

The Public Sphere and the Political Sphere: Rhetorical Interconnections

James F. Klumpp, University of Maryland

Mythos is the name for the foggy beliefs, often accompanied by narratives, from which power is built. They exist in cultural memory, but work is going on at all times to reinforce them, to alter them, because from mythic work shifts of power take place. From the perspective of communication, myth is important because it manipulates the taken-for-granted. What we call "issues" can be voiced only when the stuff from which they are constructed emerges from the taken-for-granted and enters the realm of contingency and questioning, from whence evolves discussion. There is a power of sublimation in myth, a power to silence discussion, and with that silencing to smother the possibility of change. Indeed, it is this power that makes myth so important to maintaining political power.

But myth also structures the issues that guide scholars and theorists of politics and communication. Possibilities for change emerge when mythic powers can be illuminated, and in the illumination, removed from the taken-for-granted. To critics of politics such illumination is crucial to evolving our understanding of how politics functions, and we must be always on the alert for myths that sublimate our understandings.

My objective today is to open what I consider a crucial space in the operations of politics. I do so to point the way to important work for rhetorical critics in a time when the viability of political institutions is challenged. My task in this essay is to open space between the public and

political sphere to permit critics to focus on the communication that mediates this space.

I.

Let me begin at the heart of the matter with a distinction between the public and the political sphere. I depend a great deal here on the work of Jiirgen Habermas. Habermas is, by now, famous for his notion of the public sphere. But in early formulation of that notion, Habermas makes an important distinction that is often ignored. Even I ignored this distinction until one of our graduate students, Paul Stewart, insisted that I confront it. And Habermas himself ignores it in some of his later work, confounding descriptions of communication in the political sphere with theoretical prescriptions in the public.

Habermas' argument for his conception begins in the coffee houses of sixteenth and seventeenth century Europe. Students of rhetoric in the Scottish enlightenment will recall the Red Lion Inn in Aberdeen as such a venue. Habermas argues that in these venues the bourgeois class of Europe began to discuss public affairs. What was meant by *public* was a notion of socialized interest. Europe was undergoing a major reorientation in its thinking about social relationships. The loss of power by the church had opened a different geography of power. No longer was that geography vertical – all humans located in terms of those that lay above and those that lay below, with the top of the hierarchy in heaven. Rather, a horizontal geography was being invented, built around the concept "society." From this theoretical flowering came the great works that we study today as the basis of democracy, including Montesquieu, Rousseau, Locke, and Hobbes. Emerging at the same time was the theoretical notion of the "individual" -the assertion that the human personality could be constructed as the central centripetal force in motivation. Thus, developed a key dialectic - that between the social and the individual. The coffee houses became

a place where the line between these two -today best understood as the line between the private and the public – could be located and the grounds of public action delineated.

Two other elements in our story were emergent at the same time. First, democracy – the notion of government of the people, by the people, and for the people – was emerging. Both individualism and society were necessary for democracy to develop, and Europe was reclaiming the Greek experience from its cultural memory to reformulate the notion for the late second millennium. Second, the nation-state was emerging – a power move by certain European princes that took advantage of the notions of society to centralize their own power on a basis other than their divine right to rule ordained by God. What was happening here was a mythic transformation – from the myth of divine anointment of power, to the myth of the ruler as an expression of society.

Of course, the rulers of this first wave -the princes who claimed national identity - were not democrats. They simply sought to establish their own power over other princes by reversion to an alternative myth. But in this era of tentative power, the seeds of the prince's troubles were also emerging. Princes pontificated that their voice was the expression of society, but wise princes knew that they were giving up power even as they were claiming it, that danger lurked in their straying too far from society's understandings of itself. The result was the emergence of a key concept for us - social legitimacy.

As the power of the bourgeois threatened the princes, Habermas argues, a new rationality became necessary for government. As leaders grounded legitimacy in the public will, pontification -the declaration that their voice was the public will -gave way to a justificatory communication -that they acted because they understood the public will. Another key concept for our lexicon

enters – public opinion. Habermas posits that it was in the coffee houses of Europe that the milieu of communication first developed that provided legitimacy for government action. It is this discourse which Habermas identifies as the public sphere. Once princes had adopted legitimacy in public opinion, other arrangements –either constitutional monarchies or electoral democracies were sure to follow. Either were based in the theoretical framework for late second millennium democracies.

Let me then, pause to draw some distinctions from our story so far. First, note that there is a difference here between the government and the public sphere. Second, notice that there is characteristic communication in each – a communication of discussion in the public sphere and a communication of pontification followed by justification in the governmental. Third, at stake in the relationship between the two spheres is the legitimacy of the actions of the government.

Our theoretical attention now turns to how to relate these two spheres of communication to each other. The legitimate power of a government rested in its ability to develop a justificatory rhetoric grounded in the communication of the public sphere. But the public sphere was not isolated from the governmental sphere. In fact, the two spheres operated with a kind of dialectical relationship between them. Governmental leaders could use their voice to seek to enter the discourse of the public sphere. But when they did so, they were wise to also hear the voice of the public sphere. What this means we will get to later.

Mythos also developed to cement the power of rulers in democracy. Early rulers learned that declarations that "What the people want is . . ." would be a strategy that would enhance their power. In short, governments developed a mythos that identified them as the expression of the public sphere. That mythos has evolved over four centuries. Political parties developed and

purported to represent public opinion - to be the party of the people. Then, elections developed as rituals to bestow legitimacy on actions for a specified period of time. In the early twentieth century mass communication developed and purported to be "the voice of the people." In the late twentieth century, opinion polling developed as a method of structuring public opinion. I have explored the current myths in an earlier essay, "On Statist Rhetoric."

By the late twentieth century, Habermas was prepared to talk about a legitimation crisis in western democracies. Actually, of course, the legitimation crisis was general to western and communist democracies. The myths that legitimated the power of the regimes had worn thin. The secret to understanding this crisis lay in the growing gap between the governmental and the public spheres.

II.

At this point, let me abandon the narrative and simply develop concepts that we need to discuss this relationship between the public and the political sphere. There has been a general theoretical confusion created by the failure to draw the distinction that Habermas draws between the public and the governmental sphere. Let me sort out the two spheres. First the public sphere. The first thing to be said, and emphatically, is that the public sphere is the domain of those whose public life lies beyond the arena of institutions. These are the folks who sort through the relationship between the private and the public – that is, what things are my own concern and my own responsibility and what things should we address together as fellow humans in society. This fundamental issue is the primal stuff of the conversations that compose the public sphere.

A second important characteristic is the informality of its communication. To be sure, formal platform speeches can be given in the public sphere, but they most often function as what Daniel Boorstin has called "pseudo-events," the stuff that stimulates conversation. Because of its

informality, the discourse of the public sphere is also perishable which makes the task of engagement by rhetorical critics difficult. But more on that later.

Sociologist C. Wright Mills has provided additional description of communication in the public sphere. It is a place, he argues, where one has as much chance of being a sender as one does of being a receiver of messages – that is, it is a sphere of relative democratic equality. Mills also observes that in the public sphere actions are more directly connected with communication, but I think he is only partially right about this. Certainly, the public sphere acts in a million ways every day. But in a way I will explain shortly, it is not only the domain of action, but also the domain that provides the grounds of action in the political sphere. Rhetorically, the public sphere is not primarily a deliberative place. Rather, it is marked far more by Aristotle's genres of epideictic and forensic. The communication of the public sphere celebrates. It is permeated with judgement.

Finally, we must highlight the seeming chaos of the public sphere. The public sphere is a great buzzing, diverse, unfocused, polyvalent, diffused carnival of chatter. Order is emergent from it, not its characteristic. It is (and this is a key point) singular and incredibly multiplicitous at the same time. There is not one public sphere, there are many, yet when the impact of the public sphere is felt, these multiplicitous spheres are one. This paradox is one of the key elements of the relationship between the public and the political.

As I turn to the political sphere, it is a good time to discuss terminology. In a society, at any time, a number of institutions compete for power: the church, government, commerce, and the list can go on. The secret bargain of the emergence of the nation-state that Habermas describes is

the bargain that established the axis of the public and governmental spheres. This bargain granted the governmental sphere power as the expression of public opinion in exchange for government's attentiveness to the public sphere as the source of its legitimacy. Since that bargain was struck, other institutions including the church and commerce have struggled to displace government's powers. To this point they have failed, although a topic for another day is whether commerce now has the strategy to make that overthrow. I point to this struggle to comment that the political sphere and the governmental sphere coincide in the mythos of modern democracy, but are distinct and potentially divergent. The point is important because in the seam between the public and the political -the arena of legitimacy – lies the bargain that is the basis of democratic governmental power and thus an essential element of its continued ascendancy.

The political or governmental sphere (I will use the terms interchangeably having now warned you of the myth in that usage) is the arena that we are most familiar with as students of political communication. It is American politics: campaigning, issues, legislative hearings, congressional debate, accusation, oversight, regulation, and all the accouterments. This is the realm of persuasion, sound bites, argument. Although it also has the quality of a din, we can aspire to grasp it as students of communication, even as we miss some of it. Our rhetorical theory is based here. There is a degree of formality structured around documents such as the Constitution and *Roberts Rules of Order* that govern the rules by which the communication proceeds. I won't spend a lot of time describing the political sphere because you are very familiar with it, even if you may have thought of it, incorrectly in my view, as the public sphere.

III

Now, we come to the central theoretical point I want to make today – the dependence of

the political sphere on the public. This is not exactly a new observation in rhetorical theory. It is the basis of Aristotle's discussion of the need to base praise in Sythia on the Sythian virtues. We teach it in Fundamentals of Public Speaking as analysis of the audience. Thomas Farrell has written about it as "social knowledge." Karl Wallace, and Walter Fisher after him, have called it "good reasons." Chaim Perelman and Lucie Olbrechts-Tyteca have called it the "starting points of argument." My theoretical contribution today is to locate the source of that general cultural reference in a place where it can change and develop in its own process of communication -the public sphere. That is, the political sphere, under the mythos of democratic government, must understand, penetrate, and ground in a changing, evolving public sphere.

Now, let me clarify some terms to help us operate between these two spheres. And lets begin with "legitimacy." As political theory tells us, legitimacy is a sense of being right. It is important to those in power because it allows the exercise of authority without resort to violence and coercion. Forms of governing that revert to compulsion and abandon their legitimacy will ultimately fail because they consume the very resources that they depend upon. Communication is the place where actions are contextualized into values, motives, good reasons, to bathe in legitimacy. Values, motives, and good reasons are the touchpoints of the relationship between the political and public spheres. It is here they must be congruent, or the political sphere must reach into the public and seek change. The changes take place in the public sphere.

A second key term is "political leadership." The concept recognizes that the political sphere exercises influence over the public. I will not pretend that we fully understand leadership - like legitimacy I will take it as a problem for rhetorical study. But it is a useful concept to focus on the important question of how the political leadership can change the grounds of its own action by

reaching into the public sphere.

A third key concept is "public opinion." Habermas is correct to focus on this term as an evolving mythic construct that has been used to shift realms of power. The political sphere has sought to free itself to a degree from the public sphere in the 20th century by using a materialized, quantitative construct of public opinion to argue for its legitimacy. Michael Hogan has admirably described this power move. Susan Herbst has described the underlying myth. Conceptually, public opinion is the construction of the values, motives, and good reasons of the public sphere used in the construction of justificatory discourse in the political sphere. You must think of it as a construction rather than as a "fact" to understand the anxieties and limitations that mark discourse in the political sphere.

I mentioned three concepts earlier that we would be well to define for a moment. "Values" require some rethinking. In fact, I would prefer that you use the verb "valuing" to the noun "values." One of the ways in which the political sphere has materialized the public sphere is by commodifying "values," that is, thinking of them as things that can be manifested, bought, sold, handed down, inherited, weighed, exchanged, and the other actions that our metaphors of commerce permit. Values are better seen as the extra-factual and extra-material elements brought to judging the events of life. I have mentioned that much of the discourse of the public sphere is judgmental. It is this discourse where non-material values encounter the material world and the junction evolves both.

"Motives" are used here in the symbolic interactionists' framework of justificatory discourse. That is, the structure of motivation is discursive and, like values, motives mediate preference and materiality as actions are judged. As such, motives are closely tied to Wallace's

term, "good reasons." They are acceptable reasons for an action grounded in our notions of right and wrong and our patterns of acceptance and rejection. Speakers in the political sphere seek to motivate actions in the values and good reasons authorized in the public sphere.

IV.

Let me now, employ this theoretical understanding in some criticism, attempting to give you a glimpse of a dynamic public sphere with public opinion grounding political legitimacy. Please permit me to do what you will not let your undergraduate students do, talk about capital punishment. The capital punishment controversy has been revisited over the recent past, reaching a sort of climax when Conservative Governor George Ryan of Illinois declared a moratorium on state-sponsored executions in late January 2000. I want to examine this controversy at a macro level. That is, I am interested in the texture of the controversy rather than specific persuasive messages. Let me begin by examining the "good reasons" that have supported the growth in the death penalty in the last two decades. If we examine the discourse in either the political or public spheres supporting the death penalty, there are four "good reasons" that have motivated the growth. The first is Biblical - the principle of the Old Testament - an eye for an eye, a tooth for a tooth, a death for a death. The second is a kind of economic logic. According to this explanation, criminals about to commit heinous acts calculate the costs of their acts and weigh them against the benefits. Thus, to change the decision of criminals to kill, the costs of the act must be increased and the death penalty achieves that.

Over the last twenty years, these two rather old rationales have been joined by two new motives for state-sponsored execution. The first is a kind of therapeutic motive: being able to witness the death of the convicted killer allows the victim's family to heal, to bring their pain to a

close. The general frame of this motive – the therapeutic frame of identifying victimage and seeking relief from it – has been an increasing pattern in American discourse during the last half of the 20th Century. Mike Cuffman is currently studying the interconnection of that frame to the discourse of the conservative commentator, Rev. James Dobson. The general power of the form has served the purposes of supporting the legitimacy of the death penalty through this "good reason" of healing the victim's family.

The other recent development is a growing viewpoint on crime as a kind of war. Police agencies increasingly receive quasi-military training. Today, police appear in large numbers at points of tension such as protests against the World Trade Organization, dressed in military outfits complete with helmets, a sort of urban fatigues, and carrying military style weapons. Recent legislation, particularly at the federal level, has attempted to provide military style technology to police units as part of the "war on crime." The result has been an enemizing of the criminal. In a rhetorical framework of the war metaphor, the criminal becomes an enemy, and the death of the criminal is lamented less because of his status as our enemy.

These good reasons have begun to weaken, however. Today, the legitimacy of capital punishment is eroding. I am interested in considering some of the reasons for this erosion, particularly in the public sphere and now in the political as well. And I think the reasons will guide us to developments in the public sphere.

To be sure, there have been changed circumstances. Most notably, there has been a marked decrease in crime over the last ten years. Tracing the causes of that decrease is another interesting rhetorical problem, but let it suffice to note that the decrease diminishes the urgency of the crime problem. With that diminishment, the power of the crime motives diminish also.

But I also want to discuss the erosion of the power of the two new motives -the therapeutic and the war metaphor. Let me begin with the latter. War has become a very different thing since the end of the Cold War. The geometry of modern war features the overwhelming power of the American military. Validated by the Gulf War, this "fact" has led to a military that is more involved in "peace missions" than in active fighting. Even when military actions are taken, such as the NATO war against Serbia, the final objective has been transformed into a peace mission. In short, war has lost much of its sting as a totalizing strategy to deal with problems.

Nor do Americans see themselves as fighting wars anymore against a people. In the last decade our wars have been with malignant leaders. There has been an increasing and countervailing emphasis on economic power and diplomacy as the keys to management of the world's problems. All of this passage of war out of style for Americans has weakened the motivational power of the war metaphor on issues of crime. The metaphoric nature of seeing the criminal as an enemy simply does not have for us what Walter Fisher has called narrative fidelity.

I believe the weakening of the therapeutic motive have two sources. First, conservative voices have led a charge against the therapeutic as an overdone "good reason." Victimhood has been exposed as a rhetorical strategy in the worst sense; and the art of becoming a victim by your choice, rather than your victimizer's choice, has become a theme of public discussion. Far more important, however, is the dramatization of relatives of victims witnessing executions. Against a backdrop of abhorrence at executions being public spectacles (unlike a hundred years ago, we now think that picnics in front of the gallows are distasteful) the media image of families declaring their satisfaction at the death of the killer of their loved one has taken on a kind of ghoulish quality. Some of these victims have enhanced this quality by their coldness toward the families of the

executed. These are not pictures that the public necessarily embraces.

The result has been a weakening of the power of the "good reasons" that drove the increased support for the death penalty since 1973. At the same time, many of the cases that have reached the level of public awareness have tested the limits of legitimacy. The myths that surrounds the criminal justice system and its ultimate penalty is <justice>. The public sphere is filled with myths about justice and capital punishment has washed up against many of these. For the first time in a hundred years, Texas executed a women. Arkansas executed a boy of 18 for a crime committed at age 15. Other cases feature the execution of the mentally impaired. These cases become the grist for the public discussion of capital punishment, and they challenge ideas about the treatment of women, youth, and the mentally impaired in the legal system.

But the growing opposition to the death penalty has been most energized by two old powerful American themes: race and technology. The overwhelming face of execution in America is black. Reinforced by statistical evidence of the discrepancy between sentences for black and white criminals, the involvement of American racism in the death penalty has come to the surface. Even though, as Janet Reno indicated earlier this week, statistical correlation does not mean that justice is being distorted, the American embarrassment of racism makes race a potent motive for concern.

The theme of technology is crossed with another old American theme: that our justice system is committed to freeing the innocent. American's have always had a powerful romantic attachment to technology as the magic elixir that will solve all our problems. The introduction of DNA technology into criminal investigation is the latest in a string of technological advances that make us think that we can determine guilt or innocence by technology rather than judgement.

Americans flock to such a possibility. And, in enough cases to question our faith in the justice system, technology has indicated the innocence of people that we are about to execute.

In sum, at the macro level, the diminishing power of the therapeutic and the war metaphor has been accompanied by the rhetorical dawning of race and technological screening to erode the legitimacy of capital punishment. Following a series in the *Chicago Tribune* on the difficulties with the death penalty in Illinois, Governor Ryan declared that he no longer had faith that those convicted in Illinois were guilty and that he would halt executions until the matter had been examined.

V.

What shall I conclude from this example about the power of opening the space between the public and political spheres for examination. I should start by observing my discomfort with some aspects of this treatment. Macro level research is difficult for a hard core believer in empirical evidence (in the old sense of experience rather than the political myth of quantification). I have tried to track some changes that I perceive in the diffuse public sphere. As a critic, I have always been sensitive to the discourse of the public sphere. I am a listener to an extreme as I travel in various circles. I am often a provocateur in conversations. The informal character of the public sphere requires these skills and other methods besides, including more focus groups and ethnographic methods in rhetorical study. We need to develop a sensitivity for discourse in the public sphere.

I am also somewhat disappointed that I have not penetrated to a vocabulary that would actually allow me to capture communication doing the work of changing the public sphere. I believe with the methods mentioned above I have a chance of doing that. But a barrier remains:

the linear logic of billiard-ball theories of change. Changes in mythos are sea changes. Much more sophisticated models of the influence of communication will be necessary to discuss this change intelligently. I was tempted to do an analysis for this paper of the effect of the television series *West Wing* on politics. But I resisted the urge. I want to read Trevor and Shawn's analysis first. And I want to avoid overclaiming change paths from a single source.

I am pleased with my effort, however, in utilizing the breach between the two spheres to show the evolution of the public sphere shaping the changes in the political. The example of capital punishment, in fact, is one where even today the public sphere is, I believe, ahead of the political. Although the movement against capital punishment is growing, it has not penetrated very far into the political sphere. I believe the distinction has encouraged me to examine cultural context for political discourse with a richer inquiry than if I were to merely think of the public as an audience for political discourse.

And I am also pleased because I think the analysis shows how changes in values, motives, and good reasons in the public sphere work with great complexity. They form the synapses that surface again and again in places beyond their obvious influence. A reaffirmation of technology fueled by the computer age and genetic engineering changes the legitimacy of the death penalty. A success of a conservative attack on their politics boomerangs to undercut the legitimacy of a Conservative litmus issue.

I believe that my original argument - that the power of the public sphere would be realized only when a theory opened the gap between the public and the political - has been vindicated. So much yet to do, but some satisfaction with that accomplished to this point.