

In Benhabib's account, these two spheres complement each other and in *The Claims of Culture*, she shows how both should be able to inform each other when multicultural issues are at stake. This is where, as she claims, her model departs from and is in contrast with other models like that of John Rawls's ideas

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<sup>21</sup> This delineation parallels Habermas' notion of weak and strong publics. See his *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*. (Cambridge, Mass.: MIT Press, 1996) According to Habermas, weak publics are vehicles of public opinion, uncoupled from the formal decision-making bodies of government. "Taken together, they form a 'wild' complex that resists organization as a whole" (Habermas 1996, 307). Strong publics, on the other hand, are formal entities, such as sovereign parliaments, that seek out cooperative solutions to practical problems. Strong publics justify "the selection of a problem and the choice among competing proposals for solving it." (ibid.)

<sup>22</sup> From where I see it, these two spheres can also represent the tension between particular passions (born out of collective identifications to particular cultures and ethnic, national and religious particularities) and public reason (established in democratic societies' legal and political institutions).

of public reason and overlapping consensus.

Benhabib specifies three aspects where her deliberative democratic model diverges from the Rawlsian model of public reason and overlapping consensus.

Benhabib summarizes them as follows:

First, the deliberative model does not restrict the agenda of public conversation: in fact, it encourages discourse about the lines separating the public from the private; second, the deliberative model locates the public sphere in civil society, and is much more oriented the ways in which political processes and the “background culture” interact; and finally, while the Rawlsian model focuses upon “final and coercive political power,” the deliberative model focuses upon non-coercive and non-final processes of opinion formation in an unrestricted public sphere. (CC, 109)

It is interesting that while Rawls and Benhabib can be seen as endorsing deliberation (mutual exchange of reasons in public) as important in a theory of democracy, they differ in the way they see the relationship between the public and the private: a distinction which presupposes each other’s take on public reason, which is also pertinent to the relationship between reason and passion. For Benhabib, the line separating the public and the private is always shifting and contestable. She notes that some issues that were previously conceived as private can become public matters. Thus, issues assigned as essentially private or primarily public should always be put in question. Like Benhabib, other liberal thinkers aside from Rawls, remind us of the importance of questioning this distinction. However, the main difference between Benhabib’s constant questioning of the lines between the public and the private, and that of a liberal like Rawls, is the latter’s stress on creating a certain form of closure to this questioning; that is, really drawing a line between the public and the private. For example, Judith Shklar holds the view that:

(Liberalism) must reject only those political doctrines that do not recognize any difference between the spheres of the personal and the public. Because of the primacy of tolerance as the irreducible limit on public agents, liberals must always draw such a line. This is not historically a permanent or unalterable boundary, but it does require that every public policy be considered with this separation in mind and consciously defended as meeting its most severe current standard. The important point for liberalism is not so much where the line is drawn, as that it be drawn, and that it must under no circumstance be ignored or forgotten.<sup>23</sup>

In Rawls's account, this particular liberal emphasis was also made, as we see in his notion of public reason that clearly lays down what divides public from non-public issues. It is on this emphasis that Benhabib's misgiving might find a response from Rawls. For Rawls, as Benhabib herself noted, public reason is a regulative principle. It imposes "certain standards upon how individuals, institutions, and agencies ought to reason about public matters." (PL, 220)

However, it is important to note that Rawls gives a further distinction by saying that: "The public vs. nonpublic distinction is not the distinction between public and private." (PL, 220). This is in cognizance with his claim that "there is no such thing as private reason" in the sense of private reason as an individualistic stance without a link to any association in civil society. Rather, he assigns the term "non-public" to the various forms of reasoning that can be found in different associations in civil society or the "background culture", which should be distinguished from the reason used in the public political culture that he ascribes to his idea of public reason. (PL, 220)

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<sup>23</sup> See these comments by Judith Shklar in her article "The Liberalism of Fear" in *Liberalism and Moral Life*, ed. Nancy Rosenblum. Cambridge, MA: Harvard University Press, 1989. p. 24.

At this point, it would be good to consider how Benhabib's point of departure and devices of representation differ from Rawls's. This fissure is possibly the reason why the two will never arrive at the same conception of the public use of reason and that Benhabib might be asking Rawls to fill a lacuna that he never pursued in the first place. For example, Benhabib is very well persuaded of Habermas's model of the public sphere and its location in civil society. And she wants to assert that sociologically speaking, this is a more plausible position than Rawls's. Let us note, however, that Rawls never intended to complement or even contrast his idea of public reason with that of Habermas's public sphere. Rawls tried to clarify this himself on a footnote of his "Reply to Habermas":

The public reason of political liberalism may be confused with Habermas's public sphere but they are not the same. Public reason in PL is the reasoning of legislators, executives (presidents, for example) and judges (especially those of a supreme court, if there is one). It includes the reasoning of candidates in political elections and of party leaders and others who work in their campaigns, as well as the reasoning of citizens when they vote on constitutional essentials and matters of basic justice. *The ideal of public reason does not have the same requirements in all these cases.* As for Habermas's public sphere....the background culture, public reason with its duty of civility does not apply. We agree on this. I am not clear whether he accepts this ideal (129-30). Some of his statements in FG (see 18, 84, 152, 492, 534f) certainly suggest it and I believe it would not be consistent with his view, but regrettably I cannot discuss the question here (emphasis mine).<sup>24</sup>

In raising such differences, Benhabib might give her readers the impression that those two conceptions should fulfill the same requirements. It might be the case, rather, that the notion of public sphere is an idea that should not necessarily

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<sup>24</sup> See footnote 13 in Rawls's Reply to Habermas in Rawls's *Political Liberalism*. FG refers to *Faktizität und Geltung*, which was later translated by William Rehg as *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*, a book I already mentioned in a previous note.

be contrasted against Rawls's public reason as Rawls himself suggests—because the requirements that his idea tries to fulfill would certainly fail the requirements of the public sphere in Habermas's account that Benhabib prioritizes. Thus, Benhabib's assessment of the differences of her model and that of Rawls's may also appear a little overdrawn because Rawls's idea of public reason is simply trying to serve a different purpose.

However, if we understand her attack as trying to enlarge the scope and role of public reason from what Rawls originally conceived it to be, then it is justifiable why she keeps making this line of criticism in the first place: if we extend the realm of public reason to civil society, we will be able to entertain more persons participating in crucial public fora and decision-making processes. Following this vein, the liberal constraints that Rawls imposed in his idea of public reason are over-ridden by the need to capture the spirit of the public more fully, the true *demos* which makes democracy a government by the people in the first place.

Of course, there is an alternative interpretation of this debate that will be more charitable to Rawls: we can claim that while it appears in Benhabib's criticism of Rawls's idea of public reason that he under-appreciated the role of civil society in the political public sphere, it could also be interpreted otherwise—that Rawls's account, in fact, gives civil society actors further autonomy as to the direction and content of their discussion, which could be understood as Rawls's reason for assigning their discourses as “non-public.” In this interpretation, we can understand Rawls as denying that they could not participate in the discussions (as Benhabib's critique might signal) but rather, civil society actors should be

aware whether the issues they are trying to assert and discuss would be something that deserve an elevation to the public realm, or whether the issue could be pushed as an agenda that deserves political action. They could then, as Rawls might possibly suggest at this point, shift their “non-public” uses of reason to a public use of reason.

In my view, the challenge for both civil society actors and the state is to constantly check whether the needs that the latter addresses are what the former actually desire. On this point, I cannot but stress that in this challenge, the dual character of Benhabib’s deliberative democratic model is very illuminating. Even so, I do not see clearly why contrasting it against Rawls’s idea of public reason proves something aside from creating and collapsing distinctions that, as we saw in the foregoing, Rawls did not intend to make.<sup>25</sup>

The debate between Rawls and Benhabib, which re-echoes the debate between Rawls and Habermas, compounds at least two issues: First, Rawls and Benhabib do not share the same conception of the public/private divide and this has significant effects in the way they view public reason and deliberation. Second, that it is necessary to render a nuanced reading of the particular issues where democratic theorists disagree. If we do not pay enough attention, for

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<sup>25</sup> At one point in the *Claims of Culture*, Benhabib quotes from Hannah Arendt’s *The Human Condition*. She says that, according to Arendt, “The laws, as the ancients knew, are the walls of the city, but the art and passions of politics occur within those walls.” (CC, 130) In her deliberative democratic model, Benhabib shows us the primacy of the spaces *within* the walls, the endless talk and discussion, the art and the passion that makes political engagement in the civil societal public sphere colorful and alive. However, it is the virtue of Rawls’s idea of public reason that it can act as that strongly built wall, which serves as refuge when all has been said and we want something to be done.

example, to Rawls's thin concept of publicity, we might not see that its merit lies precisely in its limitedness. And as I extrapolated previously, it also has the capacity to allow civil society to go on with their own business without undermining the importance of institutional actors such as the state, the judiciary and other legal institutions. Finally, we cannot simply conflate Rawls with Habermas or Benhabib as a "deliberative democratic theorist." While Rawls endorses important insights useful to a theory of deliberative democracy, his ideas are still very much entrenched in the liberal tradition.

In the next chapter, I discuss several perennial objections against the deliberative democratic theory from the point of view of Chantal Mouffe's agonistic democracy. A chapter shall succeed this where I continue to engage with deliberative democratic theory as stated by Seyla Benhabib, following Jürgen Habermas's discourse ethics. In this fourth chapter, I also show their divergences in order to partially respond to the objections set by Chantal Mouffe. As I already began highlighting here, this shall further amplify the polyvalence of the deliberative tradition within the field of democratic theory by showing that even deliberative democratic theorists such as Seyla Benhabib, Jürgen Habermas and Iris Marion Young who seemingly follow the same train of philosophical thought in fact disagree on some crucial issues.

## CHAPTER 3

### THE AGONISTIC CRITIQUE OF DELIBERATIVE DEMOCRACY

#### 3.1. Chantal Mouffe and the Rage Against Public Reason

In the previous chapter, we saw that the critical vocabulary informing the theory of deliberative democracy includes the idea of public reason as debated between John Rawls and Seyla Benhabib. At this point, we turn to another thread of political thought, which attacks this mode of theorizing and its accompanying idiom. This attack targets both the theorists I just recently assessed. It is also a symptom of how our recent intellectual history is replete with attacks on rationality, especially in its supposedly most suspicious form: universal reason.

From feminists to post-colonial theorists to various critics of Enlightenment philosophy, we have variously heard that universal reason is an inherently Western, patriarchal construct that poses violence in the face of the Other/others. These criticisms are abundant and they also become salient in the politico theoretical front, especially when democratic issues in pluralistic societies are at stake. That is why it almost comes as a surprise that against this tide of disillusionment with reason, the literature on deliberative democratic theory flourished.

The paradox of our contemporary political situation seems to lie in gaining a new sense of hope in reason while living at the wake of its supposedly proclaimed death. However, among those who continuously choose to remain



suspicious of this newfound hope in reason is political thinker Chantal Mouffe. She stands out as one of the most ardent and vocal critics of deliberative democracy. She takes issue with the conception of politics that informs a great deal of democratic thought today which she simply sees as rationalist, universalistic and individualist.

### 3.2. The Epistemic Objection

Chantal Mouffe's strong remarks against the deliberative tradition appear in almost every major book and article she authored over the last two decades. The reiterations of her arguments vary in depth and in purpose but they still hold the same objections against deliberative democratic theory, which I shall discuss below.<sup>26</sup>

Mouffe's primary publications have revolved around the idea of radical democracy and agonistic pluralism, projects conceived in the last sections of *Hegemony and the Socialist Strategy*, her famous collaborative work with Ernesto Laclau. In her latest book, *On The Political*, Mouffe reiterates what seems to be the leitmotif of her political thought for the past two decades: an attempt to move away from rationalist politics in order to elevate the role passions play in our

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<sup>26</sup> Mouffe's books, where attacks on *rationalistic* theories of democracy, where she takes deliberative democracy as exemplary can be traced, include: *The Return of the Political*, (London ; New York: Verso, 1993), *The Democratic Paradox*, (London ; New York: Verso, 2000.) and *On The Political*, (New York: Routledge, 2005). These works often overlap and is very prone to repetition, which Mouffe herself admits in the introduction to *Democratic Paradox* as part of her theoretical strategy. An important essay is *Politics and Passions: The Stakes of Democracy*, which served as Mouffe's inaugural professorial lecture at the University of Westminster, London, UK. A copy can be accessed here: <http://www.wmin.ac.uk/ssh1/page-1/Politicsandpassions.pdf>.

political lives. This project is preceded by many years of dismantling the democratic theories of some of the most important representatives of rationally motivated politics, Jürgen Habermas and John Rawls, and their “followers”: Seyla Benhabib and Joshua Cohen.

