

Chapter 4

Creating a Public Space for the Political

*Sprache entsteht, wie das Bewußtsein, erst aus dem
Bedürfnis, der Notdurft des Verkehrs mit anderen
Menschen*
– Karl Marx¹

From the previous chapters it should be clear that the process of collective identity formation continually establishes itself through engagement in models of political action that recognize that conflict is constitutive of human relations. In chapter three I delineated the differences in the alternative understandings of political action espoused by the deliberative paradigm and the agonistic pluralist approach. I favoured the agonal form of political action suggested by Chantal Mouffe because this approach is more concerned with the disclosure of identities and less with the legitimization of common issues. This theoretical move should be seen as contributing to the disclosure of the political as understood by Carl Schmitt, whereby conflict and the demarcation of the friend and the enemy do not get eclipsed by the bureaucratic, associational politics of modernity.

These models of political action raise awareness about the weakened understanding of political action inherent in most liberal democratic theory. Political action, for liberals, is reduced to indirect participation to allow the individual to pursue their particular conception of the good life. The result of this distorted conception of political *praxis*² in liberal theory can be seen in the erosion of alternative forms of democratic participation in the public sphere. The concept of public sphere was developed to conceive a particular space in which to enhance the power of public

¹ Karl Marx & F. Engels, *The German Ideology*, [1846]. (London: Lawrence & Wishard, 1938). Vol.3, 27

² Hannah Arendt distinguished between *praxis* (spontaneous activity) and *poiesis* (productive activity) to highlight that *praxis* is an end in itself and signal the conflation of all other types of action in modernity with productivity. See Hannah Arendt, *The Human Condition*, (Chicago: Chicago University Press, 1958): 89-107.

opinion among different and often competing claims, and thus achieve some degree of social integration.³ In addition, the public sphere possesses an emancipatory character which permits the citizenry to stand in a position from which it can exercise influence over the state. It is because this space derives its force from the conglomeration of values in society as a political force independent from the state and the economy, that a framework for the possibility of genuine politics emerges. The question we are forced to ask is: is it possible to develop a public realm for transnational actors that is not strictly Westphalian and includes the flexibility, or spaces where alternative understandings of politics happen? Can the concept of public sphere be reformulated and assimilated for IR theory as a tool to situate the activity of politics today? Can there be any emancipatory potential in the project of taking the public sphere beyond the state? If so, is it possible to examine an international public realm in terms of the discourses that shape collective identities in terms of the friend-enemy distinction? And for what purpose?

This chapter intends to begin developing my conclusions through rescuing the theoretical aspects of current public sphere theory for theorizing the present reconfiguration of transnational public realms and the collective identities that are being rearticulated within them. I argue that any attempt to locate transnational public spheres requires in first instance tracing the experience of the political as a de-territorialized experience that occurs within and outside the institutional sphere of politics. Once this tracing happens, it is possible to claim that whenever the political manifests as a public antagonism there is a potential public sphere where the identities of the competing discourses can be (re)established. Moreover, this sphere needs to be organized in such a way that the antagonistic dimension of politics can be enacted. This characteristic will,

³ For an excellent discussion of the theoretical and practical implications in the concept of public sphere see Craig Calhoun, ed., *Habermas and the Public Sphere* (Cambridge, MA: MIT Press, 1992).

in turn, aid us to prevent the world society from sticking to a narrow focus on interest or 'identity politics.' An important distinction needs to be made between 'identity politics' as the social phenomena that organize people in terms of essentialist conception of collective identification. By contrast, the politics of identity highlights that the most important characteristic in identity is the process in which collective identity concretizes.

I have shown in the course of this thesis that the tendency of liberal thought to exclude or downplay any other potential meaning inherent in most of its concepts is to a large extent a consequence of its inability to confront difference. While it is important to recognize the potential emancipatory character that most liberal concepts have, this emancipatory quality is not enough on its own to reformulate and reinvigorate the liberal democratic spirit with the rather restricted resources found within liberalism. The repercussions for rethinking liberal thought can be felt in terms of both theory and practice if the relation between the concepts of identity and politics is not properly identified in sufficient detail. While the source of the problem is to a large extent conceptual, I have envisaged a correlation in the way liberal thought avoids dealing with difference on its ideological foundations and in the forms of political action its promoters deploy. The first conclusion I draw from this observation is that liberal thought and IR theory need to reconstruct its conceptual foundations through forms of political action that allow unrestrained contestation of concepts in an agonistic fashion. Agonistic forms of political action have the potential to offer the disclosure of identities in the form of discourses that can be contestable and more transparently reformulated. This connection between political action as a tool to foster the disclosure of identities and politics is what makes identity and politics so fundamentally crafted together.

