17 Rhetoric in Policy Making: Between Logos, Ethos, and Pathos

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INTRODUCTION[1]

How can we develop a better understanding of the public policy process, its actors, modes of decision making, outcomes and consequences? This question lies at the heart of contemporary public policy research. Different schools of thought in policy research give different answers to this question. Whereas neopositivist approaches embrace the rationality model of policy making and attempt to provide unequivocal, value-free answers to major questions, argumentative policy analysis rejects the focus of policy studies being the application of scientific techniques and rationality, instead moving language and the process of utilizing, mobilizing and weighing arguments and signs in the interpretation and praxis of policy making and analysis into its center.

But it is stunning to realize that neither "rationalistic" nor "post-rationalistic" approaches in policy studies have paid much attention to a number of phenomena that, no doubt, play crucial roles in many policy-making processes: phenomena such as trust, credibility, virtue, emotions, feelings, and passions (Putnam 1993). Many key policy decision processes seem to be neither the outcome of the application of scientific rationality nor the result of deliberation processes, but can only be explained by the appeal and impact of the personality of a key decision maker and his or her skills to persuade, the credibility of certain actors, or the anxieties or hopes that influence the dynamics of decision making. Some policy topics are endlessly negotiated with armies of stakeholders; other policies are simply imposed onto the citizenry without much discussion. Both types of policies (and many others) occur simultaneously in the same policy context, such as on the local level, in a particular country, or on the transnational/global level. Whereas certain policy-making processes, such as the reform of banking regulations, seem to be dominated by the exchange of rational argumentation and deductive reasoning, other policy-making processes, such as the introduction of a law dealing with aspects of global warming or legal measures dealing with abortion, are characterized by impassioned speech, expressions of anger or language ridden with anxiety. A style of arguing that would cause consternation in one policy milieu might be perfectly legitimate in another.

It is not far-fetched to assume that such differences in dealing with policy issues must significantly affect the dynamics, composition of actor networks and outcomes of policy processes. Although policy analysts surely are aware of the role of such factors in policy making, and history provides countless examples of the importance of passion and ethos in the political world, policy analysis has not yet found an adequate analytical language to deal with them. The growing irresolvable nature of many contemporary policy questions, the crisis of scientific rationality, the new

politics of religion, and the rise of a new culture of uncertainty further emphasize the need to develop a policy analysis well suited for increasingly complex policy settings. In this chapter I will suggest that argumentative policy analysis and some traditions in the study of rhetoric provide important connecting points to extend our notion of argumentation and bring back passion and ethos to the study of policy making.

POLICY ARGUMENTATION, RATIONALITIES AND COGNITIVISM

Conflicting views about the role and nature of rationality in policy making are at the root of different strategies of theorizing about the public policy process. "Rationalistic" models emphasize the importance of scientific, instrumental rationality in the study and solution of policy problems. However, one of the most important alternative directions in current, critical policy analysis in the last decade is argumentative policy analysis. The term *argumentative policy analysis* subsumes a group of different approaches toward policy analysis that share an emphasis on language as a key feature and thus as a necessary key component of policy analysis. Argumentative policy analysis links post-positivist epistemology with social theory and methodology and encompasses theoretical approaches such as discourse analysis, frame analysis and interpretative policy analysis. Although these different approaches are hardly synonymous, they nevertheless share the special attention they give to argumentation and language and the process of utilizing, mobilizing and weighing arguments and signs in the interpretation and praxis of policy making and analysis (Fischer 2003; Gottweis 2006).

Proponents of argumentative policy analysis do not believe that policy analysis can be a value-free, technical project, and argue that both policy making and policy analysis involve argumentation that needs to be at the center of policy. One of the key characteristics of argumentative policy analysis is its conceptualization of the role of policy analysis and of the policy analyst in the policy process. This viewpoint sweepingly rejects the idea of the "neutral" and "objective" policy analyst qua social technician and, rather, espouses the idea of the policy analyst as something like a lawyer (Majone 1989), an advocate, deeply engaged in the policy process itself. Although authors such as Majone and Stone (1988) have not gone further than rejecting the "objectivist" idea of the policy analysist, in the wake of Fischer and Forester´s *Argumentative Turn* and Dryzek´s *Discursive Democracy*, the notion of argumentative policy analysis as fostering and encouraging political participation and deliberation has become very influential. With the departure of the idea that the main task of the policy analyst is to identify solutions for objective problems, the image of the professional expert is reconstructed as one of the facilitators of public learning and political empowerment (Fischer 2003). Torgerson argues that "just as positivism underlies the dominant technical orientation in policy analysis, so the post-positivist orientation now points to a participatory project" (1986, 241). Forester, Healy, and Innes (1999; 1996; 2003) have advocated communicative policy analysis, the idea that the main task of the policy analyst is to facilitate process of deliberation and to help planners to critically reflect on their own discursive practices.

