

RHETORIC AND DELIBERATIVE DEMOCRACY

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Introduction:

The uneasy relationship between deliberation and rhetoric

Public talk in different institutional settings has always been a central element of politics, and the study of rhetoric has traditionally dealt with this topic. Although theories of deliberative democracy are also about public discourses, rhetoric is often considered a non-deliberative type of speech, alongside with bargaining, story-telling and testimony. The aim of rhetoric is to convince members of the audience in order to strengthen their convictions, to change their minds, or to encourage them to act in a desired manner. Understood as persuasive discourse, rhetoric can be regarded as a form of conduct where people are treated instrumentally. This appears to be at odds with the normative ideals of deliberative democracy requiring that people are treated as autonomous and equal beings. Because a rhetorician is primarily interested in making a particular impact on an audience, rhetoric does not seem to encourage such weighing and judging of arguments which is central in deliberative democracy. Moreover, rhetoric often includes appeals to emotions whereas reasonable and rational argumentation is the centerpiece of deliberative democracy.

Rhetoric also appears to entail an asymmetrical relationship between a speaker and the audience, whereas deliberation involves a reciprocal process of mutual justification. Rhetoric may thus be mono-

logical whereas deliberation is essentially a dialogical process. In sum, rhetoric as persuasive discourse seems to violate the central ideals of deliberative democracy, that is, unconstrained rational discourse among autonomous and equal individuals. As Dryzek (2000, 67) puts it: "Some contemporary deliberative democrats, notably Chambers (1996), Spragens (1990), and Habermas, do indeed want to purge rhetoric from deliberation, on the grounds that rhetoric can open the door to demagogues, manipulators, deceivers, and flatterers."

The aim of this article is to bridge the gap between the study of rhetoric and theories of deliberative democracy. In order to show that some of the central ideas of deliberative democracy have been considered in the theory of rhetoric, I focus on the book "The New Rhetoric" (1969) by Chaïm Perelman and his collaborator Lucie Olbrechts-Tyteca. I point out certain fundamental similarities between Perelman's theory and the theory of deliberative democracy. A comparison of Perelman's theory and the theory of deliberative democracy helps to clarify the basic points of departure and the limitations of both theories. At the same time, it helps to specify the characteristics of rhetoric which are compatible with the normative ideals of deliberative democracy.

The article proceeds as follows. I first introduce the basic ideas of the theory of deliberative democracy. I then point out three aspects of Perelman's theory which have similarities with deliberative democracy. First, I look at Perelman's ideas on the ways in which reason can be applied to values. Second, Perelman's concept of discussion is examined as it has similarities with the model of deliberation. Third, I analyze Perelman's concept of audience. This concept is particularly helpful in distinguishing the types of rhetoric which could be regarded as elements of an expanded model of deliberative democracy. Finally, a more systematic approach is taken in order to explore the relationship between rhetoric and deliberation. In this analysis, I refer to recent works by deliberative democrats, notably John Dryzek and Simone Chambers. The article ends with reflections on the idea of the quality of audience, and how theoretical and empirical research on deliberation can contribute to the understanding of the problems of rhetoric in modern democracies.

The idea of democratic deliberation

Theories of deliberative democracy have dominated democratic theoretical debate since the 1990s. The reason for this is probably that deliberative democracy appeals to values and conceptions central in Western modernity, that is, individual autonomy, political equality, rationality and fallibilism (Cooke 2000). Theories of deliberative democracy are based on the Kantian view of humans as equal and autonomous beings capable of judgment. Also the Kantian idea of publicity as a test for the acceptability of value judgments is echoed in theories of deliberative democracy. As it is well known, Kant used hypothetical publicity as a test for the rightness of the reasons for public actions ('test of the pure reason'). According to Kant, actions affecting the rights of other human beings are wrong if their maxim is not compatible with their being made public (see Chambers 2004, 406).

Broadly speaking, theories of deliberative democracy are based on two different philosophical traditions, that is, Habermas's theory of communicative action and Rawls' theory of justice. Despite their philosophical differences, the ideas of deliberative processes are relatively similar in these two theories. As the literature of deliberative democracy has expanded, also the use of the concept of deliberation has diversified. It is, however, necessary to define the basic normative ideals of deliberative democracy in order not to use the term to refer to all kinds of political talk (Steiner 2008). In this article, I mostly refer to the basic Habermasian notion of deliberation (see e.g. Habermas 1996). Deliberation can be defined as unconstrained rational discourse on public issues among autonomous and equal individuals. In deliberative discussions, political arguments are judged by their merits only, and certain validity claims are applied. In other words, deliberative discussion is guided by 'the force of the better argument' (for an operationalization of this idea, see e.g. Steenbergen et al. 2003).