My initial hint is that the theoretical endeavor of employing Carl Schmitt to contribute to the task of formulating collective identity formation for international relations theory can be fully appreciated if applied to public sphere theory. In agreement with Nancy Fraser's claim that "the idea of a 'transnational public sphere' is intuitively plausible, as it seems to have real purchase on social reality,"⁴ this chapter intends to contribute in the current attempts to understanding world politics beyond the Westphalian order of states which dominates current analysis of international relations. The need to recognize the places where collective antagonisms are flourishing in the world stems from the limitedness of traditional international relations theory to account for the construction of identities beyond the label of national identity.⁵ Here I discuss the implications of the concept of transnational public sphere when applied to international relations theory as an anchor to locate the establishment of collective identities. I set out an alternative approach to transnational public sphere that draws from Schmitt's concept of the political. Followed by an appreciation of the concept of the political in the Schmittian sense and its place in transnational public spheres this chapter deals with the paradoxical character of Schmitt's thought in this field. In particular, his formulation of the political as a ubiquitous phenomenon which occurs anywhere and anytime instead of as a phenomenon attached to a particular site of confrontation. I also suggest that the role identities take on the public sphere is embedded in the discourses in which they are constructed.

This chapter sets out in three stages to examine the often polemical reconfiguration of a normative theory of the public sphere at the international level. In

⁴ Nancy Fraser, "Transnationalizing the Public Sphere," March 2005, <http://www.republicart.net> (accessed on January 3, 2006).

⁵ The consolidation of national identity at the state level is but one of the instances in which the Schmittian category of friend-enemy opposition can be applied. The aim of this thesis is to broaden the spectrum within IR theory with regard to the diversity of identities existing in the 'postnational constellation'

the first section, I problematise the notion of public sphere developed by Habermas in relation to the work of Hannah Arendt on a public space of appearances. I flesh out the similarities and differences existing in both approaches placing special emphasis on the type of political action each author attempts to bring into effect. I also single out what public sphere theorists consider potential emancipatory aspects of this realm and I make a distinction between the conceptual framework of public sphere theory and its institutional character as a space partially linked to the state. The presupposition that the public sphere is the ideal site in which to trace the political as the moment in which collective identities concretize is developed here and the implications that transposing a theory of the public sphere into the international arena entails are explored. In section two I engage with Carl Schmitt's concept of the political along with some interpretation of his theory of the exception provided by some postmodern thinkers. The postmodern line of criticism directed at public sphere theory helps us point at the most serious objections raised against the possibility of conceiving a single transnational public sphere in which the notions of public opinion and communicative power remain valid. I then proceed to show that conceiving multiple transnational spaces for tracing the political requires procedures to organize the type of political action that can permit the maximum disclosure of identities. In the final section, I attempt to illustrate the points made throughout this dissertation in a practical case which locates the experience of the political as the constitutive moment of the creation of collective identities in ongoing discourses. I conclude with the suggestion that the most feasible way to locate the antagonisms existing in the transnational public spheres is by developing procedures for political action in institutionalized settings. However, political theorists and IR scholars should bear in mind that the particularity of identity and the contingency of the civil

realm make it appropriate to argue against universal standards for adjudicating a general procedural theory of politics for transnational arenas.