Underlying this "policy model" is an approach toward communication and argumentation strongly influenced by the late work of Jürgen Habermas. In his *Theory of Communicative Action* (1985, originally in German 1981), Habermas has developed the idea of "communicative rationality," which he defines as rational what is communicatively, intersubjectively justified or justifiable. Rationality comes into existence via intersubjectively grounded argumentation. This advocacy for a "communicative policy analysis" is elaborated in greatest detail in Dryzek´s *Discursive Democracy*, which discusses Habermas´s critique of instrumental rationality: the idea to devise, select, and effect good means to clarified ends; and the alternative model of a communicated rationality, oriented toward the coordination of interactions via communication (Dryzek 1990). This idea of policy analysis as a deliberative, participatory, communicative project can be followed from Torgesen, via

Dryzek, the "Argumentative Turn" and, most recently in *Deliberative Policy Analysis* by Hajer and Wagenaar (2003), who bluntly state that policy analysis *is* deliberative (21–23).

Through the Habermasian "Communicative Action" model, another important feature of argumentative policy analysis has been introduced in argumentative policy analysis: a certain tendency toward cognitivism. Discourse ethics in the Habermas tradition starts from the assumption that moral problems are capable of being solved in a rational and cognitive way. However, it needs to be questioned whether policy disputes are always solved or settled by appeal to reason. Although argumentative policy analysis clearly recognizes this phenomenon, much of the analysis in this tradition pays only scant attention to phenomena such as passion and emotions in policy making, probably because of an understanding of discourse and argumentation that reduces argumentation to the operation of logos rather than a tendency to integrate pathos and ethos into argumentation, to phenomena that have received much attention in the tradition of Greek rhetoric. In fact, there seems to be a propensity in argumentative policy analysis to confine reasoning to deliberative and judicial reasoning, as apart and separated from manipulative, negative rhetoric. Propaganda is clearly differentiated from "genuine argumentation," and, in this respect, argumentative policy analysis seems to be closer to the Platonic ideal for science as a search for truth than to the Aristotelian/Sophistic tradition (Turnbull 2005). In its attempt to avoid what is seen as one of the main mistakes in neopositivist policy analysis, namely the confusion of reason with instrumental rationality, the communicative model suggests communicative rationality as the democratic version of bringing reason into the world. But the underlying construction of the policy process is guided by rationality assumptions, in particular, by the idea that the policy process needs to be structured in a way to allow for the operation of communicative rationality. This, however, constitutes a new form of constraint for the notion of reason—and narrows down the scope of application of this policy model.

BRINGING IN EMOTIONS AND ETHOS

It is probably not exaggerated to argue that major strands of reasoning in contemporary political science and political philosophy are obsessed with the idea to eliminate passion and anything remotely irrationally sounding in politics. There is a line in reasoning about politics from Plato to Kant and Hegel that emphasizes reason as the sound foundation of politics, versus uncontrolled, passionate behavior leading to disaster. Historically, the image of the wild and uncontrolled passions as a deep threat to humankind and civilization is deeply rooted in Western philosophy. For Plato, passion is the name of a problem for which reason is the answer (Meyer 1991, 38). Nagging philosophical suspicion concerning the dark powers of passion continue in the history of thought also in philosophers such as Kant or Hegel, for whom reason was the path to freedom and truth, and passion threatened the moral and society order (Meyer 1991; Svasek 2002, 13).

However, we might also interpret passion in a more benign fashion. And this conceptualization of passion has also important implications for opening up argumentative policy toward a new understanding of the policy process. For Aristotle, emotions were "all those feelings that so change men as to affect their judgement" (Aristotle 1991). No contradiction existed for him between reason and emotion. Aristotle construed thought and belief as the efficient cause of emotion and showed that emotional response is intelligent behavior open to reasoned persuasion. As W. W. Fortenbaugh puts it in his classic study on Aristotle and emotions: "When men are angered, they are not victims of some totally irrational force. Rather, they are responding in accordance with the thought of unjust result. Their belief may be erroneous and their anger unreasonable, but their behaviour is intelligent and cognitive in the sense that it is grounded upon a belief which may be criticised and even altered by argumentation" (1975, 17). Thus, it might be useful to return to a close reading of the Classical tradition of rhetoric in order to advance a more comprehensive model of argumentation.

Much later in Western philosophy, this tradition of reasoning was further developed by David Hume in his *Treatise on Human Nature* (1739). Hume famously argued that reason itself could not motivate us to act and, further, that it could not oppose the only true motive of the will, our desires, or what Hume calls the passions. No doubt, despite its negative image in the history of philosophy, emotions have figured largely as a topic of interest in a variety of scientific contexts, such as in psychiatry and psychology.

But much of the work on emotions in this direction has been characterized by an essentializing attitude toward emotions, as they are conceptualized as predictable outcomes of universal psychobiological processes or "things" the social systems must deal with (Abu-Lughod and Lutz 1990, 2–3). In contrast, emotions could also be conceptualized as a discursive practice. Emotions belong to the repertoire of rhetoric, and emotional display and the language of passion may very well coexist with argumentative and ethical discourse. This rhetorical position allows us to explore how speech and language provide the means by which emotions have their effects and therefore take on significance. Thus, this view emphasizes the interpretation of emotions as pragmatic acts and communicative performances, and thus as modes of argumentation. Emotions, then, should not be seen as "things" being carried by the vehicle of discourse and rhetoric, but as a form of rhetorical praxis that creates effects in the world (Abu-Lughod and Lutz 1990, 11–3; Lutz and White 1986).

