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Repoliticising Democracy:

Tackling the Sentiment of Democratic Disillusionment

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## 0: Introduction

Democracy has long been an ideal to strive towards. By now, it has become the norm in the western world, and a goal to attain for the rest. Like Pierre Rosanvallon (2008, 1) has written in *Counter-Democracy*, ‘The democratic ideal now reigns unchallenged’. This phenomenon is perfectly illustrated by the annual Democracy Index published by the Economist Intelligence Unit. Assessing countries on the basis of several democratic indicators – e.g. political participation and the type of electoral system – the Democracy Index compiles a list with the most democratic countries at the top, and the least democratic countries at the bottom. However, while the democratic ideal has consolidated itself, many of the world’s democratic countries have been targets of criticism and discontent. The past decade has been characterised by an unprecedented amount of protests targeted against governments and intergovernmental organisations, as well as a significant increase in anti-establishment movements and an overall growing sentiment of dissatisfaction (Berman 2019, 655-657; Brannen, Haig and Schmidt 2020, 1; Wike, Silver and Castillo 2019, 5). As such, questions have started to arise concerning the ostensible stability and permanence of democratic regimes. A wide body of research emerged on the failure and deconsolidation of democracy, and many have dubbed the recent years a crisis of democracy. Claus Offe (2011) writes: ‘Liberal democracies, and by far not just the new ones among them, are not functioning well. (...) the widely observed decline of democratic politics, as well as state policies under democracy, provides reasons for concern’ (447). A similar point is made by Marc Plattner (2010), who writes that ‘The first decade of the twenty-first century has not been a happy time for the fortunes of democracy in the world’ (81). Thus, there seems to be a rift between the support for the democratic ideal and the satisfaction regarding its practical applications. Does this mean, however, that democracy is in danger? Reacting to the theme that ‘there seems to be an overwhelming consensus among scholars and politicians that democracy as a practice is in decline’, Phillippe Schmitter (2015, 32) argues that democracy is not in decline, but rather in transition. He states that as long as the greatest threats to democracy come from its own participants and through its own practices and procedures – e.g. protesting or voting – democracy as a political system and its respective institutions are not in any danger of decline (Ibid., 43). If we follow this line of argument, democracy may not be in any ‘real’ danger. Yet, the unrest surrounding contemporary democratic politics is plainly noticeable. What causes this then? And how can it be solved, if at all?

This thesis aims to address these questions. I aim to point out and diagnose the problems plaguing contemporary democracies, as well as offer a potential remedy. In doing so, I argue that the problems facing democracies today are caused by one factor in particular: an overarching sentiment of *democratic disillusionment*. Feeling that democracies worldwide have not delivered on their promises, people have become dissatisfied, disaffected, and ultimately disillusioned by democratic politics. Even more importantly, because of the dissatisfaction and distrust that increasingly defines today’s democracies, the democratic subject becomes more and more alienated from the political process (Rosanvallon 2008, 253-254). To phrase it differently, the schism between the social and the political has deepened greatly, causing a widespread sense of disillusionment with democratic politics. The expansion of this rift has several consequences that will be explored throughout this paper. Most importantly, however, I argue that this causes a vicious cycle in which the democratic subject becomes increasingly estranged from, and thereby disillusioned with, the democratic process. This, then, will serve as the foundation of this paper. Moreover, I argue this to be a necessary consequence not of democratic practice in general, but of the way *liberal* democracy is organised in particular.

Therefore, my views align with those of Chantal Mouffe (2005): liberal democratic politics have neglected the necessary role of antagonism and hegemony in politics, and have therefore led us to a condition that is best defined as *post-political* (1-2). I do not propose democracy be displaced all together. On the contrary, democracy needs to be revitalised. Thus, I argue with Mouffe for a reconfiguration of democratic politics into *agonistic pluralism*. In order to go beyond Mouffe, I use the work from Pierre Rosanvallon and Marie Paxton as inspiration for finding ways in which agonism can be institutionalised on both a political and social level. In short, this paper serves as a call to *repoliticise* contemporary democracy.

The first chapter serves to define the problem at hand. I argue that while the democratic ideal has consolidated itself globally, democracies today are increasingly scrutinised by their respective population, as well as subject to growing unrest. This will be explored on the basis of three interdependent phenomena: (1) the rise of mass anti-government protests, (2) increasing support for populist parties and movements, and (3) dissatisfaction regarding the performance of democracy. Ultimately, I argue that these phenomena are informed by a shared sentiment of democratic disillusionment. By not having delivered on their high expectations, democracies around the world have left people disgruntled and cynical, as well as deeply alienated from politics. This sentiment of democratic disillusionment has led to a vicious cycle of discontent and unrest. Moreover, I argue that this sentiment of disillusionment has deepened the gap between the social and the political in contemporary democracy. The democratic subject feels more and more alienated from politics, while the political process itself is increasingly reduced to mere administration, thereby creating a vicious cycle of ever-increasing democratic disillusionment. However, in my proposition that democracies have failed to deliver, I do not mean to argue for a displacement of democracy by another political regime. Rather, I pose that the issue of democratic disillusionment is a necessary consequence of, and therefore particular to the liberal democratic organisation of contemporary politics. As such, I emphasise the need for a different, better democracy.

In the second chapter I take a step back to elucidate what liberal ideology entails, as well as explore its consequences for democratic politics. In doing so, I take John Stuart Mill to be a spokesperson for the tradition of liberalism. This chapter starts with an assessment of Mill's liberal theory. In doing so, I illustrate Mill's harm principle, as well as his call for three quintessential basic liberties: (1) freedom of the inward domain, (2) freedom of the outward domain, and (3) freedom of assembly. Subsequently, I explore how his liberalism translates into his political theory. As such, I showcase Mill's plea for a representative democracy with proportional voting. However, the role Mill's utilitarianism and consequentialism play in the formulation of his liberal and political thought, exemplified by his notion of 'good government', are also analysed. Finally, in an attempt to determine where Mill stands within the liberal tradition as a whole, I compare him to a variety of other liberal thinkers – e.g., Bernard Williams and Ronald Dworkin.

After having established a comprehensive overview of the meaning of liberal democracy, the third chapter will serve to criticise it. At the basis of this critique stands Chantal Mouffe, with whom I argue that liberal democracy negates the essential role of the political in its antagonistic dimension and hegemony in every political order. In doing so, I claim that liberal democracy depends upon (1) the formulation of a rational, conflict-eradicating consensus on the one hand, and (2) hinges on the universalisation of its own ideology on the other. As such, liberal democracy is unable to engage with the ontological element of antagonism. Additionally, I pose that through the universalisation of its own ideals, liberal democracy denies any possible alternative ideology. It leaves no room for the undecidability and contingency that are paramount to any political organisation. In turn, it creates a condition of post-politics, characterised by a politic of consensus at the centre. Instead, I posit that we must realise that every political system is always product of a certain discourse. Phrased

differently, political systems and ideologies must be viewed as entirely context-sensitive. Viewing liberal democracy in this light allows us to realise that multiple ‘correct’ answers exist to the question how politics must be organised. Consequently, I argue with Mouffe that democracies must be organised along agonistic lines, thereby acknowledging the essential role antagonism and hegemony play in the establishment of any political system.

Mouffe’s agonism has one crucial pitfall: while she emphasises the importance of political institutions when constructing an agonistic democracy, she offers no explanation of how these institutions should look like. Therefore, the fourth chapter will consist in an attempt to institutionalise agonistic democratic politics. For this, I employ the work of Pierre Rosanvallon on one hand, and that of Marie Paxton on the other. In the first part of this chapter I propose that, while informed by a different project entirely, Rosanvallon’s conceptualisation of different forms of counter-democracy can serve as inspiration for finding ways in which agonistic modes of democratic practice can be institutionalised. Counter-democratic institutions serve – and have served throughout history – to manifest and express distrust in democracy. Doing this in a constructive way, then, can aid in the attempt to enrich and revitalise contemporary democracy. In the second part of this chapter I borrow from insights gathered by Marie Paxton’s experiment dubbed ‘the agonistic day’ in order to account for agonism’s institutional deficit. I posit that for agonism to work, a so-called ‘agonistic ethos’ must be discursively produced. The use of institutions on both a local and national level could prove useful in creating this ethos. Moreover, throughout this chapter I argue that a more participatory democracy is a necessary first element in bridging the gap between the social and the political, thereby reinvigorating, and ultimately repoliticising democracies today.

## **1: Liberal Democracy – Consolidated or in Crisis?**

Over the last 30 years, democracy has expanded and increasingly consolidated itself throughout the world. Indeed, as Martin Loughlin (2019) notes, by ‘the end of the 20th century, it appeared that there was only one game in town, and that game was constitutional democracy’ (436). This growth, however, seems to have stagnated. Over the past decade support for right-wing populism, extremism, and nationalism has surged, authoritarian figures such as Donald Trump and Jair Bolsonaro have risen to power, and citizens have grown increasingly dissatisfied with, and distrustful of, governments, which is illustrated by the enormous increase of mass protests throughout the world (Ercan and Gagnon 2014, 1; Loughlin 2019, 436-437; Barrie 2021, 919-920). Therefore, it is no coincidence that the theme of democratic crisis has taken on a prominent place in political theory.

I aim to explore this problem anew. In doing so, my view is close to that of Pippa Norris (2021, 174-175, 177), who argues that democratic backsliding cannot simply be attributed to an increase of incapable or undemocratic government, but rather denotes a complex relation between the democratic public and their (flawed) political institutions. It is my contention that the problems plaguing democracy today are caused by such a disruptive relation between the democratic subject and the political process.

In what follows, I will analyse three phenomena that are prevalent in today’s democracies. These phenomena are (1) the rise of mass anti-government protests, (2) increasing support for populist parties and movements, and (3) dissatisfaction regarding the performance of democracy. Secondly, I will argue that these phenomena, while three separate occurrences, are interrelated and interdependent. Ultimately, I propose that the root of these phenomena – and thus of democratic disfunction - can be found in one factor in particular: an overarching sentiment of democratic disillusionment. Consequently, I will argue that liberal democracy is at the root of this problem. I conclude that for democracies to be remedied of their disfunction, an alternative mode of democratic organisation is required.

### **1.1: Three Phenomena of Democratic Unrest**

One of the most prominent phenomenon of recent years has been the increase in mass anti-government protests. Between 2009 and 2019, the amount of protests has globally increased by 11.5% on average per year (Brannen, Haig and Schmidt 2020, 4). This increase was 12.2% and 17% for Europe and the North-America respectively. Cumulatively, this means that there were 216.4% more mass protests in Europe in 2019 than in 2009, while the North-American continent topped this with an increase of 379.7% in a decade (Ibid., 6-7, 9-10). Outrage over alleged corruption and tax evasion by public officials, anti-refugee sentiments across Europe, as well economic inequality and strikes – best exemplified by the *gilets jaunes* in France – have been the most notable contributors to the increase in mass protests in Europe. Moreover, most of these protests were fuelled by disagreement with, and aimed at national governments and intergovernmental organisations such as the European Union (Ibid., 6-7). In North-America, and primarily the United States, a similar case can be found. Exacerbating the already existing political division within the country, the inauguration of Donald Trump led to an enormous increase in social and political unrest. Marches followed both for and against a wide variety of issues, ranging from (anti-)abortion marches and protests for women’s rights, to mass mobilisations of lowly paid workers such as primary school teachers, strikes, and protests

concerning the level of border control (Ibid., 10). Again, many of these protests exhibited a strong anti-government sentiment. Additionally, this phenomenon has gained even more traction due to the recent COVID-19 pandemic, which caused protests against lockdowns and other health measures implemented by governments (Vieten 2020, 2-3).

It is necessary to clarify ‘anti-government’ here. By the notion of anti-government I do not mean to say that these protests are aimed to abolish governments. While some movements or participants of the protests might certainly want to do so, the sentiment I refer to is a critical stance towards governments in the Foucauldian sense. It is about not wanting to be ‘governed *like that*, by that, in the name of these principles, in view of such objectives and by the means of such methods, not like that, not for that, not by them’ (Foucault 1996, 384). This clarification is key, for I am not trying to say that participants in these mass protests are trying to do away with politics altogether, but are dissatisfied with its current practices, procedures, and trajectories. In order to explore this further, I will return to this dissatisfaction shortly, but first I would like to explore a second phenomenon that has been observed in recent years, namely the emergence and increasing prominence of populist parties and movements.

Populism is a widely contested notion, and I will not delve much deeper into its definition here. For the purpose of this section, however, let us establish a minimal definition and say that regardless of its content, populism exhibits a strong anti-establishment sentiment. As Ernesto Laclau (2004) has proposed, it is crucial to realise the anti-institutional character of populism (107, 113). Wike, Silver and Castillo (2019) similarly posit that regardless of the countless definitions populism has been ascribed, populism is best characterised by the antagonistic dynamic between ‘the people’ and the established elite (27). Following this minimal definition, we can explore the populist phenomenon somewhat better. As mentioned above, recent years have shown an increase in parties and movements with a populist character on both sides of the political spectrum (Ibid., 5). The election of Donald Trump, the Brexit referendum, and growing electoral support for populist parties in Europe such as Front National in France, Alternative für Deutschland in Germany, and Forum voor Democratie in the Netherlands exemplify the rapid mobilisation of anti-establishment sentiment in countries that can generally be viewed as consolidated democracies (Ibid., 12-14; Berman 2019, 654-655; Algan et al. 2017, 309-310).

Why has this been the case? Similar to the rise in mass protests, the growing support for populism can be attributed to several common themes. A significant factor is economic distress and uncertainty. Higher rates of unemployment have been found to be positively related to voting for anti-establishment parties. Moreover, political dissatisfaction and distrust - both national and supranational - lead to populist support (Berman 2019, 656-657, 665-666; Wike, Silver and Castillo 2019, 13-14). This can also be seen in the recent COVID-19 pandemic. The pandemic exacerbated already existing social and economic problems, while simultaneously creating large dissatisfaction about the measures implemented to combat the virus. As such, electoral support for populists has grown even further (Vieten 2020, 11-12; Mason 2020, 1-4). A final, key element with regards to populist support must be noted. While dissatisfied with contemporary politics, people who show support for populist parties and movements tend to have more favourable views of democracy (Zaslove et al. 2021, 740). This is not a strange conclusion, for populist parties often present themselves as by and for ‘the people’, as well as in favour of a higher degree of political participation through direct democratic institutions such as referenda (Ibid., 733-734, 740-742). Indeed, populist voters were found to be highly supportive of more ‘people-centred’ political participation - e.g. through deliberative procedures or referenda (Ibid., 742-744). This seems to suggest that supporters of populism seek to attain a politics that, at least in their vision, is more democratic. In turn, this indicates a certain trust in democracy as it *ought* to be, while showcasing dissatisfaction regarding its current *modus operandi*.

This leads us to the third phenomenon, the growing dissatisfaction with democratic politics. Dissatisfaction with democratic politics has been attributed as a cause for the previously mentioned developments, but it is a phenomenon worth exploring in itself as well. Wike, Silver and Castillo (2019) measured democratic dissatisfaction on the basis of how well people think the democracy in their respective country performs (7). Across 27 countries, it was found that 51% of the people are dissatisfied, and only 45% were satisfied with the performance of their democracy (Ibid, 5-6). This dissatisfaction was found to be connected to several other factors. Being discontent with one's economic situation, for instance, caused greater democratic dissatisfaction. In addition to this, having a lack of economic opportunity was also linked to democratic dissatisfaction (Ibid., 8). Non-economic factors also played a role. Participants who were satisfied with the protection of individual rights such as freedom of speech and free and fair trials in their country were also more likely to be satisfied with the working of democracy. Conversely, participants who showed support for populist parties were found to be less satisfied with democracy. For example, out of participants supporting Front National, 72% exhibited democratic dissatisfaction. Similar results were found for supporters of *Alternatieve für Deutschland* (69%) and *Forum voor Democratie* (49%). (Ibid., 13-14). A final factor related to democratic dissatisfaction must be mentioned. Participants who believed their politicians to be out of touch with the ordinary people were generally less satisfied with their democracy. The same goes for participants who were not supportive of the governing party (Ibid., 10, 19, 38). I propose that these two boil down to the same overarching theme, namely not feeling represented. By this I mean to signify the following. A lack of feeling represented means that democratic participants do not believe that their representatives act in accordance with their interests. If the represented democratic subjects do not feel that their representatives embody – or at the very least act in concert with – their needs, a certain disaffection between representative and represented is formed. I pose that a lack of feeling represented in this sense of the word leads to democratic dissatisfaction as well.

## 1.2: The Theme of Democratic Disillusionment

To recap, three interconnected phenomena have been explored that have been prominent in the recent decade: (1) the rise of mass anti-government protests, (2) increasing support for populist parties and movements, and (3) dissatisfaction regarding the performance of democracy. Whereas they are separate occurrences, these three phenomena are also unavoidably connected. They are interrelated and reinforce one another. Democratic dissatisfaction, for instance, is a strong determinant of electoral support for populist parties, as well as protesting (Hooghe and Dassonneville 2018, 104, 107). This is also palpable when looking at it from the perspective of not feeling represented. Think about protest movements such as Occupy Wall Street and their slogan 'they don't represent us', or the claim of anti-establishment parties that they represent 'the people' whereas the elite does not. Moreover, protest and populist parties or movements reinforce already existing dissatisfaction (Ibid., 120, 126). In addition to this, democratic satisfaction is positively related to institutional participation, whereas it is negatively associated with non-institutionalised participation – such as protesting (Hooghe and Marien 2013, 137). If we link them to notions mentioned above, all these phenomena showcase the Foucauldian critical attitude of not wanting to be governed *like that*. However, as I established earlier, this attitude does not imply people seek to abolish democratic politics altogether. Indeed, if 'the democratic ideal now reigns unchallenged', democracy cannot possibly be declining at the same time (Rosanvallon 2008, 1). Especially, as Schmitter (2015) notes, if democracy's largest threats are also its most prominent participants (43). It may be, then, that democracy is indeed



in a transitional phase. However, this does not yet explain what lies at the root of all this recent unrest.

I propose that the three phenomena that have been outlined above are informed by a shared sentiment: *disillusionment* regarding the functioning of democracy. What I mean to say by this is the following. People have been extremely optimistic regarding democracy and its workings. It is a goal to strive towards, and once it is reached a perfection of sorts is attained. In other words, democracy is seen as a symbol of ultimate progress. Again, this is illustrated perfectly by the annual Democracy Index and its normative implications: more democracy is good, while less democracy is bad. This sentiment has been dominant in Western discourse. For that reason, it has been such a disappointment that democracy has not delivered on its promises. As illustrated above, contemporary democracies are plagued by polarisation, dissatisfaction, and an all-encompassing feeling of unrest. Clearly, this is not what people had in mind when they think of democracy as a symbol of progress. The realisation that the optimism regarding the democratic ideal may have been false, has created a sense of disillusionment regarding democracy as a whole. Not having met its high expectations, contemporary democracy has led to disappointment and dissatisfaction, and consequently left its participants feeling disillusioned.

Additionally, and more importantly, a second factor characterises as well as creates democratic disillusionment: a feeling of total alienation from the political process. This is perfectly showcased by Hanna Pitkin (2004), who notes that the democratic subject has become 'cynical and sulky', as well as 'deeply alienated' from politics (339). This, I think, is the crux of the issue of democratic disillusionment. Because of the dissatisfaction and distrust that increasingly defines today's democracies, the democratic subject becomes more and more alienated from the political process (Rosanvallon 2008, 253-254). To phrase it differently, the schism between the social and the political has deepened greatly, causing a widespread sense of disillusionment with politics. The expansion of this rift has several consequences. Firstly, it leads to democratic subjects taking matters into their own hands – as exemplified by the exponential increase in mass anti-government protests and growing support for populist modes of organisation. Secondly, it leads to a vicious cycle of dissatisfaction and distrust, in turn leading to a greater feeling of disillusionment. In other words, growing disillusionment with democracy widens the gap between the social and the political and vice versa (Ibid.).

An important remark must be made here. As I have argued above, democratic dissatisfaction, distrust, and therefore disillusionment is informed in part by feeling let down by the *results* of democracy. Feeling that one's interests are not taken into account undoubtedly leads to disappointment, and eventually even disenchantment with the democratic process. However, my contention is that disillusionment with democracy is motivated not by the outcomes of the democratic process, but by its *procedures*. As I will elaborate on in greater detail in the following chapters of this paper, contemporary democracy leaves no room for passions in the political process, nor for alternatives that challenge the hegemony of contemporary democratic practices (Mouffe 2013, 120-121). Political parties and movements have increasingly moved to the centre, adopting a strategy of 'consensus at the centre'. Thus, I argue, that this causes people to become disgruntled and dissatisfied with, and ultimately wholly *disillusioned* by politics.

With this in mind, I am not saying, however, that we should look for an alternative to democracy. My purpose here is not to illustrate why democracy should be displaced. On the contrary, democratisation should remain a goal to strive towards. What I am saying is that democracy and its procedures as they are practiced now need to be scrutinised, and consequently revised. Since contemporary politics leaves no room for passions in the democratic process, it is ill-equipped to deal with the chaos and unrest that have been so prominent in our society today. This is because democracy in the West is not simply democracy,

but it is democracy informed by the dominant discourse of liberalism. This has ultimately led to a democratic politics based around the need for a rational consensus, thereby negating the passionate conflict that ought to be part of a vibrant democracy. However, as has become palpably clear, consensus is not something easily reached, if at all. Therefore, as I will argue in the following chapters, democracy should be about institutionalising this unrest and antagonism rather than muffling it. At the basis of this will be political thought of Chantal Mouffe (2005, 9-12), who rightly notes that liberalism does away with the irreducible antagonism that characterises the political playing field. In her critique of liberal democracy, she aims to showcase that there is no such thing as a universally just political system, but rather ‘a *plurality* of legitimate answers [exist] to the question of what is the just political order’ (Mouffe 2000, 62). Consequently, she offers one such alternative to liberal democracy – i.e., agonistic pluralism - which allows for the institutionalisation of antagonism and unrest that characterise the contemporary democratic subject and society, while maintaining democracy as a political system. As will become clear throughout this paper, facilitating an active, participatory democracy that embraces passionate conflict rather than eliminates it, is the key to bridging the widening gap between the social and the political (Paxton 2020, 39, 50; Rosanvallon 2008, 307). As such, agonistic pluralism can serve to repoliticise democracies, thereby remedying the democratic disillusionment that dominates contemporary democracies.

How and in what form this model takes shape will be explicated in greater detail in the consequent chapters of this paper. For now, we must first take a step back and determine whether liberalism is indeed at the root of the problems plaguing contemporary democracy. In order to do so, we must extensively explore its foundations, ideals and workings. Therefore, I will now turn to 19<sup>th</sup> century thinker John Stuart Mill, who arguably best exemplifies our modern day ideals regarding liberalism, democracy, and representative government.

## 2: The Tradition of Liberalism and Representative Democracy

What is liberalism? As Duncan Bell (2014) posits, liberalism has been ‘construed in manifold and contradictory ways’ (683). Similarly, John Gray (1978) poses that liberalism is inherently an ambiguous notion (385-386). However, there are certain common themes can be established within the liberal tradition. The most important of these is the idea that individual freedom is an inalienable right that everybody has (Ibid., 388). Moreover, if this freedom is to be limited or restricted, there must be proper justifications to do so. Therefore, as a minimal requirement and definition, I pose that any doctrine of liberalism must presuppose this ideal.

As mentioned above, I have chosen to use John Stuart Mill as a spokesperson for this liberal tradition. Mill embodies most – if not all – of the important principles in liberal political theory. However, the definition of ‘freedom’ itself, how far liberties extend, and the means through which these may or must be realised differs between liberal theorists. As we will see, Mill is rather minimalistic in his interpretation of freedom, and therefore limits the right of the individual to three basic liberties: (1) freedom of the inward domain, (2) freedom of the outward domain, and (3) freedom of assembly. A society which does not respect these rights as a whole can be called free (Mill [1859] 2016, 15-16).

In what follows, I will firstly create a comprehensive overview of Mill’s liberalism. After having established such an overview, I will concern myself with the question of how a society may ensure that these liberties are respected. As such, I will explore Mill’s political philosophy, and in particular his postulate that the ‘ideally best form of government will be found in some one or other variety of the Representative System’, as well as his position on ‘the superiority of popular government over every other’ (Mill [1859] 2016, 32, 40). Lastly, I will make a comparison between Mill’s conception of liberalism and those of other important liberal theorists in order to sketch a comprehensive account of the liberal tradition.

### 2.1: John Stuart Mill’s Liberalism

#### 2.1.1: The Harm Principle

John Stuart Mill ([1859] 2016) commences his liberal doctrine by stating that he is not concerned with ‘Liberty of the Will’, but rather with ‘Civil, or Social Liberty’ (5). The question Mill seeks to answer is, therefore, how individual freedom and authority can be combined. Indeed, he proposes that individual liberty is only enforceable through institutions such as a legislation (Ibid., 9). Thus, Mill’s liberal project presupposes a state. In order to answer the question where freedom ends and authority begins, Mill proposes only one simple rule: the harm principle. This principle states that ‘the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant’ (Ibid., 13). A few things are worth noting. First of all, the harm principle showcases the presupposition that individuals are entitled to absolute freedom. As long as no harm is done *to others*, individuals may pursue their own ends as they see fit. Individuals are, therefore, allowed to do harm to their own persons. Mill is aware, however, that harm to oneself may seriously affect others. Therefore, he emphasises that whenever people harm another person through such behaviour, they may be reprobated; not for the behaviour itself, but for the harm done to others in the process. For instance, one may drink oneself to death, but a policeman who is drunk on duty

should be punished (Ibid., 15, 84-85). Moreover, the harm principle illustrates a strong opposition to paternalism. Just as Immanuel Kant ([1793] 1970) posits that ‘a paternalistic government (...) is the greatest despotism thinkable’, Mill poses that it is illiberal to be forced to live in accordance with another’s conception of happiness, welfare, or the good (71; Arneson 1979, 471). Ultimately, nobody is allowed to decide for another which goals to pursue and how to pursue them (Mill [1859] 2016, 80; Rosen 1996, 15-16). Thus, Mill resumes, ‘the only part of the conduct of anyone, for which he is amenable to society, is that which concerns others. In the part which merely concerns himself, his independence, is, of right, absolute. Over himself, over his own body and mind, the individual is sovereign.’ (Mill [1859] 2016, 13). Note that this principle is not only concerned with the relation between a sovereign and its subjects, but applies to interactions between individuals as well. It is an all-encompassing rule.

It is also important to define harm here. Mill distinguishes between *harm* and *offence*. Offence, as Mill puts it, is of a vastly different nature than harm. An insult may be undesirable or disapproved of, but it is not detrimental to our right to freedom. Therefore, it is not something that can be justifiably corrected or controlled. A harmful act, on the other hand, is an act that actively impedes our right to freedom. As such, it is something which we have ‘a right to control’ (Ibid., 82). More importantly, it is a *necessary* requirement and, in fact, the only justification for restricting one’s liberty. Furthermore, a distinction can be made between harmful and offensive acts with regards to their consequences. Mill offers the example of calling corn-dealers starvers of the poor, or expressing the opinion that private property is theft (Ibid., 58). Such an opinion would be offensive to corn-dealers or property owners, but not disallowed. However, if one would express these thoughts to an angry mob in order to instigate a riot, such an act would be considered harmful. Thus, the harm principle is not only concerned with definite harm, but also with the risk of harm (Ibid., 85). As will be shown later, this distinction is crucial for the upholding of basic liberties.

In sum, it can be said that ‘the appropriate region of human liberty’ is that which concerns itself with acts that exclusively affect oneself or others ‘with their free, voluntary, and undeceived consent and participation’ (Mill [1859] 2016, 15). As such, Mill conceives of three basic liberties: (1) freedom of the inward domain, (2) freedom of the outward domain, and (3) freedom of assembly. I will now explore these three in more detail.

### 2.1.2: The Right to Basic Liberties

#### *Freedom of the Inward Domain*

Firstly, Mill proposes that we have an absolute right to freedom of the inward domain of consciousness. This entails freedom of thought, freedom of feeling, and freedom of opinion on any subject whatsoever (Mill [1859] 2016, 15, 55, 58). Additionally, this liberty also entails the freedom of expression. Freedom of expression is, admittedly, not part of the inward domain. However, Mill poses, it rests on the same reasons and is so closely related that it cannot be taken as a different principle. Having an opinion and consequently expressing that opinion is part of the same liberty (Ibid., 16). In making the claim for absolute freedom of the inward domain, Mill takes a dual approach.

First, he assumes that the opinion in question may be true or false, we simply do not know. In attempting to suppress an opinion, one denies the truth of said opinion. By doing so, one also assumes one’s own infallibility. As Mill states, ‘To refuse a hearing to an opinion, because they are sure that it is false, is to assume that *their* certainty is the same thing as *absolute* certainty.’ (Ibid., 21). Regardless of whether the opinion in question is true or false, however, the ones who deny it cannot claim to be infallible. Fallibility is simply a fact of being human.

In addition to this, Mill argues that freedom of expression, even of (potential) falsehoods, is critical for the development of humankind (Ibid., 23). Throughout Mill's liberal theory, this is a crucial point. As Arthur Ripstein (2009) points out: 'John Stuart Mill seeks to justify liberal institutions by showing that they will produce the best overall consequences, given familiar facts about human nature and circumstances' (1). However, Mill's consequentialism reaches further than this. Mill's doctrine must be seen as perfectionist and teleological: he presupposes a knowable, *real* truth, that humankind has a duty to strive towards (Donatelli 2006, 41-43). With regard to freedom of expression, this entails that censorship and the suppression of opinions are harmful for reaching such a real truth. Using Socrates as a prime example, Mill argues that discussion and the contradiction of others' opinions is the most important means of finding truth, as well as the only condition which allows us to assume something to be true. In a word, it is detrimental for the development of humankind as a whole to prohibit freedom of forming and expressing opinions (Mill [1859] 2016, 23-28).

Second, Mill asks us to assume that we are in a position in which we have no doubt on the truth of an expressed thought: the expressed opinion is undoubtedly true. We cannot argue for the censorship of such an opinion on the basis that it might be false, for we know it to be absolutely true. Such an opinion must be allowed to be expressed for several reasons. First of all, simply because otherwise humankind misses out on the truth (Mill [1859] 2016, 55). Secondly, Mill again invokes his argument that dialogue and contestation is crucial not only for finding the truth, but also keeping it a 'living truth', for 'if it is not fully, frequently, and fearlessly discussed, it will be held as a dead dogma' (Ibid., 38). For instance, geometry does not exist of simply memorising formulas, one must be able to practice and demonstrate their geometrical expertise. Moreover, attempts to disprove existing knowledge – in particular when this attempt is based on truth - often leads to new truths. As Mill argues, 'the truth depends on a balance to be struck between two sets of conflicting reasons' (Ibid., 39).

Finally, Mill seeks to nuance these claims somewhat, and states that no opinion is ever absolutely true or false. It always contains aspects of both. This, however, makes freedom of formulating and expressing one's thoughts even more important. The public opinion on any subject is rarely ever the complete truth. An expressed thought, while mostly false, may contain aspects of truth that supplement the prevailing truth or public opinion. By censoring or suppressing the free expression of thoughts because they are unfavourable or opposed to the general opinion, people may miss out on important truths (Mill [1859] 2016, 48-49). Note again that this is an argument characteristic of Mill's perfectionism: it is concerned by and large with the development of the human race. Moreover, this, as well as the arguments presented above, showcase the importance of Mill's distinction between harm and offence. Expressed opinions – true, false, or otherwise – might be disapproved of. They might be seen as controversial, rude, or even blasphemous. However, these are all offences, not harms. Being in line with the harm principle, no justifiable restrictions can be set on the freedom of the inward domain.

### *Freedom of the Outward Domain*

The second basic liberty Mill advocates is that of the outward domain. This entails freedom to set and pursue one's own goals and purposes (Mill [1859] 2016, 16, 58). In other words, it concerns acting as we like, taking full responsibility for our own actions, without the impediment of others who do the same. Again, this reminds us of Kant's conception of the innate right of humanity. Mill's second basic liberty thus entails – as does Kant's innate right – reciprocal independence (Cordelli 2010, 426; Ripstein 2009, 41-44).

As such, acts, Mill proposes, can never be as free as thoughts. Actions are at more risk of causing harm, and must therefore be monitored more strictly. 'Acts, of whatever kind, which, without justifiable cause, do harm to others, may be, and in the more important cases absolutely

require to be controlled (...) when needful, by the active interference of mankind' (Mill [1859] 2016, 58). However, freedom to make and pursue one's own life-plan is an essential right for humankind, otherwise we would have 'no need of any other faculty than the ape-like one of imitation (Ibid., 61). By choosing our own plans, however, we make use of our higher faculties of reason. It is thus important for our personal development – and thus our development as humankind – to have total freedom of purposiveness. Having this freedom allows us to make use of our rational capacities, our deliberation and decision-making skills, and our good judgement (Ibid., 61, 65-66). Furthermore, and related not only to freedom of the outward domain, but to the inward domain as well, total freedom and cultivation of individuality – i.e. forming, expressing, and acting upon one's thoughts and plans – is desirable for the common good. By promoting individuality as opposed to uniformity, ideas that are favourable for society can come to grow. 'Persons of genius', as well as ideas of genius, while admittedly always small minority, can only flourish in 'an *atmosphere* of freedom' (Ibid., 67). Mill goes even as far as to say that we cannot do without 'originality of thought and action' (Ibid., 68). Invoking Alexis de Tocqueville, Mill poses that because of society's shortcoming regarding the cultivation of individuality and originality, people start to become more and more uniform. Moreover, these people become stunted, as they no longer use and develop their higher faculties. In a word, for the good of the individual, as well as society as a whole, freedom of the outward domain is an absolute necessity (Ibid., 69, 75-76).

#### *Freedom of Assembly*

The final basic liberty Mill concerns himself with is the freedom of assembly. Admittedly, Mill mentions freedom of association only a few times throughout *On Liberty* ([1859] 2016), but from the previous arguments we can conclude why this liberty is important in its own right. Firstly, it concerns itself with the human right to set and pursue one's own life-plans and purposes. As mentioned above, this right to purposiveness is an essential liberty individuals are entitled to, and indeed, even encouraged to exercise. Consequently, if people are entitled to do so *individually*, they should have the right to exercise this right *collectively* as well. As such, Mill poses that 'we have a right to choose the society most acceptable to us' (Ibid., 81). Additionally, through association we might discover purposes or goals we could not have found individually. In other words, through collective association we can better actualise our purposiveness, as well as our higher faculties (Ibid., 73). Related to this is a second argument, namely that freedom to unite with others is not only beneficial for the individual, but for society as a whole. A plurality of individuality, and a combination thereof, is what Mill sees as the largest contributor to the development of England, as well as Europe as a whole (Ibid., 73, 75-76). As such, Mill continues to argue from a perfectionist perspective, 'for what more or better can be said of any condition of human affairs, than that it brings human beings themselves nearer to the best thing they can be?' (Ibid., 66).

#### *Restrictions and Limitations to Basic Liberties*

Lastly, I want to briefly discuss the restrictions and limitations Mill imposes on the basic liberties. The most obvious being that they adhere to the harm principle. However, in practice this may lead to great difficulties. As we have seen, thoughts and opinions that cause offence are not in contradiction with the harm principle. Yet, certain opinions can, in fact, be harmful. As mentioned above, inciting an angry mob by expressing unfavourable opinions may lead to harm. Therefore, this can be justifiably prohibited (Mill [1859] 2016, 78). The same goes for acts that directly or indirectly harm others. People who harm themselves are rightfully entitled to do so, but if that leads to them being unable to take care of their children, they may be

penalised (Ibid., 82). I will not concern myself with a full analysis of the harm principle and its limitations. The main point is that non-consensual harm to others, directly or indirectly, or the risk thereof, is a justifiable reason to restrict one's liberty. A second point of attention is that Mill's right to liberty is not for everybody. In order to make sure it leads to the betterment of society, and not its decline, freedom concerns only those who are sufficiently intellectually developed that the burden of self-government that comes with it is one they can handle. In other words, it excludes children – for instance with regards to freedom of assembly – but it also excludes 'those backward states of society in which the race itself may be considered as in its nonage' (Ibid., 14). While this is an obvious example of colonial elements in Mill's work, I will not concern myself with it here. It is, however, that freedom is not an abstract right that applies to all. Related to this, thirdly and most importantly, Mill's liberalism is wholly dependent on his utilitarianism. Mill is not concerned with people's supposed natural right to liberty, but rather with the utility it may derive and the common good. As he states early on in his argument, 'I forego any advantage which could be derived to my argument from the idea of abstract right, as a thing independent of utility. I regard utility as the ultimate appeal on all ethical questions' (Ibid., 14). I will delve into this in more detail when I compare Mill to other thinkers of the liberal tradition. First, let us explore Mill's argument on representative democracy.

## **2.2: Representative Democracy as the Ideally Best Form of Government**

As previously mentioned, Mill is concerned with civil or social liberty as opposed to liberty of the will (Mill [1859] 2016, 5). The question that Mill seeks to answer is thus how far individual liberties reach, and to what extent they can coexist in a political society. Moreover, he seeks to find a system of 'good government', in which the utility of a society – the common good - is maximised (Mill [1861] 2016, 145). In what follows, I will discuss how Mill's liberalism is translated into political institutions. First, I will discuss what good government entails for Mill, and why a representative democracy is necessarily connected to this. Secondly, I will explore what Mill thinks the duties and limits of the state are.

### 2.2.1: Good Government

In his discussion on good government, Mill starts out by scrutinising common misconceptions on what characterises such government. Firstly, Mill poses that proper governmental institutions are those that promote the common interests – and thus common good – of the people subjected to them. In other words, good government is concerned with those elements that 'compose a good state of society' (Mill [1861] 2016, 137). However, what constitutes this 'common good' is, as Mill mentions, 'no easy task' (Ibid.). Common belief, he argues, is that the state should be concerned with two things only: order and progress. While *prima facie* a plausible and attractive division, it is problematic for several reasons. For instance, Mill wonders, what is order? Narrowly conceived order means obedience, and while this is a necessary condition, it cannot be the purpose of good government. Despots make themselves obeyed, but we cannot consider this beneficial for the common good (Ibid., 137-138). In a broader sense, order entails the preservation of safety and security. Yet, this is again simply a prerequisite for a state, not a 'criterion of its excellence' (Ibid., 138). According to Mill, then, order must be defined as concerned with preserving all the good that currently exists in a society. This, however, leads to a second problem – as such, order and progress occupy themselves with the same objective. Institutions that promote and safeguard goods that exist in the present are the same that foster the acquisition of more or new goods. Furthermore, when a state succeeds in its objective of progress, the balance which makes up the 'kinds and amounts

of good which already exist' inevitably changes. As such, order and progress go hand in hand, in turn making the distinction between the two meaningless (Ibid., 138-139). Thus, Mill proposes, we would be better off to see order as a condition of progress, rather than a separate objective of good government, 'for Progress includes Order, but Order does not include Progress' (Ibid., 141). A final problem with this distinction is that while progress suggests 'moving onward', it is occupied just as much with 'the prevention of falling back' (Ibid., 142). This, he contends, is an inadequate criterion of good government, for it is, once again, simply a prerequisite.

Good government must therefore comprise other criteria than order and progress. According to Mill, good government firstly requires a people that are developed well enough that they can constitute such a system. If the people that constitute a political community are occupied solely with their self-interest, are liable to corruption, have bad temperament and are, ultimately, incapable of proper self-government, good government will prove to be impossible (Ibid., 144). Ultimately, it concerns those who are developed sufficiently and are thus capable of exercising their rightful liberties. The first element that comprises good government, then, is that it promotes the moral and intellectual excellence of the people (Ibid., 145). In other words, Mill argues that good government needs 'to increase the sum of good qualities in the governed' (Ibid.). Moreover, recall that personal development goes hand in hand with that of society as a whole. As such, this objective of good government is 'collectively and individually' (Ibid.). In addition to this, the second criterion of good government is that it makes proper use of the qualities of the citizens that comprise the state. Good government must make the 'machinery itself (...) instrumental to the right purposes' – i.e., the moral and intellectual development of humankind (Ibid.). In sum, good government has two objectives only: cultivating moral and intellectual development in the governed, and making proper use of the qualities of the citizenry (Ibid., 147). Note again that both of these objectives are largely consequentialist and perfectionist. While not mentioned explicitly here, it is therefore appropriate to assume that Mill's utilitarianism is crucial for his argument on good government as well. Furthermore, it must be noted that these criteria are rather open-ended. It is unclear through which means moral and intellectual development is achieved, as well as what making proper use of people's capabilities entails. I will attempt to make this more clear in the sections that follow, for this is intrinsically related to the representative democratic institutions Mill proposes.

### 2.2.2: Popular Government

According to Mill, the system best suited for the realisation of good government is a representative democracy. Let us start with popular government. Mill offers several arguments in favour of democratic institutions, the first of which is that a people cannot rightfully be subjected to a rule they have no say in. Indeed, this is reminiscent of the Rousseauian point that the people necessarily must legislate themselves. Mill, however, does not argue from the perspective of a general will or social contract, but rather poses that not doing so goes against the liberties (civilised) people are entitled to. Recall Mill's argument against paternalism that nobody is allowed to decide for others which goals to pursue and how to pursue them (Mill [1859] 2016, 80). The same undoubtedly holds on the level of politics. However, the stronger claim in favour of popular government is of a different nature. In line with the previously mentioned idea that freedom – for those who are able to use it – is necessary for the improvement of both the individual and the collective, Mill makes a similar claim regarding political participation. By being politically engaged and actively participating in the rule they are themselves subjected to, citizens develop themselves, but more importantly, promote the collective interest by offering their wide array of 'personal energies' to the state (Mill [1861]



2016, 161). Good government, as such, is a sort of self-constitutive process, in which its task is to develop the higher faculties of its citizens, but it also offers the means to do so (Ibid., 169). The second claim Mill makes in favour of democratic rule is that only the citizens themselves can express and protect their interests. In order to identify the particular issues the government should concern itself with, the ruled subjects themselves should take place in such a government (Ibid., 161, 163). Moreover, government is always in danger of being subject to the private interests of some individuals or groups, thereby neglecting those of others. Political participation *of all* is therefore the most effective means to limit this. In a word, popular government is *self-protecting* and *self-dependent*, and therefore the best form of government (Ibid., 161-162). It is important to emphasise that Mill does not argue that a democratic regime is suitable everywhere and all the time. As he poses, 'I am far from condemning, in cases of extreme exigency, the assumption of absolute power in the form of a temporary dictatorship' (Ibid., 160). Indeed, in those 'backward states' that Mill commonly refers to, an absolute monarch might be necessary. A less civilised people must first learn obedience, before being able to exercise freedom and political participation (Ibid., 168, 171-175). Once a people has reached a certain point of development, however, popular government becomes a necessity for the further improvement of the common good. Additionally, people thus developed who do not participate in their own political system become passive and lazy. Mill poses that only very few individuals engage in 'intellectual exercise' when there is no 'outward effect' (Ibid., 156). Through political participation, then, citizens are compelled to make use of, as well as develop their intellect. By not doing so, most people will inevitably degenerate and become intellectually, as well as morally stunted (Ibid., 156-157, 164, 168-169).

### 2.2.3: Representation and Proportional Voting

For all the reasons offered above, total political participation of the people is the only way to 'satisfy all the exigencies of the social state'. Therefore, it follows that a democratic regime is the only justifiable regime. Ideally, such a system would be of direct participation – for instance through communal gatherings and deliberations. However, Mill concedes, this is only possible in a fairly small community such as a village. In order to solve this practical problem, then, he proposes that the best form of government is a *representative* democracy (Mill [1861] 2016, 171). The essence of such a system is that 'the whole people, or some numerous portion of them, exercise through deputies periodically elected by themselves the ultimate controlling power' (Ibid., 183, 185). As such, the representatives have total control of the functions of government. But what does this entail in practice? Mill offers several explanations on the functions of representative bodies. On a central level, the main task of the government is to deliberate, and consequently vote on matters that concern the state as a whole – i.e., the common good. The aim of the representative body is thus to consider and discuss popular demands that concern the common good of society. Matters such as these may include national expenditure or taxation. However, arguing for a proper division of powers, Mill poses that the main function of representative bodies is not to administer and decide on these issues themselves. Rather, it is to 'indicate wants, to be an organ for popular demands, and a place of adverse discussion for all opinions relating to public matters' (Ibid., 196-197). As such, they shape the agenda and function as advisors to the administration. Furthermore, the administration cannot be done by more than a few excellent and experienced individuals, for otherwise no decisions would ever be made (Ibid., 191). Therefore, Mill argues that representative bodies are in charge of making sure the proper persons occupy these positions (Ibid., 189). In Mill's system, then, representative assemblies serve as central checks to the conduct of other branches of government, but does itself have no other power than a veto (Ibid., 185-186).

One of the most important functions of representative democracy that Mill devotes considerable attention to, is the representation of minorities. One of the biggest dangers in a system of representative democracy is its liability to a tyranny of the majority (Mill [1861] 2016, 214). Such a condition arises when the numerical minority – in terms of votes - is heavily disadvantaged because of legislation that only benefits the majority. As such, the minority will be largely disregarded. Additionally, this may eventually even lead to a rule of ‘a majority of the majority’ (Ibid., 216). This, Mill argues, cannot take place in a proper democracy that safeguards everybody’s liberty: ‘In a really equal democracy, every or any section would be represented, not disproportionately, but proportionately’ (Ibid., 215). Furthermore, by excluding the minority society might miss out on the previously mentioned ‘persons of genius’, thereby lowering, or not maximally improving the intellectual standard of society (Ibid., 223-224). Therefore, instead of a system of majoritarian representation, proportional representation is necessary to maintain a truly equal democracy. As such, the minority would remain a minority, but would at least be represented accordingly, instead of not at all. Additionally, Mill proposes that people should be able to vote for multiple candidates. If a candidate voted for misses out on a seat in Parliament, at least a second, third, or other option might be elected. Through this system, nobody will be represented by somebody they have not elected (Ibid., 222-224).

While this concerns only the central government, Mill recognises that many issues are of a local nature. Therefore, the central government should leave these matters to be resolved on the local level. ‘It is but a small portion of the public business of a country’, he argues, ‘which can be well done, or safely attempted, by the central authorities’ (Mill [1861] 2016, 313). Thus, there is a need for provincial and municipal representative bodies as well. Local representation would provide the same benefits as a central representative body, but on a wider scale. The main purpose of local representative bodies is to provide for needs on a local level that are not accounted for on a national level. For instance, infrastructure in a particular region or opening a school in a relatively small town, but also water supply and waste disposal (Ibid., 317-318). Additionally, many people will not be able to participate in national politics aside from elections. Therefore, they will not reap the benefits of being politically engaged – development of one’s higher faculties. Since local politics encourages political participation, this problem is solved for. As such, the common good is promoted further (Ibid., 314-315). Furthermore these bodies would be constituted in the same manner as on the national level, namely through elections. Moreover, these elections would also be proportional in nature, in order to safeguard the numerical minority (Ibid., 315-316).

In sum, representative democracy is the ideally best form of government. It provides the means to develop oneself morally and intellectually, while also making sure everyone’s interests are taken into account. As such, it is the best means to increase the common good. Most importantly, through representative democratic institutions the right to liberty is respected, fully realised and put to proper use. A final remark needs to be made. While I have focused on the duties of the state, its limits must also be mentioned. As I stated earlier, Mill is concerned with how individual freedom and the authority of a state can coexist. Since the state ought to make sure its citizens behave in accordance with the harm principle, it is appealing to assume the state’s duties end here. As such, the limits of the state would be anything that does not concern harm to others. However, Mill adds to this that citizens have a duty to the state as well as the other way around. By virtue of living in a society, one must return something to that society – e.g., through their labour or through taxation. Therefore, the state is justified in enforcing this as well (Mill [1859] 2016, 78-79). In broad terms, then, the limit posed upon the state is to occupy itself with anything of the *self-regarding* nature. By this, Mill means anything that concerns only the individual, and does not affect – in a harmful way – others. While Mill adds that bad behaviour that is not harmful but simply morally wrong must be corrected, this

cannot be done by law. Rather, public opinion must serve as the corrective (Ibid., 78, 82-83). In a word, the state is only allowed to occupy itself with matters that concern society. The state's duty is to uphold human liberties and cultivate the common good, and its limits are anything that belongs to individuality or self-regarding behaviour, for that concerns only the individual (Ibid., 78-79, 84-85, 89).

### **2.3: Mill and the Liberal Tradition as a Whole**

As stated above, since he embodies the most important aspects of liberalism as we still know it today, I have chosen Mill as the spokesperson of the liberal tradition. However, as I have also mentioned, Mill has certain idiosyncrasies that cannot be ignored. As such, I will now briefly explore Mill's position in the liberal tradition as a whole, and compare and contrast him to other liberal thinkers in order to sketch a comprehensive account of liberal ideology.

The first peculiarity Mill exhibits regards his utilitarian background. Mill's liberalism is based entirely within the framework of utilitarianism. This means that freedom or basic liberties serve as its main purpose the enhancement of utility. The implication of liberty being inherently connected to utility is that liberty is not a fundamental or abstract right. Mill makes this clear when he argues that freedom can only be exercised by those whom it benefits – i.e., those who are sufficiently developed to govern their own persons. Moreover, Mill suggests that not even in a civilised society everybody can be entitled to equal liberties. Mill is a strong proponent of the extension of suffrage. Indeed, a democracy, characterised by the rule of all, requires everybody to be allowed to vote: 'if he is required implicitly to obey, he should be legally entitled to be told what for; to have his consent asked, and his opinion counted at its worth' (Mill [1861] 2016, 239). However, Mill adds, 'though not more than its worth' (Ibid.). This particular addition is key. Mill favours a system of weighted voting, in which those who are morally and intellectually superior are entitled to a plurality of votes (Ibid., 243-244). This showcases that equal liberty is not Mill's concern *per se*, but only the utility derived from it, which separates him from other liberals. In addition to this, Mill argues it to be 'wholly inadmissible' that those who are not 'able to read, write,' or 'perform the common operations of arithmetic', are allowed to vote (Ibid., 240). As such, these may be excluded until they reach the appropriate level of intelligence. Again, this illustrates that the basis of Mill's liberalism is utility-based, consequentialist, and perfectionist, which is particular to his liberalism.

This can be further illustrated by looking at the debate regarding obscenity and censorship in the U.K. in the 1970's and 1980's. The issue surrounding this debate was whether pornography should be legalised, or whether it should be censored. The committee deciding on this matter, led by Bernard Williams, applied Mill's harm principle to determine whether pornography should be legal or not. The report by Williams argues for live sex shows to be prohibited, but for pornographic films or photographs to be legalised – albeit restricted in terms of for instance sale and advertisement (Williams 2015, 131-132). The argument underlying this advice starts out by emphasising the importance of the right to free speech and expression, as long as it is in line with the harm principle. For instance, if pornography can be shown to lead to higher rates of violence or sexual crimes, freedom of expression may be restricted. Furthermore, in the report, freedom of expression is linked directly to human development. While the committee rejects Mill's perfectionist ideal about human development – for 'we do not know in advance what social, moral or intellectual developments will turn out to be possible, necessary or desirable for human beings and for their future' - they argue that 'free expression, intellectual and artistic (...) is essential to human development' (Ibid., 76). Thus, the committee rejects Mill's utilitarianism and perfectionism, yet bases the right to certain liberties entirely on their consequences. While this seems to be broadly in line with Mill's thought, an important

distinction must be made. Williams and the committee pose that any form of human development must originate in the individual. As Ronald Dworkin (1981) states, for Williams and the committee ‘human development must be self-development or its value is compromised from the start (180). This differs greatly from Mill because it takes the individual as the focal point instead of the common good. While the individual is conducive towards this common good, it is always at the basis. Conversely, for Mill the individual only factors in when society has developed far enough. Before this, the common good must be cultivated through other means. Since the protection of individual freedom and autonomy is a central and fundamental claim in the liberal tradition, this sets Mill aside from other liberals (Christman 1991, 343). Regarding this point, then, Williams and the committee are much more representative for the liberal tradition as a whole. Moreover, as Dworkin argues, Williams’ point that human development starts with self-development is ‘in many ways a more attractive picture of the good society than either the crude or the more sophisticated utilitarian can provide’ (Ibid., 180). It remains, however, a *goal-based* approach to individual freedom (Ibid., 179-180). In turn, this leads to arbitrariness regarding the protection of rights. Rather, Dworkin argues for a *right-based* approach to individual freedom. Humans have fundamental rights to for instance freedom of expression, regardless of their consequences. Of course, as we have seen, Mill rejects those fundamental or abstract rights. Utility is always primary in any matter concerning individual rights. Again, this is something that is particular to Mill and his context. Modern liberalism is characterised by its emphasis on pre-political, fundamental, abstract rights to individual freedom that humans have by virtue of being human (Bell 2014, 700; Lister 2010, 321). Regarding the case on obscenity, then, pornography would be legalised on the basis of a fundamental right to freedom of expression. In sum, whereas liberty is a fundamental *right* for certain liberal thinkers such as Dworkin, for Mill as well as Williams it is a *good*.

Related to this, a final difference must be noted between Mill’s liberalism and that of others within the tradition – i.e. that of *neutrality*. Mill’s perfectionist view on rights to basic liberties carries with it certain political implications. The most important of these is society’s duty to rule in accordance with ideals on good government. As we have seen, for Mill this entails improving the moral and intellectual qualities of the people, as well as making good use of their skills. This leads to several questions. How would this be established? What does it entail to improve people’s moral and intellectual qualities? When does the state make good use of the qualities of its citizens? In order to solve these problems, then, certain controversial decisions need to be made. It is inevitable that personal preferences enter into the equation when deciding on these matters. I will not go into detail on why Mill’s perfectionism leads to problems, but criticisms notwithstanding, it goes against an important liberal ideal. Will Kymlicka, for instance, has emphasised the need for neutrality in liberal ideology. He states that ‘the state should not reward or penalize particular conceptions of the good life but, rather, should provide a neutral framework within which different and potentially conflicting conceptions of the good can be pursued’ (Kymlicka 1989, 883). In other words, the state’s only duty is to protect individual liberties so that people can develop and realise themselves as they please. It must be mentioned that this echoes Mill’s argument on paternalism. Indeed, he agrees that the state has no business in telling people how to live their lives. However, for Mill this is something that only happens when people are sufficiently developed. Again, liberty here serves as a good, rather than a right. People who are not as far progressed are allowed to be told how to live their lives. Moreover, Mill’s insistence on moral and intellectual development as a means to foster the common good of humanity showcase that his liberalism is not concerned with neutrality *per se*. In a word, for Mill the common good comes first, liberty after. For Kymlicka and other more contemporary liberals such as John Rawls, this neutrality is a prerequisite precisely because liberty always comes first. It is, as for Dworkin, an abstract right that cannot simply be overridden. Thus, Mill differs from the liberal tradition in this respect as well.

### 3: Agonistic Pluralism and Radical Democracy

Having discussed several representatives of the liberal democratic tradition, I now want to return to the theme of democratic crisis and disillusionment explored in the first section of this paper. As will become clear throughout this section, the problematic of contemporary democracy lies in its very foundation – namely liberalism. Therefore, I will scrutinise the tradition of liberal democracy and its underlying rationality.

In doing so, I closely follow the work of Chantal Mouffe, whose thought is very close to my own. A prominent critic of liberal democracy, Mouffe powerfully argues for a counter-hegemonic reconfiguration of politics as we know it today. As such, her distinction between the political and politics, as well as her consequent model of agonistic pluralism will serve as the basis of my critique on liberal democratic politics. Moreover, it will be used to diagnose the causes of what I have called democratic disillusionment and illustrate why the contemporary model of liberal democracy is inapt to deal with its consequences.

In what follows, I will firstly investigate the inherent contradiction between liberalism and democracy and argue why liberal democracies are bound to fail. By negating the political in its antagonistic dimension, liberal democracies attempt to erase the political from politics, thereby – ironically – propagating uncontrollable antagonism in society. This will be illustrated using the liberal tendency towards rational consensus, universalisation, and what Mouffe calls a condition of post-politics. Secondly, I will showcase how liberal pluralism and democracy are not contradictory, but paradoxically related. Viewed as such, a democracy characterised by agonistic pluralism can not only serve as an alternative to contemporary politics, but it is rather a necessary condition for a vibrant democracy.

#### 3.1: A Critique of Liberal Democracy

##### 3.1.1: The Political in its Antagonistic Dimension

In order to grasp the inherent contradiction within liberal democracy, it is crucial to first understand that both liberalism and democracy operate according to different logics. As Claus Offe (1998, 119) for instance argues, democratic stability relies entirely on a sense of mutual political integration and commitment – or, homogeneity – of the respective political community. Liberalism, on the other hand, relies on individual pluralism, and thus heterogeneity (Mouffe 2000, 38-39, 53-54). A similar claim is made by Carl Schmitt - Chantal Mouffe's primary influence. Therefore, it is useful to take Schmitt's argument on democracy's inherent reliance on homogeneity as a point of departure. Schmitt, she states, argues that democracy requires absolute equality. It relies on the principle that all its participants are equal. As such, it necessarily requires a certain homogeneity. However, this also implies that democracy must negate any sort of heterogeneity. Democracy thus not only requires absolute equality, it also needs the elimination of difference (Mouffe 2000, 37-39). It is important to explain what equality entails here. The democratic homogeneity that Schmitt identifies signifies being part of a *demos*. It is an equality that entails partaking in a common substance – i.e., being part of a network of shared norms, values, judgements, rules and meanings (Ibid., 38, 50). As such, it is a substantive, but also a procedural equality. Moreover, this equality, presupposes in its very definition a sense of inequality. Indeed, any form of collective identification 'requires

the political moment of discrimination between ‘us’ and ‘them’ (Ibid., 44). In order to construct a ‘people’, some are necessarily excluded from it. Democracy thus presupposes patterns of in- and exclusion.

I will explore this somewhat more when I turn to the oxymoronic relation between democracy and liberalism. Firstly, however, it is important to explore this logic of in- and exclusion somewhat more. What needs to be taken from Schmitt, Mouffe poses, is that democracies cannot exist without these exclusionary patterns. She argues that ‘the identity of a democratic political community hinges on the possibility of drawing a frontier between ‘us’ and ‘them’ (Mouffe 2000, 43). Indeed, any political identity is negotiated antagonistically between an ‘us’ and ‘them’. This is a sentiment that is echoed by Judith Butler (2015) when she states that ‘violence is a constitutive possibility of every assembly (...) because no political assembly can ever fully overcome its own constitutive antagonisms’ (191). This antagonistic dimension of identity construction is what Schmitt and Mouffe refer to as the dimension of *the political*. As opposed to *politics* – which is the collection of practices and institutions that order and organise society – *the political* refers to the dimension of antagonism and relations of power that are always present in, as well as constitutive of social relations (Mouffe 2005, 8-9; Mouffe 2013, 2-3). Moreover, the dimension of the political is ontological, and therefore ineradicable. As I will elucidate in more detail below, it is precisely because the political is ineradicable that liberalism’s attempt to suppress antagonism is problematic. By doing so, Mouffe argues, antagonisms run the risk of taking on violent, hostile forms (Mouffe 2015, 21, 82). Furthermore, Mouffe emphasises – drawing from psychoanalytical and post-structuralist thought – that identity is always constructed through difference. The formation of identity requires a constitutive outside, an ‘other’ through which differences are articulated. Consequently, identity cannot be seen as separate from acts of power and social relations, but is produced through and within them (Mouffe 2005, 14-15). Crucial to note is that this implies that every identity, social relation, or political order is always contingent. Additionally, identity formation must be seen as a performative process, relying on continuous production and rearticulation (Mouffe 2000, 21). It must be mentioned, however, that while identities are constituted through difference, Mouffe emphasises that the occurrence of antagonism is not a given. Us/them dichotomies may remain amiable. However, there is an unavoidable, ever present possibility of antagonism which cannot be neglected (Mouffe 2005, 16).

### 3.1.2: Liberalism, Individualism, and Rational Consensus – A Negation of The Political

While democracy is reliant on the mechanism of inclusion through exclusion, liberalism attempts to do the opposite. With the individual as its focal point, liberalism presupposes not a *substantive* and *procedural* equality, but rather a *fundamental* one that is independent from political considerations. As explored in the previous chapter, this is best captured by the liberalism of for instance Dworkin, who states that the individual has an abstract and fundamental right to liberty. This right is thus pre-political in nature, and pertains to humans by virtue of being moral persons (Dworkin 1987, 52-53; Bell 2014, 700). As Mouffe (2000) puts it, liberal equality is moralistic in nature and concerned with humanity, whereas democratic equality is political and relies on the constitution of a ‘people’ (44). In liberalism, then, ‘every person is, as a person, automatically equal to every other person’ (Ibid., 39). Contrary to the homogeneity democracy assumes, liberalism primarily requires something else entirely: the recognition of a potentially endless individual pluralism. With pluralism I mean to refer to what Mouffe calls ‘the end of a substantive idea of the good life’ (Ibid., 18). This position is expressed clearly by Mill’s harm principle, Kant’s universal principle of right, and their consequent position against paternalism, which both articulate the notion that no individual can be forced or expected to adhere to another’s conception of the good. Even more so, this is

expressed by the liberal ideal of neutrality, which can be seen in Dworkin, Kymlicka, or Rawls. Ironically, such individual pluralism negates difference. Liberalism envisions a multiplicity of different perspectives and interests and seeks to incorporate them all equally. It seeks to find a consensus without exclusion (Ibid., 49). However, such a consensus wholly disregards the element of power and antagonism in society. It is ‘a pluralism without antagonism’ and per definition it is unable to conceptualise patterns of in- and exclusion (Ibid., 20). Paraphrasing Schmitt here, Mouffe poses this to be an inherent contradiction in liberal democracy. The logic of individual pluralism contradicts that of absolute homogeneity and, vice versa, a homogenous demos precludes pluralism (Ibid., 39, 51). Yet, for Mouffe this contradiction is not irreconcilable. The tension between these two logics can be used productively in a democratic system that embraces both pluralism and difference. If it is rearticulated as such, she sees it as a catalyst for a vibrant democracy (Ibid., 44-45). She agrees with Schmitt, however, that contemporary liberal democracy is at odds with the political in its antagonistic dimension. This will become more clear by exploring two interrelated elements of liberal democracy: (1) rational consensus and (2) universalism.

### *The Need for a Rational Consensus*

As we have seen, the primary issue that liberals face is how to provide a peaceful space in which fundamentally free individuals can coexist. This is something articulated by for instance Kant, who argues that as spatially oriented beings, humans are bound to collide with each other. The aim, then, is to find a way in which this can happen peacefully, without hindering someone’s freedom (Ripstein 2009, 12). Similarly, Rawls and Habermas – Mouffe’s prime targets - attempt to provide a solution to this problem. They, however, formulate it somewhat differently. The task for Rawls, for instance, is how to constitute a society comprised of free and equal individuals divided by a plurality of views and ideologies in a just and stable manner (Mouffe 2000, 23-24). In doing so, Rawls argues that it is necessary to formulate a *rational consensus*. Such a consensus, however minimal, would entail that people, through deliberation and reasonable argumentation, agree on the fundamentals ‘under which people with different conceptions of the good can live together in political association’ (Ibid., 23, 83). Habermas similarly argues that while particular differences will always remain, procedures of rational deliberation, characterised by features of equality, impartiality and inclusivity, can lead to reasonable outcomes on matters of justice, liberty, and equality (Ibid., 47-48, 88). An important distinction is made here between ‘rational consensus’ and ‘mere agreement’. While a mere agreement is equated to a simple *modus vivendi*, a rational consensus implies an element of impartiality. It is a consensus reached by disregarding all particular interests (Ibid., 86). This ideal that a consensus can be found on the basis of moral impartiality and rationality is exemplified by Rawls’ veil of ignorance and original position. The aim of this situation is to find shared conceptions of a fair and just society while being completely detached from particular interests. Through the use of public reason and reasonable deliberation, such a society can be constituted (Mouffe 2000, 26-27). Such a conception of rational consensus, however, is equivalent to a moral – and thus universal - truth. It can thus be said, that the purpose of finding a rational consensus, is basically to obtain moral truths.

This is problematic. As mentioned above, no identity or social relation can be seen as separate from power relations. Every position is grounded in its opposition to something else. Inevitably, this is the case for liberalism as well. For Rawls, reasonable persons are those who have developed their moral powers sufficiently to be free, equal, and fully cooperating members of a society (Mouffe 2000, 24). But, Mouffe asks, ‘what is this if not an indirect form of asserting that reasonable persons are those who accept the fundamentals of liberalism?’ (Ibid.). Indeed, Rawls’ circular reasoning on what it means to be a reasonable citizen, capable of

reaching a rational consensus on the ‘principles of political morality’ is an expression of his own liberal ideology (Ibid.). Moreover, it necessarily excludes those who do not subscribe to such a conception of rationality. As such, we must conclude that the liberal rational consensus does not provide a moral, fundamental truth, but rather expresses a *political* decision: there is no consensus without exclusion. Mouffe emphasises that this is crucial. The liberal attempt to negate difference, to ignore the metaphysical contingency that organises social reality, and to deny the antagonistic dimension integral to identity, should be seen as expression of *hegemony*. Viewing liberalism as hegemonic – i.e., the confluence of social objectivity and power – ‘indicates that power should not be conceived as an external relation taking place between two pre-constituted identities, but rather as constituting the identities themselves’ (Ibid., 99). Furthermore, it showcases the impossibility of a rationally obtained fundamental truth, thereby allowing us to see the contingent nature of every political order, and thus liberal democracy. This is related to the second aim of obtaining a rational consensus: the elimination of hostility, conflict, and acts of power. As previously mentioned, liberal pluralism is a pluralism without antagonism. This is demonstrated by for instance Mill’s position on popular government: through total democratic participation, citizens can express the particular interests the government should concern itself with. As such, the widest possible array of interests can be granted, and nobody will be excluded (Mill [1861] 2016, 161, 163). This sentiment is also exhibited when he poses that proportional representation is the only way in which nobody would be subjected to the will of another. Through proportional voting, and the consequent representative deliberative body, the common good can be identified and cultivated (Ibid., 214-216). It must be said that Mill is not explicitly concerned with finding a rational consensus. Indeed, the approaches of Rawls and Habermas aim to move away from such an aggregative model of liberal democracy (Mouffe 2000, 82-83). However, in doing so, they maintain the ideal of pluralism without antagonism. Deliberative procedures and its outcomes – i.e., reasonable agreements – have as its core aims the elimination of disagreement. The presupposition of such procedures is that a society without antagonism can be established: ‘the more democratic a society is, the less power would be constitutive of social relations’ (Ibid., 100). For reasons mentioned above, this is an impossibility. The ontological dimension of antagonism and the constitutive aspect of difference and power relations cannot be negated. Drawing from Lacan here, Mouffe poses that forms of collective identification – i.e., the constitution of an ‘us’ opposed to a ‘them’ – are ineradicable desires. However, liberal democracy does not allow for this affective dimension of existence. In its attempt to reduce politics to a neutral space in which different factions compete, liberal democracy totally eliminates passions from politics (Ibid., 30-31; Mouffe 2005, 26-28). By doing so, it turns politics into rational calculation. This may not necessarily seem as a problem. Indeed, why should antagonism be embraced if it can be diminished? As mentioned above, however, the antagonistic dimension of the political is ontological. As such, it *cannot* be erased (Mouffe 2005, 14-16). The point Mouffe emphasises is that in an attempt to close politics, one leaves it entirely open to antagonistic outbursts.

Through liberal democracy’s aim to establish a rational consensus, the possibility of legitimate expressions of dissent are eliminated. Therefore, liberal democracies become breeding grounds for ‘for the emergence of violent forms of antagonisms’ such as riots, violent protests, or extremism (Mouffe 2013, 20). If no means exist through which antagonisms can be expressed *politically* – i.e., through legitimate institutions - democratic participants may resort to violence and hostile behaviour. To take this one step further, I propose that an attempt at the closure of politics, widens the gap between the social and the political. I argue that ‘the establishment of a consensus around one single model’ leads not only to antagonistic outbursts, but creates a sense of estrangement between the democratic subject and the political process, ultimately causing what I have called *democratic disillusionment* (Ibid.). This is perfectly



illustrated by the 2005 riots in France that commenced as a reaction to police violence. Indeed, these riots were expressions of antagonisms that could not be articulated politically, thereby causing an outburst of violent antagonism. Even more importantly, however, the rioters abstained from formulating any political demands. The riots were sheer expressions of blind violence (Ibid., 121). Similarly, this occurred in the 2008 riots in Greece. In addition to Mouffe's claim that ignoring and negating the crucial role of the political leads to antagonistic outbursts, my contention is that it necessarily leads to an alienation from the political sphere, thereby exacerbating democratic disillusionment. Thus, I argue with Mouffe that the friend/enemy relation needs to be renegotiated into an adversarial relation, thereby turning antagonism into *agonism*, and institutionalising the role of passions in politics (Ibid., 7). I will discuss this in more detail later in this chapter. For now, let us turn to the second element of liberal democracy: universalism.

### *Universalism or Contextualism?*

A second, interrelated aspect Mouffe sees as essential for liberal democratic ideology is the ideal of universalism. As alluded to above, the belief in a rational consensus implies the existence of a moral truth that can be attained. Such a moral truth, then, must be universalisable – or, can at the very least be universally agreed upon – as well. As such, liberalism also hinges on the universalisation of its own ideals (Mouffe 2005, 11-12; Mouffe 2013, 3). However, she asks, is liberal democracy the rational solution to political questions regarding the organisation of human coexistence, or is it merely one solution among many (Mouffe 2000, 62)? Should we not, instead, view liberal democracy as a product of specific socio-cultural and historical conditions, and therefore contingent? In seeking to affirm the latter question, she poses that universality is a false ideal.

In order to argue thus, Mouffe draws from Wittgenstein. According to such a perspective, liberal democracy must be seen as one *language-game* among others (Mouffe 2000, 64). Let me elucidate this somewhat. Mouffe poses that we can never be separated from our *form of life*. Any form of social objectivity is always grounded in particular judgements and practices that we embody. These judgements and practices, in turn, are held together by an intricate network of social relations, norms, values, and shared meanings (Ibid.). It is important to note that in her attempt to go against liberal universalism, Mouffe does not take a relativistic approach. By emphasising the contingent nature of any political order, she does not accept 'a relativism that would justify [the implementation of] *any* political system' (Ibid., 62). Rather, she adopts a so-called contextualist approach. This perspective stresses that what is deemed a proper political organisation is always a product of socio-cultural and historical conditions, and therefore contextually sensitive. Thus, while not asserting that anything goes, such a conception of politics denies context-independent assessments, but envisages 'a *plurality* of legitimate answers to the question of what is the just political order' derived from shared value-systems, meanings and judgements particular to one's social context instead (Ibid.). Therefore, while denouncing the claim to a single just political system, the contextualist approach still makes it possible to distinguish between conceptions of right and wrong (Ibid., 62-63). In other words, Mouffe's contextualist approach still provides the tools to denounce undemocratic systems, while also allowing for a variety of different ways in which democratic systems could be organised.

The Wittgensteinian form of life has several benefits. First, it showcases the impossibility of finding a 'rational solution to the problem of human coexistence' (Ibid., 64). Instead, it illustrates that political systems are always entirely context-dependent, contingent, and thus expressions of hegemony. Therefore, it refutes rationalist arguments such as Rawls' veil of ignorance and Habermas' ideal speech situation (Mouffe 2000, 64-65). What is deemed

reasonable is essentially determined by a collection of shared beliefs. Thus, this perspective undermines the prominent liberal aim of truth-seeking which is strongly present in Rawls and Habermas, as well as in Mill and Williams. Second, it showcases that what is really at play when one distinguishes between rationality and irrationality, is whether one shares a form of life (Ibid., 65-66). The legitimacy of a political system is therefore not derived from rationality or universal validity, but rather from the agreement on shared practice, rules and principles. Ironically, while Kantians like Rawls and Habermas sharply distinguish between rational consensus and mere agreement, it would thus seem that every social or political order is based on an agreement in the Wittgensteinian sense of the word. Accepting that there is no such thing as neutrality and impartiality allows us to see that any liberal ‘grammar’ resides within the liberal ‘language’ itself. Moreover, principles such as rationality only serve to discursively produce the *a priori* network of social relations, norms, values, and agreements that constitute our form of life. As Mouffe states with regards to liberal democratic procedures: the rationalism and universalism inherent to political liberalism serves only as means to constitute the liberal democratic form of life (Mouffe 2000, 67-68; Mouffe 2005, 121).

Lastly, Mouffe borrows Derrida’s notion of undecidability to demonstrate the impossibility of impartiality and universalism. Undecidability, she argues, is a condition of existence. Essentially, it showcases that every ordering of social and political reality has an inherent element of undecidability to it. It is based not on universalist moral imperatives or rationally attained principles, but rather on choice and agreement. Thus, it signifies the contingency of every social objectivity (Mouffe 2000, 135-136). The undecidability that characterises human relations entails that ‘we can never be completely satisfied that we have made a good choice since a decision in favour of some alternative is always at the detriment of another one’ (Ibid., 136). Therefore, consensus is always simply an agreement. It is the crystallisation of something chaotic into a stable framework. Thus, it remains contingent. There is always tension in every constitution of reality. Liberal democracy attempts to avoid this through its rational universalism. In other words, it attempts at a closure of politics. This is, however, misguided. As established above, liberal democracy is itself subject to the contingent nature of existence. Furthermore, it is itself also dependent on the exclusion of those deemed ‘unreasonable’. As Mouffe states, it is ‘made invisible through a clever stratagem’, but liberal democracy is nonetheless subject to the undecidability that penetrates human coexistence.

### 3.1.3: Post-Politics and Politics towards the Centre

Because of liberal democracy’s inability to engage with the political in its antagonistic dimension, as well as its denial of contingency and undecidability, it is essentially a unpolitical system. Consequently, the liberal democratic hegemony has led to an era of *post-politics*. According to Mouffe, society is dominated by the belief that we have reached the end of politics. The problem of politics has been solved by deliberative procedures and rational consensus, and all that remains is the universal implementation of liberal norms and values (Mouffe 2005, 1-2). The most important consequence of this ideology, Mouffe points out, is a politics towards the centre. After the fall of communism, the hegemony of (neo-)liberalism has sedimented itself. With the collapse of the Soviet Union, the liberal ideology lost its last real adversary, thereby becoming virtually unchallenged (Ibid., 31). As a consequence of this, distinctions between left and right have slowly started to blur. Instead of drawing new political frontiers, an attempt has been made at ‘a win-win politics in which solutions could be found favouring everybody in society’ (Ibid., 31-32). Subsequently, leftist parties – e.g., social democrats - have gradually started moving towards the right, settling at the centre. This politics of *consensus at the centre* carries with it several problems.

First of all, it takes the political out of politics. A well-functioning democracy should embrace contestation rather than suppress it. For Mouffe, the eradication of this element of conflict makes the liberal democratic state into a referee. Its only purpose is to pick and choose between different factions, aggregating a plurality of interests (Mouffe 2000, 52). As previously mentioned, however, democracies should embrace conflict and antagonism. The same sentiment is shared by Jacques Rancière, who poses that *politics* is essentially equivalent to *dissent* (Rancière 2011, 10-11). In contemporary democracies, however, what we call politics has increasingly been displaced by *police* – i.e., pure administration (Ibid.; Rancière 1999, 28). As such, Rancière argues that we find ourselves in a condition of post-democracy. Having assimilated politics under administrative procedures, dissent has been eliminated from politics entirely. Essentially, this has caused for today's political landscape to become a democracy without a demos, and thus a post-democracy (Mouffe 2005, 29).

Second, and related to this, a strategy of consensus at the centre disregards the essential role played by passions in the political process. As briefly mentioned already, Mouffe – drawing from psychoanalysis – argues that people necessarily establish collective modes of identification as a result of libidinal instincts or passions of love and enjoyment. The antagonistic negotiation of an 'us' opposed 'them', is a consequence of an ineradicable desire to create collective identities (Mouffe 2005, 26-28). However, by attempting to subsume everything under a rational consensus - and in particular a consensus at the centre - liberalism is unapt to deal with the fundamental role these passions play in the political sphere. Even more so, Mouffe argues, by not giving these ineradicable passions a legitimate, democratic outlet, they will inevitably express themselves antagonistically: 'The ground is therefore laid for various forms of politics articulated around essentialist identities of a nationalist, religious or ethnic type, and for the multiplication of confrontations over non-negotiable moral values, with all the manifestations of violence that such confrontations entail' (Mouffe 2013, 8).

Third, as identified in the beginning of this paper, contemporary democracy is plagued by the consequences of what I have called democratic disillusionment. These include an increase in populist and extremist parties and movements, an increase in mass protests, growing distrust in democracy, and ultimately an overall feeling of alienation from politics. As I have illustrated above, the antagonistic dimension that is inherent to any social reality simply cannot be erased. A perfect democracy in which conflict is eradicated is an utopic ideal. Therefore, political liberalism's attempt at such an 'one-dimensional world' leads to antagonism bubbling up in worrying ways (Mouffe 2000, 7). It is for this reason, then, that right-wing populist parties have gained more support over the years. Being the only actors that actively oppose the liberal hegemony, populist parties and movements draw many people to them who feel alienated from, and disillusioned by liberal democratic practices. Seen from this perspective, people who do not feel represented by the liberal ideology seek alternative mode of representation. For instance, Mouffe states, many working class people feel that their interests are better protected by right-wing populists than by leftist parties, because these have essentially become centrist (Ibid.). According to her, then, this 'crisis of representation' is thus caused by a fundamental 'democratic deficit' (Mouffe 2013, 119). To reiterate this point in notions introduced in the first chapter of this paper, the democratic subject relates less and less to the political process – which is increasingly reduced to administration rather than passionate conflict and discussion about clashing ideals – thereby creating a disconnect between the social and the political. In turn, this leads to a cycle of dissatisfaction and distrust, which consequently exacerbates the sense of disillusionment that characterises today's democracies, but it is also what leads to people seeking alternative modes of representation and political expression.

This is also illustrated by the increase in mass protest movements. Mouffe is less pessimistic on this account, however, for it illustrates that the times 'in which the hegemony of neo-liberalism was unchallenged have fortunately come to a close' (Ibid., 65). Protest

movements display the crucial element that has been missing from contemporary politics: dissent. Essentially, such movements pose counter-hegemonic alternatives to the existing hegemony of liberalism. However, these movements also pose a problem. Many of them are in favour of a so-called *exodus* – i.e., a horizontally organised democracy without institutions. However, whereas any form of political organisation needs the political dimension of antagonism, it also needs politics – i.e. the collection of practices and institutions that organise society (Ibid., 75-77). I will go into more detail later on in this paper. now it suffices to say that Mouffe sees politics without institutions as an impossibility. Two remarks must be made here. Firstly, while Mouffe sees in the rise of right-wing populists a fundamental problem, this is because of the right-wing ideology, not the populist mode of engaging in politics. Indeed, as I have established at the beginning of this paper, populism is characterised by constituting frontiers between ‘the people’ and ‘the establishment’, an ‘us’ and a ‘them’. This is for Mouffe precisely what is missing in contemporary politics. Thus, as postulated by Ernesto Laclau (2004), populism is synonymous with politics (113-114). As with her critique on the increase of protest movements, then, it is the *content* and its *antagonistic expression* of that content that she finds problematic, not the political logic. However, it is important to note that part of this is informed by what I believe to be a discrepancy between Mouffe’s theoretical argumentation and her personal opinion. Being a left-wing thinker, Mouffe disagrees sharply with the content of right-wing parties and movements. While many of these parties are characterised by antagonistic expressions of political demands – which is, indeed, detrimental for democracy - it is too strong a claim to say that right-wing ideology is automatically harmful for democratic practice. As I have alluded to above and will elaborate on shortly, rearticulating the antagonistic relation between friend/enemy into one between legitimate adversaries would be beneficial on both the left and the right. In a word, whereas Mouffe is clearly in favour of a radicalisation of left-wing parties, I claim that political dissent on the right must be included in her theory as well.

Secondly, Mouffe stresses that the ‘profound dissatisfaction’ that is omnipresent in society cannot be explained by socio-economic disparities. If this were the case, the increase of the phenomenon mentioned above would be distributed predominantly among countries with the biggest socio-economic inequalities. For instance, the Occupy protest movement was virtually absent in France, whereas Germany – with better economic conditions - was faced with several Occupy protests (Mouffe 2013, 119-121). This is, she poses, because the problem is not socio-economical but political. The consensus at the centre has not been as prominent in France compared to other European countries. France still has radical parties on the left, as well as on the right – e.g., the Socialist Party or Front National. By this Mouffe is not saying that France is not liable to the problems of contemporary politics. Indeed, France has also been plagued by riots, protests, and the rise of right-wing populists – something illustrated by the large support garnered by Marine Le Pen in the 2022 elections (Ibid., 121, Williamson 2022). What this shows, however, is that not having alternatives that challenge the hegemony of liberalism is what leads people to become disgruntled, dissatisfied, and ultimately wholly *disillusioned* by politics. Vice versa, it illustrates that having access to such alternatives can be the remedy to revitalise democratic politics.

### 3.2: Agonistic Pluralism and its Limits

#### 3.2.1: Agonistic Politics

To reiterate, we are not witnessing the disappearance of the political in its antagonistic dimension. Indeed, this dimension is ineradicable. While liberals try to reconcile and eliminate differences through rational consensus, even they inevitably make use of us/them distinctions – those deemed rational as opposed to those who are not. However, because of liberalism's attempt to deny and suppress the political, we have been witnessing a violent outburst of this antagonism. Mouffe (2005) proposes that the problem of contemporary democracy is to find a way in which this antagonism can be domesticated (19-20). It is here that she departs from Schmitt's contention that liberalism and democracy are irreconcilable, mutually exclusive ideals. Rather, she poses, their relation is paradoxical (Mouffe 2000, 57). For Schmitt, liberalism and democracy are inherently contradictory because the former requires virtually infinite individual pluralism, whereas the latter presupposes absolute and total unity. For Mouffe, this is a false dilemma (Ibid., 53-54). While she concedes that democracy requires some unity, this does not have to be absolute homogeneity. What is needed instead, is a sense of *commonality*. There needs to be a procedural and substantive equality in terms of who partakes in the democratic process, a consensus of sorts, but this will inevitably be a conflictual consensus (Mouffe 2005, 52; Mouffe 2013, 8). Furthermore, there is no such thing as a final and fully constituted demos as opposed to an outside other. The political articulation of two diametrically opposed camps is an unending process that is part and parcel to democratic politics. As she postulates: 'The moment of rule is indissociable from the very struggle about the definition of the people, about the constitution of its identity' (Mouffe 2000, 56). Moreover, it is important to realise that such a unity is constructed through a multiplicity of us/them identifications that come to exist *within* the same 'people'. Unity is an unattainable ideal. Echoing Claude Lefort's position that in democracy the place of power has become an 'empty space', Mouffe argues that democratic politics is characterised by an open space in which an ongoing contestation takes place in attempt to reach unity. Thus, she argues, pluralism is a necessary condition for democracy (Ibid., 1-2, 55-57). The real aim of democracy is to find ways in which this antagonistic dimension of politics can become *agonistic* (Ibid., 102-103; Mouffe 2013, 7).

Antagonism, Mouffe postulates, is essentially a struggle between *enemies*. Agonism, on the other hand, is a struggle between *adversaries*. What distinguishes the two is that enemies seek to destroy one another, whereas adversaries see each other as legitimate opponents who partake in a shared symbolic space, characterised by mutual respect and recognition (Mouffe 2005, 52; Mouffe 2013, 6-8). In other words, agonism is characterised by disputes on the level of political values, whereas antagonism concerns confrontation regarding modes of identification. Antagonism essentially entails the attempt to destroy the identity of the other. This is precisely what happens in the model of liberal democracy, for it aims to integrate everyone in its moralistic framework – those who refuse are deemed irrational. An agonistic democracy allows for worthy opponents to clash – and, Mouffe contends, 'even fiercely' – in order to establish a new hegemony (Ibid., 8-9). Important to note is that these opponents, while sharing a set of rules and procedures, must not be visualised as mere competitors. Indeed, the aim of adversaries is to wholly and totally defeat their opponents, and thereby further their own hegemonic project. The aim of such a democratic politics is, as opposed to liberal democratic politics, not to reach a rationally attained and universal truth. Rather, it is a politics characterised by the articulation and rearticulation of society among a variety of (counter-)hegemonic projects. Thus, antagonism is not eliminated, but 'sublimated'.

This is beneficial for democracy in several ways. First and foremost, it allows for antagonisms to be articulated politically, thereby preventing antagonistic outbursts such as violent protests, riots, or extremism. Secondly, through agonistic confrontation legitimate alternatives can be posed to the existing hegemony. Embracing the political in its antagonistic dimension allows for passionate conflict between adversaries, thereby moving away from consensus-based politics. Instead of finding consensus at the centre, the political arena is characterised by a clash between a plurality of opposing views and interests. In relation to this, precisely because agonism moves away from the post-political strategy of consensus at the centre, pluralism is celebrated. Agonistic democratic practice encourages clashes between diametrically opposed views rather than ‘the establishment of a consensus around one single model’ (Mouffe 2013, 20). Ultimately, what this means is that agonism can serve to decrease the disassociation between the democratic subject and the political process – i.e., the gap between the social and the political. In a word, by cultivating passionate confrontation between a manifold of counter-hegemonic alternatives, agonism radicalises and revitalises the democratic process and subject alike, thereby proving an effective remedy against the problem of democratic disillusionment. As such, I argue that agonistic confrontation is crucial in facilitating a vibrant, democratic space (Ibid., 8-10).

### 3.2.2: Other ‘Agonisms’

Mouffe is not alone in her aim towards an agonistic democracy. In order to gain a deeper understanding of the specifics of Mouffe’s agonistic pluralism, it is useful to explore what distinguishes her from other agonistic thinkers. First, Mouffe identifies the agonistic thought of Bonnie Honig. Honig argues for a *virtù* approach to politics – i.e., a politics in which identity formation and debates between ideas remain open-ended (Mouffe 2013, 11). The aim of this approach to politics is to avoid closure by emphasising the undecidability of human identification. For instance, with regards to feminist politics Honig aims to showcase how female identity cannot be reduced to the seemingly solid, traditional, gender norms, but rather should be a process in which identity is articulated in an infinite amount of manners (Ibid., 12). Such an approach is also advocated by William Connolly, who poses that agonistic confrontation should be characterised by mutual respect – i.e., viewing each other as legitimate adversaries - and has as its main aim to avoid closure (Ibid., 13). While allowing for confrontation and conflict, as well as recognising and respecting open-ended identity formation are essential for Mouffe’s agonistic pluralism, she poses that a total avoidance of closure leads to problems. Reducing politics to the recognition of undecidability – and thus to deconstruction – causes us to overlook questions regarding what ought to be done in a well-ordered society. Per definition it must neglect questions pertaining to justice for example. In addition to this, politics cannot be entirely without moments of closure. Because of the ontological dimension of antagonism, the construction of collective identities opposed to the ‘other’ is inevitable. This, however, necessarily requires a moment of closure in which this us/them dichotomy is constituted. Moreover, closure is found in the conflictual consensus. Politics requires the establishment of shared rules, practices and procedures. In turn, it must also be decided what the limits of agonism must be. As Mouffe poses, some antagonisms will necessarily be excluded from politics because they ‘cannot be part of the conflictual consensus that provides the symbolic space in which the opponents recognize themselves as legitimate adversaries’ (Ibid., 13-14). These are all matters that are ignored by the agonism of Honig and Connolly. Such a ‘politics of disturbance’ aims at nothing more than leaving democratic politics open-ended, thereby

disregarding crucial elements of politics – e.g. the political in its antagonistic dimension and the role of hegemony (Ibid., 14). Ultimately, this agonism is an ‘agonism without antagonism’ (Ibid., 10). In a word, these theorists view the democratic subject as ‘multiple’, whereas Mouffe’s agonistic pluralism recognises them as necessarily ‘divided’ (Ibid., 15).

A second tradition Mouffe sets herself apart from is that of so-called exodus theorists. These theorists, such as Michael Hardt and Antonio Negri, advocate a mass-defection from state institutions in order to attain pure and absolute democracy characterised by horizontal power-relations and complete self-government (Mouffe 2013, 65, 69-71). Such a system would totally eliminate representative institutions and the sovereign authority of the state, replacing it by the rule of the *Multitude*. Mouffe identifies that such a position has gained a lot of appeal over the years. Many protest movements – such as Occupy Wall street or the *piqueteros* in Argentina – advocate a world without institutions organised along vertical lines. Mouffe, however, criticises this approach. First, the concept of the Multitude is flawed in itself. Inherent to democratic politics is the construction of frontiers. It requires the constitution of collective identities along the lines of us/them dichotomies (Ibid., 74). The Multitude, however, is a ‘singular multiplicity’ (Ibid., 71). It erases political differences in its entirety. Of course, pluralism may remain with regards to religious, ethical, or other issues, but the idea of a Multitude negates every form of antagonism in the political sense. As stated above, this is a utopic ideal, and thus the rule of the Multitude is an impossibility. Second, institutions are vital means to achieve and consolidate meaningful change. Using the *piqueteros* as an example, Mouffe states that their unwillingness to engage with democratic institutions – such as participating in the elections – caused the progress of the movement to halt. It was only due to the election of Nestor Kirchner that progressive measures were – and indeed, could have been – implemented (Ibid., 76-77). Moreover, the successful implementation of said measures is attributed to the fact that some factions of the *piqueteros*, as well as other social groups, decided to work together with Kirchner. Thus, effective change can only be achieved through ‘synergy (...) between the government and a series of social movements’ (Ibid., 77).

Lastly, Mouffe sees institutions as the means through which antagonism can be channelled and turned into agonism. Drawing from Elias Canetti, Mouffe argues that the parliamentary system is an effective means through which antagonism between social groups can be tamed. The moment in which a parliamentary vote is taken, for instance, is a showdown between groups, a moment in which a battle is fought. Similarly, parliamentary debates are real clashes between groups which are ‘played out in many forms, with threats, abuse and physical provocation which may lead to blows or missiles. But the counting of the vote ends the battle’ (Canetti 1978, 188). Viewing the parliamentary system in such a way showcases that the aim of democratic institutions is not to rationally aggregate and promote individual interests, but rather to stage conflict in such a way that it becomes agonistic (Mouffe 2005, 22). Furthermore, it demonstrates how democratic institutions are useful – and indeed, even necessary – means to rearticulate antagonism into agonism. Without the use of such institutions, ‘the possibility of an agonistic confrontation disappears and it is replaced by an antagonistic we/they’ (Ibid., 23).

### 3.2.3: The Limits of Mouffe’s Agonism

To summarise, Mouffe proposes a re-evaluation of liberal democracy in such a way that both the political in its antagonistic dimension, as well as the hegemonic nature of every political order are respected. Through a rearticulation of antagonism into agonism – i.e., a struggle between adversaries to be defeated as opposed to a struggle between enemies to be destroyed - liberal pluralism and democracy are not mutually exclusive, but paradoxically related practices that can co-exist. An agonistic democracy allows both for a plurality of views and interests, as well as offers the democratic space in which these can be expressed and defended according to

shared rules, practices and procedures. I agree with Mouffe that such a reconceptualisation of democracy would cultivate a dynamic and vibrant political sphere, without neglecting the role of both the political in its antagonistic dimension and hegemony. However, Mouffe's democracy of agonistic pluralism has certain limits that cannot be overlooked. I agree that the contemporary liberal ideals of consensus-finding and universalisation are inherently flawed. Indeed, it is crucial to recognise that power relations and antagonism shape social and political orders. The prominence of aggregation, rational deliberation, and ultimately consensus at the centre in contemporary politics is, as such, problematic. Yet, Mouffe remains vague on how the political in its antagonistic dimension can be effectuated. At times, her argument does not seem to go beyond a call for left parties to radicalise. As such, her approach remains only an attempt to create awareness of the role antagonism and hegemony plays in society. This is perfectly illustrated by her appropriation of Canetti's argument on the parliamentary system. She postulates that Canetti's view of parliament as a battleground in which clashes are fought out is 'really illuminating', but never moves beyond this (Mouffe 2005, 23). This begs the question, to what extent is this a rearticulation of contemporary politics? Indeed, parliamentary systems are omnipresent in countries that she targets in her critique – e.g., Germany, France, the U.K. and the Netherlands. Moreover, while Mouffe claims that agonistic politics requires the establishment of shared rules, practices and procedures, she does not offer an explanation as to what these should look like. I propose that Mouffe's critique on liberal democracies is too fundamental for this to be viewed as an inconsistency in her work. The way she envisions the implementation of agonistic pluralism, while continuously emphasising the importance of institutional reform, cannot be limited to the mere raising of awareness. While she poses that 'proper political questions always involve decisions that require making a choice between conflicting alternatives', agonistic pluralism can also not be achieved by a simple radicalisation of left parties (Mouffe 2013, 3). Undoubtedly, it is important to open up the political space for more contestation between diametrically opposed alternatives. Moving away from a politics of consensus of the centre greatly attributes to this. Nevertheless, Mouffe's theory falls short. Achieving an agonistic democracy cannot be limited to a simple radicalisation of party-politics. Indeed, I find such a conclusion wholly unsatisfying. For these alternatives to clash not antagonistically but agonistically, something more is needed. Therefore, the question remains, however, how antagonism can be implemented in contemporary politics. Thus, the aim of the next chapter is to remedy these shortcomings in Mouffe's theory, and explore manners in which agonism can be properly institutionalised.



#### 4: Institutionalising Agonistic Pluralism – Two Theories

By re-evaluating liberal democracy in such a way that both the political in its antagonistic dimension, as well as the hegemonic nature of every political order are respected, Chantal Mouffe's agonistic pluralism can serve as an alternative to the contemporary mode of politics. As such, the problem of democratic disillusionment can be tackled more adequately than has been done until now. However, while the importance of agonistic institutions is underlined in her work, Mouffe falls short in offering an explanation as to how these might look like. Indeed, this critique has been levied more often against her, as well as other agonistic thinkers. As Vivian Lowndes and Marie Paxton (2018) pose, 'One of the main criticisms of agonism (and post-structuralism more generally) is that it is unable to get beyond a negative critique of alternatives' (693). In other words, agonistic thinkers suffer from an 'institutional deficit' (Westphal 2019, 188).

In order to remedy this shortcoming, I will attempt to offer some possible means through which agonism can be properly institutionalised. Inspiration for this can be drawn from Pierre Rosanvallon's work on what he calls *Counter-Democracy* (2008). According to Rosanvallon, electoral-representative democracy has always been complemented by forms of counter-democracy of which he signifies three: the power of oversight, prevention, and judgement. These forms of counter-democracy can aid in the attempt to, as Lowndes and Paxton (2018) put it, institutionalise agonism and agonise institutions (700, 702). Moreover, in her book *Agonistic Democracy*, Paxton (2020) offers important methodological recommendations and precautions for, as well as possible examples of, the institutionalisation of agonism which must be taken into account.

In what follows, I will firstly briefly explore the forms of counter-democracy Rosanvallon theorises and their importance in a vital and well-functioning democracy. Consequently, I will argue that embracing counter-democratic institutions and practices is crucial in repoliticising contemporary democracy, thereby remedying the problem of democratic disillusionment. Secondly, I will analyse the methodological precautions proposed by Paxton that should be taken into account when attempting to institutionalise agonistic democracy. Furthermore, I will illustrate how both local and national institutions can take on an agonistic form, while emphasising their role in producing an agonistic ethos.

##### 4.1: Agonism and Counter-Democracy

As emphasised in the previous chapters of this paper, in contemporary democracy people have become - and are becoming more every day – distanced from politics. Politics has been reduced to finding consensus at the centre, in which the liberal democratic state serves as nothing but a referee that chooses between different factions and interest groups (Mouffe 2000, 52). Thus, contemporary democracy can best be defined as a condition of post-politics. As a consequence, people have become dissatisfied and distrustful about the current trajectory of politics. Ultimately, as I have argued on several occasions throughout this paper, participants of democracy have become increasingly alienated from the political process and vice versa. This disassociation between the democratic subject and the political sphere has ultimately given rise to a dominant, overarching feeling of disillusionment with democracy. In his book *Counter-Democracy: Politics in An Age of Distrust*, Pierre Rosanvallon (2008) identifies a similar problem. He argues that there has been 'an erosion of trust' with democracy in today's society,

ultimately causing it to become a ‘society of distrust’ (Rosanvallon 2008, 9). However, while recognising its potential problematic nature, Rosanvallon poses that democracies have always been accompanied by elements of distrust that serve to keep it in check. Distrust functions – and has done so throughout history - as a counter-power to the system of electoral-representative democracy. As such, Rosanvallon poses that if we wish to build a proper understanding of the workings of democracy throughout history, we must ‘understand the manifestations of mistrust as elements of a political system’ (Ibid., 5). These manifestations of distrust, then, is what Rosanvallon refers to as forms of *counter-democracy*. While a complete analysis of Rosanvallon’s theory is valuable in itself, it is beyond the scope of this paper to provide this. However, I believe that the forms of counter-democracy that he points out can serve as means through which Chantal Mouffe’s agonism can be institutionalised, and thus the sentiment of democratic disillusionment can be remedied. For this reason, I will explore the three forms of counter-democracy that Rosanvallon analyses, as well as offer several examples of how these can be useful as agonistic institutions.

#### 4.1.1: The Role of Counter-Democracy in the History of Democracy

Rosanvallon signals three main forms through which democracies have been countered and kept in check: the power of oversight, prevention, and judgement. These combined make up what he refers to as counter-democracy. It is important to emphasise here that counter-democracy is not democracy’s opposite number. Rather, it is ‘a form of democracy that reinforces the usual electoral democracy as a kind of buttress, a democracy of indirect powers disseminated throughout society – in other words, a durable democracy of distrust, which complements the episodic democracy of the usual electoral- representative system’ (Rosanvallon 2008, 8). As such, counter-democracy includes institutional modes of organisation, but is not limited to them. Allow me to elucidate this further by exploring the three counter-democratic forms.

The first of these types of counter-power is the power of oversight. Rosanvallon sees the early French Revolution as the moment in which this power originates. The widespread sentiment was that representative government is liable to corruption when not kept in check. Therefore, the people must always keep an eye on their representatives to make sure that this does not happen (Rosanvallon 2008, 29-30). This way, distrust in the government could be channelled in a constructive manner that enriches the representative system. From this point onward, Rosanvallon tells us, the power of oversight became a quintessential element of modern politics (Ibid, 31). Inverting the Foucauldian idea that surveillance is used by the state to rule society, Rosanvallon argues that counter-democracy uses technologies of surveillance – i.e., the power of oversight – to control the state. This is done through the use of three different practices: vigilance, denunciation, and evaluation. The first of these refers to the idea that democratic citizenship cannot be limited to participation in elections. Rather, being watchful, alert, and *vigilant* are all essential attributes of the modern citizen (Ibid., 33). Rosanvallon emphasises that while vigilance may not produce anything by itself, it must be seen as a mode of action: ‘It defines a particular form of political intervention that involves neither decision-making nor exercise of the will. It rather creates possibilities and sets limits by imposing structure on a general field of action’ (Ibid., 34). In other words, vigilant citizens set the agenda in a democratic society. Secondly, being an active citizen means uncovering what is hidden. It means to point out issues that require attention. In a word, the active citizen makes use of the element of *denunciation* (Ibid., 41-42). To denounce something, then, means ‘using publicity to administer a direct corrective’ (Ibid., 43). An example of this is the role journalism plays in democratic societies. Think for instance of pamphleteers during the French Revolution, the muckrakers in the United States, or more contemporary investigative journalism (Ibid., 43-45).

All of these serve to shape public opinion, and thus the political agenda. Moreover, they 'reaffirm and deepen collective norms and values' by pointing out a collective enemy (Ibid., 45). This is also achieved, for instance, by social activism and protest movements. The last mode the power of oversight takes on is that of *evaluation*. The aim of evaluation is to use expertise to scrutinise and improve governmental management. It overlaps with the element of denunciation, but now on a more technical level. It is less concerned with shaping public opinion, and more with the competence of government officials (Ibid., 52). This element of surveillance has a long history and can take on many forms. For instance, supervisory and advisory bodies have always played an important role in governments. Aside from internal controls to governments, however, external experts and agencies also refer to this function of the power of oversight (Ibid., 54-55). Ultimately, a combination of these three modes of surveillance over time give rise to what Rosanvallon calls 'the social watchdog' or 'the vigilant citizen', which serve to counter the power of democratic governments through the power of oversight (Ibid., 57-58).

The second form counter-democracy takes on is the power of prevention. Rosanvallon here utilises Montesquieu's distinction between the faculty to *decide* and the faculty to *prevent*. The former entails 'the right to issue orders in one's own name or to correct orders issued in someone else's name', whereas the latter 'the right to nullify a resolution taken by someone else' (as cited in Rosanvallon 2008, 121). It is this latter faculty that Rosanvallon deems crucial in order to understand the counter-democratic power of prevention. This power refers to the historical right to resist that underlies any democratic order and existed long before the right to vote (Ibid.). The right to resist can be – and indeed, has been throughout history – articulated in a manifold of ways. Riots, rebellions, peaceful protests, and other forms of resistance and dissent all refer to this second counter-democratic form. Phrased differently, the power of prevention signifies the negative dimension of politics (Ibid., 121-122). With the arrival of electoral-representative organisations of democracy, the power of prevention started to become incorporated in the democratic system. The power of prevention became integrated within the structure of governments itself in the form of organised political opposition, thereby combining the positive electoral power with the negative power of obstruction. The combination of these two powers led to the development of what Rosanvallon calls 'critical sovereignty' (Ibid., 122). Critical sovereignty, he poses, has played a crucial role in the success and development of democratic systems. For democracies to function properly and regulate themselves, opposition powers are necessary. Here Rosanvallon is in agreement with the likes of Mouffe and Rancière that negative politics and dissent are of critical importance if democracy is to flourish. Moreover, as does Mouffe, he attributes great importance to institutions in utilising and consolidating this negative dimension of politics. This way, democracies can 'question themselves' and 'look critically at their own operation and at the type of society they produce' (Ibid., 169). Even more importantly, Rosanvallon poses that democracies need this constant self-scrutiny to 'constitute a system capable of giving adequate expression to democratic experience' (Ibid.). This is akin to what I have argued in the previous chapter: democratic practice needs the element of contestation – i.e., the political in its antagonistic dimension – for it to function correctly.

Thirdly, counter-democracy makes use of the power of judgement. This power serves as a 'radical extension' of the power of oversight (Rosanvallon 2008, 191). It means to scrutinise, evaluate, and control governmental practice. It is important to emphasise that this power of judgement is not limited to legalistic forms of evaluation and examination. Instead, it refers to all forms of investigation, inspection, and evaluation done by the people in order to promote the general welfare. It is a political form that serves to 'intervene in the organization of political life' (Ibid., 242). As such, it signifies the historical right of the democratic subject to judge its rulers (Ibid., 192). It is a way in which the people can claim their power to have the

last word. Subjecting political practices to scrutiny, then, can be done in a manifold of ways. These include tribunals and citizen assemblies – of which Rosanvallon uses ancient Athens as an example, impeachment procedures, motions of no confidence, referenda such as the Brexit referendum, jury-duty, and technical evaluations by external experts (Ibid., 195-197, 202-203, 207, 214-220, 245). All of these, then, are instance in which the people-as-judge serves as a counter-power to correct possible flaws in the legal or political system.

However, in recent years these three forms of counter-democracy have taken on an impoverished form. Rosanvallon (2008) contends that people have become disenchanted democratic politics, thereby giving rise ‘to a vague but persistent feeling of malaise, which paradoxically has grown even as civil society has become more active, better informed, and more capable of intervening in political decisions than ever before’ (306). This is in line with my own analysis: the democratic subject has become alienated and estranged from political administration, ultimately creating a vicious cycle of ever-increasing democratic disillusionment. Consequently, Rosanvallon argues, the aforementioned counter-powers have taken on impoverished forms. Critical sovereignty, for instance, has been displaced by a radical sense of negativity. The power of prevention has lost its critical and reflective aspect, and has been reduced to mere disagreement, cynicism, and in some cases nihilism (Ibid., 169-171). The same can be said for the power of oversight and judgement. Recent times are characterised by the advent of the desire for judgement. Because of their disillusionment with democratic politics, people start to distrust their rulers more and more. Consequently, they increasingly desire accountability and transparency, as well as take to the streets to protest. While this social attentiveness is beneficial for democracy, Rosanvallon argues that this extreme form is problematic. Counter-democratic practice is crucial for a vital and well-functioning democracy, but it can also lead to ‘political atrophy or even paralysis’ (Ibid., 251). For this reason, Rosanvallon argues that counter-democratic powers need to be reorganised and restructured in ways that benefit the political landscape of today (Ibid., 298-299). This, of course, echoes much of the argument I have provided in the previous chapters. The role of counter-democracy is similar to the role antagonism plays in the political theory of Mouffe. Essentially, both argue that contestation and conflict need to be organised in such a way that they benefit rather than paralyse politics. While important differences remain between the two thinkers, I propose that Rosanvallon’s project of reorganising and restructuring counter-democracy can be used to achieve the same aim as my own: to implement agonism in democracy. In what follows I will attempt to offer certain examples of counter-democratic institutions and practices that can serve to enrich and remedy the problems in contemporary democracy by institutionalising agonism.

#### 4.1.2: Counter-Democratic Institutions

While acknowledging that it is somewhat beyond the scope of his book, Rosanvallon (2008) tries ‘to open the door just a little’ in an attempt to showcase how counter-democratic institutions might look like (301). First, Rosanvallon points out that non-partisan activist organisations have started to play a prominent role in contemporary democracies. Therefore, the part played by the citizen-as-watchdog needs to be considered if we are to reorganise counter-democratic powers. Thus, he poses that external organisations such as citizen watchdog groups might be useful in setting the agenda by drawing public attention to urgent matters. Moreover, bodies such as citizen evaluation board could prove effective as external organisations that judge the effectiveness and adequacy of government agencies (Ibid., 302). This facilitates the necessary process of citizens forming – as Mouffe puts it - a variety of equivalential chains with different interests and collective identities, while also ensuring their engagement in the political sphere. In more concrete terms, this would allow citizens to collectively constitutive and unite themselves with particular political interests, demands, and

ultimately identities, through the joint opposition of political adversaries. Furthermore, utilising well-organised and politically recognised citizen organisation such as these leads us to embrace conflict and contestation without reverting to antagonistic clashes. However, while citizen mobilisation is important, Rosanvallon emphasises – as does Mouffe – the necessity of institutional means to consolidate counter-democracy. One way in which this can be done is by institutionalising such evaluation groups. For instance, investigative bodies in which citizens are either elected or summoned – as for jury-duty for instance – could be potential ways in which the power of oversight could be institutionalised. Additionally, this can be used in a variety of ways. As Rosanvallon points out, anti-discrimination boards or police review boards already exist in several countries (Ibid.). Such boards could be extended and adapted to become a part of parliamentary institutions. An example to which this can be compared is the *Nationale Ombudsman* in the Netherlands. This is an independent official that reviews citizen's complaints against wrongful conduct of the government. The problem, however, is that the post of the Nationale Ombudsman is reserved for a single individual, who has virtually no power, and is elected by the House of Representatives. Making decisions of this official binding and expanding the post to become a body of elected/summoned individuals or experts would allow for more citizen involvement and a stronger manifestation of this counter-power.

Secondly, Rosanvallon poses that an important factor of the problem of democracy nowadays is the lack of visibility. This entails that individuals do not see tangible results of their efforts or influence in politics. This poses a big problem, for 'democratic politics (...) cannot substantively exist without effort to make the organizing mechanisms of social life visible' (Rosanvallon 2008, 310). Therefore, he argues that in order to revitalise democracy, we need to bring a theatrical element back into it. The people need to be transformed into a vibrant political community (Ibid., 312). Attaining this is a difficult process. Rosanvallon concedes that 'there is no magic formula for breaking this vicious circle, no simple reform to be implemented, no saving institution to be designed' (Ibid., 307). Yet, going somewhat beyond Rosanvallon, I pose that an institutionalised form of citizens' assemblies could play an important part in this. Creating an official podium in which citizens can engage in debate is first and foremost a means through which people become part of a meaningful political process. Indeed, participation is the first step in bridging the gap between the democratic subject and political administration. Therefore, it is also the first step in the transformation of a people into a vibrant political community. It is crucial to elucidate and further substantiate why increasing democratic participation is necessary for this process. Firstly, a lack of democratic participation leads to democratic apathy and vice versa. That is to say, lower levels of democratic participation estrange citizens from politics, thereby increasing the level of dissatisfaction, disaffection, and ultimately *disillusionment* with democracy (Mouffe 2013, 7). Additionally, this leads to more unwillingness to participate in the democratic process (Mouffe 2000, 104). In turn, this exacerbates the problem of democratic disillusionment. Secondly, Rosanvallon (2008) argues that democratic participation discursively constructs citizens: 'Politics *produces* political society (307). This sentiment is echoed by the likes of Hannah Arendt and Friedrich Nietzsche, who both pose that 'public accounts of politics allow individuals to become citizens (rather than subjects) through participation' (Paxton 2020, 39). As such, democratic participation is crucial in battling democratic disillusionment, as well as promoting human autonomy, freedom, and self-expression (Ibid., 50).

For citizens' assemblies to be successful, however, two remarks need to be made. Firstly, it is important to consider the influence and importance the discussions and outcomes of these assemblies will have. That is to say, if the participants feel like these assemblies are not taken seriously or simply lack results, they will quickly lose appeal. Additionally, this may lead to a growing sense of democratic disillusionment. It is, therefore, essential that the outcomes of citizens' assemblies are represented in political decision-making. Secondly, one

could argue that citizens' assemblies already exist in the form of social media or television programmes. While this is true to some extent, the assemblies I am advocating here are official, institutionalised means through which citizens can engage in meaningful discussion with one another. Thus, again, they should be given more influence and taken more seriously than a debate on the internet or on a talk show.

Secondly, and even more importantly, through the use of citizens' assemblies diametrically opposed political positions can be expressed along adversarial – i.e., agonistic – lines. It allows for conflict – indeed, it needs conflict – but in a mutually respectful, and thus constructive manner. To return to Rosanvallon, such conflictual debate between citizens has as its aim to expose different social realities, and therefore identify and correct problems, delineate possibilities, and rearticulate norms, values, and collective identities (Ibid., 312-313). It is, thus, not a 'calm, almost technical kind of discussion envisioned by certain theorists of deliberative democracy', but a conflictual debate that 'reveals hidden legacies of the past, and discloses implicit regulations' (313). Attempting to create a revitalised and active political community is a performative process. It needs to be constantly reconstrued and rearticulated. But this is precisely what Mouffe's agonism needs. It requires the unending articulation and rearticulation of interests, positions, and social realities. In this ongoing project, citizen assemblies could serve a vital purpose.

A third manner in which counter-democracy can be reconfigured refers to the institutionalisation and expansion of the power of opposition. Rosanvallon (2008) recognises that, on the one hand, the rights of the opposition need to be expanded (171). This would benefit the role of critical sovereignty – i.e., the regulative and reflexive action that is crucial for the success and proper functioning of democracy – in democratic systems. For instance, expanding the powers of the opposition to scrutinise parliament or impeach presidents is one way in which the power of critical sovereignty can be restored, thereby realigning 'the bond between social legitimacy and electoral legitimacy' (Ibid., 303). To return to Mouffe, this would be an effective means through which hegemonies can be challenged, and alternatives can be posed. On the other hand, however, this is not sufficient to eliminate the radical negativity that dominates democracies today. To bring back critical sovereignty how it was originally envisioned and used, the power of prevention needs to be given a place in the structure of democratic government (Ibid., 171, 303-304). In the words of Rosanvallon, it needs to become 'a part of the structure of indirection that is built into representative democracy' (Ibid., 305). For this, I think the idea of a 'modern ephorate' as theorised by Johann Gottlieb Fichte can prove useful. Fichte argued that the separation of powers into executive, legislative, and judicial are different in type rather than in kind. These powers are complementary, overlapping, and as such do not constitute real difference. Therefore, Fichte proposed a distinction between 'absolute positive power' – which was organised around the executive – and 'absolute negative power' – which served as an autonomous and critical counter-power (Ibid., 144). For this absolute negative power to be institutionalised, Fichte suggested an ephorate be established. The ephorate conceptualised as such served as a body that could suspend, criticise, or counter the proceedings of government. While this might seem similar to the role parliamentary opposition takes, it is different in a crucial aspect: this political body exists *separate* from the government. Whereas opposition parties are a part of parliament, the ephorate constitutes an entirely distinct body with as its only function to critically reflect on, and potentially suspend (decisions made by) the government (Ibid., 143-144). This body would be entirely electoral, with fixed term limits, and people would not be allowed to propose themselves as candidates. Additionally, to further achieve a strict separation from the executive, members of the ephorate would not be allowed to have any type of relation with the executive (Ibid., 145-146). All these measures served to radically depersonalise members of the ephorate, reducing the office to a 'pure function' (Ibid., 146). Moreover, Fichte foresaw that even these measures might not prove sufficient. Therefore,

he posed that a ‘supplemental ephorate’ could be used to keep the ephorate itself in check (Ibid.). Certainly, implementing such a body in today’s democracy would not mean to duplicate Fichte’s proposal totally and completely. Indeed, his proposal contains certain obstacles that cannot be overlooked. For instance, the implementation of a supplemental ephorate leads to a regression *ad infinitum* of political bodies that counter and balance each other out. However, as Rosanvallon argues, Fichte succeeded in pointing out a crucial shortcoming in democracy. Thus, ‘any reflection on a more complex and therefore more mature conception of sovereignty must begin with his work’ (Ibid., 147). Fichte’s ephorate – or at least elements thereof - could be implemented, for instance, in multiple aspects of politics. It can serve as a counter-power to the government on a national level, but it can be used to improve the functioning of local and regional politics as well. Utilising governmental bodies that make proper use of the counter-democratic power of prevention and critical sovereignty – that is to say, in such a way that it does not turn into radical negativity and disillusionment with democracy - on a wide scale and a variety of levels allows for the structural implementation of critical and reflective politics, while also ensuring that more people can be engaged with the democratic process.

Assuredly, more work remains to be done regarding the institutionalisation of agonism via counter-democracy. As stated above and remarked by Rosanvallon (2008) himself, the repoliticisation of democracy is not achieved by the simple implementation of some political reforms (307). This is a complex process, realised only by reflexive action and performative negotiations. The proposal above, however, serves as a starting point through which democracy could be revitalised. In what follows, I will explore some more of these possibilities.

## 4.2: Experimenting with Agonistic Institutions

### 4.2.1: The Agonistic Day

To expand my inquiry in the institutionalisation of agonism, it is useful to explore the work of Marie Paxton. In her attempt to solve the institutional deficit of agonistic theorists, Paxton (2020) conducted an experiment dubbed the ‘agonistic day’ (99). The aim of this day was to investigate potential means through which different types of agonism could be applied in practice. Whereas Paxton used the agonistic day to put three types of agonism into practice, I will concern myself only with her application of Mouffe’s adversarial agonism.

In order to make the agonistic day suitable to Mouffe’s agonism, it took on the form of a conflictual and loaded debate. Therefore, a room was selected and organised in such a way that two groups were spatially opposite to one other. In addition to this, groups were picked on the basis of questionnaires and subsequent in-person questions to promote collective identification and the formation of, in Mouffe’s words, equivalential chains among democratic demands. Moreover, in order to produce strong and divided opinions – thereby allowing for the revival and mobilisation of passions and the political in its antagonistic dimension - the controversial topic of abortion was chosen for the discussion (Paxton 2020, 102-104). In a word, measures were taken to create two polarised collectives around a loaded subject. However, to make sure the conflict would be organised along adversarial lines and not take on an antagonistic form, several precautions were taken. Videos were shown of extremists on both sides of the argument in order to illustrate how antagonism stifles and invalidates political debates. In other words, the videos set the boundaries of the symbolic space in which the agonistic confrontation would take place. This way, the conflict could take on an agonistic form. Consequently, three scenarios were provided and the group was required to discuss their stance on whether abortion would be justified – morally or otherwise - in each of these cases (Ibid.).

After this day, further information was gathered from participants through questionnaires (Ibid., 108)

#### 4.2.2: Insights, Obstacles, and Precautions

Several insights were gathered during the agonistic day. First and foremost, the influence of allowing for passions and the political in its antagonistic dimension proved successful in motivating democratic activity (Paxton 2020, 120). The participants were actively and emotionally engaged in the democratic process. Additionally, all but one participant stated in the subsequent questionnaires that periods of heated discussion and conflict made for a more interesting discussion. Secondly, Mouffe emphasises the importance of enlarging – or rather, reviving - the diametrical opposition between political positions such as left/right. The condition of post-politics, characterised by consensus-at-the-centre, leaves citizens disconnected and unmotivated. The agonistic day seems to indicate that embracing and channelling polarisation fosters democratic activity. Participants used several opportunities to ‘fight to defend their conflicting interpretations and implementations of the values of liberty and equality’, with some even reporting in questionnaires that challenging and being challenged by others motivated them to engage in a meaningful discussion (Ibid., 123). This suggests that arranging political debate in the form of a battlefield promotes political activity. Moreover, this was enhanced by modes of collective identification, illustrated by group members continuously jumping in to help each other and referring back to earlier arguments made by their peers (Ibid.). Thirdly, defining a common enemy – those antagonisms excluded from politics because they ‘cannot be part of the conflictual consensus that provides the symbolic space in which the opponents recognize themselves as legitimate adversaries’ – proved useful in creating a sense of commonality, thereby making sure that debate remained organised along agonistic rather than antagonistic lines (Mouffe 2013, 13-14). The videos of extremists on both sides of the debate distinguished those who could be a part of the conflictual consensus and those who could not. It distinguished between adversaries and enemies, made use of and produced common values, and thus allowed those who were deemed adversaries to perceive each other as legitimate. As such, a sense of commonality was created and the political space demarcated (Paxton 2020, 125).

However, several methodological obstacles and precautions must also be noted. The first of these is the potential problem of excluding those who are not motivated by contestation and conflict. Paxton (2020) notes that one of the participants fell silent after being overwhelmed by the subject matter and the ensuing passionate responses of her peers (121-123). Indeed, while harnessing passions to create an animated discussion is suitable for some, it might unknowingly silence those who do not thrive in such an environment. Agonistic institutions must thus find a balance between ‘the harnessing of passions and the motivation to engage alongside wider participation’ for those quieter citizens (Ibid.). A second problem poses itself in the organisation of the agonistic debate. Mouffe (2013) emphasises the need of collective identification – that is to say, the creation of an ‘us’ opposed to a ‘them’ - in ‘the establishment of a chain of equivalence among democratic demands’ (14). This way, pluralism can be facilitated while still taking into account the political in its antagonistic dimension and the role of hegemony. However, as Paxton points out, organising politics binarily might ironically jeopardise pluralism and diversity. Therefore, she poses that it is crucial to explore how agonism can be institutionalised without relying on the formation of diametrically opposite collectives. While this is an important point, this need not be a problem. Mouffe recognises that logics of equivalence – i.e., collective identifications – necessarily displace the diversity brought out by logics of difference – i.e., particular and individual identifications (Laclau and Mouffe 2001, xiii). The dialectic between these two logics allows for the subversion and rearticulation of



collective identities, as well as for the acquisition of multiple modes of collective identification. This is perhaps best articulated by Ernesto Laclau (2004) when he states that collective identities and us/them distinctions must be discursively constructed and reconstructed (108-110). In short, while I agree with Paxton that the potential loss of diversity must be taken into account when designing agonistic institutions, I follow Laclau and Mouffe in their idea that the dialectic between particular differences and collective identification is a necessary and self-regulating political process. Thirdly, Paxton calls attention to another methodological precautions to be taken into consideration. While building a sense of commonality is deemed essential in agonistic confrontation organised along adversarial lines, Paxton wonders whether this can truly be achieved. To put it differently, democratic subjects may not be able to distinguish between legitimate adversaries to contest and enemies to be destroyed. During the agonistic day, several participants displayed hostile behaviour to one another, branding each other 'selfish', 'self-centred', and even 'monstrous' (Paxton 2020, 122). Mouffe poses that as long as we share a common framework, we can disagree sharply on conceptions and meanings within that framework. However, Paxton wonders whether people are capable of recognising this commonality (Ibid., 124-126). This is something that needs to be kept in mind when attempting to institutionalise Mouffe's adversarial agonism. Lastly, attention must be drawn to the construction of the common enemy and a symbolic space of agonistic confrontation. The video shown during the agonistic day served to demarcate the distinction between adversaries and enemies. By doing this, it established the boundaries of the symbolic space in which agonistic confrontation can take place. This raises questions, however, on the construction of the democratic symbolic space itself. Who decides which antagonisms are deemed too dangerous to take part in the agonistic democratic process? How is the conflictual consensus established that provides the symbolic space in which the opponents recognize themselves as legitimate adversaries? These constitutive precautions necessarily underly the design of agonistic institutions.

#### 4.2.3: Towards an Agonistic Ethos: The Need for Local and National Institutions

As has been emphasised throughout this paper, institutions are critical in achieving an agonistic and more radical democracy. Yet, institutions themselves are not sufficient. In order to truly obtain the agonistic pluralism Mouffe intends, an agonistic ethos or culture must be created (Paxton 2020, 165). This point is crucial for Paxton. For agonism to be successfully implemented in contemporary democracies, the relation democratic subjects have towards each other, as well as politics as a whole needs to be reconfigured. This echoes Rosanvallon's sentiment that no magical solution or perfect institution exists to embed counter-power in society. Rather, a vibrant political sphere must be performatively negotiated and constructed. Political institutions are crucial in this project. They are 'discursively constructed power settlements that are animated through the creative action of reflective agents (...) and are deeply entangled with the wider institutions of social, cultural and economic life', and therefore useful in establishing an agonistic society (Lowndes and Paxton 2018, 703). As such, Paxton calls for the institutionalisation of agonism – but even more so, the *agonisation* of institutions – on both a local and national level (Ibid., 701-702).

##### *Local Institutions*

The first step towards an agonistic ethos is increasing democratic participation on a local level. By this Paxton does not refer to increasing voter turnout. Instead, this signifies 'engaging a diversity of citizens in participatory practices of democracy – somewhat akin to direct democracy' (Paxton 2020, 165). In other words, Paxton argues for the expansion of

participatory modes of engaging in contemporary democracy, both by altering existing institutions and designing new ones. The first suggestion regarding such institutions is to widely implement the practice of Participatory Budgeting (hereafter PB). PB entails that community members are given the right to influence budgetary decisions by collectively allocating a portion of the budget (Ibid., 143-144). Starting from the grassroots, the first stage of PB commences with popular assemblies, in which proposals are forwarded regarding the allocation of the budget and representatives – i.e., regular citizens are elected to present the fruits of the assembly on regional fora (Ibid.). This process is beneficial for a number of reasons. First, it is helpful in overcoming democratic apathy that results from a lack of democratic participation. As I have argued above, empowering citizens in political decision-making decreases the gap between the social and the political. Additionally, it allows for contestation to be an active part in the democratic process by engaging with a variety of conflicting opinions. Second, during the PB process citizens are encouraged to criticise and evaluate previously made decisions as well as public officials. This way, ‘a culture of critique and scrutiny’ is actively fostered (Ibid., 145). Third, Paxton poses that PB results in a domino-effect: it results in an increase of social activism and democratic participation (Ibid.). This is substantiated by Gianpaolo Baiocchi (2001), who shows that PB in Porto Alegre has resulted in higher levels of solidarity, societal involvement, and ultimately helps ‘*construct* civil society’ (54-55). This can be seen by the dramatic increase in neighbourhood associations, municipal conferences and councils, and citizen mobilisation (Ibid., 55-59). Similarly, Russel and Jovanovic (2019) argue that ‘when people target social justice outcomes in deliberative processes’ – as PB processes do - citizens become more aware of, sensible to, and engaged with social (in)justice (112).

However, PB can be further agonised still. The current design does not take into account the role of the political in its antagonistic dimension. It revolves largely around a calm and reasonable discussion of budgetary allocations (Ibid., 146-148). Moreover, the actual influence of PB on decision-making is relatively small. Recommendations made during the process are non-binding and the part of the budget citizens are responsible for is only one percent. Expanding the rights and powers of PB processes is crucial in making them useful tools for an agonistic form of democracy. Moreover, small but significant changes can be made by employing circular seating arrangements, specific behavioural guidelines, and preference-rankings as opposed to majoritarian voting to promote pluralism and avoid exclusion (Ibid., 151). Lastly, to harness the role of passions and the political in its antagonistic dimension, PB should preferably go beyond mere administrative matters such as budgetary allocations (Ibid., 152). For this reason, Paxton also emphasises the importance of widely employing citizens’ assemblies on a local level.

Citizens’ assemblies include the same benefits as PB: they enable subjects to engage in the democratic process in a meaningful way, allow for contestation and conflict, and increase social activism and citizen participation throughout (Paxton 2020, 152-155). Moreover, they remedy one of the problems of PB, namely that they can comprise a manifold of topics, thereby promoting passionate contestation and critical reflection on the democratic process (Ibid., 153). However, certain considerations need to be taken into account when implementing agonistic citizens’ assemblies. As exemplified by the agonistic day, chances need to be offered to those quieter citizens to express themselves. Speech tokens or talking sticks could prove effective in remedying this potential problem (Ibid., 161). However, it is important that these will not be at the expense of democratic passions. Participants could be given a limited amount of tokens or sticks that would allow for an interruption, or multiple people could be given turns at the same time. A second issue is that citizen’s assemblies need to be organised in such a way that they actively encourage contestation and not simply rational deliberation. This can be attained by actively facilitating conflict, emphasising the prioritisation of passionate discussion over rationalism, and randomly select citizens to partake in order to represent a variety of opinions

(Ibid., 159-161). Moreover, Paxton stresses that the process of deliberation and contestation is valuable not only regarding political decision-making, but primarily because of its ability to produce an agonistic ethos. Instead of using local citizens' assemblies solely as a means through which decisions can be made, the process of debating itself serves to foster an agonistic culture by creating a sense of interdependency (Ibid., 159-160, 166-167). For the reasons mentioned above, this is essential for solving the problem of democratic disillusionment. Lastly, as is the case for PB, citizens' assemblies could be expanded in terms of rights, powers, and frequency. By using them to set the agenda or by making decisions binding, citizens' assemblies can prove effective in the project towards an agonistic democracy. Implementing such local assemblies on a wide scale, then, would thus provide 'a more localised and participatory form of democracy', actively encouraging agonistic forms of democratic politics, and thereby efficiently tackling the problem of democratic disillusionment (Ibid., 166).

Related to these local citizens' assemblies, a third proposal that is put forward is a so-called *Contestation Day* (Paxton 2020, 168). The idea behind such a day is to politically revitalise citizens before election periods. As such, Contestation Day would take the form of an annual gathering in which citizens debate on certain important issues on the political agenda. Of course, it is imperative that every citizen partakes in this process. Therefore, a manifold of assemblies should be held nationwide, while also providing a day of from work or other obligations so that citizens can participate. The gathering itself consists of three stages, starting with the discussion of controversial topics such as abortion or Brexit (Ibid., 169). In an attempt to embrace the political in its antagonistic dimensions, revive political passion, and employ the productive effect of collective identification, the Contestation Day places the emphasis on 'value conflict' (Ibid.). The second stage is designed to ensure that the passionate conflict does not revert to antagonism, and thus remains agonistic and productive. The discussion will take on a different form, changing from agonistic debate to view-sharing conversation. This way, the agonistic element of mutual respect is promoted (Ibid., 170). The third stage will focus on working together towards a collective decision, emphasising the element of unity and commonality. While such a Contestation Day must undoubtedly be worked out in more detail, the approach itself is promising. Promoting both commonality and conflict, both passion and respect, is a productive and fruitful way of designing agonistic institutions. As such, these considerations could perhaps also be included in regular citizens' assemblies.

### *National institutions*

While local institutions are critical in the discursive production of an agonistic society, Paxton (2022, 172-173) recognises that they must be supplemented by institutions on a national level. The first consideration is that democracies must endorse a multi-party system with proportional representation in order to promote pluralism. This may seem rather trivial for those living in countries such as the Netherlands, Germany, or many other countries that have already adopted a proportional system. Yet, it is an important point to make, in particular since Paxton concerns herself with the political system of both the U.K. and the U.S.. Important to note is that this seems to go against Mouffe's position. As alluded to above, Paxton views oppositional conflict as potentially stifling, marginalising, and exclusionary. Therefore, she stresses that pluralism must always be prioritised over antagonism (Ibid.). However, as I have attempted to elucidate, Mouffe does not state that binary antagonism is the only form conflict takes. The point here is that conflict always has the *potential* to become oppositional when – using the words of Laclau and Mouffe - logics of equivalence displace logics of difference. However, as Laclau (2004) affirms, politics can never be overtaken by either one extreme: 'pure difference would mean a society so dominated by administration and by the individualisation of social demands that no struggle around internal frontiers – i.e. no politics – would be possible; and pure equivalence

would involve such a dissolution of social links that the very notion of ‘social demand’ would lose any meaning’ (111). Therefore, I would argue that Mouffe agrees that conflict ‘resides somewhere on a spectrum, representing the grey areas, the ambiguities and oftentimes the overlaps between adversarial perspectives’ (Paxton 2020, 173).

As Mouffe posits, in the era of post-politics that characterises contemporary politics political parties – and in particular left-wing parties - have gradually moved towards the centre. Secondly, then, Paxton argues with Mouffe for a radicalisation of (left-wing) parties in order to provide *real* alternatives to the status quo. For a multi-party system to function properly, ‘national politics must (...) offer a whole range of positions with which citizens can both identify and use as an outlet for their expression’ (Ibid., 174). In addition to this, Paxton suggests that structures and government bodies that facilitate indirect elections – e.g., the electoral college in the U.S. – must be removed to promote engaging and inclusive democratic politics (Ibid.). Additionally, citizens should be empowered and party control needs to be reduced in the process of electing presidential candidates. In the U.S. this would mean citizens are involved in the electoral process at the primary and caucus stage, in the U.K. citizens would have more influence in selecting the Prime Minister, and in multi-party systems such as the Netherlands citizens would have a bigger say in who becomes the lead candidate (or, *Lijsttrekker*) for a party (Ibid., 175).

A third suggestion to agonise national institutions is to implement a rotation of power. For instance, the Swiss political system has seven cabinet ministers with equal power who rotate the presidency annually. This better reflects the agonistic element of contingency, inclusion, and keeps alive political conflict (Paxton 2020, 176). In other words, it provides more alternatives, more ‘political forms of identifications around clearly differentiated democratic positions’ (Mouffe 2013, 7-8). Related to this, Paxton endorses the use of term-limits on every political position. This includes every political branch, executive, legislative, and judiciary. This actively discourages status quo politics by fostering counter-hegemonic contestation (Ibid., 175-176).

### 4.3: Final Remarks on Institutional Agonism

Throughout this section I have proposed a variety of potential ways through which agonism can be institutionalised. Drawing from Pierre Rosanvallon’s three forms of counter-democracy, as well as Marie Paxton’s experiment with different forms of agonism, I have attempted to concretise Chantal Mouffe’s agonistic pluralism. By making relatively minor adjustments to the democratic design, promoting contestation and citizen participation, the gap between the social and the political – i.e., the problem of democratic disillusionment – can be tackled. Some final remarks are in order. First, I want to emphasise and reiterate one crucial aspect. Both thinkers covered in this section stress the importance of structural, societal, discursive change that underlies the project of revitalising democracy. Creating a vibrant political sphere is no mere process of creating the right institutions – as Mouffe herself is also well aware of. For this to succeed, the power dynamics and reciprocal relations between democratic subjects and their rulers, political institutions and practices must change. As especially Paxton has tried to illustrate, implementing institutions on a local and national level can be the first step towards creating this societal change, consequently remedying the democratic disillusionment prevalent in contemporary democracies. Additionally, the agonistic ethos that needs to be produced requires its own continuous performative reproduction.

Second, a problem within Mouffe’s agonistic theory itself requires further exploration. The question remains to what extent a system can exist in which people agree on the importance

of freedom and equality, but fiercely and respectfully disagree on their respective meaning and implementation. In other words, can we assume that the friend/enemy relation between democratic participants is truly converted into an adversarial one by implementing agonistic institutions? This ideal strikes me as somewhat utopic. It might not be realistic to assume that fundamental disagreements on what concepts such as freedom and equality entail will be articulated and negotiated fiercely yet respectfully, especially in a system that seeks to facilitate passionate contestation. As such, the mutual respect that Mouffe deems a necessary condition for a well-functioning agonistic democracy could prove to be one of its biggest obstacles. In her exploration of a Contestation Day, Paxton has shown how this problem can potentially be mitigated somewhat. Implementing additional measures and procedures to ensure respectful contestation might prove useful in conducting a productive and agonistic debate. Yet, it remains to be seen whether people are capable of recognising each other as legitimate adversaries instead of enemies to be destroyed.

## 5: Conclusion

In this thesis, I set out to diagnose the problems plaguing contemporary democracies, as well as offer a potential remedy. In doing so, I have argued that the issues facing democracy today – e.g., a dramatic increase in anti-government protests, the rise of right-wing populism, and a prominent feeling of dissatisfaction with democratic practice – are caused primarily by an overarching sentiment of democratic disillusionment. Having been let down by the symbol of progress that democracy promised to be, people have become dissatisfied, disaffected, and ultimately *disillusioned* by democratic politics. In addition to this, I have argued that a second, more important factor characterises as well as cultivates democratic disillusionment: a feeling of total alienation from the political process. Because of the dissatisfaction and distrust that increasingly defines today's democracies, the democratic subject has become more and more estranged from the political process. In other words, the gap between the social and the political has deepened greatly, causing a widespread sense of disillusionment with democracy. Ultimately, this has led to a vicious cycle of ever-increasing democratic disillusionment. Furthermore, I have argued that this has been a necessary consequence of the uneasy alliance between liberalism and democracy, which is characterised by a disavowal of contest and passions in the sphere of politics through its reliance on individual pluralism, rationalism, and universalism. Using the political thought of Chantal Mouffe, I have claimed that the matter at hand is the revitalisation and repoliticisation of contemporary democracy. Achieving this is only possible by installing a system capable of recognising, embracing, and harnessing the political in its antagonistic dimension and the role of the hegemonic (re)articulation of power relations. Thus, I have proposed that to repoliticise democracies today, we need to reconfigure our political system along the lines of Mouffe's agonistic pluralism. By organising politics agonistically – i.e., along adversarial contestation as opposed to hostile conflict – passions can be harnessed and the ineradicable dimension of antagonism is not renounced, but rather sublimated. However, Mouffe's theory of agonism has certain shortcomings. Primarily, Mouffe fails to offer concrete examples of how agonism can be brought to life. While emphasising the necessary role of institutional reform, she does not offer any concrete examples of what shape such reforms should take. Therefore, I have drawn from the work of Pierre Rosanvallon and Marie Paxton, and offered various ways in which agonism can be put into practice. On the one hand, I have shown that the three forms of counter-democratic articulation are useful in institutionalising agonism, and on the other hand I have proposed that institutional reform plays a constitutive role in the production of an agonistic ethos. A few final remarks are warranted to conclude this paper.

First, I want to address the role of political theory and political institutions respectively in the constitution of an agonistic democracy. At the core of this paper is the post-structuralist notion that the dimension of politics is not fixed. Indeed, I have argued on numerous occasions that politics is discursively and performatively produced and reproduced. The shift from liberal democracy to agonistic democracy, then, will be an active process of social, political and institutional articulation and rearticulation. Ultimately, an agonistic ethos must be established to instal a democracy founded on agonistic principles. However, something more is needed to bring such an ethos into existence. For this to become possible, an interplay between political theory and political institutionalism is necessary. Phrased differently, at the root of the production and reproduction of an agonistic ethos – and thus an agonistic democracy – must be agonistic institutions. Only through such institutions can agonism be properly implemented in contemporary democracies. This is an important point of emphasis that is crucial for this paper.

Related to this, I want to elucidate the dialectic between politics and the social as conceived in this paper. Drawn largely from post-structuralist thought as well, my contention is that politics never exists independently from the social, and vice versa. That is to say, the power relations that are constitutive of political institutions are interwoven in society as a whole. As such, underlying the argument of this paper is that the social and the political are mutually constitutive. They are wholly dependent on one another for their functioning. However, the gap between the two has increased tremendously, leading to a disassociation between the democratic subject and the political process. I have argued this to be a consequence of the advent of democratic disillusionment. In order to close this gap – i.e., to *repoliticise* democracy – I have pleaded for a more participatory democracy that embraces agonistic confrontation. This, I think, is an important conclusion of this paper, and imperative for a successful transition towards an agonistic democracy – and thus for the repoliticisation of democracy. Participatory agonistic institutions are essential in closing the gap between the social and the political, thereby battling democratic disillusionment. This, I propose, must underly any reconfiguration of liberal democracy in general, and the production of agonistic democracy in particular.

Lastly, several limitations must be mentioned. First of all, the question remains to what extent a system can exist in which people agree on the importance of freedom and equality, but fiercely and respectfully disagree on their respective meaning and implementation. Mouffe's agonism is based largely on the assumption that antagonistic relations can be rearticulated to form respectful, adversarial associations. In her agonistic day, Paxton has shown that it is doubtful whether people may recognise each other as legitimate adversaries instead of enemies to be destroyed. Perhaps this may turn out to become a utopic ideal. However, the establishment of an agonistic ethos throughout society might make this possible. The agonistic day that informs the majority of Paxton's work was only one attempt that lasted a single day. A society characterised by a widespread agonistic ethos, supplemented and maintained by a wide array of agonistic institutions, may bring different results. This is something that remains to be seen. Second, it is important to mention that this paper has focused primarily on national politics. While I have mentioned examples from nations across the globe throughout this paper, the analysis I have done remains within the sphere of national politics. That is not to say, however, that my argument cannot be reproduced to fit international or supranational governmental bodies. A significant amount of research has been done on the democratic deficit of organisations such as the European Union, for instance. In addition to this, my argument on the advent of democratic disillusionment could be applied to cases such as this as well. That is beyond the scope of this paper, however, and must therefore inevitably be the subject of further research.

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