1. **Rethinking the Public Sphere: Habermas and Arendt Revisited**

Recent attempts to conceptualize the public sphere have challenged the conventional understanding of the public realm as a sphere institutionally tied to the state and simultaneously semi-detached from governmental decision-making processes.⁶ Every effort to theorize a normative conception of the public sphere in a global dimension raises both empirical and theoretical implications for our understandings of political action and identity. First, it contests the boundaries of conventionally established identities, and second it begs the question of how political action should get organized in this enlarged public sphere. From its inception, the concept of the public sphere was developed to provide the citizenry with a space relatively independent from state machinery and market forces to allow for a coercion-free locus of public deliberation of collective claims.⁷ The discussion in this section is concerned with the theoretical implications that transposing this state-centric version of the public sphere have on a global scale. It is precisely when attempting to formulate a global public space for the disclosure of identities beyond the limits of the territorial state that the need to conceptualise the creation of alternative political spaces arises. Politics, it seems to me, is now more concerned with space than with place. This theoretical move explores the

⁶ The literature on this subject has become substantial. See particularly the critical work of Chris Brown, "Cosmopolitanism, World Citizenship and Global Civil Society," in *Human Rights and Global Diversity*, eds. Simon Caney and Peter Jones (London: Frank Cass, 2001).

⁷ See Benjamin Barber, *Strong Democracy: Participatory Politics for a New Age* (Berkeley: Berkeley University Press, 1984), and the influential work of Joshua Cohen and J. Rogers, *Associations and Democracy* (London & New York: Verso, 1995).

possibilities of a critical international relations theory as a valuable resource to wield deterritorialisation of politics beyond inter-state *interaction*.

A crucial aspect of the public sphere is concerned with providing a coercion-free space that provides the participants with the freedom to conceive of more forms of political action. Because political actors need an arena in which to perform self-disclosure, it is not difficult to agree with Bruce Robbins' claim that "[p]ublic sphere invokes 'identity', but does so with more emphasis on actions and their consequences than on the nature and characteristics of the actors."⁸ Instead of focusing exclusively in relations among states, the concept of transnational public sphere enlarges the virtual site in which politics occurs. As with civil society, the concept of transnational public sphere can be treated as the site of 'post-liberal' politics often proclaimed by radical democrats.

Since Habermas introduced his notion of public sphere in *The Structural Transformation of the Public Sphere*,⁹ a greater concern for formulating alternative interpretations of the space in which to ground political action have been raised. For Habermas, the ground of political action focuses on the 'communicatively generated power' that a coercion-free space of appearance provide for the participants. Habermas is concerned with the problem that the particularity of the public sphere as a symbolic site of conversation and public reasoning may have lost its political force as the liberal state progressively displaced the ethico-political for technical-administrative imperatives.¹⁰ For Hannah Arendt, the public sphere constitutes the common realm for

⁸ Bruce Robbins, "Introduction: The Public as a Phantom," in *The Phantom of the Public Sphere*, ed. Bruce Robbins (Minneapolis: University of Minnesota Press, 1993), xvii.

⁹ Jürgen Habermas, *The Structural Transformation of the Public Sphere*, trans. Thomas Burger (Cambridge: MIT Press, 1989).

¹⁰ For an excellent discussion of the decline of the bourgeois public sphere see Seyla Benhabib, "Models of Public Space Hannah Arendt, the Liberal Tradition and Jürgen Habermas," in *Habermas and the Public Sphere*, ed. Craig Calhoun (Cambridge, MA: MIT Press, 1992).

collective action, a space dedicated to the “sharing of words and deeds.”¹¹ Similarly, Arendt blames the technical, anti-political forces of modernity for reducing the public realm to a mere management of the economy.¹² While the similarities found in these authors’ conception of the public sphere contribute to the task of formulating transnational publics, a major point of dissonance is found in the way Habermas and Arendt conceive political action. In her assessment between Habermas and Arendt, Dana Villa points that Habermas distances himself from Arendt on the grounds that for Habermas, communicative action is oriented towards consensus. For Arendt, the end of political action is to set men free by engaging citizens in public affairs aimed at democratizing the system.

Habermas conceives of action as essentially communicative. Arendt, in stark contrast, views the enactment of political action as taking place through agonistic forms of interaction.¹³ Both Arendt and Habermas observe the disappearance of informal settings to engage in dialogue as a dramatic consequence of state intervention in welfare matters. What Habermas sees as the expansion of the public sphere into other anti-political spheres constitutes the decline of alternative forms of participation. However, it is because Arendt and Habermas conceive of politics as taking place exclusively within the state that an independent public realm across state boundaries in their thought results unfeasible. Arendt’s conceptualization of the public realm remains a site free from the

¹¹ Hannah Arendt, *The Human Condition* (Chicago: Chicago University Press, 1958).