Emotional discourse is always bound up with structures and hierarchies of power. It is part of complex scenographies (see below) in which argumentation takes place. Power relations determine what can or what cannot be said about self and emotion, and emotional discourse can establish, assert, or reinforce power or status differences (Abu-Lughod and Lutz 1990, 14). In a congressional debate about the pros and cons of human embryonic stem cell research, when a member of the U.S. Senate tells a moving story about his son who suffers from diabetes, when scientists invite wheelchair-bound Christopher Reeve to tell his story of despair and hope, or when pro-life advocates talk about baby farms producing organs, we see not only the classical instruments of rhetoric being used to move the passions of audiences, but also efforts to stabilize or destabilize existing structures and practices in research and medical practice. Policy analysis needs to pay attention to such aspects of political decision making. To some extent in subfields of political science, such as in public opinion or electoral research, doubts are few that emotions and persuasion matter in politics. However, as uncertainty become more pronounced in many policy fields, it might be useful to reconsider pathos and emotion not as a "force" in its own, as a "fact of political life," but as being intrinsically linked to the everyday practice of policy making, as a rhetorical device that takes considerable impact in many policy areas and is a key element of policy argumentation (Gottweis 2006).

RHETORIC AND ARGUMENTATION

Rhetoric is broadly acknowledged as an important feature of the political process. Often associated with the art of persuasion, rhetoric is typically defined as an integral moment of policy making, and the idea of rhetoric points to the necessity to convince, persuade, and communicate efficiently in the context of shaping and implementing public policies. A highly publicized national speech given by a country's president can set the agenda in a policy field, push decision making into a particular direction, or put pressure on policy makers of all parties. Although the power of rhetorical presentation in politics is hardly contested, at the same time, maybe simultaneously, the term *rhetoric* suffers under an image problem : while rhetoric is widely seen as closely linked with politics, it nevertheless often has a pejorative connotation, as describing intellectually vacuous or empty statements that mainly serve to manipulate, to cover up something or to distract from the real sequences of events. As I will argue, this rhetoric's image problem dates back to Plato, and it has played a major role in the relative negligence of rhetoric in policy research. It is time to restore the place of rhetorical analysis in policy studies in order to throw an analytical light on highly important aspects of the

policy-making process. Rhetoric is genuinely linked to the idea of persuasion, but it also has a much neglected performative dimension: in the play of language not only signs are communicated.

One of the key texts in contemporary argumentative policy analysis, Giandomenico Majone´s *Evidence, Argument and Persuasion in the Policy Process* (1989), explicitly defines the ancient tradition of rhetoric as the obvious and necessary point of departure for modern policy analysis. "The centuries-old tradition of humanistic disciplines, from history and literary criticism to moral philosophy and law, proves that argumentative skills can be taught and learned. Thus, if the crucial argumentative function of policy analysis is neglected in university departments and schools of public policy, this is due less to a lack of suitable models than to serious misconceptions about the role of reason in human affairs and about the nature of the 'scientific method' . . . when mathematicians acknowledge that mathematics is not the antithesis of rhetoric . . . it should not be left to policy analysts to fight the last battles of positivism" (xii). Majone then goes on to discuss in great detail the virtues of rhetoric for policy analysis, and the "argumentative character" of the policy process itself, which calls for systematic attention to the role and function of words in and the ways of "doing things with word" (7). "Its crucial argumentative aspect is what distinguishes policy analysis from the academic social sciences on the one hand , and from problem-solving methodologies such as operations research on the other" (7). In a similar way, James A. Throgmorton has pointed to the importance of rhetoric in planning and policy making (1991). However, both texts reduce the notion of rhetoric to the idea of persuasion via the argument itself, the process of demonstrating that something is the case or not, such as through induction and deduction. Aristotle has called this form of reasoning argumentation through logos. While emphasizing the fact that policy analysts themselves are part of a process of argumentation that ties observer close with the observed, both authors focus on rhetoric as constitutive of the meaning of policy and planning, without elaborating further on the analytical instruments of rhetoric. Thus, the notion of rhetoric remains closely tied to the idea of logos, the appeal to reason by means of words, deduction and induction, which, already in the classical tradition of Aristotle was seen as only one among other "rhetorical proofs."

Argumentation theory and rhetoric have a long history that dates back to pre-Aristotelian philosophy. It is always connected to considerations and reconsiderations of the notions of logic, communication and persuasion. Mobilizing, positioning, and transmitting arguments also requires appropriate socio-political conditions: argumentation is the antithesis to revelation; it is not about revealing a truth but attempts to convince (Breton and Gauthier, 2000, 3–5). The Sophists emphasized the importance of rhetoric in politics and the idea that facts are what we are persuaded of (Danzinger 1995). Plato accused the Sophists of only dealing with the appearances of truth, whereas philosophy's role was to deal with establishing the true and the good (Meyer 1994, 50–51). Every since, the discipline of rhetoric must live with its image problem of superficially dealing with surface phenomena and deceit, instead of serving the establishment of the good and the true.

Aristotle, by contrast, attempted to accord a positive place to rhetoric by positioning it as part of dialectic, along with poetics and the study of topics (Meyer 1994, 119–-23). As Michel Meyer points out, rhetoric appears forcefully in times of crisis for the lack of directing principles in settling questions that are being submitted to controversial answers. In the absence of leading principles that could offer some definitive, unequivocal answers, problems are bound to be disputed and solved "equivocally." Just as the Peloponnesian Wars in ancient Greece led to a collapse of previous and well-established values and modes of thought and to the rise of rhetoric, the upheavals of our times have led to a new reconsideration of rhetoric, argumentation, persuasion, and its relationship to logic and communication (Meyer 1994, 36–37). Rhetoric is a discourse in which one can hold opposite judgments on the same question. What is problematic remains so through the displayed multiplicity of judgments (Meyer 1994, 52).

In contemporary times, the theory of argumentation and rhetoric were taken up and further developed by Stephen Toulmin (1958) and Chaim Perelman (Pereleman and Olbrechts-Tyteca 1958) in the late 1950s, and the work of both had a lasting influence in the field of political science. Closely

related to the development of argumentation theory was the rise of hermeneutics, phenomenology, structuralism and post-structuralism not only in philosophy but also in the social sciences from the 1970s on. The ascent of argumentative policy analysis must be seen in this complex intellectual environment as a result of a political constellation of transformation and upheaval, when, during the 1980s, largely unanticipated by the international political science community, the Soviet Union broke down, the "end of history" was proclaimed, the European Union finally rose to the status of an international economic super power, and the traditional models of economic growth and the nature-society interaction came to be deeply questioned. The crisis of the major political metanarratives, powerfully analyzed by Francois Lyotard (1979), and the limits of growth and scientific progress seemed to call for new, more nuanced confrontations and understandings of the nature of policy making. Majone´s *Evidence, Argument, and Persuasion in the Policy Process* (1989) contextualizes the need for argumentative policy analysis by reference to the "crisis of scientific expertise" in regulation policy, which to became visible during the 1970s: "Increasingly, public debates about regulatory decisions, nuclear safety, technology assessment, and similar trans-scientific issues tend to resemble adversary proceedings in a court of law, but with an important difference—the lack of generally accepted rules of procedure" (4). This "crisis of scientific rationality," identified by Majone in the late 1980s, has hardly ceased to define everyday life of regulation and other fields of policy making.

BRINGING BACK RHETORIC

Classical rhetoric found its culmination in the work of Aristotle. "Let rhetoric be (defined as) an ability, in each (particular) case, to see the available means of persuasion," Aristotle suggested (1991, 36). He defined three kinds of proofs (*pisteis*) that are crucial in rhetoric: "Of the *pisteis* provided through speech there are three species: for some are in the character (ethos) of the speaker, and some in disposing the listener in some way [pathos, H.G.], and some in the argument [logos] itself, by showing or seeming to show something. . . . [There is persuasion] through character whenever the speech is spoken in such a way as to make the speaker worthy of credence. . . . [There is persuasion] through the hearers when they are led to feel emotion (pathos) by the speech. . . . Persuasion occurs through arguments (logoi) when we show the truth or the apparent truth from whatever is persuasive in each case" (37–39).

Thus, in the Aristotelian perspective, the term *ethos* designates a certain quality of a speaker, but does not refer to any internal attitude or a system of abstract values. Ethos is a procedural phenomenon that comes into existence in action; it is a discursive praxis that is based on exchange and interaction and depends on the perception of audiences. On the other side is pathos, which emphasizes the importance of feelings and passions in the mobilization of opinion. Pathos refers to the fact that the knowledge of other people's emotions is vital for politics. While logos convinces by itself, pathos and ethos are tied to specific circumstances and, above all, the persons implied in these situations.

Aristotle's rhetoric always had a prominent place in the history of occidental philosophy. In the twentieth century, the work of Stephen Toulmin (1958) and Chaim Perelman (1958) was key for reintroducing the notion of rhetoric into contemporary social and political theory. In the humanities and social sciences, based on the path-breaking studies of Perelman (1977), discourse theory has begun increasingly to focus on the study of rhetoric as an elaboration of the theory of language acts and of pragmatics (Maingueneau 2002).

While in the antique tradition the concept of rhetoric is mainly organized around oral speech, its consideration can also be seen as the acknowledgement of the complexity of discourse. If we apply rhetoric in the context of the study of policymaking, it is useful to reconceptualize the notion of argumentation. If we look at political discourse, we can understand a mode of argumentation in
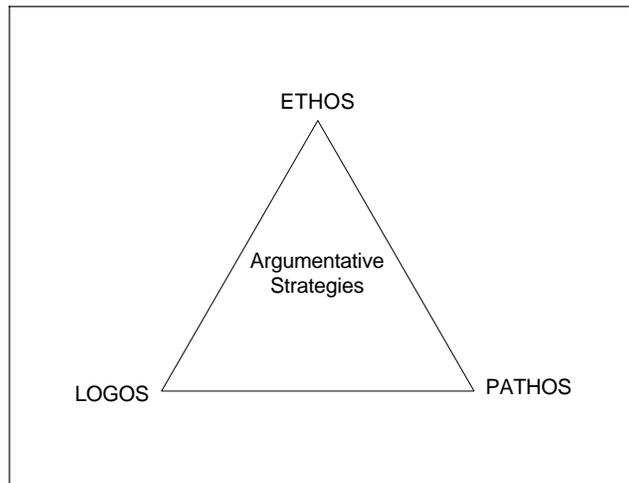
FIGURE 17.1   Argumentative Strategies

a policy context as being dominated by one of these three elements, logos, ethos, and pathos, that take on different weight in the argumentation (Adam 1999). As mentioned above, in the Aristotelian tradition logos instructs and applies reason, ethos refers to the "morality" of the speaker, and pathos has the function to move and refers to the passions. Any text or genre of discourse can be analyzed with respects to its dominant modes of argumentation and related, dominant constructions and presentations of individual and collective selves. Although a mode of argumentation dominated by logos is characterized by reasoning and the presentation of facts, evidence and empirical proofs, pathos operates with empathy, sympathy, sensibilities, while ethos functions with trust, respect authority, honesty, credibility and considerations of the desirable. Any communication or speech act combines elements of logos, pathos and ethos, though different weight might put by a speaker on these three elements of persuasion.

What the differentiation of logos, pathos, and ethos in argumentation brings into focus is a more differentiated conceptualization of the notion of persuasion in policy making than usually offered in argumentative policy analysis. While political argumentation always entails the notion of persuasion, rhetoric emphasizes that argumentation is not always or necessarily persuasion via logos, the words of the speech, such as the scientific exchange of information and knowledge, but can also use different channels of persuasion, such as pathos and ethos, which in this perspective become key factors to be considered in the policy-making process (Stone 1988, 304).

SITUATING RHETORICAL PRAXIS

If we follow this interpretation of argumentation and therefore identify rhetoric as a key element in policy making, we have identified an analytical problem or challenge in policy analysis rather than offered an analytical solution. We have identified the "what" of the problem, the necessity to "bring back in rhetoric into our consideration of argumentation," but not discussed the "how" of the solution of the problem, in which conceptual way this could be accomplished. While in the past policy and political science scholars have occasionally paid attention to the importance of rhetoric (Fontana, Nederman, and Remer 2004), very little work has been done to integrate this acknowledgment of rhetoric into the praxis of policy analysis. Thus, the next question important to address in the context of rhetoric in policy making is which analytical strategies should be applied to develop a more differentiated picture of the policy-making process.

The consideration of the interplay among logos, ethos, and pathos in policy making brings into focus the performative nature of the policy process. Aristotle's discussion of rhetoric must be located in a historical context in which the appearance of the public space is simultaneous with the emergence of theater and performance as a new dimension of public life. The flourishing of rhetoric as a form of public political activity was a complex phenomenon closely associated with developments such as the rise of the *stoa* as site of deliberation and as an oratorical setting during the fifth century in ancient Greek (Johnstone 1996, 102). Jeffrey C. Alexander has recently pointed to the fact that in earlier, more archaic forms of complex societies, such as the imperial orders of Egypt, social hierarchies simply could issue commands and were dominated by ritualized performances. In more loosely knit social organizations, such as in ancient Greece, authority became more open to challenge. Social spaces opened up for negotiation, and social processes became more subject to conflict and argumentation. This rise of the public sphere (Habermas 1987) or public stage opened up a public forum in which actors increasingly enjoyed the freedom to enact and project performances of their imagination tailored to various audiences (Alexander 2004, 544–45). Thus, the rise of rhetoric in ancient Greece is to some extent also related to a process of deep social, cultural and political transformation in which rhetoric expresses the increasingly performative, nonritualistic, staged nature of the political process. It therefore is not far-fetched to argue that bringing back in rhetoric into the study of policy making not only requires attention to phenomena such as pathos and ethos but also to the performative and open nature of policy making in contemporary political settings.

Policy making always has a strong performative dimension and thus is a way of doing things with words. J. L. Austin in his performative speech act theory, most famously developed in his *How to Do Things with Words* (1962), interprets sentences as forms of actions. Performative utterance does not refer to an extra-linguistic reality but enacts or produces what it refers to. We can therefore speak of argumentative performativity as a crucial element in policy making. During a discussion on unemployment policy measures, a politician of one party might suggest the image that many unemployed simply lack the will to find a job; thus, regulations to obtain unemployment benefits should become more restrictive. This argumentation is not only an interpretation of the nature of unemployment, it also, at least to some extent, redefines the unemployed as poorly motivated, lazy individuals who should try harder to change their situation. Hence, this argumentation "makes up" a particular group of individuals and potentially exposes them to specific, new, tougher policy measures. We might say that this argumentation not only describes but produces what it refers to.

While this reading of the power of discourse is relatively undisputed within the tradition of argumentative policy analysis, the wider implications of performative argumentation have received relatively little attention. Following Goffman´s ethnomethodological approach, Hajer (2005) has recently begun to study the performative dimensions of deliberative settings in policy making and pointed to the importance of the dramaturgy of policy settings. Goffman´s dramaturgical approach is partially based on insights from the study of theater that emphasize the importance of dramaturgy for linking the written word with its "translation" into the acting of a theater play (Goffman 1969; 1974). Nevertheless, Goffman´s work has a strong sociological orientation and is less interested in the language-analytical aspects of social performativity. This is precisely where rhetoric comes in with its specific interest in how "things are done with words." Apparently, any policy-making process is determined by the way it is located or "produced" in time, in space, and in its social make-up. In this process of *mise-en-scène*, important differences of the policy-making process are shaped, such as the difference between a policy-making process that operates top–down via a quick, undisputable decision of policy makers, or a policy process that is characterized by lengthy deliberations in a deliberative setting.

Policy making never takes place in any kind of economic, political, social, cultural, or semantic vacuum. It is always a contextualized and situated process. At the same time, policy making is about the definition of policy settings, policy actors, policy institutions and policy dynamics.