In an interview entitled “Democracy: Radical and Plural”, Mouffe is straightforward in claiming that her agonistic pluralistic model of democracy is set to argue against two other models of democracy: the aggregative and the deliberative model. The former model, according to her, “views democracy mainly as an aggregation of interests: individuals have interests; they act in the field of politics in order to further these interests and democracy is a set of neutral procedures which allows these interests to be aggregated and a compromise among them to be reached”.<sup>27</sup> In contradistinction, the theorists of the latter, says Mouffe, “have criticized this instrumental notion of politics, and rightly so: there is more to politics than the pursuit of self-interest. For deliberative democrats people act politically not only in order to realize their interests: they are also motivated by moral, normative considerations; by a search for the common good.” In the same interview, she is easy to admit that in both models, the main problem, “albeit in different ways, is their rationalism.”<sup>28</sup>

The imminent questions this part of the thesis wishes to tackle are: (1) what motivates Mouffe’s criticisms against deliberative democratic theory? (2) Is the “rationalism” she talks about really pernicious to democratic politics? What is the role of reason-giving and rational decision-making in solving the problems and

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<sup>27</sup> Chantal Mouffe, *Democracy: Radical and Plural*. On *CSD (Center for the Study of Democracy) Bulletin*, Winter 2001-2002, Volume 9, No.1, p.11.

<sup>28</sup> *Ibid*, p.11.

resolving the conflicts our societies face? Is her suspicion against rationalism well argued enough that we can marginalize reason in our democratic discussions so as to prioritize what she calls “passions”? (3) What are these passions in the first place? Do they really contradict reason? And does she provide a thorough account of them in her theory of agonistic democracy?

To arrive at a systematic answer to the questions above, we may return to her essay “Deliberative Democracy or Agonistic Pluralism?” Here, we can surmise that she has at least three major objections against deliberative democracy:<sup>29</sup> First, she holds that since deliberative democracy rests on a “rationalist” epistemology, it does not acknowledge the important role of passions and what she calls “collective forms of identifications in the field of politics.” (DD/AP, 11) Second, for her, it is the mistake of deliberative democrats to attempt reconciliation between the liberal and the democratic traditions; since, when one attempts to reconcile the two, one erases the conflictual nature of politics and instead, emphasize rational consensus. (3) The third complaint, which is less thematized in her early writings but has been constantly raised in more recent ones says that the erasure of conflict in politics by deliberative democrats is the result of their

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<sup>29</sup> In discussing Mouffe’s ideas, I will be relying mainly in her article *Deliberative Democracy or Agonistic Pluralism?* from the Political Science Series 72 (Vienna: Institute for Advanced Studies, 2000). This can be accessed at [http://www.ihs.ac.at/publications/pol/pw\\_72.pdf](http://www.ihs.ac.at/publications/pol/pw_72.pdf). The arguments in this article was also published in *Social Research* 66, no. 3 (1999): 745-758 in an essay with the same title. In this version of the article, she leaves Rawls and concentrates on Habermas’ version of deliberative democracy, which she perceives as the strongest and most sophisticated statement of the theory. The very same arguments also appear in her book *The Democratic Paradox*. From hereon, I shall use DD/AP to refer to citations from the online version of this article.

conflation of morality and politics or their examination of politics in the moral register.<sup>30</sup>

In this thesis, I focus mainly in the first objection, which I shall call the “epistemic objection” against deliberative democratic theory, as most of the further objections usually generate from here. In her epistemic objection, Mouffe says that what renders deliberative democratic theory undesirable is its rational character and its consequent quest for a rational consensus, the perceived *telos* (end) of democratic deliberation.

If we consider Mouffe’s own epistemological bases and biases, we might have a glimpse as to where this staunch dismissal is coming from. As she often claims, Mouffe holds an anti-essentialist and anti-universalist theory of knowledge. In her articles and books, she often proclaims that she adheres to the insights of figures like Michel Foucault, Jacques Derrida and Jacques Lacan. Her agonistic pluralistic position can be seen as lying at the interstices of philosophical movements as diverse as ordinary language philosophy, post-structuralism and psychoanalysis.

This range of influences largely affects the way she conceives the relationship between reason and politics, wherein deliberative democracy is a critical nexus. But then again, the curious reader might ask: how do such

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<sup>30</sup> Usually, these objections are followed by two propositions: (1) first, for Mouffe, democratic theory needs to “acknowledge the ineradicability of antagonism and the impossibility of achieving a fully inclusive rational consensus”. And (2) second, “a model of democracy in terms of ‘agonistic pluralism’ can help us to better envisage the main challenge facing democratic politics today: how to create democratic forms of identifications that will contribute to mobilize passions towards democratic designs” These propositions can be found in the *abstract* of “Deliberative Democracy or Agonistic Pluralism?”

philosophical influences specifically affect and inform her view and criticism of deliberative democratic theory?

### 3.3. Two Theoretical Sources

I will not do a full exposition of all the figures and schools of thought I just mentioned above. However, I wish to point out that in her attacks against deliberative democracy, Ludwig Wittgenstein and Carl Schmitt appear to be Mouffe's most prominent sources. She often distinguishes between her model and that of the deliberative democrats by invoking several philosophical theses of these two theoreticians. Briefly tracing the influences of these two thinkers in Mouffe's epistemic objection may obliquely allow us to gain perspective on how her other objections, namely, the consensual and moral objections are set up. This theoretical clarification is crucial precisely because confronting Mouffe's theory of agonistic pluralism can be a perplexing task for those who do not see the significant connections between Wittgenstein and democratic theory, or those who cannot even begin to read or sympathize with Schmitt because of his allegiance to National Socialism.<sup>31</sup>

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<sup>31</sup> As expected, Mouffe had to defend in her writings why she uses Carl Schmitt's political thought despite the thinker's allegiance to Nazism. In the *The Return of the Political*, we see one such defense: "Though Schmitt's criticisms were developed at the beginning of the century, they are, in fact, still pertinent and it would be superficial to believe that the writer's subsequent membership of the National Socialist Party means that we can simply ignore them. On the contrary, I believe it is by facing up to the challenge posed by such a rigorous and perspicacious opponent that we shall succeed in grasping the weak points in the dominant conception of modern democracy, in order that these may be remedied." See *The Return of The Political* (London ; New York: Verso, 1993) p. 118. In this book and in her following two books (*The Democratic Paradox* and *On The Political*), she allocates several chapters discussing Carl Schmitt's contributions to

Let us begin with Wittgenstein.<sup>32</sup> Mouffe's re-appropriation of Wittgenstein's later philosophy focuses on at least three points. First, she deploys Wittgenstein's arguments to aid her "critique of rationalism." She emphasizes, for example, Wittgenstein's point that "in order to have agreements in opinions, there must first be agreements in forms of life." (DD/AP, 11) This point relates to Wittgenstein's argument in the following passage:

So you are saying that human agreement decides what is true and what is false. It is what human beings say that is true and false; and they agree in the language they use. That is not agreement in opinions but in forms of life.<sup>33</sup>

In conjunction with this, Mouffe also uses Wittgenstein's insight regarding "rule following". For Mouffe, Wittgenstein's approach allows us to have numerous ways of following democratic rules. In contrast to the deliberative approach, "there cannot be one single best, more 'rational' way to obey those rules and this is precisely such a recognition that is constitutive of a pluralist democracy."<sup>34</sup> She is worth quoting in full here so as to understand exactly why she thinks the Wittgensteinian approach can lead us to a better theory of democracy:

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political theory, especially his idea of "the political" which I shall briefly discuss here as well. Hereafter, I shall refer to citations from the *Return of the Political* as RTP.

<sup>32</sup> It is important to note that Mouffe frames her critique of rationalistic accounts of democracy such as the deliberative model using Wittgenstein's philosophical vocabulary. I would like to delineate the fact that Wittgenstein himself did not intend to establish a theory of democratic politics.

<sup>33</sup> Mouffe quotes Ludwig Wittgenstein's *Philosophical Investigations* (Oxford: Basil Blackwell), p. 88e.

<sup>34</sup> I lift this quote from Mouffe's full-length discussion of her Wittgensteinian approach to democratic theory, which can be found in "Wittgenstein, Political Theory and Democracy." Available from <http://them.polylog.org/2/amc-en.htm>.

Following a rule, says Wittgenstein, is analogous to obeying an order. We are trained to do so; we react to an order in a particular way. But what if one person reacts in one way and another in another to the order and the training? Which one is right? This is indeed a crucial question for democratic theory. It cannot be resolved, pace the *rationalists*, by claiming that there is a *correct understanding* of the rule that every rational person should accept. To be sure, we need to be able to distinguish between “obeying the rule” and “going against it”. But space needs to be provided for the many different practices in which obedience to the democratic rules can be inscribed. And this should not be envisaged as a temporary accommodation, as a stage in the process leading to the realization of the *rational consensus*, but as a constitutive feature of a democratic society (Emphases mine).<sup>35</sup>

Mouffe simply does not agree that a deliberation aiming for rational consensus can easily proceed in its rationalist form. Furthermore, she forwards this Wittgensteinian insight on rule following to criticize the “proceduralism” which, according to her, underpins theories of deliberative democracy such as Habermas’s.<sup>36</sup> Again, invoking Wittgenstein, she thinks that “to agree on the definition of a term is not enough and we need agreement in the way we use it.” (DD/AP, 11) And as Wittgenstein himself would say: “if language is to be a means of communication there must be agreement not only in definitions but also (queer as this may sound) in judgments.”<sup>37</sup> She says the following regarding this Wittgensteinian critique of Habermas’s proceduralism:

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<sup>35</sup> This is also from “*Wittgenstein, Political Theory and Democracy*.”

<sup>36</sup> This charge is typically cast in the following terms: that deliberative democratic theory eliminates “substantive” principles (such as freedom, basic needs, etc). However, this charge need not be accepted because most deliberative democratic theorists (following Habermas) do not necessarily maintain a stance of “pure proceduralism.” In fact, as we saw in Benhabib’s rendition of the model, there are already “substantive” claims (such as the importance of the principles of “universal moral respect” and “egalitarian reciprocity”) that are parts of the theory.

<sup>37</sup> This is from the same page of Wittgenstein’s *Philosophical Investigations* I noted above.

For him (Wittgenstein), procedures only exist as a complex ensemble of practices. Those practices constitute specific forms of individuality, which make possible the allegiance to the procedures. It is because they are inscribed in shared forms of life and agreements in judgments that procedures can be accepted and followed. They cannot be seen as rules that are created on the basis of principles and then applied to specific cases. Rules for Wittgenstein are always abridgments of practices; they are inseparable from specific forms of life. This indicates that a strict separation between “procedural” and “substantial” or between “moral” and “ethical”, separations that are central to the Habermasian approach, cannot be maintained. Procedures always involve substantial ethical commitments and there can never be such thing as purely neutral procedures. (DD/AP, 12)

I understand what she says above as follows: that it is important to attend to the particular language game that will be utilized in a particular deliberation before we can settle on the rules of that deliberation; and since prior to our engagement in such a deliberation, there is already an agreement on the rules to be used, we cannot extricate substantial issues from procedural ones. Substance and procedure simply cannot be uncoupled from each other.

The remaining weight of Mouffe’s deployment of Wittgenstein’s later philosophy pertains to her criticism of the idea of “rational consensus,” which she believes as the *telos* of democratic deliberation. Building upon the first point, where she claimed that certain forms of life simply could not arrive at a common ground (her incommensurability argument), she forwards her thesis against rational consensus by relying on Wittgenstein’s distinction between *Meinungen* and *Lebensform*. For her, following Wittgenstein, “agreement is established not on significations (*Meinungen*) but on forms of life (*Lebensform*). It is *Einstimmung*, fusion of voices, made possible by a common form of life, not *Einverstand*, product of reason – like in Habermas.” (DD/AP, 12) Following this distinction, she puts out



what could possibly be the most brilliant flashpoint in her Wittgensteinian critique of the limits of consensus, where she quotes a famous line from Wittgenstein's *On Certainty*:

Where two principles really do meet which cannot be reconciled with one another, then each man declares the other a fool and an heretic. I said I would combat the other man, but wouldn't I give him reasons? Certainly; but how far do they go? At the end of reasons comes persuasion.<sup>38</sup>

This means that for Mouffe, Wittgenstein suggests that the main obstacle for a rational consensus is not “merely empirical or epistemological.” Rather, it is “ontological.” As she says:

Indeed, the free and unconstrained public deliberation of all on matters of common concern is a conceptual impossibility since the particular forms of life, which are presented, as its “impediments” are its very condition of possibility. Without them no communication, no deliberation would ever take place. There is absolutely no justification for attributing a special privilege to a so-called “moral point of view” governed by rationality and impartiality and where a rational universal consensus could be reached. (DD/AP, 13)

Mouffe's re-appropriation of Carl Schmitt's ideas is pervasive in her writings and we now turn to some of the highlights of her discussion. It is probably fair to say that a large portion of her critique of deliberative democratic theory through the lens of the agonistic model relies heavily on Carl Schmitt's key ideas. I do not see how she could have proceeded with her purportedly “alternative” model and established its analytical distinctions without her ample theoretical references to this particular thinker. Schmitt's main influence on Mouffe is his idea of “the political” and its perennial neglect by the deliberative model of democracy. For Mouffe, deliberative democratic theory serves as a good

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<sup>38</sup> She quotes Ludwig Wittgenstein's *On Certainty* (New York: Harper Torchbooks, 1969), p. 81e

example of Schmitt's complaint against liberal thought. For Schmitt, "in a very systematic fashion liberal thought evades or ignores state and politics and moves instead in a typical always recurring polarity of two heterogeneous spheres, namely ethics and economics." (DD/AP, 13)