¹² In Hannah Arendt’s critique of modernity the world created by homo faber is threatened with extinction by the ‘rise of the social’, See *The Human Condition*, Sec. 6, ‘The Rise of the Social’, 28-37. See also her comments on Behaviourism, 43, which fit in superbly with Schmitt’s views in ‘Political Theology’, “Today nothing is more modern than the struggle against the political. American financiers, industrial technicians, Marxist socialists and anarchist-syndicalist revolutionaries unite in demanding that the biases rule of politics over unbiased management be done away with. There must no longer be political problems, only organization technical and economic sociological tasks. The kind of economic technical thinking that prevails today is no longer capable of perceiving a political idea. The modern state seems to have actually become what Max Weber envisioned. A huge industrial plant.” *Political Theology*, [1934] (Cambridge Ma & London: MIT Press, 1985), 65.

¹³ Dana Villa, “Postmodernism and The Public Sphere,” *The American Political Science Review* 86, no. 3 (1992): 717.

institutionalized and structured settings inherent in public sphere theory. What she calls the space in-between possesses an *a priori* intersubjective character that places more emphasis on the actions of the participants than on institutional requirements.

Habermas ambitiously suggests that the search for a universal consensus seeks the emancipation of humanity as species. Habermas insists that a universal consensus is possible because the capacity to agree and change the other's point of view is inherent in the structure of human language. However, the diversity of language games makes of language a tool to construct and deconstruct the discourses in which identities are embedded.¹⁴ In the subsequent clarifications of *The Structural Transformation*, Habermas has attempted to rescue the fundamental principles of the public sphere: communication and publicity. In the face of new forms of social integration, Habermas hopes for the creation of decentred spaces which he considers crucial in a "postnational world of numerous debating publics less encumbered by the constraints of material inequality and nationalism."¹⁵ What is useful about Habermas' conception of the public sphere is his differentiation between a 'universal public sphere' and an internal fragmentation of the public sphere into numerous publics. He is nevertheless useful only up to this point as he asserts that no public can have a permanent procedure for exclusion: "There is no exclusion mechanism without a proviso for its abolishment."¹⁶ This is where my argument starts to diverge from that of Habermas. Ignoring the traces of exclusion inherent to any process of collective identity formation has implications for delimiting the plurality of publics. Every public is constituted as the site in which political actors engage in action and by so doing establish a sense of belonging. I have

¹⁴ For a detail examination of Habermas' concepts in Postmodernism see Jean-Francois Lyotard, *The Postmodern Condition. A report on Knowledge*, trans. Geoff Bennington and Brian Massumi. (Minneapolis: University of Minnesota Press, 1985).

¹⁵ Jürgen Habermas, "Concluding Remarks," in *Habermas and the Public Sphere*, ed. Craig Calhoun (Cambridge, MA: MIT Press, 1992), 462.

¹⁶ See Jürgen Habermas, *Between Facts and Norms* (Cambridge: MIT Press, 1992).

stated earlier that the inevitability of exclusion can be best taken on board by the agonistic pluralist approach because its method of communication is effective in guaranteeing that the space for dissent remains open.¹⁷

In Habermas' view, the model of deliberative democracy can respond adequately to the proliferation of collective forms of identification that surpass states' boundaries. His assumption that political action is based on communication has a direct appeal to universality. Collective actors have the capacity to understand different positions because the capacity to understand each other's positions is inherent in the very structure of speech.¹⁸ For this kind of communication "[n]ot only must we share the same natural language in order to understand each other, we must share or assume that we share the same objective world, the same normative world and commensurable subjective worlds."¹⁹ Part of the theoretical problem with the universality of speech consists in granting human groups the capacity to assimilate opposing opinions into one's own, that is, to infuse conflictual positions with consensus and to replace tension with compromise.

