Deliberative Democracy

and the

Realist Recovery of Politics

James David Hodgson

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Abstract

This thesis is an attempt to synthesise two streams of political thought previously conducted in isolation from one another: political realism and the theory of deliberative democracy. The thesis attempts to show that both of these approaches reveal something important about the nature of democratic politics, and that despite the appearance of mutual antipathy these approaches are compatible with one another. Political realism urges us to attend to the sites of power, conflict, and interest in politics, while deliberative democracy emphasises conciliation, inclusion, and reciprocity. By synthesising both approaches, we can achieve a greater understanding of the character and purposes of democratic politics and the possibilities for deliberative democratic reform. The overarching argument is for the central place of deliberation within a realist account of democratic politics.

I begin by considering three realist models of democracy: agonism, competitive elitism, and deliberative democracy. I argue that deliberative democracy offers the most promising model as it can accommodate realist concerns. I then move to examine several aspects of democratic politics overlooked by political theorists but which realism directs us towards. These are: rhetoric and leadership, parties and partisanship, and states of emergency. In each case, I elaborate how these features of real democratic politics appear to pose challenges for deliberative democracy, before outlining how the dominant treatments of these aspects are inadequate for various reasons, and then propose alternative accounts of each in which they are compatible with political deliberation. The aim of each chapter is to extend the role and possibilities for deliberation in real democratic politics. I conclude with some general reflections on the recovery of politics for contemporary political thought.

Contents

Conclusion: The Realist Recovery of Politics (224)

Bibliography   (242)

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Declaration

I declare that this thesis is a presentation of original work and I am the sole author. This work has not previously been presented for an award at this, or any other, University. All sources are acknowledged as References.

Introduction

Two Turns in Political Thought: the Deliberative Theory of Democracy and the Realist Critique of Liberalism

1. Core concerns and aims

This thesis is concerned with democratic politics. More precisely, it is concerned with democracy as it has been conceived of in modern political theory; with the normative relevance, descriptive accuracy, and motivational power of such conceptions. It is concerned with one conception in particular: the deliberative theory of democracy, which places public deliberation - the collective reasoning of citizens over matters of mutual concern - at the heart of the democratic process. It is concerned with the elasticity and the limits of this conception. It is convinced of the value of deliberative democracy as a theoretical model for evaluating the quality of democratic politics; it is less convinced, however, of the efficacy of that model in its current incarnations. Let me explain.

The motivating problem of this thesis is how to reconcile two apparently diverging turns in political thought. The first is the deliberative theory of democracy, which is (at least in part) a product of contemporary liberal political philosophy.[1] The second is the so-called realist critique of liberal theory, which rejects the terms of such theorising as inappropriate to the realm of politics. The details of both will be explicated in greater detail shortly. For now, I simply wish to explain my orientation.

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[1] I view the terms 'political theory' and 'political philosophy' as synonymous. For a recent discussion which goes beyond an institutional distinction, see D. Runciman (2012).

These two moves (or, as I call them here, turns) in political theory proceed along apparently contradictory lines, and in seemingly opposite directions. And yet, I am convinced that both have value, and that both shed light on elements of democratic politics which are fundamental to understand it properly. The central problem of this thesis is therefore how to be both a 'political realist' and a 'deliberative democrat'.

It should be noted that my talk of 'movements' and 'turns' is apt to disguise the heterogeneity of both deliberative theorists of democracy and realist critics of liberal philosophy. The idea of deliberative democracy had a life prior to its contemporary manifestations, and its primordial elements are found in the works of John Dewey, John Stuart Mill, Alexis de Tocqueville, James Madison, and even visible in Aristotle's political philosophy. Contemporary deliberative democrats are thus indebted to and influenced by a diversity of sources, including the traditions of critical theory (Jürgen Habermas and John Dryzek), civic republicanism (Cass Sunstein), neo-Kantianism (John Rawls and Joshua Cohen), and the demands for inclusion by feminist and multicultural movements in the second half of the twentieth century (Iris Marion Young and Jane Mansbridge).

The register of the sources for political realism is no less diverse, and includes thinkers such as Carl Schmitt, Max Weber, Friedrich Nietzsche, David Hume, Thomas Hobbes, Machiavelli, and Thucydides.[2] Noted realists include, among others, moral philosophers Bernard Williams and Stuart Hampshire; agonistic democrats and difference theorists, including Bonnie Honig, William Connolly, and Chantal Mouffe; historians of political thought, such as John Dunn and Geoffrey

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[2] See Rossi and Sleat (2014) for a line-up of the historical sources upon which contemporary realists draw. There is, of course, the danger of anachronism in the drawing up of any such list, in attempting to assimilate any thinker to a particular tradition, or in viewing a thinker as a precursor to a contemporary or historical movement. See also Galston (2010).

Hawthorn; Judith Shklar with her scepticism of utopian theory and emphasis on cruelty; and (each in categories of their own) the British philosophers John Gray and Raymond Geuss. Much like previous waves of critical thought, such as communitarianism (which, after all, included thinkers as diverse as Alasdair MacIntyre, Charles Taylor, and Michael Sandel), political realists are more united by what they oppose than what they share. Indeed, it is often unclear whether political realism has come to save liberal political theory or to bury it (the answer to which will likely depend upon the individual theorist) or whether realism is more than a simple corrective to the excesses of liberal thought.

Such an endeavour runs up against an immediate problem, however. It may seem obviously contradictory, and therefore pointless, to attempt to reconcile two movements which have not only developed from different intellectual traditions, but which point in divergent directions. Deliberative democracy appears to offer a moralised account of political legitimacy, one governed by the ideals of inclusion, publicity, and achieving consensus among equals (Bohman, 1998; Chambers, 2003; Thompson, 2008). To realise this account of legitimacy, theorists of deliberative democracy suggest the creation of new institutional forums, and the reform of existing ones, where deliberation approximating to an ideal standard can take place among citizens. Political realism, by contrast, counsels against such moralising and idealisation. As a critical movement, realists comprise a much more disparate group than deliberative democrats. They are, however, united by their critique of contemporary liberal philosophy, which, they argue, not only constitutes a flight from political reality, but leaves no room for anything recognisable as politics (Galston, 2010; Stears, 2007; Rossi and Sleat, 2014). Consumed by increasingly abstract and politically irrelevant philosophic debate, realists claim that liberals (and,

often by extension, deliberative democrats) discount the significance and permanence in politics of power, conflict, the pursuit of self-interest, the potential for violence, and the need for stabilising authority.

Though perhaps unlikely, an engagement and reconciliation between these two movements within political theory is important, for two main reasons: Firstly, both the theory of deliberative democracy and political realism offer different but equally legitimate visions of political life. By reconciling these competing visions of politics, we can gain greater understanding of the nature of politics itself, particularly in its democratic form. Moreover, it is not clear that human beings can do without politics, making its absence from contemporary political philosophy all the more striking. Politics, in the sense that I understand it, is the way in which human beings shape their collective fate under conditions of disagreement over fundamental values and the proper aims of government, or what Jeremy Waldron has called "the circumstances of politics" (Waldron, 1999:102). In other words, "the felt need among members of a certain group for a common framework or decision or course of action on some matter, even in the face of disagreement about what that framework, decision or action should be" (ibid).

Humans must live together, but the terms of their common life and the goals of political association remain (often deeply) disputed. It is in these circumstances that humans experience the need for politics; more precisely, for authoritative procedures and mechanisms which set the terms and goals of their association and the means by which they will be pursued. It is this need for politics that makes engagement with realism warranted for deliberative democracy, for no matter how insightful or persuasive a political theory may be, it has little normative relevance if it provides no guidance to political subjects in the here and now. Deliberative

democracy, conceived in the realm of ideal theory, not only provides little guidance for advocates of deliberative politics, but seems to leave aside aspects of politics which are inherent to modern democracy. If deliberative democrats wish to place their theory on an appropriately political footing (an objective which many such theorists, though perhaps not all[3], share), then they need to pay more attention to the existing practices of democratic politics and forms of deliberation which may be developed therein. Similarly, political realists would do well to pay closer attention to the felt need for deliberation as a central practice in democratic politics, and should not discount the possibilities for political reform which deliberation facilitates. A reconciliation between realism and deliberative democracy is thus desirable if we wish to arrive at a better understanding of the character of democratic politics.

Secondly, such a reconciliation presents an opportunity for advancing both research agendas in productive directions. While deliberative democracy has much to learn from political realism, realism in turn has much to learn from deliberative democracy. As I expand upon in chapter one, many of the criticisms which realists make of liberal philosophy are, I believe, overstated when it comes to deliberative democracy. Deliberative theories of democracy are more than usually sensitive to the concerns of practical politics, the subjects of political debate, and the exigencies of political power and moral conflict. Therefore, there is great potential for cross-fertilisation between the two theoretical movements. It may be the case that, rather than moving away in opposite directions or talking past one another, political realism and deliberative theory converge on a common nexus of issues. Such an engagement has the potential to move both realists and deliberative democrats to

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[3] For example, Estlund (2008).

areas beyond their own areas of specialisation. If deliberative theorists need to pay more attention to what is politically platitudinous, then this imperative is even more urgent for avowed political realists. There is a worrying tendency among realists to excessively focus on reconstructing the thought of key realist figures, such as Raymond Geuss and Bernard Williams. Thus, they produce scholarship of a comparably abstract and non-political character as the original targets of the realist critique. If realism is to gain traction as a positive theoretical movement, it must move its focus beyond the rather self-referential confines of much contemporary political theory and return to its original ambitions. This thesis hopes to facilitate such a meeting, and thus contribute to scholarly literatures on both realism and deliberative democracy. My specific aims in this essay are as follows:

Firstly, I want to argue that the theory of deliberative democracy and political realism are compatible with one another, despite what might be commonly assumed given the theoretical pedigree of each stream of thought. I have already outlined my reasons for taking this position. Secondly, I attempt to show that deliberative democracy can make a contribution towards political theory understood in realist terms; that is, by emphasising the importance of deliberation and deliberative practices in real politics, deliberative democracy can help to broaden the realists' field of vision and to direct realism towards more platitudinously political subject matter. As Philip Pettit puts it, "Many of the classic texts in political theory . . . deal with how institutions should be ordered in the real world of parochial bias, limited resources, and institutional and psychological pathology . . . [I]t is little short of scandalous that this area of work is hardly ever emulated by political philosophers today" (Pettit, quoted in Galston, 2010: 394).

Thirdly, I aim to rehabilitate certain aspects of democratic politics which realism directs us towards, but which have been traditionally neglected rather than seen as opportunities and resources for deepening democracy. As I have already mentioned, these aspects centre around political leadership, and include rhetoric, parties, partisanship, and states of emergency. Most of these aspects have malignant forms, of course: leadership has demagoguery; rhetoric has sophistry; and parties have factions. Even states of emergency are often conceptualised as states of exception, and thus pose (I argue, unnecessarily) existential challenges to democratic politics. My aim is to disassociate these maligned features from their anti-deliberative counterparts, and to show how they contribute to democratic politics and to the prospects for more and better deliberation. In doing so, however, it is important not to be blinded to the potentially adverse consequences of opening the door to these practices in political theory. On the contrary, these aspects of politics are prevalent in existing democratic polities and it is for this reason that theorists need to engage with and understand them much better than they do at present.

Having thus elucidated my motivating concerns and goals for the thesis, the rest of this introduction is given over to a discussion of the two 'turns' identified at the outset. Rather than embark on a substantive discussion (which I provide in chapter one) I will focus on relevant methodological issues of each, before outlining my plan for the thesis as a whole.

2. Realism versus non-ideal theory

Contemporary political theory has recently witnessed an explosion in methodological debates. Two such debates are between, on the one hand, so-called

ideal and non-ideal theory, and, on the other, between moralists and self-styled realists. I began by nailing my colours to the mast, so to speak, as a political realist. Realism objects to moralist political theory's application of principles which are prior and external to politics, either to provide moral boundaries for politics, such as Rawlsian contractarianism, or to enlist politics as an instrument for moral ends, such as utilitarianism (Williams, 2005: 1-3; see also Rossi, 2012). I will say more about realism in chapter one. But what merits a focus on realism rather than non-ideal theory? How do they differ?

The distinction between ideal and non-ideal theory is a hallmark of contemporary liberal philosophy, and derives from John Rawls's *A Theory of Justice*: "The intuitive idea" says Rawls, "is to split the theory of justice into two parts" (Rawls, 2003: 216). The first, "ideal part presents a conception of a just society that we are to achieve if we can. Existing institutions are to be judged in the light of this conception" (ibid). In other words, ideal theory consists in the formulation of moral principles to govern the basic institutions of an ideal society while also providing a means to critique existing societies which fall short of this ideal. Rawls himself understood ideal theory in relation to two factors, which he called "full compliance" and "favourable circumstances": the latter describes the circumstances, such as human capital, infrastructure, and a tradition of constitutional democracy, which are necessary for the realisation of the ideal principles; the former describes the propensity for every member of society to adhere to the principles of justice. Non-ideal theory, therefore, "asks how this long-term goal might be achieved, or worked toward, usually in gradual steps. It looks for courses of action that are morally permissible and politically possible as well as likely to be effective" (ibid). Non-ideal

theory is therefore tasked with eliminating injustice and with moving us towards an ideally just society (Simmons, 2010; Stemplowska, 2008; and Swift, 2008).

Although Rawls introduces the distinction between ideal and non-ideal theory as relating to ideal principles of justice, the methodology may be employed for other ideals, such as legitimacy, equality, and democracy. The basic idea behind the ideal/non-ideal distinction is very intuitively appealing: political action must be orientated towards some goal, and before we attempt to effect change in the political realm, we ought to fix our orientation. One does not, after all, start on a journey without having some destination in mind. Thus the ideal is methodologically prior to the non-ideal. As Rawls himself put it: "until the ideal is identified ... non-ideal theory lacks an objective, an aim, by reference to which its queries can be answered" (Rawls, 1999: 90). Non-ideal theory thus aspires to lead us out of the wasteland of contingent political practice, to the promised land of the society which is ideally just (or democratic, or legitimate, etc). And yet, the stages by which we are supposed get from our present circumstances to the ideal are rarely specified. Rawls suggests justifications for civil disobedience or "partial compliance" under non-ideal circumstances, and deliberative democrats have tended to follow suit, suggesting their own projects of civil dissent and protest, but only insofar as these exhibit deliberative democratic practices and promote deliberative democratic goals. When viewed in isolation, however, these programmes hardly seem adequate to the task. Many other theorists seem to assume that acting by example will be sufficient, and that deliberative ideals will be infectious once put into practice. In other words, that we arrive at the promised land by acting as though we are already there. One does not have to be unduly pessimistic to suspect that such political strategies may be not only frustrated, but potentially disastrous.

An exception to the above strategies common amongst deliberative democratic theorists is found in the work of Archon Fung. He writes, "No sensible political ethic can require unilateral disarmament", and that those hoping to effect change in politics by practicing only deliberative strategies "play the part of wishful-thinking political fools who act in the world as they would like it to be, rather than the world they actually inhabit" (Fung, 2005: 399). In response to this wishful-thinking, Fung proposes a provisional set of moral principles to guide the political conduct of deliberative democrats in non-ideal circumstances. These principles of "deliberative activism", as Fung calls them, are certainly a step in the right direction, as they acknowledge the practical weaknesses of many existing strategies for deliberative democracy.

However, Fung still adheres to the ideal/non-ideal theoretical approach. One of the problems with this approach, as Marc Stears (2010) has noted, is that it falls prey to what Bonnie Honig has termed "the paradox of politics" (Honig, 2007; 2009). That is, virtuous political institutions depend upon virtuous citizens to construct them. In the absence of such institutions to shape the lives and the characters of citizens, it is not clear where these virtuous institution-builders will come from. Thus, "the paradox of politics traps us in a chicken-and-egg circle that presses us to begin the work of democratic politics in *medias res*" (Honig, 2007: 2-3). In Fung's account, as in many other non-ideal theories, it is never explained where the committed citizens will come from, or how they will be persuaded towards the ideal. (Rousseau, as we know, recognised this problem and thought to solve it with the presence of a foreign law-giver.)

In addition to this, I would add two further objections to the ideal/non-ideal approach. Firstly, ideal theory appears to take political stability for granted.

Deliberative democratic theory, and liberal political philosophy more widely understood, have very little to say about problems of political, economic, and social breakdown.[4] One can speculate on the reasons for this. Liberal political theory has been nurtured in the post-war Western world; that is, an environment of relative stability and prosperity (and, perhaps, complacency). As such, the stability of political and social arrangements were assumed, and political philosophy need not be much concerned by foundational political problems, such as the legitimation of political order. Those assumptions now appear to be far less secure; in the past two decades, the societies of Europe and North America have been confronted repeatedly with a series of crisis events, ranging from the failure of financial institutions to acts of large-scale political violence. Added to this picture are rising inequalities of wealth, with the concomitant disparities of political influence and social unity, as well as looming environmental calamities, and the concerns of much liberal political philosophy appear increasingly marginal.

Secondly, the ideal societies towards which non-ideal theory points us are curious in at least one more respect: many seem to be without politics, or at least politics in any recognisable form. This tendency to evade politics is common in contemporary ideal theory (Honig, 1993; Newey, 2001), which variously conducts itself as a-political (without politics), post-political (after politics), or implicitly anti-political (against politics). Non-ideal theory does not fare much better, as being the means to the ideal end, non-ideal theory self-consciously sets out to make itself redundant; that is, to remedy the less-than-ideal conditions which make it necessary for practically-minded adherents of the ideal theory. Again, one can speculate on the reasons behind the tendency to eliminate or ignore politics. One cause may be the

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[4] There are, of course, exceptions. For example, see O'Flynn (2006).

superficial but pervasive dislike of politics prevalent in modern societies, which perceives politics as an inherently undignified, morally compromised activity, whose elimination ought to be our long-term objective (Hay, 2007). Furthermore, normative political theorists may see it as their professional obligation put some distance between their prescriptions and, as they see it, contingent political practices, the domain of descriptive political science. They may also view politics not as a subject in its own right, but as a bundle of (and thus as reducible to) other concerns, such as ethics, economics, law, and so on.

Whatever its source, the evasion of politics in ideal political theory is, I think, mistaken. Normative political philosophy should stand at a certain remove from existing political practices; not so far removed, however, that it loses sight of political reality. Similarly, the turn away from descriptive and towards 'pure' normative theory is itself an historically recent and theoretically impoverishing one; motivated, perhaps, by fears of falsification or future irrelevance (Sabl, 2011: 175-176). Politics is certainly a malleable and, to a great extent, contingent practice (or set of practices). One can, however, follow Aristotle in basing normative theory on experience while avoiding his mistake of confusing contingency for necessity. The danger, which much political theory in the ideal/non-ideal mode seems to succumb to, is of going too far the other way: of standing guilty of Spinoza's accusation against the moralists of his time, of imagining polities that could only be instituted in a golden age when they would least be needed.

These are some of the shortcomings of a non-ideal theoretical approach. However, does realism fare any better? This is perhaps begging the question, given the criticisms of ideal/non-ideal theory set out above. Realism, after all, is concerned with what is politically platitudinous, and the absence of politics from ideal political

philosophy would seem to suggest the turn to realism as obvious. However, what is at issue is not merely what is discussed, but also the terms in which it is discussed. Throughout this section, I have employed the terms "ideal theory" and "non-ideal theory" as they are commonly used in contemporary political theory to imply a "moralist" or "ethics-first" approach to political theorising (Williams, 2005; Geuss, 2008). Without denying the presence or significance of morality in politics, realism eschews such an approach, concentrating instead on the standards and values which are internal to politics. That is, it suggests a different location for the sources of political normativity (Rossi and Sleat, 2014). Moreover, realism proceeds "after politics"; that is, it takes existing politics as the object of its theorisation (Newey, 2001). My approach in this thesis takes such a form, eschewing strictly normative theory and instead employing a realist approach which blends normative and descriptive elements. As such, realism is more attuned to the concerns I have outlined above, and better placed to respond to them.

What kind of deliberative democratic theory would be consistent with such an approach? It is to that question which I now turn.

3. Deliberation: forum versus system.

The theory of deliberative democracy has been understood in many different ways and received many different theoretical treatments over the past quarter century. Originally conceived as an alternative conception of democracy to the prevailing competitive elitist and social choice models, deliberative democracy offers a vision of democratic politics which lays greater emphasis on the possibilities for inclusion, rational communication, and citizen participation. I will not attempt to map out here

the contours of the various transformations which deliberative democracy has undergone since that time, nor to list the diverse range of subjects to which it has been turned (including questions of the environment, nuclear power, ethnic conflict, healthcare reform, elections for public office, and much else besides). Instead, I want to contrast several different forms of deliberation as they appear in the theoretical literature. Two such forms in particular stand out: On the one hand, the traditional, dialogical form of deliberation, commonly prescribed for small-scale institutional forums (for example, see Ackerman and Fishkin, 2002). And on the other, more recent systemic forms which examine the quality and pervasiveness of deliberation across entire societies (Mansbridge, et al, 2012; Owen and Smith, 2015). I will sketch a case for why both forms of deliberation are ill-suited to my present endeavour, before elucidating a third, and more efficacious, comparative form.

We might start by drawing a distinction between deliberative democracy and democratic deliberation (Chambers, 2009: 324). The former refers to large-scale theories of deliberation within and across the public sphere, or civil society, and how this deliberation relates to and permeates the state. By contrast, the latter refers to small-scale theories of institutional design, primarily the construction of 'mini-publics' such as citizens' juries and deliberative opinion polls. Theories of democratic deliberation have generally been on the rise, while theories of deliberative democracy have become relatively scarce. One reason behind this is that institutional forums were constructed as a response to the problems of scale and complexity which bedevilled deliberative democrats. In modern societies composed of millions of individuals with widely differing cognitive capacities, values, and material interests, we cannot all gather together in the agora to deliberate over the business of the polis (Dryzek, 2001).

Deliberative democrats have therefore sought to design small-scale forums for deliberation which could more closely approximate deliberative ideals of unobstructed, inclusive, and reasoned communication. This harks back to Bessette's (1980) original description of the United States legislature as a deliberative body. (Unlike such traditionally representative institutions, however, deliberative democrats sought to deepen the legitimacy of the decisions of institutional mini-publics by promoting the participation of lay-citizens, rather than politicians.) The deliberations conducted within these forums would be dialogical in character, resembling the face-to-face deliberations of the small-scale polis. By propelling citizens into deliberation with one another, the expectation is that participants will be more likely to take the interests, concerns, and values of others into account when formulating their own positions. Such deliberative forums, if properly designed and instituted, will therefore lead to electoral or policy outcomes which are better informed and ethically superior.

While the focus on small-scale deliberative venues has proven instructive on the workings of such group deliberation, it is, however, less clear regarding the efficacy and political significance of these venues. That is, it is not obvious just what functions these deliberative mini-publics are supposed to serve in the wider realm of state and society, beyond acting as exemplars of group reasoning conducted under artificial conditions approximating to a given set of democratic ideals. Moreover, such mini-publics are removed from the pressures and pathologies of real politics: of inequalities in political power, eloquence, and wealth; of unreasoned discourse, exclusion, and flattery; and of power-seeking self-interests. Of course, proponents of mini-publics contend, that is their whole point - to approximate ideal standards, and

to be insulated from the structural disadvantages of the public sphere which make such an approximation less likely.

This has led to accusations of deliberative democrats' abandonment of the public sphere in favour of small-scale mini-publics (Chambers, 2009). While such forum-based approaches have been instrumental in the development of the empirical literature on deliberation, their efficacy for promoting widespread deliberation appears limited, and have come under repeated criticism for failing to even achieve their modest goals of reaching solutions to public problems which display the hallmarks of truly democratic deliberation (Shapiro, 1999; 2005b). Deliberative mini-publics will undoubtedly constitute important nodes of a more deliberative democratic polity. However, it is unlikely they will achieve this in isolation.

In contrast to this small-scale, institutional approach, a growing number of deliberative democratic theorists have endorsed what has been called the "systemic approach" to deliberative democracy (see Mansbridge, et al, 2012). (Although the two approaches are not mutually exclusive. Indeed, many proponents of the former have also become innovators of the latter.) Unlike the democratic deliberation of mini-publics, advocates of the systemic approach seek to evaluate the quality of deliberation in the polity as a whole. Jane Mansbridge and her co-authors describe it thus: "A system here means a set of distinguishable, differentiated, but to some degree independent parts, often with distributed functions and a division of labour, connected in such a way as to form a complex whole." Moreover, "a deliberative system is one that encompasses a talk-based approach to political conflict and problem solving - through arguing, demonstrating, expressing, and persuading. In a good deliberative system, persuasion that raises relevant considerations should

replace suppression, oppression, and thoughtless neglect" (Mansbridge, et al, 2012: 4-5).

A systemic approach to deliberative democracy, then, is one that examines deliberation across the public, political, and even private spheres. Deliberation is thus no longer confined to institutional forums, and admits a variety of forms of communication, including rhetoric, storytelling, and "everyday talk" (Young, 1996). Moreover, deliberation is much less orientated towards reaching a specific decision, as it is diffused across the polity, and is conceived of more as an ongoing, open-ended, process of opinion formation. The systemic approach also encompasses within its analysis the discourses of the public sphere, which provide a scaffolding for deliberation. This approach certainly seems more amenable to previous concerns regarding the attention given to the forces which shape politics in democratic societies. And yet, the systemic approach appears problematic in a number of ways in this regard.

Firstly, the kind of deliberation which Mansbridge, et al, advocate seems highly diffuse in character, as opposed to the extremely concentrated deliberations of the mini-publics. Indeed, it is sometimes difficult to see just what constitutes deliberation on this account, or how it can lead to a common decision. Secondly, this concern is heightened by the totalising effect of the systemic approach: it often seems that every communicative interaction within the polity is deliberative or contributes to deliberation. In other words, if practically everything counts as deliberation, then really nothing counts as deliberation. Thirdly, it is not clear that an approach which treats every discourse or communicative exchange in terms of its deliberative quality, or by the effects of its contribution to deliberation, is an appropriate method by which to analyse the different spheres of the democratic

polity. There may be areas of democratic politics where a lack of deliberative norms is entirely appropriate and justified. The systemic approach to deliberation thus moves closer in appearance to non-ideal theories of justice.[5]

Neither the systemic approach nor the institutional mini-publics approach to deliberative democracy appears satisfactory, then. Both tilt at opposite extremes of a spectrum: the latter is too modest, specific, and small-scale in it prescriptions; while the former is too broad, too totalising, and too diffuse. While not denying their usefulness as conceptual tools, it is clear that there is a middle-ground to be mapped out.

The approach to deliberative democracy which I will adopt in this thesis draws on both the lessons of deliberation within institutional mini-publics and the appreciation of public discourses found in the systemic approach. However, I do not focus on or tie the   thesis to either of these approaches. Instead, I adopt a general strategy of comparative evaluation. That is, I assume that circumstances in which there is more and better deliberation is normatively superior to one which there is less and worse deliberation.[6] The scope of this strategy is not, as I have already alluded, limited to institutional sites of deliberation, but neither does it seek to assimilate the democratic polity in its entirety to deliberative norms. This strategy was owes a great deal to the work of Amartya Sen on justice (Sen, 2006). Moreover, it is not entirely novel in deliberative circles; Simone Chambers (2009: 339) adopts a similar approach in her evaluation of the quality of deliberation within modern public spheres. While an ideal theory of deliberative democracy may be sufficient

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[5] For a similar but sustained critique of the systemic approach, see Owen and Smith, 2015: 218-228.

[6] Of course, what counts as "better" or "worse" deliberation will depend greatly upon the context in which it occurs, and I will not attempt to specify this independently or in advance of an appraisal of the contexts examined here.

for one to make comparisons between circumstances which approximate to the ideal to greater or lesser degrees, it is not necessary for one to do so. For example, we do not require a conception of a perfectly just society in order to judge a society with universal provision of healthcare as more just (at least along this single dimension) than one which lacks such provision. Similarly, we can recognise a society with conditions of greater public deliberation - for example, one with extensive freedoms of speech and association, an independent press - without recourse to some deliberative ideal. In other words, ideals are not necessary for comparative evaluations.

Having said something about the approach to deliberative democracy which this thesis adopts, I will now proceed to sketch out the contexts in which it is played out.

4. Plan of the thesis

Each chapter of this thesis demonstrates how various features of democratic politics which   realism directs us towards can be made compatible with deliberative democracy. I take seriously the realist exhortation that to engage in genuinely *political* thought, one must consider the forces which shape politics, and to interpret the standards and values internal to politics (Rossi and Sleat, 2014; Newey, 2001). I proceed by exploring a nexus of aspects of democratic politics, orbiting the practice of leadership in politics. They are a family of subjects which appear at the cross-roads of deliberative democratic theory and realism. Indeed, much recent theoretical work on political leadership has been done by theorists associated with the realist critique (Sabl, 2002; Philp, 2007). Moreover, many of leadership's accompanying

concerns, such as the roles of rhetoric and parties as forces which shape democratic politics, appear more directly related to deliberative democracy than to realism, which, despite realist claims to take politics seriously, has largely neglected first-order political theorising. These issues, which exist at the intersection of both areas, can provide a fertile common ground upon which theorists of political realism and deliberative democracy can meet and engage in common reflection. The thesis, then, has the following structure:

In chapter one I lay the groundwork for subsequent chapters by contextualising and elucidating the political realist and deliberative democratic turns in greater detail, and introduce two other realist models of democracy. These are the competitive elitist and agonistic models of democracy, advanced by the work of Joseph Schumpeter and Chantal Mouffe respectively. I argue that although these models have been more commonly linked with the realist critique of liberal political philosophy because of the emphasis which they place on the prevalence of power, interests, and conflict, there are persuasive reasons for rejecting them on both realist and independent grounds. I then turn my attention toward deliberative democracy, and argue that both the deliberative and realist perspectives on democratic politics stand in less tension to one another than is commonly assumed. I focus on three points of tension: rationalism, utopianism, and moralism.

In chapter two, I embark on a discussion of rhetoric. The prevailing neo-Kantian accounts of political argument within the literature on deliberative democracy are, I argue, unduly restrictive and suffer from several drawbacks. These include inducements to insincerity in public argument, excluding the moral character of the speaker from the dimensions of argument, and excluding appeals to the emotions in political argument, leading to motivational deficits and an inadequate

account of political deliberation. I proceed to offer an alternative account of political argument drawn from Aristotle's account of deliberative rhetoric, drawing on the justification offered by Yack (2006) that Aristotle is a political realist.

In chapter three, I moved to discuss the role of political leadership in the theory of deliberative democracy. Leadership appears to be in tension with democracy's norm of equality. I seek to resolve this tension in the first section by demonstrating how political leadership and deliberative democracy are compatible. I then addressed the topic of deliberative leadership, discussing its character and origins, arguing that deliberative leaders are to be trained within the civil associations of the democratic public sphere, with an especial emphasis on the role of political parties in fostering the necessary qualities for deliberative leadership.

I take up the subject of parties in chapter four, where I argue that parties, once disassociated from their negative, anti-deliberative cousins, political factions, are sources of greater deliberation in democratic politics. Indeed, parties perform several important roles for democratic politics, which I proceed to outline. I then discuss several mechanisms whereby deliberation internal to parties can be promoted, including the production of partisan manifestos and the structure of party conventions and conferences. I then move to discuss the role which partisan competition and conflict can play in structuring deliberation between partisans and for the wider public sphere.

In my final chapter, I turn to the possibilities for deliberation under conditions of political emergency. Following Lazar (2009), I argue that emergencies are continuous with the practices of everyday democratic politics, rather than constituted by a state of exception, By de-exceptionalising the state of emergency in

this way, we make it open to political deliberation. Nevertheless, emergencies still pose challenges to the possibilities for deliberation, and I will proceed to sketch four such challenges: necessity, complexity, secrecy, and urgency. In each case, I argue that deliberation can overcome or be made compatible with each feature of emergency outlined.

During the course of this project's gestation, fellow researchers often asked why any advocate of political realism should remain, perhaps stubbornly, attached to the concept of deliberative democracy. There are, of course, arguments to be presented in due course, but at its core, this thesis is occasioned by a conviction (nothing more or less) that many of the problems of modern politics exist, or become malignant, because of a lack of meaningful communication, whether between individual citizens, politicians, or nation-states. Such a conviction is neither naive nor utopian: it does, for example, not entail a belief that government by consensus is desirable, or even possible. It is, however, hopeful that democratic politics can, at its best, facilitate rather than obstruct such communication. To hope for the best whilst preparing for the worst is not to fall prey to unreality. (Indeed, to a balanced mind, it is perhaps the only way to maintain one's sanity.) And, for better or worse, this is where I begin.

Chapter 1

Realist Approaches to Democratic Politics

1. Introduction

In this chapter, my aim is to take some preliminary steps towards diffusing the apparent antipathy between political realism and the theory of deliberative democracy. If we are searching for a model of democratic politics which realists can endorse, then deliberative democracy may appear an odd choice when there are other models of democracy to be found from within the realist camp itself. In particular, two such models which recommend themselves are the agonistic theory of democratic politics, which is advanced by thinkers aligned with the realist movement such as Chantal Mouffe and Bonnie Honig, and the competitive elitist approach to democracy, which finds its intellectual roots in Max Weber and Joseph Schumpeter, and has recently been updated by Ian Shapiro, another ally of realism. Deliberative theorists, on the other hand, often take their lead from the liberal moralist approach to politics, which is the target of the realist critique. However, my objective here is to argue that there is a strong case for viewing political realism to be compatible with deliberative democracy, and for holding that deliberative democracy can address successfully features of democratic politics which political realism directs us towards. I explicate several of these features in subsequent chapters. For now, I want to address those contenders to deliberative democracy as a realist account of democratic politics, arguing that they offer inadequate views of democracy and insights which can be accommodated in a deliberative model.

The structure of this chapter, then, is as follows: I begin by explicating the character of political realism in greater detail. Realism seems to pose a challenge for the theory of deliberative democracy, as realism is critical of the moralist vision of politics which deliberative theorists often propound, and focuses instead on less edifying features of political life, such as the inescapable nature of conflicts over the proper exercise of political power under conditions of disagreement, and in whose interests that power is exercised. However, realism is not, importantly, a vision of politics which is hostile to either liberalism or democracy. Rather, realism serves to orientate us towards the existing realities of politics and how we might better understand and appreciate both the dangers and opportunities which are presented to us by politics.

I then go on to address the models of democratic politics which realism supports, beginning with agonism, the core thesis of which is represented by the political thought of Chantal Mouffe. I explicate the central features Mouffe's theory of agonistic democratic politics, and then draw attention to several problems within her theory. I then move to discuss a competing realist model of democratic politics, namely the competitive elitist account offered by Joseph Schumpeter and revitalised by Ian Shapiro. Again, I explicate central features of the competitive elitist position before illuminating several problems within it. The problems which the advocates of both agonism and competitive elitism encounter should encourage us to look for alternative democratic models which can better attend to the features of politics to which realism directs our attention.

In the final section, I explicate the core features of the theory of deliberative democracy. I offer some reasons for the apparent tensions between political realism and deliberative democracy, as well as some reasons for why these tensions are less

important than they may at first appear. By reaching an accommodation with theories of political deliberation, I suggest, the realist vision of democratic politics can avoid an unduly constrictive and pessimistic focus on certain elements of politics, such as conflicts of interests and values, over others, such as conciliation and persuasion.

2. Realism in political theory

Realism is a term which appears in many different disciplines, including literature, art, metaphysics, and moral philosophy. I am concerned here, however, with realism solely as mode of political thought. In my introductory chapter I noted some of the key features of the realist turn in contemporary political thought, principally its rejection of mainstream   moralist liberal theory. The time has now come to investigate political realism in more   detail. I want to contend that, although realism as a tradition of political thought finds its wellsprings in a multitude of historical thinkers and moments, it does contain a shared and distinctive normative thesis at its core.

Political realism is an umbrella term in political theory for a diverse range of thinkers, many of whom advance often contradictory views, and not all of whom would even self-identify as realists. As William Galston put it, realism is more like a community stew where everyone throws something into the pot, rather than a consolidated research programme (Galston, 2010: 386). Despite this diversity of voices, however, I wish to show now that realists share a set of commitments, both positive and negative, which mark out political realism as an intellectual movement in its own right. In doing so, I disagree with the suggestion that realism is best or

principally understood as a negative thesis, or as merely a corrective to the excesses of mainstream Anglo-American liberal political theory. This is because, as I shall explain further, realism proposes a different conception of the political to that suggested by moralist liberal theory, and seeks to place the grounds of political normativity on a separate footing from moralist liberal theory. Realism can thus be distinguished from non-ideal theory, which relies upon and is subordinate to ideal theories of moral concepts, such as justice, rights, and so on. For now, it is enough to simply establish that there is such a thing as realism, and to identify its salient features.

2.1. *The rejection of moralism.*

While I aim to reject the view that realism is solely a negative or critical position, it is undeniable, however, that contemporary political realism largely came about as a counter-movement to a certain style or mode of political theory which dominated the discipline (and, albeit in a reduced capacity, still does). Advocates of realism have identified this mode as the "moralist" or "applied ethics" form of political theorising. According to Raymond Geuss, this view "assumes that one can complete the work of ethics first, attaining an ideal theory of how we should act" (Geuss, 2008: 8). It is only once we have completed our ideal ethical reflections that we can set about applying our theory to the actions and institutions which exist in the real world. In contrast to this ideal mode of theorising, Geuss recommends that political theory "must start from and be concerned in the first instance not with how people ought ideally (or ought "rationally") to act . . . but, rather, with the way the social, economic, political, etc, institutions actually operate in some society at some given

time, and what really does move human beings to act in given circumstances" (ibid: 9).

In a similar vein, Bernard Williams, whose thought has exercised the greatest influence over the contemporary turn to realism, rejected two models of political theory,   both of which he characterised as "moralism". These are, as Williams termed them, the "enactment" and the "structural" models. The former propounds that "political theory formulates principles, concepts, ideals, and values; and politics (so far as it does what the theory wants) seeks to express these in political action, through persuasion, the use of   power, and so forth" (Williams, 2005: 1). The paradigm of such enactment theories is utilitarianism. The latter, by contrast, "lays down moral conditions of coexistence under power, conditions in which power can be justly exercised" (ibid). The paradigm here is Rawls's theory of justice. "In both cases" writes Williams, "political theory is something like applied morality"; that both models of political theory "represent the priority of the moral over the political" (ibid: 2). While the enactment model seeks to instrumentalise politics, viewing the political as the tool of the moral, the structural model seeks to constrain politics within certain bounds specified by moral principles of justice, individual rights, and so on. In contrast to these models, Williams proposes a form of political theory which addresses both the "'first' political question" of securing conditions of order and security, along with questions of political legitimacy, and that which is "platitudinously politics" (ibid: 13).

While the works of both Geuss and Williams inaugurated the turn to realism, the realist movement had been growing for decades prior to their publication, spurred in   part by the dissatisfaction of many theorists with the excessively abstract, ideal, non-empirical style of much Anglophone liberal political theory. The

earliest work which expresses such dissatisfaction with the state of political theory was probably John   Gunnell's 1986 book, *Between Philosophy and Politics*. This work was followed by other important texts, including Bonnie Honig's seminal 1993 book, *Political Theory and the Displacement of Politics*, John Schwartz's *The Permanence of the Political* (1995), and   Glen Newey's *After Politics* (2001), amongst others. Each of these texts, in their own way, decried the silence of political philosophy on matters which seemed politically significant, such as difference, recognition, and the recurrence of political conflict, and the absence of such concerns from the repertoire of liberal political theorists. This constituted, in Ian Shapiro's phrase, a flight from the reality of politics, in favour of arcane and increasingly technical debates, predominantly on and around conceptions of distributive justice (Shapiro, 2005). In parallel to these complaints, the contextualist movement in the history of political thought, led principally by Quentin Skinner and John Dunn, sought to reclaim the study of great political philosophers for history, decrying the a-historical   and often anachronistic way these thinkers were interpreted and appropriated for contemporary debates within political philosophy. It was principally by grasping the differences between ourselves and these historical figures, the contextualists argued, that we could apprehend the historically contingent nature of our own political settings, and understand the folly of seeking to formulate and apply eternal or universal principles (Skinner, 2002). The advent of contextualism was thus complementary to the realist backlash against the idealism of late twentieth century liberal political thought.

Taken together, the target of realist criticism turns out to be the colonisation of political thought by moral philosophy, which gives rise to a form of theorising about   politics which is curiously anti-political. This form of political theory sees

politics, at best with the case of utilitarianism, as a resource for its achieving its own predetermined moral ends, but more often simply as a problematic feature of human existence which is to be solved or suitably constrained. The symptoms of this anti-political approach are the excessive abstraction from much that is recognisable in politics, including its recurrent features such as power, conflict, and interests; and the a-historical character of much liberal political theory, which lacks accounts of both the historical specificity of modern politics and the rise of liberalism itself as the dominant tradition within our political milieu. Realism, then, thus seeks a more self-consciously political, historically attuned mode of political thought, one which does not subsume politics to morality.

2.2. *The Priority and Autonomy of Politics*

Having considered what political realism is opposed to, I now turn to consider what it favours. I begin with the importance of locating or discovering a distinctively political normativity, which does not entail reference or subordination to extra-political moral principles, as with Kantianism and utilitarianism.

Realists often speak of granting politics priority over morality, or at least of emphasising the autonomy of politics from morality at large. In practice, this does not merely mean the rejection of the "applied ethics" method of political theorising. It is an acknowledgement that what counts as an excellence in political life is unlikely to be an excellence in moral life. The good politician is not someone who may always act in accordance with moral obligations. At the extreme, politics may involve "dirtying one's hands", to invoke the familiar paradox: that is, allowing or participating in morally reprehensible (or, at least, questionable) actions for the sake

of political goods, such as national security or securing an advantage for one's citizens (Walzer, 1973).

Even morally permissible or desirable outcomes may require political virtues or judgements which are morally ambivalent, or for which moral principles cannot offer guidance. Bernard Williams's favoured example was of the case of an international humanitarian intervention (Williams, 2005: 148). Such actions, he suggests, cannot be governed by or modelled upon a moral principle of rescue. After all, rescuing a helpless child drowning in a lake or trapped in a burning building does not require a vast reorganisation of social relations, commitments to ongoing mediation between warring factions, and deploying coercive powers in ways which may betray their wielders' original intentions. As William Galston puts it, "the basic point and structure of politics creates a qualitatively different set of challenges to which individual morality offers an inadequate guide" (Galston, 2010: 392).

The father of this move to view politics as autonomous is clearly Machiavelli. However, a realist approach need not entail a complete divorce between politics and morality. As in any diverse movement, how this relationship is conceptualised depends largely upon which realist is consulted. The phrase "the priority of politics" may be misleading here, as there is no necessary realist commitment to theorise the demands of politics as causally or conceptually prior to morality. It is doubtful that morality will be eliminated from politics, and if it has then we should be inclined to think something has gone badly wrong.[7] As Williams himself admitted, "Political decisions can be made, in part, for reasons that involve moral considerations, and they regularly are so made, when legislation is introduced

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[7] It is worth bearing in mind, of course, that just as morality cannot be eliminated from political life, politics, pace Nietzsche, may play a large role in deciding the content of everyday moral life.

to control cruelty, abuse, and so forth" (Williams, 2005: 148). Realists thus need not insist on a strict and incommensurable value pluralism, though some, following Machiavelli and Isaiah Berlin, may indeed do so. The position which I think is most plausible here is that moral considerations are simply one source of political normativity, and that there is room for greater scope to be given to distinctively political concepts, such as legitimacy (see Rossi and Sleat, 2014). This means paying closer attention to issues of power, conflict, and interests, and how they structure the dynamics of political life. Put simply, it means taking politics seriously as its own realm of value, without reducing it to any other field of inquiry - whether that is ethics, economics, or law - although considerations from these other fields will of course bear upon political judgements.

By taking these concerns seriously, political realism begins to move beyond a mere critique of liberal moralism and towards offering its own distinctive vision of politics, centred on the inescapability of forms of power and conflict, as well as goods which are internal to the practice of politics. Besides a focus on political goods, however, realism also leads us to consider the dangers inherent in any political order.

2.3. *The Dangers of Politics*

As we will see in the discussion of pessimism, realism champions an approach which is more attuned to the negative side of politics than mainstream liberalism. On this reading, political philosophy should be focused less on fine-tuning positive values and principles   than on being mindful of the evils of injustice, cruelty, and suffering. This feature of   realism goes hand in hand with its scepticism of utopian

theorising. Contemporary liberal philosophy goes wrong, says the realist, when it models an account of political morality upon stable and settled foundations; in doing so, it forgets the fragility of political order and the constant spectre of political violence. This focus on the *summum malum* rather than the *summum bonum* is articulated most clearly in the work of the late Judith Shklar and her 'liberalism of fear' (Shklar, 1989: 21-38), which inspired later realists, including Bernard Williams (2005: 52-61). It is a conception of liberalism which has a strong awareness of historical injustices and on cruelties visited upon the powerless and dispossessed by those with power.

One has to be careful in charting the opponents of realism on this point. It is, of course, worth remembering that a traditional preoccupation of an older, constitutionalist form of liberal thought was precisely to limit and curtail the powers of the state open to abuse, principally through the medium of law. Liberal realists thus hark back to the constitutional thought of Montesquieu, Hume, and Madison. It also worth recalling the impetus behind John Rawls's theory of justice, from which contemporary liberal theory proceeds. Rawls's motivating concerns in formulating his theory of justice were, to a strikingly degree, similar to those of realists: the legacy of slavery and segregation in the United States, and the horrors of the Holocaust and the Second World War. It is hardly coincidental that the aim of the theory was thus to provide an alternative to utilitarian instrumentalism, or that the difference principle is concerned with maximising the welfare of the least advantaged and powerful members of society (Rawls, 2003). To this we can add the significant fact that, despite the well-rehearsed realist critique that Rawls ignores politics, Rawls did a great deal to inject political argument into analytic philosophy.

In light of these facts about the motivation behind Rawls's work, the response to Rawls and post-Rawlsian liberal theory by political realists remains, to my mind, underdeveloped. What is clear, however, is that a treatment and appreciation of political evils is by no means incompatible with a theoretical articulation of positive values, like justice and equality. Indeed, Shklar herself was an admirer of Rawls's work, and in his "Reply to Habermas" Rawls notes an affinity between Shklar's liberalism and his own (Rawls, 2005: 374; see also Forrester, 2012). Realism thus counsels against taking stability and security for granted, but this does not preclude the achievement of more positive goals. In a less dramatic sense, there is much room for political philosophy to engage with the various everyday 'bads' which politics presents us with - such as corruption, demagoguery, faction, and politically motivated violence - as well as moral vices and failures (Allen, 2001; Edyvane, 2013; Philp, 1997).

Despite these differences from mainstream liberal political philosophy, however, it is important to stress that there is no necessary tension between realism and liberalism, as deliberative democracy is a liberal theory of democracy because it relies of freedoms of expression and association. Almost all contemporary advocates of greater realism in political theory self-identify as liberals of one sort or another, however. For example, Bernard Williams, from whose work many realists take their bearings, wholeheartedly endorsed Judith Shklar's conception of "the liberalism of fear", and many other realist thinkers view their realism as compatible with liberalism (Finlayson, 2015; Sabl, 2011). The outlier here is Raymond Geuss, perhaps the realist thinker most sceptical of liberalism. Even Geuss, however, finds something to admire in the strain of liberalism "that is action-orientated but reflexively anti-utopian" (Geuss, 2005: 28).

Realism, then, is not *inherently* opposed to liberalism, although realists can certainly be ambivalent or sceptical towards liberalism. Rather, realism's quarrel is with the project of contemporary liberal political philosophy, and with what many realists perceive as the reality-warping or denying aspects of that project.[8] For example, and as we shall shortly see elucidated in Chantal Mouffe's thought, the tendency to view existing politics through a moral lens can both distort our perception of political reality and push us towards political extremes. Rather than seeing those with whom we disagree in politics as our opponents to be argued with and persuaded, a moralised view of politics suggests that we view them as essentially opposed to our moral projects, and thus as enemies to be destroyed. Similarly, this moral lens can blind us towards the forms of hegemony, normalisation, and coercion implicit in our own conceptions of political morality.

3. Agonistic democracy

The agonist approach to democratic politics represents a substantial attempt to theorise democratic politics along realist lines of concern, for agonism focuses on those aspects of politics about which realists have had most to say, such as the seeming permanence of political conflict and compulsion. Indeed, agonism may itself be classed a specifically democratic form of political realism. My objective here is not to engage in an overview and comprehensive critique of agonism, however, but to show that the agonist approach to democratic politics possesses

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[8] "Reality" is, of course, an contestable notion. Two observers may witness the same event and come to radically different conclusions about it. This is allied to the Kantian insight that the way we see the world is not independent from our own conceptual apparatus; that is, we cannot avoid seeing the world through our own peculiarly tinted lenses. Similarly, the way "reality" is experienced by most (perhaps all) human beings is itself a product of ideological structures and historically contingent institutions, and via a nexus of interrelated discourses.

several problems of its own. I engage with the work of one agonist in particular, that of Chantal Mouffe.[9] While agonism is complex and multifaceted political philosophy advanced by several thinkers who differ from each other in important respects, Mouffe's work nevertheless encompasses the central features of the agonist approach to democratic politics, as well as providing one of the earliest voices calling for a greater emphasis on politics and critiquing the preoccupation of political theory with moral philosophy (see Mouffe, 1993). (William Galston even goes so far as to call Mouffe a "leading arch-realist" (2010: 396) in his influential survey of the realist movement.) Mouffe's agonism thus encapsulates both the possibilities and challenges of the agonist approach to democratic politics for realist political thought. In this section I elaborate the main features of Mouffe's work as demonstrated in her writings from over several decades. I then outline several problems with the agonist model which should direct political realists to a consideration of alternative realist approaches to democratic politics.

In brief, Mouffe shares with other realists a scepticism of contemporary liberal philosophy. "What has been celebrated as a revival of political philosophy in the last decades" she writes, "is in fact a mere extension of moral philosophy; it is moral reasoning applied to the treatment of political institutions" (Mouffe, 1993: 147). For Mouffe, then, the entire discipline of contemporary political theory serves as a misnomer as it studiously avoids an engagement with what she calls "the political"; that is, "the dimension of antagonism" which she takes "to be constitutive of human societies" (Mouffe, 2005: 9). Her particular targets here are Kantian liberals who see moral philosophy and political philosophy as coextensive. The danger, for Mouffe, is that we have entered into an era where legitimate antagonism

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[9] For detailed critical engagement of agonism and Mouffe, see Knops (2007) and Fossen (2008).

is neglected by mainstream politicians and actively denied by liberal political theorists, focusing instead on the morality of rational consensus. She identifies the alienation experienced by many citizens of liberal democracies from the political process as a symptom of this neglect. Moreover, she suggests that conceiving of politics in moral terms can be potentially disastrous for democratic politics. She writes, "when opponents are defined not in political but in moral terms, they cannot be envisaged as an 'adversary' but only as an 'enemy'" (ibid: 76). When combined with mainstream political theory's denial of the emotional or affective dimension of politics, which Mouffe conceives as necessary for meaningful political participation, this creates fertile conditions for extremist movements and populist demagogues to harness to dynamics of politics.

Against this dark background, Mouffe advocates her theory of agonistic pluralism. That is, a model of democratic politics which seeks to tame the antagonism inherent to political life by transforming it into agonism, or adversarial competition. On this account, adversaries are "defined in a paradoxical way as 'friendly enemies', that is, persons who are friends because they share a common symbolic space but also enemies because they want to organise this common symbolic space in a different way" (Mouffe, 2000: 13). For Mouffe, politics both intersects with and is antithetical to "the political". Again, "by 'the political' I refer to the dimension of antagonism that is inherent in human relations", a dimension which "can take many forms and emerge in different types of social relations" (ibid: 101). By contrast, politics "indicates the ensemble of practices, discourses, and institutions which seek to establish a certain order and organise human coexistence in conditions that are always potentially conflictual because they are affected by the dimension of 'the political'" (ibid: 101). According to Mouffe, then, we are always sitting atop a

potentially explosive powder keg of political conflict. The task of democratic politics is to constantly domesticate these antagonistic forces, for "when the channels are not available through which conflicts could take an 'agonistic' form, those conflicts tend to emerge on the antagonistic mode" (Mouffe, 2005: 5).

From this reading, agonism, or at least Mouffe's brand of it, may appear highly appealing to the realist. Mouffe does, after all, presage much of the dissatisfaction of current realists with the dominant approaches to contemporary political thought. She attaches great significance to the place of conflict and antagonism in politics, the role of emotions, and is keenly aware of hegemonic power relations and the reality of political exclusion veiled in talk of rational consensus. Moreover, she advocates a positive theory which addresses these issues and has, in many respects, proven highly prescient of developments in real politics.[10]

Although there is much to admire in Mouffe's work, her agonistic pluralism falls prey to its own forms of unrealism. Take, for example, her recurrent focus on what she terms "the political", that is, the ever-present antagonistic dimension of human life. At various points she describes it as "constitutive of human societies", "ineradicable", "inherent to politics", and eventually elevates it to the status of the human condition itself. (Mouffe, 2005: 119, 130). And yet, Mouffe does very little to substantiate this series of claims. Precisely what is present in the psychological make-up of human beings that makes antagonism so pervasive, and its veracity as an empirical claim, goes largely unexamined; Mouffe simply takes it as axiomatic. To be sure, Mouffe is certainly correct in asserting that antagonism plays a recurrent role in politics, and in her diagnosis that liberal political theory has remained blind

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[10] For example, Mouffe predicts with startling accuracy the demise of "third way" political discourse and the rise of right-wing populist movements linked to the dissatisfaction of many citizens with current representative systems. See C. Mouffe (2005), esp. Chapter 5.

to this aspect of political life for far too long. However, her work is at its least convincing when she stresses the exhaustive and omnipresent role of antagonism in determining the conditions of political life. Politics, particularly of a democratic stamp, may be just as concerned with cooperation and conciliation than with adversarial contestation. Despite her own critique of essentialism regarding a necessary connection between liberalism and democracy, then, Mouffe repeatedly falls prey to her own form of essentialism about politics (Mouffe, 2000: 11).

Secondly, Mouffe's agonistic pluralism gives a privileged place to the emotions. Indeed, she believes that by moving between accounts of rational calculation on the one hand, and of moral deliberation on the other, democratic theory "is unable to acknowledge the role of 'passions' as one of the main moving forces in the field of politics and finds itself disarmed when faced with its diverse manifestations" (Mouffe, 2005: 24). Such passions, Mouffe suggests, tend to be located in particular collective identities. Far from being atavistic features of a more insular, pre-rational age, as liberals tend to think of them, such identities and the passions they produce are needed to maintain democracy as a way of life. "By privileging rationality" she writes "both the deliberative and the aggregative perspectives leave aside a central element which is the crucial role played by passions and affects in securing allegiance to democratic values" (Mouffe, 2000: 95). Moreover, "to mobilise passions towards democratic designs, democratic politics must have a partisan character." (ibid: 6). That is, politics must be gladiatorial to harness citizens' political passions and make them productive. In order to do this, democratic politics must be adversarial and offer citizens distinctive partisan identities. It is this which Mouffe sees as put under threat by the increasingly

interchangeable and managerial character of political parties, and by the preoccupation of liberal democratic theorists with models of rational consensus.

This focus on the centrality of the emotions and the return of partisanship to the analysis of democratic politics is certainly welcome from a realist perspective. However, what is less welcome is the absence of any recognition of the negative consequences of passionate engagement in politics. Given Mouffe's intellectual debts to Carl Schmitt, this absence is all the more noticeable. Mouffe, of course, repudiates Schmitt's infamous celebration of antagonism in politics, and her agonistic pluralism is a response to her clear worries over Schmitt's forceful challenge to the viability of liberal democracy (see Mouffe, 1999). Agonistic contestation is supposed to act as a release-valve for the emotional antagonism which Mouffe detects in human social life. But it could equally cause democratic politics to 'overheat', in the sense of contributing to the sorts of political breakdown which Mouffe clearly wishes to avoid. Anger and fear, after all, are notoriously unstable emotions, and often a reaffirming of collective identities is precisely the last thing which situations of political conflict call for (Dryzek, 2005). Rather than taming antagonism, then, a politics which prizes passions and collective identities (at least, in an unqualified sense) could easily become unduly conflict-ridden and dysfunctional.

Thirdly, while Mouffe's attempts to return the focus of democratic theory to an adversarial mode of politics informed by and harnessing political emotions are certainly warranted, this comes at the expense of privileging certain forms of contestation over others. For example, Mouffe frequently derides aggregative theories of democracy which conceive of citizens purely as bearers of material interests. When citizens "are treated as consumers in the political marketplace" then "there is nothing surprising about the low level of participation in the democratic

process found in many Western societies today" (Mouffe, 1993: 120). Such approaches are politically immobilising because "in order to act politically people need to be able to identify with a collective identity which provides an idea of themselves they can valorise" (Mouffe, 2005: 25).

There is undoubtedly some truth to Mouffe's criticisms here: democratic theories which conceive of citizens as pure economic agents do indeed come with a motivational deficit. However, Mouffe overlooks the fact that citizens, aside from being many other things, are also bearers of *interests*, economic or otherwise. This is a far from unintelligible   way of conceiving political contestation, and is arguably a necessity for any plausible political analysis. Hence, while Mouffe lauds the idea of a more integrated Europe as a necessary counterweight to the power of transnational capitalism, she also decries the European states' competition to advance their own interests. "If, instead of competing   among themselves in order to establish the more attractive deals for transnational corporations, the different European states would agree on common policies, another type   of globalisation could be possible." (Mouffe, 2000: 127). Rather than an aberration which promotes political apathy, this looks, ironically, like the sort of adversarial politics which Mouffe praises,   albeit conducted at the international level. That is, a politics of adversaries who view each other as legitimate competitors, not as mortal enemies to be destroyed. We can imagine a similar scenario at the sub-national level. Of course, to envisage political conflict only in terms of material interests would be descriptively inadequate and normatively sterile. However, to leave out interests altogether, both as a dimension of and reason for political contestation, is a clear departure from realism.

Fourthly, it is far from clear that Mouffe's challenge to the prevailing modes of   liberal political philosophy is successful, and Mouffe's theory of agonistic

pluralism may ultimately be much closer to it than she recognises. To address the first point: as we have seen, Mouffe deploys several uncharitable descriptions of what she terms "liberal rationalism", which is broadly Kantian in inspiration. She repeatedly castigates the two contemporary exemplars of this tradition, John Rawls and Jürgen Habermas, for multiple failures, including the idea of rational consensus. Such a consensus "can lead to violence being unrecognised and hidden behind appeals to 'rationality' as is often the case in liberal thinking which disguises the necessary frontiers and forms of exclusion behind pretences   of 'neutrality'" (ibid: 22). In other words, liberal theorists are guilty of the strategic deployment of reason because they fail to recognise the innately antagonistic character of political life. Moreover, one of this tradition's "main shortcomings is precisely that it tends to erase the very place of the adversary, thereby expelling any opposition from the democratic public sphere" (ibid: 14).

Once again, Mouffe's criticisms in this area carry some truth. In particular, Habermas's theory of communicative discourse has been roundly criticised, notably from difference democrats such as Iris Marion Young, for its privileging of certain a type of   speech, and thus a certain group of speakers, above others (Young, 1996). Mouffe's critique of Rawls, however, is puzzling given the latter's prolonged engagement with the fact of democratic pluralism. Indeed, it is this issue which motivates much of Rawls's later work (Rawls, 2005). Given Rawls's preoccupation with how societies characterised by differences in moral and religious outlooks could remain stable while adhering to liberal-democratic values, we   might reasonably expect Mouffe to substantiate her complaints. But such a substantiation never arrives. Now, Mouffe might object that Rawls fails to provide a schematic for how different groups may carry on adversarial democratic politics within his theoretical

framework. But neither, we ought to remind ourselves, does Mouffe's agonism. It is unclear, then, why agonistic pluralism should hold any advantage. Moreover, this characterisation of liberal political theory may not be a straw man argument, but it is certainly one which obscures as much as it illuminates (Parkin, 2011).

To address the second point: while she criticises liberal political theory, Mouffe herself is not opposed to liberalism. On the contrary, she thinks it is an urgent task for political theory to "disassociate" liberal ideals such as individual freedom and personal autonomy "from other discourses to which they have been articulated and to rescue political liberalism from its association with economic liberalism" (Mouffe, 1993: 7). Elsewhere, she approvingly reminds us that "liberal-democratic institutions should not be taken for granted: it is always necessary to fortify and defend them" (Mouffe, 2000: 4). Mouffe defines liberalism as "a philosophical discourse with many variants, united not by a common essence but by a multiplicity of what Wittgenstein called 'family resemblances'" (Mouffe, 2005: 10).

The allusion to Wittgenstein is revealing here. Mouffe again enlists his help in criticising rationalist modes of political philosophy which attempt to formulate governing principles from some *a priori* standpoint, making use of Wittgenstein's conception of practices and language-games. She cites with approval his point that "the forms of life in which we find ourselves are themselves held together by a network of precontractual agreements, without which there would be no possibility of mutual understanding or therefore, of disagreement" (Mouffe, 2000: 64). From this insight, she asserts that "liberal democratic principles can only be defended as being constitutive of our forms of life, and we should not try to ground our commitment to them on something supposedly safer", such as the Rawlsian "original

position" or the Habermasian "ideal speech situation", both of which aspire to universal validity (ibid: 66).

This means, however, that while Mouffe criticises liberal political theorists such as Rawls for relying on an idealised form of consensus, her agonistic pluralism relies on similar agreements over democratic values and "forms of life". Mouffe herself recognises this, commenting that she sees her agonistic pluralism "as inspired by a Wittgensteinian mode of theorising and as attempting to develop what I take to be one of his fundamental insights: grasping what it means to follow a rule" (ibid: 71). This rule-following is mirrored by agonistic pluralism's own form of exclusion, when she says that "a democratic society cannot treat those who put its basic institutions into question as legitimate adversaries" (Mouffe, 2005: 120). Mouffe's attempts to place her agonistic pluralism on her own form of consensus, and concomitant drawing of her own parameters of inclusion/exclusion, are not, of course, inherently objectionable. We are, however, a long way from her strident critique of mainstream political philosophy. Indeed, when combined with Mouffe's own fidelity to liberalism and democracy, agonistic pluralism appears as simply one form of liberal pluralism, resting on less securely explicated foundations.

In sum, the agonistic pluralism endorsed by Mouffe runs up against serious challenges in accomplishing its goals. To remind ourselves, agonistic pluralism (i) falls prey to its own form of essentialism, taking antagonism to be the essence of political life; (ii) elevates the emotions without any consideration of their destructive potential; (iii) theorises adversarial conflict in a limited and incomplete manner; (iv) encounters problems in its challenge to mainstream political philosophy; and (v) has difficulty extricating itself from the liberal moralist paradigm. I now turn to an alternative realist model of democratic politics, to see if it fares any better.

4. Competitive elitism

I have surveyed the agonistic model of democracy, exemplified by the work of Chantal Mouffe. I now turn to the elitist model of democracy. This conception of democracy may be styled as a marketplace, in which political elites, in the form of politicians and parties, take the place of firms competing with one another in an economy, and citizens take the place of consumers with votes instead of monetary resources. This conception has gone under a variety of names and inspired a variety of distinct models.[11] For simplicity, I refer here to the conception through its principal exponent, the economist Joseph Schumpeter.[12] I will first sketch the outlines of Schumpeter's theory of democracy, then proceed to assess the elitist model from a realist perspective.

Schumpeter's theory of democracy appears in his 1943 book *Capitalism, Socialism andDemocracy,* most of which is given over to a polemical critique of Marxism (Schumpeter, 1967). In the portion of the book occupied with democratic theory, Schumpeter makes it clear that his main target is what he terms the "classical doctrine" of democracy, which postulates the existence of a common good that democracy must track. Schumpeter argued robustly   against such a conception of democracy, claiming there is "no such thing as a uniquely determined common good that all people could agree on or be made to agree on by the force of rational argument" (ibid: 154). Under the modern conditions of social pluralism, argued

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[11] For example, Downs (1957), which takes Schumpeter's insights to heart; and much of the later literature on social choice theory, such as Riker (1982). Two of the most recent appropriations of Schumpeter are I. Shapiro (2003) Green (2010). Shapiro and Green respectively employ Schumpeter in the service of non-domination and plebiscitarian democratic alternatives.
[12] Although Schumpeter is credited with elaborating the economic model, the idea of modelling democratic politics on economic activity was first proposed by the economist Harold Hotelling (1929).

Schumpeter, any attempt to uncover some common good for the whole of society was fundamentally misconceived. Even under a principle of majority rule, "the will of the majority is the will of the majority and not the will of 'the people'. The latter is a mosaic that the former completely fails to 'represent'" (ibid: 177).

Moreover, "even if a sufficiently definite common good" such as a principle of utility maximisation "proved acceptable to all, this would not imply equally definite answers to individual issues" (ibid: 155). The application of universal maxims to particular circumstances would lead to disagreement even amongst experts about how best to achieve the desired outcome. "Health might be desired by all, yet people would still disagree on vaccination and vasectomy" (ibid). Furthermore, Schumpeter argued that the classical theory of democracy ascribed to citizens, in both their individual and collective forms, "an independence and a rational quality that are altogether unrealistic" (ibid: 157). In his view, the average citizen has "a reduced sense of reality", and therefore "a reduced sense of responsibility" and an "absence of effective volition" owing to the remoteness of momentous national political issues from ordinary people's life experience. The private citizen "is a member of an unworkable committee, the committee of the whole nation, and this why he expends less disciplined effort on mastering a political problem than he expends on a game of bridge" (ibid: 165).

Against the classical doctrine, Schumpeter argued for his own democratic theory which he suggested was "much truer to life" than the illusions propounded by classical theorists (ibid: 173). On his model of democracy, the people were assigned a much more passive role in governing; their role was "to produce a government, or else an intermediate body which in turn will produce a national executive". Schumpeter defined democracy as "that institutional arrangement for arriving at

political decisions in which individuals acquire   the power to decide by means of a competitive struggle for the people's vote" (ibid: 173-174). In other words, democracy is the method by which the people select their rulers, who are better equipped, in terms of both intellect and propensity, to decide on political matters than ordinary citizens. The analogue is that of a market for votes: politicians are akin to entrepreneurs who have an incentive to be responsive to the demands of the electorate. Indeed, according to Schumpeter, if we wish to think about democracy, the competitive struggle provides a distinct theoretical advantage; while economic activity arises from people's basic demands for food, clothing, shelter, and so on, an economist wishing to   study modern commercial activity would do better to examine the struggle for profits and market shares. Similarly, while human beings have basic problems of social organisation, political theorists wishing to understand modern democracy would do better to examine   the struggle for votes. "The social function is fulfilled, as it were, incidentally." (ibid: 187)

What, then, does Schumpeter's elitist theory of democracy have to recommend it from a realist perspective? It is a theory which consciously eschews a moralised conception of democratic politics, repudiating the abstract and unreal character of much democratic theory. It offers a theory of incentives for the disciplining of political power, making politicians responsive to voters' interests, with constraints in that the people can evict governments which prove unresponsive. As such, Schumpeter's thought stands in the tradition of Madison and Weber. Why, then, might we have reason to be sceptical of elitist democracy?

Firstly, the modelling of democratic politics on market competition does provide some benefits, such as a renewed focus on power, self-interest and institutional design.   However, it risks obscuring as much as it illuminates.

Schumpeter's democratic theory   never claims to offer a conception of "the political", as with Mouffe's, but it does attribute   an instrumentalist conception of rationality to all political actors. While such a conception may be at home in the economy, in the realm of democratic politics it accounts for only a fraction of political activity. In short, while politics may resemble the economy in some features, political motivations cannot be assimilated to economic ones. Emotions and normative principles which might motivate citizens to engage in and with politics are relegated by Schumpeter to the private sphere, and treated only as exogenous preferences.

This is evidenced most clearly in Schumpeter's dismissive treatment of political parties. While Edmund Burke defined a party as a group of men united to promote the   public welfare on some principle on which they agree, Schumpeter dismisses this as a tempting but dangerous rationalisation. All parties will "at any given time, provide themselves with a stock of principles" which "may be as characteristic of the party that adopts them and as important for its success as the brands of goods a department store   sells are characteristic of it and important for its success" (ibid: 188). Just we do not define a department store in terms of the particular brands it sells, we cannot, says Schumpeter, define a party in terms of its principles. A political party, then, is merely "a group whose members propose to act in concert in the competitive struggle for political power" (ibid).   Parties are thus conceived in instrumental terms as power-seeking factions. We might plausibly arrive at such a definition if we view parties solely from the perspective of their outward effects. But this, of course, neglects the principles which animate parties and motivate their members. Parties, unlike factions, do not seek power for its own

sake, and their members are motivated by conceptions of justice and the good society at least as much as by securing their own material interests.

Second, Schumpeter spends much time puncturing what he sees as the myth of the rational economic actor. Contrary to what the economists suggest, people's "wants are nothing like as definite and their actions upon those wants nothing like as rational and prompt" as their theories make out. Instead, "they are so amenable to the influence of advertising and other methods of persuasion that producers often seem to dictate to them instead of being directed by them" (ibid: 161). That is, consumers are so heavily susceptible to business-driven suggestions, their desires nothing more "than an indeterminate bundle of vague impressions playing about given slogans", that their demand for goods is often extremely inchoate and susceptible to persuasion (ibid: 157). Enterprising producers, on the other hand, do not wait for demand to come to them; they seek it out and, with the aid of modern advertising, create demand which would not otherwise exist, manipulating consumers' desires and expectations.

Given Schumpeter's assessment of the competencies of the average economic actor and the behaviour of the typical capitalist firm, it is, then, unclear why he thinks citizens and political parties would behave any differently in the political marketplace for votes.[13] Entrepreneurial politicians are surely just as likely to manipulate the wishes of citizens with the aid of sophisticated political advertising and partisan media than to be responsive to citizens' given policy preferences. Indeed, it appears as if Schumpeter anticipates this when he writes

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[13] This analogy must be distinguished from the notion of citizens literally buying and selling votes to one another. Although this idea never enters Schumpeter's theory, it is not altogether clear that Schumpeter would be opposed to it; economic consumers, after all, have vastly unequal wealth and resources at their disposal. For discussion, see Brennan (2011).

"Newspaper readers, radio audiences, members of a party even if not physically gathered together are terribly easy to work up into a psychological crowd and into a state of frenzy", where any attempt at argument "only spurs the animal spirits" (Schumpeter, 1967: 161). However, Schumpeter's theory pays scant attention to the dangers of mass democracy and demagogic manipulation. His remarks on the role of political leadership perhaps shed some light on why he does not dwell on this. According to Schumpeter, group volitions "do not as a rule assert themselves directly. Even if strong and definite they remain latent, often for decades, until they are called to life by some political leader who turns them into political factors" (ibid: 175). In other words, while citizen's preferences are essentially passive, they can be activated by skilled political leaders. The people's preferences will thus always remain their own, relying on leaders to translate them into political action. While this conception of the catalytic interaction between politicians and citizens is perhaps more subtle than it appeared at first, we may nevertheless think it somewhat naïve. The desires and expectations of the public do not so much resemble an already written text which politicians merely read and respond to, as a text which is constantly in the process of being rewritten, at least in part, by political leaders and parties. And, in pluralistic societies, it will often say divergent and conflicting things.

Thirdly, we encounter further problems when we follow Schumpeter's economic analogy to its logical consequences. One well-rehearsed objection to conceiving of democratic politics as a market is that, when viewed in these terms, it is a highly anti-competitive market. In many Western democracies, electoral systems are dominated by a small number of large parties, with other small parties capturing relatively few seats in legislatures and low percentages of the national vote. Large

parties tend to maintain prohibitive entry costs, such as expensive electioneering strategies and campaign advertisements, as well as excluding smaller parties from national debates. This is a long way from the micro-economic ideal of perfectly competitive markets, more closely resembling oligopolistic competition. In such imperfectly competitive markets, therefore, the sense in which parties prove responsive to citizens' policy preferences is deeply compromised.

However, contemporary advocates of Schumpeter's theory of democracy have defended it against such accusations. Ian Shapiro, for example, has suggested that "the difficulty lies not with the Schumpeterian analogy but rather with the failure to press it sufficiently far" (Shapiro, 2003: 62). In a competitive economy, after all, firms attempt to outmanoeuvre each other, increasing their market shares and, if they can, become monopolies, just as parties seek to increase their percentages of the national vote. But firms do not regulate themselves, and it is a mistake, says Shapiro, to think that parties will succeed where capitalist firms have fallen short. This propensity of a competitive system to undermine itself is, writes Shapiro, "one of the reasons that markets stand in need of regulation by institutional players who are independent of the firms that operate in them" (ibid: 62). Just as governmental institutions provide regulatory oversight of markets and enforce anti-trust legislation to prevent oligopolies from forming, so too must political competition be regulated by independent bodies which stand outside this competitive struggle. For Shapiro, an independent judiciary serves such a regulatory purpose (ibid: 64).

However, Shapiro's conception of judiciaries as independent regulatory bodies, arbitrating competition between political parties, suffers from at least two failures of realism. In practice, the idea of supreme courts as independent from the competitive struggles of parties must be heavily qualified. In many constitutional

democracies with established processes of judicial review, such as the United States, judges serve lifetime appointments precisely to insulate them from threats and bribery. Once appointed, they have no professional disincentive to ruling impartially. But how are they appointed? Absent a system for electing judges (which runs counter to Shapiro's proposed role for judges as standing outside the competitive struggle for power), politicians often appoint judges whom they believe will provide rulings favourable to their party. There are, of course, examples of politicians being disappointed and frustrated by the rulings of their judicial appointments.[14] However, given the heavily partisan nature of many judiciaries, it appears excessively optimistic to characterise them as truly independent of competitive politics.

Related to this failure, we may say that by investing such regulatory power in judiciaries as sites of political decision-making, Shapiro moves himself (and thus his defence of Schumpeter's theory of democracy) away from realism and towards views associated with arch-moralists John Rawls and Ronald Dworkin. Imbuing courts with authority to regulate competitive struggles for power does not simply transfer decision-making beyond the political sphere to legal, extra-political bodies. On the contrary, the likely outcome will be an increased politicisation of judiciaries. When governmental institutions tasked with regulating the economy fail to perform their function, they are subject to public controversy, along with concomitant scrutiny and reorganisation by politicians. When judiciaries fail to perform their function of regulating the political marketplace, who is responsible for their oversight and

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[14] See, for example, Theodore Roosevelt's famous description of his first judicial appointee, Oliver Wendell Holmes: "I could carve out of a banana a judge with more backbone than that." Ironically, the comment relates to Holmes's ruling against the largest American anti-trust case of the time, United States v. Northern Securities. See T.S. Purdum (2005) "Presidents, Picking Judges, Can Have Backfires", in *The New York Times*, www.nytimes.com/2005/07/05/politics/politicsspecial1/05history.html?oref=login&_r=0 [last accessed 28th Feb. 2015].

reorganisation? In other words, who regulates the regulators? Politics, we may say, has simply been displaced from one sphere into another.

Fourthly, supposing that we follow Shapiro's suggestion for the application of economic anti-trust legislation to the realm of political parties, to prevent parties from forming oligopolies and thus undermining electoral competition. Presumably, besides lowering barriers to entry into the political marketplace, there would be an injunction to prevent parties from growing too large and crowding out its competitors. But how large is too large? The answer, it seems, will depend on demonstrable evidence that one party's competitors are being excluded from the political marketplace. But this appears highly   arbitrary. The burden would be placed on regulatory bodies applying political anti-trust legislation to essentially prove a counterfactual claim: namely, that if a certain party were not so large, did not spend x amount on advertising, leafleting, and so on, then citizens   would vote for some alternatives.[15] If we take citizens' policy preferences as given, as Schumpeter advises, then this seems an unlikely possibility.

Leaving aside the question of how regulatory bodies would meet this justificatory burden, we may still wonder along what lines political parties would be broken up. Two possibilities present themselves: either according to some fraction of the oligopolistic party's total share of the national vote, or according to the ideological composition of the oligopolistic party. Both present coherency problems. To take the latter first, it is worth noting that on a strict reading of Schumpeter's

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[15] This attempts to sidestep the question of according to what criteria party "size" would be measured or defined, for example: the number of registered party members; the number of active party members; the size of financial contributions; the number and plurality of financial contributors; the number of seats held in the national legislature; the percentage of the vote at the previous election; the level of public support according to the latest polling data; and the ability to field candidates in every electoral constituency.

theory this possibility would be rejected, because, as I noted earlier, Schumpeter denies that parties possess any core principles integral to their identity. Assuming, however, that partisans have normative convictions beyond their own self-interest, what would be the likely consequences of breaking up parties according to their ideological wings?

I think it is plausible to claim that many large national parties are unofficial coalitions of aligned ideologies and interests (for example, libertarians and conservatives, socialists and environmentalists, and so on) which are not necessarily united but share elective affinities. If large parties housing each of these ideologies were dissolved, with smaller, ideologically 'pure' parties taking their place, then citizens would have a much clearer set of policy options to choose from at elections. However, unless the electoral system had a very low minimum requirement for the number legislative seats held for parties to form governments, then national governments would likely be coalitions formed between various small parties. During coalition negotiations, each party would likely be forced to compromise some of its preferred policies in exchange for inclusion in the government. (Bellamy, 2012). This, of course, takes us back to where we started from: instead of one large party governing as an unofficial coalition, there is an official coalition of small parties. Unless Shapiro (and Schumpeter) wish to propose a ban on coalition government, this application of anti-trust policy looks nonsensical.

Instead of breaking up oligopolistic parties according to their ideological bases, then, regulators of the political marketplace might do better to simply dissolve them according to a given fraction of the party's total share of the national vote. Instead of one large party with fifty percent of the vote, we will have five smaller parties, with each nominally holding ten percent of the vote. In this case, it seems

likely that each of these smaller parties would promote largely identical policies to the predecessor party, because they know that those policies had previously captured a large number of citizens' votes.   Each small party would essentially be a smaller version of the dissolved party, trying to return to their previous position of the share of the national vote. Not only would citizens likely be unable to distinguish between these successor parties, but any benefit of the continuous enforcement of anti-trust legislation seems largely ephemeral. Political parties grow and are dissolved, but continue to offer citizens the same bundles of policies throughout this cycle.

In sum, the elitist model of democracy, or at least that version proposed by Schumpeter and his followers, has serious deficiencies, and not only from a realist perspective. Schumpeter's theory (i) fails to account for any motivations other than self-interest; (ii) pays insufficient attention to the dangers of demagogic leadership, and potentially encourages it; (iii) offers an unsatisfactory account of the regulation of electoral competition; and (iv) does not, in its contemporary variant, provide coherent remedies for limiting exclusionary tendencies in democratic electoral politics. I now turn to the final the deliberative theory of democracy.

5. Deliberative democracy

In the cases of the previous realist theories of democracy which I have surveyed in this chapter, rather than attempting to canvas and engage with the whole sweep of these   respective theories, for ease of presentation I instead focused on those theorists (Chantal Mouffe and Schumpeter and Shapiro, respectively) whom I took to be exemplary representatives of each tradition. In the case of the deliberative theory of democracy, however, I cannot follow this path. This is because, in my

judgement, no one thinker provides an adequate representation of the many and competing trends within the deliberative democratic literature. To be sure, the deliberative model has its exemplary theorists; Jürgen Habermas and, in perhaps a lesser vein, John Rawls stand as obvious choices. However, the plurality and evolution of the many threads within deliberative democracy would mean that to focus on any single theorist would leave a substantial remainder. My plan for this section, then, is to briefly survey several statements in the recent literature and provide a snapshot of the current state of the theory. (Inevitably, this will also involve being quire selective in my coverage, although less so than if I were to focus on any one deliberative theorist.) Then, I proceed to outline some reasons for the apparent tension between deliberative democracy and political realism. I then suggest that this tension may not be as important as it appears, and that deliberative democracy can meet the challenge of political realism successfully. I conclude by indicating the specific challenges of realism which will be addressed in subsequent chapters, and the general deliberative democratic perspective from which these challenges will be addressed.

It is almost two decades now since James Bohman proclaimed that deliberative democracy had "come of age" (Bohman, 1998). In the subsequent period, the theory of deliberative democracy has undergone substantial changes. In its origins, deliberative democracy defined itself in opposition to elitist and rational choice theories of democracy, which emphasised voting, interest aggregation, and negotiation. Deliberative democracy, on the other hand, emphasised rational communication amongst citizens when arriving at decisions which ought to be acceptable to all. In the words of John Dryzek, deliberative democracy "represents a renewed concern with the authenticity of democracy: the degree to which democratic

control is substantive rather than symbolic, and engaged by competent citizens" (Dryzek, 2000: 1). Accordingly, deliberation "as a social process is distinct from other kinds of communication in that deliberators are amenable to changing their judgements, preferences, and views during the course of their interactions, which involve persuasion rather than coercion, manipulation, or deception" (ibid).

The early phases of deliberative democratic scholarship focused on small-scale institutional forums which could best approximate the ideal conditions of public reason   and communicative rationality advocated in the major philosophical statements on deliberation. However, in recent years deliberative theorists have since turned their   attentions back to the public sphere, in the hopes of fostering more deliberative forms of political speech in mass democratic settings. The key theorists here are Jane Mansbridge, John Parkinson, and John Dryzek, all of whom now advocate a "systemic" approach to deliberative theory, viewing general communicative interactions within the polity in   terms of their capacity to foster deliberation (Mansbridge et al, 2012; Dryzek, 2010).

Now, I noted at the beginning of this chapter that the theory of deliberative democracy and political realism can appear to be in tension with one another. Where agonism and competitive elitism seem to emerge in a very natural fashion from political realism, deliberative democracy seems both alien and hostile to the concerns of realism,   and vice versa. But why is this the case? The most straightforward answer is probably that realist political thinkers have placed strong emphasis on those aspects of politics which deliberative theorists have tended to minimise or have traditionally failed to address in careful detail, such as those surrounding the exercise of political power, the ubiquitous nature of political conflict, and the public assertion of material interests. By itself, however, the fact that both sides focus on

different areas of democratic politics does not tell us a great deal about why they may be in tension. (Indeed, it might just as well indicate that they complement one another.) The source of this apparent tension can instead be traced to the fact that much deliberative democratic theory appears to belong to that form of political philosophy which political realism has set itself against. As we saw in section two of this chapter, the realist movement emerged principally as a critique of political philosophy adopting an "ethics first" approach to political theorising. Realism departs in significant ways from the mannerisms of this approach. The points of tension between deliberative democracy and realism may thus be captured under three separate headings: rationalism, utopianism, and moralism. I now address each in turn, suggesting reasons why these tensions may not be as significant as they first appear. My treatment of these points will be brief, however, as they will be elaborated in greater detail in later chapters.

5.1. *Rationalism*

Theories of deliberative democracy have often been portrayed as unduly rationalist in character. For example, we saw earlier in this chapter that one of Chantal Mouffe's criticism of liberal theories of democracy was that they depressed citizen participation by ignoring the "affective element" of democratic politics. Similar criticisms have been levelled by feminist critics against much liberal political theory and by difference theorists against deliberative democracy in particular, such as Martha Nussbaum (2000) and Iris Marion Young (2000). The criticism here is that much contemporary political theory reproduces, often by omission, the early-modern division between reason and the passions while rendering the latter subordinate to

the former. This philosophical division has, its realist critics contend, contributed to the political subordination of social groups who are less willing or capable of participating forms of rationalised discourse, as well as leading to democratic theories which lack the ability to motivate citizens to participate in politics.

As we shall see in chapter two, where I embark on a discussion of deliberative rhetoric, these criticisms have much purchase when applied to liberal political theorists in general. However, it is less clear that they have so much significance when levelled at theories of deliberative democracy. Deliberative theorists are not the intellectual offspring of liberal moralism alone, but can call on a variety of theoretical sources and traditions. Indeed, and as we shall see, historical advocates of political deliberation considered the passions to be of great importance, and contemporary advocates of deliberative democracy have freely drawn from figures such as Aristotle (O'Neill, 2002; Yack, 2006), Cicero (Garsten, 2006) and Hume (Krause, 2008). Moreover, as I discuss in the following chapter, where this tension persists, it can be lessened by appeal to alternative forms of political speech.

5.2. *Utopianism*

Realist theorists of politics often take their moralist opponents to task for utopianism (Geuss, 2010; Honig and Stears, 2011) and for succumbing to an excessive idealism about politics. In other words, liberal moralists often begin their theoretical reflections by constructing ideal models of political society and then set about applying these models to real politics. This inevitably, the realists charge, leads to a perspective divorced from the contingent realities of modern political practice. Now, this point of tension does appear to apply to much of the literature in deliberative

democratic theory, which proceeds from idealised accounts of deliberation and political arguments. Deliberative theorists then engineer institutions modelled after their ideals, but which only obtain on a small scale. These forum-based attempts at deliberation have been roundly criticised by political realists (Shapiro, 1999, 2005) for their inefficacy at meeting the demands of real politics.

Moreover, they give rise to the view that, far from offering a *better* form of politics, deliberative democracy simply displaces politics to other areas when deciding on issues like who participates in deliberative forums and which issues are discussed. In a similar vein, political realists may criticise the unrealistic picture many deliberative democrats have of political participation. That is, in assuming conditions of political stability, material affluence, and the widespread possession of the sorts of civic virtues which allow for greater levels of participation, deliberative democrats offer a picture of political conditions which rarely, if ever, obtain in practice. As such, deliberative democracy may appear to be an ideal theory which has little or no purchase under conditions which are far from ideal (Honig, 2009; Stears, 2010).

As we shall see in chapters three and five, where I embark on discussions about political leadership and emergency conditions, respectively, deliberative democracy need not be viewed in this utopian light. Indeed, many deliberative democrats have begun formulating theories about deliberation in less than ideal contexts (Fung, 2005; Stears, 2010), while the literature on deliberative democracy has increasingly focused on the possibilities for political deliberation at the large-scale in modern, mass democratic settings (Parkinson, 2006; Dryzek, 2010). Indeed, the recent systemic turn in deliberative theory has been concerned with theorising deliberation across entire societies and in non-ideal circumstances. Similarly, while it

may also be charged that deliberative democracy lacks any account of political agency, moves have also been made in this direction (Stears, 2010). Indeed, on these scores realism and deliberative democracy are closer than they been for some time. I contribute to this burgeoning project in chapters three and four.

5.3. *Moralism*

This point of tension between political realists and deliberative theorists cuts to the core of the apparent antipathy between the two camps. Namely, it is a difference over where theorists should trace the sources of political normativity. For many realists, political philosophy ought to receive its normative dimension by interrogating the standards internal to politics as an activity, which include the requirements for stability and legitimacy (Williams, 2005). For deliberative democrats, however, the typical move has been to understand deliberative theory as more or less continuous with mainstream political philosophy, which adopts the "ethics-first" approach by appealing to an extra-political morality for normative guidance, and in many cases find inspiration from liberal theorists working firmly within this moralist tradition (for example, Cohen, 1989).

In their current form, this is probably the most divisive fault line between the two literatures. Much deliberative democratic theory does proceed from moralist accounts of pre-political rights of freedom of speech and association, drawn principally from this literature. However, there are many exceptions to this. As mentioned above, deliberative democrats are not only the offspring of liberal moralists, and call upon many different traditions on which to base their normative arguments for deliberation, such as critical theory (Dryzek, 2000; Rostball, 2008)

and civic republicanism, which do not obey the   clear. Moreover, there is no requirement that one must subscribe to a liberal moralist position to appreciate the importance of political deliberation. We need not, in other words, look outside politics for a normative argument for deliberation.

5.4. *The deliberative response*

Finally, let me explicate briefly how the contents of the subsequent chapters relate to the challenge which realism poses for deliberative democracy. I have already indicated at   several points how they connect with my overall argument that realism and deliberative democracy are compatible. Realism directs us towards a concern for the overly rationalist character of much deliberative theory, and how the norms of speech propagated by the theory can prove restrictive for political communication and oppressive of certain groups. This directs us towards the practice of rhetoric, as discussed in chapter two. Furthermore, realism leads us to be concerned by the utopian character of deliberative theory and its lack of an account of political agency. I attempt to remedy this in chapter three with my discussion of leadership. The agonist and competitive elitist models of democratic politics covered in this chapter highlighted the importance for realists of democratic competition and contestation, and this can often seem to be lacking in accounts of deliberative democracy. Chapter four seeks to show how conflict and deliberation are not mutually exclusive by discussing the roles for deliberation in political parties and partisanship. And a concern that deliberative democracy is impotent in less than ideal circumstances animates chapter five, in which I discuss the spaces for political deliberation in emergency conditions.

This last subject allows me to offer a reminder of the general perspective on politics and deliberative democracy which underlies my argument. I noted above that a concern for deliberation in mass democratic settings has lead some theorists to endorse a systemic approach in evaluating the quality and magnitude of deliberation spread across societies. This is not the approach I shall take. The systemic approach, I think, adopts too much of a totalising tendency, which means that every aspect of democratic politics is evaluated in terms of its contribution to deliberation. This overly instrumental approach is important when it comes to my discussion of political leadership. Instead, I adopt a general strategy of comparative evaluation. That is, I assume that circumstances in which there is more and better deliberation is normatively superior to one which there is less and worse deliberation.[16] The scope of this strategy is not, as I have already explained, limited to institutional sites of deliberation, but neither does it seek to assimilate the democratic polity in its entirety to deliberative norms.

As I intimated in my introduction, this strategy was owes a great deal to the work of Amartya Sen on justice (Sen, 2006). While an ideal theory of deliberative democracy may be sufficient for one to make comparisons between circumstances which approximate to the ideal to greater or lesser degrees, it is not necessary for one to do so. For example, we can judge that a society with universal provision of healthcare is more just (at least along this one dimension) than a society without such provision, without a conception of a perfectly just society. Similarly, we can recognise a society with conditions of greater public deliberation - for example, one with extensive constitutional freedoms of speech and association - without recourse

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[16] Of course, what counts as "better" or "worse" deliberation will depend greatly upon the context in which it occurs, and I will not attempt to specify this independently or in advance of an appraisal of the contexts examined here.

to some deliberative ideal. It also owes something to Bonnie Honig's thoughts on the paradox of politics: the chicken and egg problem of how we are to achieve ideal institutions in the absence of ideal citizens (Honig, 2007; 2009). The response which I suggest here is that we can think in terms of better and worse states of affairs, or the extent and quality of deliberation, without recourse to an ideal. The advantage of conceiving of deliberative reforms to politics in this way is that it allows for incremental change, rather than wholesale revolution. If we follow Max Weber's dictum, that politics "means slow, strong drilling through hard boards, with a combination of passion and a sense of judgement" (Weber, 1994: 369), then this may be the most appropriate way to proceed.

6. Conclusion

In this chapter, I have attempted to make preliminary steps in arguing that the theory of deliberative democracy is compatible with political realism. While the agonist and competitive elitist approaches to democracy initially seem more promising as realist models of democratic politics, I have attempted to show that they have their own internal problems, and that this points us towards alternative models of democracy. I began by elucidating the key features of political realism, including its turn away from ideal theory and focus on the autonomy and dangers of politics. I then outlined the agonist position of Chantal Mouffe and the competitive elitism of Joseph Scumpeter and Ian Shapiro, noting problems with each approach. I then moved to discuss the apparent tension between the theory of deliberative democracy and realism, highlighting three points of tension. This tension, I suggested, is not as significant as it may appear initially. Deliberative democracy, I contend, can

accommodate the challenges which realism sets forth. I address these challenges in the following chapters.

Chapter 2

Deliberative Rhetoric

1. Introduction

The realist approach to political theory urges us to take note of the existing practices of democratic politics, which take place in circumstances of deep disagreement. Citizens in democracies disagree over moral values and the common good, and how these can better realised in legislation and public policy. This has also long been apparent to theorists of deliberative democracy. However, deliberative theorists have tended to overlook and trivialise the means by which political persuasion - and thus deliberation, understood as a process of opinion and will formation - actually occurs in democratic societies. Instead,   they turn towards idealised models of communication and to institutional forums which insulate citizens from the wider discourses of the democratic public sphere. In contrast, political persuasion in democracies largely proceeds by means of political rhetoric. The pursuit of greater realism thus leads us to consider the compatibility of deliberative democracy and political rhetoric.

Rhetoric has received relatively little attention in contemporary political theory. This is, however, gradually starting to change. Recent years have seen a renewal of interest in rhetoric among political theorists, with a proliferation of books and articles on the topic (Young, 1996, 2000; Abizadeh, 2001, 2007; O'Neill, 2002; Fontana, Nederman, and Remer, 2004; Garsten, 2006, 2011; Yack, 2006; Chambers, 2009; and Dryzek, 2010). This renewed focus in rhetoric is partly due to its recovery

as a tradition in the history of political thought (Skinner, 1996; Garsten, 2006), but due also to increasing dissatisfaction with dominant accounts of political argument found within theories of deliberative democracy. Indeed, rhetoric has often been presented as an alternative or corrective to traditional accounts of democratic deliberation (see Young, 1996; Shiffman, 2004; Bentley, 2004) which appear utopian or excessively rationalist. Rhetoric may therefore be viewed as a challenge to deliberative democracy from a realist approach to democratic politics; a challenge which I contest in this chapter. My goal here is to offer an account of deliberative rhetoric, demonstrating the compatibility of deliberative democracy with rhetorical forms of political argument.

The structure of this chapter is as follows: I begin by elucidating the prevailing accounts of political argument within the literature on deliberative democracy. These accounts are, as I will show, heavily influenced by Rawls's idea of public reason and Habermas's ideal public discourse, both of which draw from an anti-rhetorical vision of deliberation found in Plato and Kant. I argue that these modes of political argument are inadequate on at least three fronts: they provide inducements to insincerity to citizens engaging in political deliberation; they are ill-suited for judging the highly technical arguments made by experts and political actors in modern democratic societies, which are characterised by complexity and deep divisions of intellectual labour; and they exclude appeals to emotions in political argument, thus suffering a motivational deficit and a misunderstanding of the nature of deliberation itself. I move to a discussion of the realist account of deliberative rhetoric offered by Aristotle, showing that it can respond to the objections levelled at the Kantian accounts of deliberation found in Rawls and

Habermas. I demonstrate the mutual compatibility of rhetoric, deliberation, and realism, as well as the benefits for realists of an integrated research agenda.

Before embarking on this discussion, however, I ought to stipulate a working definition of rhetoric. The term is used in many different ways, and in many different contexts. In everyday speech, for instance, the term is often used to indicate a form of shallow or deceptive language, devoid of real meaning or content. At other times, it may be deployed positively to refer to the eloquence of a speaker. I resist here the temptation of some postmodern theorists to class all speech as rhetorical; that is, as a mask for prevailing structures of power. As John O'Neill points out, "If one took seriously what they are saying in their theories, one could not take seriously their acts of saying them" (O'Neill, 2002: 225). Instead I follow Aristotle in defining rhetoric as "an ability, in each particular case, to see the available means of persuasion", or simply as speech which aims at persuasion (Aristotle, 1991: 36). As such, rhetoric can be contrasted with other forms of speech, including dialectic (which aims at truth) and discussion (which is simply the exchange of information).

2. Kantian forms of argument

In this section I explicate two political theories which have both inherited the Kantian ideal of the free public use of reason, and have exercised great influence on theories of deliberative democracy; namely Rawls's idea of public reason and Habermas's ideal of communicative action. The prescribed forms of political argument which appear in both Rawls's and Habermas's theories exemplify the suspicion of rhetoric which dominates contemporary liberal theory. And although Rawls's and Habermas's thought differs in significant and important ways, they both

display certain features which might be   described as anti-rhetorical, rationalist, or neo-Kantian. For Bryan Garsten, for example, Rawls and Habermas are the successors to an anti-rhetorical tradition of political thought which finds its early-modern expression in Hobbes, and is transmitted into late modernity   via the social contract theories of Rousseau and Kant (Garsten, 2006). John O'Neill goes further in tracing the roots of the Kantian suspicion of rhetoric to Plato (O'Neill, 2002).   Both authors argue for an Aristotelian (and in Garsten's case Ciceronian) alternative to this anti-rhetorical tradition. While I both endorse the anti-Kantian arguments of O'Neill and Garsten and share their general strategy, I cleave closer to the interpretation of Aristotle   offered by Yack (2006), which draws parallels between Aristotle's political thought and contemporary realism. I will elucidate this at a later stage.

2.1. Rawls's idea of public reason

On Rawls's account, political argument proceeds by means of public reason. He writes, "Public reason is characteristic of a democratic people: it is the reason of its citizens, of those sharing the status of equal citizenship" (Rawls, 2005: 213). Democratic societies, thinks Rawls, are characterised by pluralism of values, religions, private associations, and comprehensive worldviews about the greatest good for ourselves and for humanity in   general. Rawls describes these as the "background culture" of a democratic civil society, which includes such associations as churches and universities, scientific societies and professional groups (ibid: 220). Against this background culture stands the "public political culture", which is the domain of public reason. Given this pluralism of views on the highest goods for society (or, as Rawls refers to them, comprehensive doctrines) the problem of

democratic societies is how to achieve a political society which could be described as legitimate and just. As members of a democratic society, citizens must exercise coercive power over one another in the form of legislation but not do so arbitrarily, as would be the case if the advocates of one comprehensive doctrine simply imposed it on those other members of society who did not share it. Moreover, for Rawls, democratic societies are more than simply a modus vivendi, or a power-sharing arrangement which allows the parties to a conflict a break from hostilities (ibid: 218). How, then, may citizens from such diverse backgrounds wield coercive power over one another in ways which they could recognise as legitimate? The idea of public reason is Rawls's answer to this question.

What is the idea of public reason? Rather than simply argue with one another from within our comprehensive worldviews, Rawls argues that when citizens engage in political argument they should justify their decisions according to reasons which those subject to them could reasonably accept. As he puts it, the point of the ideal of public reason is that citizens "conduct their fundamental discussions within the framework of what each regards as a political conception of justice based on values that the others can reasonably be expected to endorse and each is, in good faith, prepared to defend that conception so understood" (ibid: 226). In other words, we do not simply argue from our sectional interests or worldviews (religious or secular) when we could not reasonably expect our interlocutors to accept the reasons we present to them. For example, in debates on the legality of controversial issues such as abortion or same-sex marriage, those presenting arguments to the public could not simply appeal to the authority of a religious text or their own personal religious convictions, because these are reasons which they cannot reasonably expect others to accept. Rather, they must appeal to arguments located within society's

public political culture, such as a constitution, which citizens as equals can reasonably be expected to endorse. This form of argument is underscored by a "duty of civility" which involves "a willingness to listen to others and a fairmindedness in deciding when accommodations to their views should reasonably be made" (ibid: 217).

This is not to suggest, however, that comprehensive doctrines play no role in political argument for Rawls. It is to be expected, after all, that people's deepest moral convictions and worldviews will have some bearing on the arguments which they advance in public. To illustrate this, Rawls draws a distinction between two views of public reason, the "exclusive" and the "inclusive" views. On the former account, the reasons provided in the public forum must always be in terms of a political conception, and reasons derived from comprehensive doctrines must never intrude into political argument. The public reasons supported by these doctrines may be provided, but never the doctrines themselves. On the latter view, citizens may be allowed "in certain situations, to present what they regard as the basis of the political values rooted in their comprehensive doctrines", with the proviso that they justify their decisions in due course with sufficient public reasons (ibid: 247). Rawls himself admits that he inclined initially to the "exclusive" view, but was persuaded of the importance of the less restrictive view given the examples of abolitionist and desegregationist movements whose arguments were rooted in appeals to religious values. Rawls thus advocates the "inclusive" view because of its greater flexibility and long-term prospects for securing legitimacy.

According to Rawls, public reason qualifies as public in at least three ways: firstly, it is the reason of citizens, and therefore it is reason as a property of the public; second, the subject of public reason "is the good of the public and matters of

fundamental justice"; and third, "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" (ibid: 213). That is, public reason is both located within the political domain and is therefore open to public view. Moreover, it is important to note here that Rawls contrasts public reason strongly with rhetoric, which he identifies as unreasoned. He writes, "all ways of reasoning . . . must acknowledge some common elements: the concept of judgement, principles of inference, and rules of evidence, and much else, otherwise they would not be ways of reasoning but perhaps rhetoric or means of persuasion". Public reason, he asserts, is "concerned with reason, not simply with discourse" (ibid: 220).

The criterion of public reason applies to citizens engaged in political advocacy as well as candidates for public office, members of political parties and associations (ibid: 215). It   applies also to legislators, chief executives, and government officials. Those to whom it applies with the greatest force, according to Rawls, are judges. As I have already noted, Rawls views the U.S. supreme court as an exemplar of public reason (ibid: 216). Indeed, he goes to great lengths to argue not only that the supreme court as a body is well-suited to public reason, but that public reason is well-suited to the supreme court. The publicly reasoned deliberations of the judges provide the model upon which Rawls suggests citizens should base their own deliberations. "To check whether we are following public reason" he suggests, "we might ask: how would our argument strike us presented in the form of a supreme court opinion?" (ibid: 254). The significance attached by Rawls to this judicial   form of reasoning as a model for public argument is highly suggestive, and I return to it later.

The influence which Rawls's idea of public reason has exercised on theories of deliberative democracy is enormous. Rawls himself claims the idea of public reason as one of "three essential elements in deliberative democracy" (ibid: 448). (The other two being the knowledge and desire of citizens to conduct themselves in accordance with the criterion of public reason, and the presence of democratic institutions which specify the proper setting of deliberative legislative bodies.) In brief, Rawls's influence can be most clearly seen in Joshua Cohen's formulation of democratic legitimacy, as well as Amy Gutmann and Dennis Thompson's criterion of deliberative reciprocity.

2.2. Habermas's ideal public discourse

Jürgen Habermas stands alongside Rawls as a political philosopher who has exercised a profound influence on the terms of debate within deliberative democratic theory. Unlike Rawls, however, Habermas approaches the subject not from the liberal but the radical democratic tradition, finding his intellectual roots in the Frankfurt School of critical social theory. While Rawls provides an account of political deliberation which derives its legitimacy from a democratic political culture, Habermas bases his model of deliberative argument on the norms implicit in the structure of language itself. Despite these great differences in approach, however, Habermas arrives at a destination very similar to that of Rawls, endorsing a rationalist and unduly restrictive conception of deliberative argument which reproduces the Kantian anti-rhetorical vision of politics. Thus, he properly stands alongside Rawls as a contemporary opponent of rhetoric.

Habermas's account of the form of political argument appropriate to deliberative democracy rests on his division between instrumental and strategic forms of rationality on the one hand, and communicative rationality and forms of action on the other. The former two are 'success-orientated' forms of rationality which aim at successful technical interventions in the physical world and at influencing others for the achievement of some end, respectively. Communicative speech, in contrast, aims at mutual understanding or agreement between two interlocutors regarding some aspect of the world. On this account, rhetoric is easily identified with modes of strategic rather than communicative action, as it seeks to move an audience rather than to arrive at mutual understanding (see Abizadeh, 2007). Moreover, for Habermas modernity is the product of an ongoing process of rationalisation and social differentiation. The modern democratic public sphere, which   once proliferated forms of communicative action, has been steadily colonised by the instrumental-strategic rationalities of the market on the one side and the bureaucratic apparatus of the state on the other. The challenge, for Habermas, is how to preserve communicative forms of discourse which can exercise some controlling influence over the state in modern democratic societies. Thus, rhetorical forms of speech, which include appeals to extra-rational aspects of human life, such as desire and affection, are therefore excluded from ideal deliberative politics.

3. Problems with the Kantian approach

Having sketched the most relevant and influential features of the Kantian forms of political argument, exemplified by Rawls's idea of public reason and Habermas's ideal communicative discourse, I now move to elucidate some criticisms of this form

of   political argument, which, I believe, make it unsuitable to expand the horizons of   deliberation in mass democratic settings. The criticisms are threefold: that Kantian forms   of public argument invite citizens and public officials to be dishonest or inauthentic in   their deliberations; that they deny the significance of testimony and are thus untenable in modern democratic societies; and that they overlook the proper role played by the   emotions in deliberation.

Before I turn to each of these critiques, however, I wish to be clear about one critique from the rhetorical perspective which I am not making and do not endorse. That   is, the strong rhetorical criticism which argues that all speech is necessarily rhetorical, including Habermas's ideal discourse and arguments from Rawls's public reason. One version of this criticism is advanced by Iris Marion Young, when she contends that Habermas simply favours one form of rhetorical speech over others, and that this form turns out to favour the norms of speech practised by the dominant social group: well-educated men used to analytical debate (Dryzek, 2000: Ch.3). As I have already indicated in my definition of rhetoric, I reject this strong rhetorical criticism. For one thing, it may be rebutted on the grounds that it demonstrates a performative contradiction; namely, if all speech is an exercise in rhetorical strategy, then the criticism should be afforded no higher status than the norms which it criticises. For another, accepting that all speech is rhetorical, and by implication strategic, is to concede too much to the critics of rhetoric who, as we   shall see, argue that rhetoric is unreasoned sophistry. It is important, therefore, to   distinguish rhetoric from merely strategic speech.

Similarly, this strong rhetorical critique may provoke the suspicion that Rawls proposes a form of rhetoric with his idea of public reason. After all, it might be said that not offering others reasons which they could not accept and instead

presenting them with reasons they could accept or not reasonably reject, is simply good rhetorical practice. If we wish to persuade others, then it is surely necessary to offer them reasons acceptable to them? This is, of course, perfectly correct. However, as we have seen, Rawls himself draws a contrast between public reason and rhetoric, or "means of persuasion". In making arguments from public reason, we do not, according to Rawls, merely seek to persuade others, but to offer specific kinds of reasons in the hope of generating persuasion. I am agnostic, therefore, as to whether Rawls advances public reason as a form of rhetoric (although he would certainly deny this position) or as non-rhetorical form of persuasion. If the former, it is a form of rhetoric constrained by a quite demanding set of moral injunctions. The *telos* of public reason, moreover, is not simply persuasion, but to offer acceptable reasons to others and thus conform with the criterion of political legitimacy. In this way, arguments made from public reason are distinguished from general rhetoric.

Having thus considered these preliminary concerns, I now turn to the more substantive critiques of the Kantian form of political argument inherited by Rawls and Habermas.

3.1. Insincerity in political argument

Firstly, the Kantian forms of argument, particularly the idea of public reason adopted by Rawls, introduce a form of dishonesty or insincerity into public political arguments. Put simply, they require citizens to offer reasons to one another by which they are not motivated and of which they are not convinced. In demanding we refrain from offering arguments located from within our comprehensive doctrines or sectional interests, and instead offer reasons which we believe others could accept,

public reason invites us to mask our true beliefs and convictions from others in the hope of persuading them to adopt some policy, the merits of which we believe to be quite different from those which we advance in public. In this way, it asks us to argue insincerely with our   fellow citizens. Consider, for example, the case of an anti-abortion activist whose comprehensive doctrine informs her view that every foetus has a right to life equal to that of a fully developed human being. In adhering to public reason, she could not present these religious convictions to others as a form of political argument, but could instead only advance arguments which others who did not share her convictions may accept, such as biological arguments of the arbitrariness in drawing any line in the development of the foetus between conception and birth. In this way, public reason invites her to be insincere in presenting her true beliefs to others (Schwartzman, 2011).

Now, this is not to deny that we may also have reasons for endorsing arguments advanced from public reason, but those reasons will spring from our own comprehensive doctrines. Furthermore, if we endorse the policy on publicly reasoned grounds, it is likely that this will be a product of our comprehensive doctrines, which produce bias in selection arguments. This charge applies equally to both the "inclusive" and "exclusive" views of public reason, as the latter holds that, while we may introduce non-public reasons found in our comprehensive doctrines, these must be supported in due course with adequate public reasons. For instance, the American abolitionist and desegregationist movements, which provide Rawls's favoured examples of "inclusive" public reason, did not appeal to Christian reasons alone, but also supplied arguments which appealed to the American constitution and declaration of independence. Arguments, that is, which all American citizens could reasonably be expected to endorse.

This line of criticism can take at least three forms. Firstly, by translating the convictions found within their comprehensive doctrines into the language of public reason, citizens' views are distorted and misrepresented. In other words, while the arguments presented in public are rooted in citizens' comprehensive doctrines, they fail to adequately represent either the citizen's positions or the depth of conviction with which they are held. The arguments presented in public do not capture what she really   thinks and why (Wolgast, 1994). Secondly, when one is constructing a public political conception of justice which others could reasonably be expected to endorse, one will nevertheless structure this to reflect one's deepest commitments held within our comprehensive doctrines. This may be done on an unconscious level. However, our comprehensive doctrines will inevitably influence and colour our public political   arguments, pushing us towards certain arguments rather than others (Schwartzman, 2011: 376). Thirdly, if we are unable to translate our comprehensive worldviews into any public political argument, we may simply advance arguments which we believe others will find acceptable even if we do not (Wolgast, 1994; Murphy, 1998). Thus, public reason induces us to misrepresent ourselves and to mislead others about our deepest commitments. In sum, then, we might say that the demands of public reason threaten the integrity of citizens. Far from creating a more open and civil atmosphere, public reason leads to insincerity and misrepresentation.

Advocates of public reason as a mode of political argument anticipate this objection, however. Typically, they attempt to bypass this difficulty by incorporating a   norm of sincerity into their accounts. Rawls, for instance, stipulates that citizens must be willing to defend their public political arguments "in good faith" (Rawls, 2005: 226). On the "inclusive" view of public reason, citizens are permitted to introduce arguments grounded from within their comprehensive doctrines if they

supply public reasons which they   sincerely believe. Moreover, deliberative democrats heavily influenced by Kantian forms of argument, such as Joshua Cohen, have followed theorists of public reason in stipulating norms of sincerity within their theories.

These attempts fail, I think, on at least three counts. Firstly, they are overly ambiguous in their specifications. Even if citizens sincerely endorse the political arguments which they advance in public, the degree to which they must be convinced   and motivated by those arguments is not clear. It also not clear if public reasons they sincerely endorse are the only reasons which they are allowed to contribute to public argument and deliberation. If so, this limits the arguments which may feed into public deliberation severely. Secondly, these stipulations for sincerity norms stand in need of   justification. They are typically included as addenda to theories of public reason proper, and therefore appear quite arbitrary. Moreover, it is not clear why, from the point of   view of public reason, sincerity is important. All that matters on the public reason   account is that citizens are supplied with adequate public reasons for any policy or   decision. The theory itself says nothing about why these reasons must be sincerely endorsed by the speaker. Thirdly, taken as a whole, the theory of public reason appears overly prescriptive and demanding. It is excessive, we may think, for citizens to take public reason's criteria into account before making any public political utterance. This appears to be a recipe for declining political engagement, rather than robust public discussion. Similarly, the stipulations for sincerity may themselves be too demanding on epistemic or psychological grounds. It is incredibly difficult, we may think, to have the certainty of our own beliefs in order to be truly sincere. Our beliefs may rest on partial or implausible premises which, on reflection, we may not be sure of (Markovits, 2006).

Taken together, we can therefore say that public reason accounts of political argument propagated by the Kantian model threaten the integrity of citizens and the authenticity of public deliberation. In driving a wedge between citizen's beliefs and convictions, and those which can be advocated in public, public reason arguments thus induce dishonesty and are characterised by strategic speech. Attempts to mitigate this failure by introducing norms of sincerity into their accounts of political argument are unsatisfactory for reasons shown above.

3.2. Failures of judgement

The second criticism which may be levelled at the Kantian form of political argument is that it propounds an outmoded picture of reason and epistemic authority, influenced by Kant's idea of enlightenment. For Kant, to be autonomous was to be guided by reason. "For reason has no dictatorial authority; its verdict is always simply the agreement of free citizens, of whom each must be permitted to express, without let or hindrance, his objections or even his veto." Enlightenment, according to Kant, is "man's emergence from his self-incurred immaturity. Immaturity is the inability to use one's own understanding without the guidance of another" (Kant, 1991: 54-55). In other words, in order to exercise our reason, and thus our capacity for freedom, we should have the courage to think for ourselves and not rely upon the judgements of others. This does not mean, however, that we judge matters in isolation. The power of judgement is not simply an application of universal maxims, but is necessarily social because we compare our judgements with others to secure conditions of objectivity and avoid bias. In fulfilling our capacities as autonomous agents, then, we necessarily seek independent - rather than isolated - judgement.

This model of enlightenment judgement is, I think, reproduced within modern accounts of public political argument, and reoccurs with particular force in Habermas's dictum that within an ideal discourse "no force except that of the better argument is exercised" (Habermas, 1975: 108). Freedom, for Habermas, is found in the exercise of reason unblemished by the presence of power or coercion. Similarly, for Rawls we must look to the public reasons which we are offered rather than any other considerations, such as a speaker's character. Attacks on a speaker's character, according to Rawls, amount to no less than "an intellectual declaration of war" which undermines the certain "good faith" which we must carry with us into the political realm (Rawls, 1989: 233-255).

The problem with this picture of reasoned judgement is that it is no longer a plausible method (if, indeed, it ever was) of evaluating public political arguments and of arriving at our own considered judgements. We live in mass democratic societies characterised by social and economic complexity and radical divisions of intellectual labour. In our world, public arguments are often framed in terms of complex issues which citizens often lack the epistemic resources, such as advanced technical education and training, to apprehend and evaluate. Consider, for example, an outbreak of the Ebola virus in West Africa which threatens to spread to neighbouring countries, causing fears of a global pandemic. Citizens may be worried about the possibility of the spread of the disease to their country and their risk of infection, and will in all probability receive contradictory reports and medical advice on what precautions, if any, they should take. How would an advocate of the Kantian model of enlightenment respond to citizens worries here? The exhortation to have the courage to exercise one's faculty for independent judgement, to not rely on the testimony of experts, and to reach our own understanding, will in these

circumstances seem highly inadequate. The inevitable response by citizens here is: "This isn't a matter of intellectual courage. I lack the technical training to use my own understanding in this case. It's simply outside the scope of my knowledge and competence" (O'Neill, 2002: 257-260).

Therefore, in circumstances such as the above, pace Habermas, citizens lack the necessary intellectual apparatus to recognise which argument is superior, even if all the details are presented to them. Without extensive training, citizens are extremely unlikely to be able to offer credible evaluations of policy arguments, such as the benefits of Greece exiting or remaining within the European Union, or the drawbacks of a new technology which promises to reduce the Western nations' consumption of global oil   reserves, to take just two prominent examples. In the Ebola case, concerned citizens would lack the requisite knowledge of the disease, the rate of infection, population movements, and so on, to be able to assess and critique the advice of experts, much less make any credible judgement on their own. The account provided by the Kantian model of reasoned discourse as exemplified by the exchange of arguments offers an excessively intellectualised and incomplete picture of deliberation. Rather than simply listening to more arguments, citizens will be better placed to ask whether they can trust   those who offer them. I return to this point in the following sections.

3.3. Reason v. the emotions

The final criticism of the Kantian form of argument which I will elucidate here concerns the reproduction of the dichotomy between reason and the emotions. On the Kantian account, recall, autonomy is ensured when we are guided by reason

and only reason. Appeals to the emotions are concerned with pleasure and pain, and lack any cognitive dimension. Therefore, when we are motivated by the emotions, rather than reason, we surrender our autonomy. Rhetoric has been traditionally associated with manipulation of the emotions, and thus as opposed to reason and freedom. In the Western philosophical tradition which flows through Kant to contemporary theorists of deliberative democracy, then, rhetoric and the emotions have long been associated with coercion and unreason. For instance, recall Rawls's drawing of the distinction between reason on the one hand and rhetoric or unreasoned discourse on the other. This dichotomy is also articulated with clarity in Habermas's account of the ideal speech situation, where the only force which moves us is the better argument. Habermas reworks the traditional dichotomy between reason and emotion in the forms of communicative and strategic or instrumental action (Abizadeh, 2007; Krause, 2008).

Moreover, even theorists of deliberative democracy interested in expanding their accounts of deliberation democratic to incorporate rhetoric similarly reproduce this familiar dichotomy. For example, Gutmann and Thompson appreciated the role of Senator Carol Moseley Braun's dramatic rhetoric on the floor of the Senate in 1993, as this served to draw attention towards an amendment which would renew the patent on the insignia of the Confederate flag (Gutmann and Thompson, 1996: 135-137). They describe this as a "non-deliberative" means to a deliberative end, rhetoric acceptable for its instrumental role in provoking politicians who would otherwise have paid no attention to the issue. While Braun's rhetoric acted to facilitate deliberation, it was not a part of the deliberation itself. Similarly, in his account of the role of rhetoric within a deliberative system, John Dryzek remarks that "there may be occasions when categorically ugly rhetoric produces good systemic results"

(Dryzek, 2010: 333). Dryzek cites the example of the populist Australian politician Pauline Hanson, who appealed to working-class Australians resentful of free trade and immigration policies in the 1990s. Hanson's rhetoric was crude and, Dryzek suggests, "not averse to racial stereotyping" (ibid: 334). The result of her rhetoric, however, was the inclusion of previously marginalised discourses of working-class alienation and the mobilisation of counter-discourses. Overall, the deliberative effect of Hanson's rhetoric was positive, but its benefit was purely instrumental. Like Braun's rhetoric, it was not a part of deliberation itself.

This tendency on the part of deliberative theorists to offer rhetoric only an instrumental role in facilitating deliberation, and so reproducing the Kantian dichotomy between reason and the emotions, is troubling on two counts. Firstly, the instrumental or supplemental role accorded to rhetoric precludes any meaningful evaluation of rhetoric   itself beyond its outcomes, which may be simply arbitrary and not what the speaker intended. As Dryzek admits, we cannot, on his account, "read off the systemic effects of rhetoric from the intentions of the speaker". This is inadequate inasmuch as it neither offers guidance to political actors on which utterances contribute to deliberation nor to citizens on how best to evaluate the deliberative value of rhetoric, which may be uncertain despite the character of both the content of the political argument and the motivations of the speaker. Secondly, in reproducing the dichotomy between reason and emotion, theorists overlook the role of emotion within deliberation and exclude rhetoric   as a form of reasoning. It is to this possibility which I now turn.

4. The rhetorical alternative

In the above analysis I ascribed the suspicion of rhetoric which underscores much contemporary political philosophy to the great influence of Immanuel Kant's critical philosophy and model of enlightenment. It is through Kant, I claim, that both Rawls and Habermas inherit their hostility to rhetoric as a form of political argument, seeing it as unreasoned and manipulative discourse. While this is certainly true, the suspicions of rhetoric by philosophers did not begin with Kant. Indeed, rhetoric has long occupied a suspect position within many of the canonical texts of the history of Western political thought preceding Kant. This anti-rhetorical attitude can, I think, ultimately be traced back to Plato's political philosophy. Plato provided a critique of the rhetoricians of his own time in the *Gorgias*, famously comparing rhetoric to cookery, as while both practices appear to involve an amount of technical knowledge, this an illusion. In reality, claims Plato, skill in both rhetoric and cookery may be acquired by an unreflective process of habituation. All one needs to become an excellent rhetorician, according to Plato, is "a mind which is good at guessing, some courage, and a natural talent for interacting with people" (Plato, 1997: 798). Rhetoric is therefore "the kind of persuasion which is designed to produce conviction, but not to educate people" (ibid). It is also worth noting that the hostility towards rhetoric was of a piece with Plato's general critique of democratic politics; as the rule of the many, democracy relies upon public speeches designed to persuade the many. The contemporary suspicion of rhetoric thus finds a direct ancestor in Plato's arguments against democracy in general.

Plato's anti-democratic objections to rhetoric appear just as applicable to our own time as to ancient Athens. The modern democratic public sphere is, after all, characterised by unreasoned discourse, facilitated by modern innovations such as twenty-four hour television news broadcasting and the omnipresence of social

media. The rhetorical discourse within contemporary democracies appears just as empty and manipulative as Plato suspected. Moreover, alternative modes of public political argument, such as those advanced by Kantians such as Rawls and Habermas, appear to suffer from their own shortcomings   whilst also seeming deeply unsuited to modern democratic settings, characterised by complex divisions of intellectual labour and arguments which increasingly call upon technical expertise for credible evaluation. In the following section, I demonstrate that   those wishing to promote a more deliberative form of politics would do well to adopt something like Aristotle's defence of rhetoric.

4.1. Aristotle's account of rhetoric

It is here that I turn to Plato's contemporary and a critical ally of democratic politics, Aristotle. In contrast to Plato, Aristotle elaborated a philosophical defence of rhetoric. In doing so, however, he neither simply endorsed nor sought to rehabilitate the   form of rhetoric against which Plato argued. The sophists whom Plato critiqued were, claimed Aristotle, indeed guilty of practising a form of unreasoned rhetoric which was corrosive to the health of the democratic polity. But it was a mistake, he maintained, to abandon rhetoric in its entirety for this reason. Rhetoric, thought Aristotle, was not antithetical to reason in the way in which Plato believed. On the contrary, rhetoric compromised several forms of reasoning which were commonly employed in different settings within democratic societies. In this section I explore the general contours of Aristotle's account of rhetoric, before moving, in the following section, to elaborate his account of deliberative rhetoric in particular.

I have already suggested that Aristotle is a political realist, and this is neither an otiose nor an anachronistic claim. Although he is commonly excluded from registers of canonical realist thinkers, Aristotle was, in many ways, the first realist political thinker. As Bernard Yack puts it, Aristotle "is a political realist, at least in the sense that the late Bernard Williams gives to that term: someone for whom political morality is grounded in the basic social relationships and expectations that structure political like" (Yack, 2006: 419). Indeed, Aristotle's negative reaction to what he saw as the excessive abstraction and moralism of Plato's philosophy mirrors the contemporary realist critique of liberal political theory. The neglect which Aristotle has received from political realists is, I suspect, due to the emphasis he places of the life of virtue and the human good as the end of politics. Thus, he is often confused with proponents of what Bernard Williams described as political moralists: those who seek to apply externally formulated moral principles to politics (Williams, 2005: 1-3). However, this impression is mistaken. Aristotle famously begins by "setting down the appearances" and "working through the puzzles" which they present. Aristotle thus presents political realists with an intellectual achievement of enduring importance. He also advocated a form of political deliberation which centred upon the practice of rhetoric. In these ways, his theory of politics is a significant resource for contemporary realists. (I am not, of course, suggesting that such an interpretation of Aristotle's political thought is uncontroversial. See Larmore (2013) for an opposing view.)

For Aristotle, rhetoric is "an ability, in each particular case, to see the available means of persuasion" (Aristotle, 1991: 36); a definition which I have already endorsed. Where Plato criticised rhetoric by claiming it as the counterpart of cookery, learned by unreasoned habituation, Aristotle claimed rhetoric is actually the

counterpart of dialectic, "for both are concerned with such things as are, to a certain extent, within the knowledge of all people and belong to no separately defined sciences" (ibid: 28-29). Where Plato claimed rhetoric involves no technical knowledge because it lacks any definite subject matter (such as, for example, the art of medicine and the subject of health), Aristotle thus observed that neither had dialectic any particular subject matter, and could claim no monopoly on reasoned argument. Rhetoric is therefore a second-order discipline similar to dialectic. Where dialectic proceeds through dialogical exchange and is concerned with establishing the *validity* of arguments, rhetoric is a monological form of speech practiced in public assemblies and concerned with the *persuasive force* of arguments. Rhetoric is thus not inimical to reason.

Furthermore, Aristotle identified three distinctive types of rhetoric, "for such is the number of classes to which hearers of speeches belong" (ibid: 47). These are forensic, epideictic, and deliberative rhetoric. When we are concerned with legal judgements, we turn to forensic rhetoric. In this case the audiences acts as the judge of some past action, and speakers aim to persuade them, for example, of a person's guilt or innocence, or of the justice and injustice of past actions. When concerned with matters of praise and shame, or reward and censure, we turn to epideictic rhetoric. In this case the audience does not make a judgement about some past or future action, instead acts as a spectator. Examples of this form of rhetoric may include Pericles's funeral oration for the casualties of the Peloponnesian War. Finally, when concerned with matters of public policy, we turn to deliberative rhetoric, which aims to persuade us that one course or another will better promote the common good. In this case, the audience acts as the judge of a proposed future action.

Moreover, Aristotle suggests that rhetoric has three types of proof - that is, grounds for persuasion - available to it. These are: the character (*ethos*) of the speaker, winning the trust of an audience; being moved by appeals to the emotions (*pathos*); and by the coherence of the argument (*logos*) itself (ibid: 37). This contrasts with Plato's account of rhetoric as devoid of reason. For Aristotle, on the contrary, rhetoric may contain rational arguments. Unlike dialectic, however, it does not solely rely on logic, appealing to non-rational factors like the emotions and character. This is because the *telos* of rhetoric is persuasion, rather than truth. The rhetorical arts seek to employ all available means of persuasion, including reason. Furthermore, although each of the three proofs can be deployed independently, they are not mutually exclusive and are often combined. A person on trial, for example, will be concerned not only to establish her innocence but also her good character.

It is the forensic form of rhetoric which Aristotle associates most closely to the sophistry identified by Plato. The democratic reforms of ancient Athens produced a culture of litigiousness, and this provided fertile ground for manipulative forms of rhetoric and legal chicanery (Christ, 1998). The Athenian courts thus tended to produce demagogues who focused on promoting their own private advantage, often seeking to manipulate the laws and legal processes, as they constantly brought cases against one another and defended themselves in court. It is little surprise, then, that Aristotle contends that "although the method of deliberative and judicial speaking is the same . . . deliberative subjects are finer and more important to the state than private transactions" (Aristotle, 1991: 32). For Aristotle, therefore, rhetoric which concerns itself with the advancement of private interests is subordinate to that which concerns itself with advancing the common good and public advantage.

In endorsing Aristotle's position that rhetoric might employ rational argument, I am not denying that there are, of course, better and worse rhetoric. Indeed, Aristotle himself does not deny this. As I indicated, Plato's view of rhetoric as a pathology of democratic regimes remains apposite for our contemporary politics. However, for Plato, rhetoric was uniform in its unreasoned character. Rhetoric, I contend, can take a myriad of forms, some more reasoned than others. We are more than familiar in our political discourse with politicians employing rhetorical strategies to portray their opponents as untrustworthy by comparing them spuriously with dictators, or by inducing unwarranted anger amongst citizens at a suspect but guiltless minority. Such rhetoric, I maintain, does not exhaust the prospects for appeals to emotion and character in political argument. Rather than being undesirable distractions from public reasoning, they are often necessary guides to decide upon future actions. (This is especially true in situations where time and knowledge are limited.) Instead of seeking to banish rhetoric, advocates of greater deliberation in democratic politics ought to provide accounts of institutions and practices which encourage higher forms of rhetoric. In seeking to promote deliberation, we cannot afford to ignore rhetoric. For Aristotle, the method by which citizens communicate our reasoning over the common good to one another is deliberative rhetoric, and it is to this which I now turn.

4.2. Aristotle's deliberative rhetoric

For Aristotle, deliberative rhetoric is the means by which citizens provide one another with reasons about matters of common concern. It is, in other words, the way in which they reason together and conduct their collective deliberation. As

such, it occupies a   central place in his theory of politics. I propose it here as an attractive alternative to contemporary accounts of deliberation which inherit much of the Kantian mode of   political argument. Where these accounts fall short, as I examined above, Aristotle's   account of deliberative rhetoric provides us with an alternative mode of public political argument, one which is closer to our current democratic practice and offers greater   scope for expanding deliberation within democratic politics. On the Aristotelian view, rhetoric encompasses appeals to reasoned argument, the emotions, and the character of   the speaker. I discuss each of these in turn.

In contrast to public reason accounts of political argument, the account of deliberative rhetoric proposed here may appear quite minimalist. Indeed, there are fewer provisos and criteria for acceptable public speech set out in advance. This is, however, a part of Aristotle's political realism: the parameters for and structure of deliberative rhetoric are specified by the structural relationships within which speaker   and audience find themselves. For Aristotle, it is the setting in which rhetoric occurs which   provides the limits on which policies may be enacted and precludes certain forms of argument (Yack, 2006: 422). The aim of deliberative rhetoric, recall, is to persuade others regarding which policies and laws will serve the common good or public advantage. This structures deliberative rhetoric by precluding explicitly self-interested arguments. If we wish to persuade others of our proposals, then we must frame them in terms of the common   good rather than our own interests if they are ever to be accepted (Elster, 1997). Here, deliberative rhetoric occupies a space similar to that of Rawlsian public reason. Unlike Aristotle's account of deliberative rhetoric, however, as we have seen, theories of public reason

make heavy weather of this position by specifying a raft of conditions, such as sincerity and reasonableness, in advance.

Moreover, the mass democratic setting for deliberative rhetoric (something which Aristotle did not have to contend with) constrains the ambitions of what sorts of proposals can gain traction within the public sphere. For example, policies which entail considerable sacrifice for noble ends on the part of the democratic public will be unlikely to meet with approval. Unless one lives within a community of likeminded moralists who share religious convictions regarding the good to be achieved, then policies such as this will likely be unpopular. To invoke the general aphorism, a constitution is not, after all, a suicide pact. Furthermore, the democratic context of deliberative rhetoric precludes the speaker from taking an impartial perspective (at least when dealing with matters concerning her state and others) and disinterest in the outcome. In conflicts between rival nations or parties, or simply in competitions for advantage, citizens desire that (quite reasonably) their leaders attach greater weight and significance to their own side to a dispute. Any leader who claimed to be impartial in a dispute between her own country and another would not be a leader but an arbiter, and thus lack any resources for persuasion. Deliberative rhetorical arguments therefore must be couched in terms of the public good, as it is unreasonable to expect citizens to act against their own interests or for democratic leaders be impartial between their own people and the rest of humanity.

It is worth reappraising the model of public deliberation proposed by Rawls in light of Aristotle's account of forensic rhetoric. For Rawls, recall, the U.S. supreme court provides the exemplar of his ideal of public reason, and when deliberating he exhorts citizens to imagine themselves as producing opinions held up to judicial scrutiny. It is, therefore, plausible to claim that Rawls endorses a form

of deliberation modelled upon judicial reasoning. However, we can see now why this might be a poor model for deliberation. Firstly, while we seek impartiality and disinterestedness in judges to a case, we do not see these qualities as desirable in political actors. Indeed, we expect our politicians and fellow citizens to have an interest in the outcome of any deliberation concerning the common good. Denials of partiality and interest will therefore come across as evasive and insincere. Secondly, and most fundamentally, legal reasoning is concerned with actions which have already been performed. It is not a prospective, future-orientated form of reasoning concerned with establishing which laws and policies best serve the common good. Thirdly, legal reasoning is concerned with the application of existing rules to cases. This is not adequate for prospective deliberation, concerned with formulating and adapting laws and policies to changing circumstances. In sum, therefore, legal reasoning offers an inadequate model for deliberation.

Turning now to role of character and testimony, recall that for Kant epistemic self-sufficiency was a condition of autonomy. We exercise our autonomy through our capacity for independent reason, and when we rely on the judgements or testimony of others, according to Kant, we forfeit our autonomy and return to a condition of intellectual immaturity. This model of judgement, I suggested, was deeply implausible, despite its influence over contemporary deliberative democrats. We live in socially differentiated polities characterised by technical complexity and divisions of intellectual labour, and are more dependent upon our fellow citizens' judgements and technical knowhow now than ever before. Rather than be urged to use our own (inevitably inadequate) understanding to arrive at judgements over matters of common concern, we ought instead, I claimed, to look for reasons to trust those who make the arguments.

Ironically, perhaps, Aristotle's account of deliberative rhetoric is more suited to   the evaluation of technical arguments in modern societies than many of the accounts of political argument offered by contemporary theorists (see O'Neill, 2002). In allowing appeals to character as one of the available means of persuasion, Aristotle provides an important resource for modern theories of public political argument. In doing so, Aristotle opens the door to discussions of the grounds on which we might trust various speakers and institutions. Let me elucidate a case in which one's perspective of the credibility or trustworthiness of the speaker changers one's view of the argument which they advance. Consider a scenario in which a politician provides persuasive arguments against the regulation of a particular industry, and, other things being equal, we are inclined to agree with his arguments. However, it soon emerges that politician has close ties to the industry, and has accepted significant donations and personal favours from its members. How do we proceed in this case? What has changed is not the reasons which the speaker has presented to the public, but our assessment of his trustworthiness. If we are no longer inclined to accept his proposals favouring deregulation, it is because we view his interests out of alignment with our own, and his integrity as compromised. The arguments which he presents may still be framed in terms of the public good, but this is no longer a sufficient condition for our accepting his proposals.

Consider now the role of the emotions within deliberative rhetoric. I argued that contemporary theories of deliberation reproduce the implausible dichotomy between reason on the one hand and the emotions on the other. In opening the door to rhetoric, deliberative theorists see it as discharging a primarily instrumental role, whether in drawing attention to arguments or in motivating participation within public deliberation. While I do not deny the importance of either of these functions,

they do not offer an adequate account of the proper role of the emotions within, rather than supplemental to, public deliberation. In doing so, they offer an impoverished account of the nature of deliberation itself. Moreover, by tacitly reproducing the dichotomy between reason (deliberation) and emotion (rhetoric) they suffer from a motivational deficit. How does Aristotle's account of deliberative rhetoric improve upon this picture?

Let us begin by examining the motivational function of deliberative rhetoric. In democratic polities we often have need of political leaders who can inspire us to action through their use of rhetoric. For example, consider the speeches of Winston Churchill to the British public during the Second World War, or the words of Martin Luther King, Jr. to the assembled American public on the Mall in Washington D.C. during the struggle for civil rights. By appealing to our emotions, leaders who employ rhetoric can provide a valuable means of motivating democratic participation in mass democratic settings, which easily promote apathy and political disengagement. This motivational defence of rhetoric has appeared to some (Garsten, 2006: 174) to preserve the boundary between reasoned speech and appeals to emotion, offering a limited defence of rhetoric. This need not be the case, however. Motivational speech can also contain a reasoned component which interweaves with its emotional components, guiding and being guided in turn. A speech urging citizens to continue to engage in a peaceful struggle against injustice, for example, is likely to make appeal to those citizens' political identity, their affective attachments (such as friends, family, fellow activists), the character of their nation's laws, anger at ongoing injustice, and to draw attention to commonalities between those suffering and their fellow citizens. It is the integration of reason and emotion which makes the speech deliberative.

Moreover, motivational rhetoric need not always aim at moving citizens towards action by eliciting strong emotions; it can also serve to calm citizens already motivated to act, directing them away from certain courses of action and towards others. Take, for example, Robert Kennedy's speech in 1968 on the assassination of Martin Luther King Jr. in the city of Indianapolis. Kennedy informed his audience that he had just learnt of King's death, and used his speech to call for an end to further interracial violence, reminding his predominantly African-American audience that his brother had also been murdered by a white man. Kennedy thus affirmed personal and political commonalities with his audience, spoke of King's love of peace, appealed to their sense of justice, and indicated the negative consequences of violent reprisals and racial polarisation. While the speech acted as an effective eulogy for King, it also served a deliberative purpose in offering arguments grounded in both reason and the emotions against further violence, thus moving the audience in one direction rather than another.[17]

Furthermore, rather than viewed in a strictly non-cognitive light, as the Kantian is inclined to do, an Aristotelian account of rhetoric which incorporates appeals to emotion allow us to see the ways the emotions are underpinned by beliefs about factual states of affairs and therefore guided by reason. For example, we feel anger if we believe that we have been wronged, and regret if we believe that we have failed in some way. As such, the emotions are amenable to rational persuasion and criticism, because new information may come to light which dissolves or transforms these emotional states. If I learn that no malice was intended in someone's harmful actions, then my feelings of anger may subside; if I become convinced that no action on my part could have altered a tragic outcome, then my regret lessens.

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[17] The full speech is available to view online at https://www.youtube.com/watch?v=j6mxL2cqxrA [last accessed 7th September 2015].

Our beliefs can correspond to reasoned states, being appropriate or inappropriate, excessive or deficient, felt at the right time or the wrong time, and so on. Thus, in the case of what Bernard Williams called "thick ethical concepts" the dichotomy between reason and emotion is undermined (Williams, 2006).

The emotions can also act as signposts for establishing priorities within deliberation. For example, a general feeling of injustice might lead the youth of a country to support a war against a foreign power, over other considerations such as the financial and human costs. Similarly, a parent's concern for her children serving in the military may highlight reasons against taking military action. These emotional signposts do not reflect unconscious biases in a similar way to the effects of comprehensive doctrines on public reasons, because they are acknowledged openly and serve to prioritise certain ends. Similarly, as Sharon Krause has argued, when attending to moral sentiments we can fulfil the deliberative practice of reciprocity as perspective-taking (Krause, 2008: 165). That is, by cultivating our emotional capacities for sympathy and empathy we can enter into others' points of views and take their experiences into account. Once again, Martin Luther King's rhetoric proves instructive here. King's political speeches connected the feelings of African-Americans living under segregation to concerns shared by the majority white population, such as basic security and freedom, as well as the common values of liberty and equality embedded in the American constitution (ibid: 164). By doing so, King expanded the majority's circles of sympathy to include a previously marginalised group.

In sum, an Aristotelian account of rhetoric which is deliberative in nature, as it incorporates logical reasoning which works in tandem with appeals to the

emotions of an audience and the moral character of the speaker, overcomes the difficulties associated with other, more rationalist, forms of political argument.

5. Conclusion

In this chapter, I have attempted to point towards an alternative account of political deliberation to those offered by mainstream liberal political philosophy. My purpose in doing so has been to reconcile deliberation with a realist account of democratic politics, which directs us towards the reality that much political argument is conducted through rhetoric. As we have seen, theorists of deliberative democracy typically exclude rhetoric from the proper bounds of deliberation, adopting implicitly the anti-rhetorical visions of politics offered by Plato and Kant. Rhetoric is assumed to be non-cognitive in character, associated with manipulation and a lack of freedom. At best, it plays a supportive or instrumental role in accounts of democratic deliberation, but cannot itself be deliberative. The challenge, therefore, has been to preserve the role of democratic deliberation whilst avoiding the anti-rhetorical accounts of democratic politics.

I began by illuminating the dominant philosophical approaches to deliberation in democratic politics. These were John Rawls's idea of public reason and Jürgen Habermas's ideal speech situation, both of which are heavily influenced by the anti-rhetorical Kantian vision of politics. These approaches suffer from manifold failings, I argued, including: providing inducements to insincerity in political argument; providing inadequate resources for citizens to judge the arguments presented to them by technical experts and political actors; and excluding appeals to the emotions, which produced motivational deficits and incomplete

understandings of the process of deliberation itself. Then, drawing upon Aristotle's account of deliberative rhetoric, I proposed an alternative to this traditional Kantian picture of political deliberation which avoided these substantial pitfalls by accepting appeals to character and the emotions as well as rational argumentation. This alternative account is better suited to the realities of democratic politics in both Aristotle's time and our own, as befitting the realist character of his political thought.

By offering this rhetorical account of deliberation, however, I am not suggesting that rhetoric is entirely harmless or without danger. Aristotle himself concedes that deviant forms of rhetoric often abound in democracies, and Plato's diagnosis of deviant forms of rhetoric holds just as true for our time as for ancient Athens. This problem will not be solved, however, by shunning rhetoric altogether or relegating it to a second-best, as deliberative theorists have done all too often. If we wish to increase the chances of real deliberation in democracies, we must recognise that the practice of persuasion lies at the core of democratic politics which takes place in circumstances of disagreement. The challenge for deliberative theorists is to avoid a politics dominated by unreasoned forms of persuasion. That cannot be achieved if we blind ourselves to the reasons which move democratic citizens in the real world.

Chapter 3

Deliberative Leadership

1. Introduction

In this chapter I explore the idea of political leadership and its relation to democratic deliberation. My focus on political realism directs us towards political leadership, and political agency more broadly, as both contemporary realists and their historical antecedents have reflected in sustained and innovative ways upon the purposes and character of political leadership (see Williams, 1978; Philp, 2007). For instance, Machiavelli, is principally famous for his meditations on the role of leadership and political morality in sixteenth century Italy. Similarly, Max Weber's description of the vocation of politics provides a wellspring to which contemporary realists have often returned, as we shall see later in this chapter. Perhaps less obviously, David Hume's writings on political history have also been mined for their insights by realists interested in the subject of leadership (Sabl, 2009; 2012). It is a longstanding feature of political realism, therefore, that it seeks to place leadership at the centre of the theoretical agenda.

Why should this be so? Why has political leadership proven such an attractive and significant theme for advocates of realist political thought? It would be churlish indeed to deny the importance of leadership within politics. The history of the twentieth century provides ample evidence of the influence leaders can exert, for good or ill, over political circumstances. It is not an overstatement to observe, with John Kane and Haig Patapan, that "there is hardly a problem or conflict

anywhere in the world whose cause is not attributed, at least in part, to poor leadership" (Kane and Patapan, 2012: 13). While political leaders are frequently (and often deservedly) derided and met with cynicism, if not outright contempt, from citizens, this does not alter the enduring and often pivotal importance of leadership. Indeed, one might claim that the perennial disappointment felt by citizens towards political leaders simply reflects the value which many implicitly attach to leadership, the standards which it is hoped leaders will live up to, and the goals which many hope that leaders will achieve. Citizens of democratic regimes are not above calling for strong leaders in times of crisis, whilst simultaneously diagnosing the crisis itself as a product of weak or unimaginative leadership. Political leadership, it seems, is both the problem and the solution to much of the world's ills.

Moreover, the outcomes of political processes and the character of political societies depend to a great extent on the quality of leadership available. For example, it does not require much historical imagination to accept that without the leadership of Abraham Lincoln, the American civil war would have reached a very different conclusion. Similarly, without the leadership of Nelson Mandela and F.W. de Klerk, it is not implausible to claim that the dismantling of the South African apartheid regime would either have not occurred as peacefully or perhaps not occurred at all. We begin to see, then, why political leadership is of such importance for realists.

What is leadership? The definition provided by Mark Philp is difficult to improve upon. A leader, he writes, is someone "who sets the pattern of action for others" (Philp, 2007: 77). Similarly, a political leader is someone who does so "by claiming a right to rule or by acting in ways that contest that right, its extent, limits, or exercise; or by seeking to influence the authoritative allocation of values conducted within a state". This expansive definition allows for the fact that political

leaders may set patterns of action for others by many means, including charisma, persuasion, incentives, and coercion, as well appeals to expertise, tradition, or divinely mandated forms of authority. The great benefit of Philp's definition is that is purely descriptive. This is to be contrasted with much of the existing literature in leadership studies, which offers overly moralised definitions of leadership, to the extent that 'bad leadership' often appears as oxymoronic (see Helms, 2014: 51-52). For example, the political scientist James M. Burns denies Adolf Hitler the status of leader, characterising him instead as "an absolute wielder of brutal power" (Burns, 1978: 19, 27). This ethically loaded conception of leadership denies that political leaders, properly understood, may exercise their power to accomplish morally abhorrent goals. Leaders, in this conception, are inherently virtuous and seek only good for their subjects. However, there seems to be no special reason to grant leadership such privileged status. After all, even morally vicious leaders like Hitler rarely exercise brute coercion alone, either to gain and maintain their power or to accomplish their goals. Instead, they rely upon a mixture of persuasion, incentives, and coercion. To deny the persuasive power exercised by many morally abhorrent leaders would be to inadequately understand the characters of both bad (in the form, say, of demagogic populism) and good political leadership.

In offering a definition which allows for the possibility of both good and bad political leadership, this raises the question of how we are to differentiate between good and bad leaders. Put another way, on what grounds are we to evaluate political leadership? One approach, perhaps favoured by practitioners of non-ideal theory, may be to simply to ask how well political leaders have brought about certain antecedently specified moral objectives (such as moving a society closer to an ideal of justice) within a similarly specified set of normative constraints (such as

respecting individual rights, democratic procedures, and so on). This approach is inadequate because it fails to appreciate that leadership is heavily dependent upon context. The actions of political leaders only have meaning within their contingent historical circumstances, where the content of their decisions will depend on those circumstances. Leaders also have to attract and motivate followers. They must persuade others to act in the pursuit of goals which are only meaningful within certain cultural context. The pursuit of a philosophical ideal of justice which lacks any referent within a society is thus an unhelpful approach to evaluating the conduct of political leaders.

Similarly, an overly instrumental view of leadership neglects that certain political leaders may be talented or competent leaders who nevertheless failed to realise their ultimate goals. This may be due to a multitude of factors, ranging from inherited political circumstances (such as costly foreign wars and a poor economy) to other factors beyond their control, such as the judgements of future generations. Good leaders may simply be afflicted by bad luck, and conversely, bad leaders may benefit from good luck. The achievement of any set of goals, therefore, should not provide the grounds on which we evaluate political leadership. A degree of success is necessary for good leadership, of course, but it is not pivotal in distinguishing between better or worse leaders. Rather, the appropriate standards for evaluating political leaders are those of character, virtues, and judgement, as well as the consequences of their actions; standards which we might characterise as both internal and external to the practice of leadership. Moreover, these standards will vary depending upon the contexts in which leaders operate. Democratic regimes, for example, require political leaders to deploy persuasion more often than coercion.

They also require leaders to foster and develop capacities for democratic deliberation, and is upon these requirements which I will presently focus.

This chapter has the following structure. Firstly, I begin by elucidating a potential problem for the possibility of deliberative democratic leadership. This is the apparent tension between, on the one hand, democracy and deliberation, which require norms of equality, and, on the other, political leadership, which appears to assume a fundamental inequality between leaders and followers. I attempt to dissolve this tension before proceeding to the following section, where I discuss possible distinctions between good and bad political leadership, in particular, the qualities to be possessed by a deliberative democratic leader. Aside from the mere consideration of leadership, realism also directs us towards considering the negative side of politics - that is, when political practices are corrupted and have negative consequences. In the second part of this chapter, therefore, I discuss forms of poor and deviant democratic leadership, before elucidating the more positive dispositions specific to deliberative democratic leadership. Finally, I move to discuss the sources of deliberative democratic leadership. This is an iteration of Bonnie Honig's paradox of politics: if deliberative participants are required for the formation of deliberative institutions and culture, then equally those institutions and culture are required to mould citizens into deliberative participants (Honig, 2009: 13-16). Political leadership, I believe, can help to establish the conditions necessary for deliberation, and thus temper the circularity of the paradox. However, deliberative leaders must come from somewhere. Following Keohane (2014) I argue that the civil bodies of the democratic public sphere, including mass democratic parties, can play a significant role in inculcating the specific dispositions for deliberative leadership.

2. The problem of (deliberative) democratic leadership

In their path-breaking book, *The Democratic Leader*, John Kane and Haig Patapan begin their account of leadership with puzzlement as to its absence from the agenda of contemporary democratic theory. This is, the authors suggest, due to an underlying   tension between two strains within modern liberal democracy: the practice of leadership   and popular sovereignty. Democrats, the authors contend, are naturally suspicious of political leadership as harbouring elitist, anti-democratic tendencies. There is a mutual antipathy between leadership and democracy: the more strongly leaders lead, the less democratic they appear; the more they act like good democrats, the less they appear as political leaders (Haig and Patapan, 2012: 15). The authors go on to argue that theorists on both sides of this divide - of participatory democrats on the one hand, and elite theorists on the other - have each attempted to   resolve this tension in favour of their own side. This, the authors believe, is mistaken; there is no getting around the tension between leadership and democracy. However, this tension can be made productive, as by occupying this precarious position between elitism and populism, leaders will be motivated to regularly renew their democratic legitimacy. In this section, I rearticulate this tension with reference to deliberative democracy. I attempt to show that, contrary to Haig and Patapan's thesis, there is no necessary incompatibility between leadership and (deliberative) democracy at the   conceptual level. At the level of practice, however, deliberative democrats have good   reasons to be wary of certain sorts of leadership, as I discuss in the next section.

To reiterate, Kane and Patapan argue that there is a fundamental tension in democratic societies between the felt need for political leadership and the principle of popular sovereignty. Rather, than attempting to resolve this tension in favour of

either leadership or democracy, as elite theorists and participatory democrats have both attempted respectively, they argue that the tension should be navigated in a manner which is productive for democratic leadership. They write, "democrats who feel the need for a leader must reconcile this with the belief that none among equals has any innate or inherent right to rule over others" (ibid: 15). The unspoken structure of their argument, therefore, relies on the following syllogism (see Galston, 2014: 15-31), adjusted for a deliberative conception of democracy:

Premise (A): Deliberative democracy requires a norm of equality.

Premise (B): Political leadership undermines any norm of equality.

Conclusion (C): Therefore, deliberative democracy and political leadership are conceptually incompatible and stand in practical tension.

We can, in our case, break down premise (A) into two further premises:

Premise (A) i.: Democracy requires a norm of equality.

Premise (A) ii.: Deliberation requires a norm of equality.

Let us consider these premises in turn. What sort of equality does democracy require? Firstly, the circumstances of modern politics demonstrate that democratic societies can coexist with large degrees of economic inequality. There is no necessary practical linkage, therefore, between democracy so realised and eradicating large-scale inequalities in both wealth and income among citizens.[18] The

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[18] For an opposing view, see Cohen (1989a).

realisation of democracy does not mandate perfect economic equality or minimal inequalities. Moreover, political leadership does not conflict with demands for less material inequality. Leaders can, in principle, be drawn from plural social and economic strata. Of course, it is possible that certain forms of political leadership will exacerbate existing inequalities, and vice versa. This may be especially the case if political leaders are drawn exclusively from a single socio-economic pool, as Schumpeter thought likely and desirable. This narrowing of background may, however, serve to undermine good political leadership, as leaders will serve a smaller constituency and become less responsive to the wider polity. Political leadership and a commitment to economic equality, therefore, are not incompatible. Indeed, if there is any truth to this analysis, then economic equality and the quality of leadership exist in a mutually supportive relationship: the more materially unequal a society, the lower the quality of democratic leadership.

Secondly, let us consider the moral equality of citizens, as equal subjects under the law and whose voices carry equal weight in democratic decision making. We might plausibly claim that this form of equality is essential to democracy, and grounds any conception of popular sovereignty. Democracy, by its nature, rejects forms of political subordination and hierarchy, especially those deemed "natural" or divinely mandated. Stated thusly, "Democracy is at root a revolt against the rank ordering of society . . . . The levelling instinct of democracy is principally directed against the arrogance of inherited or entrenched power" (Kane and Patapan, cited in Galston, 2014: 21). Organisations which reject or cannot support this principle, such as the military and the bureaucratic civil service, relying on strict hierarchies of command, we rightly call undemocratic. It is this democratic imperative to treat all citizens as political equals which gives rise to the predicament articulated by Kane

and Patapan; the belief that "none among equals has any innate or inherent right to rule over others" (Galston, 2014: 16). Political leadership implies such an inequality of political position. Thus, their argument goes, leadership and democracy are antithetical to one another.

This position, so formulated, appears *prima facie* convincing. However, it quickly collapses when we consider that there is no incompatibility between treating citizens as moral equals, or as equals under the law, and recognising that citizens have natural inequalities in abilities and talents. The former specifies that my life, my projects and concerns, count no more or less than anyone else's. The latter acknowledges that some citizens may have special talents for governing, be good at persuading others and skilled at building coalitions of interests. They may simply be more interested in politics than many others. While we remain formal political equals, therefore, as expressed by the maxim "one person, one vote", informally some will be more capable, more informed, and more astute in political matters than others. Political leadership is not inconsistent with this formal equality. Indeed, it seeks to take advantage of the informal inequality, putting those with greater aptitude for politics at the service of the people at large.

One reason, perhaps, why Kane and Patapan confuse the issue is their curious choice of phrasing when formulating the apparent dilemma. The form of democratic equality specified here would indeed reject the notion that some citizens have any *innate* or *inherent* right to rule over others generated by natural inequalities in some capacities. Democratic leadership, however, is very different in this respect from, say, absolute monarchy. Leadership in a democracy relies upon persuasion more than coercion, upon consent more than supplication, and certainly rejects the structures of command, tradition, and subordination which are characterised by

claims of any inherent right to rule. Indeed, if any democratic leader attempted to make such a claim, or acted as if holding office was their inherent right, he would likely elicit the public response "Who does he think he is? What makes him think he's any better than the rest of us?" Leadership in democracies, perhaps unlike other regimes, must exercise a type of humility (see Galston, 2014: 27) because leadership importantly turns on consent and the volitions of followers. If the people refuse to follow or endorse a leader, then he or she ceases to be a leader. Leadership, therefore, is not incompatible with democratic equality.

Let us now turn to the second premise regarding deliberation and equality. Does deliberation require a norm of equality if it is to proceed? Again, we must first ask: equality of what? Democratic deliberation of the small-scale forum model (for example, citizens' juries, citizens' panels, deliberative events, and so on) is sometimes conceived as requiring equality between participants in the sense that each lacks the ability to exercise coercive power over the others (Mansbridge et al, 2010). This appears to mandate a form of economic equality, meaning that participants will not simply be able to coercive one another with economic incentives before their deliberation, or between their deliberation and voting (see Christiano, 1997; Knight and Johnson, 1997). However, this ideal of a lack of any coercive power is just that: an ideal, and one which it is difficult, perhaps impossible, to attain in practice. This is especially the case once we move from discussing deliberation in smaller venues to deliberation across the wider public sphere. More important than (but related to) background conditions of equality is the sense among participants that they are formal equals and treat one another as such. That is, that they employ practices of mutual respect, civility, and reciprocity. But "power" may be understood here as charisma or the capacity for great moral sympathy. Natural

inequalities will always have a bearing on deliberation, then, just as much as economic inequalities. This does not mean that such inequalities ought not to be minimised wherever possible, but simply that any regulative ideal is impossible to achieve in practice.

Moreover, the portrait of deliberative democracy as a form of participatory democracy offered by Kane and Patapan is outmoded in two respects, and this drives them towards the conclusion that deliberative democracy is conceptually incompatible   with leadership. According to them, "the aim of deliberative democracy is to make policy amenable not just to popular deliberation but to a popular vote. In other words, democratic deliberation (as opposed to mere political deliberation amongst many citizens) must incline towards some form of direct democracy rather than the representative form" (Kane and Patapan, 2012: 22). Similarly, they find fault with the deliberative democratic recourse to regulated speech. "It is ironic" they write "that democrats in their flight from elitist leadership with its connotations of authoritarianism and mass exclusion, and in their desire to include all   equally in political decision-making, should stumble on the same necessity for imposing strict limits on the voices that will be permitted in debate" (ibid: 23). In other words, by focusing the model of political argument offered by theorists of public reason (such as Rawls) deliberative democrats seeking to resolve the tension between popular sovereignty and leadership arrive at something resembling the elitist models of democracy, by virtue of the fact that they rely on a restricted and restrictive mode of political   argument.

The characteristic features which Kane and Patapan attribute to deliberative democracy, then, are: (i) that deliberative democracy is guided by an ideal of direct democracy, opening decision-making up to the public rather than restricting it to

elite legislatures; and (ii) that strict norms of speech are imposed on democratic deliberation under the banner of "reasonableness", adhering to Rawlsian models of public reason and Habermasian models of communicative action. As we have already seen, however, neither of these assumptions necessarily holds true. Taking the latter first, deliberative democracy, as I argued in a previous chapter, can and should disregard those models of political argument founded on a Kantian distinction between reason and rhetoric, opting instead for a rhetorical approach to deliberation which is more suitable to the modern democratic public sphere. This rhetorical approach jettisons the aristocratic tendency within deliberative democracy, which I noted in chapter one as a flaw in theories of deliberation, while allowing an obvious role for political leaders as democratic orators practising deliberative rhetoric. This is in line with the argument made by Iris Marion Young (1996, 2000) that argumentative norms which rely on "dispassionate rationality" favour particular groups. A rhetorical approach to deliberation, however, proves more open to a variety of styles of communication, such as storytelling and greeting.

Secondly, deliberative theorists have long accepted the need for representative bodies. Indeed, the term "deliberative democracy" was first coined by Joseph Bessette to describe the deliberative role of representative legislatures (see also Habermas, 1996), and while this meaning has been expanded to include the deliberations of citizens in the mass public sphere, it has not been supplanted. Deliberations within the legislature and the public sphere are instead more usually conceived as complimentary practices, with the latter exercising a "steering" effect on the former (ibid). Moreover, there remains the argument from necessity. The number and frequency with which laws are passed in complex, democratic societies (the British parliament passes over one hundred new pieces of legislation each year,

on average; the Australian parliament passes close to two hundred), and the range of expertise which is called for, necessitate a representative legislature, rather than opening every decision to public deliberation and referendum. We may also have reason to think that direct democracies are not the exemplars of good deliberation which they are sometimes taken to be, as they involve unmediated power structures which may give rise to hegemonic individuals and group polarisation.

Deliberative democracy, therefore, is not as necessarily wedded to either of the features which underwrite a commitment to economic and communicative equality as Kane and Patapan argue. Their argument for the conceptual incompatibility between leadership and democracy, then, begins to appear less persuasive. This is not to deny that, in practice, leadership and deliberative democracy may be in tension with one another, given the psychology of democratic regimes (see Galston, 2014). Importantly, however, there is nothing necessary about this tension, as it does not spring from the conceptual antipathy which Kane and Patapan suggest. Instead, we must disambiguate "leadership" and begin to analyse forms of good and bad leadership, some forms of which will stand in practical tension with democracy and deliberation. The challenge for deliberative theorists is to discover ways of promoting good (that is, deliberative) leadership whilst avoiding bad (anti-deliberative) leadership. Firstly, however, we must be clear on what these forms of leadership look like. I examine this in the following section.

3. Deliberative democratic leadership

How can democratic leaders engage in deliberation in modern democratic politics? One answer to this question is for leaders to promote or facilitate deliberation

through their policies and capacities for persuasion. However, this is quite different from playing a constitutive role in public deliberations. A central motivation of this chapter has been to resist this tendency towards non-ideal theorising, and to offer instead a distinctively realist account of deliberative democratic leadership; one which evaluates leadership in the context of political circumstances and which makes virtues of character central to any analysis. I have already answered this question partially in my discussion of deliberative rhetoric in chapter three: if rhetoric can be inherently deliberative, then democratic leaders can occupy a central role within the deliberative process. By speaking to the people, submitting arguments for their collective judgement, leaders can exercise a capacity for deliberative agency. In this section, I attempt to develop this conception of deliberative leadership more fully.

Let me begin by disambiguating the notion of democratic leadership. As I have mentioned at several points, we can distinguish between good and bad leadership, and I shall elucidate this distinction here. What counts as a good political leader, however, will differ significantly between democratic and non-democratic societies, and even within these categories there is likely to be much variation depending upon particular historical circumstances, such as a public political culture which strongly emphasises individual rights (invoking claims to particular rights will have a peculiar force in the United States, for example) or the presence of a long-standing and internecine political conflict. Even though political leadership is heavily dependent on contingent historical context for its meaning and content, we can, however, make some broad generalisations without losing much in the way of analytical precision. I focus here on bad political leadership, following the well-trodden realist strategy of awarding priority to negative dimensions of

political reality. In understanding what things look like when things go   wrong, we can better identify circumstances where things are going well.

Political leadership may be bad in at least two ways: firstly, leaders might be ineffective or inefficient in pursuing and achieving their goals; they may fail to articulate their plans or objectives to supporters and the public; they may be unequal to the task of persuading large audiences, and so on. In short, they may be deficient political leaders. Secondly, leaders may be bad in the sense that they pursue goals which are harmful politically and morally abhorrent, or employ means in the pursuit of these goals which violate norms of good conduct; for example, by sanctioning the use of torture and assassination. (There is a question, of course, as to whether the structure of politics will necessarily require behaviour of this latter sort. This is the famous "dirty hands" thesis,   that it can sometimes be right to do wrong. I do not attempt a response to this here.   Again, context is paramount. A leader with noble political ends may be convinced of the necessity of torture, and may or may not be undone as a consequence.) We might call   leaders who fall into the first category of badness simply "deficient" leaders, and those   within the second category as "deviant" leaders. These two categories are not mutually exclusive, of course. A leader may have sinister designs but be utterly inept at realising   them (in which case, we have little to worry about). Similarly, the analogues for good   leaders translate into categories of competence and nobility. Taken together, these four leadership categories may be laid out in a schematic form. It appears, then, that the challenge for democratic theorists is to favour leadership which is both "non-deviant" and "non-deficient" while finding ways of limiting leadership which is "deviant" but   "non-deficient". To speak more plainly, we want to find ways of

avoiding the worst case scenario of leaders who are both malign and highly competent.

Having elucidated the forms of bad leadership, I now want to develop two forms of each with respect to deliberative democracy. I begin with deliberative democratic leadership which is deficient in some regard. Following the analysis offered by Runciman (2012: 63-64), we might say that, firstly, a leader is not acting in a deliberative fashion when he merely facilitates or promotes deliberation amongst others, acting merely as a coordinator for the deliberations or as an arbiter between participants. This is neither deliberative nor does it reflect any competent form of leadership. Democratic leaders cannot act as if they are merely institutional engineers, who simply stand back and do not participate once they have completed the forums in which others will. This is not leadership except in the most technocratic sense. As Runciman notes, such a leader will likely provoke the response "If he is not willing to be proactive, then he should stand aside for someone who is!" Secondly, a democratic leader cannot simply participate in the deliberative process as any other participant. Leaders and citizens may be formal equals, but leadership requires taking matters in hand to an extent which is not required from most citizens. A democratic leader who does not offer any guidance whatsoever over the deliberative process is therefore not really a leader. Instead, they are simply another participant; one voice amongst many in the deliberative process.

Both of these forms of democratic leadership are deficient in both deliberative and leadership components: the former because the leader does not become involved in deliberation in any capacity other than facilitation, the latter because the leader becomes too involved in the deliberation, simply becoming another voice within the deliberative process. In contrast to both of these forms, we

might instead think of a deliberative democratic leader as, in Runciman's terms, "a kind of guide to the conversation" (ibid: 64). In other words, as someone who tries to move the deliberation in a certain direction in order to increase the likelihood of achieving a certain outcome. Deliberative democratic leaders must orientate public deliberations and exercise a steering effect, to borrow a Habermasian phrase, albeit a necessarily imperfect and imprecise one. (This chimes well with my discussion of deliberative rhetoric. This kind of rhetoric provides the tools which democratic leaders can use to guide deliberation, and which citizens can employ to assess arguments made by leaders.)

I turn now to the two forms of what might be called "deviant" democratic leadership. Consider first the type, which we might call democratic populism. This form of leadership is characterised by pandering or flattery. A leader who panders to his constituents or followers simply caters to their existing prejudices and desires, no matter how irrational or ill-formed. He may, for instance, reassure them that they are the greatest people in the world, and are endlessly innovative, virtuous, and wise in their opinions. When a political crisis occurs, he deflects any blame onto other groups distant in time and space: onto foreigners, immigrants, anonymous bureaucrats, past generations, even his predecessors in office. The people are infinitely wise, he will claim, so how can they be responsible? He crafts his speech thusly with the aim of seeking to gain or maintain his power in office, which offers him status, privilege, and influence unavailable to him elsewhere. Clearly, this form of leadership departs from deliberative standards. The leader neither induces reflection on the part of his audience, nor does he seek to alter their preferences. He does not speak to persuade, only to flatter for his own gain. For him, deliberation is besides the point. His sole purpose is to achieve power, and the people are simply a

means to that goal. This form of democratic leader subverts the deliberative   process for their own self-interest.

Secondly, consider a type of leadership we might call democratic elitism. This form of leadership is not characterised by mere antipathy towards the people's existing beliefs and preferences, but by their manipulation and displacement. This type of leader seeks to persuade the public to adopt his private goals and preferences as their own, whether or not they align with the common good (if they do, it is simply a coincidence). He will employ every means at his disposal to accomplish this. He will, if necessary, cajole, shame, and pander to the people; he will misrepresent facts and events and offer a selective view of history, all to his own purposes. The archetypical democratic leader of this sort is the character of Ahab from Herman Melville's novel *Moby-Dick*. Although Ahab already occupies the office of ship's captain, his crew increasingly wishes to return to port, and without their allegiance his own private crusade against the white whale will be swiftly undermined. Through a process of shaming and cajoling, he convinces a majority of the *Pequod*'s crew of the merit of further pursuit, despite the misgivings voiced by various members of the crew. Of course, the story ends with the destruction of the ship and the majority of its crew, including its captain (Melville, 1992 [1851]). This form of democratic leadership also subverts deliberative processes in favour of the leader's self-interest, although it is more corruptive in that the leader replaces the public's preferences with his own rather than merely reinforcing existing preferences.

What is to be learnt from these examples of deviant, anti-deliberative leadership? Firstly, we must recall an observation made in chapter three on the use of deliberative rhetoric, which is that political arguments made to the public will tend towards the common good. The assumption underlying this claim is that no political

community would adopt a proposal which *prima facie* runs counter to its own interests. The second example presented here is a deviant case, demonstrating that the people can be driven to adopt negative outcomes by a skilled manipulator. It reminds us of the importance of the tools which deliberative rhetoric lays at the feet of citizens for assessing leaders' arguments and motivations.

Secondly, deliberative democratic leaders must embody an ethos of *public-spiritedness*. That is, they must be motivated by the pursuit the common good (as they see it) rather than their own self-interest. Thirdly, if we place the two anti-deliberative forms of leadership at opposite ends of a continuum, where at one end citizens' preferences remain static, and at the other they are completely displaced, it is plausible to say that a good deliberative outcome will appear somewhere in the middle of this continuum, between the two deviant forms of leadership. Successful deliberative leadership will transform citizens' preferences rather than simply reinforce them, but neither will those preferences have been altered to the extent of being completely displaced. They will, in an important sense, remain the citizens' preferences, not the leader's. This can be demonstrated by the fact that the final preferences will not align perfectly with the leader's; they will have been transformed to an extent, but not completely. Deliberative leaders act as guides for the public, but are also constrained in their actions and arguments by the public's existing preferences and settled convictions. The goal here, as in all democratic deliberation, is to let the people transform themselves. Deliberative leaders are ultimately only a means towards that end.

At the beginning of this chapter, I suggested the appropriate means of evaluating political leaders was by an examination of the virtues of character which they exemplified, rather than merely their success in achieving their external goals.

Success is, of course, important in politics. When establishing models for deliberative democratic leadership, however, we should examine both the internal and external purposes to the practices of democratic leadership (see MacIntyre, 1981). To employ an analogous example, a surgeon may be skilled in the practice of surgery and perform their task to the highest standard. Nevertheless, the surgery may fail to achieve the external standard by which surgery is judged (the health of the patient), even though the surgeon has achieved the internal standards by which surgery as a practice can also be judged (that is, expertise in surgical skills). In the case of deliberative democratic leadership, exemplifying certain political virtues constitutes the internal end of leadership, while achieving one's desired goal of moving the deliberation in a specific direction constitutes the external standard by which deliberative leadership may be judged. I shall now proceed to outline what I take these internal virtues to be.

Firstly, a deliberative leader must display a willingness to *compromise* and to *change one's mind*. This demonstrates the capacity to neither hold one's convictions too closely, so that one never compromises, nor to hold one's convictions too lightly, so that they are cast aside whenever politically expedient. In other words, the deliberative leader must navigate through a complex web of principles and contingencies in the course of political action, whilst all the while remaining responsive to both. This chimes with Max Weber's argument that good political leaders must be sensitive to both an ethics of conviction and an ethics of consequences. If a leader appears immune either to principles (or convictions), or to changes in practical circumstances, or to both, then the perception of the leader as reasonable and therefore trustworthy is undermined, and consequently so is the ability to persuade others and move deliberations in a desired direction.

Secondly, deliberative leaders must demonstrate a capacity for *coalition-building* and *conciliation*. This is necessary for guiding of deliberation, where one can display abilities to balance competing interests and to achieve consensus among dissenting parties as to the worthiness of some goal in order to pursue the common good. Thirdly, deliberative leaders must have the ability to both *persuade* other citizens and to *motivate* their followers. They achieve this, in part, by a command of the skills of deliberative rhetoric, and also by articulating a society's public political culture. Fourthly, leaders should accustom themselves to practicing what William Galston terms *"democratic humility"*. That is, "the belief that the legitimacy of your power ultimately depends on the will of the people and not just on your own merit" (Galston, 2014). Finally, deliberative leaders ought to develop their capacities for *political judgement*. Judgement is "a distinctive mental capacity or skill, a way of approaching deliberation and decision-making that combines experience, intuition, and intelligence" (Keohane, 2010). To take just one example, a developed faculty of judgement would allow us to recognise good timing, when circumstances align for an action to be taken, rather than merely impose policies in unpropitious circumstances.

4. The sources of deliberative leadership

In seeking a more deliberative democratic politics, theorists of deliberative democracy should be aware of, and learn to navigate, what Bonnie Honig has termed the "paradox of politics" (Honig, 2007, 2009). That is, the problem that "the creation of an ideal democracy must at least partially be dependent upon the existence of a number of 'ideal democratisers' in the much less than ideal present"

(Stears, 2010: 10-11). A more deliberative democratic politics must depend for its realisation on political agents who are themselves (at least partially) constituted by deliberative democratic institutions and culture. The more deliberative the democratic institutions and public culture, the greater the capacities for deliberation fostered amongst citizens and leaders. And the greater the dispositions for deliberation, the greater the common propensity to construct and maintain deliberative institutions and sustain a deliberative democratic culture. As Honig notes, this presents a "chicken-and-egg" paradox: both deliberative institutions and deliberative citizens presuppose the existence of the other for their own existence. When confronted by the circularity of this paradox, how might the process of deliberative democratisation be initiated?

One answer is that it requires political agents with at least minimal deliberative capabilities, and a willingness to further those deliberative ends (see Fung, 2005; Stears, 2010). The practice of democratic leadership is one plausible starting point for such a process. It is certainly the starting point for Rousseau who in his discussion of political founding, which Honig draws from, makes central the enigmatic figure of the lawgiver as "the engineer who invents the machine" (Rousseau, 1986: 84). But where are these deliberative democratic leaders to be found in modern societies? In this section, I follow Keohane in emphasising and exposing the important role which civil society plays in fostering the skills needed for democratic leadership, and for habituating citizens into forms of democratic participation (Keohane, 2014). Rather than merely democratic practice, however, I wish to emphasise here the specifically deliberative role which the civil associations of the public sphere, including mass political parties, can play in fostering deliberative leadership.

Democratic theorists since Alexis de Tocqueville have observed the formative role which civil society plays in sustaining a democratic ethos amongst citizens. Civic associations - including community groups, professional associations, and trade unions - provide opportunities for citizens to gain experience of leadership. Civil society (or, to employ Habermas's phrase, "the public sphere") may be defined as that galaxy of social groups and associations which stand independently from both the market and the state, although they can (for instance, in the cases trade unions, lobby groups, and professional associations) provide links to both, and thus play a mediating role between those other spheres of social life. Although citizens may participate in civic associations, however, not every participant can be described as a leader. Whilst deliberative theorists have observed that citizens can be organised into small deliberating groups, can participate in civic exercises such as deliberative budgeting, and frequently and spontaneously form groups such as neighbourhood associations in order to participate in civic governance, these associations do not, however, organise themselves. "In order to make decisions or take action," writes Keohane "deliberative assemblies and neighbourhood groups need organisation, options proposed, and implementation of decisions, which are all aspects of leadership" (ibid: 72).

In other words, even the most participatory forms of governance require some minority of participants to take the initiative in organising the group, setting its agenda, settling internal disputes, and determining which means will best accomplish deliberative ends. Leaders perform this vital role. Furthermore, as collective enterprises, all civic associations require a division of labour. After all, not everyone has either the time, inclination, or ability to build an organisation from the ground up, or to maintain that organisation by occupying leadership roles within it (though

they might, of course, be motivated to participate in other ways and contribute different sets of expertise). Citizen-participants can become leaders through natural talents or good luck, but also through training and acquired skills. It is through the acquisition of experience and knowledge that human beings gradually become proficient in any activity, and political leadership is no different. Therefore, it is primarily through the medium of the civil associations of the democratic public sphere that citizen-participants can acquire expertise and develop their faculties of leadership. In this way, democratic leaders are made, not simply born. In an Aristotelian sense, citizens become leaders by habituating themselves to the virtues of leadership. Speaking more plainly, they cultivate habits and intuitions through regular exercise in the practice of civic leadership; they become leaders by acting as if they were already leaders, in order to more fully discharge the leadership roles they occupy.

It is in this way that civic associations provide citizens the experience of what Aristotle called "ruling and being ruled in turn", albeit on a micro-scale. Civic groups and associations are characterised, in part, in the featuring of offices such as treasurer, secretary, and so on. It is through occupying these offices - and, just as importantly, by persuading fellow members that they ought to occupy these offices - that citizens gain experience of democratic governance and the struggle for power. Both achieving and maintaining office require would-be leaders to persuade other citizens of their abilities, goals, and good intentions, and to compromise with other participants in order to realise one's goals and to forge consensus over issues in the face of disagreement. In short, associations of civil society provide citizens with the opportunity to experience something like political rule. Furthermore, by rotating the holders of offices, citizens gain an appreciation for what is entailed in followership

or being ruled. That is, participants learn how to hold leaders accountable, and to observe the mechanisms of power. We can, therefore, endorse Keohane's claim that, "leadership in civil society is a school for democratic leadership" (Keohane, 2014: 78). As one prominent example of the role of civil society in the formation of democratic leadership, consider Barack Obama's years spent as a community organiser in the South Side of Chicago (Obama, 2007).

It is worthwhile, however, to not be too starry-eyed about the composition of democratic civil societies and the possibilities for leadership which they offer. As Keohane admits, the skills one acquires as treasurer of the local gardening club will not translate directly into national political leadership. The magnitude of the power exercised, the scope of the decisions made, the number of lives effected, the character of the offices involved, to name simply a few features, are all enormously different. The civil society of the contemporary United States, moreover, displays not only such benign civic associations as trade unions, professional associations, social clubs, and charitable foundations, but also vocal and powerful lobbying groups who exert their influence on behalf of sectional interests, such as the National Rifle Association. It also includes survivalist groups, fundamentalist churches which propagate anti-Semitism, openly racist activist groups like the Ku Klux Klan, and criminal organisations such as the Mafia. It would be too implausible to exclude these groups from an analysis of the American public sphere, or to deny that such groups offer their members a sense of identity and belonging they would otherwise not experience, and the opportunity to develop their capacities for leadership. Obviously, such associations and the opportunities for leadership they provide are far from desirable on a liberal democratic perspective (Chambers and Kopstein, 2001). They neither foster values of equality and reciprocity, nor regard

non-members as equal citizens (or even equal human beings); nor are they likely to be democratic in their organisational structures, meaning that the process of gaining and maintaining office will likely be a struggle of a more brutal (or, at best, populist) kind. These groups are likely sources of bad leadership.

Thus, it is not enough to merely point towards civic associations as the sources for deliberative leadership, as they may also foster anti-deliberative leadership. If we wish to foster the former kind and minimise the latter, it becomes a question of which types of associations are most likely to do so. What I suggest here is that we find one answer to this question in the form of mass political parties. The modern party can not only develop the capacities of would-be leaders, but can develop them in such a way that they, suitably reformed, they are prime venues for fostering deliberative leadership. I expand upon this in the following chapter. In the remainder of this section, I sketch the singular importance of political parties as civic associations attuned to the affairs of democratic politics.

It is a commonplace that parties have long been absent from the research agenda of political theory. For example, Keohane proposes that we view "the constitutive elements of 'civil society' in a democracy along a continuum ranging from the largest . . . to those which involve only a few dozen people and rarely attempt to exercise any influence on politics" (Keohane, 2014: 75). In her catalogue of civil associations, she includes groups for professionals, such as the American Bar Association and the American Medical Association; trade unions; lobby groups, such as the National Rifle Association and the National Association for the Advancement of Coloured People; social groups, such as the Rotary club; educational institutions, including universities and colleges; charitable foundations; churches, synagogues, and mosques; and even local sports teams and the Girl Scouts. What is notable here

is not the vast panoply of organisations which are included, but rather that political parties are not mentioned or alluded to in her discussion. While this may simply be a definitional matter (if one wishes to include only those groups which exist outside of and do not seek to be incorporated within the state, then parties will remain beyond the scope of civil society) it is nevertheless a striking absence, given that Keohane's discussion focuses on the role of civic associations in fostering political leadership.

Including parties within an account of the education of political leaders is more crucial in contemporary democracies than it has been in some time. Membership of mass political parties has been in decline for several decades, and parties themselves are notoriously unpopular among democratic electorates. According to Max Weber, however, parties offer a crucial mechanism for the training of political leaders in mass democratic settings (Weber, 1994). As David Runciman, invoking Weber, puts it: "the task of mastering mass political parties and powerful representative institutions was the guarantor of substantive leadership. The parties were formidable machines, which meant that no one could control them without possessing an equivalently formidable political skillset" (Runciman, 2014). In other words, there is a causal relationship between the presence of mass political parties in a democratic society and the quality of that society's political leadership. If we are to follow Weber's analysis, then we should expect a decline in the quality of leaders to follow from the declining fortunes of mass political parties. Instead of learning the skills of coordinating different interests and persuading mass audiences, political leaders practice a kind of "managerial politics", with their numbers drawn from "an ever narrower political class" (ibid). "The incentive to acquire wider experience of both politics and the world is absent because it is no longer so

necessary," writes Runciman. This is because "experience can be trumped by insider knowledge, which is easier to acquire" (ibid).

I find Weber's account of the significance of mass parties in fostering political leadership highly persuasive. Political parties are, after all, the principal players in the democratic contest for power, and field the vast majority of candidates for elected office. However, it may be objected that parties provide no training for leaders that cannot be acquired in other organisations, and that they simply discharge the function of supplying political candidates because they happen to dominate the political landscape, exercising monopoly power over this key area of political participation, acting as gatekeepers to political power. While the latter claim may be plausible, in that modern parties posses the resources needed for political organisation which very few independent candidates can match, this does not negate the claim that they nevertheless provide special training for political leaders.

The former claim, moreover, is extremely dubious. Political parties provide opportunities for politically orientated leadership, opportunities which are largely unavailable in other civil associations. This is not to deny the preparatory role which those associations play in developing leadership capacities. However, the explicitly political education which parties provide is most efficacious in developing those capacities for good democratic, including deliberative, leadership. It is in the organisation of the mass political party, which includes a chorus of diverse and often dissenting voices which must be harmonised, that political leaders learn a sense of political responsibility (which Weber termed an "ethic of consequence") absent from other civic associations. After all, the management of even a relatively minor political party is a task of much more political consequence, and a much more

intrinsically political task, than managing the affairs of the local bowling club, for example.

Political parties also play a role in attuning leaders to the possibilities for specifically deliberative engagement with the democratic public, through their training in deliberative forms of rhetoric, and in cultivating the deliberative virtues which I outlined in the last section. I will sketch in greater detail the mechanisms by which this may occur in the following chapter. For now, though, it must suffice to claim that it is by leading the deliberative micro-public of the political party, leaders become accustomed to the deliberative potential which is latent within society at large. Parties are more than and are importantly different to other civic associations, because if they are to survive and achieve their objectives then they must avoid insularity. That is, they must avoid speaking only to themselves and must address themselves to society at large if they are to win power. Deliberative leaders must have a good knowledge of the lived realities of those whom they desire to lead, but they must also transcend particular civic associations, because if they desire to lead, then they must address those with whom they disagree. This entails an education in the substance of deliberative democratic politics - namely, persuasion and compromise - which parties are well-placed to provide.

If we wish to foster more and better deliberative leadership, we have good reason to be concerned by the decline of modern political parties. Similarly, we have good reason to lament that the civic associations of democratic public spheres appear to have suffered a concomitant decline, according the political scientist Robert Putnam (2000). Putnam's analysis does not, however, suggest that citizens in Western liberal democracies have become less interested in politics, however (see Hay, 2007). But instead of organised civic associations which provide the

opportunities for experiencing leadership, or of political parties which provide a more politically focussed training, modern democratic politics has seen the emergence of decentred social movements (such as the now famous "Occupy Wall Street" campaign) which claim to be without leaders. Such movements accept the false conclusion that leadership and democracy are antithetical. If their claims to be without leadership are true, then in lacking leadership, they also lack a sense of political responsibility, on the maxim that if everyone is in charge, then no one is in charge. Regardless of the efficacy of these movements at articulating and achieving their goals (though this is, not coincidentally, quite poor) such groups pose a challenge to the normal educative role of civic associations and mass political parties; not because they seek to supplant it, but because they offer an alternate route of participation with few of the democratic benefits.

5. Conclusion

In this chapter I have attempted to sketch the idea of deliberative leadership and its relationship with democratic politics. A concern for political realism points us towards the practice of political leadership, because leadership involves the struggle for power and practices inherent to democratic politics, such as compromise and persuasion. This chapter advanced three separate but interlinked arguments. Firstly, that political leadership is compatible with democratic (and thus deliberative) norms of equality. I argued that there is no necessary antipathy between leadership and political equality, as natural inequalities do not entail a right to rule. Democratic leadership importantly turns on the consent of one's followers.

I then moved to discuss the character of deliberative democratic leadership, contrasting it with two cases of anti-deliberative democratic leadership. Deliberative democratic leaders, I argued, must aim at moving deliberation in preferred direction and therefore at transforming the preferences of citizens, but must have care that the final preferences of any deliberative encounter can be said to properly belong to the citizens themselves, rather than imposed from outside. I suggested that the proper means of evaluating deliberative leadership was by consideration of deliberative virtues, rather than through any consequentialist account of promoting the overall level of deliberation in a polity.

Finally, I addressed the importance of the paradox of politics, as raised by Bonnie Honig: the problem, in this case, that deliberative citizens, on the one hand, and deliberative institutions and culture, on the other, both presuppose the existence of the other. This presents a chicken-and-egg scenario, to which I argued deliberative leadership could offer a solution. Deliberative leadership can be found and developed in the civic associations of democratic civil society. Not all civil associations are good, or produce deliberative leadership, however. The problem for deliberative theorists is to find and promote those forms of organisation which promote deliberative leadership while minimising anti-deliberative leadership. I argued that mass political parties presented an answer to this problem, owing both to their outward-looking character and the presence of political disagreement within parties.

Chapter 4

Deliberative Partisanship

1. Introduction

In the previous chapter, I indicated that political parties were the most promising civil association for developing the capacity for deliberative leadership amongst democratic politicians. The time has now come to investigate political parties and partisanship more thoroughly. A concern for greater realism in political theory points us toward the fact of parties and partisanship. Democratic politics, after all, takes place under conditions of disagreement and conflict, and the most obvious sign of this is the existence of and competition between parties and their partisans. And despite the widely noted decline in citizen participation (Diamond and Gunther, 2001; Hay, 2007; Mair, 2013) parties remain the dominant and most visible agents of democratic politics conducted within the nation-state. As we shall see, it falls to parties to organise politics for modern democracies, performing important but often overlooked functions in setting the terms of political discussion and by providing avenues for citizens to participate in self-rule. It behoves political realists, therefore, to take parties and partisanship seriously.

Despite the centrality of parties to the practice of modern democratic politics, however, political theorists have had little to say about either parties or partisanship. As Nancy Rosenblum puts it, parties are "the orphans of political philosophy", unloved and neglected (Rosenblum, 2009: 1). The reasons for this neglect are manifold, and include traditional divisions of intellectual labour between empirical political scientists and normative political theorists (Johnson, 2006; Saward and van

Biezen, 2008). While the deficit of party scholarship in political theory is beginning to be ameliorated (see most notably Goodin, 2008; Rosenblum, 2009; Ypi and White, 2010, 2011; Bader and Bonotti, 2014) both parties and partisanship remain underrepresented, especially in the growing literature on political realism. One aim of this chapter is to draw attention to parties and partisanship for realism, contributing to this ongoing remedial effort.

Parties and partisanship seem to pose a problem for the theory of deliberative democracy, however. With their traditional focus on the competition for votes and the collection of interests, parties seem better fitted to those accounts of democratic politics which emphasise political conflict and the competition of elites. Deliberative democracy focuses instead on discussion, conciliation, and the participation of citizens. Moreover, deliberative theorists have participated in the general neglect of parties, meaning that common ground between the two remains under-theorised. One early exception to this general trend is Joshua Cohen's early treatment of political parties, sketching the roles hich they might play in the maintenance of deliberative politics. Cohen claims that "it is difficult to see how [deliberative democracy] is possible in the absence of strong parties supported by public resources" (Cohen, 1989a: 17-34). Elsewhere, he writes that "no plausible organisational alternative exists to parties as a way to organise large-scale political debate in ways that focus that debate on projects that advance the common good" (Cohen, 1989b: 40). Unfortunately, Cohen's flirtation with parties was short-lived, and he offered little guidance on how parties and deliberation, two apparently conflicting elements of democratic politics, can be made compatible. My main aim in this chapter is to attend to this problem.

This chapter has the following structure: I begin by providing an account of the character of political parties, which I distinguish from political factions. A key reason, I believe, for the exclusion of parties from normative political theory is their traditional association with factions, historically viewed as the pathologies of democratic politics. Parties, I contend, appear to conflict with deliberation because of this common case of mistaken identity. Once political parties are considered as civil associations in their own right, which discharge important democratic functions, this tension is greatly lessened. Once I have successfully disassociated parties from factions, I then move to examine the ways in which parties can realise their deliberative potential. I begin by suggesting several ways for parties to expand the opportunities for internal deliberation, including existing practices such as party conferences and the drafting of manifestos, as well as several institutional reforms orientated towards the promotion of intra-party deliberation. In adopting these proposals, parties can go some way towards renewing their democratic credentials and deepening their legitimacy as political agents. I then move to consider the opportunities for deliberation arising from conflict between parties. In this section I elucidate how the strategic conflict amongst parties and partisans can be conducive to greater deliberation, and also consider questions of partisan strategy and regulated rivalry.

Before beginning this discussion I must clarify two points: one definitional, the other methodological. Firstly, I use the term 'partisan' here to refer only to that form of partisanship which is generated by political parties. Partisanship can, of course, exist independently of parties; one can be a partisan of a cause, a movement, or of sectional interests. I am, however, less interested in partisanship *per se* than with that form of partisanship generated by political parties. Secondly, following on

from my discussion of deliberative leadership, my approach in the evaluation of parties and partisanship from a deliberative perspective is not to adopt a purely instrumentalist view. That is, I am not concerned here with how parties contribute to deliberation by fostering it as an external consequence of their activities. Similarly, I am not proposing to transplant deliberative institutions and practices onto the anatomy of parties. Instead, deliberation must be endogenous to the existing practices of parties. In other words, I look at parties and assess their capacities for deliberation, rather than attempting to fit parties to some deliberative ideal. In order to see how parties might be, we must first see them for what they are.

2. The character of political parties

In this section I provide an overview of the character of parties and partisanship. I distinguish political parties from their close relations, political factions. Parties are a distinctively modern form of political organisation which both transcend factions while remaining closely intertwined. The key distinction between parties and factions, I argue, is that parties seek to justify themselves publicly, addressing political society rather than merely their own members. Once I have disassociated parties and factions, I then move to consider the democratic functions which parties and partisanship discharge in modern democracies characterised by mass settings, social differentiation, and complexity.

The etymological derivation of the word 'party' is from the Latin verb *partire*, meaning 'to divide' (Sartori, 1976: 4). This meaning remains apposite within modern democratic settings: parties represent political divisions within society. This raises the question, do political parties simply mirror social and economic divisions, or do

they contribute to creating and reinforcing such divisions? David Hume was clear on this point: "Nothing is more usual than to see parties, which have begun upon a real difference, continue even after that difference is lost. When men are once enlisted on opposite sides, they contract an affection to the persons with whom they are united, and an animosity against their antagonists: And these passions they often transmit to their posterity" (Hume, 1994: 35). According to Hume, then, parties do not merely reflect but create and reinforce cleavages that outlast the original subject of dispute, which are then replicated across generations. On this account, parties resemble viruses which invade the body politic and exacerbate existing illnesses, then reproduce to create more and worse symptoms. This view of parties as threats to health of political society echoes that of Hobbes, who, though not using the term parties, declared that "corporations make lesser commonwealths in the bowels of the greater, like worms in the bowels of a natural man" (Hobbes, 1951: 357). Whilst Hume believed these corporations an unfortunate but tolerable consequence of free government, Hobbes was far less generous. On his account, such corporations must be suppressed or expelled from the commonwealth, lest they prove to be sources of sedition and civil strife.

Although successive figures in the history of political thought have rarely been as severe as Hobbes in proscribing parties, hostility has been a persistent theme. Despite the pervasive loathing to which parties have been generally subjected, however, it is worth recalling that in the English sense of the term 'party', parties may be viewed as *parts* of the body politic, rather than foreign bodies exercising a malign influence from within political society. Thus, there is a sense of pluralism inherent in the concept of political party. However, parties could still be viewed as undesirable parts, as they tended to arise as vehicles for the assertion of sectional interests. For

this reason, parties were more at home in the mid-twentieth century school of 'pluralist democracy', which stressed the significance of 'intermediary associations' between the state and society, and of plural centres of political power and influence, than in deliberative democratic theory (Dahl, 1956). Even within pluralist theory, however, parties have not received extensive treatment. For example, they are conspicuously absent from the list of such 'intermediary associations' compiled by David Held, which includes groups such as "community associations, religious groups, trade unions, and business organisations" (Held, 2006: 158).

One key reason, I contend, for parties' bad reputation throughout the history of political thought is their traditional running together with political factions. Hume, for example, tended to use the terms 'party' and 'faction' interchangeably. Similarly, Hume's predecessor Lord Bolingbroke wrote in his 1738 essay *The Idea of a Patriot King* that "Governing by party . . . must always end in the government of a faction. . . . Party is a political evil, and faction is the worst of all parties" (Bolingbroke, cited in Sartori, 1976: 6-7). The etymological derivation for the word 'faction' comes from the Latin verb *facere*, meaning 'to do' or 'to act'. James Madison famously defined faction as "a number of citizens, whether amounting to a majority or minority of the whole, who are united and activated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community" (Madison, 2003). Madison proposed that the only sure way to avoid the evil of faction was to remove their source, which would mean curtailing liberty and inequalities of property. Clearly this was not desirable. This lead him to propose that their worst effects could be moderated by an extended republic, which would ensure the proliferation of many and diverse factions, meaning no one faction could dominate the others.

Are parties effectively identical to factions? Clearly for Hume, political parties and political factions were synonymous. While Hume was the first to develop a typology of different types of party, sorting them into groups of interest, affection, and principle, it appears that he conceived of parties as simply factions by another name. Bolingbroke, in contrast, seemingly drew a distinction between the two: while parties were not always factions, every party would deteriorate into a faction eventually. But what is it that distinguishes faction-parties from non-faction-parties?

Consider Edmund Burke's classic description of the political party as "a body of men united, for promoting by their joint endeavours the national interest, upon some particular principle upon which they are all agreed" (Burke, 1993). Burke's definition of party is remarkable as the first effort not only to disassociate parties with factions but to conceptualise parties in a positive manner. What distinguishes parties from factions, according to Burke, is not simply an emphasis on high principle in the case of parties and base interests in the case of factions. As Hume knew, factions could also be animated by some "impulse of passion", just as parties may be moved by interests. Rather, parties and factions diverged according to which interests they promote and which passions they represented. Parties are not simply moderated factions, nor are factions simply extreme parties: the difference is one of category rather than scale. According to Madison, factions represent their interests and their interests alone, even if a faction were to comprise a majority of the population. This is to be contrasted with Burke's definition of party, in   which parties pursue the common good or "national interest" on the basis of common principle. Parties and factions diverge, then, as parties claim to represent and pursue the common good for society as a whole, rather than some one section of it. Parties differ from factions in being conscious of their status as mere parts working to

benefit the whole. Parties are therefore not so much "worms in the bowels" as the sense organs of the commonwealth.

One may object that this description assigns parties too noble a role to play in democratic politics. Given what we can observe of parties and their partisans on a daily basis, is it really plausible to define parties in terms of striving for the common good?   Even if this is how parties define themselves, might not such high-minded appeals to the common good easily mask sectional interests? Even the most politically innocent citizen may grow suspicious when the interests that parties assign to society as a whole always   coincide with those of the party itself. Clearly, parties can and frequently do act in their   own interests and in the interests of their supporters, and sometimes at the expense of   society as a whole. However, this distinction between parties and factions holds for two reasons:

Firstly, it is plausible to claim that partisans sincerely believe their interests are identical to, or at least aligned with, those of the polity as a whole. It is rare for committed   partisans to simply plead their own self-interest as a justification for their party's policies. Social democrats, for example, sincerely believe that the transfer of wealth from higher to lower income groups will benefit the stability and prosperity of society as a whole, while advocates of deregulated markets sincerely believe them to be the most effective mechanism   for lifting many people out of poverty. This is not to portray partisans as moral angels, incapable of self-serving behaviour. Clearly, many are all too capable. This does not, however, lead us to conclude that they are guilty of insincerity. They may be mistaken in their beliefs, or may simply be deceiving themselves, but this does not mean they are attempting to

deceive others.[19] Short of evidence of corruption and duplicity, we ought to take partisans at their word.

Secondly, political parties typically appeal to normative principles to ground their claims and to justify their policies. This is absent from the behaviour of factions. Where the latter seek only to advance their own self-interest, the former offer public and normative justifications for their aims and conduct. Such justifications need not boil down to crass utilitarian calculus; for example, that some citizens must be made to suffer so that a great many more will benefit. Rather, public justifications by parties are usually (though not always) framed in terms of advancing the long-run interests of the polity as a whole; for example, that some citizens must carry the burdens of greater taxation or economic uncertainty today, so that there will be greater prosperity for all tomorrow. Or, more normatively, that a party's policies better articulate the values latent within a society's history and constitution. In contrast, factions offer no such justifications, and do not identify with any interests other than their own. Parties are self-consciously parts of the whole. While they cannot plausible speak for the whole (though many claim to) they do address themselves to the whole. This is not to say that the justifications offered by parties will always be attractive or convincing, however. To invoke the most famous example, the National Socialist party offered justifications for itself grounded in an ideology of racial domination and conquest, as well as a particular

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[19] This is a phenomenon most recently evident in British politics, with parties engaged in elaborate public relations exercises to recast themselves as representatives of the British public as a whole. See, for example, Conservative party leader David Cameron's language of "togetherness" in his 2009 party conference speech (full text available at: http://www.theguardian.com/politics/2009/oct/08/david-cameron-speech-in-full, last accessed 27th April, 2014) or the former Labour party leader Ed Miliband's attempts to re-launch his party as "One Nation" Labour (see http://www.labour.org.uk/ed-miliband-speech-fabian-one-nation-labour-change, last accessed 27th April, 2014).

conception of which groups constituted (and which were excluded from) the German 'Volk'.

As I have attempted to make clear, parties are not factions. Parties eschew the pursuit of narrow self-interest typically associated with factions in favour of a broader conception of the common good, while justifying their policies with universalised claims based on normative principles. As such, parties are open to democratic deliberation,   rejecting the anti-deliberative elements of factions. Of course, we are free to reject their justifications as unconvincing or their conceptions of the common good as mistaken or unduly narrow. But this should not obscure the fact that there is no necessary antipathy between parties and deliberation. Furthermore, this is not to say that all parties are necessarily beneficial to the health of democratic politics. Parties come in a panoply of forms, marching under different principles and ideologies; some of which have proved disastrous to the well-being of democratic regimes. As with my discussions of political rhetoric and leadership, we must abandon the language of absolute principles and speak instead of better or worse; and think of ways to foster the best while marginalising the worst. That is the reality of democratic politics, and it is not before time for political theorists to engage with it.

2.2. *The functions of parties*

The discussion thus far has, I hope, gone some way towards providing a conceptual definition of political parties, and to disassociate parties from political factions. Now that much of the brush has been cleared, I can clarify the beneficial functions which parties and partisanship discharge for democratic politics.

Firstly, we can say that parties play an *organisational* role for democratic politics. Most obviously, parties supply the candidates who stand for political office and populate the elected offices of the state. Without parties to perform this function, political offices would most likely be filled by independents. While many critics of parties would find this an attractive alternative, we have good reason to be glad that parties perform this organisational role. For one thing, independents tend to be much less political engaged than partisans, and tend to have a much weaker knowledge of and appreciation for politics (Rosenblum, 2014: 275). For another, without party divisions democratic politics would revolve to a greater extent around the personal values and charisma of the candidates, thus inciting demagoguery and 'personality politics' to an even greater degree (Goodin, 2008). Moreover, parties organise not only the candidates for office but also the terms of political discourse. Without parties, then, democratic politics would be much more chaotic and disorganised.

Secondly, parties perform a *motivational* function for democratic politics. As Ypi and White put it, parties "have the capacity to generate a sense of political collectivity among citizens, both by articulating political identities and ... by projecting a sense of common purpose in pursuit of a political project" (White and Ypi, 2010: 815). Parties possess the means to generate democratic participation among citizens by formulating a political identity and employing rhetoric to motivate supporters. Thirdly, parties perform a *representative* function for democratic citizens. Parties seek to represent the views of their members and the interests of society at large. Indeed, the views which parties represent do not simply reflect self-interest, but typically concern what is in society's best interests. Parties thus represent discourses of opinion as well as the interests of various socioeconomic groups.

Fourthly, political parties are *responsive* to public opinion. If parties wish to achieve and retain power, then they must attend to the public mood and to the existing preference structures of citizens. This does not mean that parties must be subservient to the whims of public opinion, but the nature of democratic politics requires them to know the state of popular opinion and not ride roughshod over the views of their electors. Thus, parties are essential for ensuring minimally responsive government. Fifthly, parties also provide public policies which they seek to enact. They have consolidated programmes which citizens can choose between, and provide justifications for these policies in light of certain animating principles. If a legislature were composed entirely of independent politicians, then the public could not truly decide on a government, because there could be as many reasons for a piece of legislation as there were independents (Goodin, 2008). Parties, therefore, are necessary for the possibility of popular *self-government* in modern democracies.

3. Deliberation within parties

In this section I suggest several practical reforms for parties to expand their capacities for internal deliberation. The idea here is not merely to graft deliberative democratic practices, such as deliberative polls, onto the structures of political parties so they might better promote deliberative values. Rather, my immediate aim is to propose ways in which parties can deepen and extend their existing deliberative capacities. We have already encountered one such practice in the previous chapter: the role of parties in fostering deliberative leadership. My overarching aim in this chapter is to offer an account of political parties which exercise their full deliberative potential. To that end, I make five proposals as to how parties can reform their

internal governance in order to maximise their deliberative potential. These proposals are concerned with the production of manifestos, party conventions and conferences, the ongoing process of internal deliberation, the selection of party leaders, and reform of the office of party whips. I examine each in turn.

3.1. *Party Manifestos*

Party manifesto documents are typically statements of political intent, combining an expression of a party's current ideational position with more concrete proposals for public policy. As such, they bind the universalist principles of the party to particular political circumstances. Moreover, manifestos are only issued periodically, acting as a reflection of the values and concerns of the current party leadership. In Britain, party manifestos are typically issued in the period prior to an election, whereas in the United States party policies tend to accrue over time, with fewer examples of specific manifestos or an explicit statement of party proposals (a notable exception may be the Republican party's "Contract with America", issued in the mid 1990s). Manifestos may thus be described as an assemblage of particular 'campaign promises'.

Party manifestos are to be distinguished from party constitutions: manifestos do not detail the organisational structure of a party; they provide no rules for party governance; and they are less reliable guides to a party's identity and ideological commitments. Party constitutions remain relatively stable over time, whereas manifestos are rewritten episodically. Party constitutions are certainly open to amendment by party councils and leaders (see, for example, Tony Blair's notorious rewriting of Clause IV of the British Labour party's constitution, the section which

details the aims and values of the party, removing the party's commitment to state ownership of industry).

Several normative questions present themselves. By whom exactly should party manifestos be written? On what criteria should the deliberative quality of manifestos be judged? What procedures of ratification (if any) are needed to legitimise manifestos? And should manifesto commitments be binding on partisans? Let me propose answers to each of these questions which emphasise the role of deliberation among partisans.

Although party manifestos are issued nominally by the party as a whole, in practice they are often written by the party leaders, along with their chief strategists, policy advisors, and in consultation with high-ranking members of the party hierarchy. While leaders and their key followers are the ones to produce manifestos by virtue of the size of modern political parties (manifestos cannot, after all, literally be written by every member of the party) and by the fact that they have been democratically elected (rather than, say, assigned by lot) by partisans to lead their party, there is nevertheless a strong case for greater involvement of partisans in the production of manifestos. This role may be purely consultative, or it may take the form of a veto over policies which do not meet with the majority of partisans' approval. Greater democratisation within parties, however, should also be accompanied by an increase in the opportunities for partisans to deliberate with one another over the contents of their party's manifesto, both before and after its production by the party's leadership. The process by which manifestos are conceived and produced is thus amenable to deliberative reforms.

This can be accomplished by greater interaction between party leadership and party members in sequenced moments of deliberation. Party leaders can initiate deliberation by making several proposals on the policies to be pursued by the party over a given time-scale. Partisan delegates can then respond by deliberating over whether the proposals are fair, representative, and reflective of their interests. They can then expand or narrow down the range of proposals to more accurately conform to their preferences. Party leaders can then respond, and so on until an equilibrium point of mutual compromise is reached. When disagreement occurs, the emphasis should be on the leader to persuade his partisans of the necessity or desirability of the proposal. This is, after all, the key function of deliberative leadership. Furthermore, if the leader's manifesto proposals are found to be unsupportable by a majority of partisans, then this will trigger a leadership contest.

Underlying this institutional practice is a conception of the character of manifestos. Namely, manifestos are interpretations of the core normative principles found within the party's governing constitution and articulate policies that would best realise these principles under contingent political circumstances. The manner in which these core principles are interpreted can be worked out in a deliberative fashion by processes such as that sketched above. This conception of party manifestos provides an important motivational link between the normative principles which a party affirms and its immediate political strategy. The normative criteria under which party manifestos may be evaluated are as follows: (a) the policies proposed in party manifestos must articulate the normative principles embedded within a party's constitution, and (b) the policies put forward must relate these normative principles to contingent political circumstances, judging the range of feasible policies. The production of party manifestos is thus an exercise in practical

reasoning under less than ideal conditions. Moreover, manifestos do not necessarily have to reflect consensus among partisans on the party's guiding principles and political strategy, but may instead represent a convergence between multiple interpretations of key values and principles upon a set of policies. The question of what binding force manifesto commitments should have on party leaders (for example, whether leaders should be removed if they fail to pursue these commitments in practice) is, I think, one best left to the internal deliberations of partisans themselves.

3.2. *Party Conferences and Conventions*

It might be supposed that, if partisans are to engage in meaningful deliberation, then there is no better site for this to occur than party conferences, given the policy-setting functions of such events and the fact that party delegates can physically come together in small enough numbers to suit forum-based models of deliberation (see Fishkin, 1991; Ackerman and Fishkin, 2004). Any concerns regarding the quality of the deliberation would therefore be similar to the standard concerns regarding traditional small-group deliberation, such as the agenda being dominated by a few participants. While it certainly remains the case that the familiar pathologies of deliberation are likely to recur within party conferences, the setting provides a different concern. Namely, that a large degree of consensus will already obtain amongst the party delegates. The implication here is that deliberation is redundant if there is an existing consensus amongst the participants.

This concern is, of course, dependent upon the particular composition of a given party. The size and social diversity of party membership will likely serve to

differentiate between those parties which possess greater ideological homogeneity and those comprised of more heterogeneous memberships. Generally speaking, the larger the party, the more diverse its membership. However, even in smaller and more homogenous parties, this concern risks becoming overstated. Parties that are based on individual issues and possessing a strong identity, such as environmentalist and nationalist parties, will, I suspect, likely still feature memberships who hold diverse interpretations of those values and identities. Likewise, parties based on collections of group interest will have members who may have fewer interests in common than they at first realise. Moreover, this concern only obtains if we view the purpose of democratic deliberation as forming consensus, or if we employ consensus as a regulative ideal for deliberation. There is, however, no deliberative democratic requirement for doing so (see Dryzek, 2010). Deliberation can serve not only to bring about a closer agreement, but to uncover areas of disagreement between participants. Democratic deliberation can thus serve a critical purpose, by bringing about a greater awareness in participants of their core values and interests.

A different concern here is that if deliberation is not orientated towards achieving consensus, then it may prove corrosive of partisans' bonds of shared values, interests, and objectives. Deliberation may end up fracturing political parties, rather than making them more cohesive. However, there are three reasons for doubting this concern; first, simply because deliberation is not orientated towards consensus, that does not entail an orientation in the opposite direction towards dissensus. It may be equally as likely that partisans will simply exchange reasons as to why they converge on a similar position, with their existing preference structures remaining unchanged but with a greater understanding of their nature and consequences of their beliefs. Second, deliberation may reveal divergences in the

interests and values of the participants, but as the deliberation proceeds these differences may soften and be brought towards a closer harmony. The shape of the deliberation in this case will thus be parabolic. And third, even if the deliberation ends with strong disagreement, participants may feel they have gained a greater understanding of their fellow partisans interests, beliefs, and characters. Such an understanding will likely foster a sense of trust and solidarity amongst participants over repeated deliberations.

What other pathologies might deliberation in party conference settings be especially vulnerable to? One such pathology to which partisan settings may be particularly prone is what Cass Sunstein has termed "the law of group polarisation" (Sunstein, 2002). Stated simply, group polarisation means that "members of a deliberating group predictably move toward a more extreme point in the direction indicated by the members' predeliberation tendencies", and that when like-minded people "meet regularly, without sustained exposure to competing views - extreme movements are all the more likely" (ibid: 176). This poses a difficulty for partisans: they conform to the profile of those who will tend to more extreme views when they deliberate together, via a process of mutual recognition and reinforcement of each other's outlooks and beliefs. Such a move is liable to make them not only less responsive to the views of citizens outside the party, but also less representative of those party members who have not participated in this process.

However, there is a positive side to group polarisation, or at least to the conditions of insulated deliberation which allow it to occur. Enclosed deliberation between partisans, as opposed to open deliberations between partisans, independents, and other groups, may be beneficial in two ways: first, it will encourage minorities which would be otherwise intimidated from speaking for fear of being sidelined or

excluded from the deliberation altogether to participate in an atmosphere of greater familiarity; and second, a degree of insulation from other groups will be necessary for parties both to develop ideas and policy proposals and to nourish a sense of shared identity (ibid: 186-187). Doing so will contribute to the plurality of voices within the party and the broader public sphere. The experience of inclusive partisanship might therefore prove educative for citizens otherwise tentative in exposing their political views to scrutiny.

How, then, might the deliberative forums in party conferences be structured so as to maximise the benefits of deliberative insulation and inclusion while minimising the risks of group polarisation tending towards partisan extremism and a concomitant loss of democratic responsiveness? One step would be to raise the level of partisan self-awareness among participants, reminding them of the tendency towards extreme view points and mutual reinforcement. Such knowledge may act to curb this tendency. An institutional remedy may be to stage multiple deliberations among party members, in such a way that the deliberations were more and less inclusive of non-partisans, affiliated members, and independents. The inclusion of alternative and opposing points of view may inoculate group deliberations against such tendencies, with the objections of outsiders acting to anchor the deliberation in the beliefs of the wider public even as it drifts towards extremes. Similarly, exclusive deliberations among partisans will allow space to affirm party identities and allow for more participation by minority groups within parties that may be marginalised by mainstream political discourse.

3.3. *Internal Referenda and Agenda-Setting*

In partisan deliberation, a key question will be: who controls the agenda? Does the party leader alone set the tone and direction of discussion among partisans, or is there room for greater democracy within political parties? Moreover, is a democratic party, in the sense of a collectively self-organising party with no leaders and an informal hierarchy only, possible or desirable?

As I have argued previously, it is a mistake to ignore the role of leadership in democratic politics, just as it is a mistake to ignore the role of parties. Many of the claims about the end or redundancy of leadership turn out to be overblown. Moreover, many political orders require that it is individuals who inhabit certain offices of government, in order to confer some notion of responsibility and accountability. A democratically-run committee may appoint a figurehead to hold an office in its stead, but this seems an abrogation of certain democratic values, such as accountability and publicity.

Therefore, I take is as given that parties have leaders who seek election or appointment to offices of state. What role ought party leaders have, then, in setting their party's policy agenda, and the formulation of policies? That is, in deciding which issues are worthy of concern, and in formulating responses to those issues? Moreover, what role will partisans have in these issues -- are they simply tasked to accept whichever policies their leaders advance, on the understanding that they elected them? Furthermore, neither party leaders nor partisans are likely to be experts on every contentious area of political discourse. Should partisans therefore seek the advice of, or delegate the role of policy-making to experts?

The relationship between party leaders, partisan followers, and technical experts in policy-making is likely to be complex, but all play a role. Experts bring

knowledge, skills, and new information to bear upon the formulation of policy. Partisans will play a role in setting the agenda, deciding on which issues have moral and political weight for them, and for the polity as a whole. They do not do so alone, however. Leaders play a motivational role in activating partisans, but they also play an ideational role in deciding the direction and content of policies. The model which I envisage here has experts playing a supplemental role to the deliberations of partisans and leaders.

To be clear: leaders and partisans do not deliberate with each other directly. Leaders must lead: they cannot participate in the same way as everyone else. Rather, leaders set the direction of policy as a reaction to their followers' input into a deliberative electoral process, with partisans continue to deliberate over the policies proposed by the leader. The relationship is a dynamic one: rather than a single vote signalling the assent of partisans to a policy, there is a continual series of deliberative polls and internal referenda regarding the performance of the leader and the direction of the party. Similarly, leaders continually act to persuade the partisans, to justify their policies, and to shape the internal discourse of the party as well as external discourses. Thus, there is not so much a set agenda, or an agenda set by any one, as there is a continual shaping and re-shaping of partisan opinion and reworking of policies.

Such an approach is liable to inspire two criticisms: that such a process sounds too vague, chaotic, and underdetermined; and that it is not viable for party leaders to be constantly attempting to convince partisans of their proposals, and to be continually reworking policies. Firstly, a deliberative process such as I have outlined here will be inevitably messy, lacking both the clarity and determinate character of a policy-agenda commanded by party leader with no referral. It will not necessarily be

chaotic, however. Recall our discussion of party manifestos as guides for deliberation. The proposals for policies and their revision will not be arbitrary, but according to values and commitments make public beforehand. As such, policies may be reworked, but this need not be inconsistent with established and publicly knowable aims. Second, much will depend upon the circumstances in which parties contest for electoral victory. The knowledge that other leaders will portray them as not credible if their policies cannot carry the support of a majority of their own party will act as an incentive to continually re-engage with party members in what can often seem a dispiriting enterprise.

3.4. *The Selection of Leaders*

The internal democracy of parties entails, at a minimum, an electoral contest between potential party leaders. In hosting such contests, political parties become electoral arenas within the larger arenas of parliament and the public sphere. Party leadership contests tend towards being ignominious affairs; lacking the public gaze and glamour of national election campaigns and debates, and displaying the unattractive spectacle of party infighting, descending into factionalism. However, it is my contention here that, when suitably modelled, party leadership contests can be sites for intra-party representation beyond momentary elections.

The number and diversity of candidates standing for the party leadership will, of course, be related to but not dependent upon the size and diversity of the party itself. In relatively small parties that focus on one or a few related policy issues, such as environmentalist parties, there is unlikely to be a great number of candidates. In larger and more diverse parties, however, there are likely to be a greater number of

candidates, representing a greater range of interests and discursive values. This raises an important question: should the whole spectrum of a party's interests and values be represented in leadership contests?

While such a proposal is attractive from a group representative point of view, there is no reason, I think, why this should necessarily be the case. Some discursive threads within parties will be better suited to engaged spectatorship and to a critical appraisal of the leadership contestants, pressing them to address certain concerns without any positive analogue, rather than advancing any positive proposals themselves. Moreover, it is not necessary or desirable for every candidate to represent a thread of the party's discursive make-up. Such an insistence may have a contrary effect: that is, candidates who represent hegemonic discourses may be reinforced to the exclusion of insurgent groups, and new strands may be prevented from emerging.

Furthermore, the scope of who gets to vote in party elections is greatly increased compared to the delegated deliberations of party conferences: the constituency of the electoral contest encompasses all party members. This raises several difficulties from a deliberative democratic perspective, however. First, there is a norm in some parties, such as the British Labour party, for members to *de facto* possess more than one vote, not according to a principle of epistemic responsibility, but to how many affiliated associations the member belongs. From both a deliberative perspective and the account of parties set about above, such a practice is unacceptable because it pushes parties towards faction and undermines solidarity between partisans. Unless such practices can be justified to partisan constituencies and then ratified accordingly by majority vote, unequal voting is likely to produce long-term discontent and instability, as certain interest groups are likely to dominate

elections at the expense of others, producing outcomes which many partisans will find lacking in representativeness.

Secondly, should the votes for party leaders be held as open primaries, that is, as elections which are open to non-partisan and independent voters? While the practice of open primaries has been introduced in elections in the United States, their democratic efficacy is, I think, extremely doubtful. Removing the partisan qualification from voting not only risks external manipulation by other groups intent on skewing the results of a party's internal election, but also undermines parties' ability to reproduce and express their shared values, interests, and identity, effectively denuding the party of its representative capacity and diluting the pool of argumentative discourses within civil society.

Thirdly, should party members cast their votes in secret, as in public elections, or in public? The justification for secret balloting is well known: anonymity acts as a barrier towards bribery and intimidation of citizens and manipulation of electoral outcomes. However, the deliberative defence of the practice of open voting from John Stuart Mill onwards makes a compelling counter-claim, that making voting public pushes citizens to justify their preferences publicly and makes them accountable to one another.[20] While the argument for the secret ballot holds in the wider public sphere, the conditions for the prohibition of public voting are lessened in party settings. Although the possibility of intimidation and bribery still exist, partisans are better placed than citizens in general to police such threats, and as members of self-regulating associations they are also responsible for constructing the norms which govern partisan behaviour. Moreover, the deliberative

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[20] See John Stuart Mill (1975) "Considerations on Representative Government" in *John Stuart Mill: Three Essays* (London: Oxford University Press).

benefits of open ballots in partisan setting outweigh the potential costs, as it provides a mechanism by which partisans can deliberate together over matters of shared principles and identity prior to internal elections. Thus, the private character of political parties creates conditions amenable to public voting, whereas the differentiated character of the public sphere creates conditions which require voting in secret.

3.5. *Party Whips*

Whips are perhaps the least attractive feature of political parties to democratic theorists, perhaps because they seem to embody the negative connotations of parties: whips exert coercive pressures and inducements on representatives to vote on legislation along partisan lines, posing a serious threat to independent judgement If representatives fail to do so on issues deemed significant (the famous "three line whip", signifying the number of times the issue has been underlined by whips in party memoranda) the whip can be "withdrawn", thus expelling the representative from the party. That the term for the practice originates in 18th century hunting terminology, referring to the huntsman's assistant responsible for driving stray dogs back into the pack, hardly adds to moral lustre of the practice.[21]

However, before rushing to judgement, we must note that the coercive function of party whips is not the only function which parties assign to them. Effectively, whips act as party administrators, acting to prioritise certain issues and debates in order of their importance to the party's interests, and playing an epistemic

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[21] Source: http://www.parliament.uk/about/mps-and-lords/principal/whips/ Last accessed 3 June, 2014.

role in facilitating communication between and in providing information to partisan representatives. Whips also manage a "pairing system", whereby members of other parties agree not to vote in the legislature when other business prevents them from attending. This contributes towards cementing relations of trust and reciprocity between partisans of different parties, as well as avoiding controversies over the legitimacy of vote outcomes.

Party whips therefore play many roles in ordering party government and regulating the rivalry between partisans. Even their coercive role has deliberative merit: in offering incentives and disincentives to maintain party discipline, whips can also maintain party identity, by providing disincentives to break with the party line, and contribute towards the successful enactment of manifesto pledges and commitments.

The reform of party whips that I suggest is less to do with abolishing their coercive practices than with expanding their activities to include instigating and moderating deliberative forums within the party. These deliberations would be activated when one or more representatives express reservations about voting according to party commitments, or along partisan lines. The deliberative body would then meet to produce reciprocal justifications for why the party and the dissenting representatives held their positions, allowing both to state their reasons and attempt to convince the other. (Such deliberative forums would also supplement party whips epistemic roles of facilitating the exchange of information.) The threat of the incentive/disincentive structure would still be present, but would only be activated after the deliberation took place.

Overall, then, it should be clear from this brief sketch of several proposals that the room for deliberation and intra-party democracy is plentiful. The proposals provided here would go some way towards deepening and expanding the deliberative capacities of parties, increasing their representativeness and responsiveness to the beliefs and convictions of partisan supporters. I now move beyond intra-party democracy to consider the deliberative opportunities presented by inter-party democracy.

4. Deliberation between parties

In this section I will extend my analysis of the deliberative capacities of parties, going beyond the internal workings of party democracy to the interactions between parties in democratic politics. As we have seen, there is space available within the structures of modern political parties for more and greater deliberation. However, there are also opportunities for greater deliberation in the organisation of conflict between parties. I sketch several of these opportunities below.

4.1. *Structured Conflict and Regulated Rivalry*

I want to argue here that party competition discharges several important functions for democratic politics. I will discuss three such functions, important from the deliberative democratic perspective: contributing to democratic stability, producing political clarity, and as conducive to prudential governance.

Firstly, parties contribute to political stability through the taming of political conflict. In other settings, conflicts over interests and values can lead to civil war and

violent revolution. Parties, however, maintain a semblance of this conflict while divesting it of the potential for violence and civil disorder. To borrow a phrase from Mouffe, parties engage in agonistic competition rather than antagonism. Let us return to Burke's definition of party: "a body of men united, for promoting by their joint endeavours the national interest, upon some particular principle upon which they are all agreed" (Burke, 1993). In parties, interest and principle are united around some conception of the common good. By conceiving of themselves as proponents of the common good, partisans set themselves the task of acting for the good of the body politic, not the good of one part of the body politic alone. And in viewing the good health of the body politic as concomitant with their own interests and principles, parties give expression to the conflicts which characterise political order while prohibiting them from spilling over into more violent forms of contestation. To not do so would be form of self-contradiction.

We can, of course, easily imagine contrary cases, where partisans have viewed the health of the body politic as better served by removing a malign element rather than in healing or pacifying it. Our response to this can only be that the line between factions and parties is blurry, and that parties can easily collapse into factions, which feel no attachment to the good of all.[22] This is not a matter of definitional purity: that parties are only truly parties when they act in certain ways, and become something else when they act in different ways. For a thing to act in a certain way reveals its nature; parties do not act like factions, and factions do not act like parties. The internal dynamics of the organisation will have changed to such a degree that it will no longer be appropriate to call it by that name. Its external actions are simply a consequence of this change.

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[22] This raises the question of what mechanisms can be put into place, and what norms can be cultivated, to discourage the lapse from parties to factions.

Secondly, parties induce clarity around political issues. Partisan discourse is often the lens through which citizens come to see and to understand issues. It is from these understandings that citizens come to order their political preferences and arrive at some political self-understanding. This is analogous to the widely discussed phenomenon of "framing effects" of elite discourse on public opinion formation (Druckman and Nelson, 2003). That is, when a particular range of considerations are articulated by a speaker, causing individuals to focus on these considerations when they construct their own judgements. For example, if a demonstration by an extremist group is discussed by a speaker in terms of freedom of speech and of association, then the audience will likely base their judgements around considerations for the value of these freedoms. In contrast, if the demonstration is discussed in terms of public safety and social cohesion, then these considerations will likely predominate in an audience's opinion-formation.

Similarly, partisan discourse filters issues and interprets events via communicative mechanisms such as narratives. Narratives are widely discussed in public political commentary, alongside a growing literature within political science. Great significance is attached to constructing and controlling one's own narrative. A narrative is a rhetorical device which locates events within a larger, linear story, usually one of shared identity and hard-won victories (Boswell, 2013). Partisan narratives present citizens with ways in which to make sense of public affairs by relating events and issues to wider social problems, and to provide citizens with an electoral choice between competing discourses, which may be evaluated in terms of which appears to make the most sense.

Thirdly, political parties, and by implication partisanship, play an epistemic role within legislative assemblies and public discourse. Partisans represent different

experiences of social order and provides differing perspectives on political issues. Thus, partisan antagonists play a complementary role in terms of the inclusiveness of the political sphere taken as a whole. John Stuart Mill defended partisan competition on similar grounds, claiming that "No whole truth is possible but by combining the points of view of all the fractional truths" (Mill, 1969; Muirhead, 2006). Partisans, in Mill's view, represent such "fractional truths": that is, our particular circumstances and experiences will allow us to see some things clearly, such as certain injustices perpetuated by institutions, but will obscure other things from us. For example, someone who has a strong sense of the injustices perpetuated by certain political and economic institutions will be less likely to appreciate the value of tradition and continuity in political and social life. Partisans thus cast their opponents into sharp relief, contributing to the deliberative process.

4.2. *Loyal Opposition and Institutional Rivalry*

A political party represents a part of the body politic. This implies that a party does not represent all parts of the body politic. As we have seen, politicians have certainly claimed that their party is *the* party of the people, or the only authentic voice of the people's real interests. Such claims elide a fundamental distinction, however. Political parties may not represent the whole, but they must speak to the interests of the whole. This changes when parties enter government: in offices of state, politicians can legitimately claim to speak for the whole, not as partisan, but as holder of public office.

Many parties which do not govern form parties of opposition, within and outside legislative assemblies. The day-to-day work of parties involves contestation

of the actions and policies of other parties, many of which discharge a deliberative function. Consider, for example, the British parliamentary practice of Prime Minister's Questions: the practice of members of parliament from all parties, but principally the opposition parties, putting questions to the leader of the governing party over matters of public policy. The practice takes place within a formal institutional setting, but similar practices can be replicated in other settings across the political and public spheres.

Such practices discharge three key functions from a deliberative democratic perspective. Firstly, the role of opposition parties in this instance is to hold the governing party publicly accountable for its policies and its actions. That is, opposition parties can demand that the governing party produce regular justifications and explanations for its actions and for the consequences of those actions, and to provide relevant information. Opposition parties have no power to officially sanction or reward the governing party depending upon the content and extensiveness of those justifications. The ability to sanction or reward is not inherent to concept of accountability, however.[23] The motivations of the governing party to comply with those demands, and the motivations of the opposing parties in demanding them, may be entirely strategic: the former will not wish to be seen as disingenuous or evasive, while the latter will wish to portray the former as less able and trustworthy than themselves. The ability to produce regular public justifications from the government, that is, to give reasons for action, is significant for deliberative democracy.

Secondly, oppositional settings are conducive to political authenticity: that is, politicians lack control of their own environment, and are thus less able to stage performances. As partisans argue with one another, their responses to arguments

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[23] See Mark Philp (2009) "Delimiting Democratic Accountability", *Political Studies*, Vol. 57, pp. 28-53.

posed against their positions are more likely to be authentic, because the encounter takes place under conditions of uncertainty.[24] Partisans do not know for certain which questions and what issues their opposition counterparts will raise, though they may make educated guesses. Politicians can try to undermine this process, of course: for instance, by planting questions from friendly legislators in an effort to steer the debate in their favour and construct a flattering image. However, the oppositional character of partisanship means that such strategies will never be completely successful.

Third, the oppositional character of partisanship acts as an inducement for partisans to sharpen and clarify their arguments and an incentive to structuring their justifications. When partisans know that they will be held accountable publicly for their policies and actions, and risk public humiliation and electoral damage if they are found to be misleading or inadequate, they have a strong incentive to make their public justifications as convincing and as clear as possible. Partisans may opt for a strategy of misdirection and employ evasive rhetoric, but this remains an improvement on the alternative of no inducement whatsoever.

Moreover, partisan rivalry can produce better quality of deliberation amongst partisans by exposing them to alternative rationalities, thus acting as a counterweight to tendencies towards group polarisation, as mentioned above. As an historical example, consider Geoffrey Hawthorn's reading of the failures of Pericles in the final years of the Peloponnesian war. Pericles was certainly an astute politician, possessing the requisite capacity for sound strategic judgement. What he lacked, however, was "the discipline, in Athens itself and in Sparta, of politically and

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[24] On this, see J. E. Green (2009) *The Eyes of the People: Democracy in an Age of Spectatorship* (New York: Oxford University Press), Ch. 4.

strategically coherent adversaries. He knew things could go wrong. But he had not imagined that the dominant reasoning in Sparta would not be his own, and that the Spartans would be determined to pursue the war" (Hawthorn, 2009: 203-228). A similar process is at work in deliberative encounters between parties. Opposition and challenge can improve the quality of deliberation between parties. Moreover, contestation between parties may play an important role in mirroring the contestation between discourses in the public sphere, thus raising the level of overall deliberation in a polity and allowing for greater political control of the state by citizens (Dryzek, 2000, 2010).

Processes such as those described here, of inducing public justifications and explanations from partisans which are authentic, clear, and well-considered, are facilitated by the asymmetric advantages of governing parties and parties of opposition. Consider that governing parties hold the opposition at a fundamental disadvantage: they have the bureaucratic apparatus of the modern state at their disposal, and can call upon its resources to furnish them with more accurate, detailed, and recently acquired information, such as the consequences of their policies. However, counterbalancing this asymmetry of information, parties of opposition hold a populist advantage over parties of government. Opposition parties, which are not responsible for the actions of the state, can tap into the public discourses much more effectively than parties of government, effectively siding with the people in criticising and holding the government to account. These two advantages counterbalance each other, meaning that contests between the two are in practice evenly matched.

5. Conclusion

In this chapter I have attempted to demonstrate the compatibility of the theory of deliberative democracy with political parties and partisanship. A concern with realism directs us to consider parties and partisanship in more detail. However, parties and partisanship seemingly posed a challenge for deliberative democracy, as they appeared to display anti-deliberative features such as an emphasis on political conflict and interests. I traced this antipathy to parties' association with factions, and argued that there is no necessary antipathy between parties and deliberation once the former are disassociated   from factions. Parties provide public justifications for their policies, whilst factions do not. Parties are thus attuned to public political deliberation. I went on to outline several   important functions which parties discharged for democracy, including the organisation of politics and motivating citizen participation.

I then attempted to demonstrate how parties could deepen their existing capacities for internal deliberation. I sketched five opportunities for parties to do so. They were: the production of party manifestos, the occasion of party conferences, the setting of internal agendas, the selection of party leaders, and the reform of party whips. I then moved to discuss the role which party competition can play in deliberation, suggesting that parties promote democratic goods through their regulated rivalry, and that the opposition and challenges which parties present to one another improves the quality of deliberation, both within parties and in the wider public sphere.

As a final word on parties, it should be remembered that, although parties are not factions by virtue of providing public justifications for their policies, parties can

nevertheless come in better and worse forms. Indeed, the attempt to make parties more deliberative is in recognition of the fact that many of the twentieth century's most horrific crimes were perpetrated by parties. These parties often provided justifications for their behaviour and often sought to redefine 'the people' in an effort to exclude or marginalise certain groups. The history of parties makes an engagement with them all the more important, however. It should therefore be the task of deliberative theorists, and political theorists more broadly, to work to improve the quality of parties and partisanship.

Chapter 5

Deliberation and Emergency Politics

1. Introduction

Over the past two decades, the democracies of the Western world have been faced with numerous crises on different fronts. The terrorist attacks of September 2001 against the United States were followed by more attacks against other countries, notably the Madrid train bombings in 2004 and the London underground bombings in 2005. The ensuing military operations in Afghanistan and Iraq remain ongoing, and have provoked other conflicts in the Middle East. The 'credit crunch' of 2007 and the financial crisis of 2008   have caused wide-ranging dislocations in many economies, and have discredited the prevailing neo-liberal paradigm of financial capitalism. There are forebodings that the   system which gave rise to the crisis has not been sufficiently reformed, and that another   recession is imminent. In addition to these concrete problems, climate scientists have   warned ominously that widespread degradation of the earth's atmosphere, caused chiefly   by carbon dioxide emissions, will result in changes in climate which could well prove disastrous for the entire human species.

In this turbulent context, the traditional preoccupations of moral and political philosophy, including the focus on deliberative democracy, can appear irrelevant, and perhaps frivolous. When faced with these mounting and various challenges, political philosophy can often seems like Nero fiddling while Rome burns, more concerned with matters of abstract rights and justice than with urgent problems facing societies here and now. While this charge may not be wholly deserved, it

does carry an element of truth. Liberal political philosophy has been traditionally concerned with theories of distributive justice: that is, with the moral ordering of the distribution of social and material goods throughout society. In its ideal form it assumes a stable, comparatively affluent society   for its implementation. It should not be surprising, then, that this period of crises has coincided with an increasing dissatisfaction with this mode of political theorising and a concomitant interest in forms of political realism.

As we have seen in Chapter 2, theories of deliberative democracy have been developed within the framework of liberal moralist political philosophy. Although deliberative democratic theories can trace their origins to a multiplicity of sources, deliberative theory in its contemporary form owes much to the pre-political, moralising Kantianism that runs through the work of John Rawls and Jürgen Habermas. We might,   then, ask whether deliberative democracy also relies on the existence of a stable and comparatively affluent society, one with embedded norms of cooperation and reciprocity, where deliberation belongs to the superstructure of politics and relies for its existence on contingent historical conditions. Certainly, while there have been expansions in both the literature on deliberative politics and the literature on emergencies, both have largely   carried on in mutual isolation (see Lazar, 2009; Honig, 2009; Sorrell, 2013; Runciman, 2013). This is not helped by many deliberative theorists, who appear to believe that citizens should foster deliberative democracy in less than ideal conditions by mimicking ideal behaviour, and who rely on the existence of deliberative democratic institutions, which can appear eminently fragile, to supply the conditions under which ideal deliberation can take place (Gutmann and Thompson, 2004: 1-3; Stears, 2007). Deliberative

democracy thus appears vulnerable to the challenge of emergency, where conditions appear hostile to the possibility of political deliberation.

The animating concern of this chapter is that deliberative democracy is a craft suitable only for calm weather, and is wholly unfit for stormy political conditions. My aim in this chapter is to argue that deliberative democracy can successfully theorise the conditions of emergency, and is thus not precluded by emergency circumstances. This concern cuts to the core of the engagement between deliberative democracy and political realism. Deliberation does not have to harmonise with every other aspect of democratic politics, but it must be able to coexist with other longstanding elements of democratic politics. To the extent that a theory fails to make room for such coexistence, it falls short as a credible theory of democratic politics. Now, I do not claim here that emergencies are necessary or desirable aspects of politics, but they are recurrent features of our political landscape, nevertheless. Emergencies may not, as some think, be latent in the human condition, but it makes sense to orientate ourselves, in both our democratic theory and practice, *as if* they were always possible.[25] As I shall explain below, emergencies neither emerge from outside of politics (except in the cases of natural disasters) nor come to define or organise the political. They are, to reiterate, features of politics which recur in various guises - neither more nor less. If deliberative democracy cannot speak to the challenge of emergencies, then it will find itself an increasingly marginalised theory in a world dominated by crises.

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[25] [25] For the classic theorists of emergency - Machiavelli, Hobbes, and Rousseau - as well as for moderns such as Carl Schmitt, the state of emergency, whether potential or actual, was the permanent condition of humankind. Of course, this does not imply that these theorists held the same position on emergencies. See N. Lazar (2009) Ch. 2, for one possible division along republican and decisionist lines.

This chapter has the following structure: I begin with a brief discussion of the character of emergencies. Emergencies have often been characterised in the history of political thought as exceptional circumstances to the norms governing everyday political conduct. Many contemporary political and legal theorists reproduce this norm/exception dichotomy, often implicitly. However, there has been a growing counter-movement to displace this conceptual framework, and to theorise emergencies as continuous with everyday political norms. This literature demonstrates that emergencies do not have to constitute a state of exception from normal politics; indeed, that emergencies are better viewed as a part of politics. It is in this political context that deliberation is best placed to offer a response to emergency conditions.

I then focus on four challenges of emergencies. Taken individually or together, they are neither necessary nor sufficient criteria for an emergency. Emergencies may exhibit all or none of these features, and they may also occur in non-emergency conditions, such as everyday police operations. I have chosen these features for examination because they manifest particularly strong challenges to the feasibility of deliberative democracy. They are: necessity, complexity, secrecy, and urgency. In each of these cases, the possibility for meaningful deliberation is challenged. I illustrate these features of emergency through contemporary examples which continue to shape our democratic politics, such as the economic collapse of 2007/08, the ongoing threat of terrorism, and imperceptibly slow environmental degradation in the form of climate change. Each of these scenarios pose recurrent challenges to democracies. Helpfully, their open-ended natures allow me to emphasise continuities between emergencies and normal politics; continuities often

downplayed in a theoretical literature that instead emphasises moments of rupture and exceptionality.

1.1. *Theorising emergencies*

Emergencies, by their very nature, pose great challenges for democratic politics. While democratic government by democracy may head-off certain forms of emergency, such as mass famines, it is far from a panacea (Sen, 1999). Indeed, it has been a recurrent lament throughout modern political history that democracies dither during crises, producing much talk but little action, while dictatorships, unencumbered by democratic imperatives of persuasion and compromise, show decisive action in the face of emergencies. Indeed, this was one of Schmitt's complaints against parliamentary democracy in the Weimar republic (Schmitt, 2000). While it is not the case that democracies are completely ineffectual when confronted by emergencies, the argument that emergencies pose a special problem for democracies nevertheless displays great plausibility.[26]

This is especially true when considering the possibilities for political deliberation. Emergency conditions are those under which we might expect political deliberation to be most needed but also most vulnerable. The importance of careful deliberation is felt most keenly in democracy's most dangerous moments, where a wrong decision could lead to disaster, and when the temptation to simply override democratic procedures is at its strongest. However, deliberative democracy seems to be eminently fragile when faced with the characteristic features of emergency, among which we can include necessity, secrecy, urgency, and complexity. The

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[26] For the argument that democracy's inherent flexibility and ethos of experimentation is an asset for coping with emergencies, see D. Runciman (2013). This is, however, not the approach which I take in this chapter.

possibilities for meaningful deliberation thus seem to be foreclosed or put under extreme pressure by the nature of emergency. Against this, we might reasonably complain that if a political theory cannot assist us in our moments of greatest peril, and offers us little guidance on how to proceed when circumstances are far from ideal, then it can have only limited application in a democratic politics where the possibility for emergency is always present, and where democracies should thus be constantly on guard for the next emergency to appear on the horizon.

It is not entirely the case, however, that the relationship between deliberation and emergencies has been entirely overlooked. Bruce Ackerman, for one, is a theorist with interests in matters of emergency government but remains sympathetic to models of deliberative democracy. For Ackerman, moments of great crisis, notably the framing and adoption of the United States constitution, the Civil War, and the Great Depression era, serve as exemplars of popular deliberation in action (Ackerman, 1991). On this view, far from inimical to deliberation, great emergencies can actually produce the most authentic instances of deliberative democracy. However, the plausibility of Ackerman's account is undermined somewhat by his belief that the capacity for deliberation is a scarce resource. It is only in moments of emergency, Ackerman believes, that citizens can be sufficiently excited to participate in popular deliberation. Normal politics, therefore, cannot and should not be conducted according to mass deliberation, which is reserved only for moments of constitutional founding or for matters of basic justice.[27]

Aside from the historical veracity of Ackerman's account, his conception of mass deliberation as a scarce resource to be parcelled out only in times of utmost

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[27] In this respect, Ackerman follows Rawls's prescriptions on the highly limited role of mass deliberation in governmental decision-making. See J. Rawls (2005).

emergency tends to make it of only limited usefulness. Even if Ackerman's historical account and theoretical argument are sound, emergencies occur in moments other than constitutional founding and re-founding. Emergencies are more common than the great moments of political crisis which Ackerman examines, which occur roughly once a century. In line with the argument for the essential continuity between emergencies and everyday democratic politics, then, we can say that emergencies are not simply confined to the momentous events which inform Ackerman's argument. While Ackerman's argument may hold true for these instances of emergency, it does not treat with other instances. Moreover, Ackerman hold that the capacity to engage in widespread deliberation is best viewed as a scarce, it is more plausible to think of it as we would a muscle. When it is regularly exercised, it grows stronger and more robust. When it is rarely used, however, it atrophies and cannot bear excessive strain. The more emergencies we are faced with, then, the stronger our capacity for deliberation must be.

In the following section, I examine five different features of emergency which pose challenges for deliberative democracy. In each case, the emergency brings forward challenges for the possibility of political deliberation - or at least, deliberation as it is regularly characterised in the existing literature. These are problems of necessity, complexity, secrecy, urgency, and scale. These features of emergency are not mutual exclusive, and may occur together in different contexts. A global economic emergency, for example, may present threats of necessity and powerlessness, but it may also require politicians to conduct their deliberations in secret. For the sake of conceptual clarity, however, I treat these features separately here. It is also worth mentioning that none of these features are necessary or sufficient conditions for a state of emergency. For example, emergencies may take

the form of natural disasters where the correct response, such as a mass evacuation, is both indisputable and (cognitively, if not practically) uncomplicated. On the other hand, we may be faced on a regular basis by discourses of necessity, or be required to assess the claims of experts when dealing with complex issues. My argument is that, although emergency conditions threaten deliberation, these threats are not insuperable and are indeed prone to be overstated. It is our task here to find the spaces within these circumstances, typical of emergencies, in which political deliberation can take place.

2. The politics of emergencies

In this section, I engage with the doctrine of exceptionalism, represented by its foremost advocate, Carl Schmitt. As we have seen, emergencies seemingly pose a challenge for deliberation, threatening the possibilities for deliberation in democratic politics. However, the importance of political deliberation is never greater than during states of emergency, when the outcomes of decisions can prove momentous and the temptation to override democratic procedures is great. As such, deliberative democratic theory must demonstrate that it is compatible with conditions of emergencies. The first step in doing so   is to de-exceptionalise the state of emergency; that is, to show that emergencies are a part of 'ordinary' politics, rather than moments of exception. To do this, I offer reasons for the superiority of a 'continuity' thesis of emergencies advanced by recent theorists, showing the norms governing emergencies to be continuous with those governing normal democratic politics. So conceived, emergencies fall within the same domain as political deliberation,   and are one of its proper objects.

A note on the terminology: I employ the term "state of emergency" to refer to the conditions under which emergencies obtain, rather than any legal-constitutional declaration. For ease of analysis, I limit the discussion of this section to the conceptual conditions of emergency, rather than the legal definitions of emergency or the legality of emergency executive powers. Much of the theoretical literature on emergencies is found with contemporary legal studies, and focuses on the relationship between emergencies and constitutional government. Partial engagement with this literature is unavoidable, though my primary objective here is to examine emergencies *tout court* rather than elaborate their constitutional status.

2.1. *The doctrine of exceptionalism*

The term "emergency", as Nomi Lazar points out, is "among those words that Wittgenstein has taught us to think of as naming not one but a family of concepts, which resemble each other in much the same manner that families do" (see Lazar, 2009: 7; Freeden, 1996). Emergencies provoke thoughts of moments of extreme violence or hardship, such as riots, plagues, wars, earthquakes and other natural disasters. Each of these cases is different - some are unavoidable, naturally occurring phenomena, while others are the product of human intervention - but all share similar features and occupy similar terrain in the conceptual topography of politics. They all involve moments of great danger to life and property, disorder and dislocation, and widespread upheaval.

In legal and political theory, recent discussions of emergency have traditionally been dominated by the anti-liberal thought of Carl Schmitt and his critique of parliamentary democracy (Schmitt, 2000). For Schmitt, the

circumstances which count as an emergency and thus constitute a state of exception from "normal" politics is a matter decided by the sovereign and the sovereign alone. By positing a fundamental rupture between times of emergencies and everyday politics, Schmitt is able to cast his sovereign as a wielder of absolute discretionary authority (Schmitt, 2005). His conception of the emergency thus stands in the tradition of sovereign decisionism exemplified by Thomas Hobbes. For Schmitt, as for Hobbes, responding to a chaotic world that is not governed by norms by acting in accordance with norms and restrictions is a fool's errand. In conditions of turbulent disorder, only a sovereign with absolute and undivided power can provide an adequate response and re-establish the conditions of order. For both thinkers, the state of emergency is a spectre which looms over human life; it is the permanent condition of humanity, whether actual or potential. The emergency powers of the sovereign are thus unbounded by a constitution and require no public justification, because norms can only apply under normal circumstances. It cannot be the case, then, that the sovereign violates any rules because in states of exception no rules apply. Moreover, emergency circumstances and their specific characters cannot be predicted *ex ante*; thus, no laws can be produced to regulate them. Schmitt's doctrine of the state of exception and sovereign power is therefore fundamentally at odds with the principles of democratic accountability (Lazar, 2009: 19).

While Schmitt's conception of the state of emergency has proven unsurprisingly controversial in modern political theory, it is dominated the literature on emergency conditions. Indeed, in refusing to confront the challenges of emergency, it is sometimes claimed that much mainstream liberal political theory unknowingly reproduces Schmitt's norm/exception dichotomy, whilst theorists explicitly treating with the problems of emergency, such as Giorgio Agamben, tend

to follow in Schmitt's wake (Agamben, 2005). The terms of discussion regarding emergencies have thus been ceded to, and dictated by, those who advocate a fundamental rupture between conditions of emergency and normal politics.

2.2. *Against exceptionalism*

Against the norm/exception paradigm advocated by Schmitt and his followers, recent theorists (Honig, 2009; Lazar, 2009) have attempted to de-exceptionalise states of emergency by stressing the commonalities between emergencies and normal politics. The distinction between emergency and normal politics is not categorical, therefore, but one of degree. Just as an individual may face an emergency when confronted with threats to life or property, a state may faces emergency when confronted with the same. The difference is merely one of scale. The appropriate analogy is that of crime. Just as criminals threaten bodies within the state, emergencies threaten the body of the state, in either sense of its material body (by threatening the lives of a multitude of its citizens) or its ethos (by threatening the values embodied within its institutions, for example).

The critique of liberalism adopted by the exceptionalists, the argument goes, rests on a caricatured view of liberal constitutionalism. Far from viewing rights as constant and inviolable, for instance, democratic polities are prepared to overrule individual rights when other values, such as survival, are at stake. Indeed, they do so regularly. The fact of the existence of criminal justice systems in liberal democracies is sufficient evidence of this. As Lazar puts it, "the right to freedom of religion is not absolute, but may potentially be derogated when other interests of critical importance are taken into account", such as issues of security and autonomy (Lazar, 2009: 91).

Similar prohibitions exist for freedoms of speech and assembly. (We cannot, to cite two classic examples, maliciously spread alarm through a crowded theatre, nor incite an angry mob towards acts of violence, without expecting the coercive force of the state to bear down upon us.) While "security, order, desert, group cohesion, cultural pluralism, and the preservation and expression of cultural heritage" are not liberal values, they are values nevertheless (ibid: 89). And while these values may stand in tension with those of liberal democracy, tension does not entail mutual exclusivity. Conflicts between values are common and can be navigated successfully in democratic politics.

Similarly, emergencies exhibit several features which do not conform to the exceptionalist account. One such feature is their potentially open-ended character. Much scholarship on emergencies overlooks this, and thus reproduces Schmitt's dichotomy between norm and exception. This is a mistake, however,. The received view is that, as Scheppele notes, emergencies and normal politics "exist in two different states, as if there were a toggle switch between them that one could flip in times of crisis and flip black at the end" (Scheppele, 2006: 838). On this exceptionalist view, emergencies are temporally contained moments of abnormality, and normality recommences when the state brings the emergency to a close. However, emergencies are rarely time-bound in so neat a fashion. Indeed, when an emergency continues for many years, it can become the norm. In some cases, such as in Northern Ireland or Sri Lanka, it can make more sense to ask why an emergency came to a close than why it continued for so long, or why it erupted in the first place. The contrast between emergencies and 'normal' politics can thus grow vague, with emergency circumstances often bleeding into non-emergency politics, with one becoming indistinguishable from the other.

Secondly, a binary view of emergency circumstances, where emergencies are discrete incidents bracketed by normal politics, occludes the normalisation of emergency powers in the everyday practice of states. For example, state and federal governments in the United States declared forty-seven states of emergency in 2005 alone, mostly in response to extreme weather events and in providing assistance to the evacuees of affected areas. In the majority of cases, political and everyday life continued as normal, uninterrupted. The states of emergency were fairly commonplace and unremarkable for the majority of citizens. It is an important but unanswered question, therefore, whether contemporary politics is novel because it is increasingly characterised by emergencies, or whether contemporary politics has migrated towards a state of almost constant emergency. Moreover, the exceptionalist view overlooks the possibility that emergencies irrevocably and subtly alter the landscape of politics. Far from being self-contained events, emergencies can have ramifications long after their termination, even if they are brought to a close with relative success. The steady accretion of emergency powers, for example, marks a subtle change in the power-relations between many modern states and the ways in which bureaucratic organisations discharge their responsibilities.

Thirdly, despite the account of sovereign decisionism argued for by Schmitt, emergencies are not essentially mysterious phenomena that cannot be predicted in advance. The specific character of an emergency may be difficult to specify in advance with any certainty, but emergencies are not unknowable or wholly unpredictable prior to their occurrence. Indeed, they exemplify certain characteristics which I examine in the following sections, such as urgency, complexity, the rhetoric of necessity, and the need for secrecy. Fourthly, many emergencies are not random and do not appear from nowhere; in fact, they originate from politics. They are often

the products of political choices and structures, and even when they are not, as in the case of natural disasters, they require political responses and may have long-lasting political consequences. For instance, political decisions may increase the magnitude of the devastation and uncertainty wrought by natural disasters, such as the installation of a nuclear power station in an earthquake zone, or neglecting to build flood-levees in along a vulnerable coastline. Whatever the origins of emergency, then, whether society, the economy, or the weather, emergencies ought to be regarded as a challenge, but not an exception, to normal politics.

Similarly, under the assumptions of a norm/exception framework, it is confusing whether we should describe, say, an outbreak of pacifist resistance as an emergency or   not. There is no threat of violence, after all, but the institutions of the political order will have been challenged. This example points to an unwarranted conservative impulse in characterisations of emergencies. Namely, that when emergencies are characterised in such broad terms, the institutions and principles challenged by emergencies are conceived as   static and inviolable. The concern is that order is prized over disorder to such an extent   that widespread urgings for political change, notably in the form of civil disobedience,   come to be regarded as abnormal events, threats to the security of the polity which must   be ended as soon as possible.

This concern reveals something of the nature of order (a political value of crucial importance to realists). How should we react to a choice between disorder and an order which manifestly unjust? Is order to be prized above all other considerations? We may   think, if we follow the influential Hobbesian strand within realist thought, that we must   prize order first and above all other values, being a prerequisite for the realisation of all   other values (see Williams, 2005). This binary

view of order and disorder, which goes hand in glove with the norm/exception binary, diverts attention away from the important fact that political transitions can be more or less orderly (Lazar, 2009: 110-111). In deciding how to respond to civil disobedience, then, it is crucial for the state (and its citizens) to ask whether a movement threatens the *particular* order embodied by a regime or the concept of order itself. This can be judged by the degree of orderliness exhibited by the movement. For example, a movement threatening violent revolution should be regarded differently to a pacifist civil rights movement, even though their stated goals of effecting regime-change are similar. This perspective looks less like a conflict between order and disorder than a rivalry between different conceptions of order. That is, it comes to look more like a political, rather than existential, conflict. The exceptionalist doctrine makes no such distinction, however, conflating the two.

From all this, it should be clear that emergencies are elusive and resist any easy definition. However, emergencies do not fit into the bracket of exceptionalism, despite the prevalence of this approach in the literature. Emergencies are not extra-political moments, governed by a separate set of norms to those which govern ordinary democratic politics. Indeed, many emergencies emerge from and are terminated by politics. The lines between emergencies and ordinary politics may often be obscured, and emergencies may be more predictable than many believe. Moreover, the exceptionalist account of emergency is characterised by an essential conservatism which is hostile to political transitions. Thus, we can reject the exceptionalist account while embracing a view of emergencies which treats them for what they are; namely, as aspects of politics.

3. The problems of necessity

The first feature of emergencies I will consider is necessity. In the literature on emergency politics, the concept of necessity has featured most prominently in discussions regarding emergency powers. Indeed, Ferejohn and Pasquino build necessity into their definition of exceptional circumstances. Such circumstances, they believe, are constituted by various "needs", such as the need for secrecy, the need for a rapid response, the need to move large numbers of people, the need to create and mobilise armies, and so on (Ferejohn and Pasquino, 2004: 220-221). These needs tend to be associated with the very survival of the political order, and thus become normative in justifying leaders to take extra-legal actions - such as suspending rights of speech and assembly - to preserve that order. Although there are shades of this version of necessity in one of the forms I discuss below, this is not the sense in which I use it here. I am more interested in discussing the conditions of emergency than the powers granted to politicians and state officials to respond to emergencies. This does not mean that such powers are unproblematic for deliberation, but they form no part of the discussion presented here. Instead, I offer a distinction between two forms of apparent necessity, and suggest ways in which deliberation can prevent and manage these forms.

3.1. *Two Forms of Necessity*

The sense in which I invoke the concept of necessity here involves a kind of determinism or fatalism. That is, a belief that events are predetermined or inevitable, and that human beings, both individually and collectively, can exercise only limited

or no control over their own societies.[28] Necessity so conceived denies or radically limits the scope for human agency in politics, and thus forecloses the possibility of meaningful deliberation. Deliberation, recall, is reflection tied to action. If we think, as with Aristotle, that we cannot deliberate over matters beyond our control, such as the composition of stars or mathematical abstractions, and can only deliberate "about those things that are in our power and can be done", then this conception of necessity threatens the possibility for deliberation by removing whole swathes of life from the scope of human influence (Aristotle, 1998: 55). On this view, both politicians and citizens are swept away by the course of political events as if they were tidal waves which cannot be controlled nor escaped from. This conception of necessity has at least two variants: the lack of control over politics, and the lack of choice in politics. Both of these forms, I contend, are forms of false-consciousness; that is, they are ways of thinking which obscure the true nature of one's situation. I shall illuminate both of these variants of necessity before suggesting ways in which deliberation can help citizens avoid falling prey to them, and, where some courses of action are truly necessary, can help us to arrive at a picture of what must be done and how it ought to be done.

The former conception of necessity signals a declaration of powerlessness on the part of a political figure. Politicians frequently claim they had no role in creating an emergency, and that they are simply casualties of unforeseen circumstances like everyone else. They claim that they could not have possibly predicted the advent of the emergency, often simply because no-one else (or, at least, no-one with a reputation for credibility) had foreseen its approach. On this account of necessity, politicians may attempt to manage events and processes which are well-known and

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[28] For an overview of the various species of fatalism which afflict modern politics, see Gamble (2000).

proceed inexorably, such as doctrines of national decline, but it is simply not in their power to arrest these processes and change the course of their societies. Politicians cannot change the future; they can simply conduct it into the present with a minimum of disorder. In adhering to this conception of necessity, then, politicians abnegate responsibility for emergencies. (They may sincerely believe that they have little control and thus little responsibility over events, of course, or they may simply claim this mindset in order to avoid public humiliation and electoral defeat. The outcome, however, remains the same.) They may claim that global economic forces, much like the weather, are beyond the scope of anyone's powers to alter. Such things, they might say, are deeply unpredictable and, like divine will, probably unknowable.

The second variant of this conception of necessity follows on from the first: an   absence of power signals an absence of choice. On other words, this form of necessity dictates that there is some course of action which must be undertaken in order to achieve or avoid a certain outcome. Emergency conditions have often been characterised by such limited and instrumentalist perspectives, usually fostered by both the urgency of the circumstances and the desirability (or lack thereof) of the outcome. The claim likely to be heard in this context is that emergencies impose severe constraints upon action, narrow the range of possible responses to all but a few, and drive decision-making down a particular path. The apparent absence of choice can also serve to exculpate politicians from their controversial actions and policies, such as sanctioning practices of torture or extraordinary rendition. Politicians' actions need not be so extreme to adhere to this form of necessity, however. The discourse of globalisation, for example, provides an ample resource for politicians to claim that their macroeconomic policy options are constrained by

the need to avoid capital flight and maintain confidence in financial markets (Hay, 2007: Chapter 4).

Both forms of necessity threaten the possibilities for political deliberation. For if we lack the power to control or influence events and have no choice about which policies to pursue, then deliberation is simply redundant or inapplicable. A drowning man does not, after all, need to deliberate over whether or not to grab onto a life jacket. In other words, the conception of necessity as a lack of choice forecloses the possibility for deliberation on the means of policies. For instance, when the only way to achieve a given end x (such as avoiding the collapse of a nation's finances) is believed to be by taking the specific action y and only action y (such as injecting capital into failing banks), with any other action producing a different outcome, then there is little point engaging in deliberation. Both the means and the ends of policies are thus placed above scrutiny. Likewise, the conception of necessity as a lack of control seemingly forecloses the possibility for any deliberation on policy whatsoever. If we are convinced of the inevitability of an event, or of its unpredictable and uncontrollable nature (such as the damage inflicted by changing weather patterns due to global climate change) then there is nothing we can do except prepare for the worst. The possibilities for stymieing or reversing the coming catastrophe will not have been considered. And without the possibility of choice, deliberation is impossible.

Moreover, the conception of necessity as a lack of control may act to reinforce hegemonic ideologies. By conceptualising social and economic processes as inexorable and beyond anyone's power to alter, politicians and citizens will likely learn to accommodate themselves to the status quo and to be resistant to any attempts at and calls for reform, convincing themselves that they are doomed to failure. This

conception of necessity as powerlessness thus breeds political pessimism and resignation to existing hegemonies of power, which may stifle or undermine other values. Similarly, the conception of necessity as a lack of choice can provide a mask for authoritarian political actions (Heller, 2006), where the government will pursue a given end by any means. This relates to the conception of necessity outlined by Ferejohn and Pasquino (2004), where claims of necessity can be used to justify wide-ranging and permissive emergency powers. Thus, both conceptions of necessity may have baleful effects for democracy beyond closing down the possibilities for deliberation.

Furthermore, both of these variants of necessity become self-fulfilling if they are internalised by policy-makers. Put crudely, perceptions can shape reality. For example, if politicians perceive there to be a loss of national autonomy when it comes to formulating economic policies, or if they perceive a process to be inevitable and can only be negotiated rather than challenged, then this will heavily condition the range of policy options which they consider. This has perhaps been the case in the discourses surrounding globalisation: If politicians believe that their national economies are subject to uncontrolled and unstoppable forces of global integration, such as free movement of capital and labour, which cannot be apprehended at the level of the nation-state, then they will club together into large multinational organisations in an effort to bring these forces under control. In so doing,   they pool their nations' sovereignty and, in the case of the European Union, agree to multinational policies governing the movement of labour and co-ordinating monetary and fiscal policies. Ironically, their individual policy-options are duly constrained. Thus, they accelerate the very forces they sought to negotiate, becoming

more integrated into (and thus more vulnerable to shocks in) global markets than they were previously and would otherwise have been.

It is in this way that the conceptions of necessity outlined here are pernicious in not only threatening the possibilities for deliberation but also, connectedly, the possibilities for democratic accountability and self-governance. For if politicians believe themselves to be   subject to inexorable global forces, and that there capacity to craft policy is correspondingly diminished, they will act accordingly. As we have seen, these actions can become self-fulfilling, leaving societies hostage to forces which could otherwise be mitigated and defended against, and which, owing to their transnational character, cannot be held accountable through institutionalised democratic mechanisms. Similarly, as the discourses of necessity become more and more prevalent, policy-makers will believe they have no alternatives and converge on identical sets of policies, leaving citizens with indistinguishable electoral choices (Hay, 2007: 151). And if citizens are not offered a choice in their public affairs, then they cannot be said to be self-governing.

Up till now, I have referred to the problems of necessity in terms which are speculative. This may lead the analysis to sound fanciful, so a concrete example would be helpful here. Consider, then, how significantly these conceptions of necessity came to characterise the response to the 2007-08 financial crisis, especially (though not exclusively) amongst politicians in the UK. The favoured mantra of Gordon Brown, then Prime Minister and former Chancellor, was that the collapse of the international financial system had "started in America", and that it was a global

phenomenon which could not plausibly have been predicted.[29] There was certainly much truth in these claims. The financial crisis had originated in the United States, was being experienced across the world, and came as an enormous surprise to many.[30] Despite these evidently sound claims, however, Brown's rhetoric was that of necessity. The emergency was externalised as the product of complex economic forces beyond the ability of any one politician to apprehend and demanded a response which was perceived to be the only available option; an injection of capital into failing banks. To do otherwise, to allow the banks to fail, would be "unthinkable"; just as unthinkable as the notion, in the years preceding the crisis, that such a wide-ranging emergency of financial capitalism was possible. Far from being purely speculative, then, the conceptions of necessity elucidated here do feature in existing political discourse.

3.2. *Deliberative responses to necessity*

If the conceptions of necessity elucidated above are hostile to the possibilities for political deliberation, as well as other democratic goods such as accountability and self-governance, then deliberation can provide a response to this challenge. Indeed, it is my contention here that a deliberative democratic culture can mitigate the worst features of the conceptions of necessity and can help democratic citizens and politicians to avoid them.

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[29] See the British Broadcasting Corporation (2008) "Gordon Brown Interview Transcript - BBC News". Available at: http://news.bbc.co.uk/1/hi/programmes/politics_show/7741358.stm Last accessed 20th April, 2015.

[30] For one possible (and highly polemical) exception, see J. Gray (2009; 1998) *False Dawn: The Delusions of Global Capitalism* (London: Granta).

Political deliberation can help citizens to avoid the dangers of these conceptions of necessity in at least three ways. Firstly, a political culture in which citizens deliberate together can help to increase historical self-awareness; that is, to increase awareness of the contingent nature of our social, political, and economic institutions and practices. For instance, the global economic structures and practices which led to the 2007-08 financial crisis did not appear *ex nihilo*, nor were they the inevitable outcome of any long-term economic processes. Rather, they were the accumulated result of political choices made by elected politicians, state officials, and actors within the global financial services industry, amongst others, over several decades. (In some cases, these individuals had what they believed to be good motives for making these choices, such as the Clinton administration's 'National Homeownership Strategy' and the Carter administrations Community Reinvestment Act of 1977. While these policies likely laid the foundation for the sub-prime mortgage regime of later years and the ensuing emergency, they were originally intended to increase homeownership in deprived urban areas.) When institutional structures are thus seen as the products of human choices through a process of steady accretion rather than mysterious outcomes of uncontrollable forces, and when certain emergencies are concomitantly seen as the accidental by-products of these choices rather than simply occurring for no reason, citizens and policy-makers can be encouraged to reform these institutions and make better choices in the future.

While deliberation which increases the historical self-awareness of politicians and citizens can therefore play an important role in counteracting the discourses of necessity as lack of choice, it can also help to puncture discourses of powerlessness, revealing them as overblown and contingent. For example, advocates of the globalisation thesis have often overlook the fact that globalisation is hardly a new

phenomenon, as the world has been gripped by periodic movements towards economic and cultural integration since pre-history. Indeed, the nineteenth century was, by many measures, a more globalised period than the present (Hopkins, 2002). Public deliberation can also expose these discourses as masks for sectional interests and as means for politicians to abnegate responsibility. Indeed, evidence suggests that processes of globalisation need not compel politicians towards deregulating their economies, for example, because the most attractive economies to capital investors are those with highly-skilled workforces and extensive public services (Hay, 2007: 143-150; Swank, 2002). Moreover, far from becoming an increasingly globalised, consolidated world economy, the trend has rather been towards greater regionalisation (for increased flows of capital, labour, and products within, rather than between, trading blocs), in particular the trading blocs of North America, Europe, and East Asia. When such knowledge is diffused through processes of political deliberation, it can provide both politicians and citizens with a greater sense of autonomy and responsibility, avoiding their unreflective acceptance of discourses of powerlessness.

Thirdly, through and in addition to puncturing the discourses of necessity and providing citizens and politicians with increased historical self-awareness, deliberation can also expand the range of feasible policies to be considered. It can accomplish this by widening the circle of voices included in policy deliberations traditionally dominated by an elite class of experts (as I expand upon in the following section), and by providing an epistemic scaffolding for politicians to craft policy as well as a means for citizens to pool ideas and knowledge. Thus, democratic citizens can come to value the emancipatory potential of political deliberation.

Furthermore, even in those case where some courses of action are indeed necessary, deliberation is indispensible for deciding precisely what is to be done and how. After all, emergencies can be navigated in better and worse ways. In some circumstances, such as deciding how to combat environmental deterioration, including all the major stakeholder groups in deliberation is essential for ensuring both the quality and the legitimacy of the policy outcome (see Fishkin, 2005). At the extreme, we can imagine scenarios where strict environmental controls are established, but at the cost of many employment opportunities, resulting in widespread unemployment. Such trade-offs may be inevitable, but this can only be apprehended properly through a process of inclusive deliberation to consider all available strategies. And the legitimacy of any such trade-offs, if they are inevitable, will only be deepened by this process.

In sum, while discourses of necessity, conceived as both a lack of control over politics and lack of choice regarding feasible alternatives, present hazards for deliberation and other democratic goods, they can be effectively avoided by a deliberative culture which raises citizens' and politicians' historical self-awareness whilst also expanding the horizons of plausible alternative policies. Where some courses of action are unavoidable, political deliberation can help to confirm this and to improve the means by which these actions are performed, as well as deepening the public legitimacy of the outcome.

4. The problem of complexity

As should be clear by this stage, the financial crisis of 2008 was a remarkably complex phenomenon. Comprehension of the events as they unfolded required an

extensive knowledge of a multiplicity of extremely technical subjects, from the American housing market to the organisation of various financial institutions, to the history of international regulatory frameworks, and more. Even many of the workers within those financial institutions responsible for crafting their policies only possessed knowledge which was deeply imperfect. (Indeed, some proved to be remarkably ignorant of the workings of   their own businesses.) Moreover, as we have seen, even the possession of an extensive   knowledge of these matters was not sufficient for many experts, including economic   policy-makers, to recognise what they were witnessing. The financial markets were thus complex in the sense that they had a great number of parts which interacted with each   other in ways few could have predicted (see Zolo, 1992).

Complexity, then, generates a large-scale division of labour, which in turn breeds collective uncertainty. As technical knowledge becomes increasingly specialised, it also becomes more fragmented. Very few individuals, if any, can apprehend the details of a complex system in isolation. Complexity of this sort undermines deliberation, such that   only two outcomes are likely: either deliberation, because of the very limited and partial knowledge of the participants, will be a confused, unstructured jumble with only limited content and uncertain legitimacy; or, because the only people with sufficient knowledge   to deliberate in any meaningful sense are technical experts, the scope of the deliberation   will be extremely limited, in both the number of participants and the range of questions which it addresses. Deliberation has thus gone from a meaningful, inclusive part of democratic politics to either a disjointed meeting of the many or an exclusive counsel of   the few.

These are hard issues, and we cannot expect to navigate around them neatly. One fruitful place to start, however, is the view that expert deliberations can supplement deliberation amongst citizens, rather than replace it outright. The challenge here is to construct mechanisms for the diffusion of expert knowledge across the polity, so that deliberations can be more informed and informative. (I understand an expert here to be someone who possesses an amount of true beliefs that is significantly higher than any ordinary citizen for any given subject matter, as well as possessing a set of skills which allows them to test and extend these beliefs across their discipline.[31]) Such mechanisms are likely to be constituted by the intermediate institutions between experts and citizens, including the printed, broadcast, and digital media, political parties and interest groups, universities and think tanks, formal and informal group associations, and so on. When confronted by complex emergency circumstances, then, democracies must respond by constructing new divisions of cognitive labour, and by coordinating existing divisions to achieve a more deliberative polity (see Christiano, 2012).

Furthermore, citizens who are not experts in the sense specified above can nevertheless provide a different kind of expertise to deliberation, in the form of "local knowledge". That is, the knowledge of those who are likely to be effected by the consequences of a change in policy, and have been previously. This form of knowledge can not only shape citizens' deliberations but can also be included in the deliberations of experts (ibid: 29-30). What expert deliberations gain in technical knowledge, they sacrifice by becoming more remote from the lived experiences of everyday citizens, who will not only have to live with the consequences of any policy but will likely feel its effects more keenly. A change in the marginal rate of

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[31] For a more systematic version of this definition, see A.I. Goldman (2001).

income tax, for instance, will affect the lives of citizens at the lower end of the income scale disproportionate to other citizens. The diffusion of knowledge between experts and citizens is thus reciprocal in nature.

Moreover, while experts can relay their own parcels of information to citizens in the public sphere, they cannot be assumed automatically to be unbiased or objective, in either the content of their information or the mode of presenting it. This touches upon issues of deliberative rhetoric explored in Chapter 3. Citizens cannot be expected to evaluate the claims and arguments of experts on their own terms, precisely because they lack, by definition, the requisite expertise to make such evaluations. The challenge then becomes one of assessing the arguments of experts based on other criteria, such as evidence of partial and impartial interests and good character (see O'Neill, 2002). And as we have seen, experts may also be compromised in the sense that they can inhabit pernicious discourses and rely on conceptual frameworks which may be outmoded or lacking demonstrable empirical justification to interpret events. Experts, we must remember, also rely on the claims of other experts. If one set of assumptions is proven faulty, then this will have repercussions throughout and across many deliberations. Citizens, then, have good reasons not to simply accept the claims of experts *prima facie*, but to scrutinise them according to different criteria and to test them against their expected consequences. In this way, the intermediary institutions between experts and citizens, such as the media and political parties. These mechanisms are far from infallible, but they are indispensible for the deliberations of everyday citizens.

5. The problem of secrecy

Having surveyed the problems for deliberation generated by necessity, which radically limits the possibility for deliberation by restricting alternatives, and by complexity, which poses an epistemic deficit challenge for deliberation, I turn now to another problem for deliberation, generated by another feature of emergency as I have characterised it. This is the problem of secrecy. Secrecy is often viewed by democratic theorists as anathema to deliberative democracy, as legitimate deliberation is typically taken to incorporate a strong norm of publicity. That is, for the outcomes of deliberation to be considered politically legitimate, they must have been reached by a process of deliberation which takes place in public, is visible (if not accessible) to all, and is constituted by the exchange of mutually acceptable arguments. The demands for secrecy sometimes generated by emergencies thus pose problems of political legitimacy for deliberation.

My task in this section is to illuminate and resolve this problem. First, I describe instances of how emergencies may produce demands for secrecy. I do this by examining emergency scenarios in which requirements for deliberative secrecy are especially high, such as counter-terrorism operations and armistice negotiations. Secrecy, as I show, is sometimes consequentially beneficial or necessary in emergency situations. I then explicate the apparent legitimacy issues these conditions create for deliberation, as they appear in tension with the deliberative value of publicity. I then explore the conditions under which secrecy is beneficial for deliberation and compatible with it, including the secret ballot to the deliberative secrecy of criminal juries.

5.1. *The need for secrecy*

In the first instance, let us imagine the following scenario: a national intelligence agency receives a credible piece of information suggesting that an undercover terrorist cell is planning an imminent series of bomb attacks on that nation's major cities and infrastructure, which, if successful, would result in many civilian casualties, as well as widespread panic and chaos amongst the general population. This, we may confidently assert, qualifies as an emergency - or, at least, as a potential emergency. By a stroke of good fortune, the intelligence agency soon identifies the group to commit the attacks as already monitored on their surveillance watch-lists, and one which they have already successfully infiltrated with undercover operatives. The agency then sets about disrupting the group's plans and neutralising them as a threat to the public welfare. The public, of course, is unaware of both the imminence of the attacks and the operations which are underway to prevent them. The agency gained its knowledge of the group from its vast surveillance apparatus - the existence of which is also unknown to the public - which   gathers information by intercepting personal emails and other electronic modes of communication. If the existence of the apparatus and its practices were made public knowledge, the general outcry would be such that the capacity of the agency to perceive potential attacks would be severely diminished.

In the second instance, let us imagine another scenario, involving the highly sensitive peace negotiations between rival factions after a long and costly civil war. The negotiations are fragile, with delegates from each side worried about being seen to have conceded too much to the opposing faction, or to have betrayed their side's interests and preferences, thus appearing 'soft'. If this were to happen, they would lose the support of   their people, and consequently negotiations would break down, perhaps followed by a resumption of violence. The details of the negotiations are

thus concealed from the public, for fear that a mutually satisfactory outcome could not be forged while the process was visible to all parties, including extremists ready to stoke dissatisfaction among the wider populace. We can extend these concerns to similar contexts, including constitutional conventions and even everyday parliamentary committee hearings.

In both of these examples, emergencies - or, rather, the *threat* of emergencies - provoke the use of secret policies and deliberations by elites to resolve or dissolve a problem. We can take it for granted that the resolution of both types of emergency is preferable to not doing so, as both would, if permitted to run their course, result in widespread violence, death, and misery. We can also say that in both cases, making the details of the policy or deliberation known to the public would place the outcome in jeopardy, as well as rendering the process or operation itself defunct. However, the desirability of concealing knowledge from the public, while in some cases justified, presents problems for the deliberative democratic account of political legitimacy, as we shall see shortly.

Before going any further it is useful to draw a distinction between the types of secrecy presented by these cases, to better understand the particular challenges they pose to this account of legitimacy. Secrecy itself must be distinguished from the related but separate notions of privacy and deception. Both of these notions presuppose the possibility of secrecy or concealment. To keep a secret from a person, according to Sissela Bok, "is to block information about it or evidence of it from reaching that person, and to do so intentionally: to prevent him from learning it, and thus possessing it, making use of it, or revealing it. The word "secrecy" refers to the resulting concealment" (Bok, 1983: 7). To practice secrecy, then, in Bok's sense of the term, is to practice intentional concealment. Privacy, on this definition,

is one form of secrecy, but it is not the whole of secrecy. While there is a perhaps important distinction to be made between intentionally concealing something and intentionally not revealing something, with the latter receiving stronger emphasis in the notion of privacy, this is not important for present purposes. After all, one can conceal matters which are of enormous public significance, such as in the cases outlined above, which could not sensibly be described as matters of privacy. Secrecy as used in this section refers to "public" secrets, which are matters of common concern, rather than the "private" secrets or concerns of individuals.

Similarly, secrecy is conceptually distinct from lying or deception. While they may overlap - for successful deception relies on the deceiver concealing the truth from the deceived - secrecy itself does not bear the taint of deception. One can admit to possessing a secret without violating any norm of truthfulness, after all. Secrecy is concerned instead with limiting the spread of information, rather than promoting the spread of misinformation. We might thus claim that while the possibility of secrecy is a necessary condition for both privacy and deception, it is neither a sufficient condition for the latter, nor is it identical with the former.

Now that we have a firmer grasp on the nature of secrecy and have gone some way towards differentiating it from related concepts, let us turn back to consider the types of secrecy evidenced in the examples given above. We might profitably draw a distinction here between "open" and "closed" forms of secrecy.[32] In the latter example of a ceasefire negotiation, it is publicly known that negotiations are taking place between representatives of the two sides of the conflict. It is neither the existence of the negotiations nor their eventual outcome which is

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[32] Gutmann and Thompson draw a similar distinction between "deep" and "shallow" secrets. See Gutmann and Thompson (1996: 121).

concealed, but rather the details of the negotiations between   the parties as they occur. We can therefore classify this as an example of open secrecy, where the existence of secrecy is public knowledge. Another example, familiar from literature on practical ethics, is the case of unmarked police cars. The police cars are unmarked to provide uncertainty for drivers contemplating breaking the speed limit, and their existence is publicised as a disincentive to potential law-breakers. The policy works because the details of the policy (that is, which cars are undercover police vehicles) are secret while the existence of the policy itself is widely known and publicised.[33]

In the former example of an intelligence agency operating within a network of   covert surveillance, we might classify this as a case of closed secrecy. It is closed in the   sense that the public is aware of neither the existence of the surveillance apparatus nor   the details of how it is employed. Beyond those few state officials and politicians who oversee the agency and participate within its operational structure, no-one is aware of its existence. (The public is certainly aware that intelligence agencies and counter-terrorist operations exist, of course. It is the existence of the extensive and intrusive surveillance network which is unknown.)

Now that I have ascertained at least some of the sorts of secrecy generated by emergencies, and have sketched the distinction between open and closed practices of secrecy, I move to discuss the problems which these different forms of secrecy throw up for deliberative democratic accounts of legitimacy. To grasp the significance of the challenges they pose, however, we must consider the role of publicity as a criterion of democratic legitimacy.

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[33] The pairing of these two examples elides the distinction between the merely successful functioning of the policy, on the one hand, and the quality of the outcomes achieved, on the other. It is plausible that many cases of elite deliberation will not be so fragile as to break down entirely if opened to public scrutiny (e.g. parliamentary committee hearings) but that the quality of the deliberations and their outcome will be effected negatively by publicity.

5.2. *Secrecy as a problem for deliberative legitimacy*

Secrecy poses problems for the deliberative democratic account of political legitimacy primarily because of the importance which deliberative democrats attach to the criterion   of publicity. Deliberative democratic theorists have usually employed publicity as one response to the problem of scale in modern, mass societies, in which citizens cannot physically gather together to deliberate in one single forum (Gutmann and Thompson,   1996; O'Flynn, 2006). Democracy at the large-scale thus necessitates some degree of representative governance, which in turn needs to be both visible and understandable to ordinary citizens. The requirement for publicity here guarantees that citizens who cannot participate directly in the legislative process can nevertheless see both the reasoning of public officials and the information which informed their deliberations. Citizens can also see that when their own positions, or at least ones similar to them, are overruled in representative deliberations it was "not by a mere act of will, but for what are thought to be superior reasons" (Mill, 1991: 282). In other words, the requirement for publicity plays a key role in the deliberative democratic account of legitimacy.

Furthermore, traditional arguments for publicity in government have stressed its pragmatic benefits, as well as the legitimating function performed by enabling ordinary citizens "to see that their interests and opinions have been afforded a fair hearing" (O'Flynn, 2006: 100). Amongst these benefits, we can list the general desirability of greater openness and transparency in political life, where publicity can be "regarded as an antidote to the machinations of unscrupulous politicians" (ibid: 99). Publicity thus performs an important role in the monitoring of politicians and

preventing certain forms of political corruption. In discharging this function, publicity also plays an essential role in fostering trust in, and support for, public institutions in societies undergoing democratic transitions as well as more established democracies. Publicity is therefore an important precondition for political accountability, and thus the wider conditions for democratic legitimacy. And at the most basic level, of course, we can add that citizens require knowledge of laws and regulations if they are to be followed (Goodin, 1992: 131). Moreover, the requirement of publicity can compel politicians to consider the common good rather than merely pursuing their own private or sectional interests, or to at least couch their arguments in terms which are justifiable to the public at large. For Seyla Benhabib, "the very procedure of articulating a view in public imposes a certain reflexivity on individual preferences and opinions" which "forces the individual to think of what would count as a good reason for all others involved" (Benhabib, 1996: 71-72).

Deliberative democrats have traditionally attempted to place the requirement for publicity on a stronger theoretical foundation than that provided by its pragmatic or consequentialist benefits, however. While the pragmatic considerations for publicity are significant, they are also heavily dependent upon context and offer no principled justifications for publicity. On the pragmatic or consequentialist account, "politicians have no moral reason to favour secrecy over publicity, and will keep secrets if they believe they can get away with it" (O'Flynn, 2006: 104; and Gutmann and Thompson, 1996: 98).

To briefly reiterate, my two examples were of open and closed secrecy. In the example of a ceasefire negotiation, the public is aware that negotiations are taking place. However, the negotiations themselves take place in secret, for fear that

allowing both sides of the conflict, including extremist elements, to witness the give-and-take of the negotiating process would undermine their ability to function. This was therefore an example of open secrecy. The other example, of an intelligence agency conducting undercover operations and gathering data from an unknown surveillance network, exemplified the practice of closed secrecy. If the public knew of the existence of such a network, it would severely hinder the intelligence agency's ability to conduct counter-terrorism operations, dictating its secrecy. How do both of these cases impact upon deliberative democratic accounts of legitimacy?

Both examples violate the requirement for publicity, and thus political legitimacy, but do so in different ways. In the case of the open secrecy example, the public cannot witness the negotiations of their representatives. They have no knowledge of the reasons being offered by either side for various compromises or points of agreement in the armistice treaty which will ultimately be binding upon them. Moreover, the public cannot know whether their respective positions have been compromised or cast aside for reasons which they would regard as good, or at least sufficiently good to end hostilities. There may also be concerns that the negotiators are privileging their own private or sectional interests at the expense of the more general parties to the conflict. In short, without the benefit of publicity, the public may have little reason to regard the outcome of the elite deliberations as legitimate. (Indeed, the examples of the Dayton Accords and the Ohrid Agreement demonstrate that this can often be the case in practice, with outcomes often failing to gain the acceptance of either side.)

Likewise, in the case of the closed secrecy example, the public is aware of the existence of the intelligence agency and the probability that operations are

conducted to disrupt terrorist and criminal networks, whilst unaware of the details of particular   operations, as this would undermine their purpose. What makes this an example of   closed secrecy, however, is the concealment of the existence of the vast surveillance apparatus, which monitors supposedly private interactions between citizens. While this presents legitimacy issues with regard to the information which guides the decisions of public officials, which is not shared with the public, it also poses challenges regarding democratic accountability. Recall that, as noted above, the requirement of publicity is an important precondition of democratic accountability (Philp, 2009). The existence of secret networks and anonymous public officials gathering information on the public and conducting operations on their behalf throws up obvious problems in this regard. After all, how can the public hold some branch the state accountable for its actions when they are kept ignorant of its existence?

Examples of open and closed secrecy, then, present different challenges to the deliberative democratic account of legitimacy. Open secrecy threatens the deliberative component of legitimacy, as the deliberations of elite representatives are shielded from public scrutiny and discussion. Closed secrecy, on the other hand, more directly poses challenges for the democratic side of theories of deliberative democracy, threatening the public's ability to hold public officials accountable. I address how deliberative democracy can respond to these challenges in the following section. Before doing so, however, I consider the merits of secrecy for deliberative democracy.

5.3. *Deliberative Secrecy*

Despite the presumptive marriage of democracy and publicity claimed by deliberative democrats, we can think of instances where democracy has been better served by a turn towards secrecy. Consider, for example, nineteenth century arguments surrounding the expansion of the electoral franchise and the introduction of the secret ballot (Mill, 1991:   Ch. 10). In this case, critics of secrecy argued that publicity would avert rampant hypocrisy, preventing electors from arguing for one policy in public, claiming it would benefit the common good, whilst voting to advance their private preferences or interests in secret. Moreover, public voting would provide a strong incentive for the public discussion of policy, as citizens sought to justify their positions to one another. Of course, there were stronger reasons against publicity in this case which prevailed. In a context in which the majority   of electors were economically and socially independent and did not fear to vote in their   own interests, public voting may have been appropriate and successful.[34] However, as the electoral franchise expanded, this was simply not tenable. The lesson of the secret ballot, then, is that we may often face a trade-off between some democratic goals (such as deliberation) to achieve others (popular enfranchisement and non-domination).

Such trade-offs between different democratic goods apply in other contexts. For example, as I have already gestured towards, publicity may conflict with the quality of deliberation in certain circumstances, such as sensitive peace negotiations (or, in a more everyday setting, the deliberations of juries). In these contexts, deliberation may be better served by secrecy than publicity. Secrecy can insulate participants in deliberation from pressures brought on by publicity which are

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[34] Bruce Ackerman and James Fishkin have proposed a national deliberation day to reproduce such a social context fostering public deliberation prior to elections, although the feasibility of such an event is controversial. See Ackerman and Fishkin (2002: 130).

deleterious to the epistemic quality of the deliberation. As Ian O'Flynn notes, publicity "makes it harder for representatives to back down from a position once they have stated it openly, even if sound reasons are subsequently advanced by those who hold an alternative view" (O'Flynn, 2006: 117). When subjected to the glare of publicity, politicians may often feel compelled to construct or maintain a public image, given the incentives of the electoral cycle. They may "play to the gallery", rather than presenting reasoned arguments. This not mean necessarily arguing for their own private preferences or interests at the expense of the common good, however. Rather, politicians may present particularly unreasoned or crude notions of the public interest, which Simone Chambers has labelled "plebiscitary rhetoric" (Chambers, 2004).

One classic example of this juxtaposition of the effects of secrecy and publicity upon deliberation, often cited in the deliberative literature, is Jon Elster's comparison of two historical cases (Elster, 1998). Elster compares the highly public deliberations of the Assemblée Constituante in France of 1789 with the secret, closed deliberations of the Constitutional Convention of Philadelphia in 1787. According to Elster, the deliberations of the latter were of a markedly higher quality than those of the former. The deliberations of the Constitutional Convention were "free from cant and remarkably grounded in rational argument", whereas the deliberations of the Assemblée Constituante were "heavily tainted with rhetoric, demagoguery, and overbidding" (Chambers, 2004: 393). Publicity can thus force representatives into presenting shallow arguments devoid of deliberative merit, into strategies of public flattery and pandering, and "reduces deliberation to the articulation of preordained statements and demands" (O'Flynn, 2006: 118).

Secrecy can therefore foster a setting conducive to higher quality deliberation, in which participants can avoid strategic manipulation and engage in candid speech with one another, while also reserving the freedom to change their minds and positions on the issues confronting them without fear of losing the support of their own side, or of facing reprisals once the deliberations have ended. Secrecy "can allow a party to accept a loss on today's agenda in order to gain on tomorrow's without any accusations from the outside of weakness in concession" (ibid: 119). Moreover, secrecy can enable compromise, rather than representatives being forced to entrench their positions by extremist elements who are prone to view attempts at compromise as undermining the position and claims of the parties. In sum, secrecy has epistemic benefits for deliberation, but these may come at the cost of the benefits drawn from publicity, including the willingness of citizens to accept the legitimacy of the outcome.

With this knowledge in hand, we begin to apprehend the scale of the problem facing deliberative democracy. It would, after all, be easy to dismiss secrecy if it had no benefits. But secrecy seems to be both anathema to the spirit of deliberative democracy whilst enabling the best of deliberation to occur. How might we resolve this fraught relationship? When, if ever, is secrecy justified?

Theorists of deliberative democracy who have examined the issue of secrecy usually point out that raising the quality of deliberation, while an important goal for deliberative democracy, does not in itself provide legitimacy for the outcomes of the deliberations. Secrecy, after all, has a long philosophical history of being enlisted for the benefits of everyday citizens, for example, in Plato's *Republic* or Sidgwick's "government house" utilitarianism. We would be loath to accept the dubious benefits of these uses of secrecy as providing their regimes with legitimacy, however. In

other words, epistemic authority alone is not a sufficient condition of political legitimacy. We might agree with Gutmann and Thompson that, whatever the epistemic benefits of secrecy, given the legitimacy costs of such practices, the presumption of democratic theory should remain   on the side of publicity. In some contexts, a degree of secrecy may be necessary (as in   our unmarked police cars example) or desirable (as with the armistice negotiations). However, publicity must be given priority, and secrecy must be publicly justified.

Accordingly, theorists have sought to justify the secret deliberations of closed groups, not by reference to the quality of their reasoning or the efficacy of the outcomes produced, but by their subsequent ratification (and deliberation) by those bound by the outcomes. For example, the products of the Constitutional Convention of 1787 were later ratified by the nascent American states, serving as "a form of retrospective accountability   for the process as well as for its results".[35] Similarly, while secrecy played a pivotal role in aiding the parties of the conflict in Northern Ireland reaching the Belfast Agreement of 1998, the Agreement was subsequently ratified by popular referenda in both parts of Ireland. Secret deliberation is all very well, then, but to acquire legitimacy the outcomes must be publicly justified and accepted.

When are practices of open secrecy justified, then? Broadly speaking, we might claim that open secrecy is justified when (i) the policy could not be accomplished if its details were made public knowledge, and (ii) the public has the opportunity to engage in deliberation on the efficacy of this secrecy, and to express

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[35] See S. Chambers (2004: 394). Chambers is ultimately dissatisfied with the model provided by the Convention of 1787, stressing the lack of deliberation in the public sphere. However, when properly supplemented with widespread public deliberation, I do not think this is an insuperable obstacle - especially as Chambers does not provide any clear alternative.

these deliberations through a procedure of ratification. Covert operations to disrupt crime and terrorism, as well as the deliberations of elite negotiators seeking to bring about peace settlements between conflicting parties, are examples of open secrecy. And while secrecy has a place in the response to emergencies of war and terrorism, the emphasis in theory and practice must remain on publicity. In this way, citizens engage in a kind of meta-deliberation, when we deliberate about when it is appropriate or beneficial for public deliberation to take place.

Moreover, given the examples of secret deliberations which ultimately failed to convince the public to accept their outcomes, a condition of complete secrecy may not always be desirable. The outcomes of secret deliberations would carry more legitimacy if they included moments of public consultation, to "take regular breaks in order to let ordinary people know how the negotiations are progressing and seek critical feedback from them" (O'Flynn, 2006: 119). Similarly, secret deliberations ought to be carried on in a context of public deliberation, to avoid too strict a division of democratic labour between the deliberations of insulated elites and the isolated moments of public participation to accept or reject the outcomes.[36]

Furthermore, when might we say that practices of closed secrecy are justified, if ever? The threat to democratic accountability implied by closed secrecy suggests that the concealment of information from the public by the state can only be justified when in circumstances where no other alternative is feasible. Again, we might say that closed secrecy is justified when the policy (i) serves the public interest, (ii) could not be initiated in any other way, and (iii) moves from closed to open secrecy, and ultimately to public deliberation and ratification. On this last

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[36] In this way, it is hoped to avoid the abandonment of the public sphere which Simone Chambers worries will be the effect of secret, closed deliberation. See Chambers (2004: 394).

point, consider the circumstances leading to the Belfast Agreement of 1998. After the IRA bombing on the Shankill Road in October 1993, which killed ten people, including the bomber, the then Prime Minister John Major told Parliament that direct talks with the IRA would "turn my stomach". It was later revealed, however, that there were lines of communication open between the IRA and the British government, which would eventually lead to the IRA ceasefire and the Good Friday Agreement, which was ratified by the public in May 1998 (Mendus, 2009: 3). In this case, the practice of closed secrecy was necessary in the first instance for the genesis of the eventual peace agreement. But what gave legitimacy to the process was the gradual move from closed to open secrecy, and then to public ratification. The public can thus engage in a form of retrospective accountability. Practices of closed secrecy which never appear before the public, however, are not justifiable for deliberative democracy.

6. The problem of urgency

Time constraints are features of emergency that seem to generate problems for political deliberation, in that there may be an insufficient amount of time for any democratic deliberation worthy of the name to occur. Deliberation in democratic theory seems to involve a careful process of reflection, of mutual reason-giving and persuasion, and of belief and will formation. Deliberation thus conceived relies upon conditions of abundant time for careful reflection to occur. Emergencies threaten deliberation, therefore, not only because they impose time constraints upon deliberation normally insensitive to the passage of time, but because they require

decisions to be reached and implemented with relative   alacrity. Consider, for example, the infamous ticking bomb scenario, traditionally employed in discussions of political "dirty hands". While this heavily stylised example is hardly a guide to everyday political practice, it nevertheless points towards an important feature of emergencies: Decisions need to be reached within a limited amount of time - perhaps matters of hours or minutes. In this context, democratic deliberation of the kind promoted by theorists cannot plausibly occur, or can only occur in incomplete or partial form.

Following Lazar, we may characterise an urgent threat as "one that must be dealt with immediately, if it is to be eliminated or mitigated" (Lazar, 2009: 7). Accordingly, she notes that "the slow creation of law aims specifically at precluding hasty decision making, on the understanding that speed often results in error whereas deliberation involves care,   attention, and consideration of diverse perspectives and interests" (ibid: 116). Deliberation   is   therefore uncomfortable in contexts of urgency. One typical way of attempting to remove this discomfort is by scaling down the number of participants involved in deliberation;   the fewer the people, the speedier the deliberation. Thus, Lazar remarks "Deliberation in   the heat of the moment will necessarily involve fewer heads and less time to scratch   them" (ibid: 107). Similarly, Jon Elster suggests that, because of the time sensitivity of important decisions, deliberation must be supplemented or replaced by voting and bargaining (Elster, 1998: 9). However, these responses concede too much to the notion of urgency without much discussion of its relationship with deliberation. They move too swiftly to dismiss deliberation, and assume the relationship between deliberation and urgency is necessarily antithetical. The question considered here,

then, is how might a deliberative politics respond to the challenge of urgency without surrendering the capacity for deliberation?

Firstly, we may do well to examine the notion of urgency itself and its temporal status. While necessarily requiring a decision to be reached and implemented in a short space of time, it is also the case that something can remain urgent for long periods of time. Someone with a serious illness requires urgent but ongoing medical attention, for example. The notion of urgency does not, therefore, suggest merely a short-lived but critical episode and exercise in decision-making. On the contrary, a state of emergency, whether personal or political, can be sustained for months or years and remain urgent throughout. While urgency cannot be wholly divorced from the fact of temporal scarcity (after all, decisions must be reached and actions must be taken in the short-term), circumstances of urgency can persist into both the medium and the long-term.

The idea that urgency necessarily precludes careful and sustained deliberation, therefore, appears to be mistaken. It is not, of course, the case that all urgent situations persist across time in this fashion - or if they do, we may mark this as a failure of the decision-making process. A crisis in the financial markets, for example, may require swift and immediate action to prevent the crisis spreading to the wider economy and leading to a prolonged recession. In such cases, urgency may indeed require momentary, on-the-spot decision-making. However, the point made here is merely that there is no necessary antithesis between urgency and the more careful, ongoing processes of public deliberation favoured by many deliberative theorists. Furthermore, we might plausibly claim that such one-off moments of decision, like the ticking bomb scenario, are not representative of the majority of emergency circumstances. Situations such as these are currency among

theorists precisely because they are extreme, and thus challenge our everyday intuitions. As such, however, they are a poor guide to practice, even within emergencies. Indeed, they may even be practically dangerous (see Jubb and Kurtulmus: 2012).

How might deliberation, then, fit into the scenarios of extended urgency sketched above? Far from being restricted to momentous occasions, such as matters of basic justice and constitutional essentials, as Rawls recommends, if deliberation is sustained across time and in parallel to circumstances of ongoing urgency, then there appears to be ample scope for public deliberation to inform - and, perhaps in some cases, to direct - decision-making. The process of assembling and reworking views as new information comes to light, as an ongoing project of public justification, can thus not only occur within the context of, but also provide increased legitimacy to, urgent responses to emergencies.

Secondly, even where an urgent decision is needed, deliberation still might not be redundant as a method of arriving at decisions. To consider why this might be the case, let me turn the challenge of urgency on its head by proposing a thought-experiment. Let us imagine a world identical to our own in every respect but one - there is an abundance of time when it comes to reaching decisions. No decision is rushed or hurried, and there is always space for careful, reflective, and inclusive deliberation which proceeds at the most genteel and stately pace imaginable. In this world, the concept of "urgency" is unheard of, and there is no matter which cannot be put off till tomorrow. There are no ticking bombs, no perishable goods, and, we may also assume, no opportunity costs to taking however much time one desires to arrive at a decision.

How would the residents of this imaginary world deliberate? The likely answer here is: not very well. Their deliberations would most likely be of a poor quality, as without the incentives provided by urgency to structure their reflections and speech, they would most likely be chaotic, haphazard, and unstructured. In the absence of any requirement for time-sensitivity, their deliberations would assume a meandering and unfocused quality, rather than coherent and purposeful. Moreover, without the need for alacrity, participants would be constantly tempted to procrastinate, to put off matters till tomorrow rather than motivate themselves to discuss and reflect upon matters today. In such a world, deliberation would therefore likely be characterised by "wasted time, procrastination and indecision, stalling in the face of needed change" (Shapiro, 2005b: 196).

Furthermore, we may be tempted to assume that deliberation in such a world would be inclusive in the widest possible sense. With an abundance of time at their disposal, the residents of this imaginary world would have ample opportunity to consult with every party whose interests could be conceivably effected by their decisions, and to consider all possible evidence and information. Under such circumstances, however, there would likely be radical uncertainty on where to draw the boundaries of inclusion. Without the need for some urgency, debate as to which parties count as effected would likely be extensive and forestall substantive deliberation. Moreover, with no incentive to decided on which information is to be included within the deliberation, how much significance to attach to it, and so on, an abundance of time is likely to provoke much confusion and, at the extreme, perhaps complete agnosticism over who may be rightfully included and what is to be discussed.

Far from being antithetical to deliberation, then, our thought-experiment reveals that a sense of urgency may be crucial to coherent, stable, and purposeful deliberation. This sense of urgency provides participants with incentives to get their deliberation underway, to make necessary judgements regarding relevance and inclusion, and to structure their speech and reflection once the process of deliberation has begun. At this point, it may be objected that there is a distinction to be made between urgency and mere time-sensitivity. In the real world, all deliberations are time sensitive, but in the conditions of emergency to which I have alluded, urgency denotes an *extreme* time-sensitivity. The implication here is that, just as an abundance of time may be fatal to deliberation, it does not follow that an extreme scarcity of time may be any less fatal. A sense of urgency is conducive for deliberation.

Thirdly, we can imagine circumstances in which deliberation might have a productive relationship with urgency, in the sense that it highlights or reveals the urgent character of some emergency and provides incentives for policy-makers to take action sooner rather than later. For example, consider the case of widespread environmental degradation caused by industrial emissions. As we saw in the above discussion of necessity, the importance of perceptions is increased in emergency circumstances. An emergency which distorts perceptions, therefore, is highly dangerous, as it can lead to inappropriate action or, perhaps worse, inaction. Something like this appears to obtain in the case of environmental crises, such as climate change, which may be initiated and propagated unbeknownst to anyone. Even if we are aware that a crisis is unfolding, or will eventually reach a threshold dangerous for human life, the appearance of the crisis may allow us to succumb to the illusion that there is an abundance of time in which to formulate a careful

response. Just as our bodies age imperceptibly slowly but nevertheless experience the   aging process, so an environmental emergency can occur with imperceptible slowness. Moreover, the absence of urgency invites political and economic agents to transfer the costs of acting in the short-term, such as unpopular legislation to control carbon dioxide emissions, to their successors in office and to future generations.

The lack of any sense of urgency, then, can itself prove dangerous in emergency conditions. How might deliberation help in imbuing responses to certain emergencies with a sense of urgency? In deliberating over how to promote their interests, citizens may take the needs of future generations into account as a constitutive part of their own interests. As more information on environmental degradation comes to light, enhanced deliberation on environmental questions in the public sphere can exercise influence on the priorities and policies of those in power; for example, through environmentalist groups and political parties. Of course, there is the matter of agenda-setting for deliberation, of who exercises influence   upon which matters are discussed and gain prominence. This lieu of elite influence, this role may be taken by advocacy and interest-groups within the public sphere, who can contribute to public discourses and move in and out of alignment with the state as circumstances demand.

Drawing the above reflections together, we can conclude that (i) emergencies may carry on for some time, thus providing enough time for extensive deliberation to occur;   that (ii) a sense of urgency can, indeed, be conducive to structuring and motivating participation in deliberation; and (iii) deliberation can provide the impetus for urgent responses to emergencies. Not only are there ample spaces for deliberation within and around urgent emergencies, then, but deliberation and a sense of urgency can exist in mutually supportive relations with each other.

Nevertheless, there remain moments in which a shortage of time can undercut or inhibit deliberation, just as an abundance of time renders deliberation undisciplined and insensate. These are moments in which the scale of the deliberating body must be reduced to or consolidated into representative institutions.

7. Conclusion

In this chapter I have sought to outline the challenges posed for the prospects of deliberation by emergency conditions. After sketching a conception of emergencies which departed from the traditional framework of norm-exception as a preliminary to further analysis, I went on outline four challenges which emergencies can pose to possibilities for deliberation within democratic politics. These were the challenges of necessity, where the lack of any feasible alternatives foreclosed the possibility of meaningful deliberation; complexity, which posed an epistemic challenge for the possibilities for deliberation, in that citizens would lack sufficient knowledge for meaningful deliberation to occur; secrecy, which threatened to undermine the basis of deliberative legitimacy by removing deliberation from the public gaze; and urgency, where a lack of sufficient time would allow for only partial or incomplete deliberation. I proceeded to answer each of these challenges, arguing either that they were less problematic for deliberation than they first appeared, or could be accommodated in various ways in a deliberative politics. Whilst emergencies may not be as inscrutable or overwhelming as they first appeared, however, it would be a mistake to suppose that political deliberation can fully tame emergency conditions. Emergencies are still moments of enormous danger for democracy, including for reasons I have outlined here. I have nevertheless

argued here that meaningful deliberation far from impossible within emergencies, and may help to reduce the possibility of negative outcomes.

Conclusion

The Realist Recovery of Politics

The overarching theme of this thesis has been the importance of deliberation within democratic politics understood in realist terms. Over the course of the thesis, I have attempted to elucidate how the deliberative potential of those aspects of democratic politics assembled here may be   realised. The core argument of the thesis is that two streams of political thought which   appear to be incompatible (that is, political realism and the theory of deliberative   democracy) are not only compatible, but that deliberative democracy can make important contributions to political theory understood in realist terms. In this conclusion, I have three objectives: firstly, I wish to revisit the central argument of the thesis and clarify how each chapter contributes to the overall argument; secondly, I highlight where and in what ways I have attempted to make an original contribution to the various literatures and subjects touched upon in the thesis; thirdly, I will point towards some directions for future research which have either only been touched upon briefly or which could not be included for reasons of space and argumentative coherence. I end with some general reflections on the place of deliberation in democratic politics and the recovery of politics for the discipline of political theory.

1. The core argument: political realism and deliberative democracy

The central argument of this thesis has been that political realism and the theory of deliberative democracy are in the first instance compatible, and in the second that deliberative democracy can make a contribution to a realist theory of politics. Let us consider the former claim first. In what ways might political realism and deliberative democracy be compatible; moreover, why might they be thought to be in conflict or incompatible in the first place?

To recap: the deliberative turn in democratic theory was a turn away from the prevailing accounts of democratic politics found in competitive elitist and rational voter theories. These theories emphasised the significance of interests and competition in a democratic politics conceived as a market for citizens' votes. The theory of deliberative democracy was a move away from these rational instrumentalist accounts of democratic politics towards a model which placed greater emphasis on reciprocal justification, social inclusion, and democratic authenticity. The deliberative turn was continuous with the character of much normative political theory in the latter half of the twentieth century, which was influenced greatly by neo-Kantian moral philosophy. The two thinkers who exemplified these intellectual movements were John Rawls and Jürgen Habermas, their political theories evidencing a strong neo-Kantian character. In particular, Rawls did a great deal to establish the moralised character of contemporary liberal political theory   (though his utilitarian predecessors also share much of the responsibility) and much theorising of deliberative democracy followed in his wake.

It is away from this moralised conception of politics and political theory that the realist movement has turned. Contemporary political realists comprise a diverse group of thinkers, but they converge on a critique of moralised political theory, which they charge with descriptive inaccuracy and normative irrelevance (Horton,

2010: 433). As we saw in   chapter one, however, realism is more than a mere critique of the prevailing modes of   liberal political philosophy and constitutes a positive account of politics in its own right,   one which lays stress on the autonomy of politics from morality, the priority of politics for political theorising, and attention to the negative side of politics, typically focusing on the *summum malum* rather than the *summum bonum*, and on the roles of power, conflicts, and self-interests in politics.

Political realism and deliberative democracy thus appear to be moving in opposite directions, with the former pointing towards an increased engagement with aspects of democratic politics such as conflict, power, and interests, while the latter finds its wellspring in a moralised neo-Kantian approach of politics which is the target of the realist critique. Both literatures proceed and have been developed from within different intellectual traditions, therefore, there have been relatively few attempts at promoting a common dialogue and on finding common theoretical concerns. It has been the goal of this thesis to make such an attempt to bridge this divide.

In chapter one, I examined the challenge which realism appeared to pose to deliberative democracy. I began by elaborating the nature of the realist movement and the features of political realism, which included the negative thesis against liberal moralism,   the autonomy of politics from morality, and the focus on the dangers of politics. I then   moved on to elucidate three realist approaches to democratic politics. These were the agonistic approach, exemplified here by Chantal Mouffe; the competitive elitist approach, represented by Joseph Schumpeter and Ian Shapiro; and the theory of deliberative democracy. I drew attention to flaws in the former two models, and then outlined several apparent points of tension between

realism and the deliberative approach. These were: rationalism, utopianism, and moralism. I suggested that these points of tensions were not as significant as they at first appeared, and that deliberative democracy could accommodate the various features of democratic politics which realism directs us towards, which I then proceed to explore in the following chapters.

In chapter two, I embarked on a discussion of rhetoric as a form of deliberative political argument. The prevailing accounts of political argument within the literature on deliberative democracy - that is, the account of public reason offered by Rawls and the model of discursive rationality offered by Habermas - are, I argued, unduly restrictive and suffered from several drawbacks. These included inducements to insincerity in public argument, excluding the moral character of the speaker from the dimensions of argument, and excluding appeals to the emotions in political argument, the latter of which leads to motivational deficits and an inadequate picture of the process of deliberation. I then, following O'Neill (2002), Garsten (2006), and Yack (2006) offered an alternative account of political argument drawn from Aristotle's account of deliberative rhetoric. By overcoming the dichotomy between reason and emotion which characterised the earlier neo-Kantian forms of political speech, as well as incorporating concerns regarding the moral character and motivations of the speaker, I argued that deliberative rhetoric could provide a form of deliberative political argument more attuned to the existing realities of modern democratic politics.

In chapter three, I moved to discuss the role of political leadership in the theory of deliberative democracy. Leadership is a topic of repeat concern for political realists (Sabl, 2002; Philp, 2007) and is a feature of politics with significant consequences for the well-being of democratic societies. However, there appeared to

be a tension inherent in the very notion of 'democratic leadership'; a tension which is brought to the fore in the work of John Kane and Haig Patapan. I sought to resolve this tension in the first section by demonstrating how political leadership and deliberative democracy are compatible. I then addressed the topic of deliberative leadership, arguing that a deliberative leader should aim to avoid the practices of manipulation and pandering, whilst exhibiting several deliberative virtues. I moved to then discuss the origins of deliberative leadership, arguing that deliberative leaders are to be trained within the civil associations of the democratic public sphere, with an especial emphasis on the role of political parties.

The focus on political parties was developed in chapter four, where I argued that parties, once distinguished conceptually from their negative, anti-deliberative cousins, political factions, could be sources of greater deliberation in democratic politics. Indeed, I argued, parties perform several important roles for democratic politics, including organising the terms of political discourse and motivating citizens to political participation. I then outlined several mechanisms whereby deliberation internal to parties could be promoted, including the production of partisan manifestos and the structure of party conventions and conferences. I then moved to discuss the role which partisan competition and conflict can play in structuring deliberation between partisans and for the wider public sphere.

In my final chapter, I turned to the possibilities for deliberation under conditions of political emergency. Following Lazar (2009), I argued that emergencies were continuous with the practices of everyday democratic politics, rather than constituted by a state of exception, as argued by much of the recent literature on emergencies influenced by Carl Schmitt. By de-exceptionalising the state of emergency in this way, we make it open to political deliberation.

Nevertheless, I suggested that emergencies still pose challenges to the possibilities for deliberation, and proceeded to sketch four such challenges. These were: necessity, complexity, secrecy, and urgency. In each case, I argued that deliberation could overcome or be made compatible with each feature of emergency outlined. I concluded that emergencies were still moments of danger for democratic politics, but that a renewed focus on the role of deliberation can help to make emergencies less dangerous and increase the chances for democracies to navigate them successfully.

In each chapter, I have sought to demonstrate that deliberative democracy can be made compatible with features of existing democratic politics which realism directs us to consider. By engaging with these features of real politics that I have attempted to place deliberative politics on realist foundations; that is, to demonstrate that the theory of deliberative democracy is both compatible with political realism and that deliberative democracy make contributions to a realist understanding of politics. I examine the precise nature of these contributions in the following section.

2. Contributions to research

This thesis has attempted to make contributions to existing discussions within several overlapping literatures. The principal focus has been to connect two bodies of political thought which have heretofore proceeded along different paths and which appear to be in tension with one another, largely due to the apparent moralist, rationalist, and utopian character of much deliberative democratic theory. By bridging this divide, I have attempted to show how both streams of thought are not only compatible but complementary in understanding the character and purposes of democratic politics. The theory of deliberative democracy offers ways into

understanding the importance of deliberation for democratic politics and of the various conditions under which deliberation can be achieved and conducted. But deliberative democracy can often appear an excessively utopian or demanding ideal which seems to contrast starkly with the existing practices of democratic politics. How we can make our politics more deliberative while navigating the chicken-and-egg problem of political development - that is, as Bonnie Honig (2009: 13) has termed it, the 'paradox of politics', concerning how to establish virtuous institutions while lacking virtuous citizens, and vice versa - has been a central preoccupation of this thesis. By placing deliberative democracy upon realist foundations which stress the importance of existing political practices and institutions, we begin to see that we do not need to transcend our political condition and reach some utopian ideal in order to achieve a more deliberative form of politics in the   here and now. Deliberative democracy can accommodate the features of politics which I have presented, and the realist conception of deliberation offered here is concerned with maximising the potential for deliberation within existing democratic practices and with leaving open the opportunities for future deliberation.

If political realism can serve to bring deliberative democracy down to earth in this way, then deliberative democracy can serve to elevate and expand realism, which often focuses on certain elements of politics (conflict, power, and so on) above other perfectly legitimate features of political life, and thus risks falling into a form of conservatism or pessimism about the possibilities for political reform (Stears, 2010: 18; Finlayson, 2015: 8-12). A concern for preserving the possibilities and expanding the scope for deliberation in democratic politics thus serves to broaden the realist conception of politics, which can   itself appear unduly narrow and restrictive. Similarly, a concern with the possibilities for deliberation can point

realism towards a greater engagement with existing practices and structures of political reality, rather than recapitulating into forms of abstract conceptual argument which can sometimes seem just as removed from real politics as the liberal moralist theories which were the realists original target of criticism. Thus, theorists of realism and deliberative democracy can aid each other in achieving their respective theoretical ambitions.

More particularly, this thesis is the only work of which I am aware to gather the various features of democratic politics together and discuss them under the banners of realism and deliberative democracy. While theorists of realism do directly focus our attention on several of the subjects discussed here, such as leadership, in other cases connections have not been made between the political practice and the realist approach.   This is certainly the case with my coverage of rhetoric and political parties, which have   been absent from discussions within the realist literature. Similarly, deliberative theorists point our attention towards certain aspects of democratic politics, such as rhetoric, but   have seemingly abandoned others, such as leadership and emergencies. By assembling   these topics together within a single thesis, it is hoped that the links between each can be grasped more clearly than they might be in isolation, such as the significance of deliberative rhetoric and parties for democratic leadership.

Rather than merely filling a gap in the literature, however, it is hoped that I have shed new light on how we might think about each of the dimensions of politics discussed here. That is, that rhetoric, leadership, parties, and emergencies can be conceptualised in a different way which connects them to wider debates within both political realism and the theory of deliberative democracy. This way of conceptualising these features of politics is not wholly new (in particular, rhetoric is

becoming a well-worn topic for deliberative theorists, and parties are not so neglected as they once were). However, it is to be hoped that in these cases I have added to existing debates, both by framing the features under   discussion in slightly different terms than is usual (that is, in effecting a reconciliation between realism and deliberative theory), and in making substantive arguments and proposals wherever possible (for example, in the case of reforming parties internal structures).

3. Directions for future research

Throughout the discussion presented in this thesis I touched upon many topics which could not be expanded as they were orthogonal to the direction of my argument, but nevertheless suggest important and fertile areas of future research for theorists of both political realism and deliberative democracy. I aim to briefly sketch these areas and to propose directions in which they may be developed. I discuss three such areas: the role   and structure of the modern media, the interaction between the economic and political spheres, and the domain of international politics. I then move to gesture towards wider discussions regarding conceptual issues only briefly touched upon here and to possible connections with various traditions in contemporary political thought.

3.1 Mass democracy and the modern media

It has long been observed that in order for democracies to flourish they require a healthy and robust public sphere, where citizens can come together to deliberate and discuss issues of common concern without the threats of coercion or manipulation.

Such public spheres, in turn, require citizens to possess reliable knowledge of political affairs to some degree (just how much citizens should know to be able to participate effectively is an interesting but separate question). The dissemination of relevant and accurate information within the public sphere both facilitates and enhances public deliberation, whilst also providing important preconditions for holding politicians accountable. The character of the modern media and the quality of information which it disseminates are thus important and timely issues for democratic theorists, particularly deliberative democrats. They are also important topics for political realists given the significance of the media within politics, both as a means for politicians to spread their messages and thus exercise power over public discourse, and as an political entity with discrete interests of its own.

Given the ubiquitous and politically significant nature of the modern media, then, it is reasonable to assume that it would be the subject of extensive and thorough analysis among political theorists. Yet this has not been the case. There is, of course, a detailed empirical literature on the subject in disciplines such as modern communications studies, but political theorists have been loath to address this topic. It may be the case that there is little here of normative theoretical interest, and that such questions can be safely bracketed under the heading of "non-ideal theory" as merely inconvenient facts about the social world which the correct guiding normative principles should seek one day to overcome. For political realists, however, this approach is plainly inadequate. In seeking to provide distinctively political accounts of legitimacy, the ways in which politicians and the media interact, and act to shape or reinforce the dispositions and beliefs of citizens, should be of no small importance. Similarly, for deliberative theorists, the modern media presents manifold challenges with an implicit normative dimension, such as the deliberative

potential of communications technology as well as the potentially deleterious effects which sensationalised news reporting presents for public understanding.

This is not to say, however, that no work has been done in this area. Jürgen Habermas's theory of discursive democracy, after all, rests upon his analyses of both communicative action and the rise of the modern public sphere as the site for public deliberation. In this vein, a collection of essays edited by Simone Chambers and Anne Costain have considered such issues as media representation and elite expertise from a deliberative perspective (Chambers and Costain, 2000). However, this existing literature is now woefully out of date. In the past two decades, the modern media and its role in political debate have changed beyond recognition. These developments have been driven by technological innovation, most obviously in the form of the internet and the rise of social media platforms. The consequences of this for democratic theory, and for political theory in general, have not been fully appreciated by scholars working in these fields. While the advent of the internet was initially heralded as a tool for greater democratisation, with authoritarian regimes unable to contain the flow of information and public discussion, the outcomes for democracy have been mixed. Cass Sunstein, one of the few theorists alert to these changes, warns that, rather than simply providing more information and facilitating deliberation amongst citizens, the availability of greater choice in online discussion forums and news outlets means that the modern public sphere may become increasingly fragmented, with many citizens tailoring the discussions in which they participate and the news channels which they watch to their existing values and preferences (Sunstein, 2007).

Furthermore, the rise of the new and invisible public sphere online which could prove resistant to attempts at state control and provide an insurgent

counterweight to large media corporations has not been successful in heralding a new era of democratisation. Indeed, the effects have largely been in the opposite direction: autocratic regimes such as the People's Republic of China have proven remarkably adept at controlling internet discussions, and have in some case used the technology to enhance their control of the population. Even in democratic societies, the use and misuse of information technology by state authorities has been the subject of hot controversy, raising issues of privacy, secrecy, and transparency with renewed force (Sagar, 2013). Moreover, the new culture of media saturation has provoked concomitant changes in the nature of political speech and argument, with politicians more guarded in their public utterances and acknowledging the importance of media management and political "spin" (Kane and Patapan, 2012: 90).

It should be clear from this brief survey, then, that the modern media is an overlooked but significant topic political theorists of all stripes, including deliberative democrats and realists. From my own perspective, this most clearly intersects with the topics of rhetoric and the nature of emergencies, where the importance of a greater understanding of the modern media and its technological basis would prove fruitful in expanding the scope for deliberation in modern democratic politics.

3.2. *The political economy of deliberative democracy*

A separate but related sphere of interest into which the analysis presented here could be extended is the economy and its relationship with the political sphere. That is, by analysing how the institutions of and agents within the economic sphere might interact with the institutions and agents of the political sphere, and the consequences

of this for the deliberative democratic project. Extending the analysis in such a direction is in line with realism's exhortation for political theorists to take political reality seriously, as the significance of economic factors for political agency and the prospects for democratic deliberation are self-evident. (Although the ways in which they are significant are, of   course, much less obvious.) The economic basis of deliberative democracy was first broached by Joshua Cohen (1989a). Since then, however, it has received startlingly little attention. This is an oversight which deliberative theorists would do well to redress.

However, "the economy" is a very large and, for my purposes here, largely unspecified topic. It can be analysed in multiple ways, and throws up a multitude of important questions. I have touched on several of them in my chapter on emergencies, including the question of necessity. A more wide-ranging discussion might also include   such questions as: Is deliberative democracy truly compatible with capitalism, or must deliberative democrats be committed to some form of socialism? How much material inequality can democracies tolerate before it undermines deliberation between citizens? Is greater industrial democracy a precondition of greater deliberation in the public sphere? How do fluctuations within our economies interact with deliberation within the political sphere? And is political deliberation merely epiphenomenal to economic structures and events the determination of public policies? Certainly, one of the arguments of this thesis - that deliberation is an important and valuable part of democratic politics that ought to be sustained and expanded where possible - suggests the direction in which many of these questions would be pursued, if not the answers to be provided. Moreover, a renewed focus upon the economic basis of deliberative democracy could also herald a closer partnership between democratic theory and economic theory, perhaps

featuring renewed consideration of the economic thought of figures such as John Stuart Mill, Walter Bagehot, John Maynard Keynes, and Friedrich Hayek, and of its political consequences. It could also, finally, pursue avenues of research into the study of globalisation and the related prospects for transnational democracy.

3.3. *Deliberative democracy and the international sphere*

The question of the economic basis for deliberative democracy leads quite naturally to questions of international and transnational politics. What role is there for deliberative democracy in the international sphere? How do forces with shape and are shaped by the relations between states impact upon deliberative democracy? Does greater deliberation across transnational polities require greater integration of the economic and political systems between states? What of transnational movements - whether social, political, or economic - which threaten to render the nation-state, the traditional venue for democratic politics, a thing of the past? The work of Jürgen Habermas offers an immediate point of departure here. As well as his theory of discursive democracy, Habermas has long been preoccupied with international political order and the politics of European integration. Therefore, his thought would offer a natural starting point for deliberative theorists to consider such questions.

This is also an area in which a greater engagement with political realism offers a productive way forward. While mainstream liberal political theory has not been silent on questions of international politics, these responses have typically been within the rapidly expanding literature on global justice. When democracy is mentioned in this literature, it usually accompanies discussions of cosmopolitanism

and global democracy. These discussions are often theoretically elegant, but are also overly moralised and, one may argue, suffer from a deficit of realism. On the other hand, there is a parallel body of literature in contemporary international relations theory which eschews questions of moralism in favour of accounts of international politics based upon the power and self-interest of the modern state. This appears to me to be a lacunae of the sort Bernard Williams once described as "a Manichean dualism of soul and body" (Williams, 2005: 12), in which political theory is over-moralised and political science is under-moralised. A democratic theory which takes its cue from realism can fill this void, in part by appealing to traditional international relations scholars (and self-described "realists") such as Hans Morgenthau, Reinhold Niebuhr, and E. H. Carr. Such a project would be undoubtedly worthwhile, even if it leads us back to a greater appreciation of the scope and possibilities for deliberation within the traditional nation-state boundaries.

3.4. *Wider connections*

There are several wider issues concerning the relationship between political realism and deliberative democracy that presented themselves in the course of writing this thesis which, in addition to the cases outlined above, could not explored here but which nevertheless represent intriguing lines for further research. These issues are of a more conceptual nature and more directly concerning traditions of political thought than those which I have specified above, and thus I have assembled them under a separate heading into what is inevitably a rather jumbled catalogue. They include: questions of the role of impartiality within theories of political realism, given its

renewed focus on the contingent factors of political life. This is highlighted in the chapters on rhetoric and parties, where issues of particularism in the arguments presented to the democratic public are briefly touched upon, as well as the renewed importance placed on the emotions in political argument. Krause (2008) considers this issue by appealing to a Humean account of impartiality, and this is one direction which could be further explored. Similarly, questions of legitimacy and power present themselves in any reconciliation between deliberative theory and realism, for both camps place a strong emphasis on the importance of reconfiguring the conceptual constellation of contemporary political theory away from issues of justice and towards considerations of legitimacy and the forms of political coercion which must underlie successful orders.

At repeated points throughout this thesis, I have stated that democratic politics is characterised by appeals to persuasion and compromise. I have treated the former in my chapter on rhetoric, but have neglected the latter. The nature of political compromise suggests another intersection between political realism and deliberative theory, as it can appear important for theorists attempting to formulate a deliberative model of political disagreement as well as for those concerned with *modus vivendi* arrangements. Finally, in discussions of political realism and deliberation, one cannot help but look towards certain traditions in the history of modern political thought which seem to attach importance to both; for example, the civic republican and American pragmatist traditions. Both of these traditions have had enormous influence on deliberative thinkers such as Habermas and Sunstein, and renewing the connections between these traditions could prove fruitful in better articulating the concerns of both realism and deliberative democracy.

4. Some final reflections

It is now over fifteen years since James Bohman observed that the theory of deliberative democracy had "come of age" to consider practical questions of feasibility besides its concern with radical ideals of democratic participation (Bohman, 1998). And although deliberative democracy has been developed in different ways since that time, its core concerns still remain wedded to ideals which may seem too utopian to be realised in practice, and which eschew many of the existing practices of democratic politics. In this thesis, I have sought to recover democratic politics for deliberative democracy, to show   that a commitment to greater deliberation in politics need not be wedded to excessively rationalist or utopian models of democracy. In doing so, I have attempted to place deliberative politics on realist foundations, and to show how realism and deliberative democracy are compatible. But I have also sought to recover deliberation for political realism, to broaden the parameters of realist political thought and to help political realists appreciated the importance of deliberation in democratic politics.

It has been my aim in this thesis to demonstrate that this mutual isolation is a mistake on the part of both camps. If realism is truly concerned with politics first and foremost, then it must attend to the centrality of deliberation within the structure of democratic politics. Politics is the means by which humans shape their collective fate, existing in circumstances of disagreement (Waldron, 1999: 102) over fundamental values, interests, and beliefs. As such, deliberation (or, put another way, practical reasoning) is required to navigate these fundamental disagreements, where one party cannot simply impose their will on others. In democracies, these disagreements are navigated by the practices of persuasion and compromise. It is therefore incumbent upon democratic realists to take the prospects for deliberation

in democratic politics seriously, and to mount defences of deliberation in the face of calls for de-politicisation as well as rehabilitating the means of popular democratic deliberation wherever possible. This is what I have attempted, however imperfectly, to do in this thesis.

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