This summary entails implications both in terms of the normative and the epistemic claims put forward in deliberation. When it comes to epistemic claims, they should be tested and challenged by alternative evidence given by other deliberators. In order to be effective, normative arguments should be set in terms that are acceptable to everybody involved. For this reason, deliberation should encourage considerations on such public goods whose achievement would be beneficial to all. Moreover, deliberation is also expected to provide

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reasonable solutions to other types of public issues, such as value and redistributive conflicts. (See e.g. Dryzek and List 2003)

In Habermas's (1996, pp. 182, 306) discourse theory of democracy, the emphasis is on 'the consensus-generating force of arguments', which is based on the emergence of communicative rationality and its validity claims (truth, sincerity, and rightness) in unconstrained and undistorted discourses. Following the Habermasian view, ideal communication should eventually lead to a consensus on the best course of action and the values and epistemic beliefs supporting it. Habermas (1996, p. 110) argues further that a consensus achieved in an inclusive discursive process is the ultimate legitimacy criterion of public decisions.

The idea of a consensus as an outcome of deliberation has faced a lot of critique. Consensus seems to be unfeasible in many situations where political decisions are made, and it seems to give way to ugly forms of group pressure. Indeed, even those endorsing the Habermasian idea of deliberation have been ready to relax this idea. Habermas himself (1996, p. 306) argues as follows: "Political deliberation, however, must be concluded by majority decision in view of pressures to decide". Moreover, Dryzek and Niemeyer (2006) have analyzed further the mechanisms through which deliberation can help to overcome disagreement. They argue that, even though deliberation would not lead to a consensus, it could lead to a 'metaconsensus', that is, it would narrow down the scope of normative and epistemic arguments relevant in decision-making.

There are many disputes concerning the feasibility of deliberative ideals. First, the social psychological foundations of deliberation have been questioned. It has been argued, for example, that group discussions tend to be dominated by certain privileged individuals or groups (see e.g. Sanders 1997); and that group discussions tend give rise to different forms of group pressures (see e.g. Sunstein 2002). Second, the basic Habermasian notion of deliberation has been criticized for being particularly unfeasible and detached from the real world policy making where bargaining rather than arguing appears to be the most predominant method of settling disputes (see e.g. McLaverty & Halpin 2008).

There are some differences concerning whether deliberation is thought to be based on pre-political cooperation based on such norms as mutual respect, or whether 'the rules of the game of arguing'

emerge in different communicative settings (Pellizzoni 2001; Habermas 2005). The Rawlsian variant of deliberative democracy (1971; 1993) emphasizes pluralism of reasonable political views as a precondition for 'a well-ordered society'. Reasonableness implies that there is a pre-existing overlapping consensus on the fundamental principles of the political order, such as political equality and autonomy of citizens. The Rawlsian idea of pre-existing agreement on the principles of political order has been criticized for precluding certain types of beliefs and claims from public deliberation (see e.g. Hampton 1993)

Reflecting the ideas of political liberalism, the Rawlsian variant of deliberative democracy also emphasizes the role of certain political and personal rights which enjoy constitutional protection. However, Rawls emphasizes the role of public reasoning in situations where there are conflicts between these rights. The public use of reason should provide solutions when basic rights, such as religious freedom and freedom of speech, are in conflict. Yet, even in these cases, Rawls seems to recommend deliberations in judicial institutions, such as the US Supreme Court, rather than in the democratic public spheres. Indeed, Rawls seems to decouple public deliberation from democracy, and thus his theory lacks the emancipatory idea of autonomous public spheres emphasized especially in early versions of Habermas's theory. Habermas argues that unconstrained public deliberation in autonomous public spheres is a precondition of the legitimacy of democratic decisions. Rather than individual liberties, Habermas highlights the autonomy of individuals deliberating in democratic public spheres and thus forming a genuinely 'public' opinion'.

Deliberative democracy seems to set rather high quality standards of democratic discussion. There are also disputes among scholars concerning the institutional design of deliberative democracy. Some theorists of deliberative democracy have stressed the role of representative institutions, most notably parliaments, in enhancing "reasoning about ends of policies" (see Richardson 2002; also Elster 1998). Other authors have pointed out the importance of deliberation in autonomous public spheres of civil society, that is, political discussions within associations and social movements, as well as everyday political talk (see Dryzek 2000). In his model of deliberative democracy, Habermas discusses the interaction of deliberations in autonomous public spheres with institutionalized will-formation in parliamentary forums (Habermas 1996, 371).¹