Since communicative action appeals to universality, the concept of action-as-communication in Habermas' work is analyzed by Fraser as a means to provide a key for theorizing transnational publics. This theoretical transposition of public spaces is possible for Habermas since the creation of these transnational spaces is "simply the continuation of a process of which the function of integration performed by the nation-state provided the first major example."²⁰ While recognizing the potential in Habermas inquiry into the potentialities of the public sphere, what is really problematic is the

¹⁷ See Chantal Mouffe, *The Democratic Paradox* (London: Verso, 2000).

¹⁸ See Jürgen Habermas' magnum opus, *The Theory of Communicative Action*, vol.1, trans. Thomas McCarthy (Boston: Beacon Press, 1984).

¹⁹ Simone Chambers, *Reasonable Democracy: Jürgen Habermas and the Politics of Discourse* (Ithaca, NY: Cornell University Press, 1996), 8.

²⁰ Jürgen Habermas, "The European Nation-State: On the Past and Future of Sovereignty and Citizenship," *Public Culture* 10, no.2 (1998): 125-137.

transposition of forms of political action to transnational public spheres. Locating political action in transnational spaces requires abandoning the standard criteria to measure ‘communicative rationality’. Action in itself does not cease to require communication to be possible. Nevertheless, what is important in Habermas view, is that the search for a universal consensus is the key to legitimize knowledge and institutions capable of bringing about human emancipation.²¹ While agreeing with Habermas in the deployment of transnational public spheres as sites with the *potential* to bring about human emancipation, the ideal of consensus conceals new forms of power that the creation of a public sphere intentionally seeks to uncover.

As portrayed by Habermas, the concept of public sphere describes a particular understanding of politics. While the creation of these spaces permits new forms of possible identification, the link between action and identity results in the elucidation of different expressions of power. It is in grasping the notion of power in relation to action that the works of Habermas and Arendt drive away from each other. Habermas’ notion of power is manifest in communication and the potential of any given argument to be institutionalized and made law. For under these circumstances power is legitimately used and equally distributed.²² Political action is linked to power for Arendt and voiced as “the human ability to not just to act, but to act in concert.”²³ This ability to act with the power dispositions it entails takes place in “the world of things” where “the location of one [subject] can no more coincide with the location of another than the location of two subjects.”²⁴ Throughout her work, Arendt makes a distinction between power and violence which is indicative of a narrow conception of power. If the task of pursuing human emancipation remains tied to the task of legitimizing power, a purely positive

²¹ Habermas, *The Theory of Communicative Action*, Vol. 2, 173-174.

²² See Habermas, *Between Facts and Norms*, 149.

²³ Arendt, *The Human Condition*, 143.

²⁴ Arendt, *The Human Condition*, 150-155

conception of power is generated in which the pervasive character of power gets lost and the public sphere becomes a site for legitimizing discourses. Villa's reading of Foucault underscores the limitations of public sphere theory in handling the very nature of power, which manifest in "its naïve reliance upon conditions of symmetry, nonhierarchy and reciprocity as adequate guarantees of a 'coercion-free space.'"²⁵

Action for Arendt is an end in itself and should not be interpreted as aiming towards consensus. Her account for action invokes the world human beings have in common as the spatial configuration of in-between spaces in which to disclose collective or individual identities. The activity of politics, she proposes, discloses political actors whose engagement in action responds to a need for self-assertion. Bonnie Honig remarks that "Arendt's actors do not act because of what they already are, their actions do not express a prior, stable identity; they presuppose an unstable, multiple self that seeks its, at best, episodic self-realization in action and in the identity that is its reward."²⁶ So long as the spatial dimension of the public realm continues to exist in the Arendtian sense, the construction of identities is possible.

The claim that identities emerge as the result of political action responds to a particular understanding of politics that recognizes the inextricable link between action and power. In his interpretation of Arendt, Habermas sustains that Arendt "understands power as the capacity to agree in uncoerced communication on some community action."²⁷ Habermas goes as far as asserting that Arendt's conception of the public realm is a prefiguration of his own "ideal speech situation."²⁸ For Arendt and Habermas, the concept of the public sphere is conceived of as an arena free from the coercion of

²⁵ Villa, "Postmodernism and the Public Sphere," 715.

