

Communicative Power in Habermas's Theory of Democracy

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ABSTRACT: This article critically examines Jürgen Habermas's theory of democracy as developed in *Between Facts and Norms*. In particular, it focuses on the concept of communicative power and argues that there is a crucial ambiguity in Habermas's use of this concept. Since communicative power is the key normative resource that is supposed to counter the norm-free steering media of money and administrative power, its role within the theory must be made clear. The article begins by explaining the normative and social-theoretic foundations of the theory. Then it highlights the normative importance of the public sphere in Habermas's two-track model of deliberative politics, before turning to the problems with the concept of communicative power. Two alternative readings of its role are provided in order to demonstrate how it needs to be further clarified.

KEY WORDS: *communicative power, democracy, discourse theory, Jürgen Habermas, public sphere*

In *Between Facts and Norms*, Jürgen Habermas undertakes for the first time a systematic elaboration of discourse theory in relation to democratic and legal theory. Drawing on his theory of communicative rationality and discourse, he develops a model of democracy that combines a procedural account of democratic legitimacy with a deliberative politics. One of the central motivating concerns driving that project is to specify how the normative ideal of popular sovereignty may still be maintained or feasibly implemented in recognizable ways under conditions of modern social complexity. In this context, one of the central challenges is to account for the realities of money and power within the political system without utterly draining the ideal of popular sovereignty of its normative force. A theory of democracy that affirms normative notions without neglecting the difficult theoretical and political challenges posed by complex societies is certainly desirable. However, Habermas's most significant contribution to democratic

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theory to date is hindered by a crucial ambiguity in one of its central concepts: communicative power.

Habermas introduces the concept of 'communicative power' as the key normative resource for countering the norm-free steering media of money and administrative power. Linking 'communication' with 'power' already suggests a mix of the normative resources of communicative action with the impersonal force of power. Is such a conceptual mix stable? As the source for the democratic legitimation of the use of state power, communicative power is a central notion in Habermas's democratic theory. The concept played no role in his earlier *Theory of Communicative Action* and was introduced only with the model of deliberative politics in *Between Facts and Norms*.¹ But he does not use the concept consistently, nor does he give a precise enough account of its role. Specifically, it is unclear whether communicative power amounts to discursive power produced through arguments within informal public spheres or is primarily associated with the institutional power to make binding decisions. Since the concept plays such a central role, determining the overall character of Habermas's democratic theory hinges to some extent on defining the role of communicative power.

I begin by sketching Habermas's account of communicative power. In order to situate this conception within his democratic theory as a whole, I then explain Habermas's extension of discourse theory from moral theory to democratic theory and his procedural conception of popular sovereignty. In section II I focus on Habermas's two-track model of deliberative politics, highlighting the normative demands that it places on mobilized public spheres. This sets the stage for the critical reading of communicative power. In the third section I argue that Habermas is unclear in his use of this concept. I offer two alternative readings of its role in order to demonstrate that he needs to clarify this basic concept and then I offer some reasons for choosing a reading that is more consistent with the aim of maintaining the radical democratic aims of the theory.

I. Normative Foundations and Social Complexity

Habermas argues that the attempt to interpret popular sovereignty in procedural terms must be 'carefully defined so as not to divest popular sovereignty of its radical-democratic content'.² He restates the principle of popular sovereignty in terms of discourse theory: 'all political power derives from the *communicative power* of citizens'.³ As the medium for expressing the radical democratic content of popular sovereignty, 'communicative power' lies at the heart of the communication model of the political process. Habermas borrows the concept of communicative power from Hannah Arendt, while reformulating it. Arendt emphasizes that power is always something exercised in common, not by an individual: 'Power corresponds to the human ability not just to act but to act in concert. Power is never the property of an individual; it belongs to a group and remains in existence only so long as the group keeps together'.⁴ In a similar formulation, she claims

that 'power springs up between men when they act together and vanishes the moment they disperse'.⁵ Habermas states that:

... in contrast to Weber, who sees the fundamental phenomenon of power as the probability that in a social relationship one can assert one's own will against opposition, Arendt views power as the potential of a *common will* formed in noncoercive communication.⁶

He focuses on Arendt's view of political power in terms of 'jurisgenesis' and the authorizing force involved in the creation of laws and the founding of institutions. As Arendt puts it:

It is the people's support that lends power to the institutions of a country, and this support is but the continuation of the consent that brought the laws into existence to begin with. . . . All political institutions are manifestations and materializations of power; they petrify and decay as soon as the living power of the people ceases to uphold them.⁷

Since communicatively *generated* power is not the same as administratively *employed* power, Habermas proposes a differentiation in the concept of political power. While only administrative power is suited to implement the law efficiently, he proposes that we distinguish administrative from communicative power and view law as the medium for translating communicative power into administrative power:

For the transformation of communicative power into administrative has the character of an *empowerment* within the framework of statutory authorization. We can then interpret the idea of the constitutional state in general as the requirement that the administrative system, which is steered through the power code, be tied to the lawmaking communicative power and kept free of illegitimate interventions of social power (i.e. of the factual strength of privileged interests to assert themselves).⁸

Law is supposed to act as a transformer of communicative power and the exercise of state authority through administrative power is only legitimate if bound to this discursively generated communicative power.

Habermas maintains that 'a communicative power of this kind can develop only in undeformed public spheres; it can issue only from structures of undamaged intersubjectivity found in nondistorted communication'.⁹ While drawing inspiration from Arendt, Habermas develops the concept of communicative power in relation to his own account of communicative rationality and his procedural model of popular sovereignty. In this account, communicative power is internally related to communicative rationality, which means that it is ultimately supposed to have a cognitive content. In order to see how this is possible, we have to begin with Habermas's application of discourse theory to politics.

This also provides the opportunity to situate the theoretical roots of Habermas's democratic theory in his theory of communicative rationality and in his dual-perspective theory of society. Communicative rationality, in contrast to the practical reason of the individual reasoning subject, is rooted in the intersubjective structures of communication.¹⁰ The paradigm for successful communication

is the act of reaching mutual understanding between two speakers. Habermas argues that speakers' orientation toward mutual understanding entails a commitment to certain presuppositions rooted in the idea of unconstrained argumentation or discourse. The process of argumentation, with its inherent presuppositions, is a 'reflective continuation' of action oriented toward reaching understanding. Participants in discourse must presuppose that all motives other than the cooperative search for truth have been excluded (such as strategic motives or coercive forces) and the only operative force is the 'force of the better argument'.¹¹ Habermas has introduced the principle of discourse (D) as a standard for the impartial justification of norms: 'Just those action norms are valid to which all possibly affected persons could agree as participants in rational discourses'.¹² When the range of 'all possibly affected persons' is all human persons then the type of rational discourse required involves moral arguments. While the application of discourse theory to the sphere of moral questions has been fruitful, political questions introduce further issues that cannot be settled solely by moral arguments. That is, discourse ethics cannot be applied to the democratic process without modification.

Two interconnected steps must be taken in order to make discourse theory relevant to lawmaking and politics. First, the principle of discourse, which applies to norms in general, must be brought to bear on the medium of law if it is to specify a procedure for legitimate lawmaking. When applied to law the discourse principle gives rise to the principle of democracy: 'Only those statutes may claim legitimacy that can meet with the assent of all citizens in a discursive process of legislation that in turn has been legally constituted'.¹³ While the discourse principle refers to the validity of action norms in general, the principle of democracy refers to the legitimacy of legal norms in particular. Legitimacy is a form of validity that contains a 'volitional moment' connected to political will-formation.

The second step required to make discourse theory applicable to politics is a differentiation in the 'discursive process' to include not only moral reasons, but also what Habermas refers to as pragmatic and ethical-political reasons. In order to deal with the complexity of political issues, he has expanded discourse theory from its earlier focus on moral questions to a network of differentiated discourses and bargaining processes.¹⁴ The democratic principle itself does not specify the forms of argumentation involved in the discursive process of legislation. Analyzing the possibility for rational will-formation in various discourses requires a theory of argumentation that specifies the standpoints from which pragmatic, ethical, and moral issues are addressed based on the type of practical rationality that is required to address them. They are distinguished in terms of the instrumental rationality of pragmatic discourse, the hermeneutic clarification of ethical-political discourse, and the universalization involved in moral discourse. The discourse model locates the process of political will-formation within a network of differentiated discourses and procedurally regulated bargaining processes.

Habermas presents this procedural model of deliberative politics as an alternative to both liberal and republican models.¹⁵ The classical liberal model characterizes the political process as a conflict of interests that can only be settled through compromise or the aggregation of preferences through voting. In contrast to liberalism, the recent 'republican revival' among legal and political theorists draws on the civic republican tradition in advocating a more deliberative or dialogical politics in accord with the ideal of democratic self-rule. One of the central ideas of deliberative politics is that the scope of politics should extend beyond the aggregation of self-interest. Public deliberation opens the possibility for new information to arise, insights to be gained, and the potential for a transformation of preferences. Deliberative politics is concerned, in this sense, with 'the public use of reason'. Toward that end, theorists of deliberative democracy have focused on the extent to which public deliberation and the legitimation of political decisions are more or less rational.

With his theory of procedural rationality, Habermas brings a distinct point of view to the use of reason within politics. He agrees with this focus on deliberative politics, but contrasts his reconstruction of the normative self-understanding of constitutional democracy with the 'overly concrete' reading that the republican model gives to politics:

Practical reason no longer resides . . . in the ethical substance of a specific community, but in the rules of discourse and forms of argumentation that borrow their normative content from the validity basis of action oriented to reaching understanding.¹⁶

Habermas accuses communitarian republicans of 'ethicizing' political discourse by granting priority to ethical-political discourses of self-understanding. The idea of a network of discourses, on the other hand, does not limit the public use of reason to ethical-political reasons but runs the entire gamut of reasons including pragmatic and moral reasons and extending beyond 'rational discourse' to bargaining processes. This model, which Habermas has called 'Kantian republicanism', places constraints on ethical-political reasoning from all sides. The network of discourses interwoven with the principle of democracy leads to a complex notion of legal validity:

One can understand the complex validity claim of legal norms as the claim, on the one hand, to take into consideration strategically asserted particular interests in a manner compatible with the common good and, on the other hand, to bring universalistic principles of justice into the horizon of a specific form of life imbued with particular value constellations.¹⁷

This account of the validity of legal norms is to account for the full spectrum of reasons involved in political will-formation and ultimately in the formation of communicative power. As Klaus Günther describes this conception: 'communicative power is dependent on reasons, but independent of the specific kind of reasons; it only links up with the properties of the procedure which generates those reasons'.¹⁸

According to this procedural model of democracy, the locus of popular sovereignty is no longer 'the people' constituted by a collective subject or general will. Instead, 'the *democratic process* bears the entire burden of legitimation'.¹⁹ Such legitimation depends on the institutionalization of democratic procedures, which ground the presumption of rationality for the outcomes:

The idea of popular sovereignty is thereby desubstantialized. . . . This fully dispersed sovereignty . . . is found in those subjectless forms of communication that regulate the flow of discursive opinion- and will-formation in such a way that their fallible outcomes have the presumption of practical reason on their side. Subjectless and anonymous, an intersubjectively dissolved popular sovereignty withdraws into democratic procedures and the demanding communicative presuppositions of their implementation. . . . Set communicatively aflow, sovereignty makes itself felt in the *power* of public discourses.²⁰

When communication is free and open and the political culture is egalitarian, the normative reasons that are generated in such processes should steer the political decision-making process.

Thus far, I have emphasized the procedural aspects of Habermas's application of discourse theory to politics primarily in normative terms. Democratic procedural arrangements must be established such that their outcomes guarantee the presumption of rationality. But these procedures must also be institutionalized within a modern complex society, which means, among other things, that democratic theory cannot ignore social theory. In *The Theory of Communicative Action*, Habermas combined the theoretical resources of action theory and systems theory in a dual-perspective conception of society as both lifeworld and system. In his two-level conception of society, Habermas distinguishes between the 'lifeworld' constituted by communicative action in the medium of ordinary language, and 'systems', which are steered by 'special codes' such as power and money. Communicative action is located within the horizon of a lifeworld of shared beliefs and meanings that are always already in play. This horizon of shared meanings forms the background consensus in which communicative action is embedded, providing both the context and the resources for the process of reaching understanding. This background of tradition, culture, and language, without which communicative action would be impossible, can only reproduce itself through communicative action.

But from a structural point of view, the lifeworld context of communicative action does not exhaust the possibilities of analyzing complex societies. Habermas has drawn on systems theory to analyze the functional systems of the modern economy and state administration. These systems are not governed by will and consciousness, but by the anonymous steering media of money and power, which obey only the logic of efficiency and instrumental reason. In contrast to social coordination and integration by way of communicative action, another type of social coordination goes on systemically 'behind the backs' of actors. Coordination by the non-linguistic media of money and power is not achieved directly or solely through shared meanings and does not depend on achieving consensus.

While systemic coordination by market mechanisms and state power relieves some of the burden placed on communicative action for social coordination in modern societies, it also encroaches on the domain of the lifeworld, eroding the solidarity that can only be achieved communicatively.²¹

While *The Theory of Communicative Action* focused on aspects of the 'colonization of the lifeworld' by the system, the deliberative politics of *Between Facts and Norms* depicts a way in which the normative resources of the lifeworld, through the medium of law, can be marshaled to effectively contend with money and power. According to Habermas, law acts as a 'transformer', taking the normative messages of ordinary language and translating them into the 'complex legal code' which, while open to normative reasons, can also communicate with the functional steering media of money and power. While Habermas had earlier claimed that the most we could hope for was a 'democratic dam against the colonizing encroachment of system imperatives on areas of the lifeworld', in *Between Facts and Norms* the function of law goes beyond that.²² Indeed, law functions as a hinge between system and lifeworld, with a much more significant role:

The legal code not only keeps one foot in the medium of ordinary language, through which everyday communication achieves social integration in the lifeworld; it also accepts messages that originate there and puts these into a form that is comprehensible to the special codes of the power-steered administration and the money-steered economy. To this extent, the language of law, unlike the moral communication restricted to the lifeworld, can function as a transformer in the society-wide communication circulating between system and lifeworld.²³

While the legal system is embedded in the social contexts of the lifeworld, it is also able to relate to functional systems in a way that unmediated ordinary language cannot.

But how do the normative resources of the lifeworld make their way into the content of law? If we accept with Habermas that there are no functional alternatives to the differentiated subsystems of economy and administration, along with the fact of ever-advancing encroachment on the lifeworld by the system, there seems less and less room for the ideal of popular sovereignty, even allowing for a less pessimistic view of law. Is it possible in complex modern societies to avoid draining popular sovereignty of its 'radical-democratic content'? Habermas introduces a two-track model of deliberative politics in order to address this issue. After clarifying the nature of this account, I will return to the issue of how to situate the concept of communicative power within it.

II. The Public Sphere and the Two-Track Model of Deliberative Politics

In developing the procedural model of popular sovereignty, Habermas divides the normative requirements for legitimation between institutionalized deliberative bodies and the informal communication of the public sphere. He places the

burden of political legitimacy on the interchange *between* the formal political system and the informal public sphere. This division of labor between institutionalized and non-institutionalized spheres of deliberation draws on the relative strengths of formal and informal public spheres in order to overcome the weaknesses of each. The informal public sphere acts as a 'context of discovery', while institutionalized deliberative bodies, which are authorized to act, take on the stronger argumentative burden of a 'context of justification'. This places a great deal of the normative burden on the quality of the communication within the public sphere and on the interplay between it and the official political system. The informal public sphere is charged with producing the normative reasons necessary for the rational treatment of political questions.²⁴

While the informal public sphere is limited in its capacity to act, the advantageous flip side to this is that it is under no pressure to decide. 'Strong publics' are so named due to their capacity to make binding decisions, but there are certain limitations or drawbacks to their being regulated by formal legal procedures. The institutionalized political system cannot, by itself, assure the flow of relevant information, nor is it always capable of detecting problems that must be dealt with. The success of deliberative politics, therefore, depends on non-institutionalized public spheres that act as a 'context of discovery'. The informal nature of 'weak' publics places them close to the grassroots level which allows them to act as a 'sounding board' for the detection of problems that require treatment by the formal political system. The uncoupling of the 'weak public' from decision-making, while limiting its power to act, gives it the opportunity for more expansive treatment of topics and issues free from the pressure to decide. In the:

. . . medium of *unrestricted* communication . . . new problem situations can be perceived more sensitively, discourses aimed at achieving self-understanding can be conducted more widely and expressively, collective identities and need interpretations can be articulated with fewer compulsions than is the case in procedurally regulated public spheres.²⁵

Solutions can be raised and tested for potential objections without the pressure to put 'opinion' immediately into practice. 'Uncoupling communicated opinions from concrete practical obligations tends to have an *intellectualizing* effect.'²⁶ Furthermore, a great deal of political communication that does not immediately call for political action is certainly crucial to the political discourse of a robust democratic society. Freed from the pressure to decide, the political public sphere plays an essential role in the political process as a 'cooperative search for truth'.

We should not be misled into thinking that the public sphere amounts to nothing more than a public arena in which people talk about politics. Nor does the public sphere have merely instrumental value for bringing 'relevant information' into the political process. The public sphere is a normative concept that plays a key role in the process that culminates in *legitimate* political decisions.²⁷ According to Habermas, institutionalized democratic lawmaking and judicial review alone are insufficient to confer democratic legitimacy. Along with legislative decisions, judicial and administrative decisions are only ensured legitimacy

through the normative reasons generated by an unsubverted public sphere. Otherwise, political decisions are dictated by the power struggles within the political system and not by citizens themselves who, as the addressees of the law, are the ones affected. Without a robust political public sphere, there is little check on the administrative power that dictates the flow of communication and power within the political system and between the political system and the citizenry. Thus, the public sphere is more than merely an arena for talking politics: it is the primary site for detecting problems, for generating radical-democratic impulses, and for the deliberation of citizens, all of which are necessary for democratic legitimacy.

In the following, I distinguish three important normative aspects of the informal public sphere: (1) its communicative and organizational *structure*, (2) the *capacities* required to meet its deliberative role within a deliberative politics, and (3) the qualified *outcomes* or *effects* generated by the public sphere. This last aspect will lead into the discussion of the crucial role of communicative power.

1. Communicative and Organizational Structure

The communicative *structure* of the public sphere is internally related to communicative action. Due to its lack of formal institutionalization, the public sphere depends on the communicative action of citizens for its very existence and maintenance – owing to particular features of communicative action. When two speakers come together in a speech situation, an ‘intersubjectively shared space’ is created. Unlike strategic actors who merely observe one another, communicatively oriented actors create a social space in which communication and coordination of action is possible. ‘The public sphere distinguishes itself through a *communication* structure related to . . . the *social space* generated in communicative action’.²⁸ This space remains open to other physically present speakers to enter into and can be further expanded to the point at which it becomes an abstract public of potential speakers. At that level, the ‘communication structures contract to informational content and points of view that are uncoupled from the thick contexts of simple interactions’,²⁹ and organizations are needed to thematize contributions and coordinate communication.

As a social space created by and for communication, the public sphere is not in itself an association or organization. However, there is an ‘organizational substratum’ underlying the free flow of communication in the public sphere. Civil society is composed of the organizations, associations, and movements that ‘distill and transmit’ the reactions of affected citizens to the wider public. Although the public sphere as a social space is unorganized, the associations of civil society play the informal role of ‘filtering’ political discussion and institutionalizing problem-solving discourses. The ‘institutional core [of civil society] comprises those nongovernmental and noneconomic connections and voluntary associations that anchor the communication structures of the public sphere in the society

component of the lifeworld'.³⁰ In this way, the public sphere remains open to communication from the lifeworld contexts of communicative action and the discourse of those who are potentially affected by political decisions. The vitality of the public sphere, therefore, depends upon the continued contributions of individuals and associations.

2. Capacities

The normative demands of deliberative politics can only be met by the open communicative structure of a public sphere which must itself be 'kept intact by an energetic civil society'.³¹ Formal freedoms of speech, assembly, and association make this possible, but civil society must maintain certain capacities in order to realize the normative demands of this model. The 'critical function' of public spheres are only maintained by political actors themselves, which reveals the 'self-referential character of communication in civil society'.

Some actors in civil society merely make use of the available public sphere. Others raise issues relevant to society as a whole while also attempting to reinforce the public sphere itself. 'Whatever the manifest content of their public utterances, the performative meaning of such public discourse at the same time actualizes the function of an undistorted political public sphere as such.'³² Such actors are always also fortifying the public sphere itself as a critical space for the further development of 'new social movements' and 'subcultural counterpublics'.

The formal decision-making sphere is 'strong' in its authorized capacity to act but has only a weak capacity to detect on its own the kinds of problems that require political action. The public sphere fulfills this role with its closer relationship to the sphere of the private lives of citizens. In this way, it is a 'warning system with sensors that, though unspecified, are sensitive throughout society'.³³ This metaphorical reference to 'sensors' refers to the flexibility and multi-functionality of ordinary language, which, for this task, is superior to the 'special codes' of functional systems. The normative requirements of deliberation cannot be met by the 'special codes' of functional systems, which are directed by instrumental rationality and have a limited capacity for expressing the normative demands of citizens. Thus, while the public sphere plays an essential role in the political process as a network of 'sensors', the rational treatment of political questions (and the legitimacy of political decisions) goes beyond just the detection of problems. The success of deliberative politics depends upon the capacity of the public sphere to identify and then convincingly thematize the identified problems. The only way to get the political system to take notice is through an influential problematization of issues. Otherwise, institutions within the core of the political system are unlikely to take up issues that require political action.

The influential thematization of issues in the public sphere is ideally constituted by processes of rational opinion-formation. Such processes are rational insofar as they are discursively generated and thus internally related to the

procedural conditions of communicative rationality. Rather than an aggregation of individual opinions, the structure of public opinion is generated by a 'shared practice of communication':

Agreement on issues and contributions *develops* only as the result of more or less exhaustive controversy in which proposals, information, and reasons can be more or less rationally dealt with. In general terms, the *discursive level* of opinion-formation and the 'quality' of the outcome vary with this 'more or less' in the 'rational' processing of 'exhaustive' proposals, information, and reasons.³⁴

In the model of deliberative politics, the locus for the normative demand that the addressees of the law also be its authors ultimately lies in the interplay between formal deliberative bodies and the informal public sphere. Again, we see that the discourse-theoretic model requires more of politics than the classical liberal model of aggregation of interests. Like the republican model, it requires deliberation but does not require deliberation that aims toward ethical consensus.

But if 'the *discursive level* of public debates constitutes the most important variable' in deliberative politics, this would also seem to require citizens to act communicatively when deliberating about political issues.³⁵ The procedural aspects of Habermas's model are not restricted to the formally regulated procedures of democratic institutions. Rather, they are internally related to the procedural demands of communicative rationality. This can be described as a normative requirement because citizens always have the option of acting strategically. Of central importance is that citizens take a communicative attitude in their deliberations. Indeed, this is one area where Habermas needs to further elaborate on the communicative orientation that his model requires of citizens. This is a strong normative requirement given that members of modern democracies tend to take up the *client* or *consumer* role more often than that of *citizen*.³⁶

3. Outcomes and Effects

The outcomes and effects of the communication within the public sphere include the generation of normative reasons, public opinion, and influence (I deal with the generation of communicative power primarily in the next section). As we have seen, this notion of 'public opinion' should not be confused with the idea of the aggregation of individual pre-deliberative opinions, but is already connected to the idea of 'good reasons' generated by deliberating citizens in an open, egalitarian process. The production of the best reasons, by citizens themselves, is essential. The quality of public opinion depends upon the degree to which citizens' proposals and the flow of information and reasons are being more or less rationally dealt with. But from a normative point of view, it is not wholly clear whether procedural criteria alone can guarantee rational outcomes. To complicate matters further, Habermas also introduces the notion of 'influence', which he borrows from Parsons. "Influence" feeds on the resource of mutual understanding, but it is based on advancing trust in beliefs that are not currently tested.³⁷

Political influence may be supported by public opinion that is rational, but influence itself is not discursively achieved; it depends on persuasion. Influence is merely intended as an empirical measure of the degree to which public opinion affects the deliberation of representatives within the political system. This, Habermas argues, makes possible the empirical investigation of the relation between the procedural quality of public opinion in comparison with its actual influence on the political process. If it is based on discursively generated public opinion, then its influence on the decisions of the political system can be considered legitimate. On the other hand, when social or administrative power direct the decisions of the legislature, then such decisions are not democratically legitimate. They bypass legitimately produced communicative power, the precise role of which I turn to now.

III. Ambiguities Related to Communicative Power

We can view deliberative politics simultaneously as a ‘problem-solving process’ and as a ‘power-generating process’. As a problem-solving process, deliberative politics consists of a network of overlapping pragmatic, ethical, and moral discourses and the fair balancing of interests in bargaining that I described in section I. The two tracks of deliberation described in section II encompass the more and less institutionalized aspects of this process. The network of discourses and the interplay between the two spheres of deliberation combine to both ground the presumption of rationality for the outcomes and to maintain the legitimacy of political decisions. Ideally, deliberative politics ensures that ‘all relevant questions, issues, and contributions are brought up and processed in discourses and negotiations on the basis of the best available information and arguments’.³⁸ This requires that both the process of lawmaking and the utilization of administrative power be tied to the discursive processes of generating the best reasons within the public sphere. The informal public sphere plays an essential role in ‘cultivating normative reasons’ and the legislative process can be viewed as the procedure for transforming arguments and reasons into law.

But deliberative politics is at the same time a power-generating process. That is not to say that these are two entirely separate processes, as if reason and power are not interwoven in the process of political will-formation. Deliberative politics is supposed to ‘rationalize’ power in such a way that the exercise of state authority is legitimate. Habermas refers to the twofold task of the constitutional state: ‘it must not only evenly divide and distribute political power but also strip such power of its violent substance by rationalizing it’.³⁹ It does so by tying the formation of communicative power to the network of discourses within deliberative politics.

With such a key role in the theory, the precise nature, scope, and process of generating communicative power ought to be clearly defined. However, it is difficult to reconstruct a single reading of its role or of this process from the

multiple points at which Habermas uses the term. In order to reconstruct its role in the discourse model of deliberative politics, I will offer two alternative readings: a wide reading of the role and scope of communicative power and a narrow reading.

A wide reading of the role of communicative power begins with its *conceptual* connection to communicative action. While unhindered public communication can be examined:

. . . in *cognitive* terms, as enabling rational opinion- and will-formation . . . discursively produced and intersubjectively shared beliefs have, at the same time, a *motivating* force. Even if this remains limited to the weakly motivating force of good reasons, from this perspective, the public use of communicative freedom also appears as a generator of power potentials.⁴⁰

Habermas seems to identify this weak 'motivating force' that arises with shared convictions and political beliefs as a form of communicative power. The generation of communicative power is thereby linked with the communicative action of citizens in their use of their 'communicative freedom', which is essentially the ability of participants in discourse to take yes or no positions on validity claims.⁴¹ On the smallest scale then, communicative power is generated by the mutual recognition of a validity claim by two communicatively oriented speakers exercising their communicative freedom.

The idea of a form of power being generated by communicative action may seem entirely antithetical to the idea of a rationally motivated agreement, especially since Habermas has always emphasized the 'unforced force' of the better argument. However, it is important to stress the distinction between a *rationally motivated* agreement and the binding *force* that results from such an agreement. The force that results is associated with the cognitive aspect of using one's communicative freedom. While the ideal of discourse is of communication undistorted by illegitimate power, the resulting agreement carries a motivating force associated with the cognitive aspects of using one's communicative freedom to say 'yes' or 'no' to a validity claim *for reasons*.⁴²

Moreover, I take it that communicative power is identified with the motivating force associated with the formation of 'political beliefs' and not necessarily agreement on validity claims in general. Communicative power is generated through an agreement reached by citizens exercising their political autonomy. Deliberative politics, then, can be viewed as a process of generating or accumulating communicative power on a larger scale than that of two communicatively oriented speakers:

By mobilizing citizens' communicative freedom for the formation of political beliefs that in turn influence the production of legitimate law, illocutionary obligations of this sort build up into a potential that holders of administrative power should not ignore.⁴³

As we will see, however, when the power generated by the communication between two speakers is translated into the power generated in the large-scale

process of deliberative politics, the exact nature of communicative power becomes less clear.

This wide reading of the role of communicative power suggests that ideally it is generated both throughout the informal public sphere *and* within legislative bodies. Whenever citizens engage in political discourse, informally or as representatives within political institutions, the force of the shared beliefs and normative reasons generated by an agreement generates communicative power. 'The common ground of shared beliefs, achieved discursively in different political arenas, also generates communicative power.'⁴⁴ Often it seems that Habermas is suggesting a wide reading, as if deliberative politics requires a great deal of communicative power flowing throughout society and the public sphere and ultimately into the formal political system. For instance, he says:

Although such power *originates* in autonomous public spheres, it must take shape in the decisions of democratic institutions of opinion- and will-formation inasmuch as the responsibility for momentous decisions demands clear institutional accountability.⁴⁵

This would certainly suggest that communicative power originates in the public sphere, even if only residing there in a diffuse manner, and then 'takes shape' in the authoritative decisions of a democratic institution.

Further evidence is provided by the idea that communicative power is connected to ordinary language, a resource of the lifeworld. 'As a constitutionally regulated action system, politics is connected with the public sphere and depends on lifeworld sources of communicative power.'⁴⁶ Also, when Habermas gives the discourse-theoretic interpretation of the principle of popular sovereignty, he focuses on communicative power. 'We can also consider the principle of popular sovereignty directly in terms of power. In that case, it demands that legislative powers be transferred to the totality of citizens, who alone can generate communicative power in their midst.'⁴⁷

However, immediately following this passage, Habermas introduces the 'parliamentary principle', which establishes representative bodies for deliberation and decision-making. Thus far, I have provided evidence for the wide reading of the role of communicative power. But the introduction of representative institutions seems already to indicate a more narrow reading. Habermas states that 'the legislative power that in principle rests with the citizenry as a whole is in fact exercised by parliamentary bodies that *justify and adopt* laws in accordance with democratic procedures'.⁴⁸ The question then is whether this move limits the generation of communicative power solely to parliamentary bodies.

A narrow reading of the role of communicative power would locate its generation primarily in the institutions authorized to make binding decisions. While the wide reading takes its cue from the binding force of reasons and shared beliefs to emphasize the *communicative* aspect of communicative power, the narrow reading relies more on the institutionalized binding force of decisions, which is located only in the formal political system. This highlights the *power* aspect of com-

municative power and brings it closer to the concept of administrative power by emphasizing institutionalization over communication. This narrow reading is also supported by Habermas's account of the 'structurally necessary "self-limitations" of radical-democratic practice':

Within the boundaries of the public sphere, or at least of a liberal public sphere, actors can acquire only influence, not political power. . . . But public influence is transformed into communicative power only after it passes through the filters of the institutionalized *procedures* of democratic opinion- and will-formation and enters through parliamentary debates into legitimate lawmaking. . . . Not influence per se, but influence transformed into communicative power legitimates political decisions. . . . To generate political power, their influence must have an effect on the democratically regulated deliberations of democratically elected assemblies and assume an authorized form in formal decisions.⁴⁹

This passage emphasizes that the power arising from a rationally motivated agreement is only actualized in the political process at the point of lawmaking itself. It also seems to indicate that collectively acting citizens can only exert influence. But influence is not discursively achieved. This opens up a potential gap between the communicative power of the citizenry (under the wide reading) and the communicative power generated within a legislative body (the narrow reading). This seems to be what is behind the following formulation:

. . . the social substratum for the realization of the system of rights consists . . . in the currents of communication and public opinion that, emerging from civil society and the public sphere, are *converted into communicative power through democratic procedures*.⁵⁰

Here the public sphere is granted the task of working up informal communication into public opinion, but the locus for the actual generation of communicative power is associated only with the deliberation within the legislative body.

Another way of giving a narrow reading is suggested by the idea that communicative power is generated by the interplay *between* the two deliberative tracks. Habermas argues that 'strictly speaking, [communicative] power springs from the interactions among legally institutionalized will-formation and culturally mobilized publics'.⁵¹ What kind of interactions is Habermas referring to here? From a normative point of view, the legislature is required to remain porous to the normative reasons generated in the public sphere. The key interaction between the two is the transmission of reasons from the informal public sphere to the formal political system. It is not wholly clear how such transmission would actually generate communicative power. One obvious interaction is the general election in which the public determines their representatives or decides on referendums. Only then is the public authorized to make a binding decision.⁵² In the case of general elections, communicative power *authorizes the legislature*. If Habermas defines political power in terms of 'a potential for rendering binding decisions',⁵³ then it seems that the more narrow reading is required. One problem with associating communicative power with voting is that the act of voting itself, while it does communicate a preference, is not a particularly good example of political *communication* given its lack of discursivity.

Habermas certainly needs to clarify the role of communicative power within his model of deliberative politics. Perhaps introducing more conceptual resources might help to deal with the different aspects that are assembled under the term communicative power. The communicative power generated by citizens within 'weak publics' might be termed 'weak' or 'informal' communicative power in order to clearly differentiate it from the 'strong' or 'formal' communicative power of 'strong publics' with their authority to make binding decisions. Or perhaps the general binding force of discursively generated agreement should not be termed communicative power at all.

But this may not be just a problem with terminology: introducing another term would not necessarily resolve the tensions within Habermas's theory. Important aspects of democratic politics and legitimation are captured within this concept and may be causing the tensions. On the one hand, the wide reading of communicative power attempts to capture the democratic ideal of citizens acting in concert, which represents a relatively strong reading of the 'radical content of democratic ideals'.⁵⁴ This can be emphasized by focusing on the potential for communicative power to de-legitimize a regime, which would bring Habermas's account of communicative power closer to Arendt's. Indeed, when Habermas discusses Arendt's conception of political power, he says:

... it emerges in its purest form in those moments when revolutionaries seize the power scattered through the streets; when a population committed to passive resistance opposes foreign tanks with their bare hands; when convinced minorities dispute the legitimacy of existing laws and engage in civil disobedience; when the sheer 'joy of action' breaks through in protest movements.⁵⁵

On the other hand, Habermas is also concerned with the everyday workings of communicative power within democratic regimes and with the *institutionalization* of democratic ideals. Whether the above-mentioned mobilizations of power are democratic or not depends not only on whether power is discursively generated but also on whether it is democratically tested in an arena in which all are given a chance to participate. Certainly, the concept of communicative power has a normative core insofar as it is internally connected to communicative action (submitting power to reason). But this rationalization of power is not identical to the democratization of power. Power may be discursively generated, but it is not democratically legitimate until it is democratically tested. It may be that Habermas's concern with the accountability for binding decisions is the key factor behind his occasional reliance on the narrow role of communicative power. The public sphere is not responsible for making binding decisions; that may be reason enough for limiting its normative role to generating public opinion and influence and not communicative power. Furthermore, the procedural reading of popular sovereignty is not intended to capture the idea of *the will of the people*. Popular sovereignty resides within democratic procedures themselves, according to Habermas.

agreement and the institutional authority for making binding decisions within the single notion of communicative power. Both the ideal of popular sovereignty and its institutionalized form are to be captured in some respects with this concept. Perhaps this demonstrates the two directions in which Habermas is pulled: toward a theory of radical-participatory democracy, on the one hand, and toward a systematic account of the problems of institutionalized democracy within the context of modern complex societies, on the other. The attempt to encompass both of these aims is often viewed as a source of tension within Habermas's text.⁵⁶ But my reading of the ambiguities in the use of the concept of communicative power itself should make it clear that the tensions are not merely generated by Habermas's attempt to demonstrate that his normative theory has 'empirical referents'. Rather, the normative ideal that he presents does not clearly differentiate between the ideal of the discursive formation of communicative power by citizens, on the one hand, and the requirements of democratic legitimacy associated with deliberative bodies authorized to make binding decisions, on the other. Whether he can adequately negotiate between the two with his model of deliberative politics depends, in part, on whether the ambiguities in the concept of communicative power can be adequately resolved. As it stands, the use of a single term does more to conceal these tensions than to resolve them.

I can only offer some brief suggestions here as to why the wide reading of communicative power might be more consistent with the aim of maintaining the radical-democratic content of Habermas's theory. The first is related to administrative power and the second to social power.

The first line of reasoning is related to administrative power and Habermas's functional account of the classic separation of powers in terms of forms of communication and patterns of argumentation. One of the less-remarked features of Habermas's democratic theory is his discourse-theoretic interpretation of the classic separation of powers in terms of forms of communication and patterns of argumentation.⁵⁷ He argues that the functions of making, applying, and implementing law are better accounted for at the abstract level in terms of the different kinds of reasons and arguments that are admissible for each function rather than in the concrete terms of specific institutional forms of the legislature, the judiciary, and the administration. For example, the separation of lawmaking from implementation entails that, while legislators have access to the full range of normative, pragmatic, and empirical reasons, the administration is supposed to be bound to the instrumental rationality of implementing the law efficiently. This also has consequences for the generation of communicative power.

Insofar as communicative power is supposed to be linked with lawmaking, there is an opening for the wide reading of communicative power at those points at which the administration must be open to normative reasons in implementing the law. As Habermas notes, 'insofar as the implementation of programmatic goals requires the administration to perform organizational tasks that at least implicitly require a further development of law, the legitimation basis of traditional admin-

istrative structures no longer suffices'.⁵⁸ New structures are then required to allow for the communication and participation that are involved in legitimate law-making. 'This implies a "democratization" of the administration that, going beyond special obligations to provide information, would supplement parliamentary and judicial controls on administration from within.'⁵⁹ While Habermas is cautious about the extent to which the administrative sphere of implementing law, which is ultimately oriented toward efficiency, can be opened up to more participatory practices such as 'the participation of clients' and 'hearings', his functional account of the separation of powers does make room for the possibility. If communicative power is linked with the function of lawmaking broadly construed, then communicative power should be associated with the reason-generating force of citizens at whatever point that they make such an input into the political system. A more flexible, wide reading of communicative power is more appropriate to a flexible, functional interpretation of the separation of powers.

The second line of reasoning is related to social power and the normative principle of the separation of the state from society.⁶⁰ In light of this principle:

... civil society is expected to absorb and neutralize the unequal distribution of social positions and the power differentials resulting from them, so that social power comes into play only insofar as it *facilitates* the exercise of civic autonomy and does not *restrict* it.⁶¹

Habermas notes the way in which social power can both facilitate and restrict the generation of communicative power. Social power is facilitative insofar as it represents the fulfillment of the social and material conditions that are preconditions for exercising one's political autonomy. But social power is restrictive insofar as it allows some actors (e.g. businesses, organizations, and pressure groups) to transform their social power directly into political power by influencing the administration or by manipulating public opinion. It seems that if illegitimate forms of social power are to be directly challenged within the public sphere itself, then communicative power must act as a direct counterforce there. Again, a more flexible, wide reading of discursively produced communicative power would provide a normative account of a resource that is necessary not only for authorizing administrative power, but also as a direct counterforce to social power within the public sphere.

A third point would even go beyond the framework of *Between Facts and Norms* to suggest that a more flexible conception of communicative power could be helpful in extending Habermas's account to issues of global politics, but that is beyond the scope of this article.⁶² I hope the analysis of Habermas's concept of communicative power that I have begun here at least demonstrates the importance of its role in Habermas's democratic theory and that it deserves further attention. The more radical-democratic reading of Habermas's two-track model of deliberative politics could offer a potentially powerful account of the possibility for democratic practice in modern complex societies. In order to meet its normative demands,

revitalized public spheres would have to rival both the economic and administrative systems, while not overtaking the functions of either. This would require citizens to mobilize and increase the communicative power of public debate until it could surpass or at least equal the extent to which money and administrative power coordinate action 'behind their backs'. Of course, the burden as always lies not with democratic theorists but with democratic publics to revitalize the public sphere as a site for realizing the radical content of democratic ideals.

Notes

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1. Jürgen Habermas (1984) *The Theory of Communicative Action*, tr. Thomas McCarthy. Boston: Beacon Press. Jürgen Habermas (1996) *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*, tr. William Rehg. Cambridge, MA: MIT Press. See also the articles in Jürgen Habermas (1998) *The Inclusion of the Other: Studies in Political Theory*, ed. Ciaran Cronin and Pablo De Greiff. Cambridge, MA: MIT Press.
2. Habermas (1996, in n. 1), p. 136.
3. *Ibid.* p. 170, emphasis added.
4. Hannah Arendt (1970) *On Violence*, p. 44. New York: Harcourt Brace & Co.
5. Hannah Arendt (1958) *The Human Condition*, p. 200. Chicago: University of Chicago Press.
6. Habermas (1996, in n. 1), p. 147. See also Habermas (1977) 'Hannah Arendt's Communications Concept of Power', *Social Research* 44(1): 3–24; reprinted as Habermas (1983) 'Hannah Arendt: On the Concept of Power', in *Philosophical–Political Profiles*, tr. Frederick Lawrence, pp. 171–88. Cambridge, MA: MIT Press.
7. Arendt (n. 4), p. 41.
8. Habermas (1996, in n. 1), p. 150.
9. *Ibid.* p. 148.
10. See Habermas (1984, in n. 1). See also Habermas (1996, in n. 1), esp. pp. 3–6, 17–19.
11. Jürgen Habermas (1990) 'Discourse Ethics: Notes on a Program of Justification', in *Moral Consciousness and Communicative Action*, tr. Christian Lenhardt and Shierry Weber Nicholson, pp. 89–90. Cambridge, MA: MIT Press.
12. Habermas (1996, in n. 1), p. 107. The discourse principle and its role are altered slightly here from earlier formulations. In *Between Facts and Norms* Habermas attempts to emphasize the applicability of D to action norms in general without bias toward moral or legal norms in particular. For a recent and illuminating critical account of the role of the discourse principle in *Between Facts and Norms*, see Matthias Kettner (2002) 'The Disappearance of Discourse Ethics in Habermas's *Between Facts and Norms*', in Rene von Schomberg and Kenneth Baynes (eds) *Discourse and Democracy*, pp. 201–18. Albany: State University of New York Press.
13. Habermas (1996, in n. 1) p. 110.
14. Habermas first developed this expansion beyond just moral discourse in (1993) 'On the Pragmatic, the Ethical, and the Moral Employments of Practical Reason', in *Justification and Application: Remarks on Discourse Ethics*, tr. Ciaran Cronin, pp. 1–17. Cambridge, MA:

- MIT Press. See Habermas (1996, in n. 1), pp. 158–68, esp. 162ff., where Habermas develops an ‘abstract process model’ of discursive opinion- and will-formation within a legislature, culminating in judicial review.
15. Habermas gives a somewhat stylized version of both liberalism and republicanism in order to present his own model as a third way. I simply restate that contrast here since I am not primarily concerned with those disputes in this article. For Habermas’s account, see also (1998) ‘Three Normative Models of Democracy’, in *The Inclusion of the Other*, tr. Ciaran Cronin and Pablo DeGreiff, pp. 239–252. Cambridge, MA: MIT Press. See Habermas (1996, in n. 1) pp. 267–86, 295–302. For another, more detailed comparison of liberal and communitarian models of deliberative democracy and a proposed alternative based on the ‘rule of reasons’, see Rainer Forst (2001) ‘The Rule of Reasons: Three Models of Deliberative Democracy’, *Ratio Juris* 14(4): 345–78.
 16. Habermas (1996, in n. 1), pp. 296–7.
 17. *Ibid.* p. 283.
 18. Klaus Günther (1998) ‘Communicative Freedom, Communicative Power, and Jurisgenesis’, in Michel Rosenfeld and Andrew Arato (eds) *Habermas on Law and Democracy: Critical Exchanges*, pp. 234–254, p. 235. Berkeley, CA: University of California Press. This is one of the few articles to have dealt systematically with the concept of communicative power.
 19. Habermas (1996, in n. 1), ‘Postscript’, p. 450.
 20. Habermas (1996) ‘Popular Sovereignty as Procedure’, appendix 1 to between *Facts and Norms*, tr. William Rehg, pp. 463–90, p. 486, emphasis added. Cambridge, MA: MIT Press.
 21. For an account that is critical of Habermas’s appropriations from systems theory see Thomas McCarthy (1991) ‘Complexity and Democracy: The Seductions of Systems Theory’, in *Ideals and Illusions: On the Reconstruction and Deconstruction in Contemporary Critical Theory*, pp. 152–80. Cambridge, MA: MIT Press. Specifically, McCarthy argues that the terms of the pact with systems theory are unclear and that Habermas has ceded too much ground to systems theory, thereby leaving critical theory in an unnecessarily defensive position. The continuing legacy of these ambiguities in the pact with systems theory may be contributing to the ambiguities I discuss regarding communicative power insofar as Habermas may be unclear about the position of legislative bodies as part of the public sphere of the lifeworld or the political system.
 22. Habermas’s earlier remarks about the ‘democratic dam’ are from (1992) ‘Further Reflections on the Public Sphere’, in Craig Calhoun (ed.) *Habermas and the Public Sphere*, pp. 421–61, p. 444. Cambridge, MA: MIT Press.
 23. Habermas (1996, in n. 1), p. 81.
 24. Habermas is elaborating here on the distinction made by Nancy Fraser, between ‘strong’ (formal) and ‘weak’ (informal) publics in her article (1992) ‘Rethinking the Public Sphere’, in Craig Calhoun (ed.) *Habermas and the Public Sphere*, pp. 109–42. Cambridge, MA: MIT Press. Fraser also raises ‘the possibility for a proliferation of strong publics in the form of self-managing institutions, . . . in self-managed workplaces, child-care centers, or residential communities’, and in ‘hybrid publics’ that have some decision-making authority (*ibid.* p. 135). For a criticism of Habermas for neglecting such possibilities and thereby failing to ‘identify democracy’s most attractive possibilities’, see Joshua Cohen (1999) ‘Reflections on Habermas on Democracy’, *Ratio Juris* 12(4): 385–416, esp. 408ff. Cohen favors an account that institutionalizes direct problem-solving by citizens. It is not clear that Habermas would object to any such arrangements, but he does emphasize the value of a public sphere under no pressure to decide. Whether this could be well balanced with *some* authority to make binding decisions is perhaps an

empirical matter, but I will return to this point in the final section in relation to the generation of communicative power.

25. Habermas (1996, in n. 1), p. 308.

26. *Ibid.* p. 361.

27. In his review of *Between Facts and Norms*, William Forbath writes:

Popular sovereignty popularly understood means citizens governing themselves. But in Habermas's world of law as popular sovereignty, citizens merely talk and argue, forming opinions and kibitzing and contesting officialdom in the informal public sphere of 'civil society.' This is essential democratic work, but not quite the same as law-making. A 'collectively acting citizenry' has no role in the latter enterprise; Habermas's citizenry must always rely instead on the sway that informal 'opinion formation' exerts over institutionalized 'will formation.'

(1998) 'Habermas's Constitution: A History, Guide, and Critique', *Law and Social Inquiry* 23(4): 969–1016, p. 996. While Forbath is correct in his assessment of the direct role of a 'collectively acting citizenry' in lawmaking in Habermas's account, he seems to underestimate the normative requirements placed on the public sphere. In particular, that the legitimacy of deliberative politics depends on a process of *rational* opinion-formation in the public sphere and the fact that the political system is always dependent upon the *normative reasons* generated by the public sphere for its legitimacy.

28. Habermas (1996, in n. 1), p. 360.

29. *Ibid.* p. 361.

30. *Ibid.* pp. 366–7.

31. *Ibid.* p. 369.

32. *Ibid.* p. 369.

33. *Ibid.* p. 359.

34. *Ibid.* p. 362.

35. *Ibid.* p. 304.

36. For an account that criticizes Habermas for failing to adequately theorize the 'democratic ethos' presupposed by his proceduralism, see Richard J. Bernstein (1998) 'The Retrieval of the Democratic Ethos', in Michel Rosenfeld and Andrew Arato (eds) *Habermas on Law and Democracy: Critical Exchanges*, pp. 287–305. Berkeley, CA: University of California Press. Axel Honneth also criticizes Habermas for similar reasons and presents Dewey's theory of democracy as a 'third avenue between the false options of an overethicized republicanism and empty proceduralism' in (1998) 'Democracy as Reflexive Cooperation: John Dewey and the Theory of Democracy Today', *Political Theory* 26(6): 763–83. In response to such criticisms, Habermas seems only to emphasize that the normative requirements for legitimacy cannot take the form of a legal compulsion to participate:

An orientation to the common good may be called for, but it cannot be made into a legal duty. . . . I oppose the republican tradition only insofar as I shift the burden of justifying the effectiveness of practical reason from the mentality of citizens to the deliberative form of politics.

Habermas (1998) 'Reply to Symposium Participants', in Michel Rosenfeld and Andrew Arato (eds) *Habermas on Law and Democracy: Critical Exchanges*, p. 385. Berkeley, CA: University of California Press.

37. Habermas (1996, in n. 1), p. 363.

38. *Ibid.* p. 170.

39. *Ibid.* p. 148.

40. *Ibid.* p. 147.

41. Ibid. p. 119.
42. Habermas (1984, in n. 1), vol. 2, p. 74 (emphasis added):

The critical character of this saying 'no' [to a speech-act offer] distinguishes taking a position in this way from a reaction based solely on caprice. A hearer can be 'bound' by speech-act offers because he is not permitted arbitrarily to refuse them but only to say 'no' to them, that is, *to reject them for reasons*.
43. Habermas (1996, in n. 1), p. 147.
44. Ibid. p. 157.
45. Habermas (1996, in n. 20), p. 486, emphasis added.
46. Habermas (1996, in n. 1), p. 385.
47. Ibid. p. 170.
48. Ibid. pp. 171–2.
49. Ibid. pp. 371–2.
50. Ibid. p. 442.
51. Ibid. p. 301.
52. Habermas himself has indicated that he actually intended to explain communicative power in terms of what I call the narrow reading. In fact, he associated it primarily with the exercise of voting. We can see that in the following: 'Passing through the channels of general elections and various forms of participation, public opinions are converted into a communicative power that authorizes the legislature and legitimates regulatory agencies' (ibid. p. 442). But he has also acknowledged that the wider reading has merit because of the connection of communicative power to communicative action in face-to-face interaction (personal communication, 11 Oct. 2000). Whether all of this can be reconciled within a single concept remains to be seen.
53. Habermas (1996, in n. 1), p. 363.
54. Ibid. p. xliii.
55. Ibid. p. 148.
56. See William Scheuerman (1999) 'Between Radicalism and Resignation: Democratic Theory in Habermas's *Between Facts and Norms*', in Peter Dews (ed.) *Habermas: A Critical Reader*, pp. 153–77. Oxford: Blackwell. I would argue, however, that Scheuerman tends to overemphasize the divergent sources from which Habermas draws (Nancy Fraser's 'socialist-feminist' model and Bernhard Peter's 'realist-inspired' model), and does not fully account for Habermas's reconstructive appropriation of those sources.
57. See Habermas (1996, in n. 1), pp. 186–93, 440–1.
58. Ibid. p. 193.
59. Ibid. p. 440.
60. Ibid. pp. 174–6.
61. Ibid. p. 175. Habermas uses the term 'social power' as a 'measure for the possibilities an actor has in social relationships to assert his own will and interests, even against the opposition of others' (p. 175).
62. For an account that does develop this idea and follows on Habermas and Arendt as well, see Hauke Brunkhorst (2002) *Solidarität: Von der Bürgerfreundschaft zur globalen Rechtsgenossenschaft*. Frankfurt: Suhrkamp; English tr. forthcoming from MIT Press. See especially the section on 'Constitutional Questions' (pp. 203–17). Moreover, Brunkhorst argues, in contrast to the narrow reading of communicative power, that 'the most flexible element of politics is the communicative power that is not to be found in the formal decision-making that juridifies and transforms communicative power into administrative power' (p. 203).