The concepts of 'democratic deliberation' and 'deliberative democracy' are typically interpreted to entail a further, democratic condition that all those who are affected by public decisions should be included or represented in making them. Although the problem of inclusion is pressing in all theories of democracy, it may be even more pressing in the theory of deliberative democracy which sets higher quality standards for democratic participation. The idea that all those affected by public decisions should be included or represented in democratic deliberations is increasingly hard to fulfill in practice. Public decisions have increasingly transnational impacts, but political decision-making is still largely organized on the basis of national boundaries. Ideally, public discussion on transnational issues should be based on supra-national deliberations where all affected are represented. Yet, these kinds of supra-national representative forums of deliberation are still under-developed. In addition to transnational impacts, public decisions often have intergenerational impacts. Some authors have, indeed, argued for the adoption of systematic schemes of representation of the viewpoints of future generations. (See e.g. Ekeli 2005)

Theories of deliberative democracy have also inspired innovative forms of democratic participation. One solution for the problems of involving citizens in democratic deliberations would be the use of deliberative mini-publics in public decision-making (Dryzek and Goodin 2006). In deliberative mini-publics, a representative sample of citizens is gathered together to discuss a particular political issue. Deliberative mini-publics thus provide opportunities for political discussions among people representing different views and interests. Discussions in deliberative mini-publics are structured in order to ensure that norms of deliberation, such as mutual respect, are followed. Trained facilitators also help to achieve this goal. The quality of deliberations is increased by the fact that deliberative mini-publics always involve interaction with some expert information (information material and expert panels) on the issue at hand. Furthermore, the structured character of discussions ensures that people have to argue in support of their views for people representing different views. This should increase the quality of argumentation and reasoning.

Perelman's theory of rhetoric

Arguing about Values

In this section, I introduce the basic points of departure in Perelman's theory of rhetoric, and then analyze his notions of discussion and audience. Through this, I highlight the fact that some of the core ideas of deliberative democracy have been considered already in Perelman's theory. I focus on Perelman's philosophical points of departure and do not go deeply into all aspects of his analysis of techniques of argumentation. Especially in Part 3 of "The New Rhetoric" (1969, the original French edition 1958), Perelman provides a thorough analysis of different techniques of argumentation, such as argument by example, analogue and metaphor. Perelman also discusses psychological processes of association and dissociation which refer to ways in which elements of arguments are processed. It is, however, worth pointing out that Perelman's analysis of argumentation seems to have influenced some theorists of deliberative democracy. Elster (1998, 104), for example, refers to Perelman in his analysis of the difference between warnings and threats. Furthermore, there are parallels between Perelman's (1969, 199-200) ideas of hypocrisy and Elster's (1998, 111) analysis of the constraints created by publicity.

Like theories of deliberative democracy, Perelman studies the question of whether individuals' or collectivities' choices can be based on reason. A central theme discussed in Perelman's work is whether politics and law can have rational foundations, and what kind of reasoning should be applied in these realms. Perelman contrasts argumentation with mathematical demonstration on the one hand and the methods of induction used in empirical sciences on the other. He defends the role of argumentation and deliberation as a category of reasoning, and criticizes the Cartesian tradition which focuses on the demonstration of truths. Moreover, Perelman challenges the view held by logical positivists that it is not possible to judge the rationality of value statements. According to the logical positivist tradition, references to values are ultimately subjective and thus beyond rational discussion. Perelman argues that this creates 'an unbridgeable gulf' between theoretical knowledge which could only be rational and action which would be deemed irrational (1969, 512):

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Practice ceases to be reasonable in such a perspective, for critical argumentation becomes entirely incomprehensible, and it is no longer even possible to take seriously philosophical reflection itself. As soon as a controversy arises, and the agreement of minds cannot be reestablished by "logico-experimental" methods, one would be in the sphere of the irrational – which would be sphere of deliberation, discussion and argumentation.

Like Habermas and his followers, Perelman was puzzled by the question on how rationality of value judgments can be assessed. This question has traditionally been tackled in legal philosophy but also in political theory. Perelman thought that argumentation is the method of reasoning about value judgments. Study of arguments and rhetoric is thus necessary to understand how people can make reasonable choices. Consequently, the study of rhetoric should not only be regarded as an inquiry of how to convince an audience. Perelman also regrets the fact that the experimental and analytical study of argumentation has been neglected in modern times.

Reasonable choices are based on argumentation that is neither compelling nor arbitrary. In his essay "How Do We Apply Reason to Values", Perelman (1955, 802) emphasizes the role of deliberation and argumentation as a form of the use of human reason:

Besides the Cartesian conception of liberty, adherence to evidence, there is room for a concept of liberty-responsibility where, being face to face with arguments pro and con, neither of which is compelling, we decide that one side has more weight, and in doing so we take final step. This liberty is the one of the man in action, of the judge in the law court, which entails an individual responsibility.