Any unemployment policy in a given country will very much depend on existing and established patterns of policy making and networks, institutions, resources, and economic circumstances. But a newly elected government might want to change or revamp many of these pre-established structures, redefine the nature and causalities of unemployment, and choose a new strategy to fight unemployment. Such a situation calls for the crafting of a new scenography (Maingueneau 2002), the creation of a setting, the identification of a group of key actors and the development of a temporal structure for the policy setting. A new unemployment policy might come about by bringing together the various interest groups at a table to negotiate the future policy or by quickly passing a law that introduces the new measures to fight unemployment. It is in such moments that words not only matter because they signify but also because they perform, shape, create, and transform policy-making dynamics.

RHETORIC IN ACTION

Policy making thus must be seen as a multifaceted process that involves as much argumentation as a process of shaping and creating a dynamic, a rationality, a logic of reasoning, a basis for decision making. We can differentiate between different models of argumentative performativity, or models of argumentative orientation (Caron 1983, 140) depending on their emphasis on pathos, ethos, or logos in argumentation.

The way a certain policy problem is depicted and defined gives rise to particular scenarios of interaction and involvement, describes involved actors, a particular timing and the location for a policy development to take place. In turn, such a scenography explains and justifies why it is precisely that chosen scenography which is needed for a policy-making process to take place, to take form and to solve a problem.

A government might, for example, decide that a particular desirable solution for a policy problem is best attained if it capitalizes from trust in certain of its key policy makers; conversely, it might want to keep issues of trust and emotions on the backburner and create a mainly rational decision-making process around an issue. It might be also an issue of bringing in or leaving out particular actors in a policy setting. In issues of reproductive medicine, emotive language, and appeal to religious feelings will mobilize Christian groups that otherwise do not necessarily get involved in this issue. An emphasis on a "rational solution" or the refusal to engage in religious argumentation might favor a more expert-dominated model of problem solving. An anti-abortion grassroots groups might decide to try to define the policy dynamic of stem cell research support by linking the research with the question of abortion and a language of "defending life." Clearly, policy making is always a highly constrained process, but policy actors do have a choice in determining settings, and often a fierce struggle to determine a particular "solution model" is part of the actual policy-making process. Thus policy making is hardly only about argumentation, the creation of exchange of arguments, but also a performative process in which the boundaries of argumentation are defined. Finally, the selection of a particular policy model (see below) is always temporary and subject to modification. It might very well be the case that the used policy model changes during the process of policy making.

For the purpose of demonstrating the usefulness of the proposed analytical framework, I will discuss six configurations of a policy scenography: the *etho-centric*, *logo-centric,* and *patho-centric* as the basic models of a policy scenography, and the l*ogo-pathetic,* the *etho-patheti,c* and the *etho-logical* models as subforms of the basic models. They are conceived as models of argumentative orientation (Caron 1983, 140) to show the hegemony and structure of the three rhetoric elements: logos, ethos, and pathos. These models result from concepts such as enounced, enunciation and scenography, mentioned before, and they reflect the dramaturgical character of this performance.

Ethnocentric policy performances tend to occur, for example, at the occasion of a presidential
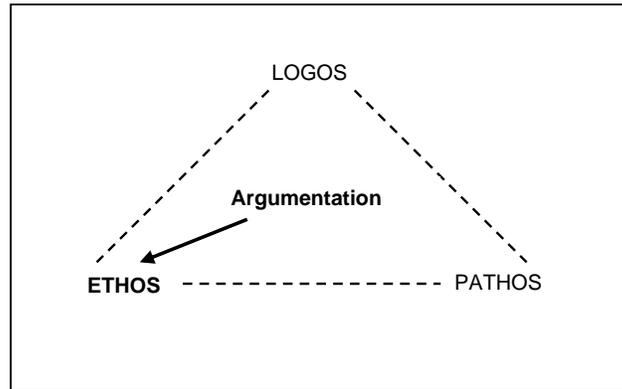
FIGURE 17.2   'Etho-centric' Performance

speech, when the audience expects the moment of acknowledgement of a particular policy view. This means that the speaking subject will adopt the *role of authority* and will often perform this role connected to his position or function in the institutional hierarchy of the state. When President Bush gives a speech about what needs to be done to fight an environmental disaster, he will not negotiate or discuss his policies but, very much based on the powers of his office, state what will happen in the near future. He also "can do this" because he is the president of the United States, and he can be assured that most of his fellow citizens will acknowledge his "aura," dignity, and right to take action. At a different occasion, President Bush might also decide to present his new educational policy "as president " (i.e., based on the aura of his office). In that case there is no time pressure to act quickly, but he might decide to use his status and weight as a policy maker simply to avoid lengthy and broad discussion.

The difference between the etho-centric model and the logo-centric model is the mode of presenting arguments. In the logo-centric model the speaking subject has an ideal space and time to show the arguments, to *discuss* them, to problematize the topic of the policy (Turnbull 2003). The stage and discussion is very favorable to this kind of argumentation, an argumentation that does not necessarily need to end and has a univocal meaning. Nevertheless, the speaking subject should, more than in any other model, emphasize the central arguments, their weight from the factual point of view and not from a personal one. Generally, we observe this type of the performance in a
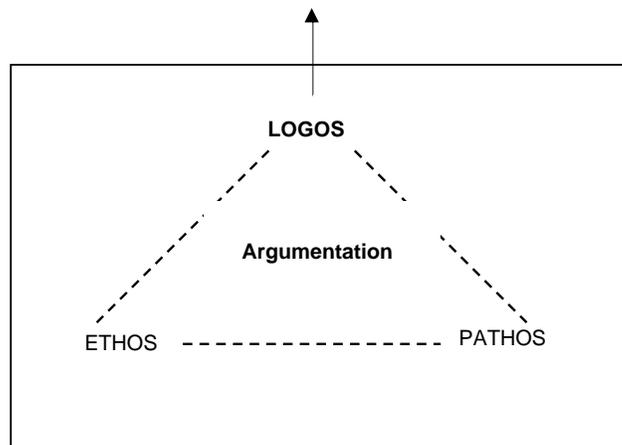
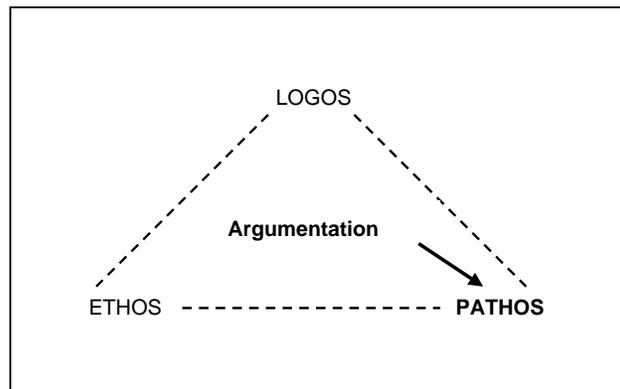**FIGURE 17.3**   'Logo-centric' Performance

FIGURE 17.4 'Patho-centric' Performance

parliamentary plenum or subcommittee discussion, or in a working-group discussion. A deliberative policy context might also be characterized by the dominance of a logo-centric scenography, in which highly elaborated rules of discourse structure exchange with a strongly cognitive tendency that rules out displays of emotion.

The patho-centric performance is based on a focus on emotions that are implemented in the discourse. These emotions are vehicles of the argumentation of the speaking subject, who this time has a central role. The strategy of the speaking subjects emphasize the emotions of the audience in order to respond to them not in the terms of bringing in a new constructed proposition but in the terms of mobilization of this audience *against* an elite. Patient groups might mobilize the complex iconography of their health condition and suffering as an argument for more liberal regulations in stem cell research or for more financial resources for medical research. Public hearings with "sufferers," with patients visibly handicapped by a particular disease or who are disabled, like wheel-chair-bound Christopher Reeve, create stages where patho-centric argumentation gains a performative space.

Typically, policy scenographies neither follow one of the ideal types outlined above, but involve a particular combination of those central elements of persuasion. We might think of a *etho-pathetic* constellation with the combined dominance of two basic categories of persuasion: the ethnocentric and the patho-centric argumentation. Generally, the emotions that mobilize the audience are not only related to the issue at stake but are also connected with the person who mobilizes. The speaking subject mobilizes passions, but at the same time uses his ethos, for example, to speak to the nation as a president. This kind of performance tends to occur in uncertain moments, even in the chaotic ones, when the individual looks for a fulcrum that can change his situation, get it better. The environmental disaster is discussed in all its horror and impact, but, at the same time, the person, the president who speaks, gives hold and confidence not because he necessarily has a solution in hands, but because he can be trusted, relied on.

Furthermore, we can identify a *logo-pathetic* constellation, in which the treatment of a particular topic combines and focuses a consideration of emotions with nuanced rational discussion of the pros and cons of a particular mode of action. Political decision making about euthanasia might involve a subtle consideration of the many aspects of the topic that have to do with feelings and emotions and, at the same time, consider in a logical-deductive manner the weight of the various arguments speaking for and against euthanasia.

Finally, an *etho-logical* constellation of policy making refers to a policy scenography in which a logos-dominated argumentation is closely connected with the ethos of a speaker. A politician whose many decades in politics have given him an authoritative voice in the political process and

government might present a complicated argument in favor of better measures against global warming and speak as an experienced, seasoned member of the parliament.

This list of different applications of rhetoric in policy making is neither exhaustive nor will any of the described constellations define a policy setting indefinitely. But, over time, a particular process of policy making will be characterized by a particular style of reasoning, a particular distribution of roles, and a location for the policy-making process to take place. The different models describe scenarios for policy making that are contested, change over time, but nevertheless constitute a key explanation for the course of policy-making processes in different policy fields.

CONCLUSIONS

In this chapter I tried to sketch an analytical strategy that gives rhetoric an appropriate place in argumentative policy analysis. Argumentative policy analysis rejects the idea of the "neutral," "objective" policy analyst qua social technician and instead espouses the idea of the policy analyst as something like a lawyer (Majone), an advocate, deeply engaged in the policy process itself. From this perspective, it is not far to the reconstruction of the position of the policy analyst as called upon to foster and encourage political participation and deliberation. If "truth" escapes the grip of the rationalistic/positivistic policy analyst but becomes a project of communication, the study of the construction, dissemination, exchange, and impact of argumentation *qua logos* becomes the obvious agenda of policy analysis. The rejection of the neopositivist identification of reason as an expression of instrumental rationality leads in deliberative/participatory policy analysis to a predominant interest in the study of the conditions for communicative rationality to materialize in policy making.

While this approach is well suited to the study of particular policy settings and constellations, I have argued that a number of other policy constellations seem to call for a different theoretical orientation and approach. The tradition of rhetoric in history and in political science provides excellent connecting points for such a reorientation. From this perspective, a reflexive or deliberative staging of a policy-making process seems to be only one among many other, different models. The effort to solve an intractable policy conflict, such as euthanasia, through deliberative techniques—"reframing" (Schön and Rein, 1994)—might be a pretty hopeless project. During the negotiation of particular regulatory polices, such as those dealing with issues of life and death, the transparency of regulatory institutions could be as important as creating the institutional possibility for emotional display, the articulation of hopes and anxieties. Public participation and involvement might often simply not be what the different stakeholders in a conflict constellation are seeking. The growth industry of staging consensus conferences and citizen mediations might well work in certain fields of policy making but fail miserably in others. I have argued for a better consideration of the performative dimension of policy making that can take on a variety of different expressions.

By bringing back the tradition of rhetoric to policy analysis, I have tried to widen the focus of policy analysis toward a consideration of undisputed features of many policy-making processes, in particular the importance of ethos, virtue, trust, feelings, and emotions. I suggested to conceptualize these elements in policy making not as expressions of irrationality but as inseparable from the operation of reason. Just as politicians might use emotional language in a very calculative manner, citizens might decide in a very reasonable manner that they refuse to consider a particular matter, for example, the question of euthanasia in severely disabled newborns, only from the perspective of utilitarian philosophy. The attempt to shape and define policy constellation through rhetoric is not a privilege of policy elites but constitutes everyday life practice of the many policy actors dispersed in contemporary multilayer governance networks.

The implications of this perspective for argumentative policy analysis are considerable. I have tried to discuss how the staging of policy making has an impact on a number of different models of policy making that impact style, composition, content, and implementation. These are always

contested and object to change, but, at some point in a policy-making process, they will be determinants in a particular course of action.

On the normative side, the idea of the different rhetorical strategies for poliy making can become a tool to create scenarios for policy solutions based on an assessment of a particular constellation in a policy field. A regulatory policy-making process dealing with emission standards in the car industry that has a high likelihood to involve a well-established and experienced group of policy makers will invite a logo-centric staging of a policy-making process with a focus on deliberating and negotiating scientific data and evidence. At the same time, the preparation of a law regulating human cloning that most likely will involve highly emotionally charged discussions and attract a broad scope of actors and interests will lend itself more toward policy forms that allow more expressive forms of articulation or seek early the parliamentary forum for dealing with the issue. Such options for policy making are open for the different policy actors in contemporary networks of governance, ranging from citizen groups that attempt to create a policy agenda to governments that want to pass a law in a particular policy field.

The rapid pace of scientific-technological development from genetic engineering to nanotechnology, major challenges related to socio-economic development, such as the problem of global warming and breakthroughs in modern medicine, seem to radically question existing notions of humanity, progress and the future of humankind. Today, political controversies about technology and science and other social key questions such as the environment and unemployment seem to emphasize uncertainty more than ever. For policy analysis, this new constellation of uncertainty, the old and new ambivalences of our time, have significant implications. This situation points to the need that policy analysis brings argumentation in all its complexities, including rhetoric, into the center of its analytical and epistemological project.

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17. Rhetoric in Policy Making: Between Logos, Ethos, and Pathos. Herbert Gottweis. INTRODUCTION. Â Although policy analysts surely are aware of the role of such factors in policy making, and history provides countless examples of the importance of passion and ethos in the political world, policy analysis has not yet found an adequate analytical language to deal with them. The growing irre-solvable nature of many contemporary policy questions, the crisis of scientific rationality, the new. 1. I am grateful to Anna Durnova for research assistance and Ursula Naue for comments. Â Rhetoric in Policy-Making. 239. Dryzek, the â€œArgumentative Turnâ€ and, most recently in Deliberative Policy Analysis by Hajer and Wagenaar (2003), who bluntly state that policy analysis is deliberative (21â€"23). The three rhetorical appeals â€" pathos, ethos, logos â€" were defined by Aristotle hundreds of years ago, but theyâ€™re just as relevant today. Â While rhetoric shouldnâ€™t be mistaken for pedagogy, the use of pathos, ethos and logos â€" with a little bit of kairos â€" can make you a much more effective educator. References. Rapp, C. (2010). Aristotleâ€™s Rhetoric. The Stanford Encyclopedia of Philosophy. Retrieved from https://plato.stanford.edu/entries/aristotle-rhetoric/. Roskelly, H. (2008). The three modes of persuasion â€" ethos, pathos, logos â€" are useful skills to master to persuade people and to understand how youâ€™re being persuaded yourself. Â In Rhetoric, Aristotle defines three main ways to persuade people: ethos, pathos, and logos. Peter Gould famously said: â€œData can never speak for themselves.â€ Even with the most solid evidence for your argument, facts alone are rarely enough to convince someone. Â Between two speakers with the same achievements and credentials, people will tend to trust the one they can connect with at a deeper level. In Perspectives on Medical Education, researchers share an interesting example. "While burnout continues to plague residents, medical educators have yet to identify the root causes of this problem.