

# A Critical Assessment of 'Between deliberative and participatory democracy:

*a contribution on Habermas*

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*'Philosophers have hitherto only interpreted the world in various ways; the point is to change it.'* Karl Marx, 1845, 'Thesis on Feuerbach'

The object of this paper is one particular application of Habermas' social theory – the effort to provide instruments for the enhancement of democratic practices made by Denise Vitale in her article "Between Deliberative and Participatory Democracy: a contribution on Habermas" (2006). Bearing in mind the importance of the conjunction of theory and practice for Critical Theory, the purpose here is to assess, through a critical analysis of this article, the way Vitale has applied Habermas' democratic theory to operative democratic processes. Therefore, the importance of applying theory to practice will be explained, and a brief exposition of Habermas' project and core concepts will be carried out, followed by an assessment of Vitale's application of Deliberative Democracy in the final section.

In her article, Vitale detects significant problems in Habermas' theory of communicative action: the difficulty in devising concrete institutional alternatives to promote democratic processes, and his lack of concern with social and economic justice. Vitale then finds the answer to these questions in participatory theories which, as we shall see, cannot account for modern society's complexities. Nevertheless, because of the educative function of participatory democracy, its potential to restore citizenship and the assumption of social and economic justice as preconditions to substantive democracy, such theories would indeed be important tools for a real enhancement of democratic practice. Participatory and Deliberative theories would then be considered complementary to Vitale.

However, after providing an accurate analysis, Vitale's attempt to conciliate Participatory and Deliberative theories of democracy meets a significant obstacle. For Habermas, as will be shown, communication is the universal feature of humanity, and therefore the essential condition for democracy. This presupposition implies a prioritisation of communicative rights over others, such as economic and social ones. When asserting the primacy of the 'Ideal Speech Situation', Habermas rejects all claims fixed before open discussion and debate, which means that no defense of material justice can be made a priori. Therefore, Vitale's assertion of the need to institutionalize economic and social rights to deepen democracy clearly conflicts with the Habermasian presupposition of undistorted communication as the ideal to be pursued. Another result of this analysis, derived from this first conclusion, points to the difficulty of using Habermas' theory to address concrete social problems, because the rejection of any predetermined truth stands in the way of the pragmatic design of alternative institutions capable of responding to the inequalities and injustices of contemporary society. It could be suggested, therefore, that Habermas is far from fulfilling the practical intent of critical theory.

### The importance of applying Critical Theory to social problems

Critical Theory is in essence an interdisciplinary, reflective, dialectical and emancipatory theory of society, oriented to its diagnosis, critique and transformation. Max Horkheimer set out the aim of Critical Theory in his famous essay, “Traditional and Critical Theory” (1937). Rejecting “traditional” theory, which maintained a strict separation between thought and action and presented a merely descriptive, ahistorical and positivist view of the world, Critical Theorists understood that words, thought, understanding and experience were unavoidably influenced by social and historical forces. Critical Theory was about insight and reflection leading towards praxis and emancipation. It was to be a social theory with a practical intent (Blaug, 1999, p.31).

This concept of theory was for the most part developed by a group of philosophers, sociologists, social psychologists and cultural critics, who came to be known as the Frankfurt School. From the outset, theorists of this school developed different theoretical and political positions, such that today there is no unitary Critical Theory. However, the influence of the relationship between theory and practice remains its common feature. Thus, it is crucial in Critical Theory both to apply and to evaluate its applications in practice, in order to keep its original emancipatory character.

### Habermas’ intellectual project

Habermas has inherited the Frankfurt School’s preoccupation with addressing theory to practical intentions (Blaug, 1997). However, despite having inherited the practical intent, his work has made significant adjustments to Critical Theory by replacing categories at the heart of the original project – such as social labour and historical materialism – with a theory of communicative action (Blaug, 1997).

In Habermas’ social philosophy, communication is the defining characteristic of human beings in modern society. The analysis of language-use and speech therefore becomes the rational basis of the coordination of action (Finlayson, 2005). In *The Structural Transformation of the Public Sphere* (1962), Habermas develops his idea of the public sphere as an ideal space where agents participate as equals in rational discussion, in pursuit of the common good. This is, then, an environment of open debate, free from any kind of constraint.

