

RADICAL DEMOCRACY OR SYMPTOMATIC CLOSURE:

AN IMMANENT CRITIQUE OF

CHANTAL MOUFFE'S

AGONISM

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INTRODUCTION

Much of contemporary political theory revolves around the relation between ethics and politics. In itself, this contemporary preoccupation does not signal a fundamental break from the history of political theory.¹ However, despite this continuity, the developments of deconstruction and post-structuralism have transformed how we theorize the relation between ethics and politics. Through their critiques of foundations, universality, and rationality, these *post*-modern practices helped uncover the role of history and power in shaping contexts, intelligibility, and normativity.² By exposing the ascendancy of discontinuity, irregularity, heterogeneity, chance, and contingency, theorists like Michel Foucault and Jacques Derrida revealed the misprision of the dominant theoretical frameworks. In so doing, they liberated theory from what they perceived to be the discursive constraints of traditional metaphysics, epistemology, and politics. This liberation urged that theory acknowledge and disperse the conditional nature of its dominant vantage points, methods, and trajectories. Without this dispersion, theory would continue to distort the contingent and dynamic nature of human life in its own totemic image.³

¹ We can observe this relation in the schism between the *Apology* and *Crito*. This schism signals Socrates' simultaneous engagement with the good life as the pursuit of knowledge and the importance of political structure (of democracy) as a condition for the possibility of this pursuit. Moreover we see the same theme at work in Aristotle's transition from a more political orientated and negotiable version of the good to the affirmation of the speculative life as the highest form of eudemonia.

² Although Foucault and Derrida were primarily concerned with the limitations of modern subjectivity and the role of the various discourses in conditioning these limitations, their respective projects were deeply imbedded in and indebted to the ethico-political context of modernity.

³ For Foucault, this was the image of the empirico-transcendental doubtlet and for Derrida the onto-theological discourse.

Even seemingly attentive forms of theoretical self-reflexivity, like Marxism and critical theory, were lodged in this web of dominant discourses, concepts, and images. To break free from these constraints, theory needed to be stripped of all its implicit and explicit presuppositions. This stripping meant interrogating, excavating, and disclosing the role of power in shaping our particular historical narratives, axioms, and perspectives. Foucault and Derrida complicated this process of stripping and thus the inevitability of mediation by drawing attention to the role of power in constituting our mediating devices.⁴ In so doing, they stressed the intricate relationship between theory and power, and by extension, the way theory implies a political dimension. Without attending to this political dimension, theory would carry on projecting and prefiguring a particular relation to human life at the expense of all others. In other words, this projection and its reliance upon a set of non-negotiable axioms meant that theory was complicit in maintaining a specific ‘regime of truth’ whose dynamic and democratic dimension remained opaque.⁵ Hence, theory was politicized and politicizing without necessarily being democratized and democratizing. To disrupt theory’s compliance in the already insufficiently dynamic and democratic practices, the relation between theory, politics and democracy had to be problematized.

By exposing the pervasive role of power, Foucault and Derrida also problematized traditional notions of sovereignty, subjectivity, and the appeal to a theoretical position beyond or outside of politics. With knowledge, intelligibility, and normativity compromised by the conditioning role of power, the traditional recourse to an

⁴ In this context, it is helpful to recall Plato’s *Ion* and the appeal to the interpretation of interpretation as the inevitability of mediation.

⁵ While the term ‘regime of truth’ is Foucault’s, I am drawing here largely on William Connolly’s book *The terms of Political Discourse* which explores this relation between theory and democracy in great detail.

Archimedean point appeared more like an untimely retreat than a theoretical sanctuary. For many theorists, conceding the possible retreat back into the cave was accompanied by the relativist worry that philosophers since Socrates had sought to dispel.⁶ Admitting the role of power relations in constituting and conditioning social realities meant entertaining the possibility that ‘all’ ethical or normative commitments could be traced to a version of the political dynamic between dominant and dominated groups. Given Thrasymachus’ wager, the challenge posed by the pervasive role of power was not unfamiliar to political philosophy. If indeed Thrasymachus’ wager marks the cradle of political philosophy, one might argue that *post*-modernity signaled a return to the roots of the discipline itself.⁷ However, what made this return different was the attempt to disperse these roots in order to open up for alternative narratives and by extension for a re-writing of the discipline.

Barring the challenges presented by *post*-modernity, it became increasingly clear that in order for their work to be critical and dynamic, political theorists would have to engage the political dimension that conditions the practice of theorizing.⁸ Consequently, every attempt to critically and dynamically theorize politics had to engage the role of power relations in shaping the specific epistemic, cultural, and ethical norms conditioning the theorist’s position and practice.⁹ The practices of genealogy and deconstruction had literally shattered the mirror that hitherto reflected the fairest of enlightenment images.

⁶ See Derrida’s critique of Foucault on emergence of classical reason as unique. Jacques Derrida, *Writing and Difference*, Alan Bass, tr. (Chicago: University of Chicago Press, 1978).

⁷ With this in mind, Socrates’ legacy is *perhaps* best conceived in terms of having realized the importance of sustaining the tension between power and the good – and the Socratic accent as the continual meandering required of political philosophizing. Derrida’s critique of Foucault hinges on the latter’s unwillingness to trace differentiated reason and by extension the discourse of madness any further than the Classical age of Internment. Derrida, *Writing and Difference*, 40.

⁸ This observation has significant repercussions for democratic theory and particular for those theorists that seek to take a dynamic pluralism seriously. William Connolly effectively conceptualized this challenge in his appeal for democratic theorists to acknowledge the ontopolitical dimension that frames their projects.

⁹ If we take seriously democracy as an open and contestable politics, then a strain of dynamic democratic theorizing is particularly suited to this task of critically theorizing politics. This thought will be substantiated throughout this project.

Theorists were now faced with a dispersed and disjointed prism, reflecting not only themselves and their role, but the world they had held captive.

As these theoretical developments filtered into the discipline of political theory, it became apparent that any attempt to understand the pervasive role of politics would have to confront one of two charges: either the theorist would be criticized for ignoring, displacing, or transcending the role of power, or the theorist would have to acknowledge that her particular theorizing of politics was conditioned by a specific set of power relations. Because of the strong contextual ties of contemporary (Western) political theorists to democracy, the debate rapidly crystallized around ways of either rejecting or appropriating these developments in order to continue defending democracy and its claims to legitimacy. Methodologically speaking, democratic theory became a matter of transcendentalism versus contextualism and whether this dichotomy could allow space for such alternatives as quasi-transcendentalism – and if so what the status of this *quasi* would imply. Phrased differently, a defense of democracy would have to navigate the passage(s) between the interior and the exterior of the cave amidst the danger of the walls crumbling.

More often than not, the theoretical defenses of democracy favored the development of a democratic ethics or normativity¹⁰ whose legitimacy was not avowedly political in the democratic/contestable sense. And thus, most democratic theorists directed their focus towards promoting a more substantive and permanent normative register than the one enabled by the appeal to a particular contextual value system framed

¹⁰ In this regard, I am subtly distinguishing between ethics as an understanding of the good life not completely subject to politics - and normativity as a set of values and norms established through a particular political order.

by a set of power relations.¹¹ In many ways, the predilection to minimize the politicizing of ethics explains the schism between analytic political philosophy and continental political philosophy. Whereas much analytic political philosophy maintains a certain separation between these realms, continental political philosophy indulges the post-modern frameworks and their blurring of ethics and politics.¹² Moreover, whereas the analytic theorists tend to emphasize the possibility of a rational consensus on a set of underlying values, the continental theorists underscore the politics behind such appeals and by extension, the importance of developing an ethics of dissension and disharmony.

The theoretical challenge of defending contemporary democracy against the radical critiques of universality and rationality was further complicated by the growing *democratic deficit*. The democratic deficit describes the phenomenon of existing liberal democracies as insufficiently democratic and thus, as privileging a particular demographic of white upper class heterosexual males.¹³ Following the Rawlsian directive to exclude comprehensive doctrines from the public realm, contemporary liberal democracies have marginalized various ethnic, sexual, and economic groups by

¹¹ In other words, very few theorists chose to support a *modus vivendi* or purely instrumentalist model for defending democratic legitimacy - but instead insisted on developing a normative framework for democracy. What stands out about this resistance to an avowedly political defense of democracy is its *projected* alliance with a relativism that allows no traction for distinguishing between 'good' and 'bad' regimes.

¹² In part, this difference explains the chasm that separates analytic political philosophers such as David Estlund and Ronald Dworkin from continental political philosophers such as Jacques Ranciere and Slavoj Žižek. Another way of distinguishing between these approaches is in terms of their respective commitments to democracy and radical democracy where the latter describes the commitment to difference as a constitutive of identity. This distinction between radical democracy and democracy might prove more effective insofar as it enables us to group John Rawls and Jürgen Habermas with the analytic tradition and William Connolly and Bonnie Honig with the continental tradition.

¹³ This experience is given its statistical support through the steady declines in voting participation as well as the surveys in political interest and informed-ness.

relegating their agendas to the private realm.¹⁴ Moreover, many theorists including Chantal Mouffe have argued that this relegation contains a comprehensive dimension in its commitment to the values of liberalism and the free market economy.

Given the comprehensive role of capital in determining the volume of our ‘democratic voices’, Slavoj Žižek has frequently attributed the phenomenon of a democratic deficit to the liberal democratic retreat from politics. Consequently, by relegating controversial differences to the private realm, liberal democracy provides the ideal political complement to the anonymous flow of capital. Accordingly, global capitalism and its prioritizing of private wealth has de-politicized Western democracy to a point where most citizens would willingly accept a curbing of popular sovereignty. Politics is not merely an inconvenience but frequently a conversational taboo. The appeal to politics as a private matter is not only a recipe for political apathy but also the shortest path to a totalizing regime. With this in mind, it is critical that we continuously politicize the liberal democratic regime and its separation of public and private, its defense of certain rights, and its seeming allegiance to capitalism.

For many critics of liberalism Joseph Schumpeter’s instrumental model and its lack of normativity was seen as contributing to the inability of democratic theory to reverse the growing democratic deficit. Despite overcoming its historical struggles with democracy, liberalism had thus failed to resolve the simultaneous demands for equality and liberty. Particularly John Stuart Mill’s utilitarian calculus lacked the kind of incontestable normative traction that could reanimate democratic politics. In order to function as the privileged if not teleological realization of modern political history, liberal

¹⁴ Examples of this were the substantial declines in participation of existing western democracies since the early 1960’s and the stalling of global democratization by the resistance of various fundamentalist, dictatorial and autocratic takeovers.

democracy needed principles beyond what a *modus vivendi* legitimation could provide.¹⁵ Rawls's *Theory of Justice* and *Political Liberalism* were deliberate attempts to combat this apathetic tendency and to provide the necessary normative traction for liberal democracy.¹⁶ Despite Rawls's impressive defense of liberal democracy, it is becoming increasingly clear that liberal democracy will not simply 'become' the global regime—or worse, that existing democracies themselves could be at risk.

The democratic deficit is not the only challenge confronting contemporary liberal democracy. The globalization of contingency, the fragmentation of identity, the rise in fundamentalism, and the advance of global capitalism all seem to undermine Francis Fukuyama's prognosis of liberal democracy as the 'end of history'. Motivated by these challenges, democratic theory has recently experienced a surge of alternative models. Multiculturalism, deliberative democracy, communicative democracy, democratic democracy, agonistic pluralism, radical pluralism and post-political democracy have all attempted to theorize and defend a version of democracy by rejecting or appropriating the frameworks of deconstructionism, post-structuralism, and radical historicism. Despite aiming to develop democratic models that could both withstand and accommodate the challenges of pluralism, contingency, and hegemony, many of these efforts have fallen prey to the traditional and perhaps inevitable bifurcation of ethics and politics. This bifurcation signals an almost desperate attempt to resolve the paradoxical relation of ethics and politics by providing an ethical or normative register immune from the conditioning of power relations. Frequently, this bifurcation derives from two different

¹⁵ I am drawing upon Will Kymlicka's volume *Contemporary Political Philosophy*. In chapters two and three he provides a description of the transition from a defense of liberal democracy qua utilitarianism towards Kantian inspired rights based theories.

¹⁶ In so doing, Rawls transitioned from defending liberal democracy as a universally superior regime to a more modest defense from within the context of liberal democracy.

understandings of the logic of politicization. Both of these understandings postulate a limit to the pervasiveness of the political as a dimension of social life: one, in the form of a meta-ethical terrain underlying the contestation and struggle for, in and with power, and the other, in the form of a unconditional domain of rights or morality not subject to the conditionality of politics.¹⁷

One model that has continually struggled to resist this bifurcation is the agonistic approach of Chantal Mouffe. For Mouffe, resisting the bifurcation of ethics and politics is crucial. It is only by sustaining the mutually conditioning relation between ethics and politics that we can develop a democratic theory that neither depoliticizes its normative dimension nor abandons the task of exposing a democratic normativity altogether. In other words, Mouffe argues that while there is no singular good at the center of modern liberal democracy, there is an ethics that sustains liberal democracy as well as our commitment to this type of regime. Bringing this ethics to the fore is the task of the radical democratic theorist.¹⁸ Consequently, Mouffe's project is best understood as an attempt to theorize a democratic regime with the normative resources to counteract the threats of apathy and fundamentalism. Of course, in striving to counteract the threat of fundamentalism, Mouffe's project and the democratic regime she solicits must avoid a fundamentalist logic of its own. Resisting this threat hinges on sustaining the critical tension between ethics and politics against the temptation of providing a 'good' politics not subject to interrogation.

Given the previously outlined schism between analytic and continental political philosophy, Mouffe's project establishes a line of communication between the two sides.

¹⁷ Versions of the ethical approach can be observed in Simon Critchley's and Alain Badiou's projects, whereas the moral approach can be observed in Rawls's and Dworkin's models.

¹⁸ Chantal Mouffe, *The Democratic Paradox*, (New York: Verso, 2000), 140.

Despite drawing heavily upon the discourses of deconstruction and post-structuralism, Mouffe continually situates her project vis a vis the two dominant strains of democratic theory, Rawls's Political Liberalism and Habermas' Deliberative Democracy. In this context, Mouffe's project is perhaps the most prolific attempt to reconcile the concrete political realism of analytic political philosophy (and its potentially over-determinate framework), with the political imaginary of continental political philosophy (and its potentially under-determinate framework). Perhaps this attempt at reconciliation explains why Mouffe's project has received less attention than her erstwhile collaborator Ernesto Laclau. Whereas Laclau's work informs much of the debate in continental political philosophy, Mouffe's work is treated as a subsidiary under the Laclauian umbrella. Mouffe's later work reinforces this treatment by moving towards an engagement with the more analytic tradition of political philosophy. Thus, although Mouffe's project occupies an interstitial position that speaks to two audiences, neither of these audiences is assured of home field advantage.

Mouffe's agonistic pluralism offers a framework for theorizing the relation between ethics and politics in a modern democratic context. What distinguishes Mouffe's approach is how it aims to take seriously both the pervasiveness of power/politics and the possibility of legitimating democracy through an appeal to the *contestability* of its ethical/normative principles. Consequently, Mouffe replaces the familiar paradox of democratic legitimation with the paradox of liberal democracy as the simultaneous appeal to a universal ethics and popular sovereignty.¹⁹ In so doing, Mouffe rejects democracy as the institutionalizing of openness, revision and contestation on the basis of its inability to

¹⁹Examples of the traditional paradox of democratic legitimation have been fully explored in these two volumes: Alan Keenan, *Democracy in Question: Democratic Openness in a Time of Political Closure*, (Stanford: Stanford University Press, 2003), and Bonnie Honig, *Democracy and the Foreigner*.

assure that these features do not fall prey to an oppressive majority. Consequently, Mouffe embraces the tension between ethics and politics in an attempt to develop a theory of democracy that avoids de-politicizing democracy's normative principles while not giving up the possibility of a normative 'basis' for democracy. For Mouffe, this type of normativity is *political* and thus her model offers a supposed alternative to what she refers to as the instrumentalists' lack of normativity and the perfectionists' appeal to a normativity beyond or exempt from politics.

Instead of *lamenting* the modern marriage of democracy and liberalism, Mouffe defends a version of liberal democracy by *re-describing* it in a theoretical framework of 'agonistic pluralism'.²⁰ Mouffe argues that this re-description allows us to recognize how liberal democracy is a 'space of paradox' constituted by the conflicting logics of democracy and liberalism. Thus, as a space of paradox, liberal democracy represents the institutionalizing of the tension between politics and ethics. For Mouffe, the impossibility of realizing both perfect liberty *and* perfect equality does not make liberal democracy a non-viable regime.²¹ Rather, the irreconcilable tension between the liberal democratic objectives helps maintain a political space that preempts both the possibilities of total closure and total dissemination. Mouffe states: "What is specific and valuable about modern liberal democracy is that, when properly understood, it creates a space in which this confrontation is kept open, power relations are always being put into question and no victory can be final."²² To 'properly understand' this quality of liberal democracy

²⁰ Mouffe borrows this use of re-describing from Richard Rorty in *Democratic Paradox*, 9.

²¹ Mouffe's concern with the tension between liberalism and pluralism is largely borrowed from a reading of Carl Schmitt, whose critique of pluralistic democracy as an irreconcilable regime serves as the starting point for much of her analysis. Mouffe takes Schmitt's concern with the conflicting grammars of liberalism and democracy as a challenge to be confronted, rather than as a reason for abolishing this type of regime.

²² Mouffe, *The Democratic Paradox*, 15.

requires envisaging its paradoxical nature as a ‘constitutive tension’ that makes this regime uniquely equipped to confront the challenges of pluralism as well as the relation between ethics and politics.

Drawing from Carl Schmitt’s notion of ‘the political’, Mouffe posits antagonism as an inherent component of social life. By extension, Mouffe’s approach is framed by an *ontological* emphasis on the ineradicability of antagonism²³, which, *pace* Mouffe, sets it apart from the ‘associative’ approaches that emphasize the possibilities of final reconciliation, rational consensus, and homogeneity’.²⁴ For Mouffe, the associative approaches fail to provide an adequate framework for theorizing the paradoxical nature of modern liberal democracies as a “condition for the possibility of a pluralist form of human coexistence”.²⁵ In other words, because the associative theorists fail to take seriously the ineradicable dimension of antagonism, they are always concerned with formulating a model that overcomes or resolves the paradox of liberal democracy.²⁶ Consequently, by overstating the possibility of reconciliation these associative theorists simply conceal or repress the antagonistic dimension and thus, leave liberal democracy and its prominent centrist trend vulnerable to the ever-present reality of the antagonistic dimension.

²³ Of course in its emphasis on the ineradicability of antagonism, Mouffe’s position flirts with an Archimedean point of its own and yet, the question whether Mouffe ultimately falls prey to a transcendental logic or whether her emphasis on antagonism is conditioned by power will be explored in debt throughout the ensuing sections. For now suffice it to say that this is an example of the type of unstable ontology referenced by both Stephen K. White and Oliver Marchart.

²⁴ For Mouffe these associative approaches include the deliberative democratic models, the aggregative method, and certain agonistic approaches. Generally she associates these theoretical frameworks with the following theorists in order; Habermas, Rawls, and Connelly/Honig.

²⁵ Mouffe, *Democratic Paradox*, 10-11.

²⁶ The ‘associative’ failure can be traced to a lineage of overstating the possibilities for overcoming and permanently resolving the conflictual dimension of social life.

Contrary to the objectives of overcoming and resolving, Mouffe proposes a theoretical framework that can make intelligible and bolster the *radical* project of a pluralistic democracy by engaging rather than evacuating the antagonistic dimension of social life. For Mouffe, it is only by acknowledging the antagonistic dimension that we can reverse the trend towards political anomie and protect modern democracy from the democratic deficit. By concealing the ever-present possibility of antagonism, we are enfeebling the important role that passions play in motivating people to participate in politics. In so doing, we undermine the vibrant engagement that ought to characterize democratic life and lend ammunition to those non-democratic agendas that promise a place for passions.²⁷

Because I am sympathetic to this project, I consider it vital to demonstrate how Mouffe's account of the relation between ethics and politics fails to withstand her own critique of the associative approaches. Thus, although Mouffe's emancipatory politics is uniquely attentive to the dangers of overcoming or resolving the relation between ethics and politics, her subtle privileging of a liberal ethic repositions her project in a tradition of resolution and overcoming. To put this point differently, Mouffe believes that her model of agonistic pluralism succeeds in theorizing a form of liberal democratic legitimacy that is simultaneously and equally ethical and political. However, Mouffe's model ultimately falls prey to the bifurcation of ethics and politics and to a privileging of one realm at the expense of the other. In Mouffe's case, ethics and more specifically the liberal ethic ends up being privileged at the expense of politics – at least insofar as we adopt Mouffe's definition of the political as the ever-present possibility of antagonism

²⁷ The recent surge in right-wing or fundamentalist politics is one manifestation of these non-democratic agendas gathering momentum within existing democracies.

and by extension, the ineliminable contestability of social life.²⁸ And so while the basis for Mouffe's agonistic pluralism is no doubt political, it is ultimately a type of 'non-democratic' politics whose ethical commitments undermine its possibilities in terms of supporting the deepening and extending of radical democracy and pluralism.²⁹

Accordingly, I will demonstrate how Mouffe's ethics or ethico/normative dimension is both a necessity *for* and a necessary casualty *of* her anti-essentialist approach. In other words, Mouffe turns to the liberal ethic because she cannot accept a contestable and *avowedly* political/democratic legitimation of her agonistic pluralism. Though Mouffe's appeal to a liberal ethic offers the missing *substantive* normative assurance, it unintentionally depoliticizes the legitimacy of the liberal democracy she advocates. By calling attention to Mouffe's unintentional depoliticizing, I am not suggesting that her agonistic pluralism is not political, but rather, that it is not political in the avowedly radical, contestable and democratic sense that she espouses. With this in mind, Mouffe's political liberalism ends up being a formula for a liberal politics that

²⁸ Oliver Marchart describes this understanding of the social and politics: "...the social only exists, however as an effort to construct that impossible object. The name for such effort is politics. Political articulation or construction is therefore only possible insofar as 'society' is impossible." *Radical Democracy: Politics between Abundance and Lack*, Lars Tønder and Lasse Thomassen, eds. (New York: Manchester University Press, 2005), 24.

²⁹ In this regard, Mouffe depart from certain criticisms of liberalism as a dominant complex network of ideologies, institutional and non-institutional practices incompatible with a radical pluralist democracy. Mouffe aligns herself with a version of this type of criticism as articulated by theorists such as Connolly, Judith Butler, Wendy Brown, Žižek, etc... - and yet Mouffe considers the abolition of liberalism as an ethical voice damaging to the development of democracy. Like most standard criticisms of liberalism, Mouffe emphasizes the way the dominant and incontestable liberal understanding of liberty, rights and individuality harbor anti-democratic tendencies in the way they exclude various groups from 'participating' in the political process. What stands out about Mouffe *vis a vis* Butler and Brown is her emphasis on the way the liberal principles of legitimacy must be extended but also *upheld* if the struggle for a more radical pluralism is to be successful. This discussion ultimately centers on the importance of a structuring principle or constitution and the degree to which this 'form' makes possible or prohibits the existence of radical pluralism. I will return to this debate repeatedly throughout this chapter in an attempt to illustrate where exactly my disagreement with Mouffe occurs.

takes us to the limits of her modified liberalism without ever contesting the exclusions that condition this normative framework.

To put this point differently, Mouffe's agonistic pluralism ends up being a reformulation of the perfectionist approach with the added caveat that the inevitable role of authority in determining a specific normativity is concealed beneath pretenses of already existing *political* principles. Thus, hidden beneath Mouffe's *politicizing* of the liberal ethic there is a meta-political commitment whose meta status makes it ill-suited for the continuous and dynamic engagement that characterizes a radically pluralist democracy. Consequently, contrary to her own directives, Mouffe's project partakes in the liberal evasion and displacement of the political.³⁰ Along these lines, I will expose how Mouffe's ethical or normative dimension is masked by the rhetorical appeals to the *radical* nature of her pluralist project. Without exposing the chimerical nature of this appeal to radicality, Mouffe's political imaginary risks undermining the possibilities for a continual critique of her model of liberal democracy and thereby foreclosing the possibilities for a more dynamic (pluralist) democracy.

Although Mouffe's singular contribution to the field of democratic theory is undeniable, many of her central arguments are borrowed from such theorists as Carl Schmitt, Claude Lefort, Jacques Derrida, Ludwig Wittgenstein, Jacques Lacan, and Antonio Gramsci. By examining *how* these theorists contribute to Mouffe's project we can appreciate how she is able to conceive an agonistic model of democracy that seems strangely exempt from the type of agonistic engagement it urges. Developing an effective critique of Mouffe's project requires understanding both the theoretical lineage that

³⁰ This partaking is especially problematic because Mouffe's agonism is considered a leftist alternative to liberal democracy, highlighting the danger of letting the dominant liberal democratic framework frame the egalitarian agenda.

informs her approach and the way her approach aims to set itself apart from other attempts to theorize modern democracy. Without understanding these two features, we will not be able to pierce Mouffe's framework and expose the inconsistencies that pervade her agonistic model of democracy. More specifically, by reading Mouffe against Mouffe, I will demonstrate how she ends up endorsing an ethics at the expense of her politics, and by extension, how her project ends up yielding a symptomatic closure rather than a radically pluralist democracy. This symptomatic closure becomes particularly apparent in Mouffe's appropriations of Lacan, Lefort and Derrida insofar as these discourses resist Mouffe's incontestable commitment to the liberal ethic. In other words, these radical frameworks reflect the limits of Mouffe's radicalism by showing the way her commitments undermine her agenda of 'keeping confrontation open, questioning and transforming power relations, and preventing a final victory'.

While this dissertation is organized around a critique of Mouffe's project, its main objective is to contest and refine a set of concepts suitable for a more dynamic and critical approach to democratic theory. As the perhaps *most* radical form of *liberal* democracy, Mouffe's project is particularly expedient for recognizing the limitations to the development of a truly radical democratic project.³¹ Concepts such as plurality, dynamisms, receptivity, radicality, and sustaining, need to be explored and problematized if we intend to take seriously the task of theorizing a radically pluralist democracy as a critical and dynamic dynamism of politics. Consequently, Mouffe's project provides a unique vantage point from which to interrogate the dominance of liberal democracy and the type of subjectivity it conditions. In so doing, it raises questions concerning the limits

³¹ 'The most radical form of *liberal* democracy is meant to draw attention to the way in which Mouffe tries to extend liberalism to include as much plurality as possible without giving up the emphasis on rights and constitutionalism.'

of liberalism with regard to radical democracy as well as the possibilities for glimpsing beyond liberalism.

In order to develop these arguments, I begin by providing a synopsis of Mouffe's project. Moreover, I situate her approach in relation to the already existing debate in democratic theory by exploring her relation to Rawlsian liberalism, Habermasian deliberation, and William Connolly's agonism. In this regard, the prelude is an invitation aimed at communicating not only that there is an occasion to attend, but also the reasons for attending as well as the location of the occasion. Once invited, the next four chapters are all more or less committed to an immanent critique of Mouffe's framework. By engaging Mouffe's framework from within, these remaining chapters aim to expose the limits of her agonist model. Additionally, by working *through* Mouffe's project, these chapters explore and develop possible alternatives for glimpsing beyond the explicitly liberal democratic limits that presently monopolize our political imaginary.

Chapter one focuses on the nature of radical democratic theory and how this affects the way we envisage the task of the radical democratic theorist. Moreover, I explore Mouffe's conflation between a descriptive and a normative understanding of liberal democracy to show her insufficiently dynamic use of hegemony and by extension, the potentially liberal democratic hegemony of hegemony. By examining Mouffe's use of Lacan and Lefort, I try to illustrate a certain pattern in her appropriations of these frameworks. This pattern amounts to a de-politicizing of liberalism and therefore, to an internal limitation to the project of radical democracy. In this regard, the already existing engagement between Butler, Žižek, and Laclau helps illustrate the insufficiently dynamic and democratic nature of Mouffe's liberal ethical commitments. Chapter two addresses

Mouffe's administering of the deconstructionist discourse – an administering that no doubt informs the diagnosis of her project as *radically* democratic. While this diagnosis might apply to a genuinely deconstructive politics, it does not apply to Mouffe's selective appropriation. By appropriating and administering deconstruction, Mouffe unwillingly makes explicit her incontestable commitments to a (albeit mutated and sanitized) version of the liberal ethic. In this context, Mouffe's engagement with deconstruction provides a lens onto the dual temptations of giving up on politics and overcoming politics.

Chapter three picks up on this dual temptation to show how Mouffe's appeal to Schmitt's *Concept of the Political* and his division of friend and enemy results in a depoliticization of her liberal commitments. In other words, while Mouffe expands Schmitt's framework through the category of friendly enemies, she ultimately leaves intact the militant division between friend and enemy. These divisions remain defined by a liberal democratic perspective that quarantines the enemy as a depoliticized other, the friend as a depoliticized ally, and the friendly enemy as a good friend in the making. Chapter four elaborates on the nature of Mouffe's friend/enemy distinction by comparing it to her critique of Rawls's framework. Mouffe's critique of Rawls is directed at this depoliticizing of liberal democracy and yet, by turning the mirror, we can observe how Mouffe's project continually reflects back its own limitations. Given this continual encounter with the reflection of its own theoretical limits, Mouffe's appeal to Wittgenstein as the bridge between Derrida and Schmitt seems to provide the much-needed third dimension. However, even the introduction of this third dimension cannot conceal or resolve the critical gap opened up in the space between Derrida and Schmitt.

By failing to sustain the tension between ethics and politics, Mouffe fails to adequately theorize the challenge of politicization stipulated by a radically democratic project. Because of this failure, Mouffe's project provides a critical standard against which to evaluate other theories of radical democracy and the discourses they employ. Although Mouffe employs several potentially radical democratic discourses, her administering of them undermines their ability to open up beyond the realm of liberal democracy. Both Lacan's psychoanalytic discourse and Derrida's deconstructionist discourse offer promising frameworks for a theory of radical democracy that aims to sustain the tension between ethics and politics.³² Given our present situation, the importance of this task can hardly be overstated - theory must politicize and allow itself to be politicized. Short of this task, theory will fail to assist a global world in sustaining a critical and dynamic politics whose values adhere to an ethos of engagement consistent with radical democracy.

³² A combination of Theodor Adorno's negative dialectics, Thomas Hobbes' nominalism, and Socrates' dialogical questioning, might prove equally productive in developing a theory of radical democracy. Although exploring this combination is beyond the scope of the dissertation, I occasionally gesture towards how these frameworks complicate Mouffe's position and its' theoretical foreclosures.

PRELUDE:

PRESENTING MOUFFE'S PROJECT

AND ITS RELATION TO OTHER DEMOCRATIC THEORISTS

In this opening chapter I present Mouffe's position in a way that primarily lets her speak her own voice. In so doing, I aim to present as fair a portrait of her project and her views as the nature of interpretation allows for. One motivation for structuring my project in this way is to allow the following chapters to proceed without continually having to represent Mouffe's position. Moreover, one critic who had not been exposed to this first part of the project was kind enough to point out, that while he enjoyed my criticisms, he felt pressured to accept the authority of my interpretation. While this pressure might have the productive effect of inciting a first-hand return to Mouffe's project, it also lends itself to the charge of misrepresentation. Thus, this first chapter is written precisely in hope of opening a hospitable and even intimate space of engagement not only with this critic, but with anyone interested in contemporary democracy.

This prelude aims to provide an exegesis of some of Chantal Mouffe's key and potentially controversial concepts, which is necessary for the purposes of providing an immanent critique of her theory of agonist democracy. In other words, I adopt Mouffe's general framework and accept her arguments against liberalism and deliberative democracy as a premise for this analysis. By letting Mouffe dictate the terms of engagement through her definitions of liberalism, democracy, agonism, and antagonism etc, I admit a necessary de-politicizing or foreclosure as the condition for the possibility of politicizing Mouffe's project, by which I mean, also following Mouffe's usage, rendering contestable her key concepts and norms.

This strategy is a theoretical version of the type of political action required to open up and render contestable a politically foreclosed social and political reality. Consequently, instead of merely opposing Mouffe's project with a set of incompatible

definitions and by extension with a different politics, I attempt to work through her definitions and concepts as a way of showing the limits of her framework and how a different conceptual register can open up a more critical and dynamic politics. Further, this strategy also adopts Mouffe's goal of developing a theory of radical pluralistic democracy as a benchmark for evaluating the success of her project. Given my own commitments to radical (pluralistic) democracy, I am primarily interested in Mouffe's project as a model for such a political theory. Hence, while Mouffe's project provides an agonal encounter with liberalism, my project provides an engagement with Mouffe's own modified liberalism. With this in mind, I argue that Mouffe's critique of other forms of liberalism fails to provide an adequate framework for engaging the challenges presented by the increased fragmentation of social and national identity, the flow of global capital, and the rise in various forms of fundamentalism.

Mouffe's liberalism is most closely related to the political liberalism defended by John Rawls in *Political Liberalism*. Unlike Ronald Dworkin, who sought to scale back the contextual and historicist drift of Rawls's liberalism, Mouffe embraces this drift in an attempt to combine political liberalism with the insights of post-modernity. Her version of political liberalism is thus best characterized as a more politicized Rawlsian liberalism. Phrased differently, Mouffe defends a liberal ethic taken to include the importance of a political constitution, a defense of pluralism, a defense of specific rights, a revised account of negative liberty, and a decisive division between the public and private spheres. From her own perspective, Mouffe departs from Rawls's political liberalism by politicizing – again, rendering contestable within the public sphere - the role of public reason, the agency of individuals, and the ethico-political principles underlying liberal

democracy. This departure is informed by several key assumptions: one, the necessity of an agonist model of democracy given the ineradicable dimension of antagonism in a pluralistic society, two, the axiological nature of radical pluralism and the role of liberalism in allowing for pluralism, and three, democracy as the best political structure to organize human coexistence given the existence of different and antagonistic identities, norms, and beliefs.

In *The Democratic Paradox*, Mouffe argues that modern democracy differs from other historical forms of democracy. Modern democracy is constituted by two different logics: the logic of democracy as the commitment to popular sovereignty and the value of equality, and the logic of liberalism as the commitment to certain rights and the value of liberty. Mouffe claims: "...the specificity of modern democracy as a new political form of society, as a new 'regime', lays precisely in the tension between the democratic logic of equality and the liberal logic of liberty."³³ Modern liberal democracy is thus a distinctly 'new' type of regime, in so far as it recognizes itself as hegemonic. By recognizing its own hegemonic dimension, modern democracy allows us to understand and engage the role of power relations in conditioning ethical and political structures. Borrowing from Lefort's genealogical account of modern democracy, Mouffe rejects the possibility of a singular and incontestable grounding of democratic legitimacy. Accordingly, Mouffe rejects those theories aimed at developing a form of democracy that overcomes or denies the presence of power and conflict. The search for a singular and incontestable legitimation of modern democracy is dually misguided: (1) because it denies the *modern* as a specific historical stage and (2) because it disregards antagonism as an ontological dimension of social life. By extension, anyone who proposes to

³³ Mouffe, *Return of the Political*, 150.

legitimate liberal democracy by means of a non-coercive consensus or an ‘ethic of care,’ fails to understand and engage ‘the political’ as the antagonistic dimension of social life.³⁴

Mouffe contends that theorists, like Rawls, who seek to legitimate liberal democracy by appealing to non-coercive ‘reasonable’ roots: “deny the fact that, like any other regime, modern pluralist democracy constitutes a system of relations of power”, and thus, they “render the democratic challenging of those forms of power illegitimate”.³⁵ By extension, the limits of modern democracy must be considered contestable and yet, *pace* Mouffe, this contestation itself hinges on the existence of modern liberal democracy, as the only form of regime whose institutions embrace this contestable dimension. Mouffe states: “...the interconnection between liberal institutions and democratic procedures is the *necessary* condition for the extension of the democratic revolution into new areas of social life.”³⁶ The necessarily modern liberal democratic conditioning of the possibility of contestation becomes even more apparent when Mouffe describes the difference between enemies and adversaries: “This means that, while in conflict, they see themselves as belonging to the same political association, as sharing a common symbolic space within which the conflict takes place.”³⁷ However, because Mouffe’s appeal to a common symbolic space is governed by the liberal democratic hegemony, the construction of space remains uncontested and incontestable. In turn, as

³⁴ Borrowing from Stephen K. White’s analysis, Mouffe’s project contains a version of what he calls weak ontology in its emphasis upon the ontological nature of antagonism. In other words, Mouffe’s project is driven by a certain philosophical anthropology that posits antagonism as an inherent component of social life. Stephen K. White, *Sustaining Affirmation: The Strengths of Weak Ontology in Political Theory*, (Princeton: Princeton University Press, 2000), 3-18.

³⁵ Mouffe, *The Democratic Paradox*, 32.

³⁶ Chantal Mouffe, *The Return of the Political*, (New York: Verso Radical Thinkers, 2005), 105.

³⁷ Chantal Mouffe, *On the Political: Thinking in Action*, (New York: Routledge, 2008), 20.

the necessary condition for the possibility of contestation,³⁸ the spatial confines and coordinates are never fully politicized, but rather allowed to function as limits to politics.

Mouffe asserts that modern democracy, as a specifically liberal form of democracy, is hegemonic. In other words, modern liberal democracy is a specific pattern of power relations that determines a dominant way of life: “we call hegemony the point of confluence between objectivity and power.”³⁹ Considering this hegemonic nature of modern democracy it is important to acknowledge the existence of limits, and more importantly, the political nature of these limits. Mouffe contends that: “A democratic society cannot treat those who put its basic institutions into question as legitimate adversaries. The agonistic approach does not pretend to encompass all differences and all forms of exclusion.”⁴⁰ However, for Mouffe these limits cannot be legitimated by a liberal evasion of the role of power and thus, legitimating these limits becomes a question of understanding the specificity of a necessarily political legitimation. As she puts it:

The advent of liberal pluralism as well as its continuance must be envisaged as a form of political intervention in a conflictual field, an intervention that implies the repression of other alternatives. Those other alternatives might be displaced and marginalized by the apparently irresistible march of liberal democracy, but they will never disappear completely and some form of them can be reactivated.⁴¹

Mouffe goes on to concede that: “there is no way to avoid such a situation and” by extension, that: “we have to face its implication.”⁴² Although this concession is critical to the task of establishing limits to contestation, it does not suffice to legitimate the concrete limits of liberal democracy. If we ignore the difference between the formal requirement

³⁸ In this context, it is worth recalling Mouffe’s reference to Schmitt and his claim that ‘Caesar is the lord of grammar’ – particularly considering Mouffe’s appropriation of the Wittgensteinian notion of grammar as the underlying logic that holds together a social space. Mouffe, *On the Political*, 87.

³⁹ Mouffe, *The Democratic Paradox*, 21.

⁴⁰ Mouffe, *On the Political*, 120.

⁴¹ Mouffe, *On the Political*, 152.

⁴² Mouffe, *The Return of the Political*, 152.

of a limit to contestation and the particular ideological appropriations of these limits we give up an element of the theoretical commitment to radicality and criticality that Mouffe propagates. This argument not only illustrates the stakes of politics as the process of preventing the ever-present possibility of militant escalation, but also the way Mouffe privileges liberal democracy in terms of confronting this challenge. In other words, since this antagonistic dimension is an inherent feature of social life, the most effective form of politics is one that ‘defuses, displaces, and diverts’ those aggressive forces. According to Mouffe, this is precisely what liberal democracy makes possible by virtue of its less exclusionary and more malleable *political* limits.

Mouffe argues that modern democracy differs ‘qualitatively’ from other regimes. This difference stems predominantly from its paradoxical nature and by extension, from the way its constituting logics cannot be unified, but rather only negotiated differently. The impossibility of reconciling the logics of liberalism and democracy does not, *pace* Schmitt, make this an unviable form of political rule, but rather serves as an impediment to total closure and dissemination. This paradoxical constitution of liberal democracy leads Mouffe to defend this specific regime as uniquely capable of continuously adjusting to the transient and dynamic nature of power.⁴³ Thus, instead of striving to reconcile this gap between liberalism and democracy we should envisage it as a constitutive tension that enables the continuous articulation of new positions and demands.⁴⁴ Mouffe claims:

The moment of rule is indissociable from the very struggle about the definition of the people, about the constitution of its identity. Such an identity however, can never be fully constituted, and it can exist only through multiple and competing

⁴³ On the issue of power Mouffe states: “power is constitutive of the social because the social could not exist without the power relations through which it is given shape.” *On the Political*, 18.

⁴⁴ Elsewhere Mouffe calls attention to this constitutive tension as the gap between law and justice that characterizes modern liberal democracy.

forms of identifications. Liberal democracy is precisely the recognition of this constitutive gap between the people and its various identifications.⁴⁵

Modern democracy thus provides the framework for displacing or sublimating the antagonistic dimension of social life in a way that makes agonistic engagement possible.⁴⁶ For Mouffe, this liberal democratic sublimation of antagonism implies: “that some common bond must exist between the parties in conflict, so that they will not treat their opponents as enemies to be eradicated”. Understanding this common bond in terms of liberal democratic institutions, fails to do justice to the reach of Mouffe’s appeal to contestation. Somewhat contrary to her own use of Elias Canetti, Mouffe states: “To be sure, the very nature of those institutions is also part of the agonistic debate, but for such a debate to take place, the existence of a shared symbolic space is necessary.”⁴⁷

Notwithstanding, this appeal to a *shared* symbolic space as a necessary condition for the possibility of engagement raises a question regarding the liberal democratic hegemony and its role in brokering the shares of social space.⁴⁸ Mouffe insists: “To be sure, we need to be able to distinguish between ‘obeying the rule’ and ‘going against it’. But space needs to be provided for the many different practices in which obedience to the democratic rules can be inscribed.”⁴⁹ The notion that space needs to be provided

⁴⁵ Mouffe, *The Democratic Paradox*, 56.

⁴⁶ Mouffe frequently uses the work of Canetti and his emphasis on the role of elections to illustrate what she understands by this transformation of antagonism into agonism. I find this analogy to Canetti’s work unconvincing insofar as the voting process itself privileges a certain elite social group and one would be hard pressed to argue that any serious resistance can be expressed effectively by means of a procedure determined by those whose rise to power was made possible by the particular nature of these procedures.

⁴⁷ Mouffe, *On the Political*, 121.

⁴⁸ In this regard, Mouffe’s appeal to Lacan becomes particularly interesting as it relates to the role of the constitutive loss and the way in which this loss functions as a prohibitive bar within the realm of politics. Phrased differently, the condition for the possibility of politics is constitutive of the political, not from the outside but from within. While this seems to suggest that the common symbolic bond that Mouffe appeals to is itself within the realm of politics, the role she assigns to the liberal ethic in terms of necessarily conditioning pluralism, undermines the extent to which it can be conceived as within the realm of politics.

⁴⁹ Mouffe, *The Democratic Paradox*, 73.

reinforces the suspicion of the already existing liberal-democratic space that cannot be contested by virtue of its role in providing spaces to contest.⁵⁰

What stands about modern democracy is the challenge of pluralism or what Rawls calls the fact of pluralism: “how is it possible for there to exist over time a just and stable society of free and equal citizens, who remain profoundly divided by reasonable religious, philosophical and moral doctrines?”⁵¹ For Mouffe, pluralism is by no means a mere fact but rather an axiological principle that is constitutive of modern democracy at the conceptual level. Thus, against Rawls’s understanding of pluralism, Mouffe argues that his: “politics is not affected by pluralism”. Because of the perfect separation between the consensual public sphere and the dissenting private sphere, Rawls pluralist model is merely ‘the perfect liberal utopia’.⁵² In other words, pluralism (as the end of the substantive idea of the good life) is constitutive of modern democracy and with this in mind, we should aim to extend and deepen pluralism. In turn, Mouffe envisages pluralism as a value because of its constitutive role in modern democracy.⁵³ This heralding of pluralism could easily be mistaken for a valorization of all difference, but Mouffe does not ignore the weight of Rawls’s challenge in terms of the necessary political relation between unity and plurality:

A democratic society requires the allegiance of its citizens to a set of shared ethico-political principles usually spelled out in a constitution and embodied in a legal framework, and it cannot allow for the coexistence of conflicting principles of legitimacy in its midst.⁵⁴

⁵⁰ Moreover, the language of providing suggests a certain paternal administering of this space in much the same vein as the language of granting toleration.

⁵¹ John Rawls, *Political Liberalism*, (New York: Columbia University Press, 1996), 4.

⁵² Mouffe, *The Return of the Political*, 51.

⁵³ Mouffe, *The Democratic Paradox*, 19.

⁵⁴ Mouffe, *On the Political*, 122.

By not ignoring the element of order, Mouffe explicitly separates her position from those post-modern theorists who promote the kind of non-exclusionary expression of difference where constitutive and constituent power are simply collapsed.⁵⁵ For Mouffe, this non-exclusionary vision of difference is dually a-political: one, in the way it ignores the element of power, and two, in the way it lends itself to a kind of totalizing politics that ultimately negates all difference. Mouffe contends that this celebration of non-exclusionary difference:

...is to imagine that there could be a point where ethics and politics could perfectly coincide which is precisely what I am denying because it means erasing the violence that is inherent in sociability, violence that no contract or dialogue can eliminate because it constitutes one of their dimensions.⁵⁶

Contrary to this approach, Mouffe claims that the central question for democratic politics is how to construct the ‘we/they’ in a manner compatible with a pluralistic order.⁵⁷

Borrowing from Schmitt’s intensely antagonistic view of the political, Mouffe aims to develop a less militant version of the friend/enemy distinction. In other words, while there is no final remedy for the ever-present possibility of antagonism, there are *many* different modes of political engagement between the poles of romanticized love and militant destruction.⁵⁸

Mouffe’s distinction between pluralism and difference tracks her commitment to political structure as a condition for the possibility of making difference intelligible as

⁵⁵ Mouffe’s critique of Hardt and Negri illustrates this thought: “Their idea of an ‘absolute democracy’, a state of radical immanence beyond sovereignty, where a new form of self-organization of the Multitude would replace a power-structured order, is the post-modern form of longing for a reconciled world – a world where desire would have triumphed against order, where the immanent constituent power of the multitude would have defeated the transcendent constituted power of the state, and where the political would have been eliminated” *On the Political*, 115.

⁵⁶ Mouffe, *The Democratic Paradox*, 135.

⁵⁷ Mouffe, *The Democratic Paradox*, 102, and *On the Political*, 115.

⁵⁸ In this context, it is worth noting that Mouffe only develops one of these in the form of ‘friendly enemies’.

pluralism. While Mouffe's appeal to political structure as a condition for the possibility of making difference intelligible is no doubt a timely reminder, her commitment to liberalism as a condition for the possibility of pluralism reifies a particular political form curiously immune from the type of democratic contestability she invokes to critique the democratic models driven by the ideals of consensus and deliberation. Mouffe struggles to hold in tension the relation between consensus and dissension. On the one hand, she states:

Consensus in a liberal-democratic society is and always will be - the expression of a hegemony and the crystallization of power-relations. The frontier that it establishes between what is and what is not legitimate is a political one, and for that reason it should remain contestable.⁵⁹

On the other hand, Mouffe revokes an element of this radical contestability:

Consensus is no doubt necessary, but it must be accompanied by dissent. Consensus is needed on the institutions constitutive of democracy and on the 'ethico-political values informing the political association – liberty and equality for all – but there will always be disagreement concerning their meaning and the way they should be implemented. In a pluralist democracy such disagreements are not only legitimate but also necessary.⁶⁰

Although these quotes help elucidate Mouffe's notion of a conflictual consensus, the latter statement also reveals the proviso of an underlying adherence to the liberal democratic principles as a criterion and condition for the possibility of disagreeing with the implementation of these principles.⁶¹ The grounding function that Mouffe attributes to the political principles as well as her appeal to Michael Oakeshott's notion of *Societas*,

⁵⁹ Mouffe, *The Democratic Paradox*, 49.

⁶⁰ Mouffe, *On the Political*, 31.

⁶¹ Mouffe argues: "These principles determine a certain type of ordering of the relations that men establish between themselves and their world; they give a specific form to democratic society, shape its institutions, its practices, its political culture; they make possible the construction of a certain type of individual, create specific forms of political subjectivity and construct particular modes of identity." *The Return of the Political*, 52.

reflect a commitment to a certain meta-structure or symbolic space of liberalism that exceeds the ‘precarious, unstable and pragmatic’ nature of these principles.⁶² Mouffe adopts Oakeshott’s view that *Societas*: “is not a mode of relation, therefore in terms of common action but a relation in which participants are related to one another in the acknowledgement of the authority of certain conditions in acting.”⁶³ In Mouffe case, this acknowledgement amounts to the affirmation of the liberal democratic principles as the condition for the possibility of contestation both practically and theoretically. She states: “liberty and equality constitute the political principles of a liberal democratic regime and *should* be at the core of a theory of justice in a modern democracy.”⁶⁴ Mouffe’s subtle transition from an appeal to the pragmatic existence of liberal democratic principles to a continual normative affirmation, projects a meta-structure of liberal democracy that can only be modified but never overcome.⁶⁵

With this in mind, Mouffe’s view of agonism/contestation resembles a kind of quasi-technical debate whose content does not reach the core of identities and our innermost beliefs and convictions. Despite its softened appearance, Mouffe’s liberal ethic is never completely subject to contestation. In some ways, there is a significant tension in Mouffe’s project on this very issue of liberalism and its relation to pluralism. On the one hand, Mouffe recognizes how certain facets of liberalism now present obstacles to an increased pluralization – however, on the other hand, liberalism also necessarily

⁶² Mouffe elsewhere argues: “Democracy requires, therefore that the purely constructed nature of social relations finds its complement in the purely pragmatic grounds of the claims to power legitimacy.” *Democratic Paradox*, 101.

⁶³ Mouffe, *The Return of the Political*, 66.

⁶⁴ Mouffe, *The Return of the Political*, 52.

⁶⁵ Mouffe’s blurring of observational realism with a prescriptive normativity is explored in the second chapter through William Connolly’s critique.

conditions the existence of pluralism.⁶⁶ This tension explains why she cannot completely politicize her commitment to liberalism, which consequently functions as (an albeit) modified criterion for the development of a more pluralist and open democracy. Thus, although Mouffe promotes pluralism, it is an explicitly liberal form of pluralism. Mouffe's commitment to liberalism as a condition for the possibility of pluralism cannot entertain the possibilities of a more dynamic and democratic ordering of difference since: "It is *only* by virtue of its articulation with political liberalism that the logic of popular sovereignty can avoid descending into tyranny."⁶⁷ Thus, while her model no doubt reveals how our present liberal democratic framework can engage the multiplication of different identities, it remains unable to envisage the possibilities of politics and pluralism absent of her modified liberalism.⁶⁸

Liberal democracy as the *de facto* of Mouffe's political imaginary continues to trail her attempts at imagining and complicating politics and pluralism in a way that makes her model a legitimation of liberal democracy rather than a radically democratic project. This critique is only bolstered by Mouffe's own description of what it means to be radical: "...is to aim at a profound transformation of power relations".⁶⁹ Although Mouffe's model enables the process of deepening and extending pluralism, this process remains subject to the liberal definitions of what constitutes plurality. Ironically, Mouffe's critique of Schmitt can be redirected to illustrate this point: "...his distinction

⁶⁶ Mouffe argues: "To take seriously the ethical principle of liberalism is to assert that individuals have the possibility of organizing their lives as they wish, of choosing their own ends, and of realizing them as they think best. In other words, it is to acknowledge that pluralism is constitutive of modern democracy." *Return of the Political*, 104.

⁶⁷ Mouffe, *Return of the Political*, 105.

⁶⁸ In this context, we might recall Karl Marx's description of democracy as the only authentic politics. Democracy implies a normative commitment to the political good of equality. This good implies the value of engaging as equals despite our differences so long as those differences are not predicated on eliminating democratic equality.

⁶⁹ Mouffe, *Democratic Paradox*, 121.

between ‘us’ and ‘them’ is not really politically constructed; it is merely a recognition of already existing borders... On the other hand, however, the unity is presented as a factum whose obviousness could ignore the political conditions of its production”.⁷⁰ Mouffe treats the liberal dimension of modern democracy in much the same manner, not by ignoring the political conditions that gave rise to liberalism, but by treating liberalism as a constitutive factum or element of modern democracy. In so doing, Mouffe precludes even the possibility of developing a more dynamic pluralism without affirming a version of liberalism. Before getting too deep into the criticisms of Mouffe’s project and in essence becoming too re-presentive, I will briefly attempt to situate Mouffe amidst some of her main theoretical interlocutors.

Perhaps the most effective way of situating Mouffe’s project is by comparing it to other political theorists working within the field of democratic theory. Mouffe is both a liberal theorist and a critic of liberalism; she is both a pluralist and a critic of pluralism, a radical and a critic of radicalism. Even-though she considers herself aligned with the agonistic tradition of democratic theory, she has frequently remarked on her differences vis a vis other agonistic theorists such as Connolly and Bonnie Honig. In different ways, Mouffe considers Connolly and Honig part of the same associative tradition as Rawls and Habermas. To appreciate how Mouffe’s dis-associative approach seeks to distance itself from these associative approaches, it is helpful to examine her criticism of Habermas, Rawls, Connolly, and Honig.⁷¹

Against Habermas, Mouffe posits antagonism as an inherent dimension of social life and by extension, the impossibility of the type of inter-subjectivity and rationality

⁷⁰ Mouffe, *Democratic Paradox*, 54-5.

⁷¹ Mouffe, *On the Political*, 12-3.

that grounds the ideality of deliberative democracy. Moreover, Mouffe rejects the idea of a rational consensus without exclusion, because this logic perpetuates the illusion that we could somehow get beyond hegemony and free ourselves completely from power. A final rational consensus is impossible not only at the empirical level, but, more importantly at the conceptual and ontological level. Habermas' ideal speech situation obscures the role of reconciliation as a structuring principle and as a goal of deliberative democracy. Most deliberative democrats recognize this paradox in terms of the consensus that grounds deliberation being a product of some proto-consensual deliberation. Notwithstanding this recognition, Mouffe identifies the deliberative unwillingness to embrace this paradox and give up on reconciliation.⁷² For Mouffe, the deliberative logic thus presumes that underneath all our differences, there is a certain unity that can be brought forth if we are willing to engage rationally. Thus, not only does the Habermasian approach de-politicize rationality, it also presupposes a universal *moral* ground. In so doing it subordinates plurality to unity, difference to identity, and antagonism to consent. For Mouffe, Habermas' disregard for Schmitt's critique of liberal democracy is symptomatic of his unwillingness to recognize the ineradicable dimension of antagonism. Mouffe argues in regard to the deliberative model: "They are unable to recognize that bringing deliberation to a close always results from a decision which excludes other possibilities and for which one should never refuse to bear responsibility by invoking the commands of general rules or principles."⁷³ Not unlike Rawls, Habermas seeks to secure a strong link between liberalism and democracy, which in his case entails the crowding out of liberalism by

⁷² Habermas is by no means the only deliberative democrat to conflate the deliberation required for consensus and the consensus required for deliberation. Seyla Benhabib's appeal to a recursive validation is precisely an attempt to conflate this prioritizing in order to legitimate deliberative democracy.

⁷³ Mouffe, *The Democratic Paradox*, 105.

means of democratic procedures.⁷⁴ However, Mouffe demonstrates that Habermas cannot be as purely proceduralist as he proclaims, since the notion of rationality that governs the ideal speech situation is infused with normativity. Subsequently, the limits that determine Habermas' ideal speech situation are ultimately moral rather than political.

In contrast to Habermas' subtle moral essentialism, Rawls's later formulations suggest an interest based or economic essentialism. And thus, although Mouffe welcomes Rawls's historicized formulation of political liberalism and its emphasis on the political nature of legitimation, she insists that Rawls's unwillingness to acknowledge the role of collective forms of identification undermines the pluralistic claims of his project. In other words, because Rawls is unable to embrace the notion of the de-centered subject and thus the way in which agency and identity are constructed through a variety of discourses and practices, he remains unable to let go of certain grounding interests and the incontestability of certain individual rights. Mouffe states:

The failure of current democratic theory to tackle the question of citizenship is the consequence of their operating with a conception of the subject which sees individual as prior to society, bearers of natural right and either utility maximizing agents or rational subjects. In all cases they are abstracted from social and power relations, language, culture and the whole set of practices that make agency possible.⁷⁵

In this regard, Mouffe aims to demonstrate the artificiality of the neat separation between public and private that governs Rawls's privileging of liberalism over democracy. By relegating pluralism to the private sphere Rawls borders on a politics without politics or a circumscription of the public domain as not subject to politics. Thus, although Rawls claims to have displaced the presence of comprehensive views from politics, this

⁷⁴ Mouffe, *The Democratic Paradox*, 84.

⁷⁵ Mouffe, *The Democratic Paradox*, 95.

displacement itself resides in a comprehensive view of the political, which is why Mouffe argues that: “his conception is not as independent of comprehensive views as he believes.”⁷⁶ Despite these disagreements, it is important to note that Mouffe agrees with the late Rawlsian appeal to the political nature of legitimation and its focus on developing a pluralistic theory *within* the context of a liberal democracy. Subsequently, she also agrees with Rawls “that a theory of justice in a modern democracy should be focused on the means whereby liberty and equality might be realized in our institutions.”⁷⁷ Contrary to Mouffe’s own understanding, the parallels between her project and Rawls’s political liberalism do not end here. Mouffe’s critique of Rawls’s project as circuitous actually ends up being a powerful tool in exposing how her project serves to protect and legitimate liberalism against its hindering of a more dynamic democratic pluralism.⁷⁸

Against Connolly and Honig, Mouffe insists on the impossibility of avoiding the moment of decision - and thus, while she recognizes the importance of the project of opening up or disturbing relations of power, she insists that their approaches fail to offer a productive way of thinking about the political qua the inevitable element of decision. In a recent presentation, Mouffe distanced herself from Connolly and Honig by virtue of their optimism concerning the possibility of reconciling ethics and politics. By extension, Mouffe considers both Connolly and Honig unable to account for the necessarily political limits of pluralism. In other words, neither Connolly nor Honig offers a framework for theorizing who gets included and who gets excluded in the structuring of the political space. Following Mouffe, both Connolly and Honig are stuck in an ethical framework

⁷⁶ Mouffe, *The Democratic Paradox*, 91.

⁷⁷ Mouffe, *The Return of the Political*, 52.

⁷⁸ Mouffe draws attention to this circular nature of Rawls’s project by asking: “What is this if not an indirect form of asserting that reasonable persons are those who accept the fundamentals of liberalism.” *The Democratic Paradox*, 24.

that falls prey to the challenges of ‘the extreme pluralists’. Extreme pluralism advocates narrative playfulness as a way of subverting order and perpetuating dispersion and multiplicity. Because extreme pluralism is exclusively concerned with perpetuating dispersion and multiplicity, it fails to offer an effective ‘framework’ for thinking about politics. In other words, this type of theorizing merely leads to meaningless tropes of subversion for the sake of subversion. By not taking seriously the role of limits, divisions, and authority, the extreme pluralists provide a depoliticized account of politics, which undermines their ability to theorize a pluralist politics.

Judging by Mouffe’s criticisms, she is struggling to find traction between moments of anarchy and authority. Given her understanding that both of these extremes are practically and conceptually untenable, Mouffe attempts to theorize a dynamic of authority and anarchy, structure and plurality, and politics and ethics that maintains both sides of the equation without (inevitably) privileging one feature at the expense of the other. Following Mouffe, the frameworks of Habermas, Rawls, Connolly, and Honig all fall short of this objective by either privileging the moment of authority (moralistic or economic), or the moment of anarchy (disruption and dissension). Having said this, it would seem that one could situate Mouffe’s agonistic pluralism on a plane somewhere between the poles of Rawls and Habermas on one side, and Connolly and Honig on the other. However, Mouffe would resist this positioning by calling attention to the disruption and dissension advocated by Connolly and Honig as insufficiently radical by virtue of its reliance on an ethical essentialism. Hence, the agonistic theories of Connolly and Honig imply the same possibility of overcoming antagonism as the associative approaches of Rawls and Habermas. By extension, Mouffe considers her disassociative

approach the only one that takes seriously the notion of a *radically* pluralist democracy. Taking seriously a radically pluralist democracy consequently requires resisting the reconciliation of ethics and politics as well as the determinate prioritizing of one realm over the other. Whether or not Mouffe succeeds at this task remains for the following chapters to demonstrate.

CHAPTER I

MOUFFE'S LIBERALISM

AND THE IMPORTANCE OF REVISITING THE ROLE OF HEGEMONY

In this section I examine Mouffe's understanding of political liberalism and its role in supporting her agonistic pluralism. Moreover, I analyze her appeal to pluralism as an axiological principle of modern life and the way in which this appeal is predicated on a failure to problematize the liberal democratic hegemony that conditions Mouffe's conception of pluralism as the absence of a "substantive idea of the good life". Accomplishing this task requires exposing Mouffe's symbiotic relation of liberalism and pluralism as an uneasy alliance at best or at worst a case of ideological closure. Finally, I demonstrate, how by simultaneously promoting and betraying the theoretical necessity of an anti-essentialist approach, Mouffe contributes to the liberal democratic hegemony and its role in marginalizing anti-liberal forms of plurality.

Mouffe's Liberal Democratic Imagination

Mouffe's radical democratic project does not entail a rejection of liberalism. In contrast, she argues that the paradoxical relation between liberalism and democracy protects *modern* democracy from permanent political closure. Moreover, this paradoxical relation explains: "why the liberal-democratic regime has constantly been the locus of struggles which have provided the driving force of historical political developments."⁷⁹ Elsewhere, Mouffe's commitments to liberal democracy lead her to proclaim 'the impossibility of finding more radical principles for organizing society.' Accordingly, a radical democratic agenda should not be aimed at the structuring principles of liberal

⁷⁹ Mouffe, *The Democratic Paradox*, 5.

democracy, but rather, *pace* Mouffe, at the way in which neo-liberalism has taken command of the modern democratic discourse.

The success of neo-liberalism can in part be explained by the inability of the political left to formulate an agenda without outright rejecting the liberal discourse. Short of promoting a radical overthrow or simply waiting for this turn of events, the left has failed to develop a viable strategy to contest the hegemony of individual liberty. For Mouffe, the explicitly liberal nature of modern democracies does not stipulate the need to abandon the leftist project. Rather, it shows the importance of reformulating a leftist project whose point of departure is the uniquely liberal nature of modern democracy. Instead of treating the sedimentation of liberalism as a sign of *the* failed revolution, the left must embrace liberalism as a vehicle for deepening and extending the struggle for equality. Thus, contrary to the objectives of traditional Marxism, Mouffe defends the possibility of an egalitarian struggle from within the liberal democratic framework.⁸⁰

Given the context of modern liberal democracy, the struggle for equality implies not only recognizing how liberty is constitutive of modern democracy, but also how liberalism has opened up for pluralism as ‘the end of a substantive idea of the good life’. Instead of dismissing pluralism as a liberal strategy aimed at the dominance of a particular class, the left should embrace pluralism as an axiological principle that opens possibilities for promoting equality across a whole spectrum of new social groups. Mouffe understands pluralism: “to be constitutive *at the conceptual level* of the very nature of modern democracy and considered as something we should celebrate and

⁸⁰ The defense of the possibility of an egalitarian struggle from within the liberal democratic framework derives from chapter two of Laclau and Mouffe, *Hegemony and Socialist Strategy*, 47-91.

enhance.”⁸¹ Mouffe thus *appropriates* the liberal discourse to combat the hegemony of neo-liberalism and to promote a new hegemony that allows for the deepening of pluralism and equality. For Mouffe, this appropriation is not simply voluntary, but rather, follows from the way we inherit concepts, norms and values.⁸² Hence, developing a theory of democracy that ignores the liberal form of modern democracy is a matter of theoretical abstraction. Mouffe’s understanding of the specifically *modern* nature of democracy stipulates the necessary liberal democratic conditioning of the concepts, norms and values employed by democratic theory.⁸³ With this in mind, Mouffe’s diagnosis of modern democracy as liberal is not purely observational, but also prescriptive. Phrased differently, by making *reality* a standard from which to distinguish theoretical abstraction from political theory, Mouffe prescribes the impossibility of transcending liberal democracy.

In this regard, Mouffe’s approach paints a strange portrait of the radical democratic theorist. Contrary to the type of restless critic and contender that Judith Butler envisions, Mouffe contends that there is no getting away from the reality that conditions the theorist’s concepts and commitments.⁸⁴ Thus, whereas Butler considers the task of (critical) theorizing an injunction to continuously contest the limits of the possible, Mouffe’s appeal to the liberal democratic reality serves as a constant reminder of the

⁸¹ Mouffe, *The Democratic Paradox*, 19.

⁸² Mouffe quotes Richard Flathman to develop this idea: “a history in which we have thought about, as we became able to think in that language.” *Democratic Paradox*, 66.

⁸³ Jon Simons offers a similar perspective on the project of radical democracy: “But unlike the revolutionary left, radical democracy holds that no meaningful form of socialism can be achieved without liberal democratic institutions and freedoms...” Tønder and Thomassen, *Radical Democracy*, 150.

⁸⁴ Wenman describes Mouffe’s relation to reality: “As she sees it, this regime represents the historical horizon within which viable political prescriptions (including radical democracy) can be articulated today. This contextual delimitation as the political horizon of our times has its antecedents in the final chapter of hegemony. Mark A. Wenman, “Laclau or Mouffe? Splitting the Difference,” *Philosophy and Social Criticism* 29. No. 5 (September 2003): 591.

necessary captivity or indebtedness of the theorist. Given Butler's critique of Foucault's framework as a formula for political action, one might expect a certain overlap between Mouffe and Foucault. Notwithstanding, Mouffe's positivist appeal differs from Foucault's by employing reality as an internal limit to the radical and dynamic nature of theory. Thus, whereas Foucault's appeal to positivity aims at exposing the contingency of epistemic and political limits, Mouffe's positivism acts as a de-politicized limit to this task. Consequently, instead of problematizing this realism as an instrument for the liberation and empowerment of marginal discourses, Mouffe envisions it as a theoretical limit to the possibility of radically transforming social and political reality.⁸⁵ The radical democratic theorist is thus internally bound by his/her own reality in a way that enables a critique of ideology without ever fully exposing the limits of ideology.

If, following Žižek and Laclau, we understand the subject as emerging in the breakdown of ideology, then Mouffe's approach limits itself to an ideological critique of ideology in which the subject never fully emerges.⁸⁶ In other words, the radical democratic theorist as a subject never ceases being ideological even when confronted by the limits of ideology.⁸⁷ In light of this analysis, Mouffe's understanding of subjectivity is

⁸⁵ This comparison to Foucault's use of positivity is not meant to undermine the appeal to negativity and thus, the importance of a limit from which to make intelligible positivity. Rather, it is meant to illustrate the way in which Mouffe fails to sustain this limit as a critical and contestable vantage-point from which to perform this task.

⁸⁶ In this regard, it is worth recalling Freud's description of himself as both scientist and conquistador. The latter of which suggest a commitment to the possibility of transcending or extending the positivist limits as a component of critical theorizing.

⁸⁷ Butler states: "The commitment to radical interrogation means that there is no moment in which politics requires the cessation of theory, for that would be the moment in which politics posits certain premises as off limits to interrogation – indeed where it actively embraces the dogmatic as the condition of its own possibility. This would also be the moment in which such a politics sacrifices its claim to be critical, insisting on its own self-paralysis, paradoxically as the condition of its own forward movement." Judith Butler, Ernesto Laclau, and Slavoj Žižek, *Contingency, Hegemony, and Universality: Contemporary Dialogues on the Left*, (New York: Verso, 2000), 264.

And: "The demand of criticality itself to refuse the given as the extent of the possible." Butler, Laclau, Žižek, *Contingency*, 267.

curiously torn between Foucault's attempt to disperse the subject and Žižek's emphasis on the dangers of prematurely dispersing the Cartesian subject as a necessary condition for critique.⁸⁸ Although, Mouffe seems closer to Žižek's position on this account, it is critical to stress the difference between Mouffe's liberal democratic subjectivity and Žižek's understanding of subjectivity as either self-relating negativity or the site of *petit objet a* (the unnamable object of desire). Thus, whereas subjectivity for Žižek is a purely negative condition of possibility, Mouffe's appeal to the positivism of liberal democratic subjectivity undermines the possibility of 'traversing the fantasy' and thereby realizing the empty nature of the liberal democratic signifier. In other words, Mouffe's theoretical framework cannot satisfy the demands of criticality and radicality because of the logical necessity she attributes to the liberal democratic reality.

Mouffe's embrace of the liberal discourse distinguishes her project from the radically democratic projects of Žižek, Butler, Ranciere, and Antonio Negri. These projects covet a radical form of democracy absent the limitations and exclusions entailed by a liberal emphasis on rights and liberties. In so doing, they seemingly fall prey to a version of Mouffe's critique of Michael Sandel and Alasdair Macintyre.⁸⁹ This critique simultaneously illustrates Mouffe's commitment to the inescapability of our liberal democratic subjectivity, and the way this mode of subjectivity governs the limits of our political imaginary. The main difference between Mouffe and the radically democratic approaches of Žižek, Butler, Ranciere and Negri revolves around the nature of our political imaginary and by extension, the degree to which liberalism is considered

⁸⁸ This understanding derives from Žižek's *The Ticklish Subject*, and Foucault's *Archaeology of Knowledge*.

⁸⁹ Mouffe states: "their critique of liberalism ignores the characteristics of modern democracy and leads to a rejection of modernity." *Democratic Paradox*, 36.

constitutive of modern democracy and subjectivity.⁹⁰ Borrowing Žižek's terms, this difference concerns the articulation between universality and contingency and more specifically, the degree to which Mouffe's understanding of modernity and liberalism privileges a concrete and exclusive universality. Staying within Žižek's quasi-Hegelian framework, we can say that Mouffe's attempt to collapse the formal principle of universality with its concrete liberal democratic manifestation eliminates the dynamics of the dialectical negation of negation. In other words, by failing to differentiate the particular liberal democratic universality from universality as a negative condition for the possibility of social life and politics, Mouffe eliminates the continual interrogation of the particular universal instantiations. In so doing, she exempts liberal democracy from the radically democratic process of continually interrogating the exclusions and contingencies foreclosed by particular instantiations of universality.

In *Hegemony, Universality and Contingency* Butler, Laclau, and Žižek elaborate the relation between universality and contingency in order to develop a new radical democratic imaginary. By adopting and critiquing the framework developed in Laclau and Mouffe's *Hegemony and Socialist Strategy*, they focus on the necessary role of universality in making intelligible contingency as well as the contingent nature of universality. Given Laclau and Mouffe's understanding of antagonism as an ontological dimension of social life there can be no a priori universality. In turn, the relation between

⁹⁰ While Mouffe differs from these other radically democratic theorists at the empirical level, the real distinction resides on a theoretical level with respect to the nature of political form and action. At an empirical level, this rupture between liberalism and a more radical form of democracy appears in the struggles of feminism, post-structuralism, and Marxism to resist the dominant liberal paradigm and the groups, subjectivities, and classes it privileges.

universality and particularity is made possible by a hegemonic link.⁹¹ The concept of hegemony captures the contextual appropriations of universality and the role of universality in conditioning social and political contexts. In other words, hegemony conceptualizes the idea that all forms of social objectivity depend on relations of power. Power pervades the relation between particularity and universality, which also means that all forms of universality are contaminated. This contamination articulates the way all forms of universality are predicated upon a set of exclusions. It is this set of exclusions that the radical democratic theorist strives to make visible.⁹² Despite their overlapping concerns, Žižek, Butler, and Laclau propose different theoretical frameworks to help conceptualize the relation between universality and contingency.⁹³ Consequently, how we conceptualize this relation between universality and contingency, as well as the role of hegemony, is critical for the type of radical democracy we envisage.

Despite their prominent collaboration, Mouffe's theoretical framework differs from Laclau's in the way she continually concretizes the nature of the universal as a liberal democratic universal.⁹⁴ Laclau argues: "The only democratic society is one, which permanently shows the contingency of its own foundations in our terms, permanently

⁹¹ Butler conceptualizes: "universality as the negative condition of all political articulation", which implies that every particular constructs and participates in a form of universality. Universality is thus always contaminated by the particular and yet, it also contains an element that exceeds the particular. This excess manifests itself in the way particularity becomes more than itself in the act of articulation by virtue of its role in constructing the universal as a condition for the possibility of its particularity. Butler, Laclau, and Žižek, *Contingency*, 3.

⁹² Thomassen captures this motto by emphasizing that: "Radical democracy cannot provide us with a point of view that itself avoids exclusion." *Radical Democracy*, 115.

⁹³ And, in Žižek's case, even to the contingent nature of the formal principle of an empty universality.

⁹⁴ Wenman points to this difference between Laclau and Mouffe in his article *Laclau or Mouffe?: Splitting the Difference*. Unlike Wenman, I argue that this conflation of the empty principle of universality and the concrete liberal democratic universality is a problem for Mouffe. Wenman states: "The political good (universality) is not a pure void, a structural necessity; present only as an absence so that the particular self-interested demands can perpetually seek and fail to impersonate it. On the contrary, the political good is value pluralism, which paradoxically requires a community built upon an empty (formal) good, a good devoid of any substantive content." Wenman, "Laclau or Mouffe," 600.

keeps open the gap between the ethical moment and the normative order.”⁹⁵ Unlike Laclau, Mouffe treats the liberal ethic as the necessary condition for the possibility of democratic normativity. In so doing, Mouffe forecloses the critical gap between the ethical moment and the normative order. While closing this gap provides Mouffe with the type of permanent normative traction she covets, it also surrenders the possibility of contesting the norms and values that govern her version of liberal democracy as a particular instantiation of universality.

Moreover, by presenting the incontestability of the already existing universal of liberalism as a condition for the possibility of contestation, Mouffe underscores the reformist nature of her project as well as her necessary prioritizing of liberalism above radical democracy. Žižek articulates the dangers of this over-commitment to the liberal democratic hegemony:

This means that the left has a choice today; either it accepts the predominant liberal democratic horizon (democracy, human rights and freedoms) and engages in a hegemonic battle within it, or it risks the opposite gesture of refusing its very terms, of flatly rejecting today’s liberal blackmail that courting any prospect of radical change paves the way for totalitarianism.⁹⁶

The effectiveness of liberal democracy is thus intimately bound up with its hegemonic relation to hegemony. By extension, in failing to take seriously hegemony as a contestable category, we jeopardize the possibilities of radical democracy. Mouffe’s response to Žižek brings this liberal democratic ownership of hegemony to the fore:

This is, in my view, the effective way to challenge power relations, not on the mode of an abstract negation but in a properly *hegemonic* way, through a process of disarticulation of existing practices and creation of new discourses and institutions.⁹⁷

⁹⁵Butler, Laclau, and Žižek, *Contingency*, 86.

⁹⁶ Butler, Laclau, and Žižek, *Contingency*, 326.

⁹⁷ Mouffe, *On the Political*, 33.

In making the challenges to liberal democracy conform to the *properly* hegemonic ways, Mouffe provides a regulatory mechanism that curbs the possibilities of radical political transformation. To fully appreciate this curbing of radical political change requires further examining Mouffe's theoretical relation to liberal democracy and by extension the difference between abstract negations and properly hegemonic ways.

Mouffe's appropriation of the liberal discourse contributes to the intensely contested debate over whether theorists can effectively write *into* and *out of* the (modern) liberal democratic hegemony without avowing their own epistemic and political conditioning.⁹⁸ Mouffe situates herself in this debate by distinguishing what she considers the productive post-modern frameworks of Foucault and Derrida from the radical historicizing of Jean-François Lyotard and Jean Baudrillard. For Mouffe, the approaches of Foucault and Derrida effectively bring to the fore the tradition or history of modern democracy that conditions the possibility of our thinking more dynamically about pluralism. Unlike radical historicism, these approaches take seriously our indebtedness to history and tradition, while simultaneously exposing the contingencies that pervade this conditioning. In other words, they do not fall prey to the shibboleths of treating history as one large contingency *a la* Lyotard, but instead, re-cognize the role of dominant discourses and frameworks.

By exposing the fragmented and discontinuous nature of our dominant discourses, Foucault and Derrida provide us with multiple spaces from which to interrogate the exclusions that underlie modern democracy - without of course ignoring the role of the dominant discourse in conditioning these spaces. Along these lines, Mouffe accepts the

⁹⁸ This debate brings to the fore the different approaches to democratic theory such as dialectics, genealogy, deconstruction and pragmatism. From the perspective of this debate it will become clear that Mouffe unintentionally offers a defense of liberal democracy through what we might call a rigid Hegelian dialectic.

conditioning of her position by modern democracy, which for her implies the conditioning by liberalism and its necessary role in bringing about pluralism. Despite her suspicions towards the Foucaultian framework, Mouffe ignores a potentially important distinction between Derrida and Foucault. By displacing Derrida's problematizing of the conditions for the possibility of deconstruction, Mouffe employs the idea that 'the deconstructor is always forced to borrow from the syntactic and lexical resources of the deconstructed' as a sufficient condition for her defense of liberal democracy.⁹⁹ In so doing, she disregards Derrida's attentiveness to the importance of problematizing the conditions of possibility as well as his critique of Foucault's dispersal of the Cartesian subject and the empirico-transcendental discourse. In other words, Derrida much like Adorno, re-cognizes the demands of criticality as intimately bound up with the conditions of possibility underlying this demand for criticality itself. This attentiveness to simultaneous demands of criticality and the necessity of avowing the conditions for the possibility of criticality proves detrimental to Mouffe's model and its claims to radicality and criticality.

Although Mouffe occasionally draws attention to the universal that conditions her position as a *foyer virtual*, the emptiness of this universal is continually undermined by the incontestable role she attributes to liberalism and modernity. Thus, the contingency of Mouffe's position is continually undermined by her appeal to the necessity of liberalism as constitutive of modern democracy and the development of pluralism. In other words, the pluralism of modern liberal democracy can only be understood against the background of its conditioning by liberalism. Subsequently, theorists who propose a more

⁹⁹ Wenman, "Laclau and Mouffe." I return to this thought in greater detail below.

dynamic pluralism against the existence of liberal norms and values must, *pace* Mouffe, begin by acknowledging their indebtedness to liberalism as the necessary universal (ethical register) against which the question of radical democracy and deep pluralism can be made intelligible.

Mouffe predicates the possibility of deepening and extending pluralism upon the continual affirmation of modern *liberal* democracy. In so doing, she employs the impossibility and undesirability of an empty signifier as a sufficient condition for the necessity of liberalism. Politically speaking, the empty nature of the universal is never really empty, which explains Žižek's directive to identify with lack and Butler's appeal to the importance of 'competing universalities' as conditions for radical democracy. Conversely, by inserting liberalism at the heart of this emptiness, Mouffe limits a more dynamic democratic politics. The possibilities for what we could become is thus continually limited by what we are in a way that forecloses ruthless critique or relentless erudition. Mouffe's defense of the specifically liberal universal as the most open ended and (contingency conducive) of universals falls prey to the same logic as the boy who identifies the emperor's nakedness.¹⁰⁰ Even when exposed as naked, the emperor remains emperor in the space that enabled his posing naked. The fact that the emperor remains the agent of his own exposure, albeit mediated by the young boy, makes his power all the more difficult to resist. In this context, the role Mouffe attributes to liberalism ends up paralleling Hans Christian Andersen's fairy-tale, *The Emperor's New Clothes*, in the way it poses as an empty-signifier under the umbrella of liberalism. Granting liberal democracy a privileged role in terms of exposing its own conditioning by relations of

¹⁰⁰ Hans Christian Andersen, *The Emperor's New Clothes*.

power does not provide a sufficient condition for its necessary role in conditioning all forms of exposure.

Mouffe's de-politicized commitment to liberalism becomes apparent in her attempt to genealogically undermine what she characterizes as the traditional affinity between liberalism and rationality, individualism, chauvinism and capitalism. Despite the attempt to modify and soften its appearance, Mouffe continues to defend liberalism as a necessary condition for the possibility of pluralism. The problem with this privileging of liberalism can be made visible through the theoretical discourses of Adorno and Foucault. Theoretically speaking, Mouffe's prioritizing of the dominant liberal discourse mirrors Adorno's initial prioritizing of critical reason. However, contrary to Mouffe, Adorno recognizes this prioritizing as a conceptual priority that stipulates a critical orientation to our mediating devices. Moreover, it is only through such a critical orientation that we can catch a glimpse at the necessarily limited and subjective nature of our inquiry. Without cultivating what Adorno calls a 'distant nearness', mediation interferes with a critical orientation by privileging agency at the expense of receptivity. With this in mind, Mouffe's emphasis on the necessity of liberal democracy and the liberal democratic subject never succeeds in cultivating the distance required for the object to show itself. Hence, Mouffe's model proves too 'near' to expose the contingency of the liberal democratic regime and its dominant mode of subjectivity.¹⁰¹

Foucault's genealogy offers another lens through which to observe Mouffe's insufficiently critical deployment of liberalism. Foucault erases the divisions between the

¹⁰¹ Given the conceptualization of radical democracy as a regime of political self-reflexivity/criticality Adorno's appeal to a critical orientation may provide an effective model for theorizing the tension between ethics and politics. I return to Adorno's framework and its conduciveness for radical democracy at the end of this chapter.

subject who performs the genealogy and the subject whose subjectivity is erased by the genealogy. In so doing, Foucault undermines the inescapability of liberal democratic subjectivity and unlocks the micro-politics that pervades the subject. By unlocking this micro-political dimension, Foucault opens subjectivity up to and for contestation. While this type of opening up might seem intensely democratic, it jeopardizes politics by overstating the contingency of the dominant discourses and their hold on the realm of possibilities. Thus, despite their contingency, these discourses *do* frame social spaces in exclusionary and dominant ways. Engaging these dominant and exclusionary frameworks is the work of politics - and while an ethics can complement this task, it cannot provide the necessary means to contest the relations of power underlying these frameworks. Consequently, the effectiveness of Foucault's approach as a political project hinges on his avowal or disavowal of the *modern* subject and by extension, on his ability to re-write the conceptual prioritizing of the subject. In this regard, it is worth noting that while Adorno laments the avowal of subjectivity as a condition of the damaged nature of life and reflection, Foucault ultimately retreats to a 'care of the self' and consequently, to an ethics rather than a politics. With this in mind, Foucault's 'retreat' showcases the difference between avowing (sustaining) and disavowing (dispersing) the dominant structures of subjectivity. This seemingly trivial difference not only governs how we theorize the dynamics of social life, but also what type of radical democracy or democratizing we consider most effective.¹⁰²

¹⁰² Both of these approaches embrace the receptivity of the subject and yet their conceptions of agency differ significantly. Whereas Foucault's genealogy aims to liberate agency by de-centering it, Adorno's model retains an agential dimension in the appeal to mimesis. In terms of political agency, this difference is summarized by Jon Simons: "Theories of abundance (resistance is fertile) Theories of lack (resistance is futile)" Tønder and Thomassen, *Radical Democracy*, 159. Clearly this characterization is skewed by Simons's own commitment to a theory of abundance aligned with Foucault's model.

Treating radical democracy as *the* preferred political structuring of our relation to ‘the impossibility/possibility of the social’ requires interrogating the distinction between the possible and the impossible.¹⁰³ In Foucault, this distinction between the possible and the impossible occurs against a background of what Tønder and Thomassen have called ‘an ontology of abundance.’¹⁰⁴ In contrast, Adorno’s *Negative Dialectics* rests on ‘an ontology of lack’ in which the subject is always struggling with the loss of the object as the condition for the possibility of the subject. Both of these approaches testify to the difficulty of theorizing the dynamics of social life and the type of ruthlessness or relentlessness demanded by this task.¹⁰⁵ Mouffe recognizes the delicate nature of this task and the importance of continuously investigating the distinction between the possible and the impossible. However, despite this recognition Mouffe’s politics betrays this delicate tension by treating the liberal conditioning of pluralism as a necessary historical given and thus as the determinate horizon of the possible. By treating liberal democracy as the necessary condition for a radically democratic theory, Mouffe’s approach gives in to the fear of itself and the powers to be. In other words, Mouffe refuses to problematize the distinction between the possible and the impossible as a political distinction and thus as a powerful instrument to preserve the status quo. Hence, contrary to Foucault’s genealogical attempt to disperse subjectivity and Adorno’s attempt to dialectically

¹⁰³ Both Laclau and Mouffe have repeatedly appealed to the impossibility of capturing the totality of the social as a condition for the possibility of the social. Wenman describes it thus: “According to Laclau (and Mouffe) the openness and indeterminacy of ‘the social’ – and the consequent impossibility of society-as-totality – is a necessary but insufficient condition of social relations. Without some sort of fixity social relations would simply be chaos. Wenman, “Laclau or Mouffe,” 588.

¹⁰⁴ Tønder and Thomassen define these differences as the ontological imaginary of abundance that emphasizes a never receding pluralization and the ontological imaginary of lack that emphasizes the need to build hegemonic constellations in *Radical Democracy*, 2.

¹⁰⁵ Tragedy or science fiction respectively.

transcend the subject, Mouffe settles for an undisclosed and uncritical account of liberal democracy and its dominant modes of subjectivity.

By affirming the necessary conditioning of pluralism by liberalism, Mouffe not only limits the dynamic and open nature of her inquiry, but also, the extent to which the democracy she advocates can take seriously the demands of pluralism. Phrased differently, Mouffe's master-narrative of liberalism never quite opens itself to the contingencies that pervade its mastering role. Instead, Mouffe uses the Lacanian emphasis on the necessity of a master-signifier (as a condition for the possibility of the discursive field) to legitimate her political liberalism. In this context, Mouffe's appropriation of the Lacanian framework mirrors her use of deconstruction in the way it conflates the theoretical necessity of a structuring principle and the defense of liberal democracy (as the most conducive political candidate for this role). Mouffe thus concretizes the role of the master-signifier by giving positive content to what is a purely negative condition for the possibility of discourse and intelligibility. Žižek's use of the Lacanian framework illustrates Mouffe's selective appropriation:

Precisely because of this internality of the Real to the symbolic, it is possible to touch the Real through the symbolic (whole point of Lacan's psychoanalytic act) An act does not simply occur within the given horizon of what appears to be possible – it redefines the very contours of what is possible (an act accomplishes what, within a given symbolic universe, appears to be impossible, yet it changes its conditions so that it creates retroactively the conditions of its own possibility.¹⁰⁶

In other words, Mouffe's appeal to liberalism as a necessary condition for the possibility of pluralism forecloses the realm of possibility by failing to acknowledge the contingency

¹⁰⁶ Butler, Laclau, and Žižek, *Contingency*, 121.

of the impossible/possible distinction.¹⁰⁷ By ignoring Lacan's framework as an opening for continual contestation, Mouffe undermines the possibility of a psychoanalytic act as well as the importance of contesting the conditions of possibility for any given political reality - including liberal democracy.¹⁰⁸ Hence, instead of simply accepting the criteria that presently determine the realm of possibility, we must continue to interrogate these criteria and their conditionality upon the concrete universality that structures contemporary liberal democracy.¹⁰⁹

Liberalized Hegemony

Despite endorsing an axiological conception of pluralism, Mouffe insists on the necessity of political structure/form. For Mouffe, we cannot speak of politics without acknowledging the necessity of political structure. Moreover, we cannot differentiate pluralism from sheer difference without appealing to a political structure.¹¹⁰ Mouffe is by no means the only theorist who rejects the Deleuzian inspired agendas of sheer difference as a-political. Notwithstanding, her commitment to liberal democracy as *the* privileged political form raises the question whether her project is simply another apology for the

¹⁰⁷ Following Stavrakakis we might say that: "while not everything is possible, something else is possible." Along these lines, Mouffe falls prey to a version of the anti-utopianism that limits our imagination from extending the realm of the possible. Tønder and Thomassen, *Radical Democracy*, 199.

¹⁰⁸ One way of understanding this critique is in terms of Žižek's notion of premature transformation and the way a psychoanalytic act retrospectively transform the relation between possibility and impossibility. Two examples of this would be the fall of the Berlin Wall and the Athenian Revolution. In both cases the prevailing status quo seemingly dictated the impossibility of the reality that was brought about by such premature acts of transformation.

¹⁰⁹ Romand Coles summarizes this commitment in his description of Žižek's project: "However, in contrast to those who seek to convert the act sustained character of their order into a new positivity that disavows the contingency of the act, Žižek urges us to assume responsibility for the undecidable void of our contingency, thus radicalizing the democratic invention in which the contingency and gaps of power are transformed from being merely obstacles into becoming the condition of powers legitimate exercise. Tønder and Thomassen, *Radical Democracy*, 75.

¹¹⁰ Deleuze's account of difference as difference absent of differentiation and the structures of identity can be observed in *Repetition and Difference*.

type of bourgeois, rationalist, individualist pluralism she attributes to traditional liberalism. By appropriating/inheriting the discourse of liberalism, Mouffe deliberately subjects her project to the all too familiar critiques of liberalism.¹¹¹ However, these objections are largely silenced the moment one realizes that her conception of liberalism entails very few, if any, of the features that have prompted many radical democratic theorists to reject the tenets of liberalism.

Given her extensive work on hegemony, it is hardly surprising that Mouffe identifies the liberal discourse as hegemonic and thus, as one particular production of ‘social objectivity’. With this in mind, it is all the more surprising to discover that Mouffe falls prey to a theoretical/political problematic of liberal democracy.¹¹² Thus, despite her attentiveness to the liberal democratic hegemony, Mouffe fails to problematize the liberal democratic conditioning of her own theoretical framework. In this section, I will show how this failure derives from Mouffe’s attachment to the liberal ethic as an *incontestable* criterion for her agonistic pluralism. Consequently, Mouffe’s recourse to a liberal ethic allows us to identify the way her use of hegemony stifles the development of a radical democratic imaginary. Thus, by examining Mouffe’s notion of hegemony as embedded in her liberal democratic problematic, we can observe how her liberal democratic framework depoliticizes the presumed superiority of the liberal democratic regime.¹¹³

¹¹¹ See *Liberalism and Its Critics* and *Democracy and Difference*.

¹¹² Althusser’s notion of the problematic that Glucksmann describes as follows: “Althusser means by the term ‘problematic a defined theoretical structure of conceptual framework which determines the forms of the posing of all problems and what is seen as relevant to the problem” Miriam Glucksmann, *Structuralist Analysis in Contemporary Social Thought: A Comparison of the Theories of Claude-Levi Strauss and Louis Althusser*. John Rex, ed. (New York: Routledge, 1974), 3.

¹¹³ One of these questions would be: what would happen to difference or plurality if the separation between public and private ceased to exist? And subsequently, what makes pluralism as opposed to Marxist emancipation the cardinal virtue?

The refusal or inability to politicize the superiority of the liberal democratic regime infuses Mouffe's understanding of pluralism and its relation to liberalism. What stands out about Mouffe's conception of pluralism is its necessary relation to liberalism and the role of liberalism in bringing about the end of the substantive idea of the good life. Mouffe argues:

To take seriously the ethical principle of liberalism is to assert that *individuals* should have the possibility of organizing their lives as they wish, of *choosing* their own ends, and of realizing them as they think best. In other words, it is to acknowledge that pluralism is constitutive of modern democracy.¹¹⁴

Contrary to what this quote suggests, Mouffe does not vindicate the liberal emphasis on the individual but rather considers (atomistic) individualism an obstacle to the project of deepening and extending modern pluralist democracy. And thus, while the role of liberalism in bringing about pluralism warrants holding on to certain 'individual' rights and liberties, it is imperative to resist the type of atomist individualism that threatens the collectivity or generality. Mouffe recognizes the hegemonic nature of the category of the individual, which allows her to problematize Rawls's theory of reasonable consensus and its emphasis on the primacy of the rational individual.¹¹⁵ Notwithstanding this recognition, Mouffe's appeal to the language of choosing hints at her insufficient problematizing of liberal democratic hegemony.

Mouffe's notion of choice with its emphasis on 'individuals choosing their own ends' tracks an explicitly liberal understanding of choice. Considering her conception of hegemony, Mouffe no doubt realizes the role of liberal democracy in conditioning our specific understanding of choice. However, despite this realization, Mouffe displaces the

¹¹⁴ Mouffe, *Return of the Political*, 104.

¹¹⁵ This criticism of liberal theory and Rawls in particular as prioritizing the individual above the community has been advanced by a variety of theorists including Sandel, MacIntyre, and Taylor.

possibility of problematizing the underlying register of choice by treating the axis choice, pluralism, and liberalism as incontestable and unproblematic. In so doing, she depoliticizes the nature of choice and bolsters the dominant liberal understanding of choice. Beiner describes the liberal prioritizing of choice: “My argument is that liberalism itself instantiates *one* particular vision of the good, namely that choice in itself is the highest good.”¹¹⁶ In addition to treating choice as the highest good, liberalism also treats choice as exempt from its dominant norms and values. This treatment relegates choice to a private matter in a way that prevents choice from choosing anything other than itself and the liberal register of choice. Accordingly, by circumscribing the underlying register of choice, Mouffe reinforces the liberal democratic governance of this register. Mouffe thus disregards the role of (hegemonic) meta-choices or decisions in conditioning what qualifies as a choice and how to choose.¹¹⁷ A closer inspection of Mouffe’s modified, softened, and sanitized version of liberalism further illustrates this depoliticizing of liberal democracy.

Contrary to what she deems the traditional liberal commitment, Mouffe does not consider individualism, economic liberalism, or rationalism intrinsic features of liberalism. In contrast, she insists on the need to sever *political liberalism* from its entanglement with the features of laissez-faire economics, atomist individuality, and enlightened rationality:

¹¹⁶ Ronald Beiner, *What is the matter with Liberalism?*, (Berkeley: University of California Press, 1992), 25. Both Connolly and Beiner draw attention to the importance of resisting closure in a way that sustains the tension between Mouffe albeit modified affirmation of the individual and the outright rejection of the individual common among liberal critics. William Connolly, *Why I Am Not a Secularist*. Minneapolis: University of Minnesota Press, 1999.

¹¹⁷ Slavoj Žižek, “Toleration as an Ideological Category,” *Critical Inquiry* 34, No. 4 (Summer 2008): 660-682. Žižek articulates this ideological nature of choice and toleration in his essay. Despite his skepticism towards these liberal norms, Žižek rejects Brown’s and Butler’s Foucaultian logic and its premature dismissal of form, universality or structure.

To defend liberalism, we must *separate* what constitutes liberal thinking's fundamental contribution to democratic modernity – namely, pluralism and the whole range of institutions characteristic of political liberalism from other discourses that are often presented as forming an integral part of the liberal doctrine.¹¹⁸

By drawing from the work of Macpherson, Bobbio and Blumenberg, Mouffe aims to demonstrate how the development of a pluralist democracy and a new egalitarian imaginary is conditional upon not abandoning political liberalism and its tenets of constitutionalism and rights.¹¹⁹ Because pluralism is conditional upon liberalism, Mouffe argues that socialist objectives such as 'the democratization of the economy' can *only* be realized within a liberal democratic framework. By displacing those features of liberalism that have provided the backbone for many of the feminist, communitarian and Marxist critiques of liberal democratic hegemony, Mouffe is strategically softening the conditioning role of power and exclusion. In this respect, Mouffe's approach contains a Rawlsian dimension in its attempt to exclude or minimize the comprehensive views that trail the adherence to liberal principles.¹²⁰ Consequently, Mouffe aims to build support for liberal democratic hegemony by downplaying the exclusionary nature of the commitments that qualify the adherence to liberalism. Not surprisingly, this has led several liberal theorists to denounce Mouffe's liberalism as a strain of liberalism without liberality.

¹¹⁸ Mouffe, *Return of the Political*, 123.

¹¹⁹ Mouffe's analysis of Blumenberg is the most productive of these encounters; not only insofar as it brings to the fore the modern denial of the unsocial tendencies in Kant's famous appeal to unsocial sociability, but also in the way Mouffe attempts to legitimate liberal democracy as a regime uniquely able to accommodate this Janus-faced condition of human life. Examining the dialectic between Sade and Rousseau no doubt offers a productive vantage point for thinking about the politics of modernity but it hardly suffices to solidify the superiority of liberal democracy.

¹²⁰ Mouffe describes this important role of liberalism and its relation to Rawls: "Rawls indirectly points to this fact when he explains that a liberal view removes from the political agenda the most divisive issues." Mouffe, *Return of the Political*, 152.

While this line of criticism is right to be skeptical of what remains liberal in Mouffe's account, it ultimately fails to recognize how her project might open hitherto closed doors for a defense of liberalism. Mouffe's liberal reductionism never ceases being liberal if only in the way that this process of reduction is grounded in a lasting allegiance to liberal democratic legitimacy.¹²¹ That said, critics of liberalism and radical democratic theorists cannot allow the liberal critique of Mouffe's project to cloud the fact that her liberalism is sufficiently liberal to warrant a critique of its internal logic. Without this critique, Mouffe's project/problematic reinforces the liberal democratic hegemony in a way that embeds the question about radical democracy in a liberal democratic framework. Mouffe's use of hegemony, as a central component of her problematic, never escapes the circuitry of presupposing and confirming the inescapability and superiority of liberal democracy. By treating hegemony as partially exempt from relations of power, Mouffe forestalls the realization of the liberal democratic hegemony of hegemony.¹²² Mouffe would no doubt renounce this line of critique by stressing the avowedly liberal democratic conditioning of her problematic and her use of hegemony. Notwithstanding this emphasis, Mouffe depoliticizes the conditions of possibility of hegemony by sublimating the possibility of contesting the liberal democratic conditioning of hegemony. This quasi-solipsistic logic shadows Mouffe's entire project in the way she

¹²¹ Argument derived from Wenman, "Laclau or Mouffe?"

¹²² Žižek describes a version of this thought in his critique of Laclau's use of hegemony: "My point, however is precisely that it is Laclau's theory of hegemony itself which relies on an unreflected gap between the descriptive and the normative, in so far as it functions as a neutral conceptual tool for accounting for every ideological formation. Butler, Laclau, and Žižek, *Contingency*, 229. As Norval points out Laclau has answered this critique by appealing to the contestable nature of hegemony: "*In new Reflections*, where Laclau discusses the theoretical radicalization of hegemony – he points out that the signifier – such as democracy – around which hegemonic projects are articulated, are in principle 'floating'. That is, they can be articulated to different projects, and the projects themselves equally lack essential characteristics." Tønder and Thomassen, *Radical Democracy*, 94.

aims to bolster an already existing form of liberal democracy whose norms and values cannot be contested by virtue of their role in shaping her problematic and objectives.

In addition to her strategic softening and sanitizing, Mouffe defends political liberalism by arguing that most theoretical defenses of pluralist democracy presuppose a particularly liberal understanding of democracy. In turn, Mouffe calls out those theorists who are skeptical of the discourse of liberalism by drawing attention to their versions of democracy as explicitly liberal versions of democracy. This rhetorical move performs the same softening role as the displacing of comprehensive views insofar as it aims to assuage any skepticism regarding the superiority of the liberal democratic hegemony in supporting the modern condition of pluralism. Despite dismissing notions of liberal democracy as a neutral framework, Mouffe's rhetorical use of softening and displacing aim to assuage the hegemonic dimension of liberal democracy. While assuaging the exclusionary tendencies of liberal democratic hegemony may itself be a praiseworthy political objective, it cannot be allowed to obfuscate the continued role of power and exclusion in supporting liberal democratic hegemony. And thus, it is crucial to stress that although Mouffe's *liberal socialism* rejects all of the economic, rational and individualist components of liberalism, it retains a version of the liberal emphasis on certain rights, 'individual' freedoms and private autonomy as *central* components of modern pluralist democracy. Hence, while hegemony might prove an extremely productive category for the project of radical democracy, it cannot be allowed to function as exempt from power relations, particularly given the necessarily liberal democratic nature Mouffe assigns it.

By retaining certain rights and liberties, Mouffe's commitment to liberal democracy also retains a hegemonic dimension that limits the types of plurality that can

be embraced. Embracing a contestable view of politics does not allow for the immunization of certain values, but entails a view of right, freedom and autonomy as *aporias* in continual need of contestation. Even if these values are meant as empty placeholders or platonic forms, Mouffe implicitly dictates the terms and conditions of contestation by giving explicit normative content to these forms.¹²³ While this explicit content is part of the liberal democratic hegemony that conditions Mouffe's writing, it cannot overwrite the critical role of contesting and stretching the nature of our political imaginary. This argument is not meant to suggest the possibility of overcoming hegemony, but rather the importance of continuously politicizing the norms and values we retain in defending liberal democracy as the political structure/regime most conducive to pluralism. In other words, if we aim to take pluralism seriously as something more than a selective plurality, we cannot simply retain a privileged political structure with its essential norms/values and hope that it escapes the charge of depoliticization.

Even granting liberalism a role in conditioning the possibility of pluralism does not provide a sufficient condition for its de facto immunization from democratic contestation. By calling attention to the ontological nature of contestation Mouffe places contestability at the center of her theory. In so doing, she accepts the contestability of all norms and values, including paradoxically those that make contestation possible. In Mouffe's case these conditions are not only given conceptual but also normative force in the form of the explicitly liberal democratic principles of contestation.¹²⁴ Thus, Mouffe

¹²³ Incidentally this is why Trainor's critique of Mouffe's project as disregarding the role of Agathon and Platonic idealism seems misplaced. Brian Trainor, "Politics as a Quest for Unity: Perspectivism, Incommensurable Values and Agonistic Politics," *Philosophy and Social Criticism* 34, no. 8 (October 2008): 905-924.

¹²⁴ In this regard, Mouffe's logic departs from Gillian Rose's famous statement "that the only unconditional is the conditionality of everything" by smuggling in a necessary liberal democratic normativity into our understanding of un-conditionality.

privileging of liberal democracy is dependent upon her conflation of the ontic and the ontological. Without this conflation, Mouffe is unable to defend her claim that liberal democracy is *the* privileged regime for transforming antagonism into agonism.¹²⁵ Several deliberative democrats, like Knopps and Erman, have recently targeted Mouffe's transformation of antagonism into agonism. In so doing, they emphasize the way Mouffe's implicit dependence on a liberal democratic consensus violates her commitment to the ontological nature of contestation.

Anticipating this line of critique, Mouffe warns that "the democratic logic of identity of government and governed cannot alone guarantee respect for human rights. It is only by virtue of its articulation with political liberalism that the logic of popular sovereignty can avoid descending into tyranny."¹²⁶ Mouffe is explicit about the importance of preserving certain rights to ensure that pluralism can thrive. However, since certain individual rights also jeopardize the commitment to citizenship, participation and the general good, Mouffe seeks to promote a notion of collective democratic rights based on a non-individualist conception of individualism.¹²⁷ She states: "I have already referred to the necessity of a concept of democratic rights; rights which while belonging to the individual can only be exercised collectively and which presuppose the existence of equal rights of others."¹²⁸ In other words, Mouffe seeks to establish a tension between rights and the good in order to develop a pluralist liberal democracy that neither surrenders pluralism nor the possibility of a commitment to a

¹²⁵ In turn, this transformation hinges on a de-politicizing of the extremes of both friends and enemies that I explore in the third chapter.

¹²⁶ Mouffe, *The Return of the Political*, 105.

¹²⁷ See *Liberalism and Its Critics*, as well as footnote 12.

¹²⁸ Mouffe, *Return of the Political*, 19.

reformulated version of democratic normativity.¹²⁹ She states, “we need to re-establish the lost connection between ethics and politics but this cannot be done by sacrificing the gains of the democratic revolution.”¹³⁰

Mouffe defends a political liberalism based on its ‘cardinal virtue of plurality,’ and thus, any attempt to sever pluralism from liberalism and to abandon the liberal emphasis on liberty and rights, undermines the existence of modern pluralist democracy. Mouffe states: “I believe that the consequences of rejecting liberal pluralism should be understood by those on the left who are aiming to achieve a perfect democracy and see liberalism only as an obstacle to such an ideal.”¹³¹ In other words, those theorists who endorse a pluralism of values, goods and principles under the auspices of a purely egalitarian framework unintentionally undermine those very rights and liberties that condition the existence of pluralism and the project of radical democracy. By juxtaposing her emphasis on the importance of retaining certain liberal essences to those theorists who argue for the possibility of limiting/eliminating the liberal democratic hegemony, Mouffe collapses the difference between the necessity of a political ordering/form in conditioning the existence/intelligibility of pluralism and the necessarily liberal-democratic nature of this order.

¹²⁹ To further understand why Mouffe is unwilling to let go of liberalism requires examining the way she conceives of the relation between rights and the good. For Mouffe, Rawls is correct in stressing the primacy of right over good, and yet, Mouffe also agrees with Charles Taylor that all rights presuppose some elementary definition of the good. This explains Mouffe’s assertion that there can never be an absolute priority of the right over the good. However, despite granting the impossibility of such an absolute priority, Mouffe seeks to develop a certain primacy of rights to protect against the tyranny of the majority and consequently, against the violations of the minority. The absence of such a guarantee motivates Mouffe’s concern with rights and their relation to a liberal ethical voice that can hold a homogenous democratic definition of the good in check. Subsequently, Mouffe attempts to restore normativity to politics without appealing to a communitarian return to a general unified good.

¹³⁰ Mouffe, *Return of the Political*, 65.

¹³¹ Mouffe, *Return of the Political*, 110.

While Mouffe's emphasis on the necessity of political form is critical, it does not suffice to legitimate liberal democracy as the superior regime. Mouffe is struggling with what Robert Talisse identifies as the dilemma that plagues liberal theory in terms of its simultaneous commitment to pluralism and its claim to normative superiority. Mouffe attempts to resolve this dilemma by grounding her defense of liberalism in its fundamental commitment to pluralism as well as its paradoxical relation to democracy. Notwithstanding, she disregards the dilemmatic dimension by conflating the pluralistic norms of pluralism with the singular norms of liberalism. Even grating Mouffe the non-singular norms of liberalism fails to resolve this dilemma. Liberalism on Mouffe's own account requires limits and while, the limits are democratically decided, they remain subject to a democratic decision patrolled by the norms and values of liberalism. Consequently, unless pluralism is code for liberal, liberalism cannot substitute for an undifferentiated endorsement of plurality.

By employing the necessary role of political form as a justification for liberal democracy, Mouffe reveals her inability or unwillingness to explore the boundaries of liberal democratic hegemony. Moreover, by staging liberal democracy as simultaneously inescapable and desirable, Mouffe's problematic both mimics and fortifies the auto-legitimizing character of the liberal democratic hegemony. Beiner summarizes this tendency towards liberal democratic auto-legitimation in a way that highlights Mouffe's inability to problematize the liberal democratic conditioning of her problematic: "For of course it would be impossible for us to make sense of why we put liberty ahead of perfection if we disregard the fact that we had already defined liberty (meaning freedom

of choice) as the good”.¹³² Mouffe’s affirmation of the liberal hierarchy of norms and values reflect her acceptance of the liberal democratic definitions of pluralism, liberty, individuality and choice. Despite adjusting these definitions, Mouffe never fully opens up her problematic and the Leviathan like role she attributes to liberal democracy. To further explore Mouffe’s commitments to liberalism and the way these commitments reflect an impoverished normative understanding of the democratic process, I now turn to her selective use of Claude Lefort.

Mouffe’s Democracy: More Structure than Practice

Mouffe envisages pluralism as a *distinct* phenomenon of the *democratic revolution* and by extension, as a condition of modern liberal democratic life. Along these lines, pluralism is: “linked to the abandonment of a substantive and unique vision of the common good and of the *eudaemonia* which is constitutive of modernity. It is also at the centre of the vision of the world that might be termed liberal.”¹³³ Mouffe thus transplants Lefort’s idea of the democratic revolution by stressing the role of liberalism in doing away with a singular conception of the good life. Unlike Lefort’s understanding of the vacuous nature of democratic power, Mouffe’s appeal to the absence of a singular form of eudemonia implies what Beiner calls the ‘liberal ethos as a lack of ethos.’¹³⁴ Mouffe rightly contends that: “...a liberal democratic regime cannot be – agonistic concerning

¹³² Beiner, *What is the Matter with Liberalism?*, 26.

¹³³ Mouffe, *Return of the Political*, 120.

¹³⁴ Beiner, *What is the Matter with Liberalism?*, 22. Beiner considers this lack of ethos not only chimerical but more importantly a reason to return to Aristotle and his emphasis on the necessity of the ‘glue required to hold a community together.’

the political good since it affirms the political principles of liberty and equality.”¹³⁵

However, while a radically democratic regime cannot be agnostic concerning the political good, it can certainly be critical of its political good. Without this critical dimension, the political good hardly qualifies as radically democratic and contestable, but instead as a lever to continuously affirm the necessity of liberal democracy.¹³⁶ By disregarding how the vacuous place of power involves an injunction to continuously politicize our practices and institutions, Mouffe fails to sustain Lefort’s dynamic tension between democratic politics as both form and practice.

James Ingram’s article “The Politics of Claude Lefort’s Political” brings to the fore Lefort’s internal struggle between liberalism and radical democracy by focusing on his two most prominent students Abensour and Gauchet. By demonstrating how the schism between these two students resides in their respective alliances to liberalism and democracy, Ingram provides a framework for characterizing Mouffe as a right-Lefortian. Ingram quotes Abensour responding to Gauchet’s attack that he: “...can see nothing in this irresponsible radicalism but a corruption of democracy’ thus:

If you agree to see in democracy something other than a political regime...if you can recognize in it a specific political institution of the social that accommodates conflicts rather than hides it, that multiplies the spaces for collective intervention, that circulates the will to autonomy in all spaces of the social, that provokes a series of experiences of political freedom...then, far from being frozen into its result, a form, it is to be conceived as a process, an endless breakthrough.¹³⁷

¹³⁵ Mouffe, *Return of the Political*, 32.

¹³⁶ In this context, Marx’s description of democracy as the only authentic politics offers a starting point for thinking about democracy as implying a normative commitment to the political good of equality. This good implies the value of engaging as equals despite our differences so long as those differences are not predicated on eliminating democratic equality.

Ingram, James, “The Politics of Claude Lefort’s Political: Between Liberalism and Radical Democracy,” *Thesis Eleven* 87, no. 1 (2006): 41.

Mouffe's emphasis on the necessity of political form and the role of democracy as a regime aligns her project with Gauchet's perspective. In turn, as a political form, democracy requires the type of normative grounding that Abensour so vehemently opposes. Mouffe's liberal democracy thus suffers from the very defensiveness that motivates Abensour's call to democracy as political action rather than a crystallized form. Abensour is by no means the only theorist to defend democracy as a practice and more specifically as a practice that contains a normative element in the continuous drive for equality. Ranciere writes:

Democracy is the 'staging of the very contradiction between the police logic and political logic. Democracy happens when the incommensurability between the order of the inegalitarian distribution of social bodies and the order of the equal capacity of speaking beings in general become visible.'¹³⁸

In contrast, Mouffe's defensiveness is predicated upon the supposed lack of a democratic normativity. This supposed lack of democratic normativity lends itself to a type of *modus vivendi* legitimation, which continually opens itself for democratic contestation. Unlike Mouffe's legitimation of liberal democracy, this *modus vivendi* legitimation acknowledges its own political nature by embracing the risks of politicizing and rendering contestable all forms of normativity. Carol Gould describes the insufficient normative traction provided by Lefort's model:

The centrality of the freedom of individuals in this view provides a normative basis for assuring their human rights against majorities in a constitutional framework within which decision-making by majorities can rightfully proceed. It seems to me that Lefort's account does not offer such normative support for the rights that both of us agree need to be protected.'¹³⁹

¹³⁸ Jacques Ranciere, *Dis-agreement: Politics and Philosophy*, Julie Rose, tr. Minneapolis: University of Minnesota Press, 1999, 42.

¹³⁹ Carol Gould, "Claude Lefort on Modern Democracy," *PRAXIS International* no. 3+4 (1991): 345.

This appeal to the need for protection goes a long way in explaining the tension between ethics and politics and whether giving in to this need invariably sacrifices an element of contestability - and if so whether we ought to covet practices that can help us sustain this need by simultaneously interrogating the political through the ethical and the ethical through the political. Mouffe's persistent return to the liberal ethic can be explained by her unwillingness to embrace the risk of politicizing the normative roots of liberal democracy and thus to embrace the interrogation of the ethical by the political.¹⁴⁰ Although Mouffe's refusal to embrace the risks of a *modus vivendi* legitimation is understandable (given the possibility of a totalitarian majority), it is possible to conceive of a *modus vivendi* legitimation of democracy whose normative dimension hedges against these risks. In other words, it is possible to conceive of a political legitimation of democracy without jeopardizing democracy itself or falling prey to Mouffe's depoliticized appeal to the liberal ethic.¹⁴¹

Depending on our vantage point, Mouffe's recourse to the liberal ethic simultaneously impedes and incites a totalizing politics. If we take seriously Mouffe's claim that democracy lends itself to a totalitarian majority, liberalism appears as a necessary normative protection. However, if we consider democracy both form and practice, then this emphasis on liberalism violates the commitment to an egalitarian ethos of contestation. Mouffe's vantage point is clear and yet, with Lefort's own ambiguity in mind, we cannot simply ignore the possibilities opened up by theorizing democracy as a

¹⁴⁰ Both Laclau and Žižek offer versions of this appeal to a political ethics. Laclau describes this subtle normativity: "a consciousness of the impossibility of identity can be 'important' for democratic politics in that it involves the institutionalization of a society's own openness and, in that sense the injunction to identify with its own impossibility." Thomas Brockelman, "The Failure of the Radical Democratic Imaginary: Žižek Versus Laclau and Mouffe on Vestigial Utopia," *Philosophy and Social Criticism* 29, no. 2 (March 2003): 189.

¹⁴¹ I return to this thought repeatedly throughout the project.

regime against democracy as action. Mouffe's affinity for democracy as a regime thus undercuts the Lefortian dialectic of regime and action and forecloses the possibilities of developing a more dynamic framework as well as the possibility of catching a glimpse of politics after liberalism.¹⁴² Of course for Mouffe, democratic action is predicated upon the existence of democracy as a regime form or structure. However, this privileging of structure over action presupposes an element of foreclosure with regard to democratic practices and their ability to respond to the continued emergence of pluralist demands.

This foreclosing tendency becomes apparent in the way Mouffe conceives of pluralization as the continuous attentiveness to emerging social groups, values and norms. For Mouffe, any contemporary theorist who aims to take seriously democratic theory cannot ignore the absence of a unified common good nor simply treat pluralism as a *social fact* (Rawls). Pluralism as a condition and value of modern liberal-democratic life dictates that political theory focus on ways of developing institutions and practices that not only enable the coexistence of pluralistic groups, but also enhance pluralism by extending the possibilities for new social groups to partake in the political process. Mouffe's appeal to the importance of not only supporting but enhancing pluralism mirrors Connolly's appeal to pluralization as the continual need to problematize the dominant strains of plurality through the emergence of new groups, interests, and

¹⁴²Talisso captures what I would call Mouffe's right-Lefortian affinity when he describes his own strain of pragmatic agonism by exposing a space between Lefort and Rawls: "...the agonist does not seek to impose ex ante constraints upon the issues that can be subject to public deliberation and the kinds of reasons that can be employed in such deliberation. Nor does the agonist hold that public deliberation must begin from some initial consensus about what is and what is not properly 'political' or 'public' issues. That is, it resists the impulse to remove from the political agenda 'the most divisive issues, serious contention about which would undermine the bases of social cooperation' (Rawls p.157) and upholds 'the legitimacy of a debate as to what is legitimate and what is illegitimate'(Lefort p.39)." Robert Talisse, "Liberalism, Pluralism, and Political Justification," *Harvard Review of Philosophy* 13, no. 2 (Fall 2005): 70.

values.¹⁴³ However, because Connolly continues to avow the selective plurality endorsed by liberal democratic hegemony, his call to pluralization opens a space foreclosed by Mouffe's investment in the necessity of a liberal democratic framework. In other words, contrary to Mouffe, Connolly allows for the possibility of a pluralization that might problematize the existing liberal democratic criteria for pluralism.¹⁴⁴ In so doing, Connolly also opens up for an ethics of 'receptive generosity' and 'critical responsiveness' whose dynamic form makes it more conducive to radical democracy than Mouffe's hypostatized liberal ethic.

Ironically, Mouffe is the one who argues that political theory can *only* come to terms with "pluralism as the end of a substantive idea of the good life" through a framework that takes into account a critique of *essentialism*.¹⁴⁵ Thus, political theory must embrace difference as the condition of modern life and give up the illusions of unity and homogeneity with regard to groups, values, interests and goods. Hence, all theoretical attempts at representing the totality of social life in terms of a particular group or set of values/goods are futile and should be replaced by a type of theorizing that takes seriously the contingent and pluralistic nature of modern social life.¹⁴⁶ For Mouffe, the only form of theorizing that fulfills these demands, and thus, takes seriously contingency and plurality is an *anti-essentialist* approach.

¹⁴³ Arguments derived from William Connolly, *The Ethos of Pluralization* (Minneapolis: University of Minnesota Press, 2004).

¹⁴⁴ The difference between Mouffe and Connolly centers on their respective understandings of politics of presence contra politics of futurity. This difference highlights Mouffe's strange idea of promoting pluralism as itself a selective version of difference.

¹⁴⁵ Mouffe, *Democratic Paradox*, 17.

¹⁴⁶ This echoes Mouffe's statement that "[f]or Derrida as for Wittgenstein, understanding responsibility requires that we give up the dream of total mastery and the fantasy that we could escape from our human forms of life." *Democratic Paradox*, 77.

Unlike Connolly, who recognizes the untenable nature of an anti-essentialist approach by avowing his commitments to a strain of liberal democracy, Mouffe does not problematize her deep commitments to liberalism.¹⁴⁷ Rather, she insists on the necessity of an anti-essentialist approach in a way that intentionally or unintentionally obscures her commitment to liberal democratic hegemony (even if the existence of the liberal democratic hegemony is what conditions the possibility of anti-essentialism).¹⁴⁸ Connolly identifies this problem by calling attention to the way Mouffe transforms the political reality of liberal democracy into an essence. Connolly states:

Mouffe initially grounds the ethos of democratic citizenship in *our* already constituted practices and then slides steadily towards the admission that these are pretty much identifications she *hopes* we will adopt. Indeed Mouffe's insinuations of a logic of necessary implication within the democratic tradition is at odds with Mouffeian recourse to a constitutive outside that disrupts and exceeds any tradition. Mouffeian pluralism solicits a normative mode of consolidation it cannot secure.¹⁴⁹

The language of *securing* conveys Mouffe's attempt to protect the liberal ethic from democratic contestation. And while Connolly is right to argue that Mouffe's appeal to the liberal ethic *cannot* secure this normative mode of consolidation, it is important to note how Mouffe's problematic allows her to *secure* this consolidation. Mouffe's problematic enables her to secure the consolidating function of the liberal ethic by muddling the distinction between liberal democracy as it is and as it should be. In turn, Mouffe's liberal ethic ends up seeming not only inevitable but also desirable. Incidentally, Connolly is not the only theorist to observe how Mouffe's project is torn between its emphasis on the ontological nature of contestation and the normative commitments to a liberal democratic

¹⁴⁷ See Connolly, *Why I am not a Secularist*.

¹⁴⁸ Žižek makes this point against Butler's 'desperate attempt to undermine liberalism'. Slavoj Žižek, "Toleration as an Ideological Category," *Critical Inquiry* 34, No. 4 (Summer 2008): 660-682.

¹⁴⁹ *William Connolly: Democracy, Pluralism, and Political Theory*, Samuel Chambers and Terrell Carver, eds. 317.

regime. Allan Keenan describes this internal tension in Mouffe's project by drawing attention to the simultaneous positing of a privileged structure and the contestability of that structure. On the one hand:

No decision is truly final, then; there must be no attempt to 'fix' the universal. And because one must guarantee that one's beliefs and political institutions are questionable, one must refuse the practice of defending one's exclusions on grounds that they are 'natural' or 'necessary' and thus beyond argumentation.¹⁵⁰

On the other, Mouffe's commitment to liberalism as a condition for the possibility of pluralism privileges a particular ethical/political form that seems curiously immune from the type of democratic contestability that she continuously employs to critique those democratic models driven by the ideals of consensus and deliberation.¹⁵¹

For Mouffe, abandoning the liberal discourse implies giving up on the principles that have enabled pluralism to become a condition of modern democracies. Underlying this argument is a presumption about the inability, not only of theorizing *through* liberal democracy, but also of developing a political form that enables a more dynamic and less exclusionary expression of pluralism. However, if pluralism is taken seriously as a condition that exceeds political form, then this appeal to liberalism invariably limits the dynamics of pluralism. Mouffe's treatment of modern liberal democracy as the only political regime that endorses the end or absence of a substantive idea of the good life and by extension, as the regime most conducive to pluralism, demonstrates the importance of further examining the relation between liberalism and pluralism.

¹⁵⁰ Alan Keenan *Democracy in Question: Democratic Openness in a Time of Political Closure*, (Stanford: Stanford University Press, 2003), 129.

¹⁵¹ "Consensus is no doubt necessary, but it must be accompanied by dissent. Consensus is needed on the institutions constitutive of democracy and on the 'ethico-political values informing the political association – liberty and equality for all – but there will always be disagreement concerning their meaning and the way they should be implemented. In a pluralist democracy such disagreements are not only legitimate but also necessary." Mouffe, *On the Political*, 31.

Mouffe's conviction that liberal democracy represents the end of the substantive idea of the good life lends itself to two related lines of criticism. The first concerns the genuineness or actuality of the liberal democratic *end/absence* of the substantive idea of the good life; and the second, concerns the very logic of an appeal to (in)substantiality and the way such an appeal ignores the continued presence of substantive limitations. Even if we grant Mouffe the role of liberalism in establishing individual rights by *separating* the public realm from the private realm, the substantive idea of the good life has merely morphed into a less formal but equally effective type of prescription.¹⁵² To be sure, on the surface the structures of modern liberal democracy allow for the presence of differing private conceptions of the good life. However, the liberal institutions and practices perpetuate a particular understanding of the good life, which, while not violently enforced, continues to function as prescriptive through political, economic, social and cultural pressures.¹⁵³ In this regard, liberalism contains the possibilities for pluralism only insofar as its political structures promote the type of plurality that conforms to its underlying conception of a 'substantively' liberal idea of the good life.¹⁵⁴ Mouffe's notion that such pressures and prescriptions are part of life in common and thus, not avoidable under any imaginable regime only highlights the importance of

¹⁵² While this is a familiar Marxist criticism of the bourgeois schism of public and private both feminist and communitarian critics have effectively employed it. Beiner nicely summarizes this line of criticism in the words of George Grant: "As for pluralism, differences in the technological state are able to exist only in private activities: how we eat, how we mate, how we practice ceremonies... But we all do it in churches, motels, restaurants indistinguishable from the Atlantic to the Pacific." Beiner, *What's the Matter with Liberalism?*, 23-4.

¹⁵³ Mouffe struggles with the idea of an in-substantive or absent good at the center of the liberal imaginary which explains her attempt to modify the idea of negative liberty.

¹⁵⁴ In this regard it is particularly helpful to recall Foucault's notion of biopower that Mouffe's divisions leave largely intact. In other words by not problematizing the way the liberal prescriptions have been internalized, Mouffe fails to recognize the inauthentic or limited plurality that her system promotes.

interrogating whether a liberal ethics offers the most dynamic and critical orientation to the paradox of democratic legitimacy.¹⁵⁵

Theorists like Butler, Brown, and Connolly have continually warned against treating the consensus underlying the liberal democratic regime as unproblematic. Accordingly, they encourage us to problematize the substantive elements of the *insubstantial* nature of the liberal democratic good. Butler's emphasis on the psychic life of power, Brown's emphasis on governmentality, and Connolly's appeal to pressures of normalization are all attempts to demonstrate the chimera that is the liberal democratic appeal to an insubstantial version of the good life. Even granting the idea that liberal democracy does not privilege a substantive idea of the good life cannot detract from the role of private power in preserving the liberal democratic regime and its preferences and exclusions. Consequently, it cannot detract from the liberal democratic privileging of a meta-or insubstantial version of the good life by virtue of its role in conditioning the *individual's* liberty to choose, the discourse of rights, and the separation of public and private.

Liberal democratic individuals are conditioned by the good life as an absence of a substantive systemic idea in a way that discriminates against those subjectivities that have been conditioned by more substantive ideas of the good life.¹⁵⁶ This discrimination points to the already existing tendency within liberal democracy to treat those who conform to substantive ideas of the good life as inferior/other by virtue of their being subjects to,

¹⁵⁵ See Bonnie Honig, *Democracy and the Foreigner*.

¹⁵⁶ Mouffe's rejection of Larmore's appeal to liberal democratic neutrality and her slightly more favorable dismissal of Nagel's appeal to impartiality have their roots in a rigid separation between their approaches as substantive in nature and hers as in-substantive in nature. While this points to Mouffe's recognition of the impossibility of neutrality or impartiality as a substantive principle of liberal democracy it also points to the way she employs an absence of substantive principles to perform a substantive function in the way of Larmore's neutrality and Nagel's impartiality.

rather than participants in, their respective political cultures. Hence, granting Mouffe the insubstantial nature of the liberal democratic version of the good life reduces pluralism to a matter of *individual choice* as framed by the dominant liberal democratic structures.

Assuming the conditional nature of individuality, Mouffe's appeal to the insubstantial nature of the liberal democratic hegemony conceals the substantive exclusions of a plurality of different perspectives and positions. This objection does not negate the potentially productive nature of insubstantial versions of the good life (in terms of conditioning even the possibility of such inquiries). Rather, it highlights the critical value of avowing the inevitability of a substantive dimension in a way that enables liberal democracy to engage other substantive versions of the good life. In other words, we cannot simply ignore the effects of the liberal democratic absence of a substantive idea of the good life, no matter how insubstantial we consider this commitment. Hence, in striving to take the idea of a pluralist democracy seriously we must continuously examine the nature of our commitments, even when those commitments appear open to all sorts of pluralities.¹⁵⁷

With this in mind, it is imperative that we seek to wrest the concept of pluralism from the hegemony of the liberal discourse.¹⁵⁸ To develop a more nuanced framework for thinking about more dynamic forms of democracy requires examining whether pluralism

¹⁵⁷ Brown articulates a version of this thought: "These deconstructive moves bear the possibility of conceiving and nourishing a liberalism more self-conscious of and receptive to its own always already present hybridity, its potentially rich failure to hivel off organicism from individuality and culture from political principles, law, or policy. This would be a liberalism potentially more modest, more restrained in its imperial and colonial impulses, but also one more capable of the multicultural justice to which it aspires." Wendy Brown, *Regulating Aversion: Tolerance in the Age of Identity and Empire*, (Princeton: Princeton University Press, 2006), 174-5.

¹⁵⁸ This is not to say that liberal democracy (as a political form/structure) has not enabled the development of pluralism and an increased openness to other forms of living. Rather, this is meant as a reminder to continuously interrogate and critique the liberal ethic and its hegemony in sustaining pluralism as a regulative ideal.

is sufficiently open to differences, or whether its relation to liberalism inevitably absolutizes or patronizes a whole of array of social dynamisms epistemically and politically. The indebtedness of pluralism to the liberal discourse may not necessitate a dismissal of this concept altogether. Rather, pluralism might serve as a site to problematize the hegemony of the *liberal* democratic discourse and thus, as a means to open up for more radical ways of thinking about democracy. Alongside the attempt to open up pluralism for (democratic) contestation we must continue to develop alternative ways of theorizing plurality that do not succumb to the shortcomings of the liberal democratic framework. Developing these alternatives might entail replacing the language of radical pluralism with notions of multiplicity, openness, difference, or perhaps more effectively *dynamisms*.¹⁵⁹ In so doing, we must learn from Mouffe's emphasis not only on the necessity of political form and its role in conditioning pluralism, but also from her emphasis on the necessity of liberal democracy as restricting the development of a more dynamic and open democratic politics.

For Mouffe's framework to help us theorize difference as dynamically political, it must be supplemented by an appeal to the aporetic nature of relation between liberalism and pluralism. In an increasing global space, democratic theory cannot evade the task of critiquing its avowal of liberalism in the engagement with different versions of the good. If it does, it is sure to uncritically repeat the mistake of certain scholars to equate Hegel's inability to theorize past the Prussian state with the theoretical limits of the Hegelian dialectic. Avowing the liberal democratic status quo as a condition for the possibility of

¹⁵⁹ I consider the concept of dynamisms extremely promising because it not only incorporates what Mouffe rightly refers to as the forms of identification rather than identity, but also addresses the dynamic relationships between different groups and the transience of these relations without giving up on the importance of power.

theorizing does not stipulate the impossibility of theorizing *through* this form. The conditionality upon the liberal framework cannot be allowed to exhaust our political imaginary and stall the project of refining a radically democratic normativity. Contrary to Mouffe's directives, the discipline of democratic theory must engage its conditions of possibility, which entails jettisoning its traditional and present normative registers. Given the challenges of a globalizing world, it is imperative to explore a set of critical and dynamic values that can strengthen democracy both domestically and internationally.

This chapter has shown the importance of theory to a radically democratic project and more specifically, the critical role of theory in contesting its own disciplinary limits and the nature of our political imaginary. By demonstrating how Mouffe's theoretical framework forecloses the possibilities of a radical democracy beyond the confines of her liberalism, this chapter has opened a space for other more dynamic and democratic theoretical approaches. With this in mind, I now return to Mouffe's selective use of Lacan to illustrate how the Lacanian framework lends itself to one such dynamic and democratic approach. Mouffe's use of Lacan, much like her use of Derrida that I address in the next chapter, brings to the fore those features of her framework that cannot survive these radically critical discourses. Consequently, by observing Mouffe's selective appropriation of these discourses we can observe how she secures the need for normative traction through a de-politicizing of the liberal ethic.

Administering Lacan

Although Mouffe employs the Lacanian framework to bolster her defense of liberal democracy, she cannot prevent it from reflecting the foreclosing nature of the

political gesture that underlies her a defense of liberal democracy. Mouffe's use of the Lacanian *suture* is meant to demonstrate how every society fails to correspond to its form or its idea of its own form. However, as Mouffe rightly points out, this failure is simultaneously also the condition for the possibility of its form as well as the continuous contestation of that form. Considering her positivist affirmation of the liberal democratic reality, Mouffe's project depends on a certain limitation to this logic of suture. In turn, Mouffe places an internal limit on the logic of suture similar to the prohibitive bar that signals the Lacanian differentiation between the Real and the Symbolic. However, for Lacan, the prohibitive bar, as the differentiation between the impossible and the possible, always exceeds the realm of the symbolic and its process of conceptualization. By concretizing the differentiation between the possible and the impossibility in terms of modern liberal democracy, Mouffe's appropriation of the prohibitive bar takes on an explicitly liberal democratic founding role. In response to this founding role Žižek's states:

It is the very focus on the notion of the real as impossible that reveals the ultimate contingency, fragility (and thus changeability) of every symbolic constellation that pretends to serve as the a priori horizon of the process of symbolization...So Lacan's point in unearthing the 'a historical' limit of historicization/resignification is thus not that we have to accept this limit in a resigned way, but that every historical figuration of this limit is itself contingent and, as such, susceptible to a radical overhaul.¹⁶⁰

Žižek's emphasis on the impossibility of symbolically exhausting this differentiation between the possible and the impossible is meant to illustrate the inescapability of politics as well as the radically democratic agenda of perpetually contesting the dominant political structures. By giving symbolic content to this differentiation, Mouffe

¹⁶⁰ Butler, Laclau, and Žižek, *Contingency*, 221.

circumscribes a domain not subject to politics. This circumscription leaves intact the liberal democratic regime by insisting on a concrete limit as the condition for possibility of a radically democratic politics. In contrast, Žižek conceptualizes the impossibility of capturing this differentiation as the condition for the possibility and impossibility of politics. In turn, this possibility/impossibility of politics demands a radical democratic response in the form of continual interventions capable of transforming our social/political reality.¹⁶¹

Critics like Butler have argued that Žižek's understanding of politics fails to provide the necessary traction for a radical democratic struggle. Moreover, they argue that his dynamic dialectic lacks a criterion for making intelligible this as a radically democratic struggle. Butler's critique of the Lacanian framework pertains to this notion of the prohibitive bar as impossible to conceptualize. For Butler, this impossibility cannot be made intelligible as impossible and thus, it always takes on a concrete political form in the realm of the symbolic. Given this inevitable concretization, the prohibitive bar as an a-historical/transcendental differentiation lends itself to the legitimation of some primary differentiation at the root of social life. For Butler, the Lacanian framework cannot contest this differentiation and subsequently, the grounding nature of some primary *sexual* division. With this in mind, the prohibitive bar represents a limit to the project of radical democracy, and its' supposed impossibility only reinforces this barring as a limit to politicization. Accordingly, one would expect Butler's critique to support Mouffe's appropriation of the Lacanian framework. However, unlike Mouffe's concretization

¹⁶¹ Jason Glynos summarizes this thought: "Žižek's appeal to Lenin 'intervene in such a way that our intervention changes the coordinates of the situation. A Premature intervention to change the totality, which also alters terms of maturity (choosing the impossible) redefining what counts as good.'" Jason Glynos, "Radical Democratic Ethos, or, What is an Authentic Political Act," *Contemporary Political Theory* 2. No. 2 (July 2003): 197.

where liberal democracy acts as a limit to politicization, Butler's appeal to concretize this prohibitive bar is a call to the importance of a ceaseless process of politicization.¹⁶² Thus, whereas Butler worries that the Lacanian framework bars the possibility of politicizing sexuality, Mouffe's appropriation draws on this supposed limit to monitor the extent of liberal democratic politicization.

By insisting on the superiority of liberal democracy as the institutionalizing of the logic of suture, Mouffe relies on a totalizing gesture that undermines the possibility of employing the Lacanian framework as a source for radical democratic theorizing. This totalizing gesture is the strictly positivist appeal to the inescapability of the liberal democratic context. By dictating the beginning and end of Mouffe's inquiry, this appeal illustrates the encircling nature of her theoretical framework and by extension, the impenetrable reality of liberal democracy. Consequently, Mouffe's legitimation of liberal democracy is rooted in a non-democratic gesture that dictates the necessity of liberalism and an incontestable liberal ethic as a condition for the possibility of pluralism and the project of radical democracy.¹⁶³

¹⁶² Butler points to this problem in Laclau: "A certain necessary tension emerges within any political formation inasmuch as it seeks to fill that place and finds that it cannot. This failure to fill the place, however, is precisely the futural promise of universality, its status as a limitless and unconditional feature of all political articulation...Is it empty only because it has already disavowed or suppressed the content from which it emerges, and where is the trace of the disavowed in the formal structure that emerges?" Butler, Laclau, and Žižek, *Contingency*, 32-4. Whether or not Žižek provides sufficient traction for radical democratic action or whether Butler in turn provides too much traction remains beyond the confines of this project. However, both Žižek and Butler help shed light on Mouffe's insufficiently dynamic use of liberal democracy.

¹⁶³ Mouffe's own use of Butler showcases this failure to problematize the role of liberalism as a necessary norm of recognition for pluralism: "to establish a set of norms that are beyond power or force is itself a powerful and forceful conceptual practice that sublimates, disguises and extends its own power through recourse to tropes of normative universality". Mouffe, *Return of the Political*, 143. While Mouffe does not postulate the normative universality of liberalism, she does treat liberalism as the necessary norm for recognizing and conditioning pluralism, which suggests that liberalism (as a norm of recognition) is allowed to function as if it were beyond democratic power or force.

Mouffe is right to point to the historical conditioning that underlies the theoretical attempt at envisaging more plurality and equality, and yet, understanding this in terms of an exclusionary affirmation of liberalism, limits the possibilities of developing a more pluralistic and dynamic democracy. Instead of stressing the exclusivity of this liberal affirmation, we might consider how avowing our present limits and glimpsing beyond them (in a way enabled by Adorno's previously introduced version of self-critical and receptive reason) opens a more dynamic and critical avenue for democratic theory. Somewhere between avowing and affirming liberalism Mouffe loses a critical element that makes her project unable to contribute to the agenda of equality and plurality beyond the confines of our exclusively modern liberal democracy. Phrased differently, one might say that the exclusively modern dimension that Mouffe attributes to democracy, overstates what it means to be modern in a way that limits the possibilities of being post-modern. This is not to deny the central importance of working through our past if we are to develop the possibilities for what we might become. However, if the nature of what we are continues to limit what we can become, then Mouffe's affirmation of liberalism goes beyond a self-critical and reflexive avowal. By extension, Mouffe's pluralistic project is a continual affirmation of the liberal democratic dominance that cannot effectively ask the questions of equality and plurality without always already having censored their dynamics to fit the form of life perpetuated by her version of liberal democracy.

To sum up, Mouffe's anti-essentialism coupled with her appeal to the incontestability of liberal democracy as a condition for pluralism limits the possibilities of a more dynamic pluralism as well as the development of a radically democratic imaginary. Mouffe's commitment to the superior nature of liberal democracy fails not

because of its emphasis on form but, because it reifies the substance of this form while simultaneously denouncing this substance as substantive. Hence, despite her claim to an anti-essentialist approach, Mouffe unintentionally falls prey to a rigid/stagnant version of the Hegelian dialectic in a way that cements a continuous affirmation of liberal democracy (albeit with subtle modifications). This falling prey is made explicit in her inability to theorize *through* the problematic of liberal democracy, her displacement of the offensive side of Lefort's project, and her hypostatized adaptation of Lacanian psychoanalysis. With this in mind, Mouffe's political liberalism is barred from asking the question about radical democracy without liberalism in ways that only become more obvious when we examine her administering of Derrida's deconstructive discourse.

CHAPTER II

THE UNEASY RELATION BETWEEN DECONSTRUCTION AND POLITICS

This section is primarily directed towards showing the inconsistency between Mouffe's use of deconstruction as an instrument for theorizing radical pluralism and her commitments to liberalism.¹⁶⁴ Mouffe's appropriation of deconstruction not only highlights the potential limitations of this approach for political theorizing, but also showcases her departure from the anti-essentialist agenda she professes. Mouffe's appeal to deconstruction coupled with her commitment to liberal democracy offers a critical juncture from which to observe the paradox of political form as a condition for the possibility and impossibility of realizing perfect democracy. Moreover, this critical juncture brings to the fore the importance of continuously critiquing our political as well as our conceptual structures in the development of a more open and dynamic democratic politics. To develop such a democratic practice requires negotiating the narrow straits between the temptations of giving up on democracy and the misgivings of overcoming politics.

After a recent talk in which Mouffe outlined her theory of agonistic democracy, an audience member accused her of perpetuating a state of civil war inimical to democracy.¹⁶⁵ Mouffe responded by emphasizing the importance of recognizing conflict and antagonism as ineliminable features of social life. Only by recognizing the ever-present possibility of antagonism could one hope to protect democracy and prevent the escalation of violence. Accordingly, Mouffe insisted that her radically pluralistic project be envisaged as a way of theorizing the most effective and radical form of pluralist democracy given this ineradicable dimension of antagonism. Mouffe privileges liberal democracy as a regime because of how it allows us to engage this ever-present possibility

¹⁶⁴ The distinction between developing a theory and theorizing draws attention to the abstractions that underlie the development of a theory of democracy in contrast to the project of theorizing that takes account of the conditioning that underlies this practice.

¹⁶⁵ For one of The New School department lectures, Chantal Mouffe gave a lecture entitled "Agonistic Pluralism: Between Ethics and Politics," on April 05, 2007. The sound bite was originally taken from <http://www.discoursenotebook.com/blog/>

of violent conflict. By providing institutional channels that ‘*defuse* and *sublimate*’ the most militant manifestations of antagonism, liberal democracy enables different groups to coexist within the same social space.¹⁶⁶ Thus, instead of lauding the possibility of overcoming antagonism, Mouffe presents a politics aimed at coping with this inherent feature of social life. By extension, Mouffe dismisses the theoretical agendas of overcoming politics as misguided, and perhaps more importantly as symptomatic of our current inability to effectively engage the political challenges of a global world – an inability stemming in large part from this very denial of antagonism as an ontological component of social life.

Mouffe rejects the performative conceptions/defenses of democracy because they ignore the ever-present possibility of antagonism and by extension, the necessity of political structure and closure. In turn, a defense of democracy that ignores this structural necessity cannot, *pace* Mouffe, provide a model for a radically pluralist democracy. Mouffe agrees with Schmitt that democracy is a political logic insofar as it implies a decision of who is part of the demos and who is not. This emphasis on democracy as a political logic limits the transient, revisable and negotiable conception of democracy employed by most radical democrats including Derrida. Mouffe’s ability to theorize a radically dynamic and critical model of pluralist democracy is inherently limited by the

¹⁶⁶ Before showing how this impossibility of ‘doing better’ than defusing and sublimating the antagonistic dimension already runs counter to the Derridean logic and its appeal to the structure or experience of the promise, it is imperative to further examine Mouffe’s adaptation of Derrida. One might say, Mouffe’s premises are intensely Hobbesian in their emphasis on the ineradicable nature of social antagonism. While this premising dictates the impossibility of an end to politics it also raises the question about the possibility of some however momentary communion that might redeem and provide purpose to the divisive nature of this condition. We can observe versions of these redeeming moments in Hobbes, Machiavelli and perhaps even in Rousseau, which seems to suggest if not the equi-primacy then certainly the equi-prioritizing of consensus and dissension. Mouffe does not appear to endorse such logic as the possibility of consensus remains predicated on the ever-present possibility of antagonism whereas antagonism does not remain predicated on the possibility of consensus, which leads one to believe that politics is damage control with no other objective than minimizing antagonism.

traditionally liberal decisions and divisions informing her conceptions of democracy, decision, and sovereignty. Notwithstanding these decisions and divisions, Mouffe appropriates deconstruction and post-structuralism to explore the possibility of developing less exclusionary/violent forms of political structure, decision and closure. By exposing the limits and foreclosures underlying the modern discourses of metaphysics and epistemology, these *post-modern* practices dispersed the axioms governing traditional political philosophy. In so doing, they not only problematized the canon by stressing the conditionality of such key concepts as temporality, causality, and truth, they also provided theorists, like Mouffe, with a new set of instruments and tactics to engage the roots of political philosophy. Despite appropriating these discourses, Mouffe's structural understanding of democracy presumes an insufficiently democratic commitment to the liberal ethic. Because of her hypostatized understanding of democracy Mouffe cannot problematize this liberal commitment, which in turn, limits the radically democratic nature of her project. Ironically, Mouffe's own use of Derrida illustrates this insufficiently democratic dimension thereby demonstrating the incongruence between Derrida's framework and the traditional categories of political theory. However, before exploring this internal disruption of Mouffe's project, it is critical to examine the general post-modern interruption of political philosophy.

The postmodern emphasis on the role of power relations in conditioning truth, language, and knowledge encouraged a view of politics as a primary or inescapable dimension of social life. Whence, by exposing the pervasive political conditioning of the philosophical, scientific, and political discourses, these practices helped propel a view of political philosophy as first philosophy. The discipline of political philosophy now *has* to

engage the *politics* of political philosophy in terms of the philosophy of politics as well as the politics of philosophy. In other words, for political philosophy to uphold the standard of being simultaneously political and philosophical requires holding in tension the philosophy of politics and the politics of philosophy. Given its commitments to contestation, revision and critique, democracy seems to offer the *only* type of politics capable of holding in tension politics and philosophy. Notwithstanding, this prioritizing of democracy presumes a version of radical democracy whose constitutive elements include contestability, revisability, and criticality. From a post-modern perspective, without embracing this radicalized version of democracy, we continue perpetuating the lineage of uncritical philosophy and totalizing politics.

Perhaps the most intimate and sustained engagement with this necessary entanglement of politics and philosophy comes in the *form* of Derrida's model of deconstruction. The *perhaps* here carries with it several key presuppositions; one, that Derrida qualifies as a political thinker given his misapprehensions about argumentation, his primary interest in literature, and his affinity for a Levinasian ethics; and two, his hesitancy towards specifying any kind of philosophical structure or political agenda. Without dismissing the weight of these reservations, Derrida's own political writings as well as the interpretations of Rodolphe Gasche, Richard Beardsworth, and Simon Critchley provide ample support for deconstruction as a critical standard from which to examine other radical democratic projects. More importantly for this project, Mouffe applauds deconstruction as a 'hyper-politicizing' practice necessary to the development of a radical pluralist democracy. Considering this interpretation, Mouffe's project almost

unwillingly invites a Derridean critique of her politics – a critique that acknowledges the importance of holding in tension the *perhaps* as a site of contestation.

Returning to the dual challenges of political philosophy, we might say that Derrida was particularly sensitive to the demands placed on the political philosopher by the pervasiveness of power. By ‘operating a radical politicization of conceptuality’ Derrida sought to develop a necessary and critical attentiveness to the politics of political philosophy. Moreover, Derrida’s emphasis on the ‘intrication’ of ‘the right to philosophy’ and the notion of ‘democracy to come’ elucidates the stakes of developing a political philosophy that no longer simply assumes a distant and disinterested perspective towards politics. Conversely, steeped in politics, the task of critical political philosophy becomes one of negotiating the permeation of philosophy by politics.¹⁶⁷ Derrida states:

...to constantly maintain an interrogation of the origin, grounds and limits of our conceptual, theoretical or normative apparatus surrounding justice is on deconstruction’s part anything but a neutralization of interest in justice or insensitivity towards injustice. On the contrary, it hyperbolically raises the stakes of exacting justice: it is sensitivity to a sort of essential disproportion that must inscribe excess and inadequation in itself and that strives to denounce not only theoretical limits but also concrete injustices, with the most palpable effects, in the good conscience that dogmatically stops before any inherited determination of justice.¹⁶⁸

Derrida’s emphasis on ‘stopping before any inherited determination of justice’ clashes with Mouffe’s use of liberalism as partially exempt from the conditionality of democratic contestation. Further, Derrida’s ironic use of ‘dogmatically’ highlights the latent dogmatism that informs Mouffe’s continual recourse to the liberal ethic. Thus, by

¹⁶⁷ Unlike Foucault’s attack on polemics, Derrida’s emphasis on negotiation stressed the necessity of a certain *polemos* to engage the dominant appropriations of language and logic, which suggest Derrida attentiveness to the primacy of politics – even given his affinities for a Levinasian ethics.

¹⁶⁸ Jacques Derrida, “Force of Law” from *Deconstruction and the Possibility of Justice*, Durrilla Cornell, ed, (New York: Routledge, 1992), 20.

ignoring the unconditionality of Derridean justice as ‘an experience of the impossible’, Mouffe closes the gap opened up by Derrida’s differentiation of law and justice. Derrida argues: “deconstruction takes place in the interval that separates the undeconstructibility of justice from the deconstructibility of law (authority, legitimacy and so on).”¹⁶⁹ Mouffe comments on the importance of this interval/gap, but her modified liberal ethic cannot substitute for the unconditional and aporetic nature of Derrida’s “infinite, incalculable, rebellious to rule, heterogeneous, foreign to symmetry, and heterotropic’ conception of justice.”¹⁷⁰ In other words, Mouffe’s liberal administering of deconstruction does not take place in this interval, but rather in the *interval* between a liberal conception of justice and the liberal democratic laws. Critchley describes the danger of conflating the non-instantiability of Derridean justice with already existing liberal justice:

(Derrida’s) is not a democracy that claims to instantiate justice here and how, not an apologetics for actually existing liberal democracy (but neither a dismissal of the latter) but a democracy guided by the futural or projective transcendence of justice.¹⁷¹

Before demonstrating how Mouffe’s appropriation of Derrida amounts to an apologetics for actually existing liberal democracy, it is worth briefly examining the motivations behind her attempt to combine liberalism and deconstruction.

Given the widespread opposition of postmodernism to liberalism, it comes as no surprise that the liberal discourse would eventually seek to appropriate certain post-modern insights if only to disarm their rejection of liberalism. Mouffe’s ties to Rawlsian liberalism coupled with her attempt to move beyond some of its perceived limits, represents just such a liberal appropriation of post-modernism. Thus, whereas Rawls’s

¹⁶⁹ Derrida, “Force of Law,” in *Deconstruction*, 15.

¹⁷⁰ Derrida, “Force of Law,” in *Deconstruction*, 22.

¹⁷¹ *Deconstruction and Pragmatism: Simon Critchley, Jacques Derrida, Ernesto Laclau, and Richard Rorty*, Chantal Mouffe, ed. (New York: Routledge, 1996), 36.

transition from *A Theory of Justice* to *Political Liberalism* reflects a subtle liberal embrace of the ‘primacy of politics’ thesis, Mouffe’s liberalism takes as its starting point Rawls’s insufficiently politicized notion of subjectivity and agency. In so doing, she aims to extend this primacy of politics to the core of Rawlsian agency and rationality. Prior to Mouffe’s intervention, Rawls’s latter work appears as the most radical example of the commitment to liberal norms and values – where this exemplarity is based on Rawls’s commitments to the liberal discourse, its distinction of public and private, and the importance of rights and the individual. Conversely, what makes it a radical or perhaps *the* most radical of liberalisms is its recognition of the role of history and power in shaping our comprehensive doctrines - including even to some degree the doctrine of liberalism.¹⁷² Despite this radicalizing, Rawls never adopted the discourses of deconstruction or post-structuralism, leaving the door open for a further radicalizing of liberalism.¹⁷³ In turn, Mouffe’s project presents a strange mélange of liberalism and postmodernism - or to put it historically, it presents the latest attempt to modify and buttress the dominant modern ethico-political logic of liberalism.

Mouffe is by no means the only pluralist or even agonist who deploys these ‘postmodern’ frameworks in order to supplement and refine modern democratic theory. Connolly and Brown, for example, rely extensively on Foucault’s genealogy to expose the role of power and the way it pervades all our practices and institutions. For her part, Mouffe focuses almost exclusively on Derrida and the way in which his conceptual toolbox of aporia, trace, supplement, arche-writing and promise allows us to explore

¹⁷² Dworkin, “Liberalism,” in *Liberalism and Its Critics*, 60-79.

¹⁷³ By departing from Rawls’s suggestion: “that for the purposes of formulating a political theory of justice it is better to stay on the surface philosophically speaking”, Mouffe’s appropriates these postmodern discourses in her defense of liberalism. *Deconstruction and Pragmatism*, 75.

democracy and political form without falling prey to the traditional foreclosures and exclusions implied by the canonical framing of language, concepts and norms. Notwithstanding her affinity for these approaches, Mouffe accepts a version of the critique that these ‘post-modern’ frameworks evade the political questions of how to structure and institutionalize power, and by extension, that they provide an ethics rather than a politics. Despite or perhaps because of this criticism, Mouffe employs Derrida very selectively and frequently without engaging what she calls the obscurities of trace, supplement, promise, etc.¹⁷⁴

These *obscurities* lend themselves to a certain evasion or deferral of democracy, present in the ‘to come’ of Derrida’s conceptualizing of democracy as promise and futurity. Given her adamant opposition to the ethical approaches to radical democracy, Mouffe wants to avoid this line of criticism. However, Derrida’s willingness to open up for this line of critique is precisely what enables him to stretch the limits of our *political* imaginary.¹⁷⁵ Indeed, without jettisoning many of the traditional epistemic and normative axiomatics/*comforts*, Derrida’s project fails to provide the type of dynamic and democratic perspective promised by its conceptual framework of gift, hospitality, and democracy to come. To embrace Derrida’s politics requires taking seriously his provocative statement that “deconstruction is justice and justice is deconstruction.” This statement articulates the tragedy of incessantly politicizing the always already politicized language, concepts, and reality deployed in the pursuit of justice. Deconstruction embraces this intimate and tragic relation to justice, which explains Derrida’s

¹⁷⁴ Mouffe makes this argument in her presentation at the New School. See footnote 166.

¹⁷⁵ Richard Beardsworth’s examination of Derrida and the Political makes this point effectively by repeatedly drawing attention to the evasive and elusive nature of Derrida’s central terms.

commitment to an intensely dynamic and critical model of democracy. Marguerite La Caze articulates this commitment:

The reason Derrida is so positive about the concept of democracy is that it 'is the only one that welcomes the possibility of being contested, of contesting itself, of criticizing and indefinitely improving itself'. This democracy to come is not intended to refer to a future state of democracy but to a call for 'a militant and interminable political critique'.¹⁷⁶

Of course, Derrida never treats democracy itself as exempt from contestation. Rather his qualifier of the 'to come' of democracy functions as a place-marker for the profound inadequacy that trails the project of developing an all inclusive, negotiable, and critical politics. In turn, the weight of this profound inadequacy can only be experienced in the suspended relation between the unconditionality of justice and the conditionality of law. Without sustaining this suspension and resisting the dogmatic reassurance provided by an 'inherited determination of justice', we cannot share in the Derridean experience of justice as a quasi-mimetic orientation to the undecidability of deciding.¹⁷⁷

Hence, contrary to the 'untiring vigilance' of Derrida's deconstruction, Mouffe's appropriation qualifies as a tired and caged vigilance whose investments prevent it from providing the democratic resources to engage the unpredictability of the future. By displacing Derrida's deconstruction of the logic of temporality, decision and structure, Mouffe opens herself up to a Derridean critique - or phrased differently, to a critique of her politics as insufficiently radical, critical and democratic. While this displacement might be explained by Mouffe's intent to avoid providing an ethics rather than a politics,

¹⁷⁶ Marguerite La Caze, "At the Intersection: Kant, Derrida, and the Relation between Ethics and Politics," *Political Theory* 35. No. 6 (December 2007): 790-91.

¹⁷⁷ Unlike Kant, Derrida does not conceptualize unconditional justice in terms of a regulative ideal. Rather, given the singularity of these unconditional experiences of justice, they seem more akin to mimetic moments of dis-embodiment.

it undermines the radically democratic nature of Derrida's key concepts including *difference*, justice and urgency. Thus, Mouffe misappropriates Derrida's dynamic framework to legitimate liberal democracy. What is interesting about this (mis)appropriation is not only the way in which it reflects back on the insufficiently dynamic nature of Mouffe's defense of liberal democracy but, also, the way in which this (mis)appropriation reveals the critical gap between deconstruction and the traditional logic of political structure.

To help make sense of the ineradicable dimension of antagonism as a condition of social and political life, Mouffe draws heavily on Derrida's interpretation of Schmitt's concept of *decision*. For Mouffe, Derrida's interpretation brings to the fore the idea that every decision in the context of undecidability/contingency is also always a decision against an alternative – without this alternative being a dialectical negation.¹⁷⁸ Drawing from Doreen Massey's idea that all spaces are the configuration of a particular set of power relations, Mouffe insists that Derrida's context of undecidability and contingency be envisaged as a context framed by relations of power¹⁷⁹ such that decisions are always made not only in an undecidable terrain, but also in an undecidable terrain framed by relations of power. Moreover, Mouffe argues that social life is made up of collectivities or groups, deciding in an undecidable terrain framed by power relations. In turn, group

¹⁷⁸ In this context, it is worth noting the debate between radical democrats over how to situate Derrida's project. Whereas some theorists including Laclau conceptualize Derrida as adhering to an ontology of abundance, others like Connolly insist that Derrida adheres to an ontology of lack.

¹⁷⁹ In this regard, Mouffe seeks to historicize/politicize the context of undecidability in a way that distinguishes her decisionism from Schmitt's pure decisionism and perhaps even from Derrida's earlier writings. Fritsch describes Derrida's departure from Schmitt's decisionism: "If friend and enemy thus cannot pre-exist the encounter to which they owe themselves, we must think Schmitt's decision a little less decisionistically, that is, as co-generating self and other each time anew, but never ex nihilo. Rather both emerge only in exposure to one another against the background of an inexhaustible history of prior identifications. The inexhaustible of this past is indicated not only in the non-origin of difference but in the 'to come' that calls for always new decisions on friend and enemy." Matthias Fritsch, "Antagonism and Democratic Citizenship: Schmitt, Mouffe, and Derrida," *Research in Phenomenology* 38, no. 2 (2008): 187.

identities are predicated on decisions and therefore upon politics.¹⁸⁰ Though Mouffe preserves a space for the individual, politics is always a matter of collectivities or groups deciding in an undecidable terrain.¹⁸¹ Political space is constituted by the decisions of groups and collectivities against the background of an existential struggle to the death. Mouffe quotes Schmitt to emphasize the real possibility of physical killing as a central component of the political: “it is useful to remember with Carl Schmitt that the defining feature of politics is struggle and that ‘there are always concrete human groupings which fight other concrete human groups...’”¹⁸² For Mouffe, politics can consequently be understood as the *concrete* decisions or differentiations that structure the dynamic of dominant and dominated groups. In contrast to this concretion of friend and enemy

Derrida argues:

I agree that such disarmament is never simply present, even in the most pacific moment of persuasion, and there that a certain force and violence is irreducible, but nonetheless this violence can only be practiced and can only appear as such on the basis of a non-violence, a vulnerability, an exposition.¹⁸³

Mouffe’s understanding of the political in terms of friend and enemy undermines the degree to which her liberal ethic can ever be considered vulnerable. By allowing the liberal ethic to police the nature of this division, Mouffe reinforces the type of opposition between Eurocentricism and anti-Eurocentricism that Derrida aims to displace.

¹⁸⁰ Although Mouffe occasionally seems to oscillate between an ontological and political conception of undecidability, it is clear that she seeks to avoid the standard political criticism of deconstruction as a purely literary device. Fritsch describes this attempt to appropriate deconstruction for political theorizing: “It is of course tempting to transpose this aporetic logic to politics; not only does every element or mark need to constitute itself by distinguishing reference to what it is not, but also the ‘outside’ must be excluded from the elements own ‘totalizing’ attempt to return to itself.” Fritsch, “Antagonism,” 180.

¹⁸¹ Here Mouffe assumes the same rules apply to individual and group identities, which as Arash Abizadeh points out allows her to slide from difference to an us/them relation and ultimately to the friend/enemy relation. P.34?

¹⁸² Mouffe, *Return of the Political*, 113.

¹⁸³ *Pragmatism and Deconstruction*, 83.

By affirming the ineradicability of physical violence and subordinating singularity to group identity, Mouffe provides an inherent and concrete limit to the democratic negotiation of difference. Consequently, Mouffe transforms Derrida's emphasis on difference into a matter of concrete alterity by disregarding his critique of Schmitt and his 'prophetic and pathetic struggles against the future.' Derrida argues: "We shall see how this concretion of the concrete, this ultimate determination to which Schmitt ceaselessly appeals, is always exceeded, overtaken – let us say haunted - by the abstraction of its spectre."¹⁸⁴ Although Mouffe occasionally refers to the other as a symbol, she continually follows Schmitt in stressing the element of violent death manifested in this concrete other. Abizadeh argues that Mouffe reproduces the Schmittian equivocation of other and enemy by assuming that: "in the case of collective identity formation, the categories of "identity" and "other" map onto sets of actually existing concrete individuals, viz., friend and enemy."¹⁸⁵ Thus, contrary to Derrida's appeal to negotiation as a means of understanding this engagement with difference, Mouffe's hypostatizing of alterity transforms the possibility of *polemos* from a dimension of negotiation into a non-negotiable actuality. While this transformation assures Mouffe of providing a politics in the Schmittian sense, it undermines the alternative forms of engaging difference opened up by Derrida's emphasis on negotiation and hospitality.

For Mouffe, "[a] political regime is always a case of 'undecidable decided', which is why it cannot exist without a 'constitutive outside'."¹⁸⁶ Mouffe's use of Derrida's constitutive outside ignores the indeterminate transient nature of this outside by rendering

¹⁸⁴ Jacques Derrida, *The Politics of Friendship*, George Collins, tr. (New York: Verso Radical Thinkers, 2005), 117.

¹⁸⁵ Arash Abizadeh, "Does Collective Identity Presuppose an Other? On the Alleged Incoherence of Global Solidarity," *American Political Science Review* 99, No. 1 (February 2005): 56.

¹⁸⁶ Mouffe, *Return of the Political*, 152.

it conditional upon a liberal inside. In so doing, she disregards Derrida's problematizing of this inside/outside distinction. Thus, whereas Derrida sought to develop a critical orientation to this inside/outside distinction, Mouffe continues to uphold a version of the inside as monitoring outside. Moreover, Mouffe's use of the past tense 'decided' departs from Derrida's attempt to break out of a linear conception of temporality. By asserting the necessity of this past tense decided, Mouffe scales back on the possibilities opened up by Derrida's deconstruction of temporality. In other words, by postulating that a political regime is always a case of 'undecidable decided', Mouffe eliminates the possibility of cultivating a political regime that re-cognizes the violence of its own constitution as never fully decided. Derrida comments that: "...for a decision to be just and responsible, it must, in its proper moment, if there is one, be both regulated and without regulation...It follows from this paradox that there is never a moment that we can say in the present that a decision is just."¹⁸⁷ In this regard, Mouffe misses Derrida's emphasis on *différance* as a *simultaneous* articulation of deference and differentiation. Thus, whereas Derrida seeks to cultivate an experience in between or amidst 'moments', Mouffe's dichotomizing of deferral and differentiation reinforces the traditional understandings of political decision and indecision, justice and injustice, presence and absence, and structure and action. Johan van der Walt describes the Derridean emphasis on deferral as a component of differentiation:

To the extent that one would wish to employ the word 'justice' positively and not just negatively through the acknowledgement of injustices, one would have to reserve it for an experimental moment of deferral, for a moment of deferring for

¹⁸⁷ Derrida, "Force of Law," in *Deconstruction*, 23.

as long as possible the inevitable moment of accusation – that lies at the heart of all acts of closure and self-constitution.¹⁸⁸

Consequently, while Mouffe rightly identifies the way politics *is* understood through the categories of structure, decision and sovereignty, she ignores Derrida’s problematizing of these categories and, by extension, the type of ethical qualities he considers necessary to a radical democratic politics. Thus, despite recognizing the dangers of hypostatizing the identity of the inside qua dis-identification, Mouffe undermines the extent to which her liberal democracy can embrace a Derridean dynamic of imposing/exposing. The Derridean move from a politics of imposing to a politics of exposing represents a move towards radical democracy as a continual democracy to come. However, this move cannot be sustained by a liberal ethic, but instead requires the development of an ethics of sensitivity, responsibility, and hospitality. Contrary to Mouffe’s emphasis on liberty and rights, these ethical values are motivated by the attempt to complicate the differentiation between I and other, and by extension, as a way of de-legitimizing ‘the friend perspective’ as opposed to legitimating it.

For Derrida, the outside is the inside and vice versa - without either side being reducible to the other. Derrida employs this re-modeled distinction between the inside and the outside to develop an understanding of democratic politics that contains within it the mechanisms to combat its own constitutive violence. Derrida’s notion of auto-immunity articulates this commitment to democratically negotiate the violence present in “even the most pacific moment of persuasion.”¹⁸⁹ Derrida states:

¹⁸⁸ Johan van der Walt, “Rawls and Derrida on the Historicity of Constitutional Democracy and International Justice,” *Constellations: An International Journal of Critical and Democratic Theory* 16. No. 1 (March 2009): 30.

¹⁸⁹ *Deconstruction and Pragmatism*, 83.

...one keeps this indefinite right to the question, to criticism, to deconstruction (guaranteed rights, in principle, in any democracy: no deconstruction without democracy, no democracy without deconstruction). One keeps this right strategically to mark what is no longer a strategic affair; the limit between the conditional (the edges of the context and of the concept enclosing the effective practice of democracy and nourishing it in land and blood) and the unconditional which, from the outset, will have inscribed a self-deconstructive force in the very motif of democracy, the possibility and duty for democracy to de-limit itself. Democracy is the autos of deconstructive self-delimitation. Delimitation not only in the name of a regulative idea and an indefinite perfectibility, but every time in the singular urgency of a here and now.¹⁹⁰

In contrast to Derrida's intensely praxis oriented understanding, Mouffe uses the logic of a master-signifier to stress the necessity of political structure. Borrowing Lacan's logic, she states:

The status of the master-signifier, the signifier of symbolic authority founded only on itself (in its own act of enunciation) is strictly transcendental: the gesture that 'distorts' a symbolic field, that curves' its space by introducing a non-founded violence, is stricto-sensu correlative of its very establishment. This means if we were to subtract from a discursive field its distortion, the field would disintegrate, 'de-quilt'.¹⁹¹

Mouffe's emphasis on the necessity of a master-signifier breaks with Derrida's notion of democracy as the 'autos of deconstructive self-delimitation'. Thus, whereas Derrida develops a praxis-oriented democracy predicated on its own continual self-overcoming, Mouffe defends the existence of the master-signifier as a necessary condition for the possibility of political space. Instead of relying on this before and after logic, Derrida stresses the aporetic nature of this originary violence as a way of complicating the logic of political structure and sovereignty that frame our understanding of democracy. Conversely, the strict transcendentality that Mouffe ascribes to the master-signifier undermines the possibility of contesting the principle of political sovereignty as the necessary structuring or formatting of politics. In turn, Mouffe's conception of

¹⁹⁰ Derrida, *Politics of Friendship*, 105.

¹⁹¹ Mouffe, *The Democratic Paradox*, 138.

democracy always presumes the necessity of political structure in a way that limits the degree to which one can simultaneously be both subject and citizen.¹⁹²

For Derrida, democracy as the autos of deconstructive self-delimitation implies continually negotiating and contesting the roots of this appeal to the necessity of political structure. Even if political structure cannot be overcome, it is imperative to develop democratic practices to negotiate structural violence in more dynamic ways. Derrida describes this deconstruction of the roots of political structure and sovereignty: “Hence, which begins where the beginning divides (itself) and differs, begins by marking an ‘originary’ heterogeneity that has already come and that alone can come, in the future, to open them up. If only to themselves.”¹⁹³ Because Mouffe cannot envision a politics absent of this structural violence, she appeals to an ethics that can legitimate and limit this violence. Mouffe is explicit about the importance of the liberal ethic in monitoring the violence and exclusion entailed by democracy as a political structure. Despite this argument, Mouffe’s liberal ethic limits democracy through its commitments to the logic of political structure and sovereignty. In other words, because this ethic is predicated on the separation of sovereignty and its constituents, structure and action, it helps maintain those in power at the expense of a more radical democracy. Hence, whereas Mouffe’s liberal ethic is intended to bolster a variety of different voices and identities, it ultimately reinforces the dominant groups by reifying their role as ethical. Accordingly, being a good democrat amounts to accepting democratic structure and their closures while appealing to the role of liberalism in challenging those closures. In contrast, Derrida argues for a democratic politics that negotiates the non-negotiable call of ethical

¹⁹² In interesting ways this return to the Rousseauian dialectic of subject and citizen and whether the general can ever effectively unite these functions if only in the form of mimetic moments.

¹⁹³ Derrida, *Politics of Friendship*, 105.

hospitality and responsibility. In so doing, he aims to sustain the tension between ethics and politics in order to promote a type of democratic practice that revises and negotiates its practices and values in the spirit of a democratic ethics. Derrida states:

...the ethical and the political are caught in a knot, in an inevitable intrication, this does not mean that they are simply tangled, but that what seems not to have to be negotiated politically, not have to be reinscribed in a relations of powers, thus the nonnegotiable, the unconditional is, as unconditional, subject to political transaction and this political transaction of the unconditional is not an accident, a degeneration, or a last resort: it is prescribed by ethical duty itself.¹⁹⁴

By placing politicization at the heart of ethical duty, Derrida provides us with a framework to think democracy as simultaneously ethical and political. In so doing, he flirts with the suspension/‘de-quilting’ of democratic space, but without this suspension, the experience of the infinite demand of justice will always be framed by sovereignty as in the case of Mouffe.

To fully appreciate Derrida’s position requires giving up on the modern division between the finite and the infinite or the transcendental and the empirical. For Derrida, these divisions are rooted in our particular conception of temporality, which subordinates time to logic. To ‘free’ our experience from the closure of metaphysics requires reinventing our concepts in a way that recognizes how temporality cannot be exhaustively subsumed by logic. In political terms, this means that our political imaginary remains subject to an understanding of temporality that obscures the possibilities of coping with the violence of law, decision, and judgment.¹⁹⁵ In this regard, Derrida’s approach points to the same limitations as Foucault’s claim that political theory

¹⁹⁴ Jacques Derrida, *Negotiations: Interventions and Interviews 1971-2001*, Elizabeth Rottenberg, tr. and ed. (Stanford: Stanford University Press, 2002), 304.

¹⁹⁵ On this issue Beardsworth writes: “The answer is the *différance* of law. If the law is, on the one hand, unaccountable, on the other hand it is nowhere but in its inscriptions in history, whilst not being reducible to these inscriptions either.” Richard Beardsworth, *Derrida and the Political*, (New York: Routledge, 1996), 29.

is yet 'to cut off the head of the sovereign'. By deconstructing temporality, Derrida is trying to open possibilities for experiencing the necessary violence of politics in a way that lets us develop more attuned and open 'arts' of politics. Here political 'arts' substitutes for structure insofar as Derrida promotes an open-ended orientation to politics whose demand for decisions is held in tension by the element of undecidability that accompanies every decision. Beardsworth describes the relation between the aporetic nature of Derrida's originary violence and decision: "An aporia demands decision, one cannot remain within it, at the same time its essential irreducibility to the cut of decision makes the decision which one makes contingent, to be made again."¹⁹⁶ What characterizes Derrida's democracy 'to come' is precisely its ability to sustain the 'promise' and by extension, the tension between deciding and undecidability qua differentiation and deference.

Consequently, Mouffe's affirmation of the necessity of decision marks a departure from undecidability as well as from Derrida's attempt to undo the logic of temporality that makes this decision necessary.¹⁹⁷ It is not that Derrida thinks the decision can be avoided altogether, but rather that the deployment of temporality opens new ways of experiencing this relation between decision and undecidability. Mouffe rejects such a deployment of temporality because democracy as a structure requires closure, if only for the sake of conditioning the possibility of further democratic openings.¹⁹⁸ By joining

¹⁹⁶ Beardsworth, *Derrida*, 15.

¹⁹⁷ Both Foucault and Derrida have respectively shown how our conceptions of atomistic temporality and the metaphysics of presence determine our dominant decisions and by extension, the way our conceptions can be understood in terms of dominant decisions.

¹⁹⁸ Fritsch comments on this relation between temporality, closure and normativity: "In this sense, the futural openness may function as a quasi-transcendental 'meta-norm' that subjects all normative accounts of democracy to perpetual revision and contestability from the viewpoint of elusive singularity, in the interest of reducing violence that might otherwise result from such accounts. Matthias Fritsch, "Derrida's

deconstruction with linear temporality and the concrete and limiting ‘presence’ of political decisions, Mouffe offers an alternative to Laclau’s critique of deconstructionist politics as disjointed from time. However, in so doing, Mouffe also departs from the infinite openness of a deconstructionist model by ignoring Derrida’s deconstruction of the differentiation between friend and enemy and the necessarily decided nature of political structuring. For Mouffe, there is only so much deconstruction before politics ceases being political and becomes mere play.¹⁹⁹ Somewhere between Mouffe and Derrida, we are trapped between *mere* play and ‘murder, wounding and traumatism entailed by the existence of the One (Identity)’.²⁰⁰

Derrida aims to deconstruct the boundary between political structure and action such that “a necessary infinity of distinguishing references enters the system, which is now a quasi-system in the sense that its structurality consists in nothing other than its use or its event.”²⁰¹ In contrast, Mouffe’s appeal to democracy as a political logic betrays this performative dimension by subordinating it to the necessity of a determinate structure. Without the element of structure we cannot make intelligible the performative as a democratic performance. Moreover, because of this structural nature of democracy, the liberal ethic is necessary in order to prevent democracy from becoming purely structural and thus, anti-pluralist. Thus, unlike Derrida’s ethics, which is inscribed in the praxis of democracy, Mouffe maintains a certain exterior and incontestable ethical dimension. In other words, Mouffe cannot allow her liberal ethic to be completely politicized by virtue

Democracy to Come,” *Contellations: An International Journal of Critical and Democratic Theory* 9. No. 4 (December 2002): 594.

¹⁹⁹ Incidentally Derrida warns against this type of full presence of enemy/friend that he attributes to Schmitt’s Westphalian nostalgia. Fritsch, “Antagonism,” 189.

²⁰⁰ Fritsch, “Antagonism,” 183.

²⁰¹ Fritsch, “Antagonism,” 179.

of its role in protecting pluralism against the necessary moments of coercive closure implied by democracy. Hence, whereas Derrida's ethics is deeply entangled in the matrices of democratic practice, Mouffe preserves a version of 'the outside is **not** the inside', which undermines the possibility of dynamic and democratic relationship between ethics and politics. La Caze states:

...without silence, without the hiatus, which is not the absence of rules but the necessity of a leap at the moment of ethical, political or juridical decision, we could simply unfold knowledge into a pre-given course of action. Nothing could make us more irresponsible; nothing could be more totalitarian.²⁰²

Perhaps, it is this attentiveness to the dangers of totalizing that makes deconstruction such a fleeting ally in the struggle for a more radical democratic project. La Caze also describes what might be characterized as the discomfort that trails deconstruction as a fleeting ally:

Derrida's view that we must negotiate between ethics and politics leaves us with the question of how far toward each we should tend in our negotiations. Ethics with its unconditional demands is impossible to satisfy for Derrida, and politics must be limited by ethics.²⁰³

Given this ambiguity and unease regarding the nature of a deconstructive politics, it is worth recalling Nancy Fraser's description of the schism between Gayatri Spivak and Jacob Rogozinski and whether deconstruction lends itself to a revolutionary politics or a politics of resistance.²⁰⁴

²⁰² La Caze, "At the Intersection," 793-94.

²⁰³ La Caze, "At the Intersection," 790.

²⁰⁴ Fraser describes Derrida's answer to this schism as unsatisfactory in its inability to provide a deconstructionist politics. Instead, she turns to Nancy and Lacoue-Labarthe and their refusal of the terms of this debate. Their refusal is predicated on a deconstructionist ethic that abandons the task of producing a politics and instead offers to deconstruct the political. Nancy Fraser, "The French Derrideans: Politicizing Deconstruction or Deconstructing the Political?" *New German Critique*, no. 33, Modernity and Postmodernity (August 1984) 133-135.

By striving to rethink politics without the traditional role of the state, the metaphysics of presence, and the dominant role of the subject, deconstruction remains perhaps deliberately opaque with respect to its political agenda. Some theorists like Laclau have taken this to the extreme by arguing that deconstruction can be appropriated to support a totalitarian politics:

Precisely because of the undecidability inherent in constitutive openness, ethico-political moves different from or even opposite to a ‘democracy ‘to come’ can be made – for instance, since there is ultimate undecidability and, as a result, no immanent tendency of the structure to closure and full presence, to sustain that closure has to be artificially brought about from the outside.²⁰⁵

Laclau thus identifies normative ambiguity as a component of deconstruction that makes it vulnerable to a plethora of possible appropriations as apparent in the Spivak/Rogozinski debate and even more dramatically in Richard Wolin’s claim regarding the affinity between deconstruction and fascism.²⁰⁶ Laclau describes the moment of normative insecurity within deconstruction:

The illegitimate transition is to think that from the impossibility of a presence closed in itself, from an ‘ontological’ condition in which the openness to the event, to the heterogeneous, to the radical other is constitutive, some kind of ethical injunction to be responsible and to keep oneself open to the heterogeneity of the other necessarily follows.²⁰⁷

For Laclau, this deconstructionist ambiguity must be superseded if this practice is to contribute as a ‘powerful tool for thinking strategically about democracy’. Mouffe’s appeal to the liberal ethic is precisely such an attempt at superseding and by extension, at picking up where the Center for Philosophical Research on the Political collapsed.²⁰⁸

²⁰⁵ Ernesto Laclau *Emancipation(s)*, (New York: Verso Radical Thinkers, 1996), 78.

²⁰⁶ Richard Wolin, *The Seduction of Unreason: The Intellectual Romance with Fascism from Nietzsche to Postmodernism*, Princeton: Princeton University Press, 2004.

²⁰⁷ Laclau, *Emancipation(s)*, 77.

²⁰⁸ Fraser provides a compelling account of the center’s failure as intimately bound up with the constitutive dilemma of providing a deconstructionist politics and deconstructing the political. Fraser, “French Derrideans,” 153.

Simon Critchley's work reflects perhaps the most prominent attempt to appropriate and develop a deconstructive politics. Contrary to Laclau's dismissal of deconstruction as ethical and Mouffe's liberal adaptation of deconstruction, Critchley embraces Derrida's appeal to an infinite and unconditional ethics. In so doing, Critchley combines Derrida and Levinas to emphasize the importance of a pre-rational sentient disposition towards others, reminiscent of Rousseau's appeal to compassion. For Critchley, this pre-sentient disposition is required for the Derridean democracy to come. Not unlike Mouffe's appeal to a liberal ethics, this prioritizing of an ethical dimension risks stifling the 'to come' of Derrida's democratic practice. By giving substance to Derrida's justice/ethics, Critchley jeopardizes the radicality of Derrida's model in a manner that highlights Mouffe's displacement of Derrida's radicalism. Derrida states:

But in the moment that an axiom's credibility is suspended by deconstruction, in this structurally necessary moment, one can always believe that there is no more room for justice, neither for justice itself nor for theoretical interest directed toward the problems of justice. The moment of suspense, this period of *epoche*, without which, in fact, deconstruction is not possible, is always full of anxiety, but who pretends to be just by economizing on anxiety? And this anxiety-ridden moment of suspense – which is also the interval or space in which transformations, indeed juridico-political revolution, take place – cannot be motivated, cannot find its movement and its impulse except in the demand for an increase in or supplement to justice and so in the experience of an inadequation or an incalculable disproportion.²⁰⁹

Mouffe disregards the deconstructionist claim to undecidability as the source of an ethical injunction by merely substituting the liberal ethic through a gesture that might be conceived as a *necessary* politicization of ethics.²¹⁰ However, this substitution is dually

²⁰⁹ Derrida, "Force of Law," in *Deconstruction*, 22.

²¹⁰ On the necessity of this politicization, it is worth recalling the heated exchanges between Žižek and Critchley that crystallized around whether or not a deconstructionist ethics can contribute to the political project of the left. Žižek's mocking of Critchley's appeal to the infinitely demanding nature of a deconstructionist ethics as an avenue for a non-violent politics can be situated in the supposedly a-political grounds underlying Critchley's Levinasian project.

precarious; it not only appropriates deconstruction where it is generally perceived to fall short, but it also provides a liberal ethics whose exteriority mirrors the kind of ‘good conscience’ deconstruction sought to disrupt. Critchley describes this incompatibility between deconstruction and liberalism with regard to Rorty:

How can one be a Nietzschean ironist in the private sphere, which would mean understanding liberal principles of tolerance and abhorrence of cruelty as sentiments of resentment, and a liberal in the public sphere where one would respect and act on those principles.²¹¹

By presuming the desirability of a good conscience against the background of its already admittedly political role, Mouffe supersedes the paradox at the heart of deconstructionist politics. In short, Mouffe brings closure to deconstruction from the outside and, in her case, a deliberately liberal democratic outside. Thus, by minimizing the extent of deconstruction with regard to the liberal ethic, Mouffe limits deconstruction from contesting the division between private and public, which prevents it from extending all the way *through* the public and the realm of civil society. In so doing, she politicizes ethics by displacing deconstruction as well as its commitments to infinite perfectibility and perpetual democratization. For Mouffe, this displacement is performed for the sake of politics, but the critique for the sake of what kind of politics stands - insofar as this politicization depoliticizes the liberal ethic. Thus, Mouffe’s use of deconstruction turns out to be ideological in the way it cannot and does not allow for the deconstruction of the liberal ethic. Hence, the future of Mouffe’s politics will always remain liberal.

Mouffe employs ‘the constitutive outside’ to conceptualize the inevitable remainders, others, or enemies resulting from the nature of decision as a moment of simultaneous opening and closure. For Mouffe, the constitution of collective political

²¹¹ *Deconstruction and Pragmatism*, 25.

identities is conditional upon decisions that open possibilities for some groups while foreclosing them for others. The constitutive outside thus in order to be a true: “outside has to be incommensurable with the inside, and at the same time, the condition of emergence of the latter.”²¹² Consequently, it appears that undecidability continues to inhabit the decision after the fact, and by extension, that the constitution of collective political identities is best understood as an endless process of demarcating an incomplete ‘us’ from an incomplete ‘them’. In this case, Fritsch describes Mouffe’s use of deconstruction: “...*différance* is enlisted in demonstrating the impossibility of fixing meaning once and for all, an impossibility that must be attempted by what Derrida called the ‘desire for the center in the constitution of structure.’”²¹³ However, despite this impossibility of fixing meaning once and for all, Mouffe’s categories of friend and enemy dictate certain parameters that limit the radical nature of this appeal to *différance*. Thus, Fritsch argues that Mouffe’s appropriation conceals an important difference between her liberal democratic adversary and the ‘always to come’ of Derrida’s *other*. In turn, Mouffe’s attempt to transpose the logic of *différance* onto a liberal democratic framework sacrifices the constitutive incompleteness of *différance* for the sake of identifying the anti-liberal as the enemy and the discontented liberal as the adversary. To be sure, the discontented liberal embodies a version of the constitutive incompleteness by virtue of the fragile nature of discontent. However, both the anti-liberal enemy and the discontented liberal adversary acquire their political identity against the non-*différance* of the liberal democratic center. Hence, although, the deconstructionist *logic* provides a highly dynamic framework for theorizing the constitution of identity, it cannot satisfy

²¹² Mouffe, *Democratic Paradox*, 12.

²¹³ Fritsch, “Antagonism,” 178.

Mouffe's desire for a political center or structure. In turn, *différance* lacks the *decisive* differentiation Mouffe requires for making intelligible the explicitly political dimension of identity.²¹⁴ The gap opened up between a deconstructionist negotiation of the desire for a center and Mouffe's satisfaction of this desire by virtue of a liberal democratic structure frames a debate over the nature of differentiation, intelligibility and politics. Derrida warned against the temptations of overcoming undecidability and affirming a determinate normative register - temptations predicated on a hypostatized form of differentiation such as friend and enemy and for that matter adversary:

For what is at the same time at stake – and marked by this same word in *différance* – is *différance* as reference or referral to the other, that is, as the undeniable, and I underscore undeniable, experience of the alterity of the other, of heterogeneity, of the singular, the not-same, the different, the dissymmetric, the heteronomous. I underscore undeniable to suggest only deniable, the only protective recourse being that of a send off through denial.²¹⁵

If the undeniable is simultaneously the root of good conscience and the site of an aporia, then Mouffe's affirmation of the liberal ethic is predicated on an element of denial– a denial whose undeniable quality must be problematized by drawing attention to possibility of denying the undeniable. By foreclosing this possibility Mouffe not only provides the required normative traction for liberal democracy, she also silences deconstruction and its vigilant problematizing of the desire for a determinate structure of politics and intelligibility. Somewhere between Mouffe's determinate structure of politics/intelligibility and deconstruction's indeterminate praxis of *politics/intelligibility*,

²¹⁴ Derrida, *The Politics of Friendship*, George Collins, tr. New York: Verso Radical Thinkers, 2005.

. Of course, most deconstructionists would resist this decisive differentiation as somehow inherent to the nature of the political. Instead, they would argue that it belongs to an historically western understanding of politics, which becomes apparent in Derrida's attempt to contest the presuppositions of western friendship.

²¹⁵ Jacques Derrida, *Rogues: Two Essays on Reason*, Pascale-Anne Brault and Michael Naas, trs. (Stanford: Stanford University Press, 2005), 38.

a political space is opened – a political space that invites us to develop alternative ways of sustaining differentiation, intelligibility, and politics.

By bringing together the role of power and the context of undecidability with respect to group formation, Mouffe seeks to illustrate both the ineliminability of ‘political’ decisions and the potential of developing a more effective understanding of the pervasiveness of politics through the use of ‘deconstruction as a hyper-politicizing’ practice.²¹⁶ In this sense, there would seem to be no ‘in principle’ answer to, for example, majoritarian attacks on pluralism - only a different pluralist politics with no basis for a claim to be in some sense better than the alternatives. However, if we use Derrida’s appeal to risk, chance, and even a leap of faith as an example of the absence of an ‘in principle’ answer, it becomes obvious that Mouffe’s adherence to deconstruction is primarily strategic.²¹⁷ Whereas deconstruction stakes its claim on the absence of an exterior standard other than ‘democracy to come’, which cannot eliminate the possibility of normative regress, Mouffe’s appeal to liberalism is intended to provide a certain in principle answer to the possibility of majoritarian attacks on pluralism. When Derrida adopts a standard of the undeconstructable, this standard is the nothing outside of the text that still functions as a something.²¹⁸ In this sense, there is nothing outside of politics and

²¹⁶ Mouffe’s somewhat peculiar dismissal of the dialectic can be traced to *her* insistence upon the absence of neatly juxtaposed categories. What makes this dismissal peculiar is the family resemblance between Mouffe’s notion of the constitutive outside and Žižek’s notion of constitutive loss. It seems Mouffe is dismissing a straw-man conception of dialectics whose supposed rigidity cannot accommodate the dynamics of an us/them division.

²¹⁷ Ungureanu remarks on the normative undecidability of deconstruction: “This is also to alert to the fact that the foundation, interpretation and application of law structurally may imply a moment of ‘unconditionality’, lack of ‘self-control’ or ‘passivity’... (leap of faith) – a chance (and a risk) of more (or less) justice in singular situations.” Camil Ungureanu, “Derrida on Free Decision: Between Habermas’ Discursivism and Schmitt’s Decisionism,” *Journal of Political Philosophy* 16, no. 3 (September 2008): 322-3.

²¹⁸ Beardsworth articulates a version of this thought: “...the critical oscillation between unconditionality and conditionality misses the relation between the forces of history and the powers of reason...For it

thus the ‘in principle’ answer only functions as an internal standard subject to the role of deconstruction as justice and justice as deconstruction.²¹⁹ For Mouffe, that nothing is not only a concrete something, but a determinate liberal something that conditions the possibility of deconstruction as justice but not justice as deconstruction. What becomes explicit here is the dilemma that emerges between radical democracy as a *self-critical* performative as immanent to the project of deconstruction, and the logic of democracy as a structure in need of some ‘in principle’ answer and a normative center.²²⁰ Ultimately, this gap between Mouffe and deconstruction amounts to a difference in the way they conceptualize the quasi-transcendental nature of democratic structures. Whereas Derrida’s *quasi-transcendental* structure is characterized by the deconstruction of the interior/exterior dynamic and thus, by the quasi-immanence of democratic normativity, Mouffe’s is a transcendental quasi-transcendental insofar as the liberal ethic supplies normativity from an (incontestable) exterior.²²¹ In other words, Derrida’s quest for normativity is intensely inscribed in the democratic practice as sensitivity to the tragic inadequacy and excess of opening up limits from an always already politicized position. In contrast, Mouffe suggests the possibility of overcoming this deep paradox by

ultimately figures sovereignty with sovereignty and law without force outside the dynamic of history and within the atemporal, non-figure of the absolute future.” Beardsworth, *Derrida and the Political*.

²¹⁹ Ungureanu describes this Derridean stance: “In contrast for Derrida there is literally no outside of the system of norms and rules. Derrida’s point is rather that the foundation, interpretation and application of the principle of constitutional democracy may presuppose a thinkable but non-representable moment of immoderation and risk, namely an instant of being ‘outside’ of a system of norms in order to reinterpret it in view of more justice.” Ungureanu, “Derrida,” 320. In some ways this sounds like the type of empty outside sought by Laclau but the material nothing of Derrida’s outside makes it an a-political something that cannot provide the source of emancipation. Needless to say, this is not a problem for Mouffe as her outside is neither empty nor lacks material content in the form of liberalism.

²²⁰ The debate between Foucault and Habermas crystallizes around this issue of a consensual ‘in principle’ structure or normative center and whether this consensus is a necessary condition for critique or merely a site of critique.

²²¹ In this regard it seems only fair to remark that deconstruction as a hyper-politicizing practice borders on the *modus vivendi* approach to politics that Mouffe seeks to infuse with a more substantive democratic normativity.

employing a liberal ethics beyond democratic contestation. In so doing, she provides a paradox of her own – one that rests on the possibility of being both a deconstructionist and a liberal democrat - if only because a deconstructionist practice presupposes a liberal democratic structure’.

Unlike Derrida’s democratic normativity, Mouffe’s version presupposes that the commitment to radical democracy invariably dictates *some* measure of excluding anti-democratic agendas. However, this deep paradox cannot be simply brushed aside in the manner suggested by an empiricist affirmation of the necessity of political structure. The real difficulty concerns the specific nature and design of political structure, since all designs seem to fall prey to a version of the performative self-contradiction. The performative self-contradiction is the critique directed at theories or positions that aim to negotiate this invariable element of structure such that their preferred structure avoids an a priori privileging of a particular plurality or a particular decision-making procedure. Mouffe’s appeal to the possibility of ‘defusing and sublimating’ the antagonistic and exclusionary dimension can be seen as an attempt to work *through* this performative self-contradiction by acknowledging the ineliminable nature of some concrete measure of structure while also asserting the superiority of the liberal democratic structure in contesting its own invariable exclusiveness. Mouffe is thus trying to expose the limits of the performative self-contradiction. However, her recourse to liberal democracy as the most effective structure in contesting its own exclusivity is premature from a deconstructionist perspective. Ungureanu describes the simultaneous patience and urgency of a deconstructive orientation to the moment of decision:

One must know as much as possible, one must deliberate, reflect, let things mature. But however long the process of maturing lasts, however careful one is in

his theoretical preparation of the decision, the instant of the decision, if there is to be a decision, must be heterogeneous to this accumulation of knowledge. Otherwise, there is no responsibility. In this sense only must the person taking the decision not know everything.²²²

For Mouffe, without an exterior/substantive authority this process of working *through* cannot supply the essence required for a defense of democratic politics. However, for Derrida, endorsing such an essence would be synonymous with irresponsibility.

Although, Mouffe might dismiss this element of irresponsibility as an inevitable ethical casualty of doing politics, the charge of pre-maturity cannot be as easily dismissed.

Invoking a familiar analogy, we might say that Mouffe's logic lends itself to the interpretation that a radical democrat/deconstructionist is a liberal democrat waiting to grow up. Somewhere between their respective *quasi*-transcendentalisms, Mouffe's agonism and Derrida's deconstruction bring to fore the challenge of maturing as a delicate holding in tension of immanence and transcendence.

What is particularly interesting about Mouffe's affirmation of liberal democracy as the superior structure for contesting the paradox of democratic legitimacy is not only her appeal to deconstruction as a hyper-politicizing practice, but her suggestion of a symbiotic relation between liberal democracy and deconstruction. Mouffe's appropriation of deconstruction is predicated on the understanding that this *approach* resists the label of procedure given its commitment to deconstruct its own procedural strains. Consequently, this approach seems well suited to continuously problematize the structure or genesis that conditions the existence of pluralism. However, Mouffe does not employ deconstruction to dismantle the structure of liberal democracy, but instead relies on this very structure as

²²² Ungureanu, "Derrida," 316.

a condition for the possibility of deconstruction and undecidability.²²³ Accordingly, deconstruction clashes with Mouffe's argument regarding the inevitability and concreteness of political decisions and by extension, the superiority of liberal democracy.²²⁴ Hence, despite her affinity for deconstruction, it is telling that Mouffe does not employ this approach when engaging the nature of her anti-pluralist exclusions and thus the liberal ethic that underlies her politics.²²⁵ In other words, Mouffe never commits to liberal democracy as an undecidable terrain but instead treats it as a condition for the possibility of undecidability. From a deconstructionist perspective, Mouffe's commitment to liberal democracy is symptomatic of irresponsibility. However, from Mouffe's perspective, this commitment provides the necessary structure for politics as well as a buffer against the threat of a full-fledged and unintelligible populism.²²⁶

Even if we grant Mouffe the role of the liberal democratic structure in conditioning undecidability and deconstruction, liberal democracy cannot, *pace* Mouffe,

²²³ Interestingly, this parallels a version of Estlund's critique of fair proceduralism although the element of fairness would even be problematic for the deconstructionist. Ultimately fair proceduralism lacks any normative content unless we add to procedure some content be it Habermasian reason or Estlund's epistemic virtue. Mouffe critiques this supplementing of proceduralism in Habermas through the use of deconstructing rationality as privileged and yet, this deconstruction is absent in her affirmation of liberalism. In some ways this logic mirrors Hegel's appeal to the for-itself quality of structure that Žižek has employed to critique post-structural and deconstructionist politics. This Hegelian logic brings to the fore the importance as well as the material content of structure outside (or in excess of) the performative dimension, which also means that it runs counter to the nature of deconstruction as a means of exposing and resisting the necessity of determinate structures.

²²⁴ Derrida is careful to avoid this term [method] because it carries connotations of a procedural form of judgment. A thinker with a method has already decided *how* to proceed, is unable to give him or herself up to the matter of thought in hand, is a functionary of the criteria which structure his or her conceptual gestures. For Derrida [...] this is irresponsibility itself. Thus, to talk of a method in relation to deconstruction, especially regarding its ethico-political implications, would appear to go directly against the current of Derrida's philosophical adventure

²²⁵ In this regard Connolly's appeal to genealogy over deconstruction is particularly informative as it helps showcase the lack of normative traction provided by this theoretical 'method'.

²²⁶ It is worth recalling Laclau's critique of deconstruction as an emancipatory project: "The difficulty, however is that in the classic notion of emancipation the defense and grounding of all those contents were intimately connected to the teleological eschatology that Derrida is deconstructing. Derrida, *Emancipation(s)*, 76. Thus, although Laclau is more inclined to populism than Mouffe, he rejects deconstruction based on its ability to support a democratic populism against a Reign of Terror populism.

avoid its own structural moment of undecidable decided.²²⁷ In fact, Mouffe's rejection of Hardt and Negri's *Multitude* as post-political is predicated on their supposed overcoming/immanentization of structure in much the same manner as Laclau's critique of Marx's second stage of the revolution as lacking political structure.²²⁸ However, Mouffe's appeal to deconstruction as a hyper-politicizing practice also suggests an alliance with the logics of continuous *populist* revolution/reformation. As an anti-procedural and methodological practice, deconstruction cannot legitimate Mouffe's liberal democratic structure without conceding the necessity of (the *liberal* democratic) structure and thus becoming irresponsible on its own terms.²²⁹ Hence, Mouffe's use of deconstruction ultimately veils her commitment to *liberal* democracy while raising the question whether or not it is possible to be a responsible deconstructionist and a political theorist at the same time. The answer to this question requires not only determining whether deconstruction is an ethical or a political practice but also whether there is a way to think political action without political structure and if not, then whether we can develop less divisive forms of political structure/sovereignty.²³⁰

²²⁷ Mouffe, *Return of the Political*, 152.

²²⁸ This refers to the critique of Marx as collapsing the state and civil society, and thus as carrying out the immanentization of the political in the social. Negri in particular pursues such an agenda of constituent power absent of constituted power or structure, which adds up to a type of *populist* revolution with few means of making intelligible who the revolutionary agent is or what is being overthrown.

²²⁹ Fritsch elaborates on the intimate conditionality between deconstruction and democracy: "Democracy is the autos of deconstructive self-determination... We may translate this by saying that democracy need the self-deconstruction of its most basic concepts and institutions... while deconstruction, as a textual operation needs the democratic rights "to the question, to criticism, to deconstruction". Fritsch, "Derrida's Democracy," 578. What is interesting about this *translation* is not only the absence of any reference to liberalism but the use of democratic rights as something rather more determinate than the deconstructionist appeal to absolute openness and futurity. Stretching Derrida's democracy 'to come' to include democratic *rights*, even as empty placeholders, is a stretch and stretching it to legitimate liberal right is a distortion.

²³⁰ One place to begin addressing this question of political form is by returning to Marx's critique of Hegel's essential emphasis on form. Another place might be with Hobbes and his attempt to parallel the development of conceptual and intelligible structure to the establishment of an effective political structure.

Instead of simply accepting the necessity of political structure, it is critical that we interrogate the difference between an ‘in principle’ necessity and an empirical necessity.²³¹ Perhaps Mouffe’s appeal to the necessity of liberal democratic structure and Foucault’s appeal to cutting of the head of the sovereign represent the parameters of an inquiry into the critical importance of developing more pluralistic and dynamic ways of *sustaining* this need for structure.²³² Rather than Mouffe’s attempt to satisfy the need for structure and intelligibility by seeking to eliminate the anxiety of indeterminate differentiations, we should aim to sustain this need by continuously holding our differentiations in a critical tension. Nick Mansfield articulates this thought in relation to Derrida’s project:

If the sovereignty we abhor is to be undone, then it will not be undone by opposition, or by hope and patience, but by fueling the logic of unconditionality within it, that which licenses sovereignty, but remains, unstable within it.²³³

In a globalizing environment where these differentiations are continually being problematized, the attempt to satisfy this need only renders us incapable of adapting and orientating democracy to the intensely dynamic context of the twenty-first century. If certain forms of post-modern destructuring (of political structure) embody the threat of

²³¹ Although Mouffe largely relies on Schmitt to support the emphasis on political structure this line of argumentation can be traced to a lineage that includes amongst others Hobbes and Hegel. Hobbes’ argument about the importance of centralized order and his emphasis on the crucial relation between intelligibility and politics as well as Hegel’s dismissal of the abstract state or even worse mob rule pursue a similar a logic with respect to the dangers of un-structured politics. Evidently, the abstract state that Hegel rejects can be seen as mirroring the liberal democratic state that Mouffe defends, but this argument becomes one about what qualifies as structure rather than about the necessity of structure.

²³² Incidentally Hobbes understood this need for intelligibility all too well as he sought to sustain it by developing a ‘centralized’ but nevertheless, dynamic authority that could assuage the anxiety that pervaded the human condition. Against those who stress the possibility of doing away with this need, Hobbes posited the roots of this need for intelligibility in the physiological anxiety that drive people toward political life. Incidentally, Hobbes shares the physiological nature of this need with Freud who also sought to develop ways of living with anxiety rather than ways of overcoming it. In this regard, Hobbes’ analogy between politics and the weather showcases the inability of political structure to overcome or undo the state of nature in a manner comparable to Mouffe’s objectives of defusing and sublimating.

²³³ Nick Mansfield, “Sovereignty as Its own Question: Derrida’s *Rogues*,” *Contemporary Political Theory* 7, no. 4 (2008): 371.

anxiety and chaos, absent a Leviathan and determinate nominal commitments, Mouffe's recourse to liberal democracy fails to provide a critical and dynamic model to sustain the commitment to democracy. Now is the time to re-cognize the ways in which we orient ourselves to this need for structure and thus, to the way in which we differentiate both epistemically, normatively and politically.²³⁴ Perhaps the best place to begin this undertaking is by returning to the roots of modern sovereignty and thus to an examination of Machiavellian *fortuna* and Hobbesian anxiety. Perhaps, instead of focusing exclusively on what some have called the 'Machiavellian moment' we ought to retrieve Hobbes' emphasis on anxiety. Focusing on the relationship between anxiety and politics might help us conceptualize our relation to difference and by extension, how we envision our role in politics in terms of agency and receptivity. Moreover, it enables us to observe Mouffe's inability to develop a genuinely receptive politics insofar as its structure remains predicated on making intelligible what it is that one fears, even if this making intelligible precludes a more egalitarian engagement with the other.

Despite not treating pluralism as ontological, Mouffe commits to a politico-ontological primacy of difference, insofar as the very decision that constitutes a groups' identity is *always* at least subtly predicated on the foreclosure of difference.²³⁵ Hence, the constitution of a group is always conditional upon the designating of the other and therefore identity is always subtly secondary. To put this in more political terms, the

²³⁴ Jacques Ranciere's work offers a starting point for an inquiry into the ways in which we conceptualize politics and democracy and the ways in which this conceptualization itself dictates a particular politics: "To identify politics with the exercise of, and struggle to possess, power is to do away with politics. But we also reduce the scope of politics as a mode of thinking if we conceive of it merely as a theory of power or as an investigation into the grounds of its legitimacy. If there is something specific about politics that makes it something other than a more capacious mode of grouping or a form of power characterized by its mode of legitimation, it is that it involves a distinctive kind of subject considered, and it involves this subject in the form of a mode of relation that is its own." *Ten Theses on Politics*, taken from the second thesis.

²³⁵ Mouffe employs the language of a we/they discrimination to describe how any form of inclusion always presupposes an act of exclusion.

constitutive outside describes the existence of those groups that are inevitably disempowered by the constitution of a particular structure/regime.²³⁶ And though Mouffe occasionally describes this moment of opening and closure as simultaneous, it is clear that the designating or constituting of a disempowered group conditions the constitution of an empowered group. The logic of a subtle primacy of difference or other motivates Mouffe's attempt to develop a more *receptive* politics – or phrased differently, a form of political constitution that acknowledges the designation of disempowered groups as a condition for its existence.

Keeping in mind Mouffe's understanding of decision as a necessary component of social life, her challenge consists in theorizing the constitution of a pluralistic democracy and the necessary 'moment(s) of closure', and thus, the limiting of plurality that such a constitution implies. Considering Mouffe's statement that political regimes are always a case of undecidable *decided*, it is clear that not all pluralistic claims can be considered equally legitimate, and so the question becomes what type of closure or limit is most conducive to a *radical* pluralist democracy. Mouffe states:

Politics aims at the creation of a unity in the context of conflict and diversity; it is always concerned with the creation of an 'us' by the determination of a 'them'. The crucial issue is to establish this us/them discrimination in a way that is compatible with pluralist democracy.²³⁷

Hence, Mouffe aims to develop a politics that acknowledges the necessity of its own violence/exclusion and seeks to reduce it to a minimum. Assuming that Mouffe takes pluralism as axiological principle to mean a normative openness to difference, it is imperative not to overstate the necessity of constitutional consensus as an instrument of

²³⁶ It is important to recognize how the language of constitution refers to a continual process of ordering and reordering as well as to the founding act of constitution.

²³⁷ Mouffe, *Democratic Paradox*, 101.

violence and exclusion. If, as Mouffe suggests, constitutional consensus represents the structure most capable of minimizing the necessary violence of politics, then it is critical to interrogate the possibilities of a more hermeneutic, dynamic, and receptive constitutionalism that avoids the pitfalls of consensus without giving up Mouffe's commitments to politics. Phrased differently, while the moment of political constitution transforms anxiety into fear by providing intelligible limits both in terms of the sovereign and the enemy, we must resist treating it as a permanent remedy for anxiety. Without this resistance we foreclose the possibility of sustaining democracy as a critical practice of politically coping with the dynamics of social life, including the unknown variables of tomorrow. With this in mind, Mouffe's move towards a more receptive politics is promising in the Derridean sense. However, the promising nature of this move never quite escapes Schmitt's emphasis on sovereignty and its fear of anxiety.

Mouffe departs from the Derridean promise insofar as the decision is seen less as a site of differentiation and deference and more as the impossibility of deference qua differentiation. While this departure underlies Mouffe's commendable effort to stress a political discourse by acknowledging the proper moment of *decision*, it rests on an ontological over-determination of antagonism vis a vis friendship. Thus, by disregarding the dimensions of *aimance*/hospitality and overstating the nature of decision, Mouffe unintentionally surrenders a more nuanced, receptive and critical view of politics. Consequently, Mouffe's focus on the necessary structure of decision undermines the possibility of cultivating a praxis of deciding that *sustains* the moments of opening and closure in a more dynamic and critical tension. And thus, while her attempt to ensure the intelligibility of the us/them differentiation is commendable, her assertion that

“undecidability cannot be the last word” is damaging to the objectives of a radically pluralist approach.²³⁸ Derrida states:

There is politicization or ethicization because undecidability is not simply a moment to be overcome by the occurrence of the decision. Undecidability continues to inhabit the decision and the latter does not close itself off from the former.²³⁹

Fritsch’s critique of Mouffe’s appeal to deconstruction addresses this inconsistency by quoting Derrida’s reference to the promise:

There is no language without the performative dimension of the promise, the minute I open my mouth I am in the promise. Even if I say that ‘I don’t believe in truth’ or whatever, the minute I open my mouth there is ‘a believe me’ at work. Even when I lie, and especially when I lie, there is ‘a believe me’ in play. And this ‘I promise you that I am speaking the truth’ is a messianic a priori, a promise which, even if it is not kept, even if one knows that it cannot be kept, takes place.²⁴⁰

Both of these quotes demonstrate Derrida’s commitment to the continual process of dynamically working through our social identities as a transient spectrum not inherently subject to the categorization of friend and enemy. Moreover, even if we adopt a politico-ontological primacy of antagonism over friendship/sociality, the subtlety of this primacy cannot overshadow the possibility of virtuosic happenings as the (democratic) essence of the political.²⁴¹ Mouffe quotes Derrida in a way that helps rephrase this line of criticism:

²³⁸ Mouffe, *The Return of the Political*, 151.

²³⁹ *Deconstruction and Pragmatism*, 87.

²⁴⁰ Fritsch, “Antagonism,” 195. Incidentally, Connolly’s critique of Mouffe is directed at her claim to anti-essentialism because of the seemingly depoliticized nature of this appeal and the way it understates the dimension of generosity in Connolly’s terms and friendship in Derrida’s.

²⁴¹ Although Mouffe references Blumenberg and the unsocial sociability that shapes politics, such virtuosic happenings or moments are foreclosed by her affinity for Schmitt and his commitment to war as the essence of the political. This will be further elaborated in the chapter on Mouffe’s relation Schmitt. For now it is worth noting that Marx and Adorno influence my emphasis on a democratic essence at the heart of the political. Adorno supplies the language of subtlety required for the delicate and intimate nature of theorizing this condition - and happening can be understood by reference to the German *augenblick* whose oxymoronic nature captures the real unreality of these virtuosic or mimetic happenings. Finally this use of virtuosic is borrowed from Honig’s reading of Arendt as the extraordinary emancipating experience of democratic happenings. Honig, *Displacement of Politics*, 4.

The undecidable remains caught, lodged, at least as a ghost- but as an essential ghost – in every decision, in any event of decision. Its ghostliness deconstructs from within any assurance of presence, any certitude or any supposed criteriology that would assure us of the justice of a decision.²⁴²

On the surface, Mouffe thus endorses the ever-presence of ‘ghosts’ and yet, when it comes to decisions that maintain her liberal democratic framework, Mouffe is more of a ghost-buster. To put this point differently, Mouffe defends a certain liberal democratic criteriology that sacrifices the ghostliness of its decisions to the inevitability of deciding. Mouffe acknowledges that: “politicization never ceases because undecidability continues to inhabit the decision.”²⁴³ Notwithstanding, Mouffe’s explicit emphasis on the proper moment of decision undermines the potential of a more dynamic framework for politicizing the decision. To defend her version of the need to continuously politicize the decision, Mouffe borrows from Derrida’s writing on the politics of friendship. By strategically drawing from Derrida’s idea that ‘perfect friendship destroys itself’, Mouffe seeks to demonstrate how the *telos* of perfect democracy “remains inaccessible because it is self-contradictory in its very essence.”²⁴⁴ Accordingly, Mouffe insists on the need to acknowledge that perfect democracy would indeed destroy itself, and by extension, that this acknowledgement serves a vital role in ensuring a continual commitment to a *liberal* ethic. Acknowledging the inaccessible nature of perfect democracy and thus, the importance of a continual commitment to democratic politics is certainly a way of conceptualizing the need to continually politicize decisions. However, Mouffe’s focus on the priority of the moment of decision and thus, the need to sacrifice ghostliness, makes her version of politicization insufficiently dynamic - particularly considering the role of

²⁴² Mouffe, *Democratic Paradox*, 77.

²⁴³ Mouffe, *Democratic Paradox*, 138.

²⁴⁴ Mouffe, *Democratic Paradox*, 136.

decision in determining the criteria for the forms of politics that are permitted to contest her liberal criteria.

To recap, Mouffe's appropriation of deconstruction shows the highly elusive nature of a deconstructive politics. Whether or not deconstruction can serve as an effective model to theorize radical democracy hinges on a two pronged effort; first, its attentiveness to the 'in principle' necessity of deciding and two, its ability to sustain the dynamic of ethics and politics without presupposing an ethical ground. While Derrida may succeed at negotiating these dimensions, Mouffe's appropriation synthesizes the *obscurities* that make this negotiation possible. In contrast to Mouffe's dichotomizing of deciding and deferring Derrida's emphasis on *différance* does not entail that deference can be maintained indefinitely. Rather, if we understand deference less as the activity of resting transparently and more effectively as a critical counterpart to the activity of differentiating, then this opens possibilities for theorizing democratic decisions in terms of more dynamic and critical practices.²⁴⁵ If deference is treated as a site or reminder of the critical work that must continuously accompany the activity of differentiating, then we can begin to develop a more effective model of democratic opening and closure. To fully appreciate the *tragic* necessity of deciding (as opening and closing) is to fully appreciate the tension between ethics and politics.²⁴⁶ Conversely, Mouffe never fully embraces the tragedy of deciding given her emphasis on the underlying role of the liberal

²⁴⁵ Another version of this criticism appears in Foucault's response to Habermas on the issue of consensus. It is not that there is something intrinsically wrong with consensus but rather that it must be continuously interrogated. Thus we must treat consensus as a critical site rather than as a determinate objective or even worse as a determinate end.

²⁴⁶ One way of understanding the tragic necessity of deciding as the tension between ethics and politics is by reference to Sophocles' *Antigone* and the manner in which Creon's decision seals the downfall of Antigone as much as his own. Reciprocally, Antigone's decision seals the downfall of Creon as well as her own. Both characters are driven by what they consider to be the good and neither one of them is willing to acknowledge the politics that informs their respective conceptions.

ethic. In other words, Mouffe's ability to continuously politicize and for that matter ethicize remains subject to a set of liberal norms and values that limit both present and future possibilities for a radical democratic politics. Having said this, the critical juncture opened up by Mouffe's commitment to liberal democracy and her appeal to deconstruction provides a space from which to not only engage the tension between ethics and politics and but also to develop more dynamic and critical approaches to pluralist democracy. These approaches must engage and cultivate the political space between the ineradicable dimension of antagonism (that tempts us to give up on democracy) and the possibility of permanent reconciliation (that tempts with the possibility of overcoming politics). Without this engagement political theory jeopardizes its critical role and opens the door for *two* types of politics; one whose a-political practices makes it vulnerable to a totalizing politics, and one whose totalizing politics is directed at never allowing for this type of vulnerability.

CHAPTER III

MOUFFE'S ENGAGEMENT WITH THE POLITICAL AND THE DE-POLITICIZING OF LIBERALISM

Having shown the gap between Mouffe's commitment to liberal democracy and her appeal to deconstruction, I will demonstrate the manner in which Mouffe's emphasis on the necessity of political decision must be understood against the background of her engagement with Carl Schmitt and his critique of liberalism as an evasion of the political. Despite attempting to undermine Schmitt's critique of liberal democratic pluralism as a politically untenable doctrine, Mouffe appropriates Schmitt's appeal to the necessarily divisive nature of political decisions and structures. While the emphasis on political structures provides a timely critique of the ethical approaches that promise a politics void of the political dimensions of antagonism, domination, and power, Mouffe's use of Schmitt (to defend liberal democratic structures), fails to escape the anti-pluralist nature of an ethical state. Hence, Mouffe is never fully able to problematize her privileging of the liberal democratic state, which makes her pluralism insufficiently dynamic.

Mouffe appropriates Carl Schmitt's political decisionism to critique the associative projects that propose a permanent resolution to the challenge of deep pluralism. Barring Mouffe, these projects attempt to resolve the challenge of deep pluralism by appealing to the possibility of an all-inclusive consensus or to an ethics of care. Against this agenda of resolution, Mouffe stresses that though an ethical discourse might be able to avoid moments of closure, a political discourse cannot. Consistent with Schmitt, Mouffe posits antagonism as a central and ineliminable constituent of the political. She argues that: "any type of political regime consists in establishing a hierarchy among political values."²⁴⁷ Consequently, modern liberal democracy cannot treat all values as equal. Specifically, modern democracy like all other forms of political

²⁴⁷ Mouffe, *Return of the Political*, 152.

structure presupposes ‘a moment of closure’, which, despite its axiological commitment to pluralism, necessarily dictates the exclusion of specific forms of plurality.

Deliberation, discussion and ethical attunement cannot substitute for political decisions as the concrete demarcations constitutive of public spaces. These decisions represent moments of coercive closure in which a particular social identity is constituted, authorized, and legitimated through the designating of an ‘other’.

Given the failure of the ‘ethics of care’ model to shape liberal democratic policy, Mouffe is primarily concerned with the increasingly popular appeals to deliberative democracy and Rawlsian liberalism as models for overcoming this political moment of closure. By courting the possibility of overcoming this moment of closure, these models “reify the people’s identity by reducing it to one of its many possible forms of identification.”²⁴⁸ In addition, the emphasis on lasting consensus fundamentally disregards the political as the antagonistic dimension of social life and thus, contributes to the trend of an increasingly apathetic democratic public.²⁴⁹ Consequently, for Mouffe these consensual frameworks merely propagate the present inability of democracies to deal with the increasing fragmentation of identities and the multiplication of new forms of conflictuality.

With this in mind, Mouffe attempts to theorize the necessity of political closures and thus the framing of social space in a way that acknowledges the impossibility as well as the undesirability of *final* closure. Because antagonism is constitutive of politics,

²⁴⁸ Mouffe, *Democratic Paradox*, 49.

²⁴⁹ This critique of deliberative democracy and the consensus oriented model of Habermas and Rawls seems to rest on a slight over-determination of the possible finality of the ideal speech situation and the original position. However as Žižek has shown these para—political models do rest on the possibility of de-antagonizing politics and strangely in this regard they differ only very subtly from Mouffe’s attempt to transform antagonism into agonism.

Mouffe defends the *paradoxical* nature of liberal democratic (political) closure as uniquely conducive to the project of extending and deepening pluralism. In so doing, she departs from her use of Derrida, not only by substituting the language of plurality for difference, but also, by adding a liberal component to the notion of ‘democracy to come’. By adding a liberal component, Mouffe places an additional specification on the dynamic qualities of democracy in a way that censors the dynamics of Derrida’s political imaginary.²⁵⁰ Thus, while Derrida proves a resourceful ally for Mouffe’s critique of the consensual attempts at overcoming politics, he fails to accentuate the nature of the political as antagonistic and by extension, the inescapability of political *closure*. Mouffe’s return to Schmitt can therefore be read as an attempt to supplement this political dimension while not giving up on Derrida’s commitments to openness.²⁵¹

In order to demonstrate how Mouffe’s decisionism falls short, I will provide a brief overview of three major forms of decisionism and the way in which they engage the role of transcendence and immanence. In so doing, I demonstrate how Mouffe’s model suffers from what might best be characterized as a symptomatic attempt to overcome the anxiety that trails the establishment of political structure. Accordingly, this failure illustrates how Mouffe’s appropriation of Schmitt undermines her Derridean commitments to openness. In other words, by appropriating Schmitt militant model of the political, Mouffe accepts a commitment to sovereignty as a necessarily divisive moment of structure. This acceptance explains Mouffe’s need for a liberal ethic – a need she

²⁵⁰ While liberalism limits the diversity of Derrida’s vision it is precisely this element and its commitment to pluralism that grounds Schmitt’s critique. Hence, (in a potentially confusing way) liberalism ends up playing the uncontested/unifying role in Mouffe’s reformulation of the ethical state. However, much of this confusion can be attributed to the difference between Schmitt and Derrida in terms of whether liberalism is a genuine commitment to difference or whether it is merely a masking of a select plurality.

²⁵¹ Mouffe thus theorizes pluralist *liberal* democracy in the space opened between Derrida’s *The Politics of Friendship* and Schmitt’s *The Concept of the Political* - or phrased differently, in the space between Schmitt’s political closure and Derrida’s political opening.

cannot problematize because of her Schmittian understanding of sovereignty. In this way, Mouffe falls prey to her own critique of the liberal evasion or displacement of politics.

The first model of decisionism is Kierkegaard's indecisionist decisionism in which the state of exception is characterized by the pure receptivity of resting transparently before God.²⁵² The second model is Derrida's quasi indecisionist decisionism in which the state of exception continually reoccurs as the leaving open of the decision (for the other to continuously shape how we decide). We might call this a receptive ethical *orientation* because although decisions occur, they occur without a necessary commitment to the traditional view of politics as involving the activity of free and willful subjects.²⁵³ Finally there is Schmitt's decisionist decisionism where the state of exception is characterized by the sovereign's decision as situated outside the constitution of laws and norms. Here we might say that Schmitt comes closer to Kierkegaard than Derrida insofar as his sovereign mirrors the Christian God in the supreme ability to make the decision. However, Kierkegaard's notion of resting transparently is based on the profoundly personal nature of this surrender whereas Schmitt's sovereign commands the surrender of all his subjects. In this regard, Schmitt's

²⁵² Søren Kierkegaard, *Fear and Trembling: Repetition*. Howard and Edna Hong, eds. and trs., Princeton: Princeton University Press, 1983. It is difficult to speak of the state of exception without addressing Agamben's work. However, for the purposes of this argument I will return to it at the end of this section. For now, suffice it to say that Schmitt adopts the state of exception as the point of social and political breakdown where the political in all its intensity (antagonism) becomes explicit as the possibility of militant conflict. Carl Schmitt, *The Concept of the Political*. George Schwab, tr. Chicago: The University of Chicago Press, 2007.

²⁵³ Fritsch expounds on the peculiar status of Derrida's project as an ethical project: "In this sense, futural openness may function as a quasi-transcendental 'meta-norm' that subjects all normative accounts of democracy to perpetual revision and contestability from the viewpoint of elusive singularity, in the interest of reducing the violence that might otherwise result from such accounts. However, the specification of democracy's conditions of possibility will be one-sided if it leaves out the normativity that still calls for explication, especially the values, such as equality, that Derrida recognizes but does not elaborate." Fritsch, "Derrida's Democracy," 594.

sovereign is the god who forces you believe or as Žižek calls him the ‘irrational God of pure Will’.²⁵⁴

If treated as ideal types these three decisionist frameworks shed light on the important distinctions between the (Christian) religious, the ethical, and the political. The Christian can only engage politically by violating the commitment to receptivity and the omnipotence of God. The ethicist can only engage politically if engaged ethically by the other. Politics thus becomes the sole *active* means of engaging other social agents and institutions in a world permeated by power and the ever-present possibility of antagonism. While this argument dictates the inevitability of politics, it does not dictate the necessity that politics take the form of *antagonism*.²⁵⁵ In contrast, the challenge of politics becomes one of cultivating a type of activity that sustains a critical relation to the inescapability of the political.

What stands out about these three decisionist approaches is their different understanding of transcendence or what one might call the excess of life that cannot be fully exhausted by any social reality. However, for all three theorists this continuous excess also conditions social life by providing a norm of recognition that conditions the possibility of laws and values. Absent this transcendental dimension, social life is reduced to pure immanence, which not only renders human existence unintelligible but

²⁵⁴ Žižek, “Carl Schmitt in the Age of Post Politics,” in *The Challenge Of Carl Schmitt*, 25. In this regard, Kierkegaard and Derrida actually seem closer to one another insofar as they both appeal to the anti-volitional element of chance or the leap of faith present as a feature of the state of exception.

²⁵⁵ Here it is worth noting that Mouffe unlike Schmitt and perhaps more like Hobbes envisages the possibility of transforming antagonism. However, Mouffe eliminates the possibilities for transforming antagonism into other perhaps less violent modes than agonism. Moreover, it is unclear how exactly Mouffe imagines this transformation of antagonism to agonism other than through liberal imposition or domination.

also void of norms and values.²⁵⁶ By discarding the appeal to an outside as a matter of distortion, this type of immanence also discards norms of recognition. In so doing, the immanent approach bars itself from avowing its own conditionality and thus, *inevitably* falls prey to a totalizing logic. On the other side of this coin is the strict appeal to a concrete transcendental entity whose status as an unquestioned and unquestionable source of Truth has fueled what Foucault calls the violent history of an error named truth. In Kierkegaard, this transcendental excess is of course the Christian God whose concreteness is unquestionable though it remains inaccessible to human understanding. For Schmitt, this transcendental excess comes in the form of the political as the ever-present possibility of violent conflict and manifests itself in the supreme authority of the sovereign. Derrida recognizes the danger of promoting this type of incontestable transcendentalism, which is why his appeal to the undeconstructionable is conditioned by deconstruction while also acting as a condition for the possibility of deconstruction. In so doing, Derrida attempts to introduce an immanent dimension in the way the *quasi-transcendental* principle is contestable by means of the contestation it conditions. However, Derrida struggles to get from the undeconstructionable to any kind of normativity and intelligibility, which reiterates Laclau's criticism that this notion of the quasi-transcendental lacks the concreteness necessary for politics and by extension, that it lends itself to various different political appropriations.²⁵⁷ With this appeal to the quasi-transcendental as quasi-immanent, Derrida leaves open the criteria of political action and

²⁵⁶ Clearly this debate concerning the untenable nature of a purely immanent account still rages and the works of Deleuze in particular have recently reintroduced a kind of empiricism that warrants attention. Within political philosophy this debate has most recently centered on the work of Hardt and Negri and their collapsing of constituent and constituted power.

²⁵⁷ "Precisely because of the undecidability inherent in constitutive openness, ethico-political moves different from or even opposite to a democracy 'to come' can be made – for instance, since there is ultimate undecidability and, as a result, no immanent tendency of the structure to closure and full presence, to sustain that closure has to be artificially brought about from the outside." Laclau, *Emancipation(s)*, 78.

one can hardly help but wonder why and how to struggle.²⁵⁸ As shown in the previous chapter, Derrida embraces the indeterminacy of this struggle as a component of ‘democracy to come’. Notwithstanding, this struggle deliberately lacks a guarantee against the possibility of normative regress.

Kierkegaard described this moment of decision as a moment of madness by virtue of the absence of guiding norms and values. Derrida adopts this description to emphasize the suspension of all pre-given norms and values when giving oneself up to the other – a type of giving or hospitality where one gives what one does not have to give. Derrida’s appeal to hospitality thus contains a Kierkegaardian dimension in the surrender of oneself to the infinite call of the unconditional. For both Kierkegaard and Derrida this moment of madness is simultaneously the moment of anxiety in which we encounter the constructed nature of our social/political reality and by extension, the absence of norms of recognition and intelligibility. Whereas Kierkegaard and Derrida provide some semblance of support through the presence of an unconditional god and a partially unconditional ethics, other theorists like Žižek treats this moment of breakdown as a possibility for identifying with the lack that underlies our social identities. For Žižek, this moment of emancipation thus differs from Kierkegaard and Derrida in the way it solicits loss without the phantasmic support of an omnipotent god or an unconditional ethics. In other words, Žižek embraces the moment of anxiety by emphasizing the importance of sustaining the perpetual recognition of contingency and acting without being afraid of the consequences. Thus

²⁵⁸ Fritsch suggests one way in which we might make sense of the absence of a clearly outlined political agenda: “Despite the failure to justify futural openness normatively, uncovering inevitable contradictions in ethical and political decisions and institutions seem to be a pragmatically useful insight, one that has to be put to work in largely non-normative analyses of democratic practices. Fritsch, “Derrida’s Democracy,” 586.

unlike Kierkegaard's politics without politics, and Derrida's ethicized politics, Žižek's politics borders on an almost hysteric reinvention of social identity.

In contrast to these three models, Mouffe shies away from this moment of madness by providing an ethic whose incontestability undermines the urgency of giving up on our pre-given norms and values.²⁵⁹ In so doing, Mouffe forecloses an element of engaging the other as equal by leaving intact the roots of our social and political identities. To fully appreciate how Mouffe falls short of providing a model for a radically democratic and egalitarian engagement requires examining the way Schmitt informs her decisionism as well as the way Schmitt departs from Hobbes' emphasis upon the relation between anxiety and politics.

Hobbes envisions this moment of anxiety at the root of the political in which a singular ordering transforms anxiety into fear without erasing the possibility of civil war as the state of indeterminate differentiations. Hobbes thus brings to the fore the centrality of politics for the construction of the social as well as the role of anxiety in conditioning the necessity of epistemic, existential, and political order. Although Hobbes stresses the Leviathan as a means to displace the moment of anxiety, he never forecloses the possibility of needing to re-negotiate this political structure given the nature of the sovereign as a *mortal* god. Given the necessity of a determinate political sovereign, Hobbes cannot allow for competing universalities such as religion. However, despite this emphasis upon the singular sovereign, Hobbes never departs from the importance of the Leviathan's constituents in conditioning the strength and functioning of the political body. By treating the Leviathan in terms of a physiological entity, Hobbes stresses how

²⁵⁹ While some might object to the notion that Kierkegaard leaves intact the negotiation of anxiety given his emphasis on the Christian God, it is important to recall the transient nature of this experience as an experience of continual struggle.

the sovereigns' survival remains conditional upon the beating heart of its constituents. Hobbes' physiological model illustrates the potential dangers of envisaging politics through a decisionist framework. Ignoring the importance of the continued functioning of the Leviathan by reducing its role to moments of exception or civil war thus risks transforming politics into a purely militant and divisive enterprise. Unlike standard interpretations of Hobbes, this emphasis on the continued presence of the moment of anxiety suggests that sovereignty, while a condition for politics, is something that requires a continual process of negotiation. Whether or not this negotiation extends all the way to the sovereign itself is beyond the scope of this inquiry.

Contrary to this interpretation, Schmitt's theory of sovereignty reinforces the standard view of Hobbes' sovereign as an impersonation of god. This view fundamentally limits politics as a continual practice by stressing sovereignty as an overcoming of anxiety. Hence, Schmitt provides a more authoritarian version of this Hobbesian emphasis on order – one that seeks to traverse or overcome this moment of anxiety altogether by granting the sovereign an incontestable and divine role. This attempt at overcoming the anxiety of indeterminate differentiations fuels Schmitt's totalizing politics by thwarting the continual negotiation of the unknown or the unintelligible. By adopting Schmitt's sovereign's impersonation of god, Mouffe precludes the engagement with anxiety as a necessary condition for continually negotiating political structure. Hence by adopting Schmitt's decisionism, Mouffe limits the possibility of cultivate other practices of negotiating the decision as lasting engagement. Without problematizing the dichotomy of deciding and not deciding, Mouffe cannot allow for different modes of sovereignty – modes that do not overstate the

moment of decision as a single isolated instance, but rather seek to refine politics as a spectrum of such instances.

Mouffe recognizes how Schmitt's divisive sovereignty lends itself to an over-determinate differentiation between friends and enemies, which explains why she turns to the liberal ethic as a way of checking the god-like authority of the sovereign. However, the liberal ethic as a determinate normative structure prevents our coming face to face with anxiety and by extension, the necessity of problematizing our norms and values. In other words, because Mouffe cannot envision sovereignty without a strict divisiveness, she is forced to postulate the existence of an ethics as a way of softening that divisiveness. In itself, there is nothing foreign about this appeal to an ethics beyond politics – However, Mouffe discredits this type of perfectionist appeal by stressing the political conditioning of all norms and values, and the totalizing dangers implicit in this type of appeal. Despite discrediting this type of appeal, Mouffe's adherence to Schmitt's conception of sovereignty cannot escape such an appeal without falling prey to his insensitivity towards the enemy.

If the root of politics is a version of this engagement with anxiety as a state of indeterminate differentiations, then democratic politics must problematize its sovereign moment as a condition of possibility and impossibility of this engagement. Instead of repressing or seeking to overcome this moment by neurotically repeating the authority of the sovereign as in Schmitt's case or introducing a de-politicized ethics to complement this neurosis as in Mouffe's case, democracies must strive to orient themselves to this madness by holding in tension universality and contingency. Consequently Mouffe's Schmittian understanding of sovereignty prevents her from cultivating a politics that

remains critical of its own constitutive violence. By providing a determinate liberal ethic beyond the reach of democratic contestation, Mouffe displaces the role of anxiety somewhere between the sovereign moment of decision and the comfort of determinate ethical register. In so doing, she forecloses the possibility of developing a political negotiation of anxiety that sustains a critical orientation to its own constitutive violence in the form of an ethics of indeterminate differentiations inscribed in the practice of deciding.

Mouffe's turn away from Derrida is a turn away from immanence and towards a less contingent and malleable grounding for political normativity. Thus in order to provide a norm of recognition that legitimates her project, Mouffe turns to liberalism. Mouffe's appeal to liberalism coincides with her appropriation of Schmitt's framework in so far as his emphasis on the sovereign's transcendent power incites her to de-politicize the transcendental outside. In other words, Mouffe recognizes how Schmitt's emphasis upon the sovereign's power escapes anxiety by transforming it into fear and while fear means order, it also reduces ethics to a matter of power and violence. In this way, Mouffe's turn away from Schmitt represents perhaps the most beaten path of political philosophy.

Since Socrates first engaged the Sophists, philosophy has struggled (a political struggle) for a transcendental principle to legitimate the most philosophical, enlightened, rational, critical, just, and free political organization. Aristotle recognized the dangers of reducing the multiplicity of politics to a singular unifying principle and yet, his appeal to ethics and the superiority of the speculative life might be considered the root of the

history of political philosophy as a discipline of pathological foreclosure.²⁶⁰ In other words, Aristotle's infamous reading of Plato may have had less to do with the appeal to universal forms and more to do with the inability of these Socratic universals to effectively bury the sophist wager. Perhaps Socrates recognized the necessarily open-ended nature of this wager. This recognition would explain his seemingly contrasting commitments to the defense of the Socratic life in the *Apology*, and the willingness to die for the laws (as a cornerstone of politics) expressed in the *Crito*. Perhaps the courage to recognize the necessary as well as the untenable nature of universality was at the heart of the Socratic method.²⁶¹ It was the beating of this heart that Aristotle's concrete universality sought to guarantee, not realizing what Socrates might have meant by the appeal to *agathon* as an elusive and yet necessary guiding *ideal*.²⁶² In so doing, Aristotle might have been the source of what Žižek calls 'the history of political philosophy as a series of disavowals of the political moment'. Perhaps the Aristotelian refusal to accept the open-ended nature of the appeal to transcendence and by extension, the way in which this transcendental appeal continually exceeds its own structuring, is the point of simultaneous return and no return of political philosophy. Žižek confirms a version of this thought in his reading of Hegelian negativity or what amounts to a reading of *agathon* as an *aporia*.

...political conflict involves tension between the structured social body, where each part has its place, and the part of 'no-part' which unsettles this order on

²⁶⁰ Aristotle, *The Nicomachean Ethics*, Upper Saddle River: Prentice Hall, 1999. Also see the *Complete Works of Aristotle*.

²⁶¹ This raises the interesting possibility of conceiving this universal in terms of Foucaultian curiosity and Adornian critique.

²⁶² Brian Trainor, "Politics as a Quest for Unity: Perspectivism, Incommensurable Values and Agonistic Politics," *Philosophy and Social Criticism* 34, no. 8 (October 2008): concerning his argument on the role of universals.

account of the empty principle of universality (equality of all men qua speaking beings).²⁶³

What is noticeable about this understanding of politics is the way Žižek gives content to politics as a struggle for equality and thus, to the quasi-transcendental dimension that constitutes politics as a continuous undertaking. In so doing, Žižek seeks, much like Rancière, to avoid the purely formal nature of Schmitt's appeal to order – and the way it lends itself to a totalizing order that threatens politics altogether. Žižek thereby comes strikingly close to Derrida's appeal to the structurality of structure and yet, the content of politics as a struggle for equality provides a type of political normativity that Derrida's openness and futurity does not.²⁶⁴ Žižek's understanding of the political as the constitutive negativity of politics is thus an attempt at theorizing the importance of sustaining the quasi-transcendental dimension by not collapsing political structure and its subjects.²⁶⁵ This act of sustaining is conditioned by politics, which also means that the struggle for equality is polemical. We must strive to sustain the tension between the ever-presence of dominant and dominated voices by exploring the political space between the

²⁶³ Jacques Rancière, *The Politics of Aesthetics*, Gabriel Rockhill, tr. (New York: Continuum, 2004), 70. This quote is derived from the Afterword entitled, "The Lesson of Rancière," written by Žižek.

²⁶⁴ Žižek's departure from Derrida rests on a critique of the binary entropy of decision and by extension, the way this type of thinking lacks a relation to a referent such as power, inequality. Without this reference there is no vantage-point and voice to make intelligible the relation which in return becomes a purely social engagement. Fritsch describes a version of this thought: "If, however, one follows Derrida in denying the boundary between the structure and its use, between la langue and la parole, a necessary infinity of distinguishing references enters the system, which is now a quasi-system in the sense that its structurality consists in nothing other than its use or its event." Fritsch, "Antagonism," 179. Recently Žižek has targeted the unintelligible and a-political nature of this appeal to infinite in the writings of Simon Critchley. Slavoj Žižek, "Resistance Is Surrender," *London Review of Books* 29 no. 22 (2007): 7, <http://www.lrb.co.uk/v29/n22/slavoj-žiček/resistance-is-surrender>.

²⁶⁵ Žižek states: "In Hegelese, the existence of the true Universal (as opposed to the false 'concrete' Universality of the all encompassing global Order of being) is that of an endless and incessantly divisive struggle; it is ultimately the division between the two notions (and material practices of Universality: those who advocate the possibility of the existing global Order of Being as the ultimate horizon of knowledge and action, and those who accept the efficiency of the dimension of the Truth-event irreducible to (and unaccountable in terms of) the Order of Being." *The Challenge of Carl Schmitt*, Chantal Mouffe, ed. (New York: Verso, 1999), 36.

universality of contingency and the contingency of universality.²⁶⁶ Žižek's claim that Schmitt's politics is insufficiently radical stems from the external nature of the friend/enemy distinction as well as from what he conceives as the purely formal nature of Schmitt's appeal to order. With this in mind, Mouffe's attempt to supplement Schmitt's call for order with a liberal ethics can be seen as an attempt to avoid this formalist trap. Notwithstanding, Mouffe's appeal to a liberal ethic intervenes at the level of trying to soften this appeal to order rather than to transform it by developing ways to resist this ordering from within. Hence, instead of engaging the need for order and structure at the level of this need and thus at the level of anxiety, Mouffe aligns her project with the tradition of giving too much content to the transcendental principle – a tradition built upon a symptomatic fear of anxiety. Before returning to this argument and the way it exposes Mouffe's departure from the gap opened up between Schmitt and Derrida, I will turn to the specifics of this gap.

For Schmitt, the transcendental principle appears in the role of the sovereign as being outside the political realm of legality and action. This role is made explicit in the state of exception where law is simultaneously suspended and put in place. Schmitt argues that all attempts to theorize politics must confront this moment insofar as it reveals the essential nature of the political as a militant conflict in need of decision.²⁶⁷ The way Schmitt presents this transcendental dimension suggests the universality of the friend/enemy distinction and thus the universality of the sovereign's ordering function.

²⁶⁶ Trainor articulates this necessary relation between universality and contingency: "We cannot divorce different and particular just acts from their universal without at the same time destroying their difference and particularity in the process, and thus rendering them unintelligible. Likewise, however, it is simply not possible to divorce the particular interests of different groups within society from their universal (their 'containing' social universal) without destroying their difference and particularity in the process and thus rendering them unintelligible." Trainor, "Politics," 921.

²⁶⁷ Schmitt, *Concept of the Political*.

However, it also suggests the contingency of the sovereign's concrete decision given Schmitt's concession of the difference between historical contexts and particular sovereigns. In this regard, the transcendental dimension is at least partially politicized and yet, the political as well as the principle of order are de-politicized as constitutive of politics. Derrida's engagement with Schmitt is an attempt to politicize this outstanding transcendental dimension. By making the principle of the undeconstructionable subject to contestation, Derrida draws attention to the danger of hypostatizing the political and in turn ignoring the conditioning role of politics.²⁶⁸ Ignoring the role of politics in conditioning the political is synonymous with conceding Schmitt's assertion of the necessarily militant nature of the political. This concession is one Derrida is unwilling to make. Instead, Derrida's argument points to the importance of continuously problematizing/politicizing the appeals to the *necessarily* insurmountable nature of conflict.²⁶⁹

As Malek Moazzam-doulat points out, Derrida willingly gives up the principle of order and for that matter any normative criterion other than openness to futurity. Doulat states: "Derrida proposes a theory of decision that exposes the one who decides, rendering it sensitive, vulnerable and fundamentally passive before and beyond the

²⁶⁸ Arditi calls attention to this inter-relatedness of the political and politics with respect to Schmitt: "We can interpret Schmitt's contention that the political is the fundamental status of man as a claim about human nature, in which case the political has an ontological status and is impervious to modification or contamination by the ontic register of politics. But this need not be the case, or at least it doesn't have to be only that." Arditi Benjamin, "On the Political: Schmitt contra Schmitt," *Telos: A Quarterly Journal of Critical Thought* 142, (Spring 2008): 22-3.

²⁶⁹ This appeal to continuously challenge the hypostatizing of the political as antagonistic (through politics) is often the central feature driving the critiques of agonistic theories of democracy in much the same manner as agonistic theorists reproach non-agonal theories for hypostatizing the political as non-antagonistic.

decision.”²⁷⁰ For all the qualities of temporal blurring and democratic opening, the *present/modern* conception of politics involves an antagonistic dimension, which makes this appeal to openness potentially unable to actively and politically struggle with Schmitt’s intensely agential politics.²⁷¹ By exposing Schmitt’s de-politicizing tendencies, Derrida alerts us to the dangers of hypostatizing the political in the same way Mouffe employs Schmitt to alert to Derrida’s de-politicization of the political. In this respect, the gap between Schmitt and Derrida is bookmarked by the formalizing and in-formalizing of *political* structure/form. Whereas the threat of a totalizing politics is intrinsic to Schmitt’s model in the form of dictatorial sovereignty, Derrida’s model flirts with a totalizing politics of its own in the form of a democratic indifference with no *outside* to make intelligible the normative quality of politics. At first glance the gap between Schmitt and Derrida seems vast and yet, as Moazzam-doulat accurately argues this gap can ultimately be located in the ‘moment between the suspension of the law and its reinstatement.’²⁷² For Schmitt, this is the rare moment of the sovereign’s decision as the militant ordering of the public space, whereas for Derrida this reoccurring moment is the continuous opening of democracy to the demands of its various minorities. Considering her affinity for both Schmitt and Derrida, one would expect this moment to serve as the central vantage point for Mouffe’s engagement with the relation between political structure and plurality.

²⁷⁰ Malek Moazzam-doulat, “Future Impossible: Carl Schmitt, Jacques Derrida, and the Problem of Political Messianism,” *Philosophy Today* 52, no. 1 (Spring 2008): 78.

²⁷¹ One way in which to think the untenable nature of the purely passive politics of Derrida is in terms of the non-violent efforts of Gandhi and King. Neither Gandhi’s nor King’s agenda hinges on a pure ethical passivity, but rather on *non-violent* political tactics whose roots and effects can only be made intelligible qua their violent opposition to a particular political agenda of religious or racial discrimination. In many ways this serves as a moment to reveal the failed engagement between the politics of modernity and the *politics* of postmodernity. Modernity in the form of Schmitt’s agential politics merely tramples on the post-modern *politics* of Derrida, whereas postmodern politics avoids the engagement by virtue of what appears as a premature pronouncement of the death of modern politics.

²⁷² Moazzam-doulat, “Future Impossible,” 77.

However, contrary to this expectation, Mouffe ultimately departs from this moment and the gap opened up between Schmitt and Derrida. In so doing, she sacrifices an understanding of politics as a continued negotiation for the instantaneous demands of the political – thereby demonstrating the shortcomings of a decisionist model of politics introduced above.

Mouffe accepts Schmitt's premise that politics is inherent to social life and that it contains an antagonistic dimension, which explains her emphasis on the agential dimension necessary to decide between friend and enemy. For this agency to provide normativity and intelligibility it must appeal to some sense of the outside as a condition for the possibility of unifying the plurality of social life. Absent of this outside it becomes meaningless to speak of politics as well as social life.²⁷³ Much like Schmitt, Mouffe is targeting the immanentization of politics in which democratic procedures are supposed to provide the normativity necessary to sustain democracy without needing an outside to decide between friend and enemy. However, unlike Schmitt's outside, Mouffe's outside has to exceed the sovereign in order to prevent a totalizing politics, while not treating the recourse to this outside as a source for overcoming politics.

For Mouffe, the tendency to overstate the possibility of overcoming the political as the antagonistic dimension of social life paves the way for two different versions of the 'end of politics'. Either difference becomes unintelligible difference in a type of post-political chaos or this vacuum will serve as a platform for a type of arbitrary dictatorship. In this light, Mouffe's return to Schmitt is an attempt to reintroduce the political as the

²⁷³ Trainor describes Laclau's project as a version of this thought: "When he (Laclau) refers to society-as-totality as an 'impossible object', what he has in mind is that society as an ideal totality or emancipated order fully reconciled with itself still orients our political thinking, though he characterizes the way it does so as a necessary but absent presence, whereas I would refer to it as the mediated, never complete but 'as far as possible' presence of the idea of full communion in our political world." Trainor, "Politics," 923.

inescapable element of agency required to engage the antagonistic dimension of social life and by extension, to continuously determine who qualifies as friend and who as enemy. In so doing, Mouffe overcompensate for the lack of agency she attributes to these post-political models by importing Schmitt's emphasis on a determinate act of decision. Moreover, by attributing this act of decision to the agents of liberal democracy, Mouffe ignores how agency obscures the indeterminacy of identification/differentiation such that the engagement with the other necessarily occurs against a background of fear. While the dynamic of differentiation/identification serves as a condition for making intelligible this obscurity, it cannot be allowed to erase all traces of this obscurity if we are to develop a politics of egalitarian engagements. However, like Schmitt, Mouffe has little tolerance for obscurity.

Contrary to Schmitt's critique of liberal pluralism, Mouffe aims to develop a politics that avoids foreclosing the existence of pluralism, while also acknowledging the necessarily exclusionary nature of political decisions and structures. Thus, despite rejecting Schmitt's conclusions, Mouffe continues to defend the "specificity of the political association."²⁷⁴ In other words, democracy implies the political constitution of a people and yet, this constitution does not require a rigid homogeneity as foreseen by Schmitt, but rather "a form of commonality *strong* enough to institute a 'demos' but nevertheless compatible with *certain* forms of pluralism."²⁷⁵ Consequently, Mouffe attempts to soften Schmitt's decisionism and to expand his category of friend in a way that makes it compatible with *certain* forms of pluralism. Although, Mouffe avoids Schmitt's emphasis on the rigid homogeneity of the state, her form of commonality is

²⁷⁴ Mouffe, *Democratic Paradox*, 53.

²⁷⁵ Mouffe, *Democratic Paradox*, 55.

determined by friends and continues to have its locus in the state as a specific association *strong enough* to provide closure and thus, *strong enough* to determine who qualifies as a friend. In this respect, Mouffe accords the same determining and divisive role to the state as Schmitt with the added caveat of liberalism. Thus, Mouffe's political closure takes the form of a paradox where liberalism acts to prevent popular sovereignty from becoming a dictatorship of the majority. For Schmitt, liberalism runs directly counter to the emphasis on the sovereign state.²⁷⁶ By promoting the existence of individual rights and the schism between public and private, liberalism ultimately renders politics innocuous and the total state inevitable. Moreover, for Schmitt, liberalism leads to the type of total state that lacks all political power, which invariably results in the demise of the state. Mouffe recognizes this danger as well as the danger of not checking the sovereign role of the state, which explains her simultaneous holding on to the state as a privileged site for political decision while not allowing it to violate the dictates of liberalism. In other words, Mouffe's liberalism ends up serving as a kind of meta-sovereignty in the way it allows the state to decide politically under the assumptions that these decisions remain consistent with the liberal ethic.

Mouffe states: "What *cannot* be contestable within a liberal democracy is the idea that it is legitimate to establish limits to popular sovereignty in the name of liberty."²⁷⁷ In this context, it is worth recalling Larmore's description of political liberalism:

The liberal freedoms set limits to democratic government and in particular to the form it usually takes, majority rule. Nor is this ranking a mere makeshift. On the contrary, democracy is made subordinate to liberal principles because the value of

²⁷⁶ Schmitt's aversion to liberalism can be traced throughout his works but his engagement with Hobbes is particularly telling in this regard. Schmitt who generally praises Hobbes' view of sovereignty sees Hobbes' appeal to the 'right of nature' as a type of liberal right whose exclusion from the realm of the state ultimately renders the Leviathan subject to its own demise.

²⁷⁷ Mouffe, *Democratic Paradox*, 4.

democratic institutions is held to lie chiefly, if not exclusively in their being the best means for guaranteeing liberal freedom.²⁷⁸

Although Mouffe criticizes Larmore for the moral nature of his prioritizing of liberalism, the political nature of her appeal to what *cannot* be contestable ultimately takes on the same normative function. In this way, Mouffe collapses what cannot be contested with what ought not to be contested. Whereas Larmore's appeal to liberalism reflects a strict transcendentalism, Mouffe's appeal might be eschewed as quasi-transcendental. The status of this quasi is more transcendental than quasi-transcendental because although Mouffe avoids the type of moral grounding proposed by Larmore, she postulates the superiority of the liberal democratic regime in accommodating the challenge of pluralism. Mouffe does not stress the polemical nature of this postulate. Had she stressed the polemics of liberal superiority her liberal democracy would merely pose as a strategic vantage point for further inquiry into the possibilities for a more dynamic pluralism. However, such an inquiry, while aimed at taking seriously those groups whose agenda runs counter to liberalism, would invariably conflict with the incontestability of Mouffe's liberalism. Consequently, Mouffe's project is a defense of liberalism and liberal pluralism more than it is an attempt to develop a more dynamic democracy and by extension, a more dynamic pluralism.

What stands out about Mouffe's appeal to political liberalism is the way in which she employs Schmitt to argue against a certain replacement of politics by ethics while also rejecting the *purely* political normativity implicit in his appeal to the primacy of the

²⁷⁸ *Challenge of Carl Schmitt*, 90.

political.²⁷⁹ Despite agreeing with Schmitt's rejection of the viability of normative neutrality, Mouffe seems unwilling or unable to embrace his contention of the *purely* political nature of ethics. Ascribing this unwillingness to the totalizing nature of Schmitt's conception of the political and by extension, the way in which it seemingly ignores the role of ethics altogether, would be insufficient. Not only is Schmitt not anti-ethical, but as Pan effectively illustrates, the political is ultimately about the determination of conflicting values.²⁸⁰ Schmitt's prioritizing of the political (much like Thrasymachus' famous statement about those in power determining the right and wrong) brings to the fore the conditioning of ethics by politics. Mouffe no doubt recognizes the way in which this appeal lends itself to a plethora of ethical commitments and values – not all of which we would be inclined to consider ethical. This last clause illustrates the burden of a predominantly political legitimation, which may have died with Socrates before being buried by Aristotle. Mouffe's hesitation towards a predominantly political legitimation can no doubt be explained by her unwillingness to address injustices absent of an a-political criterion. Absent such a criterion, the rejection of those ethical commitments and values, which we would be inclined to intuitively disqualify, now becomes conditional upon politics. The stakes of politics could hardly be higher and these

²⁷⁹ Strauss's criticism of Schmitt is directed precisely at this purely political normativity. Strauss claims that Schmitt's project must be conceived as a moral project because of how order is treated as a political value independent of context.

²⁸⁰ Pan states: "Though specific power relations define the circumstances of the political decision, these power relations cannot be 'pure'. Rather, they are always expressed in terms of cultural assumptions about the final goals of a society. Even if violence and power relations provide the limiting factors that determine the parameters for a decision, the ultimate decision is not an example of arbitrary power but is in fact overdetermined by the context given by a culture's self-understanding of its values. This fuller understanding of decisionism links it back into a cultural context and an ethical framework for determining the enemy. Far from reducing politics to unmediated violence, the political decision for Schmitt is founded on the underlying ethical assumptions that predominate within a particular people." David Pan, "Carl Schmitt on Culture and Violence in the Political Decision," *Telos: A Quarterly Journal of Critical Thought* 142, (Spring 2008): 50-1.

stakes prove too high for Mouffe as a result of her impoverished understanding of democracy sovereignty. Without entertaining how democracy contains within it the commitment to continuously politicize, Mouffe displaces the role of equality. Phrased differently, by failing to explore that within democracy that resists the divisiveness of sovereignty, Mouffe forecloses the possibility of radical democratization. Neither Schmitt nor Derrida is completely comfortable with this exhaustive politicization of ethics. Where Schmitt ultimately provides a formal criterion of order and Derrida a formal criterion of futurity, Mouffe resorts to liberalism. In so doing, Mouffe provides a buffer against the certainty of Schmitt's totalizing system and the potentially totalizing system of Derrida. However, her appeal to liberalism also undermines the stakes of politics and thereby limits the possibilities for more dynamic forms of democratic pluralism.

Against the tendencies of Schmitt and Derrida to collapse ethics and politics, Mouffe aims to theorize the differentiation between ethics and politics without falling prey to the traditional bifurcation of these realms. To accomplish this task, Mouffe distinguishes between politics and the political: She states:

By 'the political', I refer to the dimension of antagonism that is inherent in human relations, antagonism that can take many forms and emerge in different types of social relations. 'Politics', on the other side, indicates the ensemble of practices, discourses and institutions which seek to establish a certain order and organize human coexistence in conditions that are always potentially conflictual because they are affected by the dimension of 'the political'.²⁸¹

Consistent with Schmitt's logic, Mouffe frequently employs the language of ontological and ontic to describe the relation between the political and politics. Politics describes the empirical domain of organizing relations of power, whereas the political addresses a

²⁸¹ Mouffe, *Democratic Paradox*, 101.

condition of social life. By prioritizing the *ontological* nature of the political against the ontic nature of politics, Mouffe follows Schmitt in rejecting the possibility of overcoming or transcending conflictuality. Accordingly, Mouffe not only dispels the possibility of a determinate bifurcation of the realms of ethics and politics but also the possibility of a non-violent politics and an a-political ethics. Following Mouffe's logic, the possibility of bifurcating ethics and politics would entail that the dimension of the good life and the dimension of power and conflict could be understood as pertaining to separate areas of social life. Mouffe's emphasis on the ontological nature of the political as well as her view that politics cannot exist absent a structuration of values, dictates the impossibility of bifurcating ethics and politics. In other words, for Mouffe the pursuit of a particular version of the good is always accompanied by an ever-present possibility of antagonism just as the practice of politics is always accompanied by some appeal to the good. With this in mind, Mouffe seeks to differentiate the realms of ethics and politics in a way that lets us explore the possibilities of theorizing a more dynamic relation between the good and the ineradicable dimension of antagonism. Because of her emphasis on the political as ontological and thus, as ineliminable from the determination of the good life and the ordering of values, Mouffe's position dictates an understanding of the relation between ethics and politics in terms of a *subtle* primacy of the political *vis a vis* the ethical.

Although Mouffe's prioritizing is less explicit than Schmitt's, it does not suggest a departure from his logic of a political ethics as opposed to an ethical politics. However, as the above discussion has shown, Mouffe reverses this logic in defense of an ethical politics. Ironically, this reversal solidifies Mouffe's status as the staunch defender of an ethic of the state. In contrast, Schmitt's prioritizing of politics implies that a defense of an

ethic of the state must be considered contingent upon that ethics remaining the best source of political order.²⁸² If the public space is permeated by a multiplicity of conflicting ethical commitments, then the role of the sovereign is precisely to decide on the ethics most capable of providing order. Dyzenhaus captures the ambiguity of Schmitt's ethic of the state:

The answer is not that Schmitt is arguing against the importance of ethical values in the political life of a people. His argument is against the attempt to find universal ethical values to which politics must be subject. Ethics properly understood, will emerge from politics in the sense that if the political distinction between friend and enemy is properly made, the values that happen to bind any particular community of friends are by definition, ethical.²⁸³

While this logic opens the door for a sovereign's abuse of ethics, it also provides the possibility of a more dynamic mode of *politically* adjusting ethics to the demands of a continually changing public sphere in the way that remains foreclosed by Mouffe's appeal to liberalism. Although Schmitt is often lambasted for providing a defense of static authority, Mouffe's politics is equally barred from the dynamics of social life. In order to avoid the arbitrariness of Schmitt's sovereign decision and the way it trumps all ethical commitments, Mouffe essentially limits the political and by extension, the role of sovereignty in contesting the continued presence of liberal norms and values. Mouffe's appeal to liberalism concretizes Schmitt's empty formalism and the potentially empty formalism of Derrida. However, by adding a concrete normative element Mouffe also de-

²⁸² Depending on how we conceive of Schmitt's sovereign as partially subjective, his role does border on the immanent dimension that Derrida attributes to the undeconstructionable. While Schmitt does not dare de-politicize the principle of order, his politicizing of the concrete sovereign makes explicit the historicity and the role of power in conditioning political decisions and the different ethics they give rise to. Pan states: "This (sovereign) decision is not one about self-interest but about the values that define the general good. As a consequence, such a decision cannot be objectively or rationally justified but must be established as a choice between competing value systems." Pan, "Carl Schmitt," 71. Moreover, Pan argues that the sovereign decision for Schmitt is not about arbitrary power but far more about an aesthetic-political judgment "as the combination of the people's sense of right and the sovereign's decision as the representation of this sense." Pan, "Carl Schmitt," 60.

²⁸³ David Dyzenhaus, "Putting the State back in Credit," in *The Challenge of Carl Schmitt*, 81.

politicizes the very space opened up between Schmitt and Derrida.²⁸⁴ In this respect, Mouffe's differentiation of ethics and politics avoids the pitfalls of collapsing the two but only at the cost of a certain bifurcation in the way the liberal ethic is allowed to escape political contestation.

Despite recognizing norms and values as particular hegemonic crystallizations, Mouffe attempts to legitimate the normative content of liberalism by appealing to its unique role in conditioning the existence of pluralism. Against the charge that this privileged role harbors an element of de-politicization, Mouffe would likely respond that this appeal to liberalism is not a matter of some transcendental referent, but rather a matter of recognizing an already existing ethics. In this case, it would seem that liberalism would be contestable in the name of a more dynamic pluralism. Notwithstanding, because liberalism is the condition for pluralism such a *contestation* can only result in the affirmation of the normative superiority of liberalism. Recalling Derrida's critique of Schmitt's problematic as committed to the status quo structure and thus never able to embrace the openness and futurity of a democratic decisionism, Mouffe's decisionism suffers from a similar version of closure by virtue of its commitment to liberalism. For Derrida, Schmitt's decisionism limits difference by projecting the friend/enemy antagonism into the future as if politics itself did not condition the nature of the political. In so doing, Schmitt reveals his commitments to the status quo and his privileging of a strong united friend. Although Mouffe adds the adversary to Schmitt's rigid dichotomy of friend and enemy this addition does little to assuage the foreclosing element of Mouffe's commitment to liberalism. The logic that

²⁸⁴ Another way of understanding the gap opened up between Schmitt and Derrida is as an invitation to continuously develop alternative modes of political engagement between the extremes of militant conflict and ethical promise.

underlies Mouffe's commitment to liberalism and the centrality of certain rights/liberties mirrors Schmitt's underlying commitment to order. Accordingly, Mouffe assigns a meta-sovereign role to the liberal ethic, which reveals the inherently ethical nature of her project.

Mouffe's approach borrows from the dialectic of 'immanent critique' in which the transcendental dimension acquires its material content through those groups that struggle against the dominant order. However, in Mouffe's case this transcendental dimension is not present in the struggle against a liberal democratic class/demographic, but rather in the way liberalism serves as a condition for the possibility of this struggle. Mouffe postulates that the democratic revolution has opened up possibilities for a 'war of positions' not only on the economic front but also on the cultural, social, and political fronts. Further, Mouffe claims that the democratic revolution has enabled the formation of 'chains of equivalences' and thus, the mobilization of a stronger socialist/egalitarian coalition. What makes this mobilization peculiar is the way it is not born out of the oppression of the dominant (*liberal*) democratic regime but out of the *leniency* or *tolerance* of this order. In this regard, Mouffe departs from a traditional Marxist understanding of the dominated groups and their revolutionary sentiment being born out of the experience of domination – and it is not hard to imagine how Marx would respond to the 'benign' nature of Mouffe's liberal democratic hegemony and thus, to the type of emancipation it promotes.²⁸⁵ Along these lines, the 'war of positions' seems more like a

²⁸⁵ Along Marxist lines, we may object that liberal democratic citizens distort the relationships between egoistic man and species being and thus distort what might constitute radical/authentic human plurality as opposed to systemically determined plurality. Thus, paraphrased from Marx, 'the sphere in which man functions as a species-being is degraded to a level below the sphere where he functions as a partial being...' Karl Marx, "Economic and Philosophical Manuscripts," in *The Marx-Engels Reader*. Robert C. Tucker, ed. (New York: W.N. Norton and Company, 1978), 70-85. Regardless of the content we attribute

liberal democratic game whose only casualties would be those persons suspicious of tolerance and thus, those persons committed to fighting the rules of the game.

Mouffe further justifies her recourse to liberalism by arguing that the perfect realization of pluralist democracy “would transform it into a self-refuting ideal, since the condition of possibility of a pluralist democracy is at the same time the condition of impossibility of its perfect implementation.”²⁸⁶ Mouffe argues that liberal democracy as a paradoxical regime guarantees the impossibility of permanent closure, which ought not to be confused with the absence of politics and closure. In other words, because the realization of pluralist democracy would simultaneously mean its own undoing, liberal democracy enables what for Mouffe would be a *continuous* (albeit liberal) negotiation and contestation of pluralist demands. For Mouffe, this continuity is realized in the way the logics of liberalism and democracy perform the mutual function of checks and balances. Mouffe states:

The democratic logic of constituting the people, and inscribing rights and equality into practices, is necessary to subvert the tendency towards abstract universalism inherent in the liberal discourse. But the articulation with the liberal logic allows us constantly to challenge – through reference to *humanity* and the *polemical* use of ‘*human rights*’....²⁸⁷

to Marx’s notion of species-being, Mouffe’s liberal democratic citizens are merely abstract citizens insofar as their dominant liberal identities continue to frame their lives as private individuals. In turn, the extent of their emancipation is limited to the political realm where people can express their differences on an *almost* even footing and yet, in the private realm these systemic differences continue to function as powerful prohibitions to the expression of genuine human difference. With this in mind, it appears that Mouffe’s avowal of the continued importance of the liberal state raises a question regarding the nature of pluralism. Can we conceive of pluralist democracy in a way that overcomes the schizophrenic condition fueled by the demands of being a (liberal) democratic citizen and a liberal (democratic) individual? To begin answering this question requires revisiting Marx’ idea “that the state can liberate itself from a constraint without man himself being *really* liberated; that a state may be a *free state* without man himself being a *free man*.” Marx, “On the Jewish Question,” in *The Marx-Engels Reader*, 30. Mouffe is undeniably familiar with this line of criticism and yet, the answer she provides treats this schizophrenic condition by curtailing the extent of political emancipation rather than pursuing the avenue of human emancipation.

²⁸⁶ Mouffe, *Democratic Paradox*, 16.

²⁸⁷ Mouffe, *Democratic Paradox*, 44.

Both despite and because of the mutual checking and balancing of the logics of liberalism and democracy, Mouffe argues that the liberal democratic organization cannot escape moments of *dynamic* closure or ‘constituting the people’. Although these moments of dynamic closure problematize the continuous negotiation or contestation of pluralist demands, the role of liberalism and its recourse to humanity and human rights insures that these closures are not allowed to become permanent.

Mouffe is primarily concerned with the authoritarian potential of the democratic logic and how this logic endangers pluralism. However, Mouffe disregards the manner in which liberalism as the ethical voice of pluralism monopolizes the dynamic nature of the political closures. And thus, while liberalism allows for the continuous negotiation or contestation of the constitution of the people it is unclear what checks liberalism’s authority as the voice of plurality and emancipation. In other words, who gets to speak on behalf of those suspicious or critical of the language of humanity and human rights? The obvious answer is democracy and thus, ‘the people’, but since ‘the people’ and their challenges are held in check by liberalism, it seems Mouffe is promoting the view that democracy be subject to liberalism rather than liberalism to democracy. The reference to the polemical nature of the appeal to humanity and human rights is no doubt an attuned attempt to avoid the type of liberalism whose universality cannot be contested.²⁸⁸

However, Mouffe’s assertion regarding the incontestability of certain limits to popular sovereignty undermines the polemical nature of humanity and human rights. This argument is confirmed by Mouffe’s strategic formulation in which the polemic is reserved for human rights as opposed to humanity whose polemical status is curiously

²⁸⁸ In this regard, it is worth paralleling Locke’s view of the atheist who cannot be trusted with Mouffe view of the anti-liberal insofar as they both reject the possibility of an equal engagement by virtue of the framing of that engagement.

foregone. Hence, despite recognizing how liberalism as an abstract ethical universality cannot avoid the political, Mouffe ultimately transforms it into an incontestable criterion for politics. In so doing, Mouffe subordinates democratic politics to the ethical state of liberal democracy and by extension opens the door for the type of total state described by Schmitt.²⁸⁹ Mouffe states:

...pluralism requires allegiance to the state as an 'ethical state' which crystallizes the institutions and principles proper to the mode of collective existence that is modern democracy. Here we may again take up Schmitt's idea of an 'ethics laid down by the state as autonomous ethical subject', an ethics emanating from it, on condition that we formulate it in terms of that new regime characterized by the articulation of democracy and liberalism.²⁹⁰

In other words, although Mouffe's state remains the site of political power, it is held in check by liberalism. However, the state power is predicated on liberalism, which also means that those in power are in power by virtue of liberalism. These individuals are in power because of their allegiance to liberalism, and the only way to legitimately challenge their power is by being good liberals. Gramsci articulates this thought:

In my opinion, the most reasonable and concrete thing that can be said about the ethical State, the cultural State, is this: every state is ethical in as much as one of its most important functions is to raise the great mass of the population to a particular cultural and moral level, a level (or type) which corresponds to the needs of the productive forces for development, and hence to the interests of the ruling class.²⁹¹

Following Gramsci's logic, we can assert that Mouffe's appeal to the ethical state, albeit a liberal democratic ethical state, contains both totalizing and depoliticizing dangers. Like other forms of normativity, the liberal democratic ethic is a product of exclusions,

²⁸⁹ Granting Mouffe the logic of a necessary universality as a condition for the possibility of contingency does not undermine the claim that this universality is subject to the conditioning of contingency. By cementing liberalism as the privileged ethical signifier, Mouffe forecloses the dynamic politicizing of the universal. In so doing she undermines the possibilities for pluralism by sanitizing the important role of contingency in challenging universality.

²⁹⁰ Mouffe, *Return of the Political*, 131.

²⁹¹ Antonio Gramsci, *Selections from the Prison Notebooks*, (International Publishers, 2003) 258.

dominations, and specific relations of power. Thus, treating the liberal ethic as a privileged and incontestable form of normativity exhibits the type of totalizing and imperial attitude that bars modern democracies from deepening and extending pluralism.

Schmitt would undeniably contend that the elusiveness of Mouffe's paradoxical closure undermines the possibility of liberal democratic allegiance and by extension, the possibility of effectively sustaining a liberal democratic state.²⁹² Although this line of criticism raises an important point about the type of affirmation and allegiance that supports Mouffe's liberal democracy, it fails to recognize how Mouffe's substitution of liberal democratic structures for the incontestable state does not give up the element of incontestability necessary to the state but merely transforms it into a criterion for contestation. Thus in some ways, Mouffe's softening of the state is the Machiavellian gesture par excellence insofar as it draws support from the unconditional ability to contest within the liberal democratic confines of contestation.²⁹³ Given the necessity of political structures, Mouffe's defense of the liberal democratic *regime* as a quasi-open structure (whose inevitable moments of closure are impermanent) appears almost by default as most *politically* ambitious project we can aspire to develop. The quasi-open and contestable nature of Mouffe's liberal democratic regime is predicated on an allegiance to liberalism and thus on an already existing allegiance to the norms and rules of liberal democratic contestation. This presumed allegiance to liberalism legitimates the softening of the state while also monitoring the nature of the softening such that its

²⁹² Schmitt's critique of the deflation of politics is based on the elusiveness of the political and the way this elusiveness veils the conflictual nature of politics. Though Machiavelli and Hobbes offer far more dynamic accounts of the state than Schmitt, they provide several examples of the same logic. For example, Hobbes is explicit about the Leviathan not being subject to the laws and Machiavelli asserts that it is the better for the prince to be hated than loved.

²⁹³ This line of argument does not suggest that Mouffe's liberal democratic structures are not softening in comparison to such statist regimes as Saddam Hussein's or Il Kim Jong's, but rather that this softness conceals an element of statism that jeopardizes the possibilities for pluralism.

principles are never fully subject to scrutiny. Thus, Mouffe's agonism has the makings of a post-political substitute in the way liberalism continues to dictate the terms of engagement. Phrased differently, Mouffe allows for contestation as long as that contestation remains liberal. In this respect, Mouffe has effectively modified the liberal language of toleration by further displacing the persistence of a dominant group whose positioning is not subject to the dynamics of democratic politics. And thus, although, Mouffe emphasizes the importance of *acknowledging* the role of power in constructing their positions, identities, and practices, it is critical to sustain the gap between *acknowledging* power/plurality and *affirming* liberal principles.

Returning to the decisionist frameworks of Kierkegaard, Schmitt, and Derrida, Mouffe departs from the opening between Schmitt and Derrida and by extension, from the space opened up between their respective appeals to a quasi-transcendental element as essential to politics. In Schmitt's case this *quasi* is more transcendental than *quasi* whereas in Derrida's case this *quasi* turns out to be less transcendental than *quasi*. Mouffe's defense of liberal democracy is an attempt to explore this space between transcendence and immanence. While Mouffe largely avoids the potential formalisms of Schmitt and Derrida, her use of liberalism ultimately fails to sustain this space as an opening for democratic theory. In this way, Mouffe betrays her commitments to contestation as her agonism turns out to be a legitimation of the liberal democratic monopolizing of plurality and emancipation. Consequently, Mouffe's decisionism confirms the appeal to a transcendental element as essential to politics and though she softens Schmitt's emphasis on sovereignty, she also supplements it through the incontestability of liberalism. As previously noted, despite de-politicizing the formal

nature of political decision, Schmitt politicizes the specific sovereign decisions. In so doing, he comes strikingly close to Mouffe's view of liberalism as conditioning the sovereign *decisions* of liberal democracy. Although Mouffe stresses the paradoxical or open-ended nature of this *decision* as a means of preventing dictatorial sovereignty, this open-endedness is never more open-ended than the continued dominance of liberalism – echoing the importance of reading Mouffe against Mouffe as the contestation of liberal contestability.

CHAPTER IV

TURNING THE MIRROR

OR READING MOUFFE THROUGH HER CRITIQUE OF RAWLS

Having shown how Mouffe's project legitimates a totalizing ethic of the state (in the form of liberalism), I now turn to the ways in which this commitment conditions her theorizing of the enemy. Despite her attempt to show how liberal democracy, by displacing antagonism, enables a more dynamic and open space of engagement, Mouffe ultimately fails to escape the logic of a permanent outsider. Thus, while her agonistic pluralism allows for more dissension than Rawls's political liberalism, her model falls prey to the same criticism that she directs at the moral core of his political principles. In her case this is an ethical core and more specifically a liberal ethical core. Consequently, because of their liberal core, Mouffe's political principles frame the engagement with the enemy in a foreclosing manner. In an attempt to salvage her modified version of liberalism from her own poignant critique, Mouffe turns to Wittgenstein. This Wittgensteinian turn represents an effort to bridge the gap between Schmitt and Derrida and yet, this attempt at bridging merely reinforces the critique of Mouffe's project as depoliticizing liberalism.

Mouffe appropriates the category of the enemy to describe those groups whose commitments run counter to the dominant political structures and groups. By virtue of their commitments, these groups are 'rightfully' dominated/excluded in the sense that they fail to abide by the principles of legitimation as defined by the dominant political group. Thus, they are traditionally left with one of three options: one, they can choose to surrender their commitments; two, they can attempt to overthrow the dominant regime; or three, they can hold on to their commitments and suffer the consequences as determined by the dominant social group. For Mouffe, modern liberal democracy has introduced a fourth option that dramatically improves the traditional status of dominated groups. This fourth option does not imply the overcoming or destruction of the dominant/dominated

dynamic. Rather, Mouffe contends that modern liberal democracy has *enabled* different forms of constructing and inhabiting the enemy that preempt the dominated status from becoming determinate and final. By *displacing* the category of the enemy in a way that allows us to engage those who share the same symbolic space as adversaries, the liberal democratic hegemony thus differs critically from other configurations of power relations. Mouffe describes this difference by insisting that: “the category of the enemy does not disappear but is displaced; it remains pertinent with respect to those who do *not* accept the democratic rules of the game.”²⁹⁴ In turn, Mouffe supports this displacement of the enemy as the liberal democratic displacement of the *antagonistic* dimension of politics. Moreover, Mouffe contends that this liberal democratic displacement enables a transformation of antagonism into agonism. What intuitively stands out about this displacement is the manner in which the enemy is presumed to have benefited from the ‘friendly’ exclusions of a liberal democratic regime²⁹⁵ and by extension, the way agonism is treated as a sign of political progress *vis a vis* antagonism.²⁹⁶

For Mouffe, the liberal democratic configuration of power relations ‘already implies’ an overarching allegiance to a common set of principles or rules of construction. Mouffe argues that this allegiance promotes adversarial relations because, although people have different *interpretations* of these principles, their allegiance *trumps* their interpretive disagreements: “[a]n adversary is an enemy, but a legitimate enemy, one with

²⁹⁴ Mouffe, *Return of the Political*, 4.

²⁹⁵ Incidentally, Honig describes this type of reasoning in relation to what she calls the virtue theorists who seek ‘closure and look to politics to provide and maintain it’: “In short, by denying their regime’s role in the production of the well-fitted subjects it presupposes, virtue theorists manage to distance themselves from the remainders of their politics and that distance enables them to adopt a not terribly democratic intolerance and derision for the other to whom their democratic institutions are supposed to be (indeed, claim to be) reaching out. Displacement.” *Political Theory and the Displacement of Politics*, 6.

²⁹⁶ This is not meant to suggest that less violent modes of political engagement are de facto less desirable but rather that agonism harbors an antagonistic dimension from the perspective of those who happen to be excluded by the dominant groups of Mouffe’s *friends*.

whom we have some common ground because we have a shared *adhesion* to the ethico-political principles of liberal democracy.”²⁹⁷ To state this point differently, liberal democratic citizenship already implies a common sense of civility and sportsmanship that preempts people from letting their differences extend to the roots of citizenship. In turn, liberal democracy reserves the category of the enemy for those social groups that do not share this allegiance to the liberal democratic principles; whereas those who adhere to the political principles but disagree with the dominant interpretations are deemed ‘friendly enemies’ or adversaries. Mouffe defines friendly enemies as “persons who are friends because they share a common symbolic space but also enemies because they want to organize this common symbolic space in a different way.”²⁹⁸

To defend the category of friendly enemies and how it differs from the category of the enemy, Mouffe thus appeals to an already existing ‘consensus’ on the political principles of liberal democracy. Mouffe recognizes how the appeal to already implied allegiance or consensus risks depoliticizing the principles of order and legitimation and thus in an attempt to silence this line of criticism she states “that though there is consensus on the principles, there is dissension on the interpretation of these principles.”²⁹⁹ By adding the qualification of allowing for ‘dissension on the interpretation of these principles’, Mouffe not only offers a (seemingly) definite restriction on the totalizing dimension of liberal democratic citizenship, but also demonstrates how this form of citizenship is more inclusive than the forms of citizenship

²⁹⁷ Mouffe, *Democratic Paradox*, 103.

²⁹⁸ Mouffe, *Democratic Paradox*, 13.

²⁹⁹ Mouffe, *Democratic Paradox*, 102.

that leave no space for dissension.³⁰⁰ Consequently, Mouffe describes agonistic democracy as an atmosphere of ‘conflictual consensus.’ The nature of this conflictual consensus implies two kinds of enemies: first, the ones who are considered legitimate because their allegiance to the political principles exceeds their interpretive differences - and thus, although their interpretation may not agree with the dominant interpretation at any given time, these citizens are included in a liberal democratic regime as friendly enemies; second, the ones who are considered illegitimate because they do not accept the political principles nor share the same symbolic space, and thus are excluded and constructed as *the* enemy.

In short, Mouffe seeks to expose how liberal democracy diverges from the traditional dichotomy of dominant and dominated insofar as it is composed of the divisions between friends, friendly enemies, and enemies. However, the specifics of the divisions are ultimately determined by ‘friends’ and thus, although Mouffe’s liberal democracy allows for friendly enemies it is clear that friendliness serves the role of domination. The role of the ‘friend’ in determining the rules of the game becomes explicit when Mouffe articulates how the goal of ‘agonistic pluralism’ “is to *construct* the ‘them’ in such a way that it is no longer perceived as an enemy to be destroyed, but as an adversary, that is, somebody whose ideas we combat but whose right to defend those ideas we do not put into question.”³⁰¹ By leaving the construction of a space in which the ‘them’ can avoid destruction in the hands of friends, Mouffe leaves in tact the dominant role of friends of working on their perception to alter what qualifies as an adversary as opposed to an enemy. Thus, rather than genuinely being receptive to the enemy, Mouffe’s

³⁰⁰ I will come back to this curious differentiation between a non-interpretive adhesion and interpretive dissent later on in this section.

³⁰¹ Mouffe, *Democratic Paradox*, 102.

friends are left to independently work on the minutia of how particular groups fit the already constructed category of the enemy. Hence, despite the introduction of a third dimension (friendly enemies), Mouffe is at odds to demonstrate how liberal democracy escapes the traditional master/slave dialectic and thus, how the liberal democratic 'friends' differ from other dominant groups. Hence, while Mouffe's agonistic pluralism attempts to overcome or problematize the dynamic of friend and enemy, it simultaneously patronizes and absolutizes the role of the enemy. Consequently, Mouffe unwillingly exposes her liberal democratic model as a totalizing regime whose political agenda cannot be critically engaged without either surrendering to its rule or declaring war.

The role Mouffe assigns to the *friend* in terms of maintaining, determining, and safeguarding the incontestable nature of the political principles unintentionally undermines her claim to the political legitimation of the liberal democratic limits and divisions –at least insofar as the political is understood as deeply contestable and democratic. If by political Mouffe here means something other than contestable and democratic, then her agonistic pluralism is nothing other than the totalizing regime of friends, where friends are a rhetorical substitute for the dominant group. If on the other hand, Mouffe intends the political to mean both contestable and democratic, then the category of friend is reduced to an equally provisional and empty placeholder. Judging by Mouffe's emphasis on the liberal democratic nature of the category of friend and the incontestability of the liberal democratic political principles, we can infer that her model favors a version of the former, which also means that friendship is by no means unconditional. Hence, because Mouffe privileges the underlying consensus as a condition

for the possibility of legitimate conflict, her agonistic pluralism ultimately stipulates an atmosphere of consensual conflict rather than the conflictual consensus she advocates. Consequently, the space of dissension is intensely monitored and controlled. And thus, although ‘friends’ perform the monitoring and controlling, it is imperative to understand how their affection is conditional upon adhering to their definitions of what constitutes friendship. In this respect, Mouffe undermines the dimensions of receptivity and intimacy that define friendly engagements and potentially make the politics of friendship a model for the development of a more pluralistic democracy.

By defending the displacement of antagonism, Mouffe positions herself somewhere between the deliberative/consensual displacement of politics and Schmitt’s affirmation of the intensely antagonistic nature of politics.³⁰² However, Mouffe’s commitment to displacing antagonism raises a question regarding the nature of her politics insofar as it implies the creation of an ‘us’ by the determination of a ‘them’ as well as a ‘Them’. The capital T them are displaced in a way that shelters Mouffe’s politics from real antagonism. The concerns and demands of the ‘Them’ are essentially alienated to a realm outside the political determination of the ‘us’ by the demarcating of the ‘them’. The triad of ‘us’, ‘them’, and ‘Them’ is particularly curious in light of Mouffe’s critique of the deliberative model as inept at recognizing the profound role of passions with respect to the determination of the us/them discrimination. Accordingly, Mouffe’s approach unintentionally stipulates that those persons who are passionately critical of liberal democracy cannot be given a political voice. What makes this even

³⁰² Taking a cue from Bonnie Honig’s *Political Theory and the Displacement of Politics*, we might question whether Mouffe’s de-antagonizing of politics is merely a sanitized version of the *virtu* theorists that informs Honig’s agonism. In that case, Mouffe de-antagonizing of politics reveals itself as the latest mutation in what Honig calls virtue theory and Žižek’s para-politics.

more troubling is Mouffe's assertion that the 'Them' exclude themselves from the political community because they do not accept the liberal democratic rules of the game.³⁰³ Thus, Mouffe adopts a quasi Rousseauian logic concerning those who do not conform to the liberal democratic *general will*. Because these excluded social groups are deemed in violation of their most enlightened liberal democratic will, they are encouraged to introspect rather than to engage politically. Consequently, Mouffe's agonistic public sphere continues the lineage of political super-egos that condition social spaces by placing the burden of *responsibility* on the excluded groups. Here it is helpful to recall Arendt's critique of Rousseau's general will as an attempt to square the circle and resolve the relation between plurality and singularity. Arendt identified the general will as a pseudo-pluralizing device whose main function was to ensure a kind of homogeneity that would ensure the legitimacy of the Rousseauian republic. Despite proclaiming the contestable nature of her *general will*, Mouffe's liberal democratic logic harbors the same underlying and troubling commitment to homogeneity as the one Arendt identified in Rousseau. To her credit, Mouffe recognizes the undesirable and unrealizable nature of this homogeneity and yet, her project strives to support the continued process of liberal democratic homogenizing under the guise that this objective can never be realized.

Consistent with its Rousseauian strain, Mouffe's liberal democratic ethic also channels a Christian element in its emphasis on the possibility of redemption being contingent upon the sinner's willingness to recognize his own sinful tendencies and ask for forgiveness. Those who *chose* not to alienate themselves undergo what Mouffe calls a

³⁰³ Mouffe, *Return of the Political*, 4.

‘conversion’ in their political identity. Drawing from Thomas Kuhn’s use of the term, this conversion, whilst seemingly a matter of acknowledging the constitutive role of power, is also a conversion to the liberal democratic regime as the most effective way of structuring social life. In other words, the righteousness of liberal democracy seems curiously presumed in the way it structures the nature of this choice as conversion. Consequently, for this conversion to take place demands not only a privileging of liberal democratic principles but also the strict alienation of the enemy as a condition for the possibility of this privileging. Without this strict determination of the enemy (as inherently antagonistic) the case for displacing them and thus, for Mouffe’s agonism, could hardly be mounted. By extension, the alienation of the ‘Them’ is dually depoliticized (self-exclusion/conversion) as a quasi-autonomous and benign ethical gesture, which undermines the possibility of ever disrupting the basis of Mouffe’s liberal democratic politics.

This alienation of the ‘Them’ is made more troubling by Mouffe’s occasional appeal to the empty nature of the central ethical signifier that conditions the liberal democratic rules of the game. If it succeeds in convincing everyone of its emptiness, this ethical signifier makes any type of resistance nearly impossible and the conversion will run its course. This emptiness is chimerical insofar as Mouffe seeks a vindication of explicitly *liberal* democratic rules of the game.³⁰⁴ The chimerical nature of this emptiness trails Mouffe’s use of the ‘us’, ‘they’ and ‘them’ triad, and thus, it is critical to expose how her liberal democratic citizenry as a ‘form of identification’ perpetuates an albeit

³⁰⁴ One place where this emptiness runs directly counter to Mouffe’s affirmation of liberal democratic principles is in the following quote: “The common good can never be actualized, it has to remain a *foyer virtuel* to which we must constantly refer but which cannot have real existence. Different discourses will indeed attempt to dominate the field of discursivity and create ‘nodal points’ but they can only succeed in temporarily fixing the meaning of EQUALITY and LIBERTY.” Mouffe, *Return of the Political*, 114.

loosely defined dominant subjectivity. In one sense, liberal democratic citizens are told that the adversary's existence is legitimate and 'must be tolerated' and in another sense they know that all things considered 'they' are part of the 'us' who performs the toleration if only at the state level. At the state level the 'us' simulates the role of a supposedly non-privileged group that embraces pluralism and yet, insofar as their private pursuit of liberty adheres to the liberal paradigm of the state, they are never at risk of having to surrender their role in the dominant subjectivity. By adding liberty and liberalism to the state's agenda, Mouffe scales back on the level of political emancipation by reassuring the 'us' of the legitimacy of their private agendas. To her credit, Mouffe recognizes how liberty poses a threat to equality and thus, she follows Skinner in reworking Constant's division between the 'liberty of the Ancients' and the 'liberty of the Moderns'. In drawing attention to the difference between a jurist and a republican conception of liberty, Mouffe intimates the possibility of a reconciliatory relation between political and individual liberty. Instead of exploring the possibility of what political liberty might mean if we re-conceptualize the individual as secondary or as intensely conditioned by a particular variety of political liberty, Mouffe continues to reproach this type of communitarian logic for simply ignoring the individual and by extension, the condition for the possibility of pluralism.³⁰⁵

To make the distinction between liberal democracy and other forms of regimes, Mouffe leans heavily on an understanding of the particular liberal democratic hegemony as a specific form of political organization that enables the existence of *legitimate*

³⁰⁵ In this regard, Mouffe's commitments to pluralism exclude the type of non-individuated versions of plurality that continue to guide the practices of many non-liberal cultures ranging from Native Americans to Eskimos and Aborigines. This line of argument also raises fascinating questions concerning the possibilities of developing a pluralism at least partially liberated from the lineage of the Cartesian subject.

opposition. Mouffe states: "...some limits need to be put to the kind of confrontation which is going to be seen as legitimate in the public sphere."³⁰⁶ In other words, liberal democracy enables a 'different mode of manifestation of antagonism' by allowing for the expression of 'legitimate' conflict that other regimes seek to quell.³⁰⁷ In so doing, liberal democracy supposedly avoids the presence of a permanent outsider, but the displacement of antagonism and the existence of the permanent 'Them' suggests that this enabling of legitimate conflict is conditional upon an already presumed exclusion of illegitimate conflict. Moreover, those who do qualify for legitimate conflict (the 'them') while no longer outsiders seem more like less privileged insiders than real insiders. Hence, amidst all of this liberal democratic sympathy it is imperative to stress how Mouffe's version of liberal democracy only allows for those conflictual expressions that do not jeopardize the regime. By extension, these 'tolerated' expressions of conflict do not jeopardize the determinations concerning which conflictual expressions can be deemed legitimate and thus, the nature of the conflictual expression is profoundly duplicitous. Somewhere between the functions of allowing and legitimating the expression of conflict, Mouffe's liberal democratic hegemony never surrenders its dominant role. In short, by not allowing the core principles of liberal democracy to be subject to conflict, Mouffe renders the expression of conflict innocuous. Mouffe's differentiation between the liberal and non-liberal regimes can thus be attributed to a mutation in the way the liberal democratic regime pitches its version of the need for the dominated groups to surrender their commitments rather than to a transformation in the dominant/dominated dynamic. To return to the language of gaming that I used above, one can say that to play the liberal

³⁰⁶ Mouffe, *Democratic Paradox*, 93.

³⁰⁷ Mouffe, *Democratic Paradox*, 15.

democratic game one must respect the rules of toleration as defined or prescribed by the ‘benign’ representatives of the state, whose role in the game cannot be challenged without violating the rules. And thus, although Mouffe specifies that there is “a diversity of ways in which the democratic game can be played”³⁰⁸ these ways are never more diverse than the *limited* set of practices involved in following a rule.

Mouffe’s language of hegemony is meant to convey the way the dominated groups no longer surrender their commitments through mere force but also through consensus. However, Mouffe’s notion of hegemony downplays the dominating logic that continues to underlie (the arguably) less violent forms of surrender made possible by liberal democracy. By extension, Mouffe suggests a qualitative difference between other regime-types and the modern democratic hegemony and thus, between what I previously described as the first and the fourth option.³⁰⁹ In so doing, Mouffe clouds the recognition that the liberal democratic hegemony is merely a more sophisticated and multifaceted instantiation of the dominant/dominated dynamic.³¹⁰ To fully appreciate how Mouffe downplays the role of domination in the liberal democratic hegemony, as well as how the determination of legitimate opposition is performing the work of domination we have only to examine the following quote:

Antagonistic principles of legitimacy cannot coexist within the same political association; there cannot be pluralism at that level without the political reality of the state automatically disappearing. But in a liberal democratic regime, this does not exclude there being cultural, religious and moral pluralism at another level, as well as a plurality of different parties.³¹¹

³⁰⁸ Mouffe, *Democratic Paradox*, 73.

³⁰⁹ Mouffe, *Democratic Paradox*, 18.

³¹⁰ This observation is not meant to discredit the ‘less violent’ forms of domination practiced by liberal democracy but rather to draw attention to the persistence of the dominant/dominated dynamic in terms of Foucault’s notion of bio-power.

³¹¹ Mouffe, *Return of the Political*, 131.

In other words, liberal democracy enables dissension or plurality as long as it does not oppose the principles of legitimacy. Hence, Mouffe's liberal democracy allows for dissension and plurality on *some* level, and yet readers are left guessing as to the specific nature of this level. Mouffe's criticism of the forms of pluralism that relegate plurality to the private realm suggests that the level at which she endorses plurality cannot be purely private, but it is not unreservedly public either. To make sense of the scope of plurality that Mouffe advocates, it is important to recall the specific role she assigns to the state: "...this pluralism requires allegiance to the state as an 'ethical state' which crystallizes the institutions and principles proper to the mode of collective existence that is modern democracy."³¹² In other words, Mouffe is extending the level of permissible plurality beyond the *private* realm but not to level of the state. In so doing, Mouffe is insulating the state from the public realm by relying on the supposed fact that deep plurality at the level of the state is synonymous with the end of politics. By asserting that "antagonistic principles of legitimacy cannot coexist within the same political association without putting in question the political reality of the state"³¹³, Mouffe is merely presenting her own version of permissible pluralism. And thus, although Mouffe rightly exposes Rawls's reasonable pluralism as a case of relegating pluralism to the private realm, her appeal to the state's exemption undermines the extent to which her liberal democratic model can take seriously the demands of pluralism.

Admittedly, Mouffe recognizes how her delimiting of plurality mirrors Rawls's, but she insists that while Rawls's is based on a moral requirement, hers is based on a political decision. Consequently, Mouffe identifies Rawls's form of argumentation as

³¹² Mouffe, *Return of the Political*, 131.

³¹³ Mouffe, *Democratic Paradox*, 25.

circular: "...political liberalism can provide a consensus among reasonable persons who, by definition, are persons who accept the principles of political liberalism."³¹⁴ In contrast, the political nature of Mouffe's limits derives from the already existing political principles that underlie liberal democracy. In turn, these political principles provide a material basis for speaking about the particular conditioning that underlies different regimes. However, without a de-politicized normative qualification these principles provide little ammunition to legitimate liberal democracy as the most effective pluralist regime. With regard to these political principles Mouffe states:

These principles determine a *certain* type of ordering of the relations that men establish between themselves and their world, they give a *specific* form to democratic society, shape its institutions, its practices, its political culture, they make possible the constitution of a *certain* type of individual, create *specific* forms of political subjectivities and construct *particular* modes of identity.³¹⁵

Mouffe's appeal to these political principles mirrors Rawls's appeal to intuitive ideas or to the presence of a political culture whose latent ideas serve as a powerful normative backbone. Although this type of appeal no doubt captures something important with respect to the powerful conditioning of the underlying common sense, mores, and habits distinctive to specific political regimes, it does not alleviate the pressures of legitimating a liberal democratic normativity beyond a *modus vivendi*. In other words, it seems more wishful than critical to posit an already existing normativity on the grounds that liberal democratic subjects have been conditioned to embrace the 'specific, certain, and particular' political principles of liberal democracy. Further, such an appeal to the

³¹⁴ Mouffe, *Democratic Paradox*, 26.

³¹⁵ Mouffe, *Return of the Political*, 52. Mouffe's appeal to political principles is a way of resolving the dichotomous relation between rights and the good and thus, of providing the type of normativity she requires for her agonistic pluralism while not falling prey to a depoliticization of this normative commitment. In turn, these political principles are intended to resolve the bifurcation of ethics and politics by providing a normative support for democracy without grounding this support in a non-political essence.

political principles not only forecloses a possible space of engagement between those adhering to different political principles, but it also fails to legitimate this specific form of regime to someone whose conditioning runs counter to the principles of liberty and equality. Thus, Mouffe cannot avoid the charge that these political principles are themselves outcomes of specific power relations— and more explicitly, outcomes of a set of power relations that conditioned the rise of modern capitalism, rationalism, and individualism.³¹⁶

Mouffe is struggling to sustain the tension between naturalizing and politicizing the principles of liberal democracy. On the one hand, she flirts with a defense of liberal principles based on the *circumscription* of an ethical domain not subject to the contestation of values. And on the other, she flirts with the possibility of a completely politicized way of life, where all normative appeals can be reduced to political appeals. While other democratic theorists implicitly or explicitly champion one of these mutually exclusive options, Mouffe considers both of them conceptually and empirically untenable.³¹⁷ Mouffe's ability to avoid the pitfalls of these options and to offer a viable alternative hinges exclusively on the role she attributes to the political principles. Mouffe's political principles are neither comprehensive nor purely instrumental in nature and yet, they alone legitimate the limits of her agonistic pluralism. Mouffe's political principles address the need for *stability* and thus, for some type of minimum structure or

³¹⁶ While Mouffe recognizes these political principles as hegemonic crystallizations, the role she attributes to hegemony seems to warrant an examination of the hegemony of hegemony. Without such an examination, hegemony is allowed to perform the role of incontestable power-relations, which becomes even more apparent when we examine the relation between hegemony and Mouffe's appeal to the Wittgensteinian '*Einstimmung*'.

³¹⁷ One way of understanding Mouffe's position is in terms of the perfectionist/proceduralist debate. Mouffe argues that both of these approaches fail to offer a viable solution since 'procedure' itself cannot offer the commonality and substantial homogeneity required for democracy, and, perfectionism (qua its emphasis on the common good as *pregiven*) cannot account for the role of contingency.

limit to pluralism. Mouffe is arguably less concerned with this notion of stability than Rawls, which explains her hesitation to express the necessary adherence to the political principles in terms of an over-lapping consensus. However, this adherence or allegiance never quite sheds the presupposition and primacy of consensus. And thus, although Mouffe repeatedly acknowledges the *political* nature of the liberal democratic limits, she continues to insist on the importance of a strict adherence to the political principles as the condition for the possibility of disagreement.³¹⁸

As noted earlier, the status of these ‘political’ principles is perplexing. On the one hand, Mouffe asserts that there must be agreement about these principles, and, on the other, that there will be disagreement concerning the interpretations of these principles. This differentiation raises two questions: first, what does the non-interpretative dimension of these political principles entail, and second, how can these principles be considered political if the non-interpretive dimension is not subject to disagreement? The short answer to the first question is that the non-interpretive dimension of the political principles is reserved for a liberal ethic, and subsequently, with regard to the second question: no, these principles cannot be considered political - at least not in the contestable sense of political that Mouffe defends. The political principles are the nodal points that structure the nature of our engagement and thus, the interpretive dissension that Mouffe allows for can be understood as the type of ‘civil’ disagreement that takes place between people whose subjectivities are considerably alike. Their likeness is made

³¹⁸ In this regard it is helpful to recall Honig’s critique of Rawls, which also applies to Mouffe on this role of the political principles as a condition for the possibility of disagreement. Honig states: “Left out of Rawls’s account is an alternative, more politicizing posture toward loss, one that treats lost forms of life as remainders. This alternative challenges the tendencies of regimes to stabilize certain practices and subjectivities by opposing them to others against whom they are defined and by discouraging the politicizations necessary to keep plural possibilities alive.” Honig, *Political Theory and the Displacement of Politics*, 198.

possible by their consensus to disagree within a consensual arena framed by those liberal democratic nodal points. This type of disagreement does not threaten the liberal democratic core and thus, it appears that Mouffe is promoting a model that only supports those types of plurality that do not challenge the political principles of liberal democracy. By stipulating this type of adherence to the political principles, Mouffe undermines the purely political nature of the liberal democratic limits insofar as they remain either minimally contestable or altogether incontestable. It is clear that Mouffe seeks to deflect the idea that these limits are incontestable, but since contestation is conditional upon adhering to the liberal democratic limits, it is equally clear that Mouffe cannot embrace the complete politicization of the limits to her agonistic pluralism. Thus, while Mouffe demonstrates the political nature of these limits, she fails to politicize them in a way that makes them and their role in framing the rules of contestation contestable. In other words, although Mouffe's agonistic model is less consensus-oriented than Rawls's, the contestation she endorses ends up serving as a veil for a depoliticized affirmation of liberal democracy.

Whereas the political nature of Rawls's limits rest on a certain interest based essentialism, Mouffe commits to a subtle ethical essentialism that depoliticizes the values of certain rights and liberties.³¹⁹ Mouffe's privileging of liberal democracy as the most conducive regime for pluralism is not exclusively based on a political judgment but also on an ethical judgment. The nature of this ethical judgment is particularly problematic since it offers the substantive normative traction that Mouffe requires for a defense of liberal democracy, while also circumscribing a domain only partially subject to politics.

³¹⁹ Mouffe identifies the shift from the Rawls of 'a theory of justice' who defends a moral essential core to the later Rawls of Political liberalism who defends a certain interest- based essentialism.

