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FOR AN AGONISTIC MODEL OF DEMOCRACY

As this turbulent century draws to a close, liberal democracy seems to be recognized as the only legitimate form of government. But does that indicate its final victory over its adversaries, as some would have it? There are serious reasons to be sceptical about such a claim. For once, it is not clear how strong is the present consensus and how long it will last. While very few dare to openly challenge the liberal-democratic model, the signs of disaffection with present institutions are becoming widespread. An increasing number of people feel that traditional parties have ceased to take their interests into account, and extreme right-wing parties are making important inroads in many European countries. Moreover, even among those who are resisting the call of the demagogues, there is a marked cynicism about politics and politicians, and this has a very corrosive effect on popular adhesion to democratic values. There is clearly a negative force at work in most liberal-democratic societies, which contradicts the triumphalism that we have witnessed since the collapse of Soviet communism.

It is with those considerations in mind that I will be examining the present debate in democratic theory. I want to evaluate the proposals that democratic theorists are offering in order to consolidate democratic institutions. I will concentrate my attention on the new paradigm of democracy, the model of 'deliberative democracy', which is currently becoming the fastest-growing trend in the field. To be sure, the main idea – that in a democratic polity political decisions should be reached through a process of deliberation among free and equal citizens – has accompanied democracy since its birth in fifth-century Athens. The ways of envisaging deliberation and the constituency of those entitled to deliberate have varied greatly, but deliberation has long played a central role in democratic thought. What we see today is therefore the revival of an old theme, not the sudden emergence of a new one.

What needs scrutinizing, though, is the reason for this renewed interest in deliberation, as well as its current modalities. One explanation has certainly to do with the problems facing democratic societies today. Indeed, one proclaimed aim of deliberative democrats is to offer an alternative to the understanding of democracy which has become dominant in the second half of the twentieth century, the 'aggregative model'. Such a model was initiated by Joseph Schumpeter's seminal work of 1947, *Capitalism, Socialism and Democracy*,[1] which argued that, with the development of mass democracy, popular sovereignty as understood by the classical model of democracy had become inadequate. A new understanding of democracy was needed, putting the emphasis on aggregation of preferences, taking place through political parties for which people would have the capacity to vote at regular intervals. Hence Schumpeter's proposal to define democracy as the system in which people have the opportunity of accepting or rejecting their leaders thanks to a competitive electoral process.

Further developed by theorists like Anthony Downs in *An*

Economic Theory of Democracy,[2] the aggregative model became the standard one in the field which called itself 'empirical political theory'. The aim of this current was to elaborate a descriptive approach to democracy, in opposition to the classical normative one. The authors who adhered to this school considered that under modern conditions, notions like 'common good' and 'general will' had to be relinquished and that the pluralism of interests and values had to be acknowledged as coextensive with the very idea of 'the people'. Moreover, given that in their view, self-interest was what moved individuals to act, not the moral belief that they should do what was in the interests of the community, they declared that it was interests and preferences that should constitute the lines over which political parties should be organized and provide the matter over which bargaining and voting would take place. Popular participation in the taking of decisions should rather be discouraged, since it could only have dysfunctional consequences for the working of the system. Stability and order were more likely to result from compromise among interests than from mobilizing people towards an illusory consensus on the common good. As a consequence, democratic politics was separated from its normative dimension and began to be envisaged from a purely instrumentalist standpoint.

The dominance of the aggregative view, with its reduction of democracy to procedures for the treatment of interest-group pluralism, is what the new wave of normative political theory, inaugurated by John Rawls in 1971 with the publication of his book *A Theory of Justice*,[3] began to put into question and that the deliberative model is today challenging. They declare it to be at the origin of the current disaffection with democratic institutions and of the rampant crisis of legitimacy affecting

western democracies. The future of liberal democracy, in their view, depends on recovering its moral dimension. While not denying 'the fact of pluralism' (Rawls) and the necessity to make room for many different conceptions of the good, deliberative democrats affirm that it is nevertheless possible to reach a consensus that would be deeper than a 'mere agreement on procedures', a consensus that could qualify as 'moral'.

DELIBERATIVE DEMOCRACY: ITS AIMS

In wanting to offer an alternative to the dominant aggregative perspective, with its impoverished view of the democratic process, deliberative democrats are, of course, not alone. The specificity of their approach resides in promoting a form of *normative* rationality. Distinctive is also their attempt to provide a solid basis of allegiance to liberal democracy by reconciling the idea of democratic sovereignty with the defence of liberal institutions. Indeed, it is worth stressing that, while critical of a certain type of modus-vivendi liberalism, most of the advocates of deliberative democracy are not anti-liberals. Unlike previous Marxist critics, they stress the central role of liberal values in the modern conception of democracy. Their aim is not to relinquish liberalism but to recover its moral dimension and establish a close link between liberal values and democracy.