The main assertion of Habermas’ theory is that in modern society, human activity is coordinated by two kinds of rationality: instrumental rationality, which involves the strategic employment of the best means toward a calculated end, and orients action to reaching success and efficiency; and communicative rationality, under which agents are oriented to reaching understanding, exchanging experiences and generating shared meaning through the recognition and acceptance of validity claims (Habermas, 1996). Two different spheres of social life – the “system” and the “lifeworld”, each with its own distinctive rules, institutions and patterns of behaviour – are ruled respectively by instrumental and communicative forms of rationality (Finlayson, 2005).

The system is ruled by instrumental action, and is divided into the sub-systems of

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money and power, which Habermas called “steering media”, as they are fundamental mechanisms of coordination of action informed by the capitalist economy and the rules of state administration. The function of these subsystems is the material reproduction of society, which gives coordination of action in the system a particular inner logic and specific effects on social integration: that is, the increasing disconnection of system agents from social life.

The lifeworld comprises unregulated spheres of sociality, where shared meanings and understandings are created as a background against which communicative reason operates. It involves the informal and unmarketised domains of social life, such as family and culture. The lifeworld is the medium for cultural and symbolic reproduction of society, that is, the transmission of knowledge through communication and discourse. Thus, by resisting the fragmentation of meaning, the lifeworld can protect human relations from disintegration.

According to Habermas, in modern societies there is a tendency for the system to take over and destroy the symbolic content of the lifeworld. This colonization process takes place as the steering media of money and power expand in influence, and the capitalist economy and the administrative system become gradually detached from the spheres of family and culture and the institutions of the public sphere. As networks of instrumental action increase in their density and complexity, so they gradually filter into the lifeworld and absorb its functions: vital societal decisions are left to markets, or placed in the hands of expert administrators (Habermas J., 1996). As a result, the bases of action and decision-making are withdrawn from public debate and from possible democratic control. Habermas acknowledges the harmful effects of the uncontrolled development of the system, and considers the need of instruments to protect the lifeworld, and of “countersteering” mechanisms to put the system back in its place. Indeed he theorises these mechanisms in relation to his theory of discourse ethics, which we shall investigate briefly while going through Vitale’s article.

In 1997, Ricardo Blaug distinguished three different types of uses of Habermas’ theory, all of which are ‘attempts to fulfil the practical intentions of critical theory ... by hermeneutically crossing over from theory to practice’ (Blaug, 1997, p. 102). According to Blaug, Habermas’ work can be used as an interpretative tool for cultural criticism, as an empirical tool for critical sociological research, as a test for legitimacy, or to inform emancipatory politics.

Vitale’s article exemplifies the latter use of Habermas’ theory. As we will see, it is an attempt to use Habermas’ theory of democracy as a tool for the enhancement of democracy. She uses Habermas’ analysis of modernity, reason and democracy to discuss the relation between the Habermasian concept of deliberative democracy and the participatory approach, in order to provide guidance for the development of democracy in a more substantive manner.

Vitale begins by posing the problem of the increasing complexity and rationalization of modern societies, by which shared sacred and religious beliefs were demystified, breaking to pieces the shared ethos that used to hold together traditional societies. This process led to fragmentation and, more significantly, differentiation of traditional spheres of value from one another, and these independent spheres began to follow their own inner

logic. For Weber, the consequences of this process are both a loss of meaning and a loss of liberty. The former is due to the fact that, since there is no unifying element shared by the different spheres of value, they coexist in increasing tension and become unable to provide any shared meanings. The latter is a consequence of the increased autonomy of these spheres and increasing bureaucratization resulting from the alliance between capitalism and state administration.

Habermas disagrees with both aspects of Weber's pessimistic conclusion (Vitale, 2006). Firstly, he identifies art, literary criticism, the media and academia as some of the instruments which are able to link the fragmented cultural spheres of value (such as the sciences, art and law) and restore a minimum unity and the potential for the comprehension of life and society. Yet, he also argues that increasing bureaucratisation and its problems are part of the previously described process of colonisation, through which the logic and structure of systemic universe become overdeveloped at the expense of the lifeworld.