In other words, the circumscribed domain is only partially recognized as a product of the contestation with relations of power and thus, it is allowed to function as a partially incontestable base for Mouffe's liberal democracy. If Mouffe fully embraced the political nature of her liberal democratic project and its claims to legitimacy as political, then there could be no appeal to a liberal ethic and certainly not a liberal ethic that offers more traction than an appeal to liberal politics. Mouffe cannot reconcile with a political defense of liberal democracy and thus, her project ends up being a defense of liberal democracy and the depoliticization that underlies this particular form of regime.

Hence, despite *pluralizing* Rawls's model, Mouffe cannot disregard the importance of an ethics that acknowledges the ineradicability of antagonism and supports the political agenda of transforming antagonism into agonism. However, by exclusively treating the ethical dimension in terms of an uncontested liberal ethic, Mouffe hypostatizes one version of living with antagonism and division. Thus, although Mouffe recognizes the necessarily political nature of her ethics, her approach privileges a liberal democratic ethics in a way that turns the liberal ethic into an incontestable criterion for contestation.³²⁰ Mouffe recognizes the quasi-solipsistic logic of this argument and thus, in an attempt to avoid this solipsism, she appropriates a more contestable and practice oriented framework based on Wittgenstein's notion of 'what it means to follow a rule'.³²¹ Moreover, against the charge that her political principles are purely pragmatic, Mouffe

³²⁰ Mouffe's ethico-political principles serve as constitutive rules that give meaning to the regulative rules. The constitutive rules that frame political regimes are products of clashes between different discourses that seek to dominate the 'field of discursivity'. The battle for the field of discursivity entails establishing a set of 'nodal points' as the dominant principles that provide the criteria for shaping and judging a particular context. These nodal points are dominant reference points in terms of the subject positions, identities and practices they make available. Consequently, these nodal points determine who is included and excluded within a particular social space and thus, in a liberal democratic regime these are liberal democratic nodal points held together by liberal democratic ethico-political principles.

³²¹ Mouffe, *Democratic Paradox*, 71.

invokes the ideas that agreements in ‘forms of life’ always presuppose agreements in terms of the good and that “procedures always involve substantial ethical commitments.”³²² Mouffe thereby aims to substitute the notion of a pre-contractual agreement for the necessity of rational consensus and legitimation which means that the project of legitimating the liberal democratic order becomes a matter of exposing an already existing form of ‘*Einstimmung*’ rather than developing an exhaustive ‘*Einverstand*’. This emphasis on *Einstimmung* helps explain Mouffe’s contention that the existence of liberal democracy already ‘implies’ peoples’ allegiance to its principles, and by extension, why, *pace* Mouffe, the charge of solipsism should be dismissed as anachronistic.

Mouffe’s appropriation of Wittgenstein’s framework speaks to the gap between Derrida’s ethical approach and Schmitt’s intensely militant politics. In essence, Wittgenstein allows Mouffe to bridge this gap between not enough politics and structure and too much politics and structure. However, this act of bridging falls prey to the same downfalls as Mouffe’s attempt to simultaneously draw from the theories of Derrida and Schmitt. These downfalls become explicit in Mouffe’s borrowing of ‘two different’ Wittgenstein(s). Using Wittgenstein to bridge this gap only works because Mouffe’s appropriation selectively borrows from a conservative reading to legitimate the need for structure/agreement, and from a radical reading when needing to legitimate the malleable and dynamic nature of these structures.³²³ In this respect, the internal tensions of

³²² Mouffe, *Democratic Paradox*, 69.

³²³ Wittgenstein himself comments on this division: “a boundary of sense may be used by the conservative to keep someone in or out, but it may also be used by the radical as something to jump over.” Wittgenstein, *Philosophical investigations*, 499. David Cerbone’s essay “The Limits of Conservatism” lays out the dispute between conservation and radical appropriations, particularly in section three. *The Grammar of*

Wittgenstein's framework actually lend themselves to thinking in the gap between Derrida and Schmitt and yet, Mouffe effectively closes this gap by uniting these two Wittgenstein(s) and squaring the circle of political structures and subjects. While Mouffe treats this space as open by calling attention to the paradoxical nature of liberal democracy, this paradox repeatedly takes the form of a foreclosed circle in the way the liberal ethic patrols the parameters of this paradox.³²⁴

To fully appreciate this argument requires understanding the relation between *Einstimmung* and hegemony. Considering Mouffe's characterization of liberal democratic hegemony as a more inclusive power configuration, the language of *Einstimmung* seems well suited to conceptualize the transient and non-essential nature of its limits and legitimacy. However, *Einstimmung* for all its dynamic qualities still suggests the monistic nature of this *stimmung*. Thus, while understanding the underlying political principles in terms of a common and dynamic harmony might provide a helpful framework to conceptualize the dynamic nature of democracy, it cannot simply ignore the oneness harbored by this concept as well as the singular nature of Mouffe's principles of legitimacy. Mouffe's appropriation of Wittgenstein's framework seems simultaneously committed to the politically conservative interpretations of Nyiri and Winch and the politically radical interpretations of Tully and Owen.³²⁵ To bolster her appropriation of Wittgenstein, Mouffe quotes John Gray and his explanation of the pre-contractual (ethical) dimension as a condition for the possibility of political judgments: "The forms

Politics: Wittgenstein and Political Philosophy, Cressida Hayes, ed. (Ithaca: Cornell University Press, 2003), 51-59.

³²⁴ James Tully describes a this commitment to a genuinely open and dynamic democracy in a way that challenges the parameters of Mouffe paradox: "...critically reflective political arguments in an open society (and more courageously in a closed one), even when it does not involve the refusal of the terms of the argument, folds back on itself and calls into question the acceptable uses of the agreed-upon terms of the debate." *Grammar of Politics*, 33.

³²⁵ *Grammar of Politics*, 1-13. Taken from the Introduction by Cressida Heyes.

of life in which we find ourselves are themselves held together by a network of pre-contractual agreements, without which there would be no possibility of mutual understanding or therefore, of disagreement.”³²⁶ Judging by Mouffe’s appeal to Gray and the emphasis on pre-contractual agreements, we might say that she endorses the affirmation of the status quo of liberal democracy in terms of the self-justifying nature of these pre-contractual agreements. However, Mouffe recognizes the way this appropriation overstates the totalizing nature of these liberal pre-contractual agreements and thus, she attempts to supplement this self-justifying affirmation of the liberal ethic by stressing its dynamic nature quo *Einstimmung*. Without the opening provided by *Einstimmung*, the Wittgensteinian framework would eliminate all critical vantage points and Mouffe would have nowhere from which to stress the possibilities for deepening and extending pluralism. This solipsism does not present a problem for those theorists who have appropriated Wittgenstein’s framework to defend a radically democratic project. By stressing the coexistence of different and conflicting language-games, theorists such as James Tully, David Owen, Sabina Lovibond, and Denis McManus have shown ways of appropriating Wittgenstein without inheriting this solipsism. By extension, these radically democratic appropriations of Wittgenstein’s framework defend the oneness of *Einstimmung* as the coming together of forms of life in a harmonious attunement that sustains the heterogeneity of its constituent groups. Although Mouffe seemingly appreciates the dynamics entailed by this appropriation, she also recognizes how it runs the risk of turning politics into an ethical melody.³²⁷

³²⁶ Mouffe, *Democratic Paradox*, 65.

³²⁷ This thought can be understood in Wittgensteinian terms as the differentiation between understanding and interpretation. Wittgenstein himself was committed to the idea that it could not be interpretation all the way up/down. There is something about understanding that qualitatively sets it apart from interpretation

Wittgenstein's practice based conception of rationality enables Mouffe to stress a liberal democratic base that does not require the criteria of certainty – since certainty as well as validity are conditioned by specific configurations of power. Instead, liberal democracy, as a particular form of life, supports the liberal democratic principles that in turn help foster allegiance to this way of life. For Mouffe, the rules are always already inscribed in the shared forms of life and so structure the nature of our playing. This ad hoc hypothesis forms the basis for Mouffe's attempt to expose and develop a liberal-democratic ethics that is not simply a pragmatic-political feature of this form of life but also as a central ethical factor that underlies and conditions this way of life. Mouffe argues "...space needs to be provided for the many different practices in which obedience to the democratic rules can be inscribed."³²⁸ However, following the democratic rules and more specifically liberal democratic rules in Mouffe's case, is predicated upon mastering the technique of obeying these rules. Mastering this technique entails a commitment to the liberal ethic and subsequently, while Mouffe seeks to diversify the practices in which the democratic rules can be inscribed, she never provides an avenue of challenging the ideological underpinnings of these rules. In other words, though Mouffe's liberal democratic hegemony is predicated on an *Einstimmung* with multiple spaces from which to contest the rules, these spaces are all conditioned by an underlying pre-contractual agreement to the liberal ethic. In turn, Mouffe's appeal to *Einstimmung* allows her to conceal the elements of power and domination that distinguish hegemony from attunement. The relation between hegemony and attunement no doubt opens a productive avenue for democratic thinking. However, against Mouffe we must emphasize what

and in this regard Mouffe political appeal to structure can be seen as that something that sets understanding apart from interpretation.

³²⁸ Mouffe, *Democratic Paradox*, 73.

McManus calls our tendency "...to fetishize such agreement (in forms of life) as 'reality' or 'truth' in ways that overstate meaning from our activities rather than justifying them."³²⁹

The downfalls of using Wittgenstein's forms of life to justify the preeminence of liberal democracy become all the more visible if we examine the other theorist who informs this lineage of political principles, namely Montesquieu. Contrary to Montesquieu's idea that the political principles stem from manners and morals that can be traced to various geographical features such as climate and soil fertility, Mouffe offers no explanation as to the roots of the ethico-political principles. The description she offers merely suggests that liberal democracy was preceded by a set of dispositions and passions that conditioned the rise of liberal democratic structures as an already existing form of life. In addition to her substitution of forms of life for climate and soil fertility, Mouffe's distinction between the interpretative and the non-interpretive dimension of the political principles betrays Montesquieu's recognition of the hermeneutic and dynamic nature of these principles. This might seem tangential, but as Althusser demonstrates, it was precisely the failure to adhere to this recognition that led Montesquieu to his defense of the nobility. Althusser states: "But within him another man than the scientist took advantage of this ambiguity. The man of a political party which needed precisely the pre-eminence of the forms over their principles...."³³⁰ Mouffe's form of government is liberal democracy, and even if the ethico-political principles are entering into a contradictory relationship with that form, *qua* globalization and the collapse of traditional markers of

³²⁹ *Grammar of Politics*, 7. Tully directs a very similar Wittgensteinian critique at Habermas' project: "He (Habermas) has proffered a form of critical reflection in which we are free to call into question and dissent from the conventions governing our political and legal practices, but we are not free in turn to call into question and to dissent from the conventions governing the practice of critical reflection itself." *Id.*, 32.

³³⁰ Louis Althusser, *Politics and History*, (New York: Verso Radical Thinkers, 2007), 59.

certainty, Mouffe's *parti pris* forecloses the possibility of re-structuring and re-theorizing *liberal* democracy. Hence, even if liberal democracy is no longer capable of uniting or embodying the principles and passions of pluralism, Mouffe's framework does not allow for the possibility of transcending this specific form of government.³³¹

In other words, Mouffe's own commitment to the liberal democratic ethic and, by extension to the liberal democratic form of government, not only explains her selective use of Wittgenstein, but more importantly explains why her framework is limited to theorizing pluralism in the context of liberal democracy. Hence, despite Mouffe's repeated appeals to a radical pluralist project, she remains firmly planted in the liberal democratic tradition. Although Mouffe employs the language of *political* principles, she is unwilling to commit to a fully political/contestable legitimation of liberal democracy. The distinction that characterizes Mouffe's political principles is purely an ad hoc distinction and the presupposed centrality of the signifiers of equality and liberty that Mouffe postulates with regard to liberal democratic political principles are more strategic than critical. Thus, despite Mouffe's appeal to the political nature of her limits, her model is subject to the critique of circuitry once we recognize that the already existing political principles are hypostatized and reified as liberal *ethico*-political principles. In other words, although Mouffe defends herself against Rawls by arguing that these limits are political, the way in which they are political is not in a negotiable and democratic sense but rather in a dominating and totalizing fashion.

³³¹ In this context, it is worth recalling David Owen's essay on how Wittgensteinian pictures translate to the superstructure of ideology and by extension, the importance of developing ways to combat this condition of captivity. One way of doing so is by considering the contours and limits of the picture as a contestable site that we ought to contest rather than try to escape. *Grammar of Politics*, 82-83

Addressing the idea of a political conception of justice, Rawls states: “These conditions do not impose the unrealistic – indeed, the utopian – requirement that all citizens affirm the same comprehensive doctrine, but only, as in political liberalism, the same public conception of justice.”³³² Mouffe’s political principles are intended to unmask the utopian nature of Rawls’s appeal to the sameness of a public conception of justice and thus, the way Rawlsian reasonableness functions to insure this sameness. In contrast, Mouffe suggests that the political principles cannot be reduced to sameness and yet, as a criterion for liberal democracy there is enough overlap with regard to the political principles to appeal to a liberal democratic ethics. Incidentally, Rawls frequently addresses this sameness in terms of a family of liberal democratic conceptions of justice, a notion strikingly close to the overlapping liberal democratic political principles upon which Mouffe relies. Thus, reading Mouffe against Mouffe we can say that while the overlap she relies on is slightly more open to contestation than Rawls’s fundamental ideas, it remains conditional upon an assumed overlap that determines the legitimate forms of contestation and by extension the types of plurality that can be permitted. Hence, the theoretical defense that Mouffe provides unintentionally simulates the totalizing logic of those frameworks that eliminate politics by absorbing all political authority under the banner of consensus. Although, Mouffe does not provide an essentializing legitimation of the liberal ethic, her appeal to the already existing liberal ethic remains as incontestable and thus, as absorbent of political authority, as if she had provided such an essentialist legitimation.³³³ In other words, while Mouffe no doubt

³³² Rawls, *Political Liberalism*, 39.

³³³ We can observe this totalizing logic in the way Mouffe aligns herself with Oakeshott’s distinction between *universitas* and *societas*. Mouffe does not disagree with Oakeshott’s appeal to *societas* as the

recognizes that these liberal democratic political principles are not essential, they continue to serve an essentialist function. Consequently, these political principles are never fully contestable by virtue of their constitutive role in making Mouffe's preferred form of contestation possible. The essentialist role of these political principles is especially problematic considering Mouffe's adamant appeal to the anti-essentialist nature of her project. Mouffe's commitment to the liberal democratic principles and particularly to the liberal ethic is a commitment that requires some measure of avowal if indeed Mouffe aims to take seriously her claim about a radically pluralist project. And thus, while Mouffe points to the threshold of liberal democracy, it is for us, the readers, to traverse it and begin exploring the possibilities of a more open, critical, and dynamic form of *pluralist democracy*.

acknowledgement of the authority of certain conditions of acting, but rather with the content that he places at the center of this authority and thus at the center of his *respublica*.

CONCLUSION

Consistent with the overall layout of the project, this conclusion is aimed at *re-*capturing the foreclosures perpetuated by Mouffe's model to open up for other models capable of sustaining the project of radical democracy and the tension between ethics and politics. To accomplish this task, I provide a synopsis of my central arguments beginning with the last chapter and ending with the first chapter. Having provided this synopsis, I turn to three of Mouffe's self-proclaimed goals to demonstrate how her model fails to provide the remedy she professes. These three goals are: One, to re-animate and 'extend the democratic revolution into new areas of social life'; Two, to provide a 'model for the most radical form of pluralist democracy'; Three, to re-establish the 'lost connection between ethics and politics'.

In the last chapter, I argued that Mouffe falls prey to a de-politicizing of liberalism and thus to a version of her critique of Rawls's framework. Mouffe rejects Rawls's political liberalism because it fails to fully embrace the pervasiveness of politics. In other words, Rawls's model cannot be as void of comprehensive views as it claims to be. For Mouffe, these 'remaining' comprehensive views include an insufficiently politicized understanding of agency and reason. Mouffe's model claims to resolve this problem by embracing the role of power in constituting what is considered rational and in our interest. Consequently, Mouffe's political liberalism claims to be political insofar as it avoids de-politicizing any comprehensive views. However, she falls prey to a version of this de-politicizing of comprehensive views in the manner she transforms an already spurious *reality* of liberal democratic principles into an a-politicized standard, which prescribes what qualifies as pluralism and what qualifies as legitimate contestation.

Despite dismissing Rawls's framework as a version of the 'perfect liberal utopia', Mouffe recognizes the challenge of pluralism in terms of different norms and values coexisting within the same social space. Consequently, she too requires principles that combine these differences in a way that prevents the escalation of conflict without rendering these principles incontestable. Hence, instead of envisaging these principles in terms of an overlapping consensus, Mouffe turns to the already existing ethico-political principles underlying liberal democracy. These principles are not a matter of an overlapping consensus but rather, and this is where she claims to soften Rawls's account, a matter of practically obeying a rule. In turn, unlike Rawls's overlapping consensus, Mouffe stresses the variety of possible ways of practically following a rule without disobeying it.

Borrowing Wittgenstein's understanding of the use of a language as presupposing rules, Mouffe solicits the already existing rules of liberal democracy as a standard and condition for the development of radical pluralist democracy. Practically adhering to the ethico-political principles thus becomes a necessary condition for being part of Mouffe's liberal democracy. By transplanting this logic of language use into a political logic of rule following, Mouffe displaces the role of power in shaping linguistic norms and practices. And thus, while these principles allow for some measure of contestation, they continue to structure the rules of contestation in much the same manner as an overlapping consensus. Following Mouffe, this added measure of contestation improves Rawls's model by allowing for an element of leniency concerning how to best follow the rule. Accordingly, this more praxis oriented standard allows pluralism to permeate the public realm in a manner foreclosed by Rawls's appeal to an overlapping consensus.

However, given Mouffe's stipulation of a necessary adherence to these ethico-political principles and the impossibility of contesting them (without adhering to their rules), the added element of contestation fails to address a meta-political criterion of liberalism. Mouffe's model thereby stipulates what qualifies as legitimate contestation under the dictum of not allowing for the existence of conflicting principles of legitimacy. By preserving this meta-commitment to a liberal ethic, Mouffe essentially limits the degree of contestation to different ways of following the rules without allowing for the rules themselves to be contested. Given the role of these ethico-political principles as a necessary condition for the possibility of a radically pluralist democracy, Mouffe circumscribes a meta-public domain not subject to contestation. In so doing, Mouffe turns what she calls the precarious and pragmatic nature of these ethico-political principles into fixed and determinate criteria for mediating democracy – even claiming that there is no more radical way of organizing democracy. Mouffe remains perhaps deliberately vague regarding the specific nature of these ethico-political principles beyond 'liberty and equality for all'. Although Mouffe is willing to acknowledge the political conditioning and history of these principles, she proceeds to transform them from a particular empirical reality into guiding normative principles whose legitimacy cannot be contested. In this way, Mouffe's agonism exhibits a slide towards a perfectionist understanding of the liberal ethic.

Mouffe's transformation of the liberal ethic into an incontestable standard for mediating democracy can be traced to her appropriation of Schmitt's framework. By appropriating Schmitt's understanding of the political as the ever-present possibility of antagonism, Mouffe commits herself to an understanding of political structure in terms of

a divisive decision between friend and enemy. Thus, given the role of antagonism as an ontological condition of social life, no politics can avoid a decisive division. Moreover, given the necessity of a moment of closure, politics always pertains to the establishment of a sovereign and a dominant social identity against the background of violent conflict. With this in mind, democracy as a political logic can in principle never be less divisive than other forms of political structures/regimes. Consequently, while Mouffe acknowledges the democratic commitment to equality, it remains a formal commitment that cannot be substantiated, given the necessary division between those who are part of the demos and those who are not. This understanding of democracy is predicated on the specifically modern theory of sovereignty that informs Mouffe's project. Mouffe's ability to conceive of democracy in terms of a dynamic praxis of negotiation, revision and critique remains severely limited by this Schmittian account of sovereignty. By overstating the nature of political structure as a *concretum*, Mouffe seemingly negates a more dynamic understanding of democracy as a dialectic between the mass of individuals and the state. My argument is not intended to dismiss the role of political structure in conditioning the mass of individuals, but rather to stress the dialectic at the root of modern sovereignty – a dialectic ignored by the Schmittian statism Mouffe appropriates. This dialectic refers to the importance of avoiding the dual dangers of treating the peoples' concreteness as a sufficient condition for democracy and ignoring the abstractness of the state as sufficient condition for democracy.

Contrary to the quest of most radical democrats to retrieve this richer version of democracy and its egalitarian distribution of power, Mouffe turns to a liberal ethic not inscribed in the logic of democracy. Instead of problematizing the divisiveness of

decision, through what within democracy resists closure, Mouffe posits the role of the liberal ethic as a necessary condition for democratic openness and contestability. Despite accepting Schmitt's understanding of the political against the current trend towards ethics and an overcoming of politics, Mouffe inserts an ethics at the heart of her politics. In so doing, she tries to soften Schmitt's emphasis on the role of political structure and the moment of coercive or divisive decision. This softening can be traced to Mouffe's commitment to liberal democracy as a paradoxical regime. Contrary to Schmitt's rejection of liberalism, Mouffe insists that the liberal ethic provides the ideal complement to the political logic of democracy. What makes the liberal ethic ideal is precisely the way it checks the political logic of democracy and by extension the divisiveness inherent in democratic decision. By not allowing democracy to usurp the sovereign function, liberalism provides a standard from which to continually contest the exclusions and coercions propelled by the democratic order. The liberal ethic thus guarantees that the democratic majority cannot oppress different social groups, and thus, *pace* Mouffe, allows for the existence of a third category – friendly enemies. Consequently, because the liberal ethic mediates the democratic division of friend and enemy, liberal democracy enables pluralism in the form of a variety of groups that do not agree with the prevailing interpretation of the ethico-political principles but who nonetheless agree with the principles themselves.

Despite the radicalism that Mouffe attributes to this differentiation between interpretation and agreement, this differentiation merely highlights the incontestable nature of these principles. In other words, Mouffe's ethico-political principles become 'for themselves' apart from peoples' mediation and interpretation, which illustrates how

these principles transform from an empirical reality to a comprehensive function.

Apropos of this function of the liberal ethic, it is important to note how Mouffe agrees with Schmitt regarding the untenable nature of multiple and competing ethics of the state. Unlike Schmitt, however, Mouffe's ethic of the state does not entirely coincide with the political structure in so far as it holds in check the power of the demos by applying standards that extend beyond the particular demos - i.e. humanity and human rights. By placing this ethical standard beyond democratic contestation, Mouffe's liberal ethic remains as incontestable as Schmitt's political ethic of the state and thus, the paradox that she espouses regarding the nature of liberal democracy is always already framed by an adherence to the liberal ethic. By extension, the curious division between agreeing with the principles and disagreeing with their interpretation results in discontented proponents of the liberal ethic coexisting with adamant proponents of the liberal ethic at the expense of all those enemies who disagree with the ethico-political principles themselves.

Consequently, Mouffe replaces the paradox of democratic legitimation and its delicate differentiation between subjects and citizens, sovereign and people, or content and form with a less dynamic, necessarily divisive liberal democratic paradox. In so doing, she prescribes the terms of the paradox in a manner that limits the possibilities of democratic politics by concretizing the tension between politics and ethics in terms of democracy and liberalism. Hence, Mouffe de-politicizes liberalism as an incontestable ethic *beyond* the state - and whereas Schmitt was explicit about the political nature of this incontestability, Mouffe treats this totalizing gesture as an a-politicized necessity given the axiological nature of pluralism. Despite her own admission that liberalism is never neutral, Mouffe neutralizes a version of the liberal ethic by stressing its incontestable role as a necessary

condition for the possibility of pluralism. Consequently, Mouffe's democratic politics is ex ante foreclosed by the type of reification and naturalization she denounces in both Rawls and Habermas. Mouffe's agonism thus structures the engagement with the *enemy/enemies* in a manner that reinforces the already foreclosed division between friends and enemies – both domestically and globally – domestically by legitimating a dominant private sphere and globally by legitimating liberal democracy beyond contestation.

Mouffe recognizes the dangers of adopting the potentially over-determinate nature of Schmitt's divisive decisionism. Consequently, in order to avoid hypostatizing the enemy, Mouffe appropriates Derrida's framework. Notwithstanding this attempt to avoid hypostatizing the enemy, Mouffe cannot prevent Derrida's framework from mirroring back the limitations of her model and its Schmittian roots. Mouffe's use of Derrida is largely intended to draw attention to the undecidability that frames and haunts the construction of social space and by extension, the moment of decision. By drawing attention to the role of undecidability, Mouffe aims to soften the divisiveness of democracy as a political structure. Despite this appeal to undecidability, Mouffe never abandons Schmitt's emphasis on the reality of a violent dimension as constitutive of the political.

Derrida's critique of Schmitt was primarily aimed at contesting the slide from violence as a possibility to a reality. By transforming the possibility of antagonism from a possibility of the differentiation between us/them into the central and concrete reality structuring politics, Schmitt rendered all politics totalitarian. Mouffe's emphasis upon the liberal democratic nature of the friend concretizes the enemy in a manner consistent with

what Derrida refers to as Schmitt's pathetic obsession with concreteness. Contrary to Derrida's attempt to problematize the moment of originary violence as the root of social space and politics, Mouffe accepts the necessarily divisive and antagonistic nature of politics as an ontological component of social life. Derrida's problematizing of this originary violence and by extension of the division between inside and outside, opens up for a different type of political structure or sovereignty capable of negotiating the ever-present possibility of violence in less totalizing and exclusionary ways.

Derrida's attentiveness to the dangers of presenting a model of totalizing politics become apparent through his conceptual framework of 'democracy to come', 'différance', and 'auto-immunity'. By stressing the necessity of a dynamic, critical and revisable understanding of democracy as a continued orientation to the violence of deciding, Derrida's framework reflects the limitations of Mouffe's divisive and insufficiently democratic democracy. Instead of softening this divisiveness from the outside through another divisive mechanism as in the case of Mouffe's appeal to the liberal ethic, Derrida urges the exposition of an unconditional ethics as inscribed in the very praxis of democracy. This unconditional ethics is best understood as inscribed in the praxis of democracy by recalling Derrida's statement that justice is deconstruction and deconstruction is justice. For Derrida, democracy is a *particular* praxis of negotiating power relations – a praxis whose internal commitments to revision, critique and promise make it the ideal political orientation to the demands of an unconditional ethics.

The always-transitioning nature of democracy allows us to negotiate the moment of decision, structure, closure, and sovereignty in ways that resist a totalizing politics. This negotiation cannot draw upon a divisive ethics like Mouffe's if it is to support the

task of rendering all forms of social identity and space contestable. Instead, this ethics must address the anxiety of indeterminate differentiations between us/them in ways that resist the categorical impositions of friend/enemy and, for that matter, ‘friendly enemies’. To refine this intricate relation between ethics and politics requires re-cognizing the manner in which politics pervades our language, norms and concepts. For Derrida, this re-cognizing of the axioms structuring our perspectives begins with the theorist—or to put it in Butler’s terms, ‘the role of the theorist is to contest the realm of the possible’.

Contesting the realm of the possible implies working through our conditioning as well as the dominant political/conceptual structures. In so doing, we cannot allow our theoretical/historical problematic to dictate the limits of our political imaginary. Mouffe’s appeal to the reality of liberal democracy performs precisely such a limiting role in the way it *ex ante* limits the possibility of critique and contestation. In other words, by employing reality as a criterion, Mouffe limits the contestation or engagement concerning the possibility of defending a more radical pluralist democracy and extending the democratic revolution. Mouffe dictates the commitment to liberal democracy as a necessary condition for the possibility of even aiming to develop a more radical pluralist democracy. In turn, Mouffe stipulates the impossibility of a more radical pluralism than the one perpetuated by the liberal ethic. This stipulation turns reality from a vantage point into an incontestable criterion by limiting the possibilities of pluralization. Connolly shows the dangers of predicating the possibilities of pluralization upon a divisive and exclusionary ethics like Mouffe’s liberal ethic. By portraying the liberal ethic as a necessary condition for the possibility of a radical pluralist democracy, Mouffe falls prey

to the liberal democratic nature of her problematic such that the normative superiority of liberalism invariably dictates what qualifies as plurality.

Mouffe's appropriation of Lacan further reflects her unwillingness to render contestable the liberal ethic as a necessary condition for the possibility of pluralism. Thus, instead of following the Lacanian framework to an encounter with loss as the empty universal that underlies the construction of the symbolic realm, Mouffe employs the liberal ethic as the best phantasmic complement given this condition of loss. In so doing, she departs from Žižek's emphasis upon the importance of continuously politicizing and striving to identify with loss as a condition for social identity and Butler's emphasis upon 'competing universalities'. By cementing a version of the current liberal ethic as the only universal capable of extending the democratic revolution, Mouffe totalizes the liberal ethic in a manner that exempts it from the agonism she espouses. Mouffe's appropriation of Lefort highlights the limits of her agonism in the way it betrays Lefort's own reservations regarding liberalism as an ethics of democracy. Instead of promoting the continued democratic contestation of the liberal ethic as divisive and potentially threatening to the extension of the democratic revolution, Mouffe transforms it into a necessary condition for the possibility of radical democracy. In sum, while Mouffe's appropriation of these theorists is intended to bolster her model of agonistic pluralism she cannot prevent the more radical discourses like Lacan's and Derrida's from reflecting her investments to a liberal ethic and by extension, her hypostatizing of a liberal democratic friend. With this in mind, I now turn to the three goals outlined above – beginning with Mouffe's claim that her model succeeds at re-animating and 'extending the democratic revolution into new areas of social life'.

For Mouffe, liberal institutions and democratic procedures are a necessary condition for the possibility of engaging the democratic deficit and extending the democratic revolution. As shown, this commitment to a liberal ethic derives from Mouffe's understanding of democracy as a political logic of decision. However, by allowing liberalism to mediate democracy, Mouffe willingly surrenders an element of the dynamic, revisable and critical nature of democratic engagement and negotiation. Specifically, despite her modified understanding of liberalism, Mouffe maintains a version of the separation of public and private. Denying the possibility of undoing this separation, Mouffe stresses the incontestability of liberty as a right. In so doing, she seemingly distributes power evenly at the public level. However, by de-politicizing liberty, Mouffe allows an unequal distribution of power to infiltrate democratic politics through the legitimation of private power – most significantly private wealth. Thus, by placing the liberal ethic off limits to democratic contestation, Mouffe allows for unequal power to determine democratic politics in a way that renders the extension of the democratic revolution secondary and subsidiary to the flow of capital.

Hence despite urging the development of democratic rights as a buffer against the abuses of individual liberty, Mouffe limits the radical potential of democratic politics to transform power relations. While these democratic rights suggest a need for the individual to acknowledge the structural conditioning of identity, they do not significantly threaten the liberal ethic, which remains 'a necessary condition for the possibility of extending democracy and equality'. In other words, though Mouffe specifies equality as a political objective, this notion of equality remains predicated on a liberal understanding of 'liberty and equality for all'. By stipulating a necessary

adherence/allegiance to liberal principles as a condition for the possibility of democratic contestation, Mouffe leaves intact the sentiment that while people should be concerned with others they need not be – or what some have referred to as an egalitarianism of indifference. In other words, although Mouffe urges a combination of positive and negative liberties, she remains committed to the individual's right to exercise that liberty. In so doing, she relegates equality to a formal condition while preserving a single dominant social identity. Although the dominant social group is not directly determined by the political structures, it gains its dominant status under the protection of the liberal ethic. Hence, Mouffe's formal equality amounts to indifference as to who is in power coupled with the lack of ethical or political means to evaluate and contest the consequence of that power.

By allowing for this accumulation of private power, Mouffe's liberal ethic allows for the existence of a dominant identity whose status cannot be legitimately contested. While this dominant identity is not homogeneous, it amounts to a privileged demographic of those who employ the liberal ethic in ways that bolster their private power. Given the liberty to express oneself, one might expect this demographic to exhibit a version of an egalitarian ethos. However, by de-politicizing the liberal ethic, Mouffe prevents politics from pervading the private in a manner that yields a specific character-type who embodies the most efficient model of exercising of liberty. In practice, this de-politicizing of the liberal ethic thus licenses private pursuits at the expense of equality as those character types wield authority beyond the realm of the private. Consequently, liberty for all becomes a recipe for the type of private accumulation of power that already determines democratic politics in terms of corporations, lobbyists, media, etc.

By rendering the liberal ethic incontestable, Mouffe extrudes democratic politics from an end to a means of enabling the individual to pursue his/her goals. Consequently, by not allowing politics to pervade the private realm, Mouffe provides those best served by the liberal ethic and thus those who have employed the liberal ethic most efficiently to exercise their personal power in ways that substantiate the rule of a dominant class/identity. In contrast, I argue that without a deep commitment to the negotiation and critique of all areas of social life, we cannot foster a politics that takes seriously and engages the perspectives of all others as equal. In contrast, by immunizing politics against the private we fail to embrace negotiation and engagement as constitutive elements of social life. In this regard, it is telling that Mouffe rarely addresses the role of liberalism in perpetuating economic inequality beyond the appeal to the equality of rights and liberties. Mouffe's 'liberal socialism' remains a concession to the dominant way of life because it fails to allow for contesting the principles of liberal democracy. By stipulating the necessary adherence to liberal democratic principles, Mouffe provides a censored version of the paradox that allows democracy to continually revise, critique and transform its practices absent the initially private and ultimately public supervision of a dominant social group or way of life.

Given the incontestability of the liberal ethic, Mouffe cannot and does allow for conflicting principles of legitimacy to coexist. In turn, Mouffe's liberalism functions as a supervising principle that prevents democracy from contesting the hierarchy of the private realm. In order to extend democracy we have to politicize the private. Without this politicization we fail to prevent an in-egalitarian order from framing our politics as well as our personal interactions. For people to engage as equals we must politicize all

the way to the personal instead of allowing the personal to extend into the realm of civil society and by extension into the realm of power. To genuinely extend the democratic revolution we have to be able to contest how the inequality of civil society, as the sphere of organized interest, informs our democratic policies and procedures. For the democratic revolution to be extended requires the continual negotiation of civil society in order to determine what qualifies as personal on the basis of an egalitarian democracy. In contrast, Mouffe's ability to re-animate and extend the democratic revolution hinges on giving up on a democratic contestation of her liberal ethic and accepting that extending the democratic revolution really means extending the liberal democratic reformation. In other words, Mouffe's democratic revolution implies the spread of private power coupled with a tempered support of the democratic revolution – a support that leaves that private elite overseeing the extent of this revolution.

The limits of Mouffe's model become particularly apparent against several of the radical discourses she employs. Throughout this project I have explored the manner in which some of the discourses Mouffe appropriates provide new openings from which to explore the possibilities of radical democracy as a critical, revisable and negotiable praxis of political engagement. Particularly Derrida and Lacan lend themselves to a theory of radical democracy by exposing the importance of sustaining the tension of indeterminate differentiation without falling prey to a totalizing logic. As pointed out earlier, Derrida and Lacan are not the only theorists whose framework lends itself to a theory of radical democracy. Both Foucault's genealogy and particularly Adorno's negative dialectics provide promising frameworks. By attending to the dangers of reifying and naturalizing whatever phantasmic support or universality we inherit/adopt in our struggle with

contingency, these theorists gesture towards what might be termed a radically dynamic politics. In so doing, they expose and address a space of anxiety in a way that goes to the heart of politics as the construction of social space and intelligibility. Instead of aiming to overcome or traverse this space by invoking a de-politicized ethics, they explore orientations and sensibilities that enable us to sustain the conditions for the impossibility/possibility of politics. In other words, by exploring what I have characterized as the gap opened up by Mouffe's use of Derrida and her use of Schmitt, these radical theorists offer a framework to resist the temptations of giving up democracy and overcoming politics – where giving up on democracy would imply the symptomatic closure of a determinate political structure and the totalizing of a liberal ethic, and overcoming politics would imply the possibility of surrendering or substituting power relations to/for an underlying ethics of care. While Mouffe ultimately falls prey to the former of these pitfalls, Žižek and Butler provide two models that promise to take seriously the demands of radical democracy by not resorting to a determinate ethical or political order. In contrast, their respective appeals to a universality of lack and competing universalities testify to the dynamic and fleeting nature of the task of *identifying* oneself as a radical democratic theorist and extending the democratic revolution to all areas of social life. Having shown the limitations of Mouffe's model in terms of re-animating and extending the democratic revolution, I proceed to examine its self-proclaimed status as 'a model for the most radical form of pluralist democracy'.

Mouffe's ability to provide the most radical model of pluralist democracy rests on a particular understanding of pluralism as necessarily conditioned by the liberal ethic. While this understanding explains Mouffe's commitment to liberalism, it runs counter to

her description that to be radical is to aim at a fundamental transformation of power relations. I am not denying that Mouffe's model allows for pluralism, but rather that it falls short of its projected goal of radical pluralism. Mouffe admits that her version of pluralism is not synonymous with an all-embracing attitude towards difference. Rather, she argues that radical pluralism means allowing for different understandings of the good consistent with the dictums of the liberal democratic regime. The liberal ethic thus provides the least invasive supplement to the necessity of political structure that Mouffe postulates. With this in mind, pluralism is intimately bound up with the necessity of deciding and how to best reduce the divisiveness and exclusion of that decision. While Mouffe rightly identifies pluralism as a political matter, her theory of political structure and decision limits how we might negotiate these difference in less divisive ways than the one stipulated by her softened version of the friend/enemy categorization. As I have shown in my discussion of both Derrida and Schmitt, there are ways to conceive of democracy and democratic sovereignty that allow for differences to be negotiated more dynamically than what Mouffe's triad of friends, friendly enemies and enemies stipulates. This type of negotiation not only allows for an added pluralism or attentiveness to difference at the level of legitimation, it also allows us to problematize the very division of public and private embraced by Mouffe's liberal pluralism. By politicizing this division between public and private, civil society ceases to be the site of a selective plurality driven by the norms and values of private power.

Mouffe's liberal ethic represents a type of normative superiority that contains within it the commitment to pluralism as an axiological principle. By stipulating the necessity of liberal mediation as a condition for the possibility of radical pluralism,

Mouffe censors radicality by combining it with a normative affirmation of liberalism. The premises of normative superiority and the axiological nature of pluralism are inconsistent unless we accept pluralism as a purely liberal phenomenon and thus as always meaning liberal pluralism. Although Mouffe tries to soften the divisiveness of what constitutes the liberal claim to normative superiority, she remains determinate in not allowing for forms of plurality that disagree with the underlying liberal-democratic principles. In so doing, she is able to extend pluralism to those who disagree with the interpretation of the ethico-political principles while still quarantining those who disagree with the principles themselves. Despite introducing a measure of leniency regarding the amount of diversity admitted at the public level, Mouffe leaves refereeing the divisions between enemies, friendly enemies, and friends to those friends whose character-type corresponds to the selective pluralism solicited by her liberal ethic.

By according the ethico-political principles an existence outside the realm of democratic contestation, Mouffe's project of 'enhancing and extending pluralism' amounts to a gradual interpellation of those who refuse the liberal ethic. Because, as Mouffe admits, the liberal ethic is not neutral, the engagement with present and future pluralism is always going to be framed as an encounter with the enemy – whom liberal democrats can choose to alienate, lure, or fight. As I have shown, both Derrida and Connolly develop ethical orientations that avoid this type of premature foreclosure by politicizing the friend/enemy dynamic. Politicizing this friend/enemy distinction requires resisting the naturalization or reification of a determinate ethics. In other words, for this politicization to transform the categories of friends, friendly enemies and enemies into a

spectrum of subtle differentiations, we have to continuously politicize our norms and values to open up for the possibility of engaging our differences on an equal basis.

Mouffe promotes a distinct form of pluralism – one that not only accepts its necessary public limitation but one that invariably perpetuates what Connolly calls ‘the pressures of normalization’. Consequently, Mouffe’s liberal ethic ends up privileging those forms of plurality that effectively accumulate private power under the egalitarianism of indifference. Civil society thus becomes the bearer and enforcer of the types of plurality that embody what it means to take advantage of one’s liberty. Hence, instead of treating personal differences as equal, these differences are subordinated to the standard of pluralism propelled by civil society and legitimated through the incontestability of Mouffe’s liberal ethic. By extension, rather than being a model for a radical pluralist democracy where people engage their personal differences as equals, Mouffe’s agonist pluralism ends up mirroring the type of pluralism that presently withholds democracies from a more egalitarian engagement with difference.

The final question of whether Mouffe’s model succeeds at establishing the lost connection between ethics and politics returns us to the last paragraph of *The Democratic Paradox* as well as to the title of this project: *Radical Democracy or Symptomatic Closure*. As I have shown, Mouffe avoids a strict bifurcation of ethics and politics by acknowledging the political conditioning of her ethico-political principles. However, beyond this acknowledgement of a relation between ethics and politics, Mouffe’s model falls short of theorizing the importance of continuously problematizing the dynamics of this relation through a political interrogation of the ethical. Mouffe argues:

To discard the illusion of a possible reconciliation of ethics and politics and to come to terms with the never-ending interrogation of the political by the ethical, this is indeed the only way of acknowledging the democratic paradox.³³⁴

By privileging the ethical and in her case the liberal ethical interrogation of the political, Mouffe establishes 'the lost connection between ethics and politics. However, this connection occurs on the back of a de-politicized ethics. In other words, though Mouffe acknowledges the political conditioning of liberal ethic, she ignores the importance of continuously politicizing the liberal ethics through democratic contestation. In so doing, she naturalizes the liberal ethic by displacing or evading the politics that sustains this normative register. Mouffe's thus relies on a totalizing political gesture that exempts the liberal ethic from all further interrogation. Consequently, her model fails to sustain the dynamic relation between ethics and politics, which amounts to a symptomatic closure of the possibilities for radical democracy. In this way, we might re-formulate the radically democratic paradox as a coming to terms with the never-ending interrogation of the political by the ethical and by the ethical of the political.

³³⁴ Mouffe, *Democratic Paradox*, 140.

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