²⁶ Bonnie Honig, ed., *Feminist Interpretations of Hannah Arendt* (Philadelphia: Penn State Press, 1995), 140.

²⁷ Jürgen Habermas quoted by Villa, "Postmodernism and the Public Sphere," 715.

²⁸ Villa, "Postmodernism and the Public Sphere," 3.

the liberal state.²⁹ However, in its historical development, the public sphere served to concentrate unequal divisions of power on selected sectors of society. If power is constitutive of human relations, the idealization of a public sphere as a ‘power-free zone’ underestimates the power inherent in the discourses that collective identities bear in the moment they obtain the ‘freedom to act’.

The idea of power is also made visible in the public sphere through the enactment of publicity (*Öffentlichkeit*). Both Habermas and Arendt grasp this notion of ‘becoming public’ in relation with political action. For Arendt, the disclosure of identity is developed through a physical engagement in speech and action. Publicity becomes the most decisive principle in the *public* sphere in the moment that the disclosure of identities destabilizes the social order by revealing the traces of conflict inherent in human plurality. Adding a Schmittian remark, publicity infuses the need to designate otherness and take responsibility for our own position.³⁰ The possibility of expressions of violence is linked with appearance in the public realm. For Arendt, agonistic contestation has the potential to tame that Schmittian “possibility” of violence. She suggests “the greater the bureaucratization of public life the greater the attraction of violence.”³¹ This is why using consensus as an instrument to tame power conceals the power embodied in the “better argument.”

I have fleshed out some of the more salient components of public sphere theories developed by Habermas and Arendt. On Arendt’s account the impossibility of transposing the ideal of agonistic forms of participation beyond the state is grounded on her centered notion of space she borrows from the Greeks. This is why Benhabib notion of decentred public space is appealing. Arendt’s suspicious attitude towards the activity of politics in a wider international context is deeply influenced by the futility of the

²⁹ The concept of power in liberalism is understood as legitimate coercion.

³⁰ Schmitt, *Concept of the Political*, 27.

³¹ Hannah Arendt, *Crisis of the Republic* (New York: Harcourt Brace Jovanovich, 1972), 178.

physical proximity of the public sphere to hold constant for the anarchic international arena. By contrast, Habermas' serious effort to transplant a normative conception of the public sphere to relations between states remains strictly tied to a procedural, rather than a substantial, account of the public arena. In the next section I delve into the conceptual resources left by Habermas and Arendt to recreate a space of appearance for the political on an international level. However, I unravel some of the limitations that are concomitant with these accounts by considering the conceptual distinctions between politics and the political offered by Schmitt.

2. Locating the Political in Transnational Public Spaces: Carl Schmitt and the Impossibility of an Orderly Sphere.

The idea of transposing a theory of the public sphere to the realm of international relations should be seen as an attempt to rescue the fundamental concepts that make the production of the public realm a tool for human empowerment. The contestability raised by the idea of an international public sphere emerges primarily from the presupposition that a public sphere is correlated with the state as the 'sovereign power'. Considering that this theoretical project takes as a point of departure a Westphalian territorially enclosed public sphere, the problem for theorizing a transnational public sphere is, according to Fraser, that "[i]t is difficult to associate the notion of valid public opinion with communicative arenas in which the interlocutors do not constitute a political citizenry."³² Because the state becomes the addressee of the competing claims through the public sphere, the idea of transnational spaces, if they are taken as traditionally 'centred' as Arendt seems to do, fails to fulfill this requirement. In

³² Fraser, "Transnationalizing the Public Sphere."

the habermasian approach to public sphere the creation of public opinion is emphasized as a tool to offset civil society's power with the state apparatus. As we witness the emergence of sites in which alternative forms of politics take place, the concentration of power also shows to be scattered and the addressees of public opinion range from local governments to transnational corporations.

While recognizing the potential in Habermas' inquiry into the potentialities of the public sphere, it is crucial to investigate the plausibility in transposing his concept of public sphere to international relations theory. The problem with Habermas' formulation is that, echoing Fraser's claim, "we are left without a conception of the public sphere that is sufficiently distinct from the bourgeois conception of the public sphere to serve the needs of critical theory today."³³ Habermas attempt to reformulate the concept of the public sphere for international relations presupposes an ethics of discursive will formation in which rational-critical dialogue can be grounded. The idealization of consensus in transnational public spaces common to Habermas formulations downplay the extent to which antagonism and conflict structure the public realm.