Having traced the roots of this crisis of modernity, Habermas sees a way out. For him, it is possible to achieve emancipated reason and reestablish liberty if the structures of the lifeworld are regenerated by the strengthening of communicative rationality. This process can enable the lifeworld to resist systemic colonisation by bureaucratic and economic forces. According to Habermas, however, the restoration of communicative rationality brings the need for a philosophical shift from subject-centered rationality to an intersubjective paradigm, in which action and communication become the focal point. Hence, from this point of view, democracy and communicative action are directly related:

*To the extent that communicative reason is strengthened, democracy is improved. In other words, a free lifeworld whose autonomous spheres of value (art, science, religion) can develop naturally, in a balanced way, requires the support of democratic practices (Vitale, 2006, p. 743).*

Starting from the Habermasian assumption that there are instruments of mediation between specific expertise and everyday life, Vitale considers democracy to be one of these instruments and suggests the use of democratic institutions as channels of communication between common individuals and professional politicians. These channels should, then, be strengthened to the extent that effective discussion and deliberation of public issues is enabled in society, in a process that renders a more meaningful politics.

In this context, Vitale begins to analyse the current role and potential of democracy, the limits and possibilities of political participation and public deliberation, and to what extent they represent an alternative.

#### Deliberative democracy

Habermas' concept of democracy has a procedural dimension, grounded in discourse theory and political deliberation. Democratic legitimacy is drawn out of a broad public process of political decision-making, in which all participants can carefully and reasonably debate various issues. Law is essential here, as it is able to institutionalise this collective proc-

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ess of reflection and analysis, upholding the formative procedures of discourse theory.

Using Habermas' distinction between the republican and liberal visions of citizenship, Vitale shows how his deliberative politics is theoretically situated in an intermediate position between these two perspectives, striving to be less idealistic than the former and less utilitarian than the latter. The establishment of ideal deliberative and decision-making processes – drawn from the interaction between liberal and republican perspectives – depends on institutionalisation through the medium of law, in order to provide legitimate fundamental rights in the institutional framework and in the informal environment of the public sphere.

Vitale also describes a discursive alternative anchored in the synthesis of popular sovereignty and human rights. Habermas understands both as complementary concepts that presuppose one another and legitimise procedural democracy, breaking with the liberal and republican perceptions that there is a tension between these two concepts.

If, on the one hand, human rights, especially the rights of communication and participation, institutionalise the communicative conditions for rational will-formation, permitting the exercise of popular sovereignty, on the other hand they cannot be imposed as something external to this exercise, but must be discussed and defined through the discursive process of collective will-formation, that is, democratic process (Vitale quoting Habermas, 2001).

Habermas' synthesis is criticised from both sides. Vitale points out his lack of deeper discussion on how to institutionalise discourse ethics, and also presents the criticism that his conception of human rights is too limited, and too close to the liberal view, once it prioritises civil and political rights over social and economic rights.

Having established the main features of deliberative democracy, Vitale starts examining its relationship to the participatory model, asserting that there is a significant common ground between these two concepts. However, according to her, while the discursive alternative presupposes the highly differentiated condition of modernity, the same cannot be said about participatory democracy.

### Participatory democracy

Participatory democracy was formulated as a counter-argument against democratic-elitist and neoliberal ideas of the late 1960s and 1970s, which consigned the participation of all citizens in public life to a peripheral and restricted role, and the function of politics to the mere protection of a free market. In this view, the political sphere is ruled by a strategic rationality proper to the market, and cannot establish legitimacy from a democratic normative principle (Vitale, 2006, p. 749).

The participatory counterproposal was justified on three premises: the need to extend citizenship and political practice beyond a merely representative function; the necessity of reducing social and economic inequalities – thus creating a more substantive democracy – as a precondition to increased participation; and the educative function of political participation, given its potential to develop the social and political capacities of individuals.

The objective of participatory democracy is to transform “thin democracy”, in

which the practice of politics is restricted to representatives, usually professional politicians, into strong democracy, to be exercised and enjoyed by all active citizens, who then participate in arenas other than the voting booth (Vitale quoting Pateman, 1970). In this perspective, participatory democracy is seen as an instrument for reducing social inequalities and achieving de facto – rather than merely formal – democracy.

Participatory democracy emphasises the need for both direct and delegated democratic forms, whose source is deliberation rather than merely consultation, assuming that the directness of participation and deliberation has the potential to change people's political consciousness and also to disrupt social and economic inequalities (Vitale, 2006, p. 751). However, participationists acknowledge the need to combine direct democratic forms with representative institutions, whilst making representatives more accountable and democratising the internal structures of political parties.

Vitale underlines the communicative – and intersubjective – aspect of participatory democracy, suggesting that due to the complexity of the subjects raised in participatory forums, the model of direct democracy requires more interaction. Decision-making process should therefore be collective, which resulting from wide-ranging prior discussion (Vitale quoting Macpherson, 1970).

According to Vitale, there is a common ground between participatory and deliberative theories of democracy. Both models recognise that there is a crisis of legitimacy that needs to be overcome underlying the need to enhance democracy. Their challenge is to reverse the process of systematisation of the economy and the state, which pushes people into the marginal role of mere members of an organisation, and the way to fulfil this task is by re-absorbing citizens into public debate and political processes by means of participation and public deliberation.

Nevertheless, each conception has a different focal point. The participatory debate focuses on the need to implement forms of direct democracy and extend it to non-state structures, and on fostering substantial democracy in order to reduce social and economic inequalities and guarantee effective enjoyment of political rights to all citizens. The focus of discourse theory, in the other hand, is the exercise of sovereignty through discursive processes of collective will-formation that must be legally institutionalised, in which the crucial aspect is dialogue and communication in political practice (Vitale, 2006, p. 753).

#### Participation and Deliberation: towards an intersection

After analysing deliberative and participatory democracy, Vitale recognises the strengths and weaknesses of both theories, and shows that efforts should be made towards creating an intersection between participatory and discursive alternatives, in order to achieve radical democracy.

She argues that, despite neglecting the broader context of highly complex modernity, participatory democracy points in the same direction as the deliberative view, placing communication and public debate at the forefront of its project. However, she also observes its failure to guarantee these core values through legal institutionalisation.

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From the organisational view, Vitale introduces the Habermasian argument that direct or indirect forms of participation cannot be determined a priori, because the process of political deliberation itself determines how deliberation will actually be organised (Vitale quoting Elster, 1998), stating that any form can be legitimate as long as public deliberation over its shape is grounded in communicative reason. Despite the participationists' criticism of this position, Vitale argues that the models they suggest are sufficiently vague and broad to permit adjustments to complement the representative forms of participation that already exist.

Vitale asserts that deliberative theory adds a dimension of legitimacy: the deliberative process of opinion- and will-formation among free and equal citizens, the presumptions and pre-conditions of which must be legally institutionalised. The virtue of this approach is that it raises the discussion to a level of abstraction more appropriate to the complexity of modern politics.

However, she presents two criticisms of Habermas' discursive democracy. Firstly, despite his remark on the importance of institutions, Habermas' theory is mainly procedural, thus remaining very abstract and avoiding a deeper discussion of more concrete questions concerning the structure and functioning of these institutions (Vitale, 2006). The second – and more relevant – criticism of Habermas theory is that although the proponents of deliberative democracy are aware of the relation between social and economic rights and political equality, the former are devalued to the extent that priority is given only to the rights of communication and participation.

According to Vitale, the “deliberative deficiency” derives from its restricted concept of human rights, because the idea of human rights refers to a broader and more complex set of rights. Her claim is that other human rights – such as social, economic, cultural, environmental and developmental rights – which are just as essential as the rights of participation and communication, must also be considered central to the democratic project and be eligible for legal institutionalisation (Vitale, 2006). For Vitale, unless these other fundamental rights are legally protected, the rights of communication and association themselves will not be effective.

On the other hand, Vitale highlights the need to search for minimum economic and social equality and to enhance democratic process simultaneously, given the inherent indivisibility and complementary character of human rights:

Concern about human rights calls for a global perspective that comprehends not only civil and political rights, particularly rights of participation and communication, but also social, economic, cultural, environmental and development rights, among others. These rights are indivisible and complementary; since they are equally important, they must be implemented simultaneously (Vitale, 2006, p. 748).