Their central claim is that it is possible, thanks to adequate procedures of deliberation, to reach forms of agreement that would satisfy both rationality (understood as defence of liberal rights) and democratic legitimacy (as represented by popular sovereignty). Their move consists in reformulating the democratic principle of popular sovereignty in such a way as to eliminate the dangers that it could pose to liberal values. It is

the consciousness of those dangers that has often made liberals wary of popular participation and keen to find ways to discourage or limit it. Deliberative democrats believe that those perils can be avoided, thereby allowing liberals to embrace the democratic ideals with much more enthusiasm than they have done so far. One proposed solution is to reinterpret popular sovereignty in intersubjective terms and to redefine it as 'communicatively generated power'.[4]

There are many different versions of deliberative democracy but they can roughly be classified under two main schools, the first broadly influenced by John Rawls, and the second by Jürgen Habermas. I will therefore concentrate on these two authors, jointly with two of their followers, Joshua Cohen, for the Rawlsian side, Seyla Benhabib, for the Habermasian one. I am of course not denying that there are differences between the two approaches – which I will indicate during my discussion – but there are also important convergences which, from the point of view of my enquiry, are more significant than the disagreements.

As I have already indicated, one of the aims of the deliberative approach – an aim shared by both Rawls and Habermas – consists in securing a strong link between democracy and liberalism, refuting all those critics who – from the right as well as from the left – have proclaimed the contradictory nature of liberal democracy. Rawls, for instance, declares that his ambition is to elaborate a democratic liberalism which would answer to the claim of both liberty and equality. He wants to find a solution to the disagreement which has existed in democratic thought over the past centuries,

> between the tradition associated with Locke, which gives greater weight to what Constant called 'the liberties of the moderns', freedom of thought and conscience, certain basic rights of the person and of property and the rule of law, and the tradition associated with Rousseau, which gives greater weight to what Constant called the 'liberties of the ancients', the equal political liberties and the values of public life.[5]

As far as Habermas is concerned, his recent book *Between Facts and Norms* makes it clear that one of the objectives of his procedural theory of democracy is to bring to the fore the 'co-originality' of fundamental individual rights and of popular sovereignty. On one side self-government serves to protect individual rights; on the other side, those rights provide the necessary conditions for the exercise of popular sovereignty. Once they are envisaged in such a way, he says, 'then one can understand how popular sovereignty and human rights go hand in hand, and hence grasp the co-originality of civic and private autonomy'.[6]

Their followers Cohen and Benhabib also stress the reconciliatory move present in the deliberative project. While Cohen states that it is mistaken to envisage the 'liberties of the moderns' as being exterior to the democratic process and that egalitarian and liberal values are to be seen as elements of democracy rather than as constraints upon it,[7] Benhabib declares that the deliberative model can transcend the dichotomy between the liberal emphasis on individual rights and liberties and the democratic emphasis on collective formation and will-formation.[8]

Another point of convergence between the two versions of deliberative democracy is their common insistence on the possibility of grounding authority and legitimacy on some forms of public reasoning and their shared belief in a form of rationality which is not merely instrumental but has a normative dimension:

the 'reasonable' for Rawls, 'communicative rationality' for Habermas. In both cases a strong separation is established between 'mere agreement' and 'rational consensus', and the proper field of politics is identified with the exchange of arguments among reasonable persons guided by the principle of impartiality.

Both Habermas and Rawls believe that we can find in the institutions of liberal democracy the idealized content of practical rationality. Where they diverge is in their elucidation of the form of practical reason embodied in democratic institutions. Rawls emphasizes the role of principles of justice reached through the device of the 'original position' that forces the participants to leave aside all their particularities and interests. His conception of 'justice as fairness' – which states the priority of basic liberal principles – jointly with the 'constitutional essentials' provides the framework for the exercise of 'free public reason'. As far as Habermas is concerned, he defends what he claims to be a strictly proceduralist approach in which no limits are put on the scope and content of the deliberation. It is the procedural constraints of the ideal speech situation that will eliminate the positions which cannot be agreed to by the participants in the moral 'discourse'. As recalled by Benhabib, the features of such a discourse are the following:

> (1) participation in such deliberation is governed by the norms of equality and symmetry; all have the same chances to initiate speech acts, to question, to interrogate, and to open debate; (2) all have the right to question the assigned topics of the conversation; and (3) all have the right to initiate reflexive arguments about the very rules of the discourse procedure and the way in which they are applied and carried out. There are no prima facie rules limiting the agenda of the conversation, or the identity of the participants, as long as any excluded person or group can justifiably show that they are relevantly affected by the proposed norm under question.[9]

For this perspective the basis of legitimacy of democratic institutions derives from the fact that the instances which claim obligatory power do so on the presumption that their decisions represent an impartial standpoint which is equally in the interests of all. Cohen, after stating that democratic legitimacy arises from collective decisions among equal members, declares: 'According to a *deliberative* conception, a decision is collective just in case it emerges from arrangements of binding collective choices that establish conditions of *free public reasoning among equals who are governed by the decisions.*'[10]

In such a view it is not enough for a democratic procedure to take account of the interests of all and to reach a compromise that will establish a modus vivendi. The aim is to generate 'communicative power' and this requires establishing the conditions for a freely given assent of all concerned, hence the importance of finding procedures that would guarantee moral impartiality. Only then can one be sure that the consensus that is obtained is a rational one and not a mere agreement. This is why the accent is put on the nature of the deliberative procedure and on the types of reasons that are deemed acceptable for competent participants. Benhabib puts it in the following way:

> According to the deliberative model of democracy, it is a necessary condition for attaining legitimacy and rationality with regard to collective decision making processes in a polity, that the institutions of this polity are so arranged that what is

considered in the common interest of all results from processes of collective deliberation conducted rationally and fairly among free and equal individuals.[11]

For the Habermasians, the process of deliberation is guaranteed to have reasonable outcomes to the extent that it realizes the condition of the 'ideal discourse': the more equal and impartial, the more open the process is, and the less the participants are coerced and ready to be guided by the force of the better argument, the more likely truly generalizable interests will be accepted by all those relevantly affected. Habermas and his followers do not deny that there will be obstacles to the realization of the ideal discourse, but those obstacles are conceived as *empirical* ones. They are due to the fact that it is unlikely, given the practical and empirical limitations of social life, that we will ever be able to completely leave aside all our particular interests in order to coincide with our universal rational self. This is why the ideal speech situation is presented as a 'regulative idea'.

Moreover, Habermas now accepts that there are issues that have to remain outside the practices of rational public debate, like existential issues which concern not questions of 'justice' but the 'good life' – this is for him the domain of ethics – or conflicts between interest groups about distributive problems that can only be resolved by means of compromises. But he considers that 'this differentiation within the field of issues that requires political decisions negates neither the prime importance of moral considerations nor the practicability of rational debate as the very form of political communication'.[12] In his view fundamental political questions belong to the same category as moral questions and they can be decided rationally. Contrary to

ethical questions, they do not depend on their context. The validity of their answers comes from an independent source and has a universal reach. He remains adamant that the exchange of arguments and counter-arguments as envisaged by his approach is the most suitable procedure for reaching the rational formation of the will from which the general interest will emerge.

Deliberative democracy, in both versions considered here, does concede to the aggregative model that under modern conditions a plurality of values and interests must be acknowledged and that consensus on what Rawls calls 'comprehensive' views of a religious, moral or philosophical nature has to be relinquished. But its advocates do not accept that this entails the impossibility of a rational consensus on political decisions, understanding by that not a simple modus vivendi but a moral type of agreement resulting from free reasoning among equals. Provided that the procedures of the deliberation secure impartiality, equality, openness and lack of coercion, they will guide the deliberation towards generalizable interests which can be agreed by all participants, thereby producing legitimate outcomes. The issue of legitimacy is more heavily stressed by the Habermasians, but there is no fundamental difference between Habermas and Rawls on this question. Indeed Rawls defines the liberal principle of legitimacy in a way which is congruent with Habermas's view: 'Our exercise of political power is proper and hence justifiable only when it is exercised in accordance with a constitution the essentials of which all citizens may reasonably be expected to endorse in the light of principles and ideals acceptable to them as reasonable and rational.'[13] This normative force given to the principle of general justification chimes with Habermas's discourse ethics, and this is why one can certainly argue for the possibility of reformulating Rawlsian political constructivism in

the language of discourse ethics.[14] In fact this is to some extent what Cohen does, and this is why he provides a good example of the compatibility between the two approaches. He particularly stresses the deliberative processes and affirms that, when envisaged as a system of social and political arrangements linking the exercise of power to free reasoning among equals, democracy requires the participants not only to be free and equal but also to be 'reasonable'. By this he means that 'they aim to defend and criticize institutions and programs in terms of considerations that others, as free and equal, have *reason to accept*, given the fact of reasonable pluralism'.[15]

THE FLIGHT FROM PLURALISM

After having delineated the main ideas of deliberative democracy, I will now examine in more detail some points of the debate between Rawls and Habermas in view of bringing to the fore what I see as the crucial shortcoming of the deliberative approach. There are two issues which I take as particularly relevant.

The first is that one of the central claims of the 'political liberalism' advocated by Rawls is that it is a liberalism which is political, not metaphysical, and which is independent of comprehensive views. A clear-cut separation is established between the realm of the *private* – where a plurality of different and irreconcilable comprehensive views coexist – and the realm of the *public*, where an overlapping consensus can be established over a shared conception of justice.

Habermas contends that Rawls cannot succeed in his strategy of avoiding philosophically disputed issues, because it is impossible to develop his theory in the freestanding way that he

announces. Indeed, his notion of the 'reasonable' as well as his conception of the 'person' necessarily involve him with questions concerning concepts of rationality and truth that he pretends to bypass.[16] Moreover, Habermas declares that his own approach is superior to the Rawlsian one because of its strictly procedural character which allows him to 'leave more questions open because it entrusts more to the *process* of rational opinion and will formation'.[17] By not positing a strong separation between public and private, it is better adapted to accommodate the wide-ranging deliberation that democracy entails. To that, Rawls retorts that Habermas's approach cannot be as strictly procedural as he pretends. It must include a substantive dimension, given that issues concerning the result of the procedures cannot be excluded from their design.[18]

I think that they are both right in their respective criticisms. Indeed, Rawls's conception is not as independent of comprehensive views as he believes, and Habermas cannot be as purely proceduralist as he claims. That both are unable to separate the public from the private or the procedural from the substantial as clearly as they declare is very telling. What this reveals is the impossibility of achieving what each of them, albeit in different ways, is really aiming at, that is, circumscribing a domain that would not be subject to the pluralism of values and where a consensus without exclusion could be established. Indeed, Rawls's avoidance of comprehensive doctrines is motivated by his belief that no rational agreement is possible in this field. This is why, in order for liberal institutions to be acceptable to people with differing moral, philosophical and religious views, they must be neutral with respect to comprehensive views. Hence the strong separation that he tries to install between the realm of the private – with its pluralism of irreconcilable values – and the

realm of the public, where a political agreement on a liberal conception of justice would be secured through the creation of an overlapping consensus on justice.

In the case of Habermas a similar attempt of escaping the implications of value pluralism is made through the distinction between *ethics* – a domain which allows for competing conceptions of the good life – and *morality* – a domain where a strict proceduralism can be implemented and impartiality reached leading to the formulation of universal principles. Rawls and Habermas want to ground adhesion to liberal democracy on a type of rational agreement that would preclude the possibility of contestation. This is why they need to relegate pluralism to a non-public domain in order to insulate politics from its consequences. That they are unable to maintain the tight separation they advocate has very important implications for democratic politics. It highlights the fact that the domain of politics – even when fundamental issues like justice or basic principles are concerned – is not a neutral terrain that could be insulated from the pluralism of values and where rational, universal solutions could be formulated.

The second issue is another question that concerns the relation between private autonomy and political autonomy. As we have seen, both authors aim at reconciling the 'liberties of the ancients' with the 'liberties of the moderns' and they argue that the two types of autonomy necessarily go together. However, Habermas considers that only his approach manages to establish the co-originality of individual rights and democratic participation. He affirms that Rawls subordinates democratic sovereignty to liberal rights because he envisages public autonomy as a means to authorize private autonomy. But as Charles Larmore has pointed out, Habermas, for his part, privileges the

democratic aspect, since he asserts that the importance of individual rights lies in their making democratic self-government possible.[19] So we have to conclude that, in this case again, neither of them is able to deliver what they announce. What they want to deny is the paradoxical nature of modern democracy and the fundamental tension between the logic of democracy and the logic of liberalism. They are unable to acknowledge that, while it is indeed the case that individual rights and democratic self-government are constitutive of liberal democracy – whose novelty resides precisely in the articulation of those two traditions – there exists between their respective 'grammars' a tension that can never be eliminated. To be sure, contrary to what adversaries like Carl Schmitt have argued, this does not mean that liberal democracy is a doomed regime. Such a tension, though ineradicable, can be negotiated in different ways. Indeed, a great part of democratic politics is precisely about the negotiation of that paradox and the articulation of precarious solutions.[20] What is misguided is the search for a final rational resolution. Not only can it not succeed, but moreover it leads to putting undue constraints on the political debate. Such a search should be recognized for what it really is, another attempt at insulating politics from the effects of the pluralism of value, this time by trying to fix once and for all the meaning and hierarchy of the central liberal-democratic values. Democratic theory should renounce those forms of escapism and face the challenge that the recognition of the pluralism of values entails. This does not mean accepting a total pluralism, and some limits need to be put to the kind of confrontation which is going to be seen as legitimate in the public sphere. But the political nature of the limits should be acknowledged instead of being presented as requirements of morality or rationality.

WHICH ALLEGIANCE FOR DEMOCRACY

If both Rawls and Habermas, albeit in different ways, aim at reaching a form of rational consensus instead of a 'simple modus vivendi' or a 'mere agreement', it is because they believe that, by procuring stable grounds for liberal democracy, such a consensus will contribute to securing the future of liberal-democratic institutions. As we have seen, while Rawls considers that the key issue is justice, for Habermas it has to do with legitimacy. According to Rawls, a well-ordered society is one which functions according to the principles laid down by a shared conception of justice. This is what produces stability and citizens' acceptance of their institutions. For Habermas a stable and well-functioning democracy requires the creation of a polity integrated through rational insight into legitimacy. This is why for the Habermasians the central issue lies in finding a way to guarantee that decisions taken by democratic institutions represent an impartial standpoint expressing equally the interests of all, which requires establishing procedures able to deliver rational results through democratic participation. As put by Seyla Benhabib, 'legitimacy in complex democratic societies must be thought to result from the free and unconstrained public deliberation of all on matters of common concern'.[21]

In their desire to show the limitations of the democratic consensus as envisaged by the aggregative model – only concerned with instrumental rationality and the promotion of self-interest – deliberative democrats insist on the importance of another type of rationality, the rationality at work in communicative action and free public reason. They want to make it the central moving force of democratic citizens and the basis of their allegiance to their common institutions.

Their concern with the current state of democratic institutions is one that I share, but I consider their answer as being profoundly inadequate. The solution to our current predicament does not reside in replacing the dominant 'means–ends rationality' by another form of rationality, a 'deliberative' and 'communicative' one. True, there is space for different understandings of reason and it is important to complexify the picture offered by the holders of the instrumentalist view. However, simply replacing one type of rationality by another is not going to help us address the real problem that the issue of allegiance poses. As Michael Oakeshott has reminded us, the authority of political institutions is not a question of *consent* but of the continuous acknowledgement of *cives* who recognize their obligation to obey the conditions prescribed in *res publica*.[22] Following that line of thought we can realize that what is really at stake in the allegiance to democratic institutions is the constitution of an ensemble of practices that make possible the creation of democratic citizens. This is not a matter of *rational justification* but of *availability* of democratic forms of individuality and subjectivity. By privileging rationality, both the deliberative and the aggregative perspectives leave aside a central element which is the crucial role played by passions and affects in securing allegiance to democratic values. This cannot be ignored, and it entails envisaging the question of democratic citizenship in a very different way. 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 individuals as prior to society, bearers of natural rights, 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. What is precluded in

these rationalistic approaches is the very question of what are the conditions of existence of the democratic subject.

The view that I want to put forward is that it is not by providing arguments about the rationality embodied in liberal-democratic institutions that one can contribute to the creation of democratic citizens. Democratic individuals can only be made possible by multiplying the institutions, the discourses, the forms of life that foster identification with democratic values. This is why, although agreeing with deliberative democrats about the need for a different understanding of democracy, I see their proposals as counterproductive. To be sure, we need to formulate an alternative to the aggregative model and to the instrumentalist conception of politics that it fosters. It has become clear that by discouraging the active involvement of citizens in the running of the polity and by encouraging the privatization of life, they have not secured the stability that they were announcing. Extreme forms of individualism have become widespread which threaten the very social fabric. On the other side, deprived of the possibility of identifying with valuable conceptions of citizenship, many people are increasingly searching for other forms of collective identification, which can very often put into jeopardy the civic bond that should unite a democratic political association. The growth of various religious, moral and ethnic fundamentalisms is, in my view, the direct consequence of the democratic deficit which characterizes most liberal-democratic societies.

To seriously tackle those problems, the only way is to envisage democratic citizenship from a different perspective, one that puts the emphasis on the types of *practices* and not the forms of *argumentation.* In *The Return of the Political,* I have argued that the reflections on civil association developed by Michael Oakeshott in *On Human Conduct* are very pertinent for envisaging the modern form of political community and the type of bond uniting democratic citizens, the specific language of civil intercourse that he calls the *res publica.*[23] But we can also take inspiration from Wittgenstein who, as I have shown,[24] provides very important insights for a critique of rationalism. Indeed in his later work he has highlighted the fact that, in order to have agreement in opinions, there must first be agreement in forms of life. In his view, to agree on the definition of a term is not enough and we need agreement in the way we use it. This means that procedures should be envisaged as a complex ensemble of practices. It is because they are inscribed in shared forms of life and agreements in judgements that procedures can be accepted and followed. They cannot be seen as rules that are created on the basis of principles and then applied to specific cases. Rules for Wittgenstein are always abridgements of practices, they are inseparable from specific forms of life. This indicates that a strict separation between 'procedural' and 'substantial' or between 'moral' and 'ethical', separations which are central to the Habermasian approach, cannot be maintained. Procedures always involve substantial ethical commitments, and there can never be such a thing as purely neutral procedures.

Viewed from such a standpoint, allegiance to democracy and belief in the value of its institutions do not depend on giving them an intellectual foundation. It is more in the nature of what Wittgenstein likens to 'a passionate commitment to a system of reference. Hence, although it's *belief,* it is really a way of living, or of assessing one's life.'[25] Contrary to deliberative democracy, such a perspective also implies, to acknowledge the limits of consensus: 'Where two principles really do meet which cannot be reconciled with one another, then each man declares the

other a fool and an heretic. I said I would "combat" the other man, – but wouldn't I give him reasons? Certainly; but how far do they go? At the end of reasons comes persuasion.'[26]

Seeing things in that way should make us realize that taking pluralism seriously requires that we give up the dream of a rational consensus which entails the fantasy that we could escape from our human form of life. In our desire for a total grasp, says Wittgenstein, 'We have got on to the slippery ice where there is no friction and so in a certain sense the conditions are ideal, but also, just because of that, we are unable to walk: so we need *friction*. Back to the rough ground.'[27]

Back to the rough ground here means coming to terms with the fact that, far from being merely empirical or epistemological, the obstacles to rationalist devices like the 'original condition' or 'the ideal discourse' are ontological. Indeed, the free and unconstrained public deliberation of all on matters of common concern is a conceptual impossibility, since the particular forms of life which are presented as its 'impediments' are its very condition of possibility. Without them no communication, no deliberation, would ever take place. There is absolutely no justification for attributing a special privilege to a so-called 'moral point of view' governed by rationality and impartiality and where a rational universal consensus could be reached.

AN 'AGONISTIC' MODEL OF DEMOCRACY

Besides putting the emphasis on practices and language-games, an alternative to the rationalist framework also requires coming to terms with the fact that power is constitutive of social relations. One of the shortcomings of the deliberative approach is that, by postulating the availability of a public sphere where

power would have been eliminated and where a rational consensus could be realized, this model of democratic politics is unable to acknowledge the dimension of antagonism that the pluralism of values entails and its ineradicable character. This is why it is bound to miss the specificity of the political which it can only envisage as a specific domain of morality. Deliberative democracy provides a very good illustration of what Carl Schmitt had said about liberal thought: 'In a very systematic fashion liberal thought evades or ignores state and politics and moves instead in a typical always recurring polarity of two heterogeneous spheres, namely ethics and economics.'[28] Indeed, to the aggregative model, inspired by economics, the only alternative deliberative democrats can oppose is one that collapses politics into ethics.

In order to remedy this serious deficiency, we need a democratic model able to grasp the nature of the political. This requires developing an approach which places the question of power and antagonism at its very centre. It is such an approach that I want to advocate and whose theoretical bases have been delineated in *Hegemony and Socialist Strategy*.[29] The central thesis of the book is that social objectivity is constituted through acts of power. This implies that any social objectivity is ultimately political and that it has to show the traces of exclusion which governs its constitution. This point of convergence – or rather mutual collapse – between objectivity and power is what we meant by 'hegemony'. This way of posing the problem indicates that power should not be conceived as an external relation taking place between two preconstituted identities, but rather as constituting the identities themselves. Since any political order is the expression of a hegemony, of a specific pattern of power relations, political practice cannot be envisaged as simply represent-

ing the interests of preconstituted identities, but as constituting those identities themselves in a precarious and always vulnerable terrain.

To assert the hegemonic nature of any kind of social order is to operate a displacement of the traditional relation between democracy and power. According to the deliberative approach, the more democratic a society is, the less power would be constitutive of social relations. But if we accept that relations of power are constitutive of the social, then the main question for democratic politics is not how to eliminate power but how to constitute forms of power more compatible with democratic values.

Coming to terms with the constitutive nature of power implies relinquishing the ideal of a democratic society as the realization of a perfect harmony or transparency. The democratic character of a society can only be given by the fact that no limited social actor can attribute to herself or himself the representation of the totality and claim to have the 'mastery' of the foundation.

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. This implies that there is no unbridgeable gap between power and legitimacy – not obviously in the sense that all power is automatically legitimate, but in the sense that: (a) if any power has been able to impose itself, it is because it has been recognized as legitimate in some quarters; and (b) if legitimacy is not based in an aprioristic ground, it is because it is based in some form of successful power. This link between legitimacy and power and the hegemonic ordering that this entails is precisely what the deliberative approach forecloses by positing the possibility of a

type of rational argumentation where power has been eliminated and where legitimacy is grounded on pure rationality.

Once the theoretical terrain has been delineated in such a way, we can begin formulating an alternative to both the aggregative and the deliberative model, one that I propose to call 'agonistic pluralism'.[30] A first distinction is needed in order to clarify the new perspective that I am putting forward, the distinction between 'politics' and 'the political'. 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'. I consider that it is only when we acknowledge the dimension of 'the political' and understand that 'politics' consists in domesticating hostility and in trying to defuse the potential antagonism that exists in human relations, that we can pose what I take to be the central question for democratic politics. This question, pace the rationalists, is not how to arrive at a consensus without exclusion, since this would imply the eradication of the political. Politics aims at the creation of unity in a context of conflict and diversity; it is always concerned with the creation of an 'us' by the determination of a 'them'. The novelty of democratic politics is not the overcoming of this us/them opposition – which is an impossibility – but the different way in which it is established. The crucial issue is to establish this us/them discrimination in a way that is compatible with pluralist democracy.

Envisaged from the point of view of 'agonistic pluralism', the aim of democratic politics 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. This is the real meaning of liberal-democratic tolerance, which does not entail condoning ideas that we oppose or being indifferent to standpoints that we disagree with, but treating those who defend them as legitimate opponents. This category of the 'adversary' does not eliminate antagonism, though, and it should be distinguished from the liberal notion of the competitor with which it is sometimes identified. An adversary is an enemy, but a legitimate enemy, one with whom we have some common ground because we have a shared adhesion to the ethico-political principles of liberal democracy: liberty and equality. But we disagree concerning the meaning and implementation of those principles, and such a disagreement is not one that could be resolved through deliberation and rational discussion. Indeed, given the ineradicable pluralism of value, there is no rational resolution of the conflict, hence its antagonistic dimension.[31] This does not mean, of course, that adversaries can never cease to disagree, but that does not prove that antagonism has been eradicated. To accept the view of the adversary is to undergo a radical change in political identity. It is more a sort of *conversion* than a process of rational persuasion (in the same way as Thomas Kuhn has argued that adherence to a new scientific paradigm is a conversion). Compromises are, of course, also possible; they are part and parcel of politics; but they should be seen as temporary respites in an ongoing confrontation.

Introducing the category of the 'adversary' requires complexifying the notion of antagonism and distinguishing two different forms in which it can emerge, *antagonism* properly speaking and *agonism*. *Antagonism* is struggle between enemies, while *agonism*

is struggle between adversaries. We can therefore reformulate our problem by saying that envisaged from the perspective of 'agonistic pluralism' the aim of democratic politics is to transform *antagonism* into *agonism*. This requires providing channels through which collective passions will be given ways to express themselves over issues which, while allowing enough possibility for identification, will not construct the opponent as an enemy but as an adversary. An important difference with the model of 'deliberative democracy' is that for 'agonistic pluralism', the prime task of democratic politics is not to eliminate passions from the sphere of the public, in order to render a rational consensus possible, but to mobilize those passions towards democratic designs.

One of the keys to the thesis of agonistic pluralism is that, far from jeopardizing democracy, agonistic confrontation is in fact its very condition of existence. Modern democracy's specificity lies in the recognition and legitimation of conflict and the refusal to suppress it by imposing an authoritarian order. Breaking with the symbolic representation of society as an organic body – which was characteristic of the holist mode of social organization – a democratic society acknowledges the pluralism of values, the 'disenchantment of the world' diagnosed by Max Weber and the unavoidable conflicts that it entails.

I agree with those who affirm that a pluralist democracy demands a certain amount of consensus and that it requires allegiance to the values which constitute its 'ethico-political principles'. But since those ethico-political principles can only exist through many different and conflicting interpretations, such a consensus is bound to be a 'conflictual consensus'. This is indeed the privileged terrain of agonistic confrontation among adversaries. Ideally such a confrontation should be staged around

the diverse conceptions of citizenship which correspond to the different interpretations of the ethico-political principles: liberal-conservative, social-democratic, neo-liberal, radical-democratic, and so on. Each of them proposes its own interpretation of the 'common good', and tries to implement a different form of hegemony. To foster allegiance to its institutions, a democratic system requires the availability of those contending forms of citizenship identification. They provide the terrain in which passions can be mobilized around democratic objectives and antagonism transformed into agonism.

A well-functioning democracy calls for a vibrant clash of democratic political positions. If this is missing there is the danger that this democratic confrontation will be replaced by a confrontation among other forms of collective identification, as is the case with identity politics. Too much emphasis on consensus and the refusal of confrontation lead to apathy and disaffection with political participation. Worse still, the result can be the crystallization of collective passions around issues which cannot be managed by the democratic process and an explosion of antagonisms that can tear up the very basis of civility.

It is for that reason that the ideal of a pluralist democracy cannot be to reach a rational consensus in the public sphere. Such a consensus cannot exist. We have to accept that every consensus exists as a temporary result of a provisional hegemony, as a stabilization of power, and that it always entails some form of exclusion. The ideas that power could be dissolved through a rational debate and that legitimacy could be based on pure rationality are illusions which can endanger democratic institutions.

What the deliberative-democracy model is denying is the

dimension of undecidability and the ineradicability of antagonism which are constitutive of the political. By postulating the availability of a non-exclusive public sphere of deliberation where a rational consensus could obtain, they negate the inherently conflictual nature of modern pluralism. They are unable to recognize that bringing a 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. This is why a perspective like 'agonistic pluralism', which reveals the impossibility of establishing a consensus without exclusion, is of fundamental importance for democratic politics. By warning us against the illusion that a fully achieved democracy could ever be instantiated, it forces us to keep the democratic contestation alive. To make room for dissent and to foster the institutions in which it can be manifested is vital for a pluralist democracy, and one should abandon the very idea that there could ever be a time in which it would cease to be necessary because the society is now 'well-ordered'. An 'agonistic' approach acknowledges the real nature of its frontiers and the forms of exclusion that they entail, instead of trying to disguise them under the veil of rationality or morality. Coming to terms with the hegemonic nature of social relations and identities, it can contribute to subverting the ever-present temptation existing in democratic societies to naturalize its frontiers and essentialize its identities. For this reason it is much more receptive than the deliberative model to the multiplicity of voices that contemporary pluralist societies encompass and to the complexity of their power structure.

NOTES

1. Joseph Schumpeter, *Capitalism, Socialism and Democracy*, New York, 1947.
2. Anthony Downs, *An Economic Theory of Democracy*, New York, 1957.
3. John Rawls, *A Theory of Justice* , Cambridge, MA, 1974.
4. See for instance Jürgen Habermas, 'Three Normative Models of Democracy', in Seyla Benhabib (ed.), *Democracy and Difference*, Princeton, 1966, p. 29.
5. John Rawls, *Political Liberalism*, New York, 1993, p. 5.
6. Jürgen Habermas, *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*, Cambridge, MA, 1996, p. 127.
7. Joshua Cohen, 'Democracy and Liberty', in J. Elster (ed.), *Deliberative Democracy*, Cambridge, 1988, p. 187.
8. Seyla Benhabib, 'Toward a Deliberative Model of Democratic Legitimacy', in Seyla Benhabib (ed.), *Democracy and Difference*, Princeton, 1996, p. 77.
9. Benhabib, 'Toward a Deliberative Model', p. 70.
10. Cohen, 'Democracy and Liberty', p. 186.
11. Benhabib, 'Toward a Deliberative Model', p. 69.
12. Jürgen Habermas, 'Further Reflections on the Public Sphere', in C. Calhoun (ed.), *Habermas and the Public Sphere*, Cambridge, MA, 1991, p. 448.
13. Rawls, *Political Liberalism*, p. 217.
14. Such an argument is made by Rainer Forst in his review of 'Political Liberalism' in *Constellations* 1, 1, p. 169.
15. Cohen, 'Democracy and Liberty', p. 194.
16. Jürgen Habermas, 'Reconciliation Through the Public Use of Reason: Remarks on John Rawls's Political Liberalism', *The Journal of Philosophy* XXCII, 3, 1995, p. 126.
17. Ibid., p. 131.
18. John Rawls, 'Reply to Habermas', *The Journal of Philosophy* XCII, 3, 1995, pp. 170–74.
19. Charles Larmore, *The Morals of Modernity*, Cambridge, 1996, p. 217.
20. I have developed this argument in my article 'Carl Schmitt and the Paradox of Liberal Democracy', in Chantal Mouffe (ed.), *The Challenge of Carl Schmitt*, London, 1999; also Chapter 2, this volume.
21. Benhabib, 'Toward a Deliberative Model', pp. 68.
22. Michael Oakeshott, *On Human Conduct*, Oxford, 1975, pp. 149–58.

23. Chantal Mouffe, *The Return of the Political*, London, 1993, Chapter 4.
24. See 'Wittgenstein, Political Theory and Democracy', Chapter 3, this volume.
25. Ludwig Wittgenstein, *Culture and Value*, Chicago, 1980, p. 85e
26. Ludwig Wittgenstein, *On Certainty*, New York, 1969, p. 81e.
27. Ludwig Wittgenstein, *Philosophical Investigations*, Oxford, 1958, p. 46e.
28. Carl Schmitt, *The Concept of the Political*, New Brunswick, 1976, p. 70.
29. Ernesto Laclau and Chantal Mouffe, *Hegemony and Socialist Strategy: Towards a Radical Democratic Politics*, London, 1985.
30. 'Agonistic pluralism' as defined here is an attempt to operate what Richard Rorty would call a 'redescription' of the basic self-understanding of the liberal-democratic regime, one which stresses the importance of acknowledging its conflictual dimension. It therefore needs to be distinguished from the way the same term is used by John Gray to refer to the larger rivalry between whole forms of life which he sees as 'the deeper truth of which agonistic liberalism is only one exemplar'. In John Gray, *Enlightenment's Wake: Politics and Culture at the Close of the Modern Age*, London, 1995, p. 84.
31. This antagonistic dimension, which can never be completely eliminated but only 'tamed' or 'sublimated' by being, so to speak, 'played out' in an agonistic way, is what, in my view, distinguishes my understanding of agonism from the one put forward by other 'agonistic theorists', those who are influenced by Nietzsche or Hannah Arendt, like William Connolly or Bonnie Honig. It seems to me that their conception leaves open the possibility that the political could under certain conditions be made absolutely congruent with the ethical, optimism which I do not share.