Perelman (1969, 47) argues that, without a theory of argumentation, we cannot understand the manner in which we apply reason to values. In other words, the study of argumentation is needed to understand the reasons of our choices. Argumentation, above all, has practical effects because it is future-oriented and its aim is to discursively influence action. This view is also shared by deliberative democrats who emphasize the use of 'public reason', that is, processes of mutual justification, in making political choices.

Perelman (1969, 67) distinguishes objects of agreement that can serve as premises of argumentation; they can be facts, truths and presumptions on the one hand, and values on the other. Facts can be ei-

ther observed facts, or they may be supposed facts that are probable. Truths, on the other hand, refer to more complex systems expressing connections between facts; these systems may be scientific theories or philosophical conceptions. Presumptions refer to what is considered normal and likely; in this respect they are very similar to facts. Finally, in contrast to facts, truths and presumptions which are expressions concerning the reality, values refer to aspects that should influence our action. Consequently, questions of values are particularly important in the realm of practical reason, that is, law, politics and philosophy.

Perelman (1969, 60-62) points out that certain topics are beyond argumentation. For example, certain beliefs are matters of logical demonstration rather than argumentation; perceptions are also to certain extent undisputable and hence beyond argumentation. Perelman further defines fanaticism as a disposition which denies discussion on certain topics on which no unquestionable proof can be provided. Indeed, fanatics, alongside with skeptics, are the ones denying the value of argumentation as a method of making reasonable choices. Fanatics hold on what they regard as absolute and unquestionable truths, whereas skeptics require demonstration and remain unconvinced by mere arguments.

Perelman (1969, 512-4) claims that sometimes different elements of arguments, those consisting of facts, truths and presumptions and those consisting of values, cannot be distinguished entirely from each other. Indeed, the distinction between judgments on values and facts cannot be clear cut:

The theory and practice of argumentation are, in our view, correlative with a critical rationalism that transcends the duality of "judgments of reality-value judgments", and makes both judgments of reality and value judgments dependent on the personality of the scientist or philosopher, who is responsible for his decisions in the field of knowledge as well as in the field of action.

Perelman (1969, 181) notes, however, that value disputes tend to be more difficult to resolve than disagreements concerning the reality. For this reason, sometimes value conflicts are presented as disagreements about the reality. In addition to the distinction between different elements of arguments, Perelman (1969, 140) points out the plasticity of concepts. He stresses also that some concepts have 'emotive'

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meanings in addition to the symbolic meanings given to them, for example, the concepts of democracy, justice and freedom. The emotive meanings of notions are used to persuade people and, consequently, the ambiguity of the concepts increases.

Processes of argumentation

Perelman thus emphasizes the role of argumentation as a category of the use of reason. Moreover, he points out that reasoning about values is essentially a process of argumentation. Furthermore, Perelman (1955, 798) distinguishes different forms of argumentation:

It occurs in the case of weighing for one's self the pros and the cons of a proposal, i.e., intimate deliberation; it occurs in the case of an attempt to persuade others; it occurs when we *reason in abstracto*, that is to say, when we try to convince everybody.

Perelman considers self-deliberation as a specific case of argumentation. Self-deliberation refers to an individual's reflection on the pros and cons related to a choice of a course of action. Self-deliberation does not necessarily involve any kind of communication, but it, like any other types of argumentation, involves the judgment of values attached to choices. The idea of self-deliberation as an element of deliberative democracy has been discussed by theorists of deliberation, most notably by Robert E. Goodin (2000). As Goodin's idea of 'reflective democracy' entails considerations of the interests and views of the others, it also resembles what Perelman calls 'reasoning in abstracto'. Goodin, indeed, considers this type of internal reflection crucial for the representation of the viewpoints of future generations (see Ekeli 2005).

Perelman (1969, 37-39) uses the concept of dialogue for argumentation with other interlocutors. In line with deliberative democrats, Perelman (1969, 16) argues that the act of engaging in argument presupposes some sort of mental cooperation. Furthermore, a person's preparedness to persuade others with one's argument presupposes respect and modesty in relation to the others, as well as the assumption that others are ready to be persuaded by an argument. Argumentation thus requires interest in the quality of minds of those to whom an argument is aimed at. Argumentation also implies that a person arguing does not possess an authority that cannot be questioned, or

an authority for giving orders. In other words, argumentation presupposes some sort of egalitarian relationship between interlocutors.

Perelman argues that ideally dialogue should be characterized rather as discussion than debate. In debate, speakers advance arguments that are favorable to one's own thesis, and the aim is to refute alternative arguments and to limit their impact. Debate aims to 'winning' the argument, and it does not seem to leave room for reflection on possible counterarguments. In discussion, on the other hand, "... interlocutors search honestly and without bias for the best solution to a controversial problem" (Perelman 1969, 37). Perelman (1969, 37-38) goes on arguing further that: "The assumption is that in discussion the interlocutors are concerned only with putting forward and testing all the arguments for and against, bearing on the various matters in question. When successfully carried out, discussion should lead to an inevitable and unanimously accepted conclusion, if the arguments, which are presumed to weigh equally with everyone, have, as it were, been distributed in the pans of a balance."

This description of a discussion is in many respects similar to how deliberative democrats construe the model of deliberation among equal and autonomous individuals. According to Habermas (2005, 40), deliberation is based on 'communicative rationality' which means that communication is egalitarian, sincere and free from repression and manipulation. Like deliberation, Perelman's discussion is also based on the weighing of the merits of arguments. Perelman's also seems to think that ideally discussion should lead to a consensus on the best course of action, as well as the values and beliefs supporting it. However, it is worth pointing out that Perelman (1969, 80-82) considers also the possibility that, instead of achieving consensus on values, value conflicts could be resolved by ordering values in hierarchies. This is similar with the ideas of those deliberative democrats who have tried to find alternatives for the consensus on values. Dryzek and Niemeyer (2006) discuss the possibility of identifying a set of mutually acceptable values, and Dryzek and List (2003) emphasize the possibility of ordering values in lexicographic hierarchies.

Like it seems to be the case of deliberation, the kind of dialogue characterized as discussion by Perelman may be difficult to achieve in practice. Indeed, Perelman argues (1969, 36-37) that the distinction between debate and discussion is difficult to draw as in practice ordinary dialogue contains elements of both. A similar view is also held by

those theorists of deliberative democracy who argue that real-world discourses necessarily involve different types of talk (see e.g. Dryzek 2000). Yet, it is useful to keep the model of deliberation defined by Habermas, or dialogue in Perelman's terms, analytically distinct from other types of discourses. (See Steenbergen et al. 2003).

Audience and Rhetoric

There is one crucial difference between Perelman's model of discussion and democratic deliberation. Namely, Perelman's discussion lacks the other defining characteristic of democratic deliberation, that is, the inclusion of all affected. The question of inclusion in deliberative democracy is, however, related to Perelman's conception of audience. Perelman understood rhetoric in its classical meaning as the art of speaking in public in a persuasive manner. Like other scholars of rhetoric, Perelman (1969, 6-7) argues that the study of rhetoric is based on the view that the speaker needs to adapt himself to his audience. Adaptation to the audience is necessary in order to achieve the desired effect, be it a confirmation or a change of opinion or a change in the disposition to act in a particular way. This requires that the speaker needs to be aware of the quality of minds which the argument is aimed at. Therefore, a change of audience would require a change in argumentation.

Rather than focusing on the style of argumentation, Perelman emphasizes the relationship between audience and the content of an argument. He argues in his essay (1955, 799-800):

If our attention is centered on argument itself and not on the manner in which it is communicated by speech or by print, and if, on the other hand, we do not limit the audience (that is, those we try to convince) to an ignorant mob gathered in the marketplace, but conceive the possibility of an infinite variety of audiences – starting from anyone who deliberates in secret up to the concrete universality (that is, the whole mankind) such as we conceive it, - one sees that the rhetoric of the Ancients is a most special case with which our theory of argument will have to deal.

Perelman thus considers the concept of audience as the key to the understanding of rhetoric as a method of gaining 'the adherence of minds'. A crucial distinction is made between particular and universal audiences; this distinction is also related to the distinction between

persuading and convincing. When a speaker addresses a particular audience, his aim is to *persuade* it by conforming to the aspirations of that particular group (Perelman 1969, 28-9; 76.) Perelman (1969, 460-471) argues that arguments accepted by a particular audience are relatively weak compared to opinions that enjoy approval by universal audience, especially whenever persons or groups agree on very few matters. One particular audience might agree on an argument, whereas another different particular audience might totally disagree with it. Perelman (1969, 31) argues as follows: "Argumentation aimed exclusively at a particular audience has the drawback that the speaker, by the very fact of adapting to the views of his listeners, might rely on arguments that are foreign or even directly opposed to what is acceptable to persons other than those he is presently addressing."

Perelman's analysis of the arguments accepted by particular audiences has similarities with those views which emphasize the dysfunctions of public discourses. Cass Sunstein (2002) points out the possibility that only particular segments of society are included in public discussions. This kind of 'enclave deliberation' cannot be considered 'democratic deliberation' because it does not fulfill the democratic condition of inclusiveness. Sunstein argues further that enclave deliberation may lead to an escalation of conflicts, or, in other words, group polarization. Group polarization may follow when speakers advocate values and conceptions held by a particular group, and when these are in conflict with those held by other groups of the society. In other words, speakers give privilege and appeal to values and views on reality (in Perelman's words, facts, truths and presumptions) prevailing only in a particular segment of society. Sometimes such appeals are made in order to strengthen the in-group identity.