What does Mouffe mean by deliberative democratic theory's neglect, or as she puts it, "blindness" to the political? What is "the political" in the first place? In another context, talking about liberalism, which she sees as a fundamental tenet of deliberative democratic theory (the other one, popular sovereignty), we will find her words informative:

Liberal thought is necessarily *blind* to the political: liberalism's individualism means it cannot understand the formation of *collective identities*. Yet the political is from the outset concerned with *collective forms of identification*; the political always has to do with the formation of an 'Us' as opposed to a 'Them', with *conflict* and *antagonism*; its *differentia specifica*, as Schmitt puts it, is the *friend–enemy distinction*. Rationalism, however, entails the negation of the *ineradicability* of antagonism. It is no wonder then, that liberal rationalism cannot grasp the nature of the political. Liberalism has to negate antagonism since antagonism, by highlighting the inescapable moment of *decision* – in the strong sense of having to make a decision on an undecidable terrain – reveals the limits of any *rational consensus* (emphases mine).<sup>39</sup>

Her reiteration of Schmitt's "friend-enemy distinction" brings to the fore the alleged denial of antagonism of deliberative democratic theory. She finds this as simply banishing "the political" which she concurrently situates in the antagonistic dimension of democratic politics. She further distinguishes the idea of "the political" from politics. For her, the latter "refers to the set of practices and institutions the aim of which is to create order, to organize human

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<sup>39</sup> From "Politics and Passions: The Stakes of Democracy," p.5 Available from <http://www.ciaonet.org/wps/moc01/moc01.pdf>.

coexistence in conditions which are always conflictual because they are traversed by ‘the political.’” (RTP, 113)

It is via this distinction that she introduces to us her idea of “agonistic democracy.”<sup>40</sup> As she takes the political an ontologically given dimension of our democratic societies, her intent is to transform this antagonism to a form of relationship which does not deny it but makes a fruitful result out of it: agonism. She proposes to shift the friend-enemy distinction stated by Schmitt in his political theory into a relationship among “adversaries”: the political agents may have varying points of departure and arrival in a particular issue, but they still communicate with each other, without necessarily looking forward to a rational consensus. In other words, this is a situation where participants simply agree to disagree. Mouffe calls this “conflictual consensus” where emphasis is centered in the act of struggle among the political agents trying to come to terms with the issue at hand.<sup>41</sup>

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<sup>40</sup> As I noted earlier, Mouffe is not alone in supporting the idea of agonistic democracy. The concept of agonism can be retrieved from the tradition of Greek drama and political thought. According to Emma R. Norman, “the concept of agonism is commonly identified with democracy in its purest form and emphasizes *popular contestation* and *debate* as the principal aspects of political activity.” She parlays that the term is “derived from the scene of the *agon* in Ancient Greek drama, where the primary *protagonists* of the play appear, centre stage, to confront each other in verbal contest.” This etymological definition is helpful in so far as elucidating the idea that agonistic democracy really shifts the emphasis from co-operation and integration to “the activity of popular confrontation, conflict and debate on public matters and the arena(s) in which such contestation takes place.” See Norman’s entry on *agonism* in the *Encyclopedia of Democratic Thought*, Paul Barry Clark, Joe Foweraker (eds.), (New York: Routledge, 2001), 5-10.

<sup>41</sup> The anonymous content reader of this thesis highlighted an issue that is worth pondering, and I hope to pursue in my further readings of Carl Schmitt. He claimed that Mouffe is inconsistent in using Schmitt’s political philosophy to

For her, denying antagonisms is detrimental to democratic practice for if we do not take notice of them, they will arise through unfavorable ways. I think this is where Mouffe's point is very difficult to dismiss. She hits the mark here especially if we think about the many long lasting deep divisions and perennial conflicts deeply entrenched in our democratic societies: from staunch versions of fanatical nationalism, the right-wing populist movements, and of course, religious fundamentalists dismissive of other faiths. For Mouffe, denying the existence of antagonisms as "manifested" through such movements is dangerous and will pose more threats to our democratic societies.

Again, while I think Mouffe is correct here, I seriously doubt whether deliberative democrats are categorically denying such phenomena. It is just that the values that deliberative democratic theorists promote are perceptibly skewed elsewhere: some of them hope to transcend such antagonisms and if possible, build understanding amongst different persuasions and movements. Until she has provided us with some clear evidence aside from her negative interpretation of deliberative democracy, I am not willing to believe that deliberative democratic theorists are in denial that such antagonisms exist.

Another idea of Mouffe inspired by Schmitt, corollary to the discussion above, is regarding the status of the passions in deliberative democratic thought. This argument arises from the denial of the political that she charges deliberative democratic theorists have done. When we picture the scenario now as she paints it, it becomes apparent that deliberative democratic theorists, for Mouffe, are

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reject deliberative democracy precisely because "what Schmitt rejects, specifically, is the undermining of rational discussion in a liberal democracy."

involved in some kind of a vicious cycle: because they emphasize reason and rational consensus, they in turn neglect the passions and relegate them to the private spheres of human activities. This is due to their blindness to the specificity of the political and their painful denial of the antagonistic dimensions of democracy.

What is seemingly implied in this vicious cycle is a charge of naïveté in the part of deliberative democratic theorists: they just do not know enough how the real political world functions and they assume that deep-seated differences can be solved by simply talking and agreeing, albeit the problem really boils down to the fact that the ways of life of various political agents conflict and are simply irreconcilable. This charge of naïveté is deeply tied with her charge that this type of democratic thinking is impotent: it is incapable of allowing integration and formation of individual and collective identities because these political phenomena occur through the mobilization of the passions and not the use of reason.

Mouffe negatively depicts deliberative democratic theory and uses Schmitt's idea of the political to do this. However, I find her analysis insufficient. Why? Because while she raises the importance of passions in democratic theory and practice, she fails to tell us how these passions specifically work, and what constitutes them in the first place. She does not properly explore, for example, how would a democratic theory, relinquished of reason-giving and full of passion will and ought to look like. She fails to suggest whether by injecting passions in democratic talk, she meant we abide by a form of argumentation guided by the principles of passionate persuasion such as rhetoric, or simply direct our energies

into straightforward political participation in the form of radical activism, via politically motivated rallies or demonstrations for example.

Since I have not seen any philosophical attempt in Mouffe's oeuvre to give any clarification whatsoever on what she concretely means by the passions, I consulted another contemporary thinker who could clarify this notion better. I find a somewhat comprehensive discussion of this notion in Philip Fisher's *The Vehement Passions*. First, Fisher informs us that etymologically speaking, passion derives from the Greek *pathema* and the Latin *pati*, meaning, "to suffer." He reminds us how the term came down to our philosophical, literary and cultural traditions in various forms and uses, but often carries negative connotations such as its permutation in the medical term "pathology". However, he shows in his book, that a deeper excavation of the term can also provide us startling insights regarding what specifically constitutes the passions.

His archeology of the passions points us to return, for example, to Aristotle's *On Rhetoric*, where many of the foremost themes on the discussion of passion arise. Fisher also engages us with a discussion of John Rawls's *A Theory of Justice*, which he interestingly notes as one of the main instigators of a "dispassionate and impersonal theory of societal justice." In his reading of Rawls, he notices that there was only one occasion in *A Theory of Justice* where Rawls confronts the passions: in his discussion of shame. This, for Fisher, is symptomatic of how modern political thought had distinguished itself on

identifying the role of passions in a society: it relegated it to a category always below rational decision-making.<sup>42</sup>

Aside from Fisher's points above, it is also important to note that by using the term passion, Mouffe is invoking philosophical and literary horizons not conjured by another deeply related term, emotion.<sup>43</sup> The term "passion", as standard lexicons tell us has at least five main meanings: First, it is a strong and barely uncontrollable emotion. Second, it is a state or outburst of such emotion. Third, it is an intense desire or enthusiasm for something or it could be the thing itself that arouses this enthusiasm. Fourth, and one of the most common uses of passion is that it is a form of strong sexual love. Finally, among Christians, passion has a very deep connection with the central narrative of their faith: the Passion of Jesus Christ as written in the Gospels, His self-emptying, suffering and crucifixion that allows for their salvation.<sup>44</sup>

Passion, then, suggests thoroughness, harshness and a commitment to a cause or a goal through stubborn and persistent action. Also, in almost all the four definitions, passion connotes heat and tension between the passionate person and

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<sup>42</sup> See Philip Fisher's *The Vehement Passions* (Princeton: Princeton University Press, 2003).

<sup>43</sup> To be sure, in moral philosophy, as brilliantly exhibited by Martha Nussbaum's book *Upheavals of Thought: The Intelligence of Emotions*, (Cambridge: Cambridge University Press, 2001) it seems more appropriate to evoke the term *emotion*. I suspect that since the concerns of Mouffe are mainly political thought and the realm of politics (and as she often abjures moral thinking), she has used the term *passion* to maintain the political texture of her arguments. However, we fail to see any elaboration as to why she uses this term over emotion.

<sup>44</sup> Such definitions of the term passion can be found in standard dictionaries. See, for example, the entry on "passion" in the *New Oxford American Dictionary* (New York: Oxford University Press, 2005), which I consulted for the definitions enumerated above.

the object of her passion. It is precisely this heat and tension that the milder term “emotion” does not capture well. As such, passions are also often seen in contrast with reason because of its embodied character. Unlike the purported universality of reason, passions are always seen as instantiated in particular forms. This is why in a recent book, Martha Nussbaum in her introduction to the book *Upheavals of Thought: The Intelligence of Emotions* returns to Marcel Proust and calls strong emotions’ manifestations as “upheavals”: they appear like sudden displacements in the geography of our rationality.<sup>45</sup>

This geographic character of the passions—its location at the very heart of an individual’s bound time and space is what makes it different from reason. One prejudice against reason, or philosophical thought in general, is that it is, metaphorically speaking, happening in a desolated place. It is as if the philosopher stands in the middle of a desert where he can piece together his arguments outside the city’s walls. In contradistinction, an impassioned philosopher who acknowledges the tension between passion and reason remains in the city. For the city provides him with the material space: both public and political to engage with others in building a common world.

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<sup>45</sup> In Nussbaum’s book I noted above, she opens her discussion of the intelligence of the emotions by invoking the following quote from Marcel Proust’s *Remembrance of Things Past*, which carries a sublime way of thinking about the passions: “It is almost impossible to understand the extent to which this upheaval agitated, and by that very fact had temporarily enriched, the mind of M. de Charlus. Love in this way produces real geological upheavals of thought. In the mind of M. de Charlus, which only several days before resembled a plane so flat that even from a good vantage point one could not have discerned an idea sticking up above the ground, a mountain range had abruptly thrust itself into view, hard as rock—but mountains sculpted as if an artist, instead of taking the marble away, had worked it on the spot, and where the twisted about one another, in giant and swollen groupings, Rage, Jealousy, Curiosity, Envy, Hate, Suffering, Pride, Astonishment, and Love.”



We can surmise then that Mouffe's criticism, while seemingly very powerful, contains a gap that demands further explanation and exploration, which, if she offers thoughtfully can help her model of agonistic democracy fulfill its promises. Without an elucidation as to what constitutes the passions, and how it exactly becomes the stuff of integration and collective identity formation, Mouffe's agonistic pluralism remains a useful and important critique but not a full "alternative" to the deliberative democratic model as she deems it to be.

In the discussion above, we saw that Mouffe dismisses deliberative democracy due to the epistemic principles that define it. For her, it is both an undesirable and unfeasible way of envisaging democracy. Now, we wonder: to what extent was Mouffe sound in her critique of deliberative democracy? Or to put it more crudely but starkly: does she really provide a substantial argument that could compel us to leave deliberative democratic theory entirely for her agonistic model? Or is she barking up the wrong tree by positing these criticisms precisely because deliberative democratic theory, both as a set of principles and as a decision-making procedure is an ineluctably agonistic process, for it inevitably involves contestation as part of its main procedure and it also often carries out a debate regarding the concepts that preclude such discussion? These are just some of the questions that we can pose regarding the tenability of Mouffe's arguments.

To shed light on these questions, in the next chapter, I wish to look for resources within and among deliberative democratic theorists that could possibly respond to Mouffe's epistemic objection. I seek this response from the same deliberative theorist I discussed in the previous chapter, Seyla Benhabib. I would like to gather some of her insights and deploy them against Mouffe's objection in

order to arrive at a fairer conception of deliberative democratic theory. I do not claim that this response is definitive and will close the debate between deliberative democratic theorists and its agonistic critics; but this is one way of measuring to what extent deliberative democratic theorists could in fact accommodate this type of agonistic epistemic objection without necessarily collapsing the general stance of the theory altogether.