Similarly, Arendt leaves us with a limited application of her space of appearance for international relations. However, Arendt's model of political action is more flexible in that the arenas for public participation remain sites free from the institutionalized domain in which Habermas sees 'official' politics taking place. While Arendt does not take it this far, this flexibility allows for the creation of alternative spaces as opposed to one single formal public realm that will be at work by "absorbing the less powerful into a false 'we' that reflects the more powerful."³⁴ It is in the idea of 'subaltern

³³ Nancy Fraser, "Rethinking the Public Sphere," in *Habermas and the Public Sphere*, ed. Craig Calhoun (Cambridge, MA: MIT Press, 1992), 112.

³⁴ Mansbridge quoted by Fraser, "Rethinking the Public Sphere," 123.

counterpublics'³⁵ provided by Fraser that the task for locating the political in the Schmittian sense becomes possible. Adding to Fraser's description, Spivak states that "anything that has limited or no access to the cultural imperialism is subaltern."³⁶ First, because it indicates the limits of the multiplicity of publics in which collective identities develop and allows for a conceptualization of the process of collective identity formation within or outside the state. Second, it offers hope to revitalizing publics and the emergence of communities in our time. Fraser proposes that these subaltern counterpublics which contain primordially marginalized communities can put forward counterdiscourses to the prevailing consensus. As I have argued earlier, any search for locating the existence of public realms outside the institutional sphere of politics needs to be accompanied by a previous analysis which sheds light on the experience of the political *qua* antagonism. Because recognizing 'the political' indicates that antagonisms are constitutive of collective identity formation, therefore by examining the role of identity in the public sphere international relations theory can explore the ways in which power relations shape the discourses in existing public spheres.

For my purposes, I employ Schmitt's concepts of the political and state of emergency to set the limits of these arenas of interaction and allow for more diverse, "decentered" publics to flourish across the world. This task also requires simultaneously our recognition of the crucial role of national governments in mapping these arenas. This is not simply to underline the existence of formal, or centred, transnational public spaces consisting of organized groups and associations like the United Nations or international assemblies. Rather, this theoretical move intends to rescue, in agreement with Fraser, the "emancipatory political possibilities"³⁷ which characterize public sphere

³⁵ Fraser, "Rethinking the Public Sphere," 123.

³⁶ Gayatri Spivak, "Can the Subaltern Speak?," in *Marxism and the Interpretation of Culture*, eds. Cary Nelson and Larry Grossberg (Urbana: University of Illinois Press, 1988), 271-313.

³⁷ Fraser, "Transnationalizing the Public Sphere."

theory but whose scope is not often reached at the international level. As a consequence of applying Schmittian concepts to public sphere theory it will be shown that Schmitt's thought can be best inserted into the postmodernist objections to a normative theory of the public sphere, which encapsulates politics in the territorial frontiers imposed by liberal thought. Because the task of locating the political on a transnational level involves rethinking sovereignty, Schmitt's understanding of sovereignty can break away from the paradigm of state sovereignty which Habermas challenges with underlying universalistic pretensions.

While Habermas intends to transpose the bourgeois public sphere beyond the state as tool to mobilize the transnational discourse of human rights and global democracy,³⁸ he overtly grants universal sovereignty to a normative consensus on human rights. By contrast Schmitt's distrust in the rhetoric of human rights advances a similar concern to ward what postmodernist thinkers claim conceals a totalizing metanarrative. Such totalizing fiction is seen "as the discourse that legitimatises and deligitimises power."³⁹ Although Habermas attempts to defang the Schmittian claim that universal rights do not pertain to a universal moral category but to a universal legal order, the discourse of rights in Habermas becomes the end of political action and the disclosure of collective identities is sabotaged by a legal preamble which limits both the space and the possibilities for human action.⁴⁰

To recognize the emergence of decentred publics in a transnational environment comes in hand with a challenge to the sovereign authority that the state has over its citizens. However, the discursive engagement that transnational publics offer should not be regarded as a form of association that completely sidelines the decisions made by the

³⁸ See Jürgen Habermas, *The Inclusion of the Other* (Frankfurt: Suhrkamp, 1997).