As a contrast to particular audience, Perelman (1955; 1969) construes an idea of universal audience which is the most perfect human audience that can be imagined. Universal audience is formed by reasonable human beings that are "incarnated either in one human being or a certain group of individuals". Perelman (1969, 34) quotes Findlay as follows: "We make our appeal above the unreflecting heads of present company, to the great company of reflecting persons, wherever they may be situated in space and time." Perelman argues further that validity of argumentation depends on whether universal audience can be *convinced* by the argument. The idea of universal audience thus serves as the validity criterion of argumentation. Argu-

ments addressed to universal audience must have timeless validity and be independent of local and historical contingencies. Perelman (1955) argues further that there is a connection between his idea of universal audience and Kant's categorical imperative: "So we might call "rational" every argument which follows, in the field of persuasion, Kant's categorical imperative, because it claims to make a case only for arguments which would be valid for a universal audience."

Theories of deliberative democracy and Perelman's universal audience are influenced by the same Kantian idea of universal acceptability as the validity criteria of normative claims. Perelman's universal audience is an abstract construction, detached from particular historical and social contingencies. Therefore, it seems to be quite disconnected from the real world.² Theorists of deliberative democracy seem to be more concerned about the possibilities of reasonable and legitimate decision-making in real world politics. Yet, by focusing on deliberations among real world political actors in particular historical and social situations, theories of deliberative democracy may lose some of their character as a universal theory of justice. Earlier, the problems of inclusion in deliberative democracy were pointed out. Most notably, issues of intergenerational justice are hard to be dealt with in deliberative democracy where only the voices of currently living people are heard. This appears to violate the principle that all affected are represented in decision-making whenever policies have intergenerational effects.

Rhetoric and democratic deliberation

Despite some obvious similarities between Perelman's theory of rhetoric and theories of deliberative democracy, it needs to be pointed out that there are also significant differences between these two theories. Most notably, Perelman restricts himself to the study of rhetoric and argumentation, and he does not provide a systematic theory of processes of legitimate or just public decision-making which is the central goal of the theories of deliberative democracy. Theories of deliberative democracy are interested in the question of how political decision-making could be based both on the democratic ideal of inclusion of all affected and on the use of public reason. The problem of inclusion is not systematically discussed in Perelman's theory, although the concept of universal audience deals with the issue at an abstract level.

It seems that Perelman's model of discussion, as well as the normative ideals of deliberative democracy, are particularly hard to achieve in the context of politics which seems to be plagued by manipulation, lies, bargaining and other forms of strategic behaviour. In sum, political discourses tend to entail elements that are incompatible with the ideals of deliberative democracy. As pointed out above, theorists of deliberative democracy have put forward different ideas of the 'siting' of democratic deliberation in modern political systems (Saward 2000, 71). There are those who focus deliberations among representatives (e.g. Elster 1998), and those who emphasize the role of civil society (Dryzek 2000).

Ultimately, the prospect of deliberation among democratically elected representatives depends on the ways in which they appeal to their constituents. In modern representative democracies, citizen participation tends often to be limited to participation in elections. Electoral campaigns include parties' and candidates' communications with voters and their rhetorical appeals to them. Often such communications include appeals to particular audiences, for example, people belonging to certain socio-economic groups, and appeals to universal audience may remain rare. Therefore, phenomena such as group polarization, described by Sunstein (2004), may be the result of electoral campaigning.

As Habermas pointed out already in "The Structural Transformation of the Public Sphere" (1962) that political communication in modern democracies also tends to be vertical in character as it happens largely through mass media. Habermas refers further to C. W. Mills' distinction between 'public' and 'mass'. A group of people may be regarded as 'mass' when there is a far fewer of those who have an opportunity to express their opinions than those who just receive them. 'Mass' is an abstract collection of individuals who do not have a possibility to discuss their opinions and thus form a genuinely 'public' opinion (see Habermas 1962, 249). For Habermas, the opinions expressed in opinion polls epitomize the 'non-public' opinion of masses.

Vertical political communication through mass media includes different elements; it may be about non-verbal images, but it also includes rhetorical appeals. Because of the prevalence of this type of vertical political communication, some theorists of deliberative democracy, for example John Dryzek (2000) and Simone Chambers (2004), have defined the characteristics of deliberative rhetoric. In

other words, these authors define criteria for a monological discourse that would be compatible with the ideals of deliberative democracy. In order to find the criteria for rhetoric that is compatible with deliberative democracy, it is crucial understand how an audience is appealed to.

In his book "Deliberative Democracy and Beyond" (2000), Dryzek argues that the Habermasian model of deliberation should be complemented with a more realistic model of 'discursive democracy'. Like deliberative democracy, discursive democracy is based on the normative ideal of equal and autonomous individuals communicating sincerely and respectfully. Dryzek would, however, accept various forms of political talk as elements of discursive democracy, not just rational argumentation emphasized by Habermas. Discursive democracy can include other forms of discourses, including story-telling and rhetoric, as long as they are a) non-coercive; b) capable of connecting the particular to the general.

Condition b) in Dryzek's definition seems to be related to Perelman's idea of universal audience as it emphasizes the general acceptability of values and beliefs used in public discourses. Condition a), non-coerciveness, is linked with Perelman's idea that argumentation should not be based on speakers' position as an authority but rather on the need to persuade an audience. However, compared to Perelman's concept of universal audience, Dryzek's condition a) seems to include only a relatively weak criterion for evaluating the quality of public discourses. Perelman's concept of universal audience indeed sets more stringent quality standards for argumentation than Dryzek's 'discursive democracy'. As Perelman points out, universal audience is an ideal audience, not just because it can only be convinced by appeals to universal values, but also because it can be convinced only by rational arguments.

Simone Chambers (2004, 395-396) has developed a more systematic, two-dimensional model for evaluating the quality of political discourses. This model can be used to highlight different aspects of Perelman's concept of universal audience. According to Chambers, public reasoning can be evaluated by a 'democratic' dimension, that is, the extent to which public, rather than private interests are appealed to; and by a 'Socratic' dimension, that is, the quality of reasoning involved. 'Democratic' dimension thus corresponds to Perelman's distinction between universal and particular audiences in the sense

that it highlights the difference between values acceptable to a particular group and values that are universally acceptable. Chambers' 'democratic' dimension requires that all relevant values and interests are taken into account, and most weight is given to those that are acceptable to all affected.

Perelman (1969, 31) suggests that a parliamentary assembly is a 'composite audience' because it represents different views and interests prevailing in a society. Representatives' speeches in parliamentary plenary sessions, for example, should thus be addressed to a broad audience representing different values. This should encourage appeals to universal values. However, parliamentary speeches are not always primarily addressed to other parliamentarians, but rather to a particular audience consisting of representatives' potential supporters. The level of publicity of parliamentary deliberations determines the extent to which representatives may use parliamentary speeches to gain support among their constituents. Furthermore, publicity may decrease the 'democratic' quality of parliamentary deliberations as it may tempt representatives to appeal to particular interests or private values held by their potential supporters. This may lead to polarization of opinions because this type of a particular audience might consider representatives' change of mind resulting from deliberations as a sign of weakness. In such a situation, publicity of parliamentary discussions could create an obstacle for deliberation among representatives. (Chambers 2004)

For this reason, some deliberative democrats have suggested that constructive deliberations are more likely to occur when representatives discuss in secrecy, for example in non-public committee meetings. Therefore, even though deliberative democrats support the principle of publicity, they may not support it in practice (Elster 1998; Chambers 2004, 392-4). At the same time, however, it must be kept in mind that insulation from publicity opens room for bargaining and undermines democratic accountability. In deliberative democracy, accountability means that decision-makers publicly give reasoned justifications for their choices, and these justifications are heard and judged by all those who are affected by the decisions.

Chambers (2004) argues further that the problems created by publicity are not just due to appeals to private or particular values, but also the 'Socratic' quality of public reasoning may be undermined by publicity. Also Perelman refers to this 'Socratic' dimension of rheto-

ric as he argued that universal audience is perfect, not just because it can be influenced by appeals to universal values, but also because it is capable of making rational judgements on arguments. Rhetoric may be aimed at the broadest possible audience, but yet be shallow and empty of reason. This was already pointed out in Plato's critique of rhetoric and democracy. Therefore, as a contrast to deliberative or public reason, Chambers introduces the concept of plebiscitary reason which may be used to appeal wide publics but yet scores poorly on the 'Socratic dimension'. Chambers (2004, 396) characterizes this kind democratic discourse as follows: "Here we may think of plebiscitary reason as running on a continuum from mild pandering to manipulative demagoguery".

Chambers (2004, 399-400) argues further that the dominance of plebiscitary reason in contemporary politics is a challenge to the theory and the practice of deliberative democracy. Plebiscitary rhetoric is a problem because it, among other things, undermines the accountability of representatives, understood as a requirement of reasoned justifications for policies. According to Chambers, political rhetoric may be about pandering or flattering the audience which means that a rhetorician may rally support by saying what the audience wants to hear, without proper justifications. Politicians may, for example, appeal to broader public by expressing their support for policies shown popular by opinion polls. (Chambers 2004, 398). Or they may make vague appeals to terms which, in Perelman's (1969, 140) terms, involve 'emotive meanings' such as justice and freedom. Although these kinds of notions may have universal appeal, they are contested and would require further specification both in terms of their definition and in terms of how they can be realized by political choices. To quote Perelman: "It is not surprising, therefore, that the universal values, which are regarded as the instruments of persuasion *par excellence* are designated by the notions which are most confused in our mind."

Chambers also discusses the role of emotions in deliberative rhetoric. Following the Aristotelian distinction, rhetoric contains elements of ethos, pathos and logos. The normative ideals of deliberative democracy seem to include considerations related to the ideas of logos and ethos. Logos and ethos also seem to correspond with Chambers' 'Socratic' and 'democratic' dimensions. The idea pathos, that is, an appeal to emotions, appears to be at odds with the ideals of deliberative democracy. Yet, as Chambers (2004, 402-403) points out, good

rhetoric is evocative in character and thus it is crucial to distinguish what kinds of attitudes and emotions are evoked. Chambers argues that from the deliberative point of view unacceptable rhetoric appeals to emotions which are destructive to democracy itself, such as resentment, hatred, envy and blame. These emotions are against the universality condition central in deliberative democracy and in Perelman's theory. Chambers further emphasizes the importance of certain kinds of emotions and attitudes in democracy. For example, feelings of indictment raised by injustice are important motivations in democratic politics.

Concluding remarks

This article has shown that Perelman's theory of rhetoric and the recent theories of deliberative democracy share similar points of departure. Perelman's criteria for valid argumentation are very similar to the normative ideals put forward by theorists of deliberative democracy. It has also been shown that rhetoric can be a part of a deliberative process if it is of high quality measured, in Chamber's terms, by 'democratic' and 'Socratic' criteria which refer to the inclusion of different views and quality of argumentation. Perelman referred to these two criteria with his concept of universal audience which is an audience representing universal values and capable of reasoning. According to Chambers, even the evocative character of rhetoric (pathos) does not necessarily contradict the ideals of deliberation. Appeals to certain moral emotions, such as sense of justice, can and should be a part of democratic deliberation.

A rhetorician addressing what might be regarded as an approximation of universal audience should be aware of the high quality of minds, and thus anticipate the broadest possible set of criticism based on rational arguments. The awareness of the variety of opinions is likely to encourage the rhetorician to appeal to certain universally acceptable values and to carefully consider the plausibility of facts and consistency of argumentation. However, without a chance of discussion, there is no constructive process of justifying and testing arguments. In addition, discussion would allow an open-ended process where new ideas, viewpoints and solutions to conflicts are brought up. In this respect, even rhetoric appealing to universal values and

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evoking critical judgement among audience does not have all the constructive qualities of democratic deliberation.

Rhetoric requires that a speaker is reflective and able to anticipate the qualities and the predispositions of the audience. If the audience is expected to have the characteristics of Perelman's universal audience, rhetoric is likely to score well on both on Chambers' 'Socratic' and 'democratic' dimensions. Rhetoric appealing to particular or private values is likely to be used when a rhetorician addresses a particular audience which is unable to reflect on alternative views. Plebiscitary rhetoric, on the other hand, is based on the assumption that rhetoric of a bad 'Socratic' quality can be used because the audience lacks the capacity of making critical judgements.

A relevant question seems to be, therefore, why the assumption of citizens' lacking capacity is so prevalent in contemporary politics. In academic discussion, empirical political science and the economic theory of democracy, with its concept of 'rational ignorance', seem to provide support for this view (Downs 1957). However, empirical political science can provide a different point of view. It has been found out that people's capacity of reflection and reasoning increases through participating in processes of argumentation where people are confronted with different views and rationales (e.g. Gastil & al. 2002; Grönlund & al. 2008). In other words, participation in democratic deliberation, or in discussion in Perelman's terms, may increase people's capacities to act as an audience which can only be convinced by rhetoric of good 'Socratic' and 'democratic' quality. These empirical findings, once again, highlight the importance of deliberative dialogue in the development of a critical and reflective 'public' as opposed to atomized 'mass'.

NOTES

1. The dynamics and styles of deliberation may be quite different in different contexts, which is probably one reason for the diversity of the conceptions of deliberation. For example, in the institutionalized contexts of public decision-making, such as parliamentary plenary sessions and committees, the requirement of sincerity may not be easily fulfilled. Indeed, it has been argued that these settings encourage hypocritical behavior where appeals to common good and expressions of mutual respect result from constraints created by publicity.
2. The detachment from the real world has also been also a reason for criticism of Rawls's theory of justice.

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