Vitale's work identifies the existence of a lacuna in the theory of deliberative democracy, which ‘neither challenges nor engages an in-depth discussion of either the problem of social and economic rights, or issues of redistributive justice’ (Vitale, 2006, p. 758), thus making the error of being too idealistic. In an attempt to fill this gap, she emphasises the need

to retrieve the debate on participation and its focus in 'substantive democracy, grounded on a more equal distribution of social and economic resources, and at least an attempt to propose some concrete participatory institutions' (Vitale, 2006).

Finally, Vitale concludes by recognising that the two analysed theories of democracy represent complementary elements that must be combined in order to reach more substantive democracy. In her view, 'the radical democratisation of democracy, which is crucial to reduce the legitimacy deficit of contemporary politics, can succeed only if participation and deliberation are regarded as two key elements in the process of collective decision-making' (Vitale, 2006, p. 759).

#### Assessment

According to Blaug (1997), by trying to provide normative grounds for political practice, Habermas' universalising theory has reached a high level of abstraction, which generates serious difficulties in applying it to concrete political problems and, therefore, our ability to visualise practical changes to the existing order. Vitale shows Habermas' work adds a dimension of legitimacy, and a measure of how legitimate political democratic deliberations are. However, as Blaug asserts:

*... the study of a political order's extant legitimacy is a far cry from using the theory in order to design legitimate democratic institutions which might be quite different than those we currently have* (1997, p. 114).

Vitale also identifies this lack of practical potential in Habermas' theory, by showing that it avoids discussing concrete institutional design and that it conceals essential conditions for effective democracy – such as social and economic inequality – by giving priority to civil and political rights. She then makes use of participatory theory of democracy, in order to fill this gap left by the deliberative perspective, and conceive a more concrete way of achieving radical democratic practice.

However, despite the worth of Vitale's attempt to fill the gap left by Habermas' theory, to raise social and economic conditions to the same level as communication has problematic consequences to Habermas' democratic theory, as its structural premise is precisely the shift into the intersubjective paradigm. This shift is a significant methodological change in Habermas' brand of Critical Theory:

*only communicative ethics is universal...; only communicative ethics guarantees autonomy (in that it carries on the process of insertion of drive potentials [sic] into a communicative structure of action)* (Habermas, 1975, p. 89)

If, according to Habermas, communicative action is the essential condition for democracy, how are we to extend this nucleus in order to include economic and social rights, without fundamentally distorting his discourse ethics? In other words, concrete matters of

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redistributive justice and social inequities will inevitably be a secondary concern which may or may not come up in public discussion, and to give these matters a higher status – through legal institutionalisation of a ‘participationist complement’, as suggested by Vitale – would be to claim universal values that are not as universal as communication is to Habermas.

Vitale’s criticism of Deliberative Democracy lucidly identifies a significant flaw: the lack of concern with concrete material justice. Nevertheless, it seems erroneous to resort to Participatory theories of democracy to solve the question, once we establish that the issue goes deep into the structures of Habermas’ theory. With this perspective, Participation and Deliberative theories do not appear so complementary after all, and trying to reconcile them turns out to be an extremely hard task, considering the incompatibility of their scope.

As a secondary conclusion of this review (resulting from the first), it can be seen that we encounter extreme difficulty in bringing Habermas’ theory into the real world. His theoretical assumption – the ideal of ‘undistorted communication’ and a rejection of ‘decisionism’ – makes it difficult to conceive of alternative institutions in the desperate reality of contemporary society, and to view (and recreate) society as an order of men, rather than a complex system to be ‘efficiently steered’.

If, as Horkheimer states in *Traditional and Critical Theory*, ‘every part of a [critical] theory presupposes the critique of the existing order *and the struggle against it along lines determined by the theory itself*’ (1937, p. 229, emphasis added), it is here that Habermas has moved away from the original project of Critical Theory, evidencing the difficulties in formulating a thorough critique of contemporary society that is actively oriented toward the possibilities for a better form of life without being arbitrary.

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