³⁹ R. Gaete, "Postmodernism and Human Rights: Some Insidious Questions," *Law and Critique* 2/2 (1991): 149.

⁴⁰ See Habermas insists that "The concept of human rights does not (originate) in morality... (They) are juridical by their very nature." In *The Inclusion of the Other*, 191.

state. Dryzek, from the deliberative stand, and Mouffe, an agonistic pluralist promoter, both warn us that there is a danger that if the link between the public sphere and the state was lost, the legitimacy of the state would be undermined.⁴¹ An example of this separation of the public sphere was seen in Poland and Czechoslovakia in the years of the decline of communism with devastating consequences. Mouffe conveys a useful interpretation of Schmitt's defense of excess pluralism, "there cannot be pluralism at that level without the state automatically disappearing."⁴² This presents a problem for the sovereignty of the state as we are seeing the emergence of non-state actors and institutions, which if not superior they at best are parallel to state sovereignty. The World Social Forum is an illustrative case of this shift in the sovereignty of the activity of politics. This forum is organized to draw the attention of organized groups and social networks to engage in dialogue and critically assess contemporary issues in an independent manner from statecraft. I shall return to this example later.

Establishing the limits of a public realm has the purpose of highlighting the contingency existing between a territorial space and the experience of the political. The Schmittian notion of sovereignty, "sovereign is he who decides on the exception,"⁴³ challenges the contingency existing between a territory and a political community. By now it should be clear that 'the political' understood as the friend-enemy distinction has a ubiquitous location which exceeds the institutional framework of a formal public sphere. It can happen within it but also outside of it and beyond the state. However, in order for the political to appear, a spatial dimension needs to be acknowledged regardless of whether the antagonisms resulting from the political involve states, tribes, transnational corporations or social movements. Schmitt's conception of politics has a

⁴¹ See John Dryzek, "Deliberative Democracy in Divided Societies: Alternatives to Agonism and Analgesia," *Political Theory* 33 (2005): 218.

⁴² Chantal Mouffe, *The Return of the Political* (London: Verso, 1993), 131.

⁴³ Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty*, trans. George Schwab (Cambridge Ma. MIT Press, 1985), 37.

contingent quality upon the spaces where the political arises. Since collective identities are composed of individuals with numerous memberships to several communities, the process of collective identity formation takes only the common identity shared by all members of one collectivity which is ready to “fight a similar collectivity.”⁴⁴ These contingencies differ considerably from other state-centric conceptions of the political. Although the concept of sovereignty in Schmitt does presuppose the existence of an authority over the space where politics takes place, his conception of space is not limited to officially instituted realms for the activity of politics. What is important about Schmitt’s notion of sovereignty is that it serves as a bridging tool between the activity of politics and the experience of the political in that it establishes the constitution of various forms of order.⁴⁵ In other words, a difference between order and disorder is marked to imply that the conflict in this binary opposition is political. Because the concept of the political can encompass a totality of human endeavors, in the sense that “everything can be politicisable,”⁴⁶ a reconstructive theoretical framework for public spaces should allow the politicization of arenas outside the official sphere of politics. Contrary to a model of public sphere endorsed by the constraints of agreement, politicizing the public sphere involves revealing the antagonisms and analyzing the discourses which have contributed to the empowerment of some and the subordination of others.

A distinction between informal and formal public spheres is necessary because this distinction allows us to recognize the existence of *virtual* public spaces⁴⁷ which serve as indicators of how political action organizes human groupings of the friend-

⁴⁴ Carl Schmitt, *The Concept of the Political*, trans. George Schwab (Chicago: Chicago University Press, 1996 [1932]), 49.

⁴⁵ See particularly the work of Slavoj Žižek, “Carl Schmitt in the Age of Post-Politics,” in *The Challenge of Carl Schmitt*, ed. Chantal Mouffe (London: Verso, 1999), 20-37.

⁴⁶ Benjamín Arditi, “Tracing the Political,” *Angelaki* 1, