

From revelation to revolution: an inquiry into the democratization of democracy

Master thesis Philosophy Now

Name of student: Annemarijn Palland

Student number: 473174jp

Number of ECTS: 15

Date of Completion: February 19, 2024

Name of supervisor: Gijs van Oenen

Name of advisor: Julien Kloeg

Number of words: 21.847

Contents

0. Introduction - The Event	4
December 22, 2022 - We propose: A potential party-ban.	5
May 25, 2023. Be warned: Anti-Institutional Extremism on the rise.	5
June 28, 2023. Let's talk: Around-the-table-discussion on Democratic Resilience.	6
No turning back	7
The democratization of democracy	9
Thesis Outline	10
List of Abbreviations	11
Chapter 1 - What Is Democracy?	13
1.1 Democracy as the political parameters of consensus	13
1.2. What about The Political?	15
1.3 Lefort: Democracy as the experience of social contingency	16
1.4. Rancière: democracy as a break the logic of arche	18
1.5 Balibar: democracy as equaliberty	20
1.6 A debate without any guarantor and without any end	23
Chapter 2 - We Love Democracy, But..	24
2.1. We value democracy, but..	25
2.2. The democratic paradox? Democracy as a paradox	27
2.3. The first signs of police	27
2.4 The negligence of the void	28
2.5 And the not-so-empty place of power	30
2.6 The dialectics of transformation	32
2.7 How then shall we live?	33
Chapter 3 - The Ignorant Philosopher	35
3.1 The undemocratic subject	35
3.2 The ignorant philosopher	37
3.3 Rethinking democratic collective life	37
Chapter 4 - The Democratic Disposition	39
4.1. The institutionalization of conflict	39
4.2. The populist the negation of representation	40
4.3. The democratic disposition	42
Chapter 5 - Radical Civility	45
5.1 The limits of politics	46
5.2 Politics of Civility	47
5.3 Strategies of civility	48
5.4. Radical civility	49
5.4.1 Civil disobedience	50
5.4.2 Civility as office	50
5.5 Putting equaliberty to work	51
Chapter 6: Conclusion	53
6.1 The Event	54
6.2 What does democratization entail?	54

6.3 A Ministry of Democracy?	55
6.4 A final event	56
Bibliography	58

0. Introduction - The Event

Grand immersive historical developments and the most mundane affairs are lumped together by Slavoj Žižek in his book on *The Event*. Quite literally: in his book Žižek compares the *Christian Fall* to *falling in love*, and then consequently, he connects both events to the 2012 pop-music hype *Gangnam Style*. But as he convincingly shows in his book, there is a clear link between all these examples: they *perform* what an Event entails. *The Event* - with a capital E to distinguish the concept Event from a particular event - has a circular structure where in the normal flow of things “something interrupting” happens, which then, “retroactively” determines and changes the initial order of things.¹ The Event, Žižek describes, “is something shocking, out of joint, that appears to happen all of a sudden and interrupts the usual flow of things” and which then “retroactively determines its causes or reasons.”²

Falling in love, for example, is an Event par excellence. It is already in the language: the *fall* in *falling in love* shows us the abrupt and unexpected event that happens when you see *the one*. You cannot force it, but it just happens. That is an interesting insight: you do not love someone because of their beautiful eyes, you love their beautiful eyes because you happen to have fallen in love with them. The effects of love exceed its causes. An Event is the *revelationary* moment where the new situation has not only superseded the usual flow of things, but it has given it a new meaning. Once you fall in love, you think that all your life has led up to this moment (“I have waited for you all my life”). An Event does not just happen, it reframes and reshapes the way we understand reality.

Falling in love could be considered an individual event, where reality is reshaped for one (or, hopefully, two) people. But Žižek also talks about events whose effects can be sensed much broader in society: i.e. political events. Examples are numerous. The French Revolution, for example, is considered to lay the fundamental principles for modernity and contemporary democracies.³ More recent events also highlight the reshaping-power of an Event. The attacks on 9/11, for example, are often considered to be related to growing Islamophobic tendencies in the West, with a “war on terror” as one of the results.⁴ And the January 6 US Capitol attack is exemplary for our current political climate, often called a time of “culture wars.” The attack was considered both an effect of the culture wars, as well as a cause for its intensification.⁵ Again, we see clearly what Žižek means when he poses that the effects of the Event exceed their causes.

¹ Slavoj Žižek, *Event: Philosophy in Transit* (New York: Penguin Press, 2014), 2.

² Idem.

³ Bernard Flynn, “Modernity and Revolution,” in *The Philosophy of Claude Lefort*, ed. Bernard Flynn (Evanston: Northwestern University Press, 2005), 129-149.

⁴ Arun Kundnani, *The Muslims are Coming* (London: Verso, 2024), 52.

⁵ Gijs van Oenen, *Culturele veldslagen* (Amsterdam: Boom Uitgevers, 2022), 222-223.

The reason I start this thesis with an exploration of *the Event*, is because the protagonist of this thesis too is a political Event, or perhaps, a series of events. I will explore this ambiguity later in this chapter. But first, let me introduce the events in question in chronological order.

December 22, 2022 - We propose: A potential party-ban.

Just before the winter recess of 2022, the former Minister of the Interior published a design for a renewed law for Political Parties (Wet op Politieke Partijen, in short: WPP). The aim of this law was to strengthen democratic resilience by expanding the existing rules for political parties.⁶ Some of those adjustments seem to go by unnoticed. For example, the mandatory publication of a parties' advertisement policy. Much more attention, however, was given to one specific part of the law that grants the judiciary power the authority to ban political parties when they undermine the democratic rule of law.

Earlier that year, the liberal democratic party (D66) had already proposed to broaden the possibilities for a ban through a simple amendment in the Civil Code. Their proposal was prompted by statements made by the right-wing anti-establishment party (FVD). D66's proposal was not supported by the sitting Cabinet because of its legal imprudence. Nevertheless, the same Cabinet did propose a similar arrangement in the WPP. A potential party-ban should strengthen the resilience of our democracy. "The parties that gain our trust with our vote must at the same time never compromise our democracy,"⁷ says the former Minister of the Interior, Hanke Bruins Slot.

May 25, 2023. Be warned: Anti-Institutional Extremism on the rise.

In 2023 the Dutch General Intelligence and Security Service (Algemene Inlichtingen- en Veiligheidsdienst: AIVD) had published a report with the title: *Anti-institutional extremism in the Netherlands: a serious threat to the democratic legal order?*⁸ The report warns of a rise of "anti-institutional extremism" in Dutch society, and allocates quite specifically what group is linked to this form of anti-institutional extremism. This group, the AIVD explicates, supports a "worrisome narrative"⁹ that has gained popularity over the last years. The narrative is often critical of- and sometimes even hostile towards democratic authorities, including politicians and scientists. The people supporting this narrative, the AIVD writes, "paint a picture that an evil elite is in power in the

⁶ "Wet op Politieke Partijen," Internetconsultaties, Overheid, accessed August 18, 2023, <https://www.internetconsultatie.nl/wpp/b1>

⁷ Rijksoverheid, "Wetsvoorstel maakt verbod mogelijk op partijen die democratie ondermijnen," *Rijksoverheid.nl*, December 22, 2022, <https://www.rijksoverheid.nl/actueel/nieuws/2022/12/22/wetsvoorstel-maakt-verbod-mogelijk-op-partijen-die-democratie-ondermijnen>

⁸ "Anti-institutioneel extremisme," Extremisme, Algemene Inlichtingen en Veiligheidsdienst, accessed August 18, 2023, <https://www.aivd.nl/onderwerpen/extremisme/anti-institutioneel-extremisme>

⁹ "Anti-institutioneel extremisme," AIVD.

Netherlands that wants to oppress, enslave or even murder the population."¹⁰ Although the AIVD intentionally presents this picture as a "narrative" and thereby dismisses any reality that would underlie these claims, the AIVD does warn of the real consequences that this worldview can have, such as the undermining of the legal order and the danger of violence used against authorities.

Even though I have presented these events in chronological order, it would be a mistake to consider their relationship as causal. To do so would lead to an unfair conclusion that the WPP is a result of the worrisome narrative that the AIVD defines, or that the narrative has gained popularity due to the discussion on the WPP. But of course, you cannot help but notice that there is a clear correlation in the sentiment that these events express. This sentiment is that democracy is something to be valued, but also something to protect. Democracy's existence is not a given, instead, its existence is dependent on a constant re-evaluation of democratic values. And, most importantly, the need to protect democracy is not a hypothetical statement, but it is a mission statement. These events described above articulate a fear that democracy *is* under threat right now (AIVD) and that there is an urgent need for the right measures to be in place to prevent these threats from materializing (WPP). These events show a dynamic where the "democratic" people are distinguished from the "undemocratic" people, and where the former need to be protected from the latter. The events show the tendency to exclude this undemocratic other as a way to avoid conflict, rather than to confront the other and face the conflict. To further illustrate this new sentiment, I take this opportunity to introduce one last event where both the WPP as well as the AIVD report were central themes of discussion.

June 28, 2023. Let's talk: Around-the-table-discussion on Democratic Resilience.

On the 28th of June, the Dutch parliament initiated an *around-the-table-discussion* on the topic of democratic resilience. A longer lingering feeling of political polarization, the rise of so-called extremist parties and a discussion on a potential party-ban was enough reason for a roundtable discussion between politicians and political scholars concerning the question: *how can a democracy defend itself against self-destruction without becoming undemocratic in the process?*¹¹ What makes this discussion so interesting for the sake of my analysis, is that this talk had revolved mostly around the new WPP and the AIVD report on anti-institutionalism, furthermore highlighting their correlation. Questions concerning the WPP covered issues like representation and democratic legitimacy. For example, given that political parties are at the core of our representational democracy, what does it mean for a democracy when these parties can be excluded from parliament? Even more so considering the fact that the party represents a considerable part of the electorate? The scholars at the table agreed on the matter:

¹⁰ "Anti-institutioneel extremisme," AIVD.

¹¹ Leonie de Jonge, "Rondetafelgesprek over versterking weerbaarheid democratie," June 28, 2023, recording, 10:05. <https://debatdirect.tweedekamer.nl/2023-06-28/bestuur/groen-van-prinstererzaal/rondetafelgesprek-over-versterking-weerbaarheid-democratie-10-00/onderwerp>.

a ban on political parties is undesirable, but at the same time cannot be ruled out completely. A party ban should be the ultimate and final measure to protect our legal and democratic order when these are threatened from within. Anti-institutional extremism as explicated by the AIVD, was an example of such a possible threat. Again, the sentiment of a “dangerous other” that threatens “our” democracy dominated the conversation. To ensure a resilient democracy, this other should be monitored, neutralized or in most extreme cases excluded from political participation.

It is not hard to see how such an approach can actually be counterproductive towards the goal of a resilient democracy. The AIVD report, for instance, provides further reason for anti-governmental sentiments to flourish. Given that AIVD is part of the government and therefore part of the authority that is suspect, it is probable for anti-institutional extremists to increasingly distrust the authorities when these authorities label them as misguided and dangerous. This is not only a hypothetical situation, on the contrary: this dynamic was clearly visible during the talk on democratic resilience. Invited to share his insights from the recent AIVD report, AIVD foreman Erik Akerboom was one of the authorities present at the discussion. Thierry Baudet, party leader for an openly anti-institutional political party (FVD) took this opportunity to ask Akerboom why exactly the claims made by anti-institutional extremists would be a part of mere narrative and not actual reality. Earlier in the discussion, Baudet had asked another scholar whether Dutch society is actually governed by an extremist majority, unlike the generally accepted opinion that it is the political flanks that are extreme. In both these cases, the answer to his questions is not relevant. By only asking the questions, Baudet openly distrusts the authorities at the table and thereby caters to his own supporters. The loud applause that had followed Baudet’s questions should be taken as no surprise. This part of the discussion in particular was shared avidly amongst Baudet’s supporters on social media. With that, his message was strengthened furthermore. We must realize that identifying claims as a “false narrative” does not dismiss this narrative, it actually presents its supporters with reasons to hold on to it.

No turning back

The reason I was hesitant to refer to these events as three separate affairs, is because I argue that these three events actually point to one and the same shift in Dutch politics, or in Žižekian language, an Event. These affairs point to an Event in which the Dutch political authorities *have realized* that there is an undemocratic subject threatening our democratic institutions. As if it is a revelation: once you know it, you cannot let go of it and you have to do something about it. But what?

The events above show that at present, there is the tendency to exclude the undemocratic subject from the political arena as a way to avoid conflict and strengthen democracy's resilience. Unfortunately, we see that conflict is not avoided, but that resistance towards democratic institutions is reinforced. I would call this a “counterproductivity” of state actions against the undemocratic subject.

It is important to stress that discussions surrounding resilient democracy are not new, but have existed for a longer period. For instance, the in March 1933 democratically elected NSDAP demonstrated how antidemocratic forces can exploit democratic tolerance. As a reaction to the horrors of Nazism and Fascism, and to strengthen democratic resilience, in 1948 the United Nations had drawn up the Universal Declaration of Human Rights in which the formal rules of democracy get the status of human rights.¹² In that same post-war period, the predecessor of the AIVD was established. Whereas the service was firstly preoccupied with the effects of World War II, during the Cold War the service kept an eye on anti-democratic threats from the East.¹³ Between 1949 and 1995, the Dutch Intelligence service structurally monitored potential anti-democratic parties, such as the far-left Communist party (CPN) or the extreme-right nationalist party (NVU).¹⁴ Lastly, the rise of populism in the late 20th century and the terrorist attacks of 9/11 have contributed to the importance of a resilient democratic discourse. It begs the question: what makes this Event different?

The three events have taken place in a context that many people have diagnosed as a turbulent political time. Many scholars, journalists and other opinion makers agree that the political debate has hardened, *post-truth politics* has grown and that there exists a *culture war* in and outside the political arena. Especially remarkable about our current political atmosphere is the impact of a wide access to (Social) Media. What can be considered a *democratization* of the public sphere is the fact that everyone and anyone can engage in public debate. It has been highlighted in many articles that this does not necessarily lead to better quality information and deliberation, but actually towards a growing polarization and distrust in authorities. Interesting for my cases above is that institutions also seek publicity more often. The Dutch newspaper NRC writes about the "sharply changed attitude of secret services in the public debate: much less media shy than say twenty years ago and proactively enlisting journalists to spread their own, sometimes political message, often with effective clickbait."¹⁵ The events above therefore do not take place in a governmental *vacuum*, but are open for everyone to see and to judge. It is not a matter of "mere" governance, this Event has become a matter of public opinion.

An Event is indeterminate in nature. Does one *fall* in love at the moment of encounter, or is it an ongoing Event for the years to follow? In this case: are the WPP, AIVD report and around-the-table-discussion results of an Event that has existed for a long time, or have they caused it to come into existence? Most likely, it is a combination of the two. But the main point is this: there is no turning back. The Event I have described is the realization that there is an undemocratic subject in our midst,

¹² "Article 21," Universal Declaration of Human Rights, United Nations, accessed February 14, 2024, <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

¹³ "Tijdljn van de AIVD," Over de AIVD, Algemene Inlichtingen en Veiligheidsdienst, accessed Februari 14, 2024, <https://www.aivd.nl/onderwerpen/over-de-aivd/aivd-tijdljn>

¹⁴ Bart Funnekotter and Joep Dohmen, "Hoe de Nederlandse geheime dienst politieke partijen bespioneerde," NRC, August 11, 2023, <https://www.nrc.nl/nieuws/2023/08/11/nieuwe-partij-de-bvd-was-erbij-a4171511>

¹⁵ Kees Versteegh, "De AIVD waarschuwt voor polariseren, maar doet dat zélf door van alles op één hoop te gooien," NRC, Juli 24, 2023, <https://www.nrc.nl/nieuws/2023/07/24/de-aivd-waarschuwt-voor-polariseren-maar-doet-het-zelf-a4170469>

and that we must deal with this. Conversely, there is the realization that you are seen as undemocratic, put away as dangerous or a "wappie." Once these words have been spoken there is no returning, and one must find a way to deal with it. That *is* the Event: a production of its own continuation.

The democratization of democracy

In this thesis, I focus particularly on one way this Event is dealt with, which I classify as *the demand for a democratization of democracy*. From a governmental perspective, this call comes from the realization that our current democratic institutions bear something within them that could be a potential threat for democracy's survival. In other words, we are in need of a *democratization of democracy*, because our current democratic institutions do not suffice. At the same time, the opponents invoke the same desire. However, they seek to accomplish the *democratization of democracy* not by protecting current institutions, but by demolishing them and rebuilding new ones.¹⁶ In this thesis, *I will investigate the differences in the demand for a democratization of democracy in relation to the identification of an undemocratic subject*.

I will do so with the events above in mind, but primarily from an analysis of radical democracy theory. In political philosophy, we find the demand for a *democratization of democracy* primarily in the works of radical democracy, a line of thought developed in the late 20th century as a critique and revision of Marxist theory. I will investigate the problem described above with an analysis of three prominent thinkers in the radical literature: Claude Lefort, Jacques Rancière and Étienne Balibar. These three French thinkers agree with the actors above that democracy is not finished in its current form, and that political challenges of today indeed need *more* democracy. However, their added value actually lies in their different ways of thinking from the actors described above. Because of this, we might understand the "counterproductivity" in current attempts to democratize democracy and envisage what collective democratic life could look like instead.

¹⁶ This desire is for example expressed in FVD's notion of "cartel fight" [partijkartelbestrijding], see "Kartelbestrijding," Standpunten, Forum voor Democratie, accessed Februari 14, 2024, <https://fvd.nl/standpunten/kartelbestrijding>

Thesis Outline

This thesis can be divided up into two parts. In the first part, I will interrogate the three events described above through a critical engagement with radical democracy theory. My main argument is that in the discussion above, the definition of democracy is not universal (as implied), but in fact particular. I will argue that the negligence of this fact might explain the "counterproductivity" towards the elimination of the undemocratic subject. The second part of this thesis will then critically look at the radical democracy theorists themselves. While their theoretic endeavors show effective to identify the aporia's in current state actions, they themselves have not presented any solutions to the dangers that might arise from undemocratic tendencies as conceived of in the Event. In this latter part, I will show that not the similarities, but differences between the theorists is most helpful for understanding the issue at hand.

The next chapter begins with an analysis of the around-the-table-discussion. I argue that the way "democracy" is employed in the debate is characteristic of the way it is implied in the events above. Through an analysis of Lefort's, Rancière's and Balibar's understanding of "the political," I will show that the discussion above employs a non-political institutional interpretation of democracy that aims for a stable and just form of government, while radical democracy theory focuses on the political, insurrectional side of democracy and its potential for emancipation. In this opening chapter, I will present the reader with a basic reading of the three theorists, for a more thorough understanding of radical democracy in the chapters that follow.

In chapter two, I will show how the liberal/radical distinction in democratic theory might help us to understand the counterproductivity of the state actions. Even though the WPP and AIVD report are government actions that aim to guard democratic resilience, the discussion on the 28th, but also the many protests on the Malieveld shows that these actions lead to an even more conflictual and polarized state of affairs. Especially Rancière's police/politics distinction will help us understand how in a democracy, any distribution of the sensible is able to be *redistributed*. This insight is emphasized with Lefort's notion of the *empty place of power* and Balibar's insistence on a dialectics of political action.

In chapter three, I acknowledge that the liberal democratic approach of government might harbor its own "counterproductivity". However, I also bring forward that the radical democracy approach has neither delivered ways to solve the problem of an undemocratic subject. Are these three thinkers able to conceptualize a form of democracy that is both dissensual and contingent *and simultaneously* protects a valuable collective form of life? I will argue that radical democratic theory is actually not capable of answering the question of an undemocratic other, for their political ontology differs significantly from a liberal approach. As such, I will propose to change the questions in order to distill from Rancière's, Lefort's and Balibar's work any "limits" of democracy. From this point onwards, I will ask the thinkers what would *sustain a democratic being-together*.

In chapter four, I turn to an aspect of Lefort's theory that has been overlooked up till then. While it is true that Lefort aims to understand democracy from a symbolic point of view, there is also an aspect of his theory that *materializes* the empty place of power, which he calls the *institutionalization of conflict*. Lefort argues that representative democracy succeeds in this institutionalization, but that it is the populist party who wants to abolish representative institutions. I argue that Lefort's analysis of the populist party might therefore teach us something about the undemocratic subject, from which I try to conceptualize what Lefort would understand as a positive democratic being-together.

In chapter five I turn to Balibar and Rancière, who take a different methodological path than Lefort. While Lefort's seeks for a revival of political philosophy; a coherent and structural understanding of how a society structures itself, Balibar and Rancière favor an "interventional" approach. I show that Rancière's theory cannot account for any positive evaluation of a democratic being-together, but that Balibar can. With his third concept of politics, Balibar poses that there are limits to politics. Within these limits a *politics of civility* can take place. Although Balibar's interventional approach does not account for an interpretation of civility, I present two possible routes for a radical politics of civility.

To conclude, I introduce two last events: a speech on democratic resilience by the Minister of the Interior Hugo de Jonge and the 2023 election victory of the Dutch populist party (PVV). I reflect on my findings earlier in this thesis. I show that the liberal approach towards the exclusion of an "undemocratic other" is fruitless and I reflect on my findings from the approach of radical democracy. I conclude that although these writers can account for the conflictual tendencies within democracy, their theoretical insights are unable to sustain a democratic being-together. In view of recent events, I wonder if radical democracy is still relevant for our current problems. Considering the empty place of power, the answer to this question is as discouraging as it is hopeful.

List of Abbreviations

WPP	-	Wet op Politieke Partijen
AIVD	-	Algemene Inlichtingen en Veiligheidsdienst
BVD	-	Binnenlandse Veiligheidsdienst
D66	-	Democraten '66
FVD	-	Forum voor Democratie
CPN	-	Communistische Partij van Nederland
NVU	-	Nederlandse Volks-Unie
PVV	-	Partij voor de Vrijheid

Chapter 1 - What Is Democracy?

How can a democracy defend itself against self-destruction without becoming undemocratic in the process?¹⁷

This question was one of the many questions raised at the around-the-table-discussion on the 28th of June. The question captures nicely the way in which the concept of democracy was approached in the debate. It states that democracy is to be protected, not necessarily from something outside of democracy, but from something inside of democracy ("*self*-destruction"). However, paradoxically, exterminating this threat is likely to be un-democratic *as well*. The question depicts democracy as both an ideal that needs to be protected and a threat that needs to be restricted. To balance this struggle inherent to democracy, most modern democracies have taken the form of a *liberal democracy*. In the liberal democratic framework, democracy is a system of government in which individual rights and freedoms are recognized and protected, and political power is limited by the rule of law. In such a government, the constitution explicates what rights *and* duties both citizens and government have, so that democratic excesses are avoided. The law ultimately decides what is allowed in a democratic community. In this first chapter, I will problematize this liberal interpretation from a radical democratic point of view and show an alternative conception of democracy through an analysis of the works of Lefort, Rancière and Balibar. As I will show, both conceptions lead to a different interpretation of a *democratization of democracy*. A necessary distinction to understand the counterproductivity of actions that I will deal with in chapter two.

1.1 Democracy as the political parameters of consensus

What determines a resilient democracy? According to the experts at the around-the-table discussion, the answer to this question was to be found in our democratic rule-of-law. An overview of the position papers will show us why. Leonie de Jonge, for example, wrote: "a resilient democracy is a democracy capable of defending itself by resisting *anti-democratic and anti-state-of-law* threats from within."¹⁸ She first defines democracy in the denial of its opposite: similar to defining white as *not-black*, democracy is defined as *not-antidemocratic*. This does not tell us anything about democracy itself. Of course, in the second part of her statement she refers to the rule-of-law, implying that democracy and rule of law belong together. Anti-democratic behavior is to violate the law. Moreover, Tom van der Meer writes: "the theme of resilient democracy is as relevant as it is vast. At its core, it is about how democracies can protect themselves from the threat of an uncorrectable (gradual or abrupt) curtailment

¹⁷ de Jonge, "Rondetafelgesprek."

¹⁸ Leonie de Jonge, "Position paper rondetafelgesprek over versterking weerbare democratie," *Tweede Kamer der Staten-Generaal*, June 28, 2023, 1.

of *electoral democracy* or the *liberal rule of law*."¹⁹ Similarly, Rene Cuperus writes that "a combative, vigilant democracy defends and protects *the rules of the game* and *the open coexistence model of liberal democracy* and is intolerant of movements and parties that seek to disrupt, undermine or destroy *liberal democracy*."²⁰ Annemarij van Hinsberg posits that "there are several issues that can threaten the *democratic rule of law*. Think populism and extremism, social inequality and exclusion, disinformation and manipulation."²¹

To summarize: all writers define democracy in terms of its current legal form. A typology that belongs to the liberal democratic tradition. Although most writers still make the conceptual distinction between *democracy* and *rule-of-law*, all of them use the two terms interchangeably. Quite remarkable is the AIVD's contribution, however, for they forgo to make a distinction at all. In the entirety of their position paper, there is no mention of *democracy* but only of the *democratic rule-of-law*.

Of course, these position papers needed to be short. They were not written in an academic setting, but a political one. There was no time nor space to dive into the depths of political theory and all its debates on the concept of democracy. However, it is remarkable that although most of these scholars do make a distinction between *democracy* and *democratic rule-of-law*, the former is *always* defined in the latter. Moreover, these scholars at no point seem to question these laws or "procedures" by which they weigh democracies. To understand democracy only in its current legal manifestation is to assume that this manifestation is neutral, as if it were a natural law. From a critical philosophical perspective, however, this approach does not do justice to the depth of the concept of democracy and the site of the political. It limits democracy to a particular place: the political arena as constituted by the law, and forgets that the contours of this place are themselves politically defined and therefore can be politically contested.

The definition of democracy as an "ideal of institutionalized political life" can be placed in a larger movement which in the philosophical literature is called the "de-politicization of democracy" or the "disappearance of the political."²² It refers to a form of politics that is much more concerned with effective governance, rather than to understand it as a conflict of ideas. In his analysis of the so-called "post-democracies," Crouch defines this de-politicization of democracy as a place in which "all institutions of liberal democracy survived and functioned, but where the vital energy of the political system no longer rested within them."²³ He intends to convey that, despite, for example, the presence of periodic elections and civil and political rights allowing citizens to publicly challenge government

¹⁹ Tom van der Meer, "Position paper rondetafelgesprek over versterking weerbare democratie," *Tweede Kamer der Staten-Generaal*, June 28, 2023, 1.

²⁰ René Cuperus, "Position paper rondetafelgesprek over versterking weerbare democratie," *Tweede Kamer der Staten-Generaal*, June 28, 2023, 1.

²¹ Annemarie van Hinsberg, "Position paper rondetafelgesprek over versterking weerbare democratie," *Tweede Kamer der Staten-Generaal*, June 28, 2023, 1.

²² Erik Swyngedouw, "Where is the political? Insurgent mobilisations and the incipient 'return of the political'," *Space and Polity* 18, no. 2 (March 2014): 123.

²³ Colin Crouch, "Post-democracy and Populism," *The Political Quarterly* 90, no. 1 (2019): 126.

decisions, the occurrence of openly critiquing policies beyond the given and agreed upon parameters is rare. In times of depoliticized democracy, politics has become “a policy-making set within a given distribution of what is possible and driven by a desire for consent within a context of recognized difference.”²⁴ To bring this back to the example in the beginning of this chapter: exemplary of the depoliticization of democracy is the fact that in the around-the-table-discussion members of parliament have asked so-called experts to enlighten them on democratic resilience. Rather than making this a political issue, it is a knowledge-issue that insights from political scientists, professors of Law and top government officials need to resolve. When these experts approach the topic of democratic resilience from a rule-of-law framework, they understand the *democratization of democracy* as the affirmation of existing rules, a reminder of the frameworks of democracy we have agreed upon. In other words, the *democratization of democracy* has to take place between the *political parameters of consensus*.

1.2. What about *The Political*?

Against the de-politicization of democracy and the disappearance of the political, Claude Lefort pleads in his opening chapter of his 1991 work *Democracy and Political Theory* for a revival of political philosophy and a reinterpretation of *the political*. He argues that in the late 20th century political theory has gone in two directions which are both inadequate. On the one hand, he focuses his criticism on (post-)Marxist political theory, which he finds naive and unable to do justice to reality.²⁵ He poses that Marxists neglect lived experience when they argue that the misdemeanors in the Soviet Union have nothing to do with the laws of the theory. Ultimately, Lefort argues, they fail to see the freedom of democracy and the tyranny of communism.²⁶ Secondly, he aims his critique towards “the political sciences and political sociology in particular,”²⁷ for they only focus on politics (*la politique*) and neglect to think of the political (*le politique*). This is a necessary and ontological distinction for Lefort’s political thought: while the former refers to the political order, the empirical field of politics (“regimes and constitutions, institutional and individual practices, enforcement etc.”)²⁸ the latter is the symbolic level on which society conceives itself and understands itself. The negligence of the latter creates a “fiction”²⁹ that the political is distinct from other spheres of life, without ever examining the form of society in this division is legitimated. An inquiry of the political shifts the question of democracy from a matter of “this is how it works” to a matter of “this is *why* it works in this way” and might help envisage how democratic institutions can be different.

²⁴ Swyngedouw, “Where is the political?,” 125.

²⁵ Claude Lefort, *Democracy and Political Theory*, trans. David Macey (Cambridge: Polity Press, 1988), 10.

²⁶ Lefort, *Democracy and Political Theory*, 10.

²⁷ *Idem*.

²⁸ Annabel Herzog, “Lefort and Rancière on democracy and sovereignty,” *Philosophy and Social Criticism* 0, no. 0 (2022): 4.

²⁹ Lefort, *Democracy and Political Theory*, 11.

In other words, a reinterpretation of the political might help us understand the democratization of democracy from a different perspective than the one presented in the around-the-table-discussion. In contrast to the experts present at this discussion, radical democratic theorists look for the *democratization of democracy* not in a re-evaluation of *la politique*, but instead, through the re-evaluation of *le politique*. In what follows in this chapter, I will turn to the philosophies of Claude Lefort, Jacques Rancière and Étienne Balibar, who all in their own way try to conceptualize the political.

1.3 Lefort: Democracy as the experience of social contingency

Lefort argues that the constitution of the social space, or the *form* of society, is a result of the political. In his work, Lefort describes the political as a specific symbolic regime that both gives meaning to the activities on the level of the social, and at the same time is constitutive for these activities. The political acts as "a scheme, or body of schemata of actions and representations which govern both the shaping [*mise-en-forme*] and the staging [*mise-en-scene*] of a society, and at the same time, its dynamic."³⁰ This schemata *guides*, as it were, people to understand what is to be considered true and false, good and bad, normal and abnormal and permissible and forbidden.³¹ The political thus determines the way society understands power, knowledge and law. In the political these domains obtain their "symbolic status", or in other words, how they are shaped and staged in society. We thus have to understand the political as the symbolic framework that *clouds* our judgment. We should not understand this as a negative: there is no escape from a symbolic framework that structures the way we understand ourselves and society. In fact, if we are aware of the fact, we can try to understand in what way our symbolic framework is formed. His critique on the social and political sciences lies precisely in the fact that they do not acknowledge that they too are shaped by this symbolic regime. Instead, they strive to be a neutral bystander. That, of course, is impossible.

How then should we think of the political in democracy? To understand what symbolically constitutes our form of society, Lefort takes us back to the *ancien régime*, before the advent of modern democracy as installed after the French Revolution. In pre-democratic societies, Lefort argues that the symbolic regime had given society its meaning was located not within the social but outside of it. He poses that the symbolic was located in an "invisible" world, e.g., a world that exists on the grounds of religion or other beliefs. To understand this, Lefort uses the example of the divine sovereignty of the king. In the *ancien régime*, power, knowledge and law were represented in the king. Yet, the king received this sovereignty and juridical authority from another place, a divine out-of-world-place, that was God. His body was therefore doubled: his sovereignty and juridical authority were seated in his invisible, "divine" body, while his people could identify themselves in his visible body. As such, the

³⁰ Lefort, *Democracy and Political Theory*, 91.

³¹ Lefort, *Democracy and Political Theory*, 11.

king - being both mortal and immortal - mediated between the people and God. The implications for the social were vast: power, knowledge and the law were unconditionally defined in the rules of God and as such the rules of the king and the nation itself were depicted as a unity, represented in the body of the King. Lefort writes:

Being at once subject to the law and placed above the laws, he condensed within his body, which was at once mortal and immortal, the principle that generated the order of the kingdom. His power pointed towards an unconditional, other-wordly pole, while at the same time he was, in his own person, the guarantor and representative of the unity of the kingdom. The kingdom itself was represented as a body, as a substantial unity, in such a way that the hierarchy of its members, the distinction between ranks and orders appeared to rest upon an unconditional basis.³²

But then came the French Revolution and the "revolutionary and unprecedented"³³ features of the democratic symbolic order. After the French Revolution, power was no longer embodied in the divine king. Instead, Lefort's famous phrase goes: "the locus of power" had become an "empty place."³⁴ The lack of an ultimate reference point for the legitimacy of power has resulted in a "purely social society,"³⁵ in which anyone can -albeit temporarily- occupy the place of power. As Bernard Flynn rightfully points out, Lefort's understanding of a "lack" of an ultimate reference point for power and truth should not be understood as a political version of Nietzsche's theory.³⁶ While Nietzsche believes that the "death of God" marks the end of transcendence in modernity, Lefort contends that although the *figure* [the king] of premodern transcendence is effaced, the *place* of this transcendence remains as an *empty* place.³⁷ As such, there is no determinate *other* in which a society can understand itself as a unity, but instead, it has to symbolically envisage itself to be such. No individual nor group can fill the place of power permanently. Because of that, anyone can imagine themselves to fill the seat of power. Moreover, power grants its legitimacy to the people that imagine it legitimate.

In the democratic symbolic order, all external references for stability have shown meaningless. As such, Lefort writes that democracy creates a society in which people experience "a fundamental indeterminacy as to the basis of power, law and knowledge, and as to the basis of relations between self and other, at every level of social life."³⁸ At the heart of democratic life lies therefore a constant process of questioning, an interrogation as to the legitimacy of power and a continuous contestation to the

³² Lefort, *Democracy and Political Theory*, 16.

³³ *Idem*.

³⁴ *Idem*.

³⁵ *Idem*.

³⁶ Bernard Flynn, *The Philosophy of Claude Lefort: Interpreting the Political* (Evanston: Northwestern University Press, 2005), 147.

³⁷ Flynn, *The Philosophy of Claude Lefort*, 147-148.

³⁸ Lefort, *Democracy and Political Theory*, 19.

occurring exercises of power. This structural situation of dissensus is what Lefort calls *freedom*, which he considers to be the very condition for politics. Strictly speaking, then, there is no such thing as *premodern politics* for Lefort. Only democracy and its inherent character of interrogation and contestation provides a ground for political action. This idea brings us to Jacques Rancière. Who, just like Lefort, conceptualizes politics as the interrogation of power, and understands democracy as the only form of the political that makes this action possible.

1.4. Rancière: democracy as a break the logic of *arche*

To understand Rancière's conception of the democratic political, one needs to let go of all "normal" definitions of concepts such as *rule*, *democracy*, *police* or *politics*. Rancière reconfigures these concepts to underline his one central argument, namely that *democracy* is not a form of government nor a system of ruling: it in fact is the thwarting of any system of rule. It is the institution of politics, which is a dissensual action that shows that there are no dispositions "proper" to any form of society. To understand this claim, allow me to define the concepts above with Rancière's Ten Theses on Politics.

Let us begin with democracy and rule, or as Rancière defines the latter: *arche*, from the Greek *archein*, which means "to begin, to lead and eventually, to rule."³⁹ Rancière poses that the logic of *arche* can mean two things: it is both the "theoretical principle entailing a clear distribution of positions and capacities, grounding the distribution of power between rules and ruled" and it is "a temporal beginning entailing that the fact of ruling is anticipated in the disposition to rule and, conversely, that the evidence of this disposition is given by the fact of its empirical operation."⁴⁰ In other words, *arche* is the logic that posits that there are some better fit to rule, who are then also expected to rule, and others that are better fit for being ruled, who are expected to obey.

Rancière, then, defines democracy as a break in the logic of *arche*: a rupture in the disposition to rule. For this claim he turned to Plato's *Laws*, where Plato presents his reader with an overview of different qualifications for ruling: power of parents over children, old over young, master over slaves, nobles over serfs, the strong over the weak and the knowledgeable over the uninformed.⁴¹ However, Plato does not stop here. He adds a seventh principle for ruling that, unlike the preceding six principles, does not fit the logic of *arche*. Namely, "the choice of god" or in other words "the drawing of lots:" ruling by chance, a choice that can land on anyone. It is this seventh principle that Plato calls "democracy". In democracy, the logic of ruling is not based on a predetermined distribution of roles, but *random* and open to anyone. Rancière writes: "Democracy is the specific situation in which there is

³⁹ Jacques Rancière, "Ten Theses on Politics," *Theory and Event* 5, no. 3 (2001): 4.

⁴⁰ Jacques Rancière, *Dissensus: on Politics and Aesthetics*, ed. and trans. Steven Corcoran, (London: Continuum International Publishing Group, 2010), 51.

⁴¹ Rancière, "Ten Theses on Politics," 5.

an absence of qualifications that, in turn, becomes the qualification for the exercise of democratic *arche*.”⁴²

Because democracy is the specific rupture in the logic of *arche* that allows subject to "part-take"⁴³ in political action, Rancière poses that democracy is not just *a* political regime, but *the* political regime. Democracy, being an-archaic, is the only regime that allows those who have no qualification to speak, to be in fact qualified to speak. In this act, the *demos* which he defines as the *unaccounted-for* create their own political subjectivity. Politics is therefore always concerned with *dissensus*, a concept that should not be understood as the confrontation between interests and opinions, but rather, the emancipation of the unaccounted-for: the making visible of those who have otherwise no reason to be seen.⁴⁴

In that sense, Rancière agrees with Lefort that there exists no politics without democracy. However, while Lefort understands democracy as a historic concept, marking modernity ever since the symbolic mutation in the French Revolution, Rancière understands democracy as “the ahistorical essence of collective life.”⁴⁵ In a similar way, Rancière uses Lefort's notion of democracy's *empty place of power*, but for his own a-historic philosophy. Lefort understands this disincorporation of power as a historic event that has taken place after the French Revolution.⁴⁶ But Rancière, instead, interprets Lefort's democratic void as the “empty, supplementary, part that separates the community from the sum of parts of the social body. This separation, in turn, grounds politics in the action of supplementary subjects that are a surplus in relation to any (ac)count of the parts of society.”⁴⁷ It is not, as Lefort contends, that the king has a “double body”, but, as Rancière contends, in democracy it is the people who have a double body. And “this duality is nothing other than the supplement through which politics exists: a supplement to all social (ac)counts and an exception to all logics of domination.”⁴⁸ Politics arises from the "wobble room" or freedom inherent to democratic subjectivity, to be different from how others perceive or approach you.

Even though Rancière detaches Lefort's terminology from its original context and uses it for his own purpose, he is consistent with Lefort that democracy ultimately is the constant interrogation of current manifestations of - in Lefort's words - power, knowledge and law. However, against the politics of constant interrogation, Rancière posits that democratic societies *always* deal with a condensation of power, knowledge and law, which he refers to as *police*. Let me stress that this sentence means something different for Rancière than for Lefort. When Lefort speaks of a condensation of knowledge, power, and law, he refers to a symbolic mutation in which democracy ceases to exist and totalitarianism

⁴² Rancière, “Ten Theses on Politics,” 5-6.

⁴³ Idem., 3.

⁴⁴ Idem., 13.

⁴⁵ Herzog, "Lefort and Rancière on democracy and sovereignty," 3.

⁴⁶ Idem., 7.

⁴⁷ Rancière, “Ten Theses on Politics,” 8.

⁴⁸ Idem.

starts. Rancière, however, poses that democracy always bears with it "totalitarian" or "dominating" tendencies, not on the level of the symbolic but on the level of material institutions. In the democratic institution of the political, then, Rancière poses that there are two heterogeneous processes at work: police and politics.⁴⁹ Their difference lies in their way of "counting" the different parts of society: police counts society as a sum of its parts, politics counts the supplementary part, the void.

Police is the realm of governing. It is occupied with "creating community consent, which relies on the distribution of shares and the hierarchy of places and functions."⁵⁰ It wants to promote stability, and it aims to neutralize dissensus in the social sphere by breaking up the community into empirically measurable parts: groups, roles and institutions. This mechanism is what Rancière calls the *distribution or partition of the sensible*. The distribution of the sensible is a symbolic action: reality is not actually divided, but because a division is articulated it comes to exist as such. Rancière writes: "We will call the partition of the sensible a general law that defines the forms of part-taking by first defining the modes of perception in which they are inscribed."⁵¹ The division of groups frames the way we understand ourselves and others. The logic of police puts forward that there are dispositions proper to the different groups in society which consequently can be measured empirically or are agreed upon consensually. Politics, on the other hand, denies any predetermined constellation of the social. Although both police and politics are part of the political, the former belongs to domination, and only the latter to democracy. In Rancière's political philosophy, we are thus presented with a *radicalization* and *materialization* of Lefort's notion of the political.

1.5 Balibar: democracy as equaliberty

Lefort's notion of the symbolically *empty place of power* is constitutive for Balibar's philosophy. At the same time, he takes inspiration from Rancière's materialization of the political. Nevertheless, his ideas also go beyond the previous thinkers. Two elements are added in Balibar's understanding of the democratic political: the notion of "equaliberty" and the dialectical relationship between revolutions and institutions, or between insurrection and constitution.

Just like Lefort, Balibar posits that democracy has instituted the symbolic universalization of politics, which he brings under the heading of a politics of "equaliberty." The notion is composed of two words: *equality* and *liberty* (not equal liberty) and is used to refer to a politics that aims to realize both aspects at the same time. This type of politics did not exist pre-democratic societies, but was once instituted by the Declarations that had followed the democratic revolutions in early modernity. In the French Declaration of the Rights of Man and Citizen, for example, a "universalization of the status of

⁴⁹ Jacques Rancière, "Politics, Identification and Subjectivization," *The Identity in Question* 61, (Summer, 1992): 58.

⁵⁰ Rancière, "Politics, Identification and Subjectivization," 58.

⁵¹ Rancière, "Ten Theses on Politics," 10.

the citizen” took place. Whereas the status of citizenship had always been restricted to only a select group of people, would after the Declaration be conceived as a “universal access, or a universal right to politics: a right not only to political rights, but also to effective political participation.”⁵² *Citizenship*, therefore, is in modernity equated with *humanity* and so in democracy the symbolic framework of equaliberty had been instituted.

Symbolic, because the equation of citizenship and humanity is just as much constative as performative. Constative, because the premises of equaliberty are found in the Declaration of the Rights of Man and the Citizen, and as such they are the foundation for modern day democratic institutions. Performative, because in itself the notion of equaliberty has no weight. Its truth is only shown when the statement is given force through enactment. In that sense, Balibar agrees with the inherent indeterminate character of democracy. Political action is only a result of "the self-determination of the people which constitutes itself in and by the establishment of its rights."⁵³ There is no metaphysical point at which equaliberty can prove to be true, it is exercised to be true. This is exactly the novelty of democracy.

It [equaliberty] is a ground-braking rejection of all former theories of human nature because it does not bind the equation of the rights of man to anything but the right to politics, existence as a member of the political community and the making of the Law: the citizen-subject. There is no contract, no conflation between ontology and anthropology [...] only a proposition, whose truth is tied to its being put into effect.⁵⁴

At the same time, this indeterminacy is the very problem of equaliberty. The notion of equaliberty expresses a *universality* of its propositions (equality and freedom for all), but at the same time, requires that these propositions are instituted through popular sovereignty (who are equal and free to make up their own mind).⁵⁵ The symbolic might therefore not always coincide with the material.

Actually, this becomes apparent when equaliberty is "put to work"⁵⁶ in a historical or political context, only then it reveals and contests the structural forms of exclusion and inequality of modern democracies. In other words, equaliberty is both the foundation for democracy as well as the promise of democracy.

We can all think of instances where there are people who do not obtain the rights of citizenship, but still, from the democratic point of view, they *should*.⁵⁷ And that is why Balibar takes Lefort's symbolic notion of the political to the level of the material: Balibar sees moments in *real life* where the

⁵² Balibar, "Is a philosophy of human civic rights possible?," 312.

⁵³ Étienne Balibar, *Politics and the Other Scene*, trans. Christine Jones, James Swenson and Chris Turner (London: Verso, 2002), 3.

⁵⁴ Bromberg, "Thinking through Balibar's dialectics of emancipation," 233-234.

⁵⁵ Balibar, "Is a philosophy of human civic rights possible?," 319.

⁵⁶ Svenja Bromberg, "Thinking through Balibar's dialectics of emancipation," *Historical Materialism* 26, no. 1 (2018): 224.

⁵⁷ Bromberg, "Thinking through Balibar," 224 and 231.

principles of equaliberty are disregarded. It is this insight that Balibar takes from Rancière and which he calls the *democratization of democracy*. He writes:

I believe that Rancière has produced a fundamental clarification in the uses of the category democracy by expanding a thesis that was already there in some uses of the expression “true democracy” by the young Marx (...) namely, the idea that democracy, understood in a radical manner, is not the name of a political regime but only the name of a process which we could tautologically call the democratization of democracy itself (or of what claims to represent a democratic regime), therefore the name of a struggle, a convergence of struggles for the democratization of democracy.⁵⁸

Agreeing with Lefort, he contends that it is the symbolic quality of democracy (equaliberty) allows for the *autonomy of politics*, for the self-determination of the people and political action. However, he argues that this is not the only domain that steers politics. With the *heteronomy of politics*, Balibar's philosophy also includes the *conditions* through or in which political action operates: e.g., political institutions, the law and socio-economic contexts. He argues that democratic action does not unfold in a vacuum, but is influenced by its own historical conditions, political stakes and institutional structures.⁵⁹ At the same time, political action challenges these conditions and thereby shifts the "parameters" of the political. Balibar thus presents us with two different types of politics that act dialectically with each other. Symbolically, the political is understood through the autonomy of politics, as equaliberty, and is focused on emancipation: the democratization of democracy. Materially, the political is understood through the heteronomy of politics and is focused on transformation: shifting the conditions, the "parameters" of the political. They do not contradict each other, but imply each other: "the heteronomy of politics, which focuses on the conditions of political practice, gives emancipatory politics its matter, while the autonomy of politics, which focuses on the demand for emancipation, gives transformative politics its point."⁶⁰ In a way, his understanding of the autonomy of politics and the heteronomy of politics is similar to Rancière's argument that the political includes both *politics* (emancipation) and *police* (institutions, dispositions). This comparison is not entirely accurate: whereas Rancière describes police as always intruding upon democratic freedom, Balibar takes a more neutral stance towards the heteronomy of politics. Although the parameters of the political are sometimes counterproductive towards the goal of equaliberty and in need of transformation, the conditions for politics can also be helpful for valuable collective life.

⁵⁸ Étienne Balibar, "Historical dilemmas of democracy and their contemporary relevance for citizenship," *Rethinking Marxism* 20, no. 4 (October 2008): 526.

⁵⁹ Lorenzo Buti, "Contesting the political: Democratic action with and beyond Lefort," *Perspectives: UCD Postgraduate Journal of Philosophy* 9, (2021): 110.

⁶⁰ James Ingram, "Democracy and its conditions: Étienne Balibar and the contribution of Marxism to radical democracy," in *Thinking Radical Democracy*, ed. Martin Breugh (Toronto: University Press, 2015), 222.

1.6 A debate without *any* guarantor and without *any* end

“How can a democracy defend itself against self-destruction without becoming undemocratic in the process?”

That is the question that I have posed at the beginning of this chapter. I have shown that this question is typical for the liberal understanding of democracy: democracy is a system of rule that qualifies as democratic by certain standards (the democratic rule-of-law) and can be thwarted from within by the rebellious citizen. To face this undemocratic subject, this interpretation calls for an affirmation of the already agreed upon rules of democracy. In this light, the desired *democratization of democracy* is a strategy of consensus. But what if this does not work? Or better: *why* does this not work?

According to the radical democratic theorists, democracy is a lot more than a form of government, it is a *type* of society that harbors within it a possibility for contestation. The idea of equaliberty, the empty place of power and the rule of the unqualified all point to one and the same idea: in democracy, there is no power beyond or above the people. The people are a self-determining entity, able to guide society in any direction they please. “Modern democracy,” Lefort fittingly summarizes, “invites us to replace the notion of a regime governed by laws, or legitimate power, by the notion of a regime founded upon the legitimacy of a debate as to what is legitimate and what is illegitimate - a debate which is necessarily without any guarantor and without any end.”⁶¹ The three thinkers of radical democracy pose: if modern democracy presupposes that all people are free and equal, then the political is always a place of dissensus: a place of interrogation as to what we find legitimate. To understand democracy purely in terms of *la politique* (regimes and constitutions) and not in terms of *le politique* (the political) ignores the fact that all democratic citizens carry this symbolic luggage: the possibility to reject all forms of authority.

Radical democracy therefore poses that a *democratization of democracy* does not happen within the parameters of consensus, but takes place right where the parameters of politics are shifted. In Rancière’s words: “politics is first and foremost an intervention upon the visible and the sayable.”⁶² The sheer identification of an “undemocratic subject” and the desire to “remove” this subject from the political arena goes against the very foundation of democracy as defined by the radical democracy theorists. It is police. Yes, the so-called “undemocratic” subject might act against the law, but the radical theorists would first ask whether or not this law is undemocratic (for Rancière, this would be an easy question) rather than the subject. With this distinction between the liberal and radical notion of democracy in mind, in the next chapter I will try to understand specifically the counterproductivity of the AIVD report and proposed WPP.

⁶¹ Lefort, *Democracy and Political Theory*, 39.

⁶² Rancière, “Ten Theses on Politics,” 11.

Chapter 2 - We Love Democracy, But...

We are the AIVD. We stand for the security of the Netherlands. Ever since its establishment, shortly after World War II, we have been protecting democracy from national and international threats. So that we can live in freedom.

We do what is necessary to prevent states, organizations or individuals from opposing, undermining or attacking our rule of law. We watch over the Netherlands and its people, often invisibly, sometimes visibly. We do so from a rock-solid faith in democracy, a precious and vulnerable asset.

We want to be the best. We want to be trusted. We achieve our goal by excelling. With the best resources and with the best people, who share our values.⁶³

The above is the AIVD's mission statement taken from their website. The intelligence service monitors extremist groups to signal potential threats to democracy. As I have swiftly mentioned in the introduction, they do so ever since the end of the Second World War. From then on, varying threats to democracy have been identified and monitored: ex-Nazi's, far-left communists, far-right nationalists and terrorist groups. Ever since their establishment, the AIVD had to deal with suspicion in and outside parliament.

In the early 1950's, members of parliament expressed their dissatisfaction with "our own Gestapo" at the budget negotiations for the BVD, the predecessor of the AIVD.⁶⁴ And while the service received little attention from society in its early years, Historian Constant Hijzen writes that the disquiet towards the secret service grew when the Cold War had finished. Where in the beginning the BVD was mostly occupied with communist and leftist radicals during the cold war, the service had now turned to monitor "normal" people. "When terrorism and radicalization emerged as the main threat, the AIVD suddenly had to penetrate the capillaries of the society. You could never know in which city or village a group of young people were radicalizing behind a computer in a living room."⁶⁵

Suspicion towards the service is not odd, more likely, it is directly related to two apparent paradoxes inherent to the security service. First, the paradox of protecting the democratic legal order by illegal means. And second, the paradox of the need for secrecy in reporting versus the constitutional

⁶³ "Missie en kernwaarden van de AIVD," Missie van de AIVD, Algemene Inlichtingen en Veiligheidsdienst, accessed December 20, 2023, <https://www.aivd.nl/onderwerpen/missie-van-de-aivd>

⁶⁴"Geschiedenis van de inlichtingen- en veiligheidsdiensten in Nederland," Kennislink, Nemo, accessed December 20, 2023, <https://www.nemokennislink.nl/publicaties/jarenlange-discussie-over-geheimhouding-en-democratie/>.

⁶⁵ Bob de Graaff and Constant Hijzen, "Zwijgen is zilver en spreken is goud," *Justitiële Verkenningen* 44, no. 1 (March 2018): 150.

requirements of public debate about the security service.⁶⁶ Let me therefore start this exploration of the AIVD report by stating that it is far from astonishing that it has received resistance. This might even be legitimate from a liberal point of view and is inextricable from the service's inherent paradoxes. However, in this chapter I position my critique from another point of view. With insights from radical democracy, I will argue that the AIVD and WPP are not neutral guardians of the democratic rule-of-law, but actively determine the parameters of the political and therefore act politically. Consequently, they fail to see that the reaction of FVD and potential extremists is not necessarily a *threat to democracy*, but an *effect of democracy*. To do so, let me first introduce another paradox.

2.1. We value democracy, but...

The AIVD's *raison d'être* is, in Rancière's words, to police. The service exists because there are actors that undermine our democratic rule-of-law and its primary exercise is to classify dangerous from harmless. One might therefore expect that the AIVD is inherently suspicious of democracy, since democratic freedom allows anti-democratic behavior to emerge. However, AIVD's mission statement says otherwise: they have "a rock-solid faith" in democracy. Which then of course begs the question: why the need to defend it?

The mission statement asserts that democracy is both the friend of the AIVD *and* its foe. "We live in a democracy, *but*"; "We love democracy, *but*"; "We value democracy, *but*." Democracy is formulated as an ideal, *but* simultaneously the AIVD exists because of the negative sides of democracy, the implied chaos of democracy, that undermines the ideal form of democracy. We find the same schemata in the Law on Political Parties (WPP).

In our democracy, by voting you influence what happens in your municipality, province or country. You vote for the party that best represents your interests, and parties are therefore crucial. We need to protect our parties and therefore our democracy. At the same time, the parties that also gain our trust with our vote must never compromise our democracy. That is why this bill contains a possibility of party bans, which the court can impose as a last resort if parties want to destroy democracy.⁶⁷

"We need to protect our parties, *but*.", says the former Minister of internal Affairs, the submitter of the WPP. Not surprising, it was also the logic that was the reason for the around-the-table-discussion on democratic resilience: "how can a democracy defend itself against *self-destruction*"?

⁶⁶ Wetenschappelijke Raad voor het Regeringsbeleid, *Eigentijds Burgerschap*, by H.R. van Gunsteren. (Den Haag: Sdu Uitgeverij, 1992), 99.

⁶⁷ "Wetsvoorstel maakt verbod mogelijk op partijen die democratie ondermijnen," Nieuws, Rijksoverheid, accessed on December 20, 2023, <https://www.rijksoverheid.nl/actueel/nieuws/2022/12/22/wetsvoorstel-maakt-verbod-mogelijk-op-partijen-die-democratie-ondermijnen>.

Jacques Rancière too recognizes this paradoxical schema in current debates on democracy. It is what he calls the *contemporary democratic paradox* which goes something like this: "democracy as a form of government is threatened by democracy as a form of social and political life, so that the former must repress the latter."⁶⁸ The contemporary democratic paradox shows that modern societies employ a double definition of democracy, which presents us with a problem. Rancière explains the double definition as follows:

On the one hand, democratic life calls to implement the idealistic view of government by the people for the people. It entails an excess of political activity that encroaches on the principles and procedures of good policy, authority, scientific expertise and pragmatic experience. In this instance, good democracy seems to require a reduction of this political excess. Yet a reduction of political action leads to the empowerment of "private life" or "pursuit of happiness," which, in turn, leads to an increase in the aspirations and demands that work to undermine political authority and civic behavior. As a result, "good democracy" refers to a form of government able to tame the double excess of political commitment and egotistical behavior inherent to the essence of democratic life.⁶⁹

He describes the paradox as a double oscillation between different interpretations of democracy. An oscillation between the ideal democratic government that is both legitimized by and only the people and works for and only the people, but admits that the will of *only* the people will result in an excess of democracy and bad policy. However, limiting political excesses must not result in a limiting of political action, because then we would live in a society where it is every man for themselves. As such, democracy is a form of government that must manage those excesses inherent to democratic life in order to sustain its own existence.

To translate this to the central theme of this thesis, the contemporary democratic paradox poses that the *democratization of democracy* is equivalent to the elimination of democratic excesses. However, in the previous chapter we have seen that radical democracy theory employs a completely different notion of the *democratization of democracy*: the legitimization of democratic excesses. What would happen if we try to understand both the AIVD report and proposed WPP from a position of radical democracy?

⁶⁸ Rancière, *Dissensus*, 47.

⁶⁹ *Idem.*, 47.

2.2. The democratic paradox? Democracy as a paradox

As we have seen in the previous chapter, Rancière defines democracy not as a form of government and not even as a form of social life. His conception of democracy is below or beyond these propositions: he poses that democracy is the institution of politics. Democracy is the egalitarian proposition without which there can be no political action, because the latter is always a demonstration of equality. Politics is the speaking up of those voices that otherwise have no reason to be heard. As such, the institution of politics is paradoxical. Democracy presents an answer to the question who should rule. But the answer is paradoxical, namely that the very ground for the power of ruling is that there is no ground at all.

But as we have seen in Rancière's conception of the political, politics is never an autonomous actor. It is always a reaction as to its dismissal, what he calls police. We can understand the AIVD report as a very clear illustration of Rancière's police.

2.3. The first signs of police

Politics is the demonstration of the presupposition of an egalitarian society. Equality, then, is not the goal of democracy nor its essence, it is the *ground* on which democracy exists and political action can arise. Police, on the other hand, acts on a presupposition of hierarchy. It is a consensual approach to society, in which it is believed that there is a proper distribution of roles and places that we adhere to. Police's logic is static, the experience of the social order is considered to be common to all and non-litigious. As such, the social order is not up for political debate.⁷⁰

The logic of police is prevalent in the AIVD report and its interpretation of anti-institutional extremism. The report divides society into different and distinct groups. Some of these groups are possible threats to democracy, others are harmless. About the former, society should be concerned, but the latter -and their particular interaction with our democracy- are not taken into account. The conditions for this distinction are as clear as they are vague. The AIVD distinguishes the undemocratic from the democratic because these former "specifically target democratic institutions and processes for ideological reasons, and are prepared to engage in (non-)violent activities that undermine the democratic legal order."⁷¹

What activities exactly undermine the democratic legal order is not clear-cut. Yes, the list includes activities that are against the law, but also activities that are strictly legal however still deemed dangerous by the AIVD. Among others, the list of threats includes the spreading of disinformation (what classifies as disinformation?) and the spreading of fear (does this include Halloween?). It is of course because of these vague demarcations that the AIVD and politicians speak of a problem of democratic resilience rather than a problem of legal enforcement. The rise of anti-institutional extremism and

⁷⁰ Steven Corcoran, "Editor's Introduction," in *Dissensus: on Politics and Aesthetics*, Jacques Rancière. (London: Continuum International Publishing Group), 5.

⁷¹ "Anti-institutioneel extremisme," AIVD.

negligence of our democratic "mores" cannot be fixed with intensified police intervention or another lawsuit. It should be fixed with a democratization of democracy, a raise of our democratic ethos. And the parameters of this ethos? Those are determined through the procedural boundaries of, for example, the AIVD and WPP.

Despite the ambiguous criteria, the AIVD has a clear picture of those who belong to the group that threatens our democratic rule of law ("the AIVD estimates that at least one hundred thousand Dutch people are currently participating in this narrative to some extent."⁷²). Former member of parliament Renske Leijten has openly criticized the recent AIVD report for their *partition of the sensible*. By "lumping together" all people that have anti-institutional tendencies, the AIVD ignores that people have very different reasons for being critical of the government. She poses that the AIVD's lack of precision contributes to the conflict it wishes to prevent.⁷³

Admittedly, an interesting insight, but not yet complete. In my analysis of the AIVD report and proposed WPP, I have identified two other elements that are problematic from a radical democracy point of view, and might contribute to the received resistance. Through a critical engagement with Rancière theory, the first problem is found in a "negligence of the democratic void". Insights from Lefort and Balibar help us understand the second problem: the "not-so-empty" place of power.

2.4 The negligence of the void

Let me begin by questioning whether a substantial body of empirical data would be enough to divide society adequately. Even if the AIVD would have presented the reader with sufficient empirical backing for their claims, Rancière would point to the illegitimacy of these claims. Given that Rancière posits that the distribution of the sensible is a purely symbolic act, this division never leaves the realm of language.⁷⁴ What this means is that there is no such thing as a group for or against this narrative somewhere in the real world, which empirical insights can point us to, but that these groups come into existence *because* we talk about them this way. The empirical data is always a result from arbitrary demarcations. There is only a worrisome narrative because we have talked about it that way.

But more important is Rancière's critique of the negligence of "the void" or "the supplement" that police action will always imply. The reason that political action is possible; the reason why political action can rearrange the distribution of the sensible that police has installed, is because of a "void" inherent to the political subject. To understand what this means, let me quote Rancière's fifth thesis on politics:

⁷² AIVD, "Publiekssamenvating publicatie over anti-institutioneel extremisme," *Algemene Inlichtingen en Veiligheidsdienst*, May 25, 2023, <https://www.aivd.nl/documenten/publicaties/2023/05/25/anti-institutioneel-extremisme-in-nederland-een-ernstige-dreiging-voor-de-democratische-rechtsorde>, 4.

⁷³ Versteegh, "De AIVD waarschuwt voor polariseren," *NRC*.

⁷⁴ Rancière, "Ten Theses on Politics," 10.

The 'people' that is the subject of democracy — and thus the principal subject of politics — is not the collection of members in a community, or the laboring classes of the population. *It is the supplementary part*, in relation to any counting of parts of the population that makes it possible to identify 'the part of those who have no-part' [le compte des in comptés] with the whole of the community.⁷⁵

The subject of democracy is not the collection of members in a community, it is *the supplementary part*. "The people" does not refer to the complete body of citizens such as "all taxpayers" or "all citizens able to vote." Instead, Rancière argues, the people is always *more* or *less* than itself: it is a universal and abstract concept which those who are excluded from democratic action (the part that have no-part) can identify themselves with, and from which they can act politically. The people, the supplementary part, "is the power of the *one more*, the power of *anyone*."⁷⁶ His point is that for political action to be possible, the people needs a *supplement* or *void* so that the political subject can disconnect itself from its role in the partition of the sensible, from the "various logics of legitimate domination."⁷⁷ The very fact that this happens, the very fact that workers are able to go on strike or that women have succeeded in their struggle for the right to vote, is proof that this void exists. The void enables emancipation, "it makes visible that [world] which had no reason to be seen."⁷⁸

Police denies this void. It is the negation of the possibility of emancipation. It distributes the sensible so that the subject is no more than their assigned role or place. It is responsible for the covering up of different worlds, because following the logic of police, the only world possible is already established. To understand the workings of police, Rancière presents his reader with an example of *the police*. He writes:

Let us begin from an empirical given: police intervention in public spaces does not consist primarily in the interpellation of demonstrators, but in the breaking up of demonstrations. The police is not that law interpolating individuals (as in Althusser's "Hey, you there!") unless one confuses it with religious subjectification. It is, first of all, a reminder of the obviousness of what there is, or rather, of what there isn't: "Move along! There is nothing to see here!" The police says that there is nothing to see on a road, that there is nothing to do but move along. It asserts that the space of circulating is nothing other than the space of circulation.⁷⁹

By breaking up the demonstration, the police shows that there is nothing important here to pay attention to. The AIVD also divides up society and assigns people to a particular place: threat versus non-threat.

⁷⁵ Rancière, "Ten Theses on Politics," 7.

⁷⁶ Rancière, "Politics, Identification and Subjectivization," 59.

⁷⁷ Rancière, "Ten Theses on Politics," 8.

⁷⁸ Idem.

⁷⁹ Idem.

Doing so, it dismisses the political potential of both groups, especially because the criteria for this division is a so-called *false* narrative, which is defined as such by the AIVD. Therefore, the role of the AIVD is similar to the police in the example above: they break up the demonstration and say “There is nothing to see here! Just some radical with illegitimate claims, move along!” Politics is the complete opposite, Rancière writes:

Politics, in contrast, consists in transforming this space of 'moving along' into a space for the appearance of a subject: i.e., the people, the workers, the citizens: It consists in refiguring the space, of what there is to do there, what is to be seen or named therein. It is the established litigation of the perceptible, on the *nemeîn* [distribution, allocation] that founds any communal *nomos* [management, law].⁸⁰

If policy is concerned with identification (with identifying divisions in society, the partitioning of the sensible) then politics is concerned with subjectification (with disidentification or declassification).⁸¹ He writes that “policy is about *right names*, that pin people down to their place and work” but “politics is about *wrong names* - misnomers that can articulate a *gap* and connect with a wrong.”⁸² The void is therefore a politically relevant gap, necessary to show injustices and articulate wrongs. The void is a political space. To deny this void is to present the parameters of the political as given and agreed upon. Therefore, it is not a neutral act, but I would argue, in fact a political act in disguise. Especially when one regards the nature of division: this particular partition of the sensible is not a matter of hierarchy in class or status, wealth or knowledge, but a matter of political position, of what view is understood as favorable and unfavorable.

2.5 And the *not-so-empty* place of power

The Law on Political Parties (WPP) did not go by unnoticed. Supporters and opponents of the party ban took on each other in the newspaper's opinion section and in the law's internet consultation (which now counts 979 public responses). Similar to the around-the-table-discussion, these debates focus on the *antidemocratic* or *ultrademocratic* nature of the law. But, the biggest reason for all this commotion is timing, legal scholar Bastiaan Rijpkema argues:

“Just when there is no acute threat from an anti-democratic party, politicians should have acted and reviewed the legislation on it. Now the whole discussion about banning parties has been

⁸⁰ Rancière, “Ten Theses on Politics,” 8.

⁸¹ Rancière, “Politics, Identification and Subjectification,” 61.

⁸² *Idem.*, 62.

hijacked by the constant fuss about Forum for Democracy, which will make it seem that the government is on a FVD-mission if a new bill is introduced now.”⁸³

Of course, my argument is that the timing is just *right*: the proposed law is both a cause and effect of the current Event in Dutch politics that exhibits a fear for this democratic threat, that is not external, but inherent in democracy. Without such a fear, there would be no reason to introduce the WPP. Nevertheless, Rijkema might be right that the debate on the law has become more difficult than ever. The reason being that the WPP essentially posits that certain actions are legitimate, but others are illegitimate in a democratic debate. To prevent any harm to democratic institutions, the latter must be prohibited from the democratic debate. However, the various political parties have not quite reached an agreement about what actions are. On top of that, some parties see this law as a direct attack on their right to exist, such as the right-wing populist party PVV and the right-wing anti-establishment party FVD.

In Rancière's exploration of Plato's *Laws*, he presents a few qualifications that have throughout history determined who were allowed to rule and who were not. He names wealth, knowledge, birth and strength. In his book *Hatred of Democracy*, he then shows how these qualifications still govern our democratic systems. Technocratic and elitist governments have transformed politics in a consensual managerial state where the supplementary "people" are reduced to the empirical category "the population" and politics is left to the professional politicians in parliament.⁸⁴ Knowledge, wealth, birth, class still govern our government and in the meantime, we hate that democracy acknowledges everyone as a political subject. In a similar vein, Balibar's radical democratic theory deals with political subjects who are not yet recognized as such: refugees, the *sans-papiers*. But the WPP is different: the WPP wishes to restrict subjects from entering the democratic debate not on the basis of their class or knowledge, "qualifications" par excellence, but because of their political standpoint. The law wishes to restrict the political rights of people who were earlier already recognized politically. The fact that our government has proposed such an idea makes us question the *emptiness of the place of power*, because the parameters of the political are determined *a priori* by the state. Is it really true that in this democracy, every citizen can enter the debate about what is illegitimate and legitimate without *any* guarantor and *any* end?

The restrictions imposed by the WPP can be thought of as the conditions through which political action can arise, the heteronomy of politics as described by Balibar. A look into Balibar's theory might give us the first clue into the counterproductivity of the WPP and AIVD report.

⁸³ Haro Kraak, "Een partij verbieden? Alleen in het uiterste geval, zegt Bastiaan Rijkema: 'D66 wil een shortcut, gericht op Forum'," *de Volkskrant*, November 23, 2022, <https://www.volkskrant.nl/nieuws-achtergrond/een-partij-verbieden-alleen-in-het-uiteerste-geval-zegt-bastiaan-rijpkema-d66-wil-een-shortcut-gericht-op-forum~b32194f0/>.

⁸⁴ Steven Corcoran, "Editor's Introduction," in *Dissensus: on Politics and Aesthetics*, 5.

2.6 The dialectics of transformation

In the analysis of Balibar's definition of the political, I have suggested that Balibar understands politics as a dialectical process. With his distinction between the autonomy of politics and the heteronomy of politics, Balibar shows that political conditions influence political action and that political action transforms political conditions. He takes this idea from Marx, who views that politics is an internal transformation of non-political conditions, which "produces", as it were, emancipative action. Put differently: "Marx's politics, in equal measure to the politics of emancipation, pursues the aim of establishing the autonomy of its subjects, but it regards that autonomy as a product of its own movement, not as a prior assumption. Its perspective is one of a *becoming-necessary of liberty*."⁸⁵ For Marx those non-political conditions are the economic structures of history, for Balibar, they can be more: laws, patriarchy, intellectual domination, etc. Not interested in the specific transformation of the economic base, Balibar generalizes Marx's theorem: "Retrospectively, the Marxian short circuit thus appears as the prototype for a more general schema: the pattern of referring back to the material conditions of politics, which is in turn required for the internal political transformation of those conditions."⁸⁶

It appears to me that the WPP can be understood as such a condition of politics. And although liberal democratic theorists might interpret this rule-of-law intervention as a non-political condition to politics, Marx and Balibar show that it is "eminently political."⁸⁷ The conditions determine who are and who are not politically recognized. Following Balibar's Marxist schema, it must not surprise us that this new law meets resistance. The heteronomy of politics harbors within itself the *revolution*. The political autonomy of subjects is realized through the dialectical interplay with its conditions. Although the WPP might aim to exclude certain political subjects from the political arena, the premise of equal liberty posits that these political subjects nevertheless have the ability to emancipate within these structures and even transform these structures. I think of Thierry Baudet questions at the around-the-table-discussion, the subsequent applause, the demonstrations at the Malieveld or the complete withdrawal from democratic life by those who call themselves "autonomous."⁸⁸

One might argue that the law would only set conditions for politics when it is accepted in parliament, meaning that a majority is in favor of imposing these conditions. The restriction of democratic part-taking would then be accepted on democratic grounds, would it not? Indeed, as Lefort would contend, democracy establishes a debate as to what should be considered legitimate and illegitimate. In our government, we have decided that a majority in parliament ultimately establishes a law's legitimacy. This might suggest that what is *judged* legitimate by parliament *is* henceforth legitimate. However, Lefort continues, this is by no means the case. Instead, he writes: "the legitimacy

⁸⁵ Balibar, *Politics and the Other Scene*, 10.

⁸⁶ *Idem.*, 11.

⁸⁷ *Idem.*

⁸⁸ See for example NOS Nieuws, "Hoge Raad bezorgd over 'autonomen': 'Kwetsbare burgers die verder wegzakken'," *NOS*, December 2, 2023, <https://nos.nl/artikel/2500032-hoge-raad-bezorgd-over-autonomen-kwetsbare-burgers-die-verder-wegzakken>.

of the debate as to what is legitimate and what is illegitimate presupposes, I repeat, that no one can take the place of the supreme judge: "no one" means no individual, not even an individual invested with a supreme authority, and no group, *not even the majority*.⁸⁹ Even if a majority agrees on the matter, still the democratic public space allows for individuals to speak up and to denounce the "truth" of the majority. I think of the supporters of the "worrisome narrative". Lefort writes: "In the event, the majority may prove to be wrong, but not the public space."⁹⁰

2.7 How then shall we live?

If there is one thing that radical democracy shows us, it is that democracy cannot be "tamed" by rules, laws or reports. This misunderstanding follows from a limited conception of democracy, which does not account for democracy as equaliberty, as emancipation or as interrogation. In Rancière's schema, politics is always a reaction to police: to *redistribute* what is distributed.⁹¹ And the dialectical interpretation of Balibar shows us that democracy is never finished as such, but instead democratic action is concerned with transforming the political conditions that determine political action. From this perspective, a *democratization of democracy* is born out of injustices or the exclusion of citizenship. As I have tried to show above, the political parameters set by the AIVD report and the proposed WPP are not neutral. By identifying the "undemocratic subject" and by proposing a law that would make it impossible for this subject to enter the democratic debate in parliament, the AIVD and WPP strip people of their political potential (the void) and determine a priori who may fill the seat of power. That, while radical democracy has shown that the ontological emptiness of both categories is the basis of democracy.

Luckily, our current institutions still allow for rebuttal. Although Rancière might argue that all forms of police are domination, I pose, together with Balibar and Lefort, that institutions can enable democratic action and allow for democratic resistance. And they do. That is why I argue that the "counterproductivity" of the state actions should not be considered an *undermining* of democracy, but an *effect* of democracy. If the response to the AIVD report and proposed WPP show us anything, it is the *productivity* of our democracy. It shows that our institutions still allow for a debate without end, even if this takes place on the Malieveld or online. To think of these people as undemocratic does not do justice to the depth of the implications of democracy, radical democracy shows.

But this leads me to my last remark, which deals with the issue of security. While the AIVD, the proposed WPP and the discussion around "democratic resilience" may speak of a limited, consensus-oriented conception of democracy, they do account for an issue that has not been mentioned by radical

⁸⁹ Lefort, *Democracy and Political Theory*, 41.

⁹⁰ *Idem*.

⁹¹ From "redistribution of the sensible", see Corcoran, "Editor's Introduction," in *Dissensus: on Politics and Aesthetics*, 1.

democratic theory thus far. The AIVD, WPP and the discussion around “democratic resilience” acknowledge that democratic freedom allows for insurrectional voices, but that these voices might jeopardize the safety of other citizens and the state. It is their responsibility to prevent this from happening. In the latter part of this thesis, I will try to see if Lefort, Rancière and Balibar can account for this responsibility. Can we think of democracy as a dissensual and contingent form of life that *simultaneously* protects a valuable collective form of life? In other words: how then shall we live?

Chapter 3 - The Ignorant Philosopher

By interpreting the *democratization of democracy* as the affirmation of democratic rules and institutions, the Dutch government may actually be creating the grounds on which the so-called “anti-democratic” or “anti-establishment” voices grow. Balibar, Rancière and Lefort would argue that the very *implication* of democracy is that the people are able to resist, redefine and redistribute the names and places that are assigned to them. In the above, I have argued that this is exactly what happens when groups express anti-institutional sentiments, either on the Malieveld, in parliament or online. Nevertheless, this argument neglects a very important issue. An issue that actually might be a leading factor in the actions of government as described in the introduction. How can a democracy, as a valuable form of collective life, sustain itself when there are groups undermining or even attacking democratic institutions? The current answer of government might prove insufficient, or counterproductive even, but so far, we have not even seen an attempt to answer this question by the radical democracy theorists. In this and the following chapters, I will try to shed some light on this question with an interrogation of the three thinkers. The first step in this endeavor is then to ask Lefort, Rancière and Balibar the question: does there exist such a thing as an undemocratic subject? Or in other words: can democracy be threatened from within, as the liberal democratic interpretation suggests?

3.1 The undemocratic subject

In the liberal sense, the *undemocratic* subject is the negation of the *democratic* subject. As we have seen, the democratic citizen promotes democratic values by entering constructively into our representative parliamentary political system, adheres to the democratic rules as presented in the law and respects our political, governmental and legal authorities. The undemocratic subject, then, does not adhere to these criteria. They are consequently classified as a potential threat to the system and should be prohibited from entering the political arena as such. I apologize for bringing this line of reasoning up again, but I do so for a reason. When asking Rancière, Balibar and Lefort the question of their account of an undemocratic subject, it would be tempting to apply the same formula of the liberal definition above. For Lefort, for instance, democracy means the institutionalization of conflict, and the guarantee for a continual empty place of power. The undemocratic subject, then, would deny these characteristics. They would want to permanently fill the place of power and abolish all institutionalizations of power. For Rancière, this formula would define the undemocratic subject as the policing-subject. The actor who denies equality and installs hierarchy, who assigns places proper and thereby denies the subject’s political potentiality. Lastly, in Balibar’s work democracy is both understood as the foundation for equaliberty as well as the promise of equaliberty. The undemocratic subject would offset the equality/liberty of all, thereby rendering the democratic systems meaningless.

And while this interpretation is not entirely wrong, it is neither truly helpful. The reason for this is that this interpretation overlooks a very important theoretical difference between the way liberal democracy defines democracy and the way radical democratic thinkers define the concept. Whereas liberal democratic theorists define an *undemocratic subject* in contrast to the democratic *system*, the radical democratic theorists define the democratic *subject* in contrast to the *undemocratic system*. In other words: the radical democratic theorists take democracy to be the symbolic principle upon which a subject is able to exert their political potentiality. That way, the subject is *always* democratic (as long as it acts politically), even though the material conditions in which this subject acts can be undemocratic. Democracy cannot be threatened from *within*, but is threatened from the *outside*. Before turning to the obvious problems this definition of democracy entails, allow me to explain the statement above.

For both Rancière and Balibar, their notion of a “democratization of democracy” illustrates most clearly what I have stated above. Modern day conceptions of democracy are actually *undemocratic*, Rancière argues, to which Balibar for the most part agrees - I will get to this difference later. That is, modern day conceptions of democracy define the matter as a governmental system that favors stability and consensus, while democratic action, or politics, in fact stirs up this distribution. Politics is always an action that is grounded in a subject. Democracy is the institution of this action; it is the very qualification from which the subject can become a political subject. Police, on the other hand, is grounded in the sphere of rules, systems and institutions. As such, there exists no undemocratic subject, there exists an undemocratic society, or as Rancière calls it: “post-democracy.”⁹² The same mechanism is at work in Balibar’s two concepts of politics. The autonomy of politics, or emancipation, is always democratic because it puts into practice the premise of democracy: equaliberty. And while heteronomy of politics is able to stimulate equaliberty, more important for this argument is its ability to restrict it. Frankly, Balibar’s work shows that this happens continuously. That is why Balibar continuously stresses the importance of a democratization of democracy.

While the theoretical mechanism for Lefort differs from Balibar’s and Rancière’s, the argument still holds. Lefort’s symbolic account of democracy does not allow us to think of an undemocratic subject acting within a democratic system. The reason being that Lefort’s conception of democracy can only be understood when compared to its undemocratic backdrop: totalitarianism. Lefort therefore only defines democracy in its negative moments: “its essence is that totalitarianism does something that democracy does not - fill the symbolic place of power. Indeed, democracy’s distinguishing feature for Lefort, is not, say, freedom, equality or the power of the people, but *indeterminacy*, a negative property that leaves its positive content open.”⁹³ For Lefort, there does not exist something as *undemocratic*, rather there exists something *un-nontotalitarian*. A double negation, that just means totalitarian.

⁹² Jacques Rancière, *Disagreement: politics and philosophy*, trans. Julie Rose (Minneapolis: University of Minnesota Press, 1999), 95.

⁹³ James Ingram, “The politics of Claude Lefort’s political: between liberalism and radical democracy,” *Thesis Eleven*, 87. (2006), 42.

Whenever the symbolic mutation is mutated, whenever knowledge, power and law condense, we are no longer *within* democracy, but we have entered totalitarianism. As such, the undemocratic subject does not exist. At least, not as of yet.

3.2 The ignorant philosopher

Radical democratic theory leaves us with the problem of the ignorant philosopher. Caught up with their own system of thought, they neglect to think of real-life scenarios. They refuse to guide real-life politicians and administrators how to actually advance democracy within their tasks to safeguard the nation. Although the liberal-constitutional interpretation of democracy might neglect the emancipative properties of the people, at least they can account for a positive evaluation of collective life. Instead, the radical wishes to remain seated in their ivory tower. Rancière's anarchist discussion of democracy is known to receive this type of criticism. Whenever I read Rancière's work, I am reminded of this passage:

But while admiring his understanding of the disruptive nature of democracy, we must note that he is unclear about what constitutes a valuable collective life. When he claims that 'we do not live in democracies' (Rancière 2006, 73) and that 'our institutions are not democratic, they are representative, hence oligarchic' (Confavreux 2019, 2), he seems to be interested in the injustices of the current situation rather than in its possible alternatives. As Çidam puts it, 'Rancière reduces politics to the negative moment of interruption at the expense of the positive moment of constitution' (Çidam 2021, 140). That is, while there might be better or worse forms of police, the idea of a possible democratic governance is problematic from the beginning (May 2012, 120).¹² Any order, be it a multicultural, multiracial or queer utopia, will still be a consensus – namely, a police, challenged by definition by democratic insurgence.⁹⁴

3.3 Rethinking democratic collective life

How do we go from here? By changing the questions we ask. The underlying motive for the identification of the "undemocratic subject" is the positive evaluation of the democratic subject. This evaluation is derived from another motive, namely the liberal idea that democracy is the best form of politics, or, as the cliché goes: the worst except for all the others. Again, this differs from the radical democracy. Rancière, Balibar and Lefort write that democracy is not the best, but the *only* form of politics. That is no value judgment, but a mere statement. As such, the question of how to "protect democracy from itself" is an odd question. It views democracy as a system, while the radical democracy

⁹⁴ Herzog, "Lefort and Rancière on democracy and sovereignty," 10.

theorists define democracy as an action. Democracy-as-action is the result of a symbolic mutation, and cannot be simply reversed. Even in totalitarian or oppressed circumstances, political subjects can arise. The real question we therefore have to ask in the context of radical democracy: why and when would democracy need to revive itself? How do we preserve the empty place of power and the notion of equaliberty? In other words: *how do we sustain a democratic being-together?*

In the next chapters, I will answer this question by interrogating the radical theorists themselves. In these chapters, not the similarities but the differences between philosophers will help us understand this question above, given that each of the philosophers is engaged with their own political and philosophical project. While Lefort is particularly interested in conditions for non-domination or non-totalitarianism which he seeks in democracy, Rancière poses that domination is always part of democracy because of its consensual tendency. As such, Rancière is much more interested in politics of dissensus or emancipation than non-domination. Moreover, although emancipation and the “democratization of democracy” are both main themes for Balibar and Rancière, Balibar does not only seek this in the dissensual character of politics. He posits that transformative politics, focusing on the material parameters of the political, can *also* democratize democracy. In his thought, institutions do not merely interfere with political action, but can also enable politics. From these different projects I pose that there exists a necessary distinction between Lefort on the one hand and Balibar and Rancière on the other, a distinction that will structure the coming chapters. Where Lefort is mainly interested in the *bare minimum* conditions for democracy (non-totalitarianism), Balibar and Rancière aim for *more* democracy (a democratization of democracy). How do these different approaches help us to rethink democratic collective life?

Chapter 4 – The Democratic Disposition

It is true that Lefort's political theory compares democracy in the light of its adversary: totalitarianism. Both systems respond to the problem of the disincorporation of power. Democracy accepts this empty place of power, and even wishes to sustain it through the institutionalization of conflict. Totalitarianism, however, tries to overcome the empty place of power by re-embodiment. It seeks to symbolically conflate power and society: it states that the complete social body is reflected in the totalitarian leader or party. In chapter one and three of this thesis, I have criticized Lefort's symbolic understanding of democracy since it seems to be unable to account for any positive evaluations of democratic citizenship. While it is true that the majority of Lefort's work is caught up with the symbolic implications of democracy, this critique does ignore an important and up till now overlooked legacy of Lefort's democratic definition, namely the *institutionalization* of conflict. This aspect of democracy that he deems important, *materializes* the disincorporation of power. An important insight, because it might help us understand how Lefort conceives of institutions that aim for a democratic being-together. In the following chapter, I will show how Lefort's notion of the populist might help us understand *undemocratic* behavior, without resorting to totalitarianism. From this position onwards, I will try to show what positive evaluations of democratic citizenship might be distilled from Lefort's thought.

4.1. The institutionalization of conflict

Up till now I have mainly focused on Lefort's contribution to a post-foundationalist, radical conception of democratic politics. However, I argue that there also resides a somewhat "liberal" conception of democratic politics in Lefort's work. This distinction is what Ingram has conveniently called politics-as-conflict and politics-as-regime in his analysis of the radical/liberal poles in Lefort.

I want to suggest that the central elements of Lefort's understanding of modern democracy – the empty place of power, the ineradicability of political alienation, the production and reproduction of the public space through conflict – lend themselves to two very different conceptions of the tasks and possibilities of democratic politics. On the one hand, we can regard political alienation as a necessary limit. The main danger to democracy would then be trespassing this limit, succumbing to the totalitarian temptation to fuse power and the social. This is the view of liberalism, which seeks to accommodate politics-as-conflict within a legal and institutional order that stabilizes it and keeps it within certain bounds. On the other hand, we can emphasize conflict and dissent as themselves constitutive of democracy, as necessary to maintain its openness. On this view, the main danger to democracy would be freezing or institutionalizing a particular arrangement of power. Politics-as-conflict is always necessary to

renew politics-as-regime by challenging its limits. This is the view of radical democracy. These two possibilities coexist in Lefort's conception of democracy, and for the most part he refuses to choose between them.⁹⁵

This distinction in Lefort's work is important for our aims. It allows us to think of democracy in terms of a system, which can either be accepted or undermined. Lefort believes that ideas of radical democratic politics and liberal democratic politics are best combined in a representative democracy.⁹⁶

In a representative democracy, the disincorporation of power takes shape in institutions, which he calls "the institutionalization of conflict."⁹⁷ After the French Revolution, power is continuously looking to legitimate itself. As such, we come to know that society is inherently divided: there exists a diversity of interests, opinions and beliefs. In a representative democracy "the exercise of power remains dependent on the competition of parties and [...] this competition, strictly defined, confers a sort of legitimacy to the conflicts which play out in society and provides for them a symbolic framework which prevents them from degenerating into civil war."⁹⁸ Moreover, "representative democracy is not merely the system in which the representatives hold political authority in the place of citizens who have designated them; it is also the system that gives society a visibility."⁹⁹ If the political helps society understand itself, representatives such as political parties, unions, social movements and organized minorities are the actors that present the social with this mirror. They stage democracy's empty place of power and help people understand the possibility for public deliberation within a society.¹⁰⁰

4.2. The populist the negation of representation

It is from this point that we can see that not only totalitarianism poses a threat to democracy, but also more subtle dissolutions of the representation of conflict. Selinger points us to an overlooked part of Lefort's theory, namely his theorizations of populism after the rise of Le Pen in France in the late 20th century. It was Le Pen's stated *commitment* to democracy that was incompatible with Lefort's theory of totalitarianism. Le Pen was not openly against electoral democracy, as a matter of fact, he was "seeking to revive electoral democracy."¹⁰¹ Simultaneously, however, Le Pen's commitment to democracy was at odds with Lefort's theory of the democratic symbolic order. His rhetoric was undeniably fascist,

⁹⁵ Ingram, "The politics of Claude Lefort's political, 38.

⁹⁶ William Selinger, "From totalitarianism to populism: Claude Lefort's overlooked legacy," *Philosophy and Social Criticism* 0, no. 0 (2023): 2.

⁹⁷ Lefort, *Democracy and Political Theory*, 17.

⁹⁸ Claude Lefort, "Democracy and representation," in *The Constructivist Turn in Political Representation*, trans. Greg Conti, ed. Lisa Disch, Matthijs van de Sande, and Nadia Urbinati (Edinburgh: University Press, 2019), 106.

⁹⁹ Lefort, "Democracy and representation," 106.

¹⁰⁰ *Idem.*, 107.

¹⁰¹ Selinger, "From totalitarianism to populism," 4.

Lefort contends, when Le Pen claims that he desires an undivided French nation.¹⁰² As such, in his analysis of populism, Lefort theorizes a form of politics neither totalitarian, nor democratic. Although it resides within the democratic system, populism seeks to undermine the democratic principles. In other words: a populist party is not totalitarian, but *undemocratic*. What does Lefort's theorization of populism teach us about the identification of an "undemocratic other" that threatens our democratic being-together?

Lefort recognizes that populism arises from the tensions that exist in a representative democracy. On the one hand, democracy implies a sovereignty of the people, on the other, representation means the "outsourcing" of this sovereignty to government officials. We can dismiss this contradictory relationship because of its naivety or simply because there is no way around representative systems in our large political communities, but that would be of no help to understand populism. In fact, the populist party is right to claim that representative government and democracy are in no way evident partners. Actually, Lefort reminds his reader, "representative democracy was not established in a day."¹⁰³ The Americans have spent years debating on how they would arrange representative government before settling on the federalist system we know today. Similarly, Lefort points to France, who had only accepted the notion of representation at the end of the nineteenth century. It is the supposed distance that representation implies, the distance between the *people* and the *representative*, that the populist ideology detests.

Connected to the issue of *distance within representation*, is the populist problem with the two powers that belong to a representative democracy: *political* power and *state* power. A healthy representative democracy needs these two powers to be distinct, Lefort contends. Of course: state power must ultimately be limited by political power, but the system needs a certain distance between the two to be able to function. This is what the populist party cannot account for: while political power is easily connected to the democratic "power of the people," state power seems simply at odds with it. To overcome this issue, Lefort poses that the populist party tends to conflate the two powers. It rejects the distance between political power and state power and thereby depicts an all-encompassing power which determines all state policy. From this position, the populist party sketches a "vaguely united people"¹⁰⁴ to whom popular sovereignty belongs, and a ruling-elite, who are in the seat of power and disregard the popular will as they please. The populist party promises their constituency to handle power differently, more democratically: they demand that the people's will is embodied in the institutions of government. "In this way," Lefort writes, "all the forms of social representation find themselves perverted once they are integrated into a single, unified system of power."¹⁰⁵

¹⁰² Selinger, "From totalitarianism to populism," 4.

¹⁰³ Lefort, "Democracy and representation," 105.

¹⁰⁴ Selinger, "From totalitarianism to populism," 7.

¹⁰⁵ Lefort, "Democracy and representation," 113.

In Lefort's analysis of populism we can observe two movements. First, the populist party depicts the people as a unified group, hinting at the idea of a *people-as-one* that we find in Lefort's conception of totalitarianism. But more specific to populism in contrast to totalitarianism, is the idea that the populist ideology hates the distance between the people and the administrator and promises to abolish it as soon as they are in power. As such, they create a divide between the ruling-elite and the ignored-people and pose that our representative system does not enable the people to participate in politics, but thwarts it.

This is why the populist party is *undemocratic*: it is in conflict with Lefort's conception that democracy is a symbolic regime, and that representative systems help us to imagine the regime as both permanent over time as open to change. The representative organizations "exhibit before everyone, the sources and results of public deliberation, to render legible the confrontation of the issues engendered by the diversity of interests and opinions within society."¹⁰⁶ And instead of thwarting political participation, Lefort poses that it is only through representative institutions, both within and outside of parliament, that one is able to participate. What it means to be a citizen involved in political life, is not "the sort of participation that we associate with 'direct democracy.'" Instead, Lefort writes, "participation at its most basic appears to me to involve in the sentiment of citizens that they are part of the political game [...] having the sentiment of being involved in it."¹⁰⁷

4.3. The democratic disposition

Have we then finally caught Lefort in a negation of his own notion of democratic contingency? Lefort poses that the democratic subject requires the "sentiment of being involved in it". Although tempting, I will not go so far just yet. Because Lefort stresses one very important aspect of such a claim: in a true democracy, with a truly empty place of power, we cannot establish *a priori* in what way the democratic subject behaves within the political order. It might be redundant, but this fragment from Lefort's *Writing, The Political Test* describes his position so well:

Democracy does not allow itself to be reduced to a set of institutions and rules of behavior for which one could provide a positive definition by means of a comparison with other known regimes. It requires people's adherence. And this adherence, or approval, isn't necessarily formulated in strictly political terms. Someone who exercises some public responsibility is under no obligation to take an oath of faithfulness to the constitution. It is perfectly possible for this or that person to flaunt his contempt for elections, for the decisions of the majority, for the demagogy of parties, and at the same time to display a desire for independence, a freedom of

¹⁰⁶ Idem., 107.

¹⁰⁷ Idem., 110.

thought and speech, a sensitivity to the other, an investigation of the self, a curiosity for foreign or former cultures. All of these displays bear the mark of the democratic spirit.¹⁰⁸

So, the "sentiment of being involved" is in no way a "virtuous" conception about the democratic subject, but it refers to a precondition of democracy: "adherence." Although an active proposition (*to* adhere), which requires *something* from the subject, Lefort does not tell what it means. In Blackell's analysis of Lefort, we find a way to conceptualize "adherence". He writes:

Lefort [...] emphasizes the radical contestation that takes place in democratic society between social groups and authority claims. While democratic societies may require of citizens the intellectual toughness to live with the ambiguity of divided commitments, Lefort's theory of modern democracy treats those divided commitments as ongoing projects that are expressive of the radically open-ended nature of political society. Rather than speak in terms of virtues, we might speak in terms of an *existential disposition* to the world.¹⁰⁹

And this disposition is what Blackell calls "absent presence."

Democratic society [...] must be symbolically formed through recourse to an absent presence, an ongoing principle (the power of the people) that is both empty in the sense of not embodied and yet somehow present as a symbolic reference point and object of attachment by democratic citizens.¹¹⁰

A disposition of "absent presence" reiterates Lefort's notion of the disincorporation of power, but tries to overcome a reaction of political passiveness or an escape towards populist rhetoric. The disposition acknowledges that "the power of the people must be empty, in the sense of never being embodied, or made fully present, in social space, but *nonetheless* still be a symbolic point of reference."¹¹¹

I believe that Blackell's notion is helpful to understand what Lefort means with the "adherence" to democracy in relation to his positive evaluation of representative institutions. Because it seems to me that the latter *materializes* or *embodies* the disposition of absent presence. The representative institutions require a *distance* between the people and the institutions, so they are able to give visibility to the inherent dividedness of society. Simultaneously, they provide for everyone a measure of integration, a reason of attachment to democratic institutions. As such, they show that the place of power is empty, but not that it is absent. The institutions *are* the symbolic point of reference: although

¹⁰⁸ Claude Lefort, *Writing: The Political Test*, trans. and ed. by David Ames Curtis (London: Duky University Press, 2000), 266.

¹⁰⁹ Mark Blackell, "Lefort and the problem of democratic citizenship," in *Thesis Eleven*, no. 87 (November 2006): 55

¹¹⁰ Blackell, "Lefort and the problem of democratic citizenship," 57.

¹¹¹ Idem.

you are not directly participating, you are present in the political dispute. It is this disposition that the democratic subject needs to internalize for democracy not to turn into its opposite.

Chapter 5 - Radical Civility

As we have seen, in Lefort's work we find two understandings of politics, politics-as-conflict and politics-as-regime. In this dual understanding of politics, Lefort succeeds to combine the indeterminacy of democracy with an appreciation of democratic institutions. Balibar and Rancière's theorizations of politics, however, reside mainly in the former category and refuse to present their readers with a construction of institutional life. In *A few remarks on the method of Jacques Rancière*, Rancière poses that his texts should always be understood as an "intervention in specific context", not a coherent and complete political philosophy. He refers to his teacher Louis Althusser, who has shown him that ideology and ideas are material: they structure and orient thinking and moving. He poses that his philosophy is an intervention in these thinking and moving structures. He writes:

‘Where are we?’ means two things at once: ‘how can we characterize the situation in which we live, think and act to-day?’, but also, by the same token: ‘how does the perception of this situation oblige us to reconsider the framework we use to “see” things and map situations, to move within this framework or get away from it?’; or, in other words, ‘how does it urge us to change our very way of determining the coordinates of the “here and now”?’¹¹²

Rancière's method is creating pathways in which he constructs *where we* - the conglomerate of society, political subjects and systems - *are*. It is a similar strategy that we encounter in another of Althusser's students, Étienne Balibar. In his text on the *Three Concepts of Politics*, Balibar refuses to present his schemata as a complete political theory. Such an *a priori* understanding would "betray" his methodological principle that political philosophy can only be built from within specific contexts.¹¹³ Balibar writes:

"In so far as the concepts we have discussed here concern politics, they can be articulated only on individual pathways (or, more precisely, at the meeting point of individual pathways). Such pathways, like truth, are necessarily singular; hence no model exists for them."

Although Rancière, Balibar and Lefort are all grouped within the same post-foundational radical democratic thinkers, the above shows that the method of the former two thinkers differ substantially from the latter, who insists on reviving political philosophy. It is exactly this difference in method that makes Balibar and Rancière unfit to answer the question of what consists of an *undemocratic* subject and why I have insisted on changing the question for these philosophers. Instead of defining a

¹¹² Jacques Rancière, "A few remarks on the method of Jacques Rancière," *Parallax* 15, no. 3 (2009): 1-2.

¹¹³ Ingram, "Democracy and its conditions," 22.

democratic regime, let us define democratic actions, as these philosophers tend to do as well. In doing so, however, I will not underline the similarities between Rancière and Balibar - I have done that extensively already - but their differences will be of most importance. Balibar's contribution to radical democratic theory is that he thinks of democracy not only in terms of emancipation - as we have seen in Rancière, but also in terms of institutional and ideological conditions. As such, he overcomes the problem that we face in Rancière, Balibar tries to think of valuable collective life which he formulates in his conceptualization of *civility*. This chapter will investigate his concept by contrasting it with Rancière's ideas of civility, and hopefully help us understand how to sustain a democratic-being together from the perspective of radical democratic theory.

5.1 The limits of politics

The attentive reader might have noticed that of Balibar's *three concepts of politics*, only two have passed: emancipation and transformation. These two concepts show Balibar's dialectical interpretation of politics: the heteronomy of politics [...] gives emancipatory politics its matter, while the autonomy of politics [...] gives transformative politics its point."¹¹⁴ Because of this dialectical movement, Balibar is able to speak of a democratization of democracy, where democratization is understood as an emancipatory practice that arises from and affects the conditions of institutional democracy. However, he also coined a third concept of politics, that goes one step further in the thinking of the possibility of politics. By thinking through the *heteronomy of the heteronomy* of politics, Balibar asks himself under what conditions politics is even possible. An inquiry into the heteronomy of the heteronomy of politics is the inquiry into the conditions of the conditions of politics.

Interesting about his inquiry into the conditions of the conditions of politics, is Balibar's implication that there *are* limits to politics. I feel the need to stress this rather obvious observation because this stance differs substantially from how I have portrayed Balibar in the previous chapters, and it is where he and Rancière choose different theoretical paths. In the previous chapters, I have proposed that both Balibar and Rancière contend that all emancipative or transformative action should be considered political and consequently democratic. Moreover, the only limits to democracy arise from *outside* the political subject, what Rancière calls police and Balibar calls the *heteronomy* of politics. However, when Balibar inquires the *heteronomy of the heteronomy of politics*, he asks what actions render politics meaningless. In other words, what political actions lead to the subversion of democracy, or in the terminology of this thesis: what actions leave political actions *undemocratic*.

He identifies the limits of politics with the concepts "institutions" and "identities." The two concepts are related in the sense that they both order society. When identified, they are meaningful categorizations of social life. As a post-foundationalist, Balibar does not claim that these categories are

¹¹⁴ Ingram, "Democracy and its conditions," 222.

in any way natural or static, but he also denies the "postmodern utopia"¹¹⁵ that these categorizations are meaningless. It is exactly the stability *and* fluidity of these institutions that Balibar poses are necessary for political action. In other words, the potentiality for politics exists between two extreme situations, between two limits of politics. One limit is found at the point where one's individuality is reduced to an unambiguous identity, a total institution (you are one: either a woman, a worker, or a *wappie*); the other limit is encountered when one's individuality "floats freely"¹¹⁶ between all identifications, an absence of any institution. In each of these cases, the political subject has lost all its political autonomy so that emancipation nor transformation is impossible. Balibar does not take this lightly, and terms these limits of politics *extreme forms of violence or cruelty*. Cruel, because the outer limits of politics annul conflict and remove political potentiality. This violence is *non-convertible*: they totalize and render the political subject powerless, an undemocratic exercise.

5.2 Politics of Civility

In this theoretical maneuver, Balibar breaks with Rancière. Firstly, because he posits that institutions are necessary for political life, albeit they are non-totalizing. He writes:

The role of institutions is precisely to reduce - without suppressing - the multiplicity, complexity and conflictuality of identifications and senses of belonging, if necessary by applying a preventive violence or a "symbolic" and material - corporeal - organized counter-violence.

Of course, Rancière labels any interference of institutions as police. But interestingly enough, he also rejects Rancière's notion of the "impossible identification"¹¹⁷ of the political subject. Rancière's notion of politics can only operate in the negative moment of the *denial* of dispositions proper to society, including identities. As such, all forms of identification are forms of police. But Balibar poses that this will result in complete chaos that ultimately renders political action meaningless. We must realize that Rancière cannot give any answer to the question of a valuable collective life. Balibar, nevertheless, can. By establishing the limits for politics, he has identified the contours of a positive democratic being-together, which he calls the *politics of civility*.

A politics of civility, Balibar contends, "regulates the conflict of identifications between the impossible (and yet, in a sense, very real) limits of a *total* and *floating* identification. Civility is not a

¹¹⁵ Balibar, *Politics and the Other Scene*, 29.

¹¹⁶ Balibar, *Politics and the Other Scene*, 29.

¹¹⁷ Rancière, "Politics, Identification and Subjectification," 62.

politics which suppresses all violence; but it excludes extremes of violence, so as to create a (public, private) space for politics."¹¹⁸

Does this mean that Balibar has betrayed his own radical democratic method? I argue he does not. With his intended focus on civility, Balibar tries to theorize a politics that faces the pervasive - and to be honest: rather boring - deadlock of the liberal/radical opposition. Balibar is not interested in an institutional, consensual non-politics, but he is neither interested in an anarchist, purely revolutionary politics. Instead, he is seeking a way to "civilize a revolutionary movement from within; how to introduce the *anti-violence* that [he] call[s] *civility* into the very heart of the violence of a social transformation."¹¹⁹

5.3 Strategies of civility

For his politics of collective life, Balibar chose "civility" because it refers simultaneously to *citizenship* (i.e., a juridical concept) as well as *civilized* (i.e., a moralized concept, from the Hegelian *Sittlichkeit*). In Dutch, this dual meaning is present in *burgerschap*, which both captures juridical institution of (national) citizenship, as well as the moral implications of civil ["burgerlijk," "beschaafd". Herman van Gunsteren has conceptualized this dual meaning of civility nicely when he calls *burgerschap* an office (*ambt*): for which specific *requirements* are set for access to or the exercise thereof.¹²⁰ In other words, there are some conditions that mark a politics of civility, both institutional as well as ethical. And therefore, civility should be understood as a *limitation* to pure democracy. It is this standardization of the political subject that Rancière would call police. It promotes a certain type of political individuality by excluding outliers. In *Disagreements*, Rancière writes:

The idea of democracy as a regime of collective life expressing a *character*, a way of life of democratic individuals, itself belongs to the Platonic repression of demo-cratic singularity, to the repression of politics itself.¹²¹

Which for Rancière can never coexist with pure democracy, but instead, he says belongs to today's *post-democracy* or *consensus democracy*.¹²² Related to this, the term civility also alludes to forms of *polite* or *correct* behavior that correspond to existing hegemonic social norms. In this type of discourse, whether or not something is "civil" might result in a conflict as to whether its *form* is descent rather

¹¹⁸ Balibar, *Politics and the Other Scene*, 29.

¹¹⁹ Balibar, *Violence and Civility*, 211.

¹²⁰ Wetenschappelijke Raad voor het Regeringsbeleid, *Eigentijds Burgerschap*, by H.R. van Gunsteren, 6 and 19.

¹²¹ Rancière, *Disagreement*, 101.

¹²² Rancière, *Disagreement*, 101-102.

than a debate as to whether or not the *content* is civil.¹²³ Good example of this type of discourse is seen in recent climate demonstrations. While a majority of the Dutch population believes that climate change is an important issue, throwing soup at valuable works of art is an inappropriate and *incivil* way to call attention to the problem. And neither is blocking the highway for that matter: "people have to go to work!" (the latter not only applies to climate justice activist, but also to the blockades of the farmers' protests) To quote the Martin Luther King, Jr.:

The regrettable conclusion that the Negro's great stumbling block in his stride toward freedom is not the White Citizen's Counciler or the Ku Klux Klanner, but the white moderate, who is more devoted to 'order' than to justice; who prefers a negative peace which is the absence of tension to a positive peace which is the presence of justice; who constantly says: 'I agree with you in the goal you seek, but I cannot agree with your methods of direct action'" (King 2015, 135).

Balibar agrees with Rancière and other leftist critiques that discourses of civility can be hegemonic and normative. In his own analysis of Hegel's *Sittlichkeit*, he ends with exactly this critique.¹²⁴ However, he does not end his exploration of civility here. Balibar distances himself from Rancière when he asks if civility cannot also be promoted bottom-up, as a self-imposed constraint regarding democratic action. Notwithstanding the hegemonic troubles of top-down strategies of civility, Balibar asks whether we must "not seriously doubt whether the state, *on its own*, is really an agent of civility?"¹²⁵ Was it not always the people that have pointed to acts of non-civility in the public sphere: think of workers-revolutions or minority emancipation. In Marxist terms: is it not the state that is in need of a "rude education by the people?"¹²⁶

5.4. Radical civility

Being the post-foundationalist that he is, Balibar does not give any concrete definition for a politics of civility.¹²⁷ Nevertheless, in the last part of this chapter I want to devote some attention to what civility *might* look like, without betraying the radical democratic intuition of indeterminacy. I do this on the basis of two conceptions of civility: "civil disobedience" by Celikates and "citizenship as office" by van Gunsteren.

¹²³ Robin Celikates, "Radical Civility," in *Debating Critical Theory: Engagements with Axel Honneth*, ed. Julia Christ, Kristine Lepold, Daniel Loick, Titus Stahl (London: Rowman & Littlefield, 2020), 84.

¹²⁴ Balibar, *Politics and the Other Scene*, 30.

¹²⁵ Idem., 33.

¹²⁶ Balibar, *Politics and the Other Scene*, 33.

¹²⁷ Balibar, *Politics and the Other Scene*, 30.

5.4.1 Civil disobedience

To avoid conceptualizations of civility as law-abiding politeness *or* hegemonic oppression (please note, the observation in these conceptualizations is the same, only the evaluation is different), Celikates approaches the term from a theoretical investigation of *civil disobedience*, a case in which the seemingly contradictory evaluations of civility are combined. To understand civility from a position of disobedience might help us understand that civility can imply something different than just adhering to normativizations of the citizen. He writes: "Practices of *counter-civility* might provide vantage points for denaturalizing, problematizing, and transforming or dislodging hegemonic forms of civility."¹²⁸ Or in Balibar's words, a bottom-up approach to the politics of civility.

In his investigation, Celikates shows that civil disobedience requires two things for our understanding of civility. One: civility aims to *reconfigure the* public sphere. Civility understands that democracy is open and contestable and as such it is not shy of conflict. But second: it presupposes some kind of civil bond with its adversary, be it the state or other citizens. It is a "genuinely political"¹²⁹ act, rather than a militant operation. To emphasize this claim, he poses that there cannot exist "hard-right, fascist or neo-Nazi civil disobedience (despite attempts by such groups to claim the label)."¹³⁰ While these groups portray actions of contestation (disobedience) they aim to exclude individuals or groups on the basis of ethnic, historical or cultural demarcations (uncivil). In fact, this claim reiterates Balibar's concept of civility, who posits that a politics of civility is non-violent and does not reduce people to a static and totalizing identity. A politics of civility understands that all political subjects are citizens and can act together, inside and outside formal institutions. The civility in civil disobedience is thus not contrasted with the "incivility of confrontational contestation or demands that are deemed too radical and hence unreasonable" but it is contrasted with "the incivility of organized violence that follows a military logic."¹³¹ Because this definition of civility has at its heart the conflictual tendencies of democracy, it allows us to understand civility not as a set of predetermined rules of good behavior, but rather it poses that civility is the political contestation that questions what is civil and uncivil with the presupposition that everyone (legally institutionalized citizens or not) can engage in that contestation.

5.4.2 Civility as office

In contrast, van Gunsteren is not afraid to define civility in positive terms. His report names several qualifications: autonomous, judicious, loyal. Although an ideal, they are the qualifications that belong to the "office" of civility. This conceptualizing is interesting for a different take on "bottom-up" civility. Van Gunsteren views civility as an "office," therefore, civility is neither identical to the whole of a

¹²⁸ Celikates, "Radical Civility," 87.

¹²⁹ Idem., 88.

¹³⁰ Idem., 89.

¹³¹ Idem.

person, nor is it only a job for "normal" citizens. It is a function admitted to everyone: either you are a teacher, plumber, unemployed *or* a government official. Civility is everyone's primary office, *even* those *in* governmental office. And this has implications:

So-called office-bearers are primarily citizens, holding, as part of the exercise of citizenship, a special office. In doing so, they may sometimes do or allow things that 'ordinary' citizens are not authorized to do. But the existence of these special powers should not support the misconception that such office holders cease to be citizens as soon as they accept or exercise their office.

A politics of civility requires governmental office-bearers to be *primarily* loyal to their fellow citizens, rather than only to their administrator. Civility implies that those working for the state are not only the representatives of state towards citizens, but that the opposite holds too: they are the representatives for citizens towards the state. And when the situation calls for it, office-bearers should defend their fellow-citizens. An *official* disobedience, one might say.

This conception of van Gunsteren helps us understand that bottom-up civility should not only be understood *against* the state, but can also happen *within the state*. To understand the state as not a mere anonymous institute, but actually comprised of political subjects, elucidates a conception of politics that we have not yet come across in Balibar or Rancière's theory. The police/politics distinction tends to overlook that there is a possibility for politics *within* police institutions. A bottom-up politics of civility calls for the acknowledgement of a civil bond, regardless of institutions. In that way, there is a possibility for a civil revolution from within the state. Or, to rephrase Marx: the state is in need of a rude education by *the state*.

5.5 Putting equaliberty to work

Radical democratic theory takes as its basic principle that democracy is a place of indeterminacy. This has implications for their understanding of valuable democratic coexistence. Whereas Rancière does not risk any qualifications for a valuable idea of democratic being-together, Lefort and Balibar do. Both assert that there are conditions for a well-functioning democracy. For Balibar, these conditions of democracy do not suppress political action, but actually enable it. And where Lefort presents a merely guiding disposition for democracy, Balibar goes one step further: he defines a positive interpretation of politics, which he calls politics of *civility*. Civility implies a voluntary restriction to pure democratic action. And although Balibar argues that this type of politics can arise from the bottom-up, he does not give any insights as to what this action could look like. I have ended this chapter therefore with two short introductions of how we can conceive of "radical civility". We have seen that this includes a dissensual form of politics that can either be anti-state or rise from within a state. Moreover, what "civil

disobedience" and "civility as office" have in common is an acknowledgement of the *civil bond* among citizens. It is the realization that you may be adversaries in terms of interests, but at the same time, you are connected in your citizenship. There is no exclusion in a politics of civility. That is probably what Balibar meant when he said you have to “put” equaliberty “to work” to understand its democratic truth.

Chapter 6: Conclusion

In the beginning of this thesis, I have introduced a series of events in Dutch politics. To end this thesis, I want to present some more. On the 5th of October 2023 a debate took place in parliament on FVD's initiative proposal on a consultative referendum. Besides the Minister of the Interior, a grand total of five members of parliament were present, three of which belonged to FVD. In the light of this thesis, the speech of the Minister was quite remarkable. Allow me to reiterate what Minister Hugo de Jonge spoke to parliament.

[...] So I agree, we have to keep checking: is democracy working well and is it working for everybody? That brings me to Mr. van Meijeren's speech. And in all honesty, I hesitated to respond to this, because I have great difficulty with what Van Meijeren expressed here on behalf of Forum for Democracy. However, I felt it was insufficiently refuted.

He talked about corruption in parliament, in government, in the judiciary. We would be living in a post-democratic era, moving - and this is really what he said - toward a totalitarian state. Power would be exercised in an undemocratic way. He would fear dehumanization, exclusion, expropriation on one's own pretexts, excessive police brutality, that our military would be deployed on society, state-executed sexual indoctrination and state-imposed ideology. In other words: pure conspiracy rhetoric.

Of course, you can say: it is just total nonsense. It is, but it is not *only* that. Because this is not innocent. Spreading a narrative about an evil elite selling out the interests of the people can ultimately undermine the democratic rule of law. Because it turns democracy and its representatives into an enemy. [...] And we all know that this is not without consequences. Think of swearing and hate messages online or worse. We can write memos full of resilient democracy, but we can also speak out, again and again, when things get out of line. And refute this kind of thinking and speaking. It is necessary not to give oxygen to this kind of pyromaniac politics. If you and I, as the defenders of that democratic rule of law, are already out of the business of defending it, who will?¹³²

This speech is a mix of frustration, militancy but, quite frankly, also powerlessness. It is the sentiment that might be conclusive of this thesis. But before I come to that, let me first summarize the different aspects this thesis has highlighted.

¹³² Hugo de Jonge, "advies Minister over het voorstel Wet Raadgevend Referendum," *Tweede Kamer der Staten-Generaal*, October 5, 2023, handeling: Plenair debat, 9/9, published November 13, 2023. zoek.officielebekendmakingen.nl/h-tk-20232024-9-9.html

6.1 The Event

I began this thesis with a series of events, and also: an Event. I argued that the AIVD report, the proposed Law on Political Parties, and the around-the-table discussion indicated a certain shift in Dutch politics. I described a sentiment, or in Zizekian language, *an Event* that had dominated Dutch political life. This Event was the identification of an undemocratic subject in Dutch democracy. And subsequently, the recognition that democracy is not a given, but should be protected continuously. The Event entails a kind of *revelation* that one is not able to shake: a realization that the undemocratic subject is not a hypothetical possibility, but has already arrived. And subsequently, that we need to find a way to deal with that fact. I argued that the three events in question were all different attempts to handle the issue of the undemocratic subject. And although different in nature, one underlying claim seemed to unite them: all events called for a *democratization of democracy*.

6.2 What does *democratization* entail?

In this thesis two different strategies for a *democratization of democracy* have passed. The two strategies emerge from two different notions of democracy: a liberal and a radical concept of democracy. I showed that the AIVD report, the WPP and the around-the-table discussion all portrayed a liberal democratic approach, where democracy was always understood in terms of the democratic-rule-of-law. I argued that this approach was problematic, for the identification of an “undemocratic” subject is not a legal question but a matter of political dispute. The state actions rather deny the presupposed “undemocratic” subject from the political arena, than to acknowledge its claims and counter it politically. That is an interesting insight, because to understand democracy from a radical point of view is to understand democracy *as* conflict. Lefort, Rancière and Balibar teach us that the freedom to engage in conflict is central to democracy. In their theorizations of a *democratization of democracy*, Lefort, Balibar and Rancière all point to the necessity of questioning and interrogating exercises of power. This is not a value judgment, it is an ontological necessity for politics. Democracy is the institution of political action, understood as the freedom to resist or contest the status-quo. Ignoring the dissentual nature of democracy leaves the liberal theorists with a problem: it interprets the emergence of opposition as *counterproductive*, when in fact it is an *effect* of democracy.

6.3 A Ministry of Democracy?

A substantial part of this thesis was written during my internship at the Ministry of the Interior. After sharing some preliminary insights from my readings, a colleague pointed out to me that our Directorate was not just called "Democracy" but actually "Democracy and Governance." A problematic combination from the perspective of radical theory, but perfectly logical from a liberal point of view. Again, it subscribes to the idea that the Dutch government chooses to approach democracy as a form of

government, but does not acknowledge the insurrectional side of the concept. It begs the question: what would a Ministry of Democracy look like?

The second part of this thesis was basically caught up with this question. How can we conceive of a form of society that acknowledges democracy's symbolic implications of contingency and conflict, but simultaneously accounts for a safe and valuable form of collective life? A society that leaves the debate open without end, but is able to protect its citizens from subversive dangers. The answer to this question was not straightforward. To avoid the trap of normativity, hegemony, or *police*, post-foundational radical democracy only allows for negative conceptions of democracy. Instead of defining what democracy *is*, the radical democracy theorist is occupied by what it *is not*: totalitarianism, domination or violence. Moreover, the inherent suspicion of radical democracy towards institutions makes it difficult to imagine what radical democratic institutions might look like. For Rancière's anarchistic democratic theory, it was simply impossible. Any imposition of institutions is a limitation of the democratic subject and belongs to the suspect realm of police. For Rancière, democracy equals negation. In fact, in my last effort to find a valuable idea of collective life, I reread Rancière's *Hatred of Democracy*. My quest: at least one (somewhat) positive definition of democratic being-together. The result: none.

Lefort and Balibar do present some clues on how to sustain a democratic being-together. Both of which are devoid of any implications - those belong to the democratic debate - but do present some *limits* or *bare minimums* for democracy to be fruitful. In chapter four I have shown how democracy only works when the people agree to the symbolic principles of an empty place of power. Democracy requires an *adherence* to the democratic system, a certain disposition that acknowledges that society is inherently divided. Lefort posits that representative institutions are able to show these conflicting interests well. The fact that there are populist parties undermining these representative institutions is problematic for a democratic being-together. How do we avoid people's adherence to populism? Lefort does not tell.

In chapter five, I show that Balibar tries to go one step further. He does not only set the limits for politics, which he locates at the point where political subjectivity ceases to exist, but he also defines what a truly democratic politics looks like: a politics of civility. Unfortunately for our Ministry of Democracy, he does not give any clues on how to stimulate this politics of civility, or even define what it entails. With two examples outside Balibar's work, I have tried to imagine what this radical civility *could* look like. Two factors are important: civility *is able* to contest the status-quo, either aimed against- or from within the state, and *must* imagine a civil bond between political subjects. In this sense, we are back at Balibar's work: democracy arises from the mutual implication of equality and liberty for *all*.

And so, we have returned to the beginning of this thesis. As I have shown in chapter one, Lefort contends that we need to turn to the political to understand the form of society. It is the political that acts as "a scheme, or body of schemata of actions and representations which govern both the shaping

[*mise-en-forme*] and the staging [*mise-en-scene*] of a society, and at the same time, its dynamic."¹³³ To sustain a democratic being-together, Lefort and Balibar show is, is to understand and adhere to democracy symbolic principles: the empty place of power and the mutual implication of equaliberty. Which brings me to my final event.

6.4 A final event

On the 22th of November 2023, Geert Wilders and his right-wing populist party PVV won a striking election victory. Around 2.3 million votes went to the party, which accounted for 37 seats in parliament.¹³⁴ As such, the PVV is unmistakably the biggest party in parliament. PVV's victory makes me wonder whether or not radical democracy can still account for the political issues we face today. If so many people have voted for a politician that openly threatens the democratic premisses of equaliberty, that undermines the representative system with populist rhetoric, who negates the inherently pluralistic body of "the people" and who sketches a divide between a united people and a ruling elite, is it then really the case that people always act democratically when they act politically? Does this not show that it is not necessarily institutions and systems that are democratically corrupt, but that it can *also* be the people?

We seem to be left empty-handed. That is why I find Minister de Jonge's speech so very characteristic for the conclusion of this thesis. The accusations by van Meijeren, which are repeated by de Jonge ("post-democracy," "state-imposed ideology") could very well be quotes from Rancière's texts. Rancière, Balibar and Lefort all have, for legitimate reasons, criticized the undemocratic tendencies of "democratic" institutions. They have focused our attention to the importance of a *democratization of democracy* and a rebuttal of the status-quo. However, they have done so with democracy's symbolic principles in mind, and they seem to believe that the people will do too. Guiding institutions were redundant and, in fact, hegemonic. But today, it seems that democracy's symbolic principles are experiencing pressure. And so, the final quote by de Jonge could not be more fitting to end this text as well:

If you and I, as the defenders of that democratic rule of law, are already out of the business of defending it, who will?

Which, in the light of the empty place of power, is as discouraging as it is hopeful.

¹³³ Lefort, *Democracy and Political Theory*, 91.

¹³⁴ Frank Kuin, "Bijna 98 procent van de stemmen geteld: 37 zetels voor PVV," *NRC*, November 23, 2023, <https://www.nrc.nl/nieuws/2023/11/23/bijna-98-procent-van-de-stemmen-geteld-37-zetels-voor-pvv-a4181980>

Bibliography

- Algemene Inlichtingen en Veiligheidsdienst. "Anti-institutioneel extremisme," Extremisme. Accessed August 18, 2023. <https://www.aivd.nl/onderwerpen/extremisme/anti-institutioneel-extremisme>
- Algemene Inlichtingen en Veiligheidsdienst. "Missie en kernwaarden van de AIVD," Missie van de AIVD. accessed December 20, 2023. <https://www.aivd.nl/onderwerpen/missie-van-de-aivd>.
- Algemene Inlichtingen en Veiligheidsdienst. "Publiekssamenvatting publicatie over anti-institutioneel extremisme." May 25, 2023. <https://www.aivd.nl/documenten/publicaties/2023/05/25/anti-institutioneel-extremisme-in-nederland-een-ernstige-dreiging-voor-de-democratische-rechtsorde>.
- Algemene Inlichtingen en Veiligheidsdienst. "Tijdslijn van de AIVD." Over de AIVD. Accessed Februari 14, 2024. <https://www.aivd.nl/onderwerpen/over-de-aivd/aivd-tijdslijn>.
- Balibar, Étienne. "Historical Dilemmas of Democracy and Their Contemporary Relevance for Citizenship." *Rethinking Marxism* 20, no. 4 (October 2008): 522-538.
- Balibar, Étienne. "Is a philosophy of human civic rights possible? New reflections on Equaliberty." *The South Atlantic Quarterly* 103, no. 2/3 (spring/summer, 2004): 311-322.
- Balibar, Étienne. *Politics and the Other Scene*. translated by Christine Jones, James Swenson and Chris Turner. London: Verso, 2002.
- Balibar, Étienne. *Violence and Civility: on the limits of political philosophy*. Translated by G. M. Goshgarian. New York: Columbia University Press, 2015.
- Blackell, Mark. "Lefort and the problem of democratic citizenship." in *Thesis Eleven*, no. 87 (November 2006): 51-62.
- Bromberg, Svenja. "Thinking through Balibar's dialectics of emancipation." *Historical Materialism* 26, no. 1 (2018): 223-254.
- Buti, Lorenzo. "Contesting the political: Democratic action with and beyond Lefort." *Perspectives: UCD Postgraduate Journal of Philosophy* 9, (2021): 96-119.
- Celikates, Robin. "Radical Civility." in *Debating Critical Theory: Engagements with Axel Honneth*. Edited by Julia Christ, Kristine Lepold, Daniel Loick, Titus Stahl. London: Rowman & Littlefield, 2020.
- Crough, Colin. "Post-democracy and Populism." *The Political Quarterly* 90, no. 1 (2019): 124-137.
- Corcoran, Steven. "Editor's Introduction." in *Dissensus: on Politics and Aesthetics*. by Jacques Rancière. London: Continuum International Publishing Group, 2010.
- Cuperus, René. "Position paper rondetafelgesprek over versterking weerbare democratie." *Tweede Kamer der Staten-Generaal*. June 28, 2023. https://www.tweedekamer.nl/debat_en_vergadering/commissievergaderingen/details?id=2023A03067

- Flynn, Bernard. *The Philosophy of Claude Lefort: Interpreting the Political*. Evanston: Northwestern University Press, 2005.
- Forum voor Democratie. "Kartelbestrijding." Standpunten. Accessed February 14, 2024. <https://fvd.nl/standpunten/kartelbestrijding>.
- Funnekotter, Bart and Joep Dohmen. "Hoe de Nederlandse geheime dienst politieke partijen bespioneerde." *NRC*. August 11, 2023. <https://www.nrc.nl/nieuws/2023/08/11/nieuwe-partij-de-bvd-was-erbij-a4171511>.
- Graaff, Bob de and Constant Hijzen. "Zwijgen is zilver en spreken is goud." *Justitiële Verkenningen* 44, no. 1 (March 2018): 148-157.
- Herzog, Annabel. "Lefort and Rancière on democracy and sovereignty." *Philosophy and Social Criticism* 0, no. 0 (2022): 1-20.
- Hinsberg, Annemarie van. "Position paper rondetafelgesprek over versterking weerbare democratie." *Tweede Kamer der Staten-Generaal*. June 28, 2023. https://www.tweedekamer.nl/debat_en_vergadering/commissievergaderingen/details?id=2023A03067.
- Jonge, Hugo de. "Advies Minister over het voorstel Wet Raadgevend Referendum." *Tweede Kamer der Staten-Generaal*. October 5, 2023. Handeling: Plenair debat, 9/9. published November 13, 2023. zoek.officielebekendmakingen.nl/h-tk-20232024-9-9.html
- Jonge, Leonie de. "Rondetafelgesprek over versterking weerbaarheid democratie." June 28, 2023. recording, <https://debatdirect.tweedekamer.nl/2023-06-28/bestuur/groen-van-prinstererzaal/rondetafelgesprek-over-versterking-weerbaarheid-democratie-10-00/onderwerp>.
- Jonge, Leonie de. "Position paper rondetafelgesprek over versterking weerbare democratie." *Tweede Kamer der Staten-Generaal*. June 28, 2023. https://www.tweedekamer.nl/debat_en_vergadering/commissievergaderingen/details?id=2023A03067.
- Kraak, Haro. "Een partij verbieden? Alleen in het uiterste geval, zegt Bastiaan Rijpkema: 'D66 wil een shortcut, gericht op Forum'." *de Volkskrant*. November 23, 2022. <https://www.volkskrant.nl/nieuws-achtergrond/een-partij-verbieden-alleen-in-het-uiterste-geval-zegt-bastiaan-rijpkema-d66-wil-een-shortcut-gericht-op-forum~b32194f0/>.
- Kuin, Frank. "Bijna 98 procent van de stemmen geteld: 37 zetels voor PVV." *NRC*. November 23, 2023. <https://www.nrc.nl/nieuws/2023/11/23/bijna-98-procent-van-de-stemmen-geteld-37-zetels-voor-pvv-a4181980>.
- Kundnani, Arun. *The Muslims are Coming*. London: Verso, 2024.
- Lefort, Claude. *Democracy and Political Theory*. Translated by David Macey. Cambridge: Polity Press, 1988.
- Lefort, Claude. "Democracy and representation." in *The Constructivist Turn in Political Representation*, translated by Greg Conti, edited by Lisa Disch, Mathijs van de Sande, and Nadia Urbinati. Edinburgh: University Press, 2019.
- Lefort, Claude. *Writing: The Political Test*. Translated and edited by David Ames Curtis. London:

- Duky University Press, 2000.
- Ingram, James. "Democracy and its conditions: Étienne Balibar and the contribution of Marxism to radical democracy." in *Thinking Radical Democracy*, edited by Martin Breugh, Christopher Holman, Rachel Magnusson, Paul Mazzocchi and Devin Penner, 210-233. Toronto: University Press, 2015.
- Ingram, James. "The politics of Claude Lefort's political: between liberalism and radical democracy." *Thesis Eleven*, 87 (2006): 33-50.
- Overheid. "Wet op Politieke Partijen." Internetconsultaties. Accessed August 18, 2023. <https://www.internetconsultatie.nl/wpp/b1>.
- Meer, Tom van der. "Position paper rondetafelgesprek over versterking weerbare democratie." *Tweede Kamer der Staten-Generaal*. June 28, 2023. https://www.tweedekamer.nl/debat_en_vergadering/commissievergaderingen/details?id=2023A03067.
- Nemo. "Geschiedenis van de inlichtingen- en veiligheidsdiensten in Nederland." Kennislink. Accessed December 20, 2023, <https://www.nemokennislink.nl/publicaties/jarenlange-discussie-over-geheimhouding-en-democratie>.
- Rancière, Jacques. "A few remarks on the method of Jacques Rancière." *Parallax* 15, no. 3 (2009): 114-123.
- Rancière, Jacques. *Disagreement: politics and philosophy*. Translated by Julie Rose. Minneapolis: University of Minnesota Press, 1999.
- Rancière, Jacques. *Dissensus: on Politics and Aesthetics*. Edited and translated by Steven Corcoran. London: Continuum International Publishing Group, 2010.
- Rancière, Jacques. "Politics, Identification and Subjectivization." *The Identity in Question* 61, (Summer, 1992): 58-64.
- Rancière, Jacques. "Ten Theses on Politics." *Theory and Event* 5, no. 3 (2001): 1-19.
- Rijksoverheid. "Wetsvoorstel maakt verbod mogelijk op partijen die democratie ondermijnen." Nieuws. Accessed on December 20, 2023, <https://www.rijksoverheid.nl/actueel/nieuws/2022/12/22/wetsvoorstel-maakt-verbod-mogelijk-op-partijen-die-democratie-ondermijnen>
- Swyngedouw, Erik. "Where is the political? Insurgent mobilisations and the incipient 'return of the political'." *Space and Polity* 18, no. 2 (March 2014): 122-136.
- United Nations. "Article 21." Universal Declaration of Human Rights. Accessed February 14, 2024. <https://www.un.org/en/about-us/universal-declaration-of-human-rights>.
- Versteegh, Kees. "De AIVD waarschuwt voor polariseren, maar doet dat zélf door van alles op één hoop te gooien." *NRC*. Juli 24, 2023. <https://www.nrc.nl/nieuws/2023/07/24/de-aivd-waarschuwt-voor-polariseren-maar-doet-het-zelf-a4170469>.
- Wetenschappelijke Raad voor het Regeringsbeleid. *Eigentijds Burgerschap*. by H.R. van Gunsteren. Den Haag: Sdu Uitgeverij, 1992.