## CHAPTER 4

### A REJOINER TO THE AGONISTIC CRITIQUE

#### 4.1. Reading Benhabib Against Benhabib

In her various writings, Seyla Benhabib never fails to remind us of the value of universalism and the excesses of post-Enlightenment rationalism in political thought. Since the time of Kant, universalism and rationalism are often seen as theoretical allies. Benhabib, in a sophisticated philosophical fashion, offers a divorce of the two. However, her *modus operandi* deviates from some of the post-structuralist critiques offered by such political thinkers as Chantal Mouffe. I find in these types of criticism an attempt to dismantle both, leaving our politico-theoretical horizons debilitated and often times unnecessarily pessimistic. On the contrary, the divorce Benhabib sets is a friendly one; it is an attempt to look for those loose threads of thought that unmask the hidden contradictions and potentially useful insights between these two Enlightenment ideals without rejecting them altogether.

At the heart of this section is an attempt to understand Benhabib's preoccupation with the tensions between reason and passion. Here, I try to articulate a new vein from my engagement with Benhabib's writings: is it possible to conceive of political passions in light of the tensions she problematizes in her politico-philosophical writings? I suggest that it is possible yet it is not without its theoretical obstacles.

Contra Mouffe, I shall rehearse in detail how I plan to proceed with this “Benhabibian” deliberative response. In 4.2, I go through several points of Benhabib’s departure from Habermas’s discourse ethics. Here, I highlight her notion of “interactive universalism,” especially the idea of the “generalized and the concrete other,” one of the strongest feminist critiques of post-Enlightenment rationality and surely one of Benhabib’s significant contributions to the burgeoning literature on deliberative democratic theory. This part also unweaves the Arendtian threads in Benhabib’s deliberative democratic thought. In other words, I will show how the political thought of Hannah Arendt aided Benhabib in reshaping the general framework of Habermas’s discourse ethical theory and its resultant theory of deliberative democracy.

Here, I begin to emphasize Benhabib’s ambivalent stance regarding the form that democratic deliberation should take. On the one hand, I suggest that through Benhabib’s engagement with Arendt, she was able to produce a vision of democratic deliberation that does not put so much emphasis on rational consensus, but one that is willing to renegotiate itself and welcome the possibility of dissent and the surprise of the other. This goes against the Habermasian and the Rawlsian currents of democratic deliberation that leads Mouffe to categorically reject deliberative democratic theory. In Benhabib’s critical reconstruction of Habermas’s discourse ethics, we see a possibility of transcending the reason/passion opposition via her acknowledgement of the role of narrative and historical concreteness in moral-political thinking.

On the other hand, Benhabib's political thought surprisingly contains a dismissive attitude towards a form of communication related to passionate persuasion: rhetoric. I explore this in 4.3, where I will show that while it is interesting that she takes Arendt's advice on emphasizing the plurality of speech forms in a deliberative democracy, at the same time, she categorically dismisses rhetoric as one form of such speech. I argue that this might make her deliberative democratic account appear incoherent with her general political thought as she shares the tendency with Habermas to regard rhetoric as opposed to a more dialectical-philosophical view of democratic deliberation.<sup>46</sup>

Somewhat like reading (and thinking with) Benhabib against Benhabib, I elucidate this point through reconstructing a disagreement between her and another contemporary political theorist, who unlike many prominent democratic theorists writing from a deliberative point of view, takes rhetoric seriously: Iris Marion Young. This debate, located at the margins (footnotes) of both theorists' writings, is crucial for the question of the thesis as it throws light on how the dominance of a particular form of communication, dialectic (philosophy), or what Young simply calls "argument" may possibly hinder some participants of democratic discussions instead of answering the problem of inclusion and difference in pluralistic democratic societies.

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<sup>46</sup> The *beginnings* and *initial reception* of this tendency can be traced back in the history of Western political thought. It will be the task of the fifth and last chapter to properly explore this as I turn to a reading of Aristotle's *On Rhetoric* and *re-turn* to a more ancient view of the relationship between reason and persuasion.

## 4.2. Benhabib against Habermas's Universalizability Principle

At this juncture, the reader might ask: why not engage with Habermas's deliberative democratic theory alone instead, as it is the source of Benhabib's model and one of the main targets of Mouffe's complaints in the first place? My answer to this question is simple. In her essay "Deliberative Democracy or Agonistic Pluralism?" it is worth noting that while Mouffe engages with Habermas's texts, a huge chunk of her rendition of the theory derives from Benhabib's essay "Toward a Deliberative Model of Democratic Legitimacy." And it is easy to notice in the said essay that her discussion of deliberative democratic theory shifts to and fro between Habermas and Benhabib, sometimes without qualifying their differences. It is precisely because this to-ing and fro-ing can be philosophically misleading that I wish to take note of the disagreements between Habermas and Benhabib in this part of the chapter.

From this section on, I shall develop a fuller theoretical response to Mouffe's complaints against deliberative democratic theory not only from Benhabib's most recent work but also from the larger body of her writings. Benhabib's earlier writings such as *Situating the Self* contain themes that re-echo the tension between reason and passion albeit through her account of "interactive universalism." By returning to the earlier Benhabib, we come closer to the genesis and nerve center of her thought from which her current positions generate. *Situating the Self*, arguably her most feminist work, is also where we see Benhabib's distinct and emerging role as a political theorist: a mediatrix, a woman-thinker who mediates. The most brilliant characteristic of Benhabib as a feminist political thinker is her capacity to synthesize seemingly contradictory bodies of political

thought such as liberalism, communitarianism, postmodernism, feminism and critical theory creatively.

Assuming the role of a mediatrix is not easy. It demands thoughtfulness and generosity to listen to and make sense of seemingly incommensurable and irreconcilable threads and trends of thought. Mediation is also Benhabib's way to avoid what she sees as the "dizzying and dazzling play of surfaces" fashionable in contemporary philosophical circles today.<sup>47</sup> Benhabib skillfully plays this role through grappling with the tension between the universal and particular, the generalized and concrete other, which can consequently shed light on the relationship between reason and passion as well. She problematizes these binary oppositions critically and shows us that there are spaces in-between where creative tensions between these seeming opposites lie.<sup>48</sup>

Somewhat anticipating Chantal Mouffe's remarks against the rationalist and consensual baggage of deliberative democracy, Benhabib clarified in her article "In Defense of Universalism. Yet Again! A Response to the Critics of Situating the Self", that she does not accept Habermas's "strict consensual model of discourse ethics." Her argument goes this way:

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<sup>47</sup> See for example, her "Epistemologies of Postmodernism: A Rejoinder to Jean Francois Lyotard", *New German Critique* No. 22 (1984), 103-26.

<sup>48</sup> I shall proceed with two points that would make Benhabib's role as mediatrix clearer: (a) First, I will show that while she maintains Habermasian discourse ethics as a "metanorm", she rejects his universalizability or "U" Principle. Benhabib reads Habermas charitably but also scrutinizes his weaknesses, including his excessive re-appropriation of Kantian epistemology. (b) This jettisoning of the "U" principle paves the way for a conception of moral and political judgment that is rather different from Habermas's reason and consensus-driven account that Mouffe criticizes. I suggest that this is partly because of Benhabib's turning to Hannah Arendt's notion of "enlarged mentality", a re-reading of Kant's notion of "reflective judgment."

The nerve of my reformulation of the universalist tradition is the reconstruction of the “moral point of view” along the model of a moral conversation, subject to the principles of universal moral respect and egalitarian reciprocity. The goal of such moral conversation is *not consensus or unanimity*, but, in Hannah Arendt’s terms, “the anticipated communication with others with whom I know I must finally come to some agreement.” Departing from the *strict consensual model* of Habermas’s discourse ethics, I sought to stake a *middle ground* between aprioristic universalism and other more radical forms of contextualism (emphases mine, 34-8).<sup>49</sup>

Benhabib’s reformulation of discourse ethics is the result of rethinking moral and political universalism in light of contemporary discontent with such ideals. Her reformulation involved two steps: first, building on Karl Otto-Apel and Jürgen Habermas, she “rearticulates” a “discursive, communicative concept of rationality” (YA, 174). Then, she recognized, by invoking feminist and communitarian critiques of reason, that “the subjects of reason are finite, embodied, and fragile creatures, not disembodied cogitos or abstract unities of transcendental appreciation”. (YA, 174) Her innovation in this reformulation is that as far as Habermas’s discourse ethics is concerned, she does not follow his Kantian “principle of universalizability” but in fact rejects it.

From where I see it, there are at least two main issues at stake in this rejection: the universalizability principle itself and the issue of rational consensus as the perceived *telos* of democratic deliberation.

Benhabib’s case against the “U” principle in discourse ethics has a rich historical and theoretical precedent. It goes all the way back to Hegel’s critique of the Kantian formula “Act only on that maxim through which you can at the same

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<sup>49</sup> Seyla Benhabib, “In Defense of Universalism. Yet Again! A Response to Critics of Situating the Self,” *New German Critique* 62 (Spring-Summer, 1997): 175. From hereon, I shall refer to references to this article as YA.



time will that it should become a universal law” where Hegel complains that the Kantian formula is “inconsistent at best” and “empty at worst.”<sup>50</sup> But how exactly does she proceed with this rejection of the “U” principle? What is Habermas’s “U” principle anyway and what is its role in discourse ethics and deliberative democracy in the first place? To answer the second question first, Habermas’s “U” principle is formulated thus:

Unless *all* affected can freely accept the consequences and the side effects that the general observance of a controversial norm can be expected to have for the satisfaction of the interests of each individual, a norm of action could not be considered *valid* (emphases mine).<sup>51</sup>

To clarify Benhabib’s reasons for rejecting the “U” principle, we can return to her argument in “Communicative Ethics and Current Controversies in Practical Philosophy”, where she gives a strong clarification that illuminates her break from Habermas:

The chief difference between my proposal and Habermas’s is that for him “U” has the effect of *guaranteeing consensus*. Without having their interests violated, all could freely consent to some moral content. But the difficulty with consent theories is as old as Rousseau’s dictum—“On les forcera d’être libre.” *Consent alone cannot be a criterion of anything, neither of truth nor of moral validity; rather it is always the rationality of a procedure for attaining agreement, which is of philosophical interest.* We must interpret consent not as an *end-goal* but as a *process for the cooperative generation of truth or validity*. The core intuition behind modern universalizability procedures is not that everybody could or would

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<sup>50</sup> Seyla Benhabib, “Communicative Ethics and Current Controversies in Practical Philosophy” in *The Communicative Ethics Controversy*, ed. Seyla Benhabib and Fred Dallmayr, (Cambridge, MA and London: MIT Press, 1990), 334. From hereon, I shall refer to this article as CE.

<sup>51</sup> Jürgen Habermas, “Discourse Ethics: Notes on a Program of Philosophical Justification,” *Moral Consciousness and Communicative Action* (Cambridge: MIT, 1990) 43-116, here 86.

agree to the same set of principles, but that these principles have been adopted as a result of procedure, whether of moral reasoning or of public debate, which we are ready to deem “reasonable and fair.” It is not the result of the process of moral judgment alone that counts but the process for the attainment of such judgment, which plays a role in its validity, and I would say, moral worth. *Consent is a misleading term for capturing the idea behind communicative ethics*: namely, the processual generation of reasonable agreement about moral principles via an open-ended moral conversation (emphases mine). (CE, 345)

This passage clarifies the deep chasm between Habermas and Benhabib. There is a rift between their philosophical opinions, which Mouffe does not properly acknowledge and qualify in her jeremiads against their theory of deliberative democracy. The bottom line of this criticism is Benhabib’s reservation on the idea of consensus as the bedrock of epistemological and moral certainty. In a way, she sees the same danger as Mouffe sees in Habermas and in a sense she is closer to Mouffe than to Habermas on this issue. However, as it should be clear by now, Mouffe confused the ways through which deliberative democratic theorists prioritize and theorize the idea of consensus.

For Benhabib, the danger of consensus begins to appear when it has become the ultimate criterion for establishing validity and legitimacy. For one, consensus alone cannot guarantee the recognition of otherness. It can also obscure and possibly deny differences: two considerations, which Benhabib deems to be important in democratic deliberation. Thus, she veers away from the illusion of a rational consensus and emphasizes “contingent processes of rationally justifiable agreement” (Verständigung) (YA, 187). She places the stress in the process of deliberation and not in its end-goal. Again, this places her closer to

Mouffe's emphasis on the importance of "undecidability" in a democratic deliberation. Like Mouffe, Benhabib endorses an open-ended conversation hinged on opening the pathways of deliberation, so to speak, to unexpected places. Finally, when she says that consent is a "misleading term to characterize the project of communicative ethics," she consequently brings to the fore the value of deliberative democracy as a discernment process (choosing, thinking through, "soul-searching"), which makes it worth pursuing if only to listen to the multitude and plurality of voices involved in such a process.

Benhabib's departure from Habermas is not only in his universalizability principle based on rational consensus. She also expressed her discontent on the seeming split between moral ideals and moral emotions present in discourse ethics. This somehow foreshadows Mouffe's complaint that most deliberative democrats assume communication to be completely uncontaminated by passions, albeit Benhabib talks about the issue in the context of moral deliberation.

Benhabib's discontent goes all the way back to her first book, *Critique, Norm and Utopia* and an early article "The Utopian Dimension in Communicative Ethics" where she highlights that this split can be traced all the way back to Hobbes and is reiterated by Habermas. She remarks that, "the institutional distinction between the public and the private, between the public sphere of justice, the civic sphere of friendship, and the private sphere of intimacy, has also

resulted in the incompatibility of an ethical vision of principles and an ethical vision of care and solidarity.”<sup>52</sup>

Benhabib’s critique also stretches to Kant and his “repressive attitude towards inner nature.” For Benhabib, Kant had excluded “our needs and affective nature” from the “realm of moral theory.” This resulted in the dichotomization of moral reasoning and our moral emotions, which further led to the silencing of the latter. (UD, 94) To answer for this split, she formulated a model that could mediate both: the “generalized” and “concrete” other, which underpins her idea of “interactive universalism.” This formulation, closely following Carol Gilligan’s criticism of Lawrence Kohlberg’s theory of moral development, acknowledges the complex interaction between universal rational claims and particular “needs, desires and affects”. As a counterpoint to and reformulation of Habermasian (and Kantian) rationality, she develops the “standpoint of the concrete other”, which:

...requires us to view each and every rational being as an individual with a *concrete history, identity, and affective-emotional constitution*. In assuming this standpoint, we abstract from what constitutes our commonality and seek to understand the *distinctiveness of the other*. We seek to comprehend the needs of the other, their motivations, what they search for, and what they *desire*. Our relations to the other is governed by the norm of complementary reciprocity: each is entitled to expect and to assume from the other forms of behavior through which the other feels recognized and confirmed as a concrete, individual being with *specific needs, talents and capacities*. *Our difference in this case complements, rather than excludes one another* (emphases mine). (UD, 93)

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<sup>52</sup> Seyla Benhabib, “The Utopian Dimension in Communicative Ethics” *New German Critique* 35, Special Issue on Jürgen Habermas (Spring-Summer, 1985), 94. From hereon, I shall refer to this article as UD.

In this passage, we see how Benhabib mediates the relationship between the generality and the concreteness of being an-other for an-other. She reminds us that our general characteristics as human beings, which are often understood in terms of our universal capacity for speech, action and reason do not necessarily contradict with our characteristics as concrete persons. Her claim is paradoxical: as we recognize our identity as a generalized other, in turn, we realize the various permutations that make us concretely different from each other. As humans, we are all speaking, acting and thinking beings, but we also speak, act and think in an infinitely plural number of ways. This bespeaks of what presupposes the human condition and what also makes Benhabib's account of deliberative democracy deliberately possess an Arendtian moment: her acknowledgement of human plurality.

In the same passage I quoted from "In Defense of Universalism. Yet Again! A Response to the Critics of Situating the Self," we already sense a hint that in her dissent from Habermas, Benhabib is advocating a position inspired by and closer to Hannah Arendt. This is the second of the twin issues I would like to unpack at this point. She explicitly follows Arendt by stating that her model does not prioritize "consensus or unanimity" but an "anticipated communication" that may or may not lead into an agreement with others. This form of moral and political judgment without consensus is what Benhabib, following Arendt's reflections on Kant's *Critique of Judgment*, calls "enlarged mentality" or "representative thinking."

To illuminate further, we can return to Arendt's own reflections in her essay "The Crisis of Culture" from her book *Between Past and Future*. Arendt says:

The power of judgment rests on a *potential agreement* with others, and the thinking process which is active in judging something is not, like the thought process of pure reasoning, a *dialogue between me and myself*, but finds itself always and primarily, even if I am quite alone in making up my mind, in an *anticipated communication* with others with whom I know I must finally come to some agreement. From this potential agreement judgment derives its specific validity. This means, on the one hand, that such judgment must liberate itself from the “subjective private conditions,” that is from the idiosyncrasies which naturally determine the outlook of each individual in his privacy and are legitimate as long as they are only privately held opinions but which are not fit to enter the market place, and lack all validity in the public realm. And this *enlarged way of thinking*, which as *judgment knows how to transcend its individual limitations, cannot function in strict isolation or solitude; it needs the presence of others “in whose place” it must think, whose perspective it must take into consideration and without whom it never has the opportunity to operate at all* (emphases mine).<sup>53</sup>

In this passage, we can read “enlarged mentality” as a crucial quality of the political agent’s mind that subsequently allows her to judge issues as they appear in the public sphere. This idea of “enlarged mentality” calls for the political agent to be sensitive with other participants’ opinions. It is through her own “internal deliberation” with such opinions that her own opinion about public issues becomes more impartial. As such, an enlarged mentality largely remains at the cognitive level. As Arendt usually qualifies, she does not aim to use this idea to call for empathy nor to arrive at a consensual agreement with one another. Benhabib usually follows her on this train of thought as well.

On the issue of consensus, Benhabib can be seen as following Arendt in pointing out that instead of painfully agonizing on arriving at the same position on a given moral or political problem, consensus might be better seen as a heuristic principle, a motivation inspiring the deliberative process. In other words,

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<sup>53</sup> Hannah Arendt, *Between Past and Future* (New York: Penguin Books, 1993), 220.

consensus can be construed as deliberation's utopian element; it is the moment that it strives to achieve. This moment possesses a paradoxical nature: for the very achievement of consensus destroys the deliberative process and signals a pause of silence in the conversation. This silence, however, is not necessarily desirable. It is desirable if through the process of communication, the deliberators were able to come to a solution that would permit them to act on the promises of their deliberation. However, it is suspect if it was achieved only because the deliberators agreed to compromise each other's values through violent threats and coercion, and not through reason and persuasion. A "full agreement", in a sense, negates the condition of plurality where all of the participants in the deliberation are thrown.

Arendt's reflections on political agency as disclosed through speech and action which in turn brings forth human plurality is one of her most compelling contributions to the history of political thought.<sup>54</sup> To put it briefly, for Arendt, action and speech reveal the "whoness" of the political agent. We are known by the world around us through what we do and what we say. And it is precisely because we have various ways of speaking and acting that every public space where persons gather generates plurality.

What is so original in this seemingly very simple insight? If seen in the light of our previous reflections on deliberative democratic theory, I suggest that it can be a flashpoint to a theory of deliberation that does not limit itself to exclusive ways and forms of deliberation. This Arendtian insight is illuminating precisely

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<sup>54</sup> See Hannah Arendt's fifth chapter on "Action" of *The Human Condition*. (Chicago: University of Chicago Press, 1958).

because it allows us to construe other ways of talking and other ways of acting as part of our democratic exchanges of opinions. Furthermore, by understanding public political deliberation in terms of Arendt's notion of plurality, we can surmise: (1) that their expression be not limited to one ideal type of argumentation alone and (2) that the spaces where they proliferate, precisely because they are "public", should be allowed to multiply as well.

Furthermore, Arendt is also acutely aware of the nature and importance of a particular form of speech that proliferates in public political spaces: rhetoric. In the most recent collection of her unpublished essays, *The Promise of Politics*, she offers a reflection on the radical tensions between philosophy and politics, where she considers Plato's frustrations over Socrates' trial a pivotal event. Here, Arendt highlights the difference between philosophical speech (dialectic) and persuasive speech (rhetoric). Let us listen:

In the process of reasoning out the implications of Socrates' trial, Plato arrived both at his concept of truth as the very opposite of opinion and at his notion of a specifically philosophical form of speech, *dialegesthai*, as the *opposite* of persuasion and rhetoric. Aristotle takes these distinctions and oppositions as a matter of course when he begins his *Rhetoric*, which belongs to his political writings no less than his *Ethics*, with the statement: *he Rhetorike estin antistrophe te dialektike* (the art of persuasion [and therefore the political art of speech] is the counterpart of the art of dialectic [the art of philosophical speech]). (*Rhetoric* 1354 a I) The chief distinction between persuasion and dialectic is that the *former always addresses a multitude (peaben ta plethe)* whereas dialectic is *possible only as a dialogue between two*.<sup>55</sup>

Going further, Arendt thinks that Socrates was wrong in addressing "his judges in the form of dialectic" and for her, this is precisely the reason why "he

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<sup>55</sup> Hannah Arendt, *The Promise of Politics*, (New York: Schocken Books, 2005), 13-14



cannot persuade them.” Then, she follows by suggesting where persuasion actually comes from: it comes from opinions and not from truth. Arendt says that Socrates’ mistake lies in the fact that he will never persuade the judges and “arrive at some truth” as he would with the citizens of Athens and his pupils via dialectic. In short, for Arendt, persuasive speech (rhetoric) deals with the exchange of opinions of the multitude while philosophical speech (dialectic) deals with arriving at the truth in a one-to-one dialogue.<sup>56</sup>

In so far as democratic deliberation is concerned then, Arendt may point us to at least two directions: first, by allowing the various opinions of other political agents to form an “internal deliberation” within ourselves so to speak, we are able to stretch our political imagination thus allowing us to become better spectators and judges of deliberation in the public forum. This points to the relevance of the cognitive or rational character of the deliberation process. Benhabib captures this very well in her account. However, and this is perhaps where I suggest to look at another direction in Arendt’s thinking, it is also important to emphasize that we do not only learn how to watch, listen, think and see (theorize) within and among ourselves in a democratic deliberation, but, we also ought to be sensitive on how we engage in various ways of speaking. And this is where, as we will see in next part and chapter, rhetoric may help us. Cicero’s lament over the separation of the tongue (*lingua*) and the brain (*cor*) in the philosophical tradition (as the epigraph I placed at the very beginning of this thesis succinctly expresses) re-echoes this point.

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<sup>56</sup> *ibid*, 13-14.

To recapitulate before we turn to the next section, we can give Mouffe's epistemic objection a deliberative response: a more generous reading of the various trajectories and receptions of the Habermasian vein of deliberative democratic theory can help allay Mouffe's epistemic complaint. Furthermore, we can accommodate the epistemic objection without dismantling the general project of deliberative democratic theory, precisely because in some versions of the theory such as Benhabib's, there is already an acknowledgement of the negotiable status of rational consensus. In short, according to Benhabib's reconstruction of Habermas's discourse ethics, rational consensus need not be the goal and only aim of deliberation.

However, as I already prefigured earlier, there is a somewhat surprising element in Benhabib's theory of deliberative democracy that is often relegated in the margins of her discussion, which, if we bring to the fore can illuminate one of its limitations. With her adherence to Arendt's emphasis on the importance of plurality in political thinking, we would expect that her theory of democratic deliberation would accommodate various forms of communication that deviates from logico-deductive argumentation that greatly informs Habermas's theory of democratic deliberation. However, a published debate between her and another deliberative theorist, Iris Marion Young would clarify that this expectation is unfulfilled. In the next section, we turn to this critical dialogue between two theorists who adhere to and interpret Habermas's discourse ethics and theory of democratic deliberation in divergent ways. We shall also begin to see how these contemporary democratic theorists construe the relationship between dialectic, the "art of philosophical speech" and rhetoric, the "art of political speech."

### 4.3 Iris Marion Young's Suggestion: Give Rhetoric a Chance

Iris Marion Young shares some of the most fundamental tenets of deliberative democratic thought with theorists such as Seyla Benhabib. In fact, her model, which she prefers to call “communicative democracy”, explicitly builds upon the deliberative model of democracy, also following Habermas’s discourse ethics and theory of communicative action. However, she deviates from it in its strict adherence to the form of political communication it purportedly endorses: dialectic, or what she simply prefers to call “argument.”

In a sense, Young’s deviation can be seen as somewhat resonating the complaint forwarded by Mouffe, which I already discussed earlier. What makes Young’s suggestions deserve a hearing at this point though is her thorough theorization of what constitutes possible “enhancements” of the dominant form of political communication in deliberative democratic theory. Unlike Mouffe, Young does not see rational argumentation as necessarily dangerous to democratic politics. She just thinks that argumentation can be further enhanced by other ways of communication.

Before getting into a deeper discussion of her suggested enhancements, first, I wish to reiterate a helpful preliminary distinction Young introduced in her book *Inclusion and Democracy* which will be useful in eventually seeing why she defends rhetoric as a legitimate enhancement to a theory of democratic deliberation. Young differentiates between “external exclusion” and “internal exclusion.” For her, external exclusion is a more deliberate form of exclusion, for example, when an individual or a group of people is dismissed as a member of a deliberative forum. She gives “backdoor brokering” as an example of this, or

simply, the formation of expert-discussion groups set up prior to public consultation, and whose opinions are usually introduced as established facts that the public ought to believe and support as public policies.

On the other hand, internal exclusion occurs when the individual or the group are invited to join the democratic discourse, but their manner of communication are not easily accepted as the expected and standard form of communication. In effect, despite one's presence in a particular forum, she is not able to influence the way of thinking of other participants.<sup>57</sup> (I&D, 55) Several of these internal form of exclusion include: "the terms of discourse make assumptions some do not share, the interaction privileges specific styles of expression, the participation of some people is dismissed as out of order." (I&D, 53) This is where the very subtle exclusion of other forms of communication, such as rhetoric, begins to occur.

In a chapter called "Inclusive Political Communication," she describes three enhancements to democratic deliberation and named them "greeting, rhetoric and narrative." Here, I will focus my discussion on the second, rhetoric, for among the three, this is where stark disagreements among most theorists and critics of deliberative democracy often occur. The significant questions at this point are: according to Young, what is rhetoric? What makes it an attractive

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<sup>57</sup> Here, I shall refer to citations from Iris Marion Young's book *Inclusion and Democracy* (New York: Oxford University Press, 2000) as I&D.

“enhancer” for democratic deliberation? What would be the benefits, so to speak, of allowing rhetoric enter the public forum? How should we see rhetoric’s relationship to critical argumentation? <sup>58</sup>-

First of all, Young acknowledges that a number of deliberative democratic theorists allow for a “Platonic distinction between rational speech and mere rhetoric.” For her, this results to a denigration of “emotion, figurative language, or unusual or playful forms of expression.” This distinction works by looking at “rational speech” as:

universalistic, dispassionate, culturally and stylistically neutral argument that focus the mind on their evidence and logical connections, rather than move the heart or engage the imagination. (I&D, 63)

According to Young, this type of distinction occurs, for example, in Habermas’ theory of discourse ethics, where he distinguishes “rational speech from rhetoric” with the former corresponding to a “communicative function” and the latter to a “strategic function.” According to this correspondence, “communicative action” and “rhetorical speech” are defined as:

Communicative action involves speech that makes assertions about the natural or human world and signals in its illocutionary acts its commitment to those claims and a willingness to defend them with reasons. Rhetorical speech, on the other hand, aims not to reach understanding with others, but only to manipulate their thought and feeling in directions that serve the speaker's own ends. (I&D, 63)

For Young, this tendency within deliberative democratic theory to give priority to a particular type of communication that is supposedly less embodied

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<sup>58</sup> These questions run parallel to the set of questions I would eventually ask in my discussion of Aristotle’s *On Rhetoric* in the next chapter and these are just some of the questions that Young straightforwardly addresses in her discussion of rhetoric.

and dispassionate, while negatively depicting rhetoric, has exclusionary results. She thinks that without most people noticing it, in fact, every political expression (whether it is being uttered by a politician or an academic) has its rhetorical aspects; for every moment of communication is situated in a particular time and place and geared towards a particular audience. For her, instead of “bracketing” rhetoric for political communication to be “truly rational,” it is more important to look at it as an aspect of the communication process that we “ought to attend in our engagement with one another”. (I&D, 64)

Young renders her own definition of rhetoric, a definition reechoing classical characterizations of rhetoric while containing a very contemporary twist. First of all, for Young, the concept of rhetoric “assumes a distinction between what a discourse says, its substantive content of message, and how it says it.” For her, “the general category of 'rhetoric'...refers to the various ways something can be said, which colour and condition its substantive content.” (I&D, 64). She enumerates the following as the most important aspects of this type of communication:

- (a) the emotional tone of the discourse, whether its content is uttered with fear, hope, anger, joy, and other expressions of passion that move through discourse. No discourse lacks emotional tone; 'dispassionate' discourses carry an emotional tone of calm and distance.
- (b) The use in discourse of figures of speech, such as simile, metaphor, puns, synecdoche, etc., along with the styles or attitudes such figures produce---that is, to be playful, humorous, ironic, deadpan, mocking, grave or majestic.
- (c) Forms of making a point do not only involve speech, such as visual media, signs and banners, street demonstration, guerilla theatre and the use of symbols in all these contexts.
- (d) All these affective, embodied, and stylistic aspects of communication, finally, involve attention to the particular audience of one's communication, and orienting one's claims and arguments to the particular assumptions, history and idioms of that audience. (I&D, 65)

To put it simply, the meat of Young’s discussion of rhetoric as an enhancer of critical argumentation can be summarized into three main points. For Young, rhetoric has at least three positive “functions” in political communication.

(a) Rhetorical moves often help to get an issue on the agenda for deliberation.

(I&D, 66)

(b) Rhetoric fashions claims and arguments in ways appropriate to a particular public in a particular situation. (I&D, 67)

(c) Rhetoric motivates the move from reason to judgment. (I&D, 69)

I see in Young’s suggestion above a theory of democratic deliberation that embraces rhetoric, as intimately connected with the idea of “particularity.” By particularity, I mean to say that in her suggestion, she clarifies to us that rhetoric has the capacity to deal with practical and concrete questions—which are often the points-of-departure of democratic deliberations. Why is this so? In this view, passionate pleas for abstract issues such as claims for “justice” become concretized through specific and historicized narratives. Particular reasons parlayed to a particular audience results in specific, well-contextualized practical judgments that may lead to decisive political action. Also, the strategies available within rhetoric allow the deliberative agent to explain her side of the issue to a larger audience, which is typically the case in sites of democratic deliberations anyway: whether it is in a congressional assembly or in a community meeting.

Her suggestion also presupposes a point that Arendt already raised that I will also re-echo later: that dialectic, if we follow its Socratic form, does not allow too well of the advantages enumerated above simply because of its emphasis on

one-on-one dialogue rather than on deliberation-amidst-plurality. In short, for Young, rhetoric illuminates aspects of deliberation that simply cannot be captured by logico-deductive argumentation processes, which underpin most theories of democratic deliberation.

Seyla Benhabib published her comments on Young's suggestions in her article "Toward a Deliberative Model of Democratic Legitimacy," which Young subsequently answered in *Inclusion and Democracy*. The bottom line of Benhabib's comment is that such forms of communication that Young sees as "enhancements" to a model of deliberative democracy are:

neither necessary for the democratic theorist to try to formalize and institutionalize these aspects of communicative everyday competence, nor is it plausible--and this is the more important objection—to build an opposition between them and critical argumentation. (TDM, 82)

At first glance, Benhabib seems to have rendered a sharp critique against Young in her comments above. She does not see how her theorization, and to a certain extent, resuscitation of certain forms of communication like rhetoric could possibly aid an already satisfactory form of political communication, deliberation and critical argumentation. However, as Young would quickly reiterate in her illuminating response in a footnote, which I will quote here in full:

Seyla Benhabib has objected to my earlier and more sketchy exposition of these categories on two grounds. While greeting, rhetoric, and narrative are indeed aspects of informal communication in everyday life, she says, they do not belong in the public language of institutions and legislatures of a democracy. These should contain only shared public reasons. Benhabib seems here to limit the concept of political communication to the language of statute, which excludes most engaged activities of debate and discussion in mass-mediated public spheres. Her second objection claims that the effort to theorize greeting, rhetoric and narrative as modes of political communication builds an opposition



between these and critical argument. These modes of communication are irrational, arbitrary, capricious, she says and *only rational argument contributes to deliberation*. Thus Benhabib joins those who construct an opposition between the rational purity of argument and the irrationality of other forms of communication. *I have aimed to describe the political functions of these modes of communication, however, as accompanying rather than alternatives to argument. They give generalized reason orientation and body.* (emphases mine, p. 77, footnote 31: I&D)

In this rejoinder, Young clarifies a very fine point indeed. One possible stumbling block of a model of democratic deliberation is when it considers a mode of communication, argument, as solely legitimate and dismisses other forms. From where I see it, the hermeneutical key to understand the difference of their positions lies in the way they see the relationship between such purportedly informal means of communication as rhetoric, and the more formal language of dialectic.

Young is not alone in recognizing this lack in Habermas's discourse theory, which privileges logic and dialectic. William Rehg, in his essay "Reason and Rhetoric in Habermas's Theory of Argumentation" articulates this as well. Like Young, he does not see that it is impossible to add a rhetorical level to Habermas's argumentation theory. In fact, he suggests that this level is already present in the theory, along with the logical level ("linguistic construction" of argument) and the dialectical level ("competition" among arguments and counterarguments), albeit its role is only "extrinsic." He sheds light on how allowing the rhetorical moment to be an "intrinsic" part of Habermas's argumentation theory can, in fact, improve it by great lengths. For him, the main advantage of arriving at a "normative account of argumentation in which rhetoric

plays an intrinsic role” lies in rhetoric’s capacity to transform argumentation into what he calls “cooperative judgment formation.”<sup>59</sup>

The essay’s conclusion is also very telling of what I suggested above in my understanding of Young’s suggestion: rhetoric’s emphasis on particularity. As if contradistinguishing his view against Habermas’s more universalistic idiom, Rehg uses concreteness and particularity to emphasize his point:

By further developing such rhetorical criteria, one could provide a theory of argumentation with more to say about the context of argumentation as a *process of communication*. Here one must attend to the *concrete speech situation*: argumentation involves *particular speakers* who are attempting to persuade *particular hearers* to accept a claim on the basis of particular arguments. From a rhetorical perspective, such communication is a process of *cooperative judgment formation* that involves all three aspects: the immanent qualities of arguments and counterarguments, the rational grounds for trusting other participants’ judgments, and each participant’s capacity to *judge*. Whatever improves the quality of arguments themselves, improves the grounds for trusting fellow participants to cogent argumentation—regardless it issues in consensus (emphases mine).<sup>60</sup>

In retrospect, we can surmise that if Benhabib follows her own counsel by rethinking Habermas’s deliberative democratic thought along the lines of Arendt’s pluralistic conception of speech, then she could possibly entertain a more holistic model of democratic deliberation, which can capture the spirit of Young’s suggestion: a theory of democratic deliberation which does not necessarily purges out rhetoric, but uses rhetoric’s passionate elements in order to ground the

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<sup>59</sup> See William Rehg’s essay “Reason and Rhetoric in Habermas’s Theory of Argumentation”, in Walter Jost and Michael Hyde (eds.) *Rhetoric and Hermeneutics in Our Time*. New Haven: Yale University Press, 358-77.

<sup>60</sup> Ibid, 377.

discussion in specific terms that consequently illuminates the character of the deliberators.

Perhaps it is appropriate to pause at this point and continue my discussion of the possible role rhetoric can play in democratic deliberation in the next chapter. We will try to answer the question: is there space for rhetoric in democratic deliberation? If so, what aspects of rhetoric do we ought to integrate with democratic deliberation? What ought to be left behind? There, I will turn into a re-evaluation of the last two chapters by highlighting one of the possible fundamental stumbling blocks of both accounts, which, up to this point, I have not discussed in considerable length. Both Benhabib and Mouffe can possibly illuminate each other's position as I bring to the fore a latent tension in their theories: their conception of democratic deliberation in terms of dialectic and as strictly opposed to rhetoric which cements the reason/passion dichotomy. We do this by re-turning to Aristotle, who, as Arendt already warned us, sees the complementarity between dialectic and rhetoric.

## CHAPTER 5

### THE SPACE FOR RHETORIC IN DEMOCRATIC DELIBERATION

#### 4.1. Taking Aristotelian Rhetoric Seriously

The 1994 publication of the proceedings of the Twelfth Symposium Aristotelicum entitled *Aristotle's Rhetoric: Philosophical Essays* ushered in a contemporary renewal of interest in one of Aristotle's philosophically under-assessed works.<sup>61</sup> In this book, different distinguished philosophers explain the many interesting yet neglected aspects of Aristotle's theory of rhetoric. What was particularly notable was the way the contributors elucidated the meaning of *On Rhetoric* vis-à-vis Aristotle's more philosophically prominent writings such as *Ethics*, *Politics* and *Logic*. One of the keen observations of the anthology was that, for many years, *On Rhetoric* has been at the margins of Aristotelian scholarship

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<sup>61</sup> See Alexander Nehemas and David J. Furley's edited collection *Aristotle's Rhetoric: Philosophical Essays* (Princeton: Princeton University Press, 1994) for a very engaging introduction to the many important reasons that demand a revival of interest on Aristotle's Rhetoric. This collection of essays became an important springboard for me to realize some of the pivotal points of this chapter, and the general argument of the paper as a whole. Upon reading this anthology, I realized that some philosophers simply dismiss rhetoric without clearly understanding its educative potential. The third section (*Rhetoric, Ethics and Politics*) is especially crucial to those who wish to understand Aristotle's practical philosophy in general and the way that rhetoric integrates smoothly with the other two main fields of ethics and politics. Indeed, as the essays demonstrate, by seeing the subtle interconnections between language, action and thought in the realm of practical reason, *reading* Aristotle could pave the way for a theory of democratic deliberation.

precisely because the academic tradition that embraced this work's salience lies outside the territorial domains of traditional philosophical scholarship.

In my view, as many of the contributors claim as well, this neglect speaks less of what Aristotle's *On Rhetoric* illuminates as a source for his practical philosophy. Rather, it points to the uneasy modern philosophical reception of the work, as it has been typically cast as a guide for public speaking and composition writing, lectured and discussed in English, Communication and Rhetoric classes rather than as a point of departure for understanding Aristotle in a philosophical context.

In the course of my research for this thesis, I noticed that an often-unacknowledged obstacle in the two accounts discussed in the previous chapters is a view that philosophy is radically divorced from rhetoric, characteristically seen as informed by the passions and the producer of persuasion. The philosophy/rhetoric divide, created from the earliest days of the history of political thought and handed down to the contemporary debates in democratic theory seems to inform and influence both accounts, albeit in different ways. This dichotomy, for example, very subtly frames the narrow view that reason and passion should not or could not interpenetrate each other. We see this divide at work in Chantal Mouffe's negative description of deliberative democratic thought. And we also saw it in a comment, marginal as it is, of Seyla Benhabib. Now, we ask: is it necessary to suppose their radical opposition? Or should we view them instead, as Aristotle immediately and readily admits in Book I, Chapter 1 of his *On Rhetoric* that rhetoric is an *antistotrophos*, a counterpart of dialectic (philosophy)?

Both Benhabib and Mouffe rarely mentioned or borrowed from Aristotle in their discussion of deliberative democracy or agonistic pluralism. We have clearly seen that both of them are very much involved in debates with contemporary political theorists. So it seems odd, at first, to introduce Aristotle as mediator to these two accounts. Thence the possible objection in using Aristotle's insights in theorizing about contemporary democratic deliberation: that the conditions of present democratic societies are widely different from ancient Greek states and using Aristotle to elucidate our question is anachronistic.

My answer to this objection: I do not aim to show here that Aristotle possesses the clear-cut answers to our specific questions nor that he is endorsing a theory of democratic deliberation along the lines of our contemporary democratic theorists. What needs to be done, I wager, is to re-assess how we understand the philosophy/rhetoric debate, which can shed some light in the contours of the deliberative-agonistic debate I critically exposed in the last few chapters. Whether or not we can get rid of this divide entirely is a rather ambitious question that cannot be fully explored here. What we can do instead is to be attentive to some of the ways that this divide was initially conceived and continuously construed by political theorists. Aristotle's *On Rhetoric* can help us in doing this. And perhaps, it can even instruct us on how to conceive of democratic deliberation, especially its relationship with rhetoric in a surprisingly new light. What is at stake is a new theoretical space where the strengths of the previous two accounts can be possibly brought together to aim at a more balanced view of democratic deliberation.

Before discussing Aristotelian rhetoric, in 4.2 I hope to give a very short excursion on the age-old quarrel between philosophy and rhetoric. I will focus on

two main conceptions of the quarrel, both of which are dismissive of rhetoric albeit in varying ways: Plato and Kant. In a sense, these two philosophers have greatly influenced the way most deliberative democratic theorists and their critics view the idea of public reason, and it is important to see what they have to say before we turn in 4.3 for a fuller discussion of Aristotle's notion of rhetoric.

#### 4.2 The Age-Old Quarrel Between Philosophy and Rhetoric

The reluctant reception(s) of Aristotle's *On Rhetoric* among philosophers, perhaps does not only lie in its institutional connections with supposedly non-philosophical disciplines. It goes all the way back to the split, often assumed by those trained in philosophy and who adhere to an ancient Platonic view in the *Gorgias* regarding the status of rhetoric vis-à-vis dialectic. In the *Gorgias*, Socrates distinguishes between two forms of persuasion: the first provides conviction without knowledge while the other provides true knowledge. Rhetoric, for Socrates, is concerned with producing conviction in its audience without knowledge and without reason. Unlike specific sciences such as geometry or mathematics, it persuades not via teaching but through mere flattery. It does not educate but simply corrupts and as such it depends not in the act of learning but in sheer conviction. Above all, it is not a proper art or a *techné* but only "mere knack." Rhetoric is simply dismissed as an *antistrophos* (counterpart) to "cooking".

As the text puts it more clearly:

In my opinion then, Gorgias, the whole of which rhetoric is a part is not an art at all, but the habit of a bold and ready wit, which knows how to manage mankind: this habit I sum up under the word "flattery"; and it appears to me to have many other parts, one of which is cooking, which may seem to be an art, but, as I

maintain, is only an experience or routine and not an art: another part is rhetoric, and the art of attiring and sophistry are two others<sup>62</sup> (Plato, *Gorgias*)

This negative view of rhetoric figure prominently in later philosophers including Immanuel Kant, who, as I pointed out in the earlier chapters, largely influenced the view of many theories of democratic deliberation and its correlating idea of public reason. We read his view, for example, in the third *Critique*:

Poetry plays with illusion, which it produces at will, and yet without using illusion to deceive us, for poetry tells us that its pursuit is mere play... Oratory [on the other hand], insofar as this is taken to mean the art of persuasion (*ars oratoria*), i.e. of deceiving by beautiful illusion, rather than excellence of speech (eloquence and style), is a dialectic that borrows from poetry only as much as the speaker needs in order to win over people's minds for his own advantage before they can judge for themselves, and so makes their judgement unfree.<sup>63</sup>

Just like Plato, Kant used binaries in order to dismiss rhetoric. However, unlike Plato, who privileged philosophy over rhetoric, he cast it against poetry instead. Many commentators see this comment in Kant's *Critique of Judgment* as rather unwarranted. Brian Vickers, in his book *In Defence of Rhetoric*, says in particular:

The dichotomy is evidently intended to privilege the poet and disarm the orator, who is even denied the power of *movere*, a particularly arbitrary gesture given the growth in the seventeenth and eighteenth centuries...of treatises analysing rhetoric's power over the feelings. Kant does not enquire how the orator works, simply denies him seriousness or understanding, making him an intellectual entertainer. Continuing his demolition without examining rhetorical theory, and

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<sup>62</sup> See *The Dialogues of Plato*, translated into English with analyses and introductions by Benjamin Jowett, (Oxford : Clarendon Press, 1969).

<sup>63</sup> Kant, *Critique of Judgment*, trans. W. Pluhar (Indianapolis: Hackett, 1987), section 53, 197.



without analysing a single text, he declares that the orator totally fails to come up with his promise, and a thing, too, which is his avowed business, namely the engagement of the understanding of some end. One might have expected a philosopher to produce an argument, or at least some evidence, to support such a dismissive judgment.<sup>64</sup>

For Plato and Kant, rhetoric or oratory is characterized as a method of deceiving a hearer to believe in ungrounded knowledge. It appeals to the senses and like poetry, “plays with illusion.” It flatters the hearer without necessarily delivering her a substantial piece of reason. Talking in a rhetorical fashion is like cooking, in the sense that both necessitate the right mix of ingredients in order to arouse the desires/appetites of the audience/eaters. As I see it, the core issue here, both for Plato and Kant, seems to lie at the epistemic status of the knowledge rhetoric claims to produce. Rhetoric is concerned with opinions, Dialectic with knowledge. And if rhetoric only aims to persuade and not arrive at knowledge like dialectic, then it is epistemologically suspect. If we apply this to the question of this thesis, we might ask: what is good in an eloquently declared sentence if it does not assert something of relevance and truth-value to the issue being deliberated upon anyway?

From the outset, it seems reasonable to concede at this point and say that rhetoric has no role to play at all in democratic deliberation. It does not deserve the space that its defenders such as Young wish it had. Rhetoric often misses the point of the issue and does not necessarily enhance the decision-making process. This type of extreme claim presupposes that what democratic deliberators need to possess is a cool rational head, which produces rationally acceptable claims about the object of discussion. This claim somehow assumes that the deliberative agent

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<sup>64</sup> Brian Vickers, *In Defence of Rhetoric* (Oxford: Clarendon Press, 1998), 202.

is almost like a professionally trained philosopher, and the deliberation ought to look like a philosophy seminar. In this scenario, the deliberator is always ready to deliberately unpack the premises that ought to lead to the conclusion of a particular issue. It demands a set of intellectual virtues from the political agent that typically makes a good philosopher: precision, clarity and soundness of rational argument.

It is easy to understand why this demand underpins most theories of democratic deliberation. Needless to say, the crafters of the theory are mostly trained philosophers themselves. What seems quixotic about this assumption though is that in actual democratic deliberation, it seems to be unsustainable. For in practice, the tight distinctions philosophers tend to place between rhetoric and dialectic often gets blurred.

In the next section, I will show why the Aristotelian account of rhetoric sheds more light rather than the simple rejection forwarded by Plato and Kant, and which frames the current shape of mainstream theories of democratic deliberation. A simple dismissal of rhetoric is not only undesirable, but also unfair to the possible contributions it could make to democratic deliberation. At this juncture, we ask: what elements of Aristotelian rhetoric could be particularly advantageous for a theory of democratic deliberation?

### **4.3. Ethos, Logos, and Pathos: Three Proofs of Aristotelian Rhetoric**

In a sense, the form and content of the Aristotelian text *On Rhetoric* already instructs and points us to re-evaluate the antagonistic relation between rhetoric and philosophy as we read in Plato and as received by Kant and the framers and

critics of contemporary deliberative democratic theory. So, here, we ask the following questions: according to Aristotle, (1) what makes rhetoric's structure similar to dialectic? (2) What makes them different? (3) What composes rhetoric? The aim of this part, which will attempt to answer these questions is twofold: to rehabilitate the relation between rhetoric and philosophy and to understand what elements of Aristotelian rhetoric can be useful for democratic deliberation, and to what extent. <sup>65</sup>

Most philosophical commentaries on Aristotle's *On Rhetoric* immediately point us to the significance of its opening line, where Aristotle declares that, "Rhetoric is the antistrophos, or the counterpart of Dialectic." This opening line is one of the treatise's main hermeneutical keys. <sup>66</sup> It indicates what Aristotle will soon unravel: that rhetoric should not be seen as strictly opposed to dialectic. That in fact, dialectic, or simply argumentation could also be rhetorical and has its latent rhetorical aspects. Against the Platonic conception of rhetoric, Larry Arnhart captures this remark's spirit very clearly:

True rhetoric is the "counterpart" not of "cookery" but of dialectic. It is not an artless "knack" for persuading people; nor is it a collection of sophistical devices using emotional appeals for distracting audiences or for deceiving them with specious

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<sup>65</sup> I do not aim for a "comprehensive" reading of the *Art of Rhetoric* here. I will only "highlight" an extremely small part of it to illustrate the point of this paper as regards the desirable intertwining of reason/passion in democratic deliberation. Aside from Nehemas' collection of essays, a highly recommended "comprehensive" contemporary discussion of this text is Eugene Garver's *Aristotle's Rhetoric: An Art of Character* (Chicago: University of Chicago Press, 1994). Also, another contemporary anthology, featuring prominent philosophers would be the book edited by Amelie O. Rorty, *Essays on Aristotle's Rhetoric* (Berkeley: University of California Press, 1996).

<sup>66</sup> The translation I use here is George Kennedy's *Aristotle's On Rhetoric: A Theory of Civic Discourse* (Oxford: Oxford University Press, 1991). All the references from the *Rhetoric* are from this translation.

reasoning. Rather, it is a mode of argument, an art of reasoning that consists of “proofs” (pisteis) as conveyed through the enthymeme...*Like many other beneficial instruments, rhetoric can be harmful if misused.* But the virtuous speaker can be trusted to apply it properly, and the commonsense judgments of men as expressed in common opinion can be depended upon in most cases to restrain the speaker who would misuse it (emphasis mine).<sup>67</sup>

Many commentators have also raised the point that Aristotle’s *On Rhetoric* was written partly because of his fears about demagoguery or the act of emotional manipulation used by political leaders in their public addresses to woo the supposedly unthinking mob, the *demos*. In other words, Aristotle’s *On Rhetoric* has a corrective intent, both in the way that rhetoric was previously viewed by other thinkers (in Aristotle’s case, Plato) and in the way those who have political power misuse it.

And after more than two thousand years, the entanglement of rhetoric with demagoguery seems to be very hard to split. For example, we often use the term “political rhetoric” to mean those words uttered by politicians who are trying to convince us to believe or act on an issue without any reasonable grounds. Also, the term “rhetoric” seeped into our literary and cultural vocabularies with the pejorative connotations of “empty words,” “grandiloquence” and “extravagant language” without the more positive aspects not captured by such uses of the term. Aristotle, on the other hand, points to a dimension of rhetoric without the burdens of its negative uses that we contemporaries usually attach to it. Contra Plato, he compares it to dialectic precisely because he looks at it as an art, as a *techne*, a skill that can be learned and taught, re-learned and re-taught. His treatise

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<sup>67</sup> Larry Arnhart, *Aristotle on Political Reasoning: A Commentary on the “Rhetoric”* (DeKalb: Northern Illinois University Press, 1981), 34.

on rhetoric can then be seen as an ancient pamphlet that instructs us on how to proceed on public speaking with the intent of using it properly.<sup>68</sup>

Another lexical definition of rhetoric abundant in our contemporary intellectual cultures is that it can be simply defined as the “art of persuasion.” But Aristotle provides us a different tack: for him, the function of rhetoric “is not to persuade but to see the available means of persuasion in each case” (*Rhetoric* 1.2.1355b25-6) and as an additional demand for any thoughtful person, he says that we ought to watch out for false claims in the course of the speech. The definition of rhetoric that we find in Aristotle, then is that it is “an ability, in each particular case” to see the available means of persuasion. This shift of emphasis from simply an act of persuasion to the act of seeing available means of

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<sup>68</sup> George Kennedy explains the meaning of dialectic for Aristotle in his translation of *On Rhetoric*. His commentary can serve as a good point of departure in understanding the ‘complementarity’ between rhetoric and dialectic (or philosophy). According to Kennedy: “Dialectic, as understood by Aristotle, was the art of philosophical disputation. Practice in it was regularly provided in his philosophical school, and his treatise known as *Topics* is a textbook of dialectic. The opening chapters of the *Topics* may be found in Appendix I.C. The procedure in dialectic was for one student to state a thesis (e.g., “Pleasure is the only good”) and for a second student to try to refute the thesis by asking a series of questions that could be answered by yes or no. If successful, the interlocutor led the respondent into a contradiction or logically undefensible position by means of definition and division of the question or by drawing analogies; however, the respondent might be able to defend his position and win the argument. Dialectic proceeds by question and answer, not, as rhetoric does, by continuous exposition. A dialectical argument does not contain the parts of a public address; there is no introduction, narration, or epilogue, as in a speech-only proof. In dialectic only logical argument is acceptable, whereas in rhetoric (as Aristotle will explain in chapter 2), the impression of character conveyed by the speaker and the emotions awakened in the audience contribute to persuasion. While both dialectic and rhetoric build their arguments on commonly held opinions (*endoxa*) and deal only with the probable (not with scientific certainty), dialectic examines general issues (such as the nature of justice) whereas rhetoric usually seeks a specific judgment, (e.g., whether or not some specific action was just or whether or not some specific policy will be beneficial).”

persuasion is pivotal for Aristotle's definition of rhetoric. Because it is in this shift that he comes about with the three means of persuasion via speech—the so-called “proofs” or *pisteis* of persuasion.

What are these *pisteis*? Aristotle answers us: “Of the *pisteis* provided through speech there are three species: for some are in the *ethos* of the speaker, and some in disposing the listener in some way, and some in the argument (*logos*) itself, by showing or seeming to show something (*Rhetoric* 1.2.1356a1-20). He follows this enumeration with a further clarification as to how they intertwine with each other:

It is not true, as some writers assume in their treatises on rhetoric, that the personal goodness revealed by the speaker contributes nothing to his power of persuasion; on the contrary, his character may almost be called the most effective means of persuasion he possesses. Secondly, persuasion may come through the hearers, when the speech stirs their emotions...Thirdly, persuasion is effected through the speech itself when we have proved a truth or an apparent truth by means of persuasive argument suitable to the case in question. (*Rhetoric*, 1356a10-20, 25)

The three *pisteis* of *ethos*, *pathos* and *logos* gives us a good starting point to clarify as to what composes rhetoric and what makes it an attractive addition to deliberative democratic practice. It is through these three *pisteis* that we also see the inherent strength of the Aristotelian defense of rhetoric: it has a more balanced grasp of the communication process. Aristotle points out in the quote above that in rhetoric, as it is in dialectic, we cannot rely on *logos* (the speech itself) alone. But we cannot proceed without it either, and that in fact it should be seen as one of the primary elements of the process. However, by clarifying the need to look at the other two means of persuasion—*ethos* and *pathos*, the character of the speaker and the arousal of the audience's emotions, he points to pertinent

aspects of political communication that seem to be under-emphasized in the previous discussions: the nature and status of the political agent (the deliberator herself) vis-à-vis the moral psychology of the listeners (the audience of the deliberator). By bringing ethos and pathos in the picture, Aristotle elucidates how the (perceived) character of the deliberator shapes her speech and how her character influences how the audience receives the speech.

Given the important role of character and the emotions in my reading of Aristotle's *On Rhetoric*, we can then come about with a theory of democratic deliberation that does not necessarily leave the passionate and rhetorical elements of communication out of the picture, and which is more practicable than the account that does not recognize Aristotle's points on rhetoric. These points, which I gathered from Aristotle's *On Rhetoric* will also find their reverberation in the contemporary resuscitation of the role of rhetoric in public discourse as we have seen earlier in Iris Marion Young's suggestion to "add" rhetoric in order to enhance democratic deliberation processes. In addition to Young, another set of prominent proponents of deliberative democratic theory made a recent "Aristotelian" turn. Amy Gutmann and Dennis Thompson, in their book *Why Deliberative Democracy?* illuminate the positive uses of rhetoric extremely well.

First, they question whether the "style of argument" that deliberative democracy endorses is "biased in favor of the advantaged." This question is crucial because, as we saw in Benhabib's account of deliberative democracy, it is precisely one of the aims of deliberative democracy to engage individuals in democratic deliberation in an equal manner, giving them equal free rein of the discussion, its topic and as we saw later on, the decision whether or not to agree

to a consensus or simply arrive at an understanding of the issues discussed through an “enlarged mentality.”

However, by pressing on the question of “style”, Gutmann and Thompson bring the issue of “communicative competence” to the fore. The fact of pluralism also seeps into the pluralism of expression human beings are capable of. Whether we are fully aware of it or not, our education may condition us to adhere to particular forms of expression and see other forms as simply countering other possibilities. Gutmann and Thompson are cognizant that, at other times, deliberative democrats ought to favor other forms of speaking:

Groups intent on challenging the status quo do not usually engage in the cool reason-giving that deliberative democracy seems to favor. Seeking to mobilize their own supporters or to gain public attention, they often take extreme positions and make heated appeals. They are more likely to use passion than reason. And for good reason: emotional rhetoric is often more effective than rational syllogism...<sup>69</sup>

They are quick to point out that deliberative democracy “need not assume” and “should not accept” a “dichotomy between passion and reason.” They forwarded this claim to drive the point that this dichotomy, often assumed by critics of deliberative democracy sees:

...that members (or representatives) of disadvantaged groups are less reasonable in their appeals than their more advantaged counterparts. The assumption and implication are misleading. As a generalization, it would be hard to show that defenders of the disadvantaged have been less reasonable in presenting their arguments than defenders of the status quo. Deliberative standards such as being truthful and offering moral reasons are easier to satisfy when criticizing distributive injustices than when defending them. Supporters of the status quo, moreover, show no reluctance

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<sup>69</sup> All of the quotes (above and below) from Gutmann and Thompson appear in pp. 50-51 of their book *Why Deliberative Democracy?* (Princeton: Princeton University Press, 2004).



to use passionate appeals...

Again, it is not difficult to see why philosophical-dialectical speech seems to be an ideal model to proceed with democratic deliberation. The to-and-fro of question and answer helps us to achieve our aims of having a clearer sense of the topic at hand. But we cannot confine every conversation, especially in a deliberation that is supposedly democratic, with this model alone. Democratic deliberation surprises us with many forms of speech. And as Gutmann and Thompson clarify above, entertaining “emotional rhetoric” can “possibly” pave the way for clarifying certain misconceptions regarding the supposedly unhealthy contamination of reason by passion. They affirm the significance of democratic deliberation that entertains rhetorical elements in stark terms:

Deliberative democrats should recognize that in the political arena *passionate rhetoric can be as justifiable as logical demonstration*. Those who speak on behalf of the disadvantaged can ill afford to ignore the need to be effective. *Theorists as well as politicians, at least since the days of Athenian politics and Aristotelian rhetoric, have recognized the legitimacy of modes of persuasion in politics that combine reason and passion*. Furthermore, rhetoric may properly have to tip toward passion in some circumstances. Some issues cannot even reach the political agenda unless some citizens are willing to act with passion, making statements and declarations rather than developing arguments and responses. (Emphases mine)

In the rhetorical situation, the speech illuminates the character of the speaker while the claims she makes are judged, as William Rehg puts it, “cooperatively” by the particular public audience she addresses. This insight, for me, is crucial because it sensitizes us on the correlation between powerful passionate speech and its capacity to grip its audience with precisely the source of this passion: its reason, so to speak. In this light, we can only think of some historical and political figures who used passionate rhetoric to advance the agenda

of the disadvantaged they are fighting for. Martin Luther King, Jr. and his “I Have A Dream” speech, a catalyst of the civil rights movement in the United States, is a brilliant example of this. Nelson Mandela’s “I Am Prepared to Die” speech sheds significant light, both in acute personal details and in passionate pleas for justice over the long struggle of South Africa with apartheid. While not explicitly set on intersubjective deliberative fora, these speeches points us to the power of passionate rhetoric when delivered with conviction and reason.

## CHAPTER 6

### CONCLUSION AND RECOMMENDATIONS FOR FUTURE STUDY

Our ordinary citizens, though occupied with the pursuits of industry, are still fair judges of public matters;...and instead of looking on discussion as a stumbling block in the way of action, we think it an indispensable preliminary to any wise action at all.

-Pericles, in Thucydides, *The Peloponnesian War*

In this thesis, I attempted to look at possible responses to the question: *In what ways can persons in a pluralistic democratic society confront, discuss and eventually solve their various political problems?* As it should be clear by now, rendering a completely convincing answer to this question is an arduous task coupled with numerous obstacles, both theoretical and practical. This thesis primarily dealt with the theoretical obstacles posed by this question through an exploration of the most current stream of literature on democratic theory today: deliberative democratic theory.

In the initial chapters, we saw how deliberative democratic theory allows for a response to this question by creating spaces for communication through critical and rational argumentation among democratic citizens regarding public issues. However, we also saw how this type of democratic thinking was treated with suspicion by others who think that we ought to suspect its main presupposition and perceived *telos*: the exchange of reasons and rational consensus. In the process of making analytical distinctions so as to clarify the subtle differences between various positions *for* and *against* deliberative democratic

theory, the thesis staged a theoretical debate between “deliberative democratic theory” and “agonistic democratic theory.”

By carefully examining textual sources of both camps, we saw that the two views actually share some distinct characteristics while disagreeing on particular hermeneutical issues. Both camps differ on how they wish to interpret the place of reason in democracy and the theoretical lenses through which these interpretations are seen. In particular, I clarified the soundness of some accusations forwarded by Chantal Mouffe regarding the tasks that deliberative democratic theory hopes to fulfill. I teased out a feasible response towards her criticism through delving into the textual resources of various deliberative democratic theorists such as Seyla Benhabib and Iris Marion Young. Moreover, I showed that, as the literature currently stands, deliberative democratic theory is a growing field where it is possible to construe democratic deliberation in various ways. From this observation, there is one main recommendation that this thesis made to aid the continuing development of deliberative democratic theory: to consider the inclusion of passions and rhetoric in understanding democratic deliberation. It is also in the direction of this recommendation that I wish to make my suggestions for further study. I wish to make at least three points:

(1) First, the agonistic critique of deliberative democracy deserves some praise for raising the need to re-assess the role passions play in deliberative democratic theory. Mouffe, who raised this important criticism shortchanged us by not rendering a well-developed theory of the passions, especially on how they interact with the various areas of our lives in a pluralistic democratic society. In

this thesis, I have not fully explored a “philosophy of democratic passions” but this is a promising project I wish to engage with in my next inquiries on deliberative democratic theory. Within political theory, it is possible to make exegetical studies of such figures as Jean-Jacques Rousseau, Sigmund Freud, Friedrich Nietzsche and Maurice Merleau-Ponty, who, in their various writings expressed the significance of bringing back the body and the passions in our political and philosophical imaginations. Furthermore, to arrive at a “philosophy of democratic passions” useful to contemporary deliberative democratic theory, I think it is also crucial to inform democratic theory with insights from other sub-disciplines within philosophy and political science. For example, cutting-edge researchers at the interstices of areas such as the philosophy of mind, cognitive science and evolutionary psychology are engaged with re-assessing the nature of the “embodied mind.” The insights produced by these inter-disciplinary efforts can possibly illuminate the somatic (“bodily”) and passionate aspects of democracy not easily captured by straightforward analyses and exegeses of texts within traditional studies of political theory and the history of political thought.

(2) Secondly, in this thesis, we rethought the space for rhetoric in democratic deliberation. I recognize that the thesis dealt with this issue in a limited way, choosing only a handful of theoreticians in pointing out the value of rhetoric *per se* and its decisive role in political communication in particular. By discussing Aristotle and pro-rhetoric deliberative democratic theorists such as Iris Marion Young, Amy Gutmann and Dennis Thompson, I was not able to provide a comprehensive discussion of the long history of disciplinary battles between philosophy and rhetoric that could *further* clarify the question why there are many

dismissive remarks against rhetoric among philosophically-trained deliberative democratic theorists. This is a very interesting project to undertake, but obviously a much larger task that demands intellectual training not just in philosophy and political theory but the proper study of rhetoric: communication. Given the chance to engage with this kind of study, I wish to return to epochs in the history of ideas where debates regarding philosophy, politics and rhetoric became significant public intellectual issues. In particular, it will be interesting to make a full study of Aristotle's *On Rhetoric* and the various receptions of this work among thinkers in Classical Greece, the Roman era, all the way to the modern Humanist period in Italy and our contemporary democratic theorists. Aristotle's *On Rhetoric* can also be a subject of an entire study on the role of character and the emotions vis-à-vis persuasion in democratic deliberation.

(3) Finally, to magnify the interplay between rhetoric and democratic deliberation further, we can turn to a more empirical study of actual deliberations and assess the extent rhetoric and rational argumentation are used in such situations. For example, we can focus on a single public policy and analyze the genealogy of its formation through the various stages of democratic deliberation it passed through before it reached its completion. By looking closely at the debates that ensued such a policy, we can determine what rhetorical and argumentation styles each participant in the policy-formation process used. In my opinion, this type of empirical study is best done with sensitivity towards the many theoretical issues I raised in this thesis. With such theoretical armature in hand, we can further analyze whether (and how) a public policy is produced democratically through reasonable *and* passionate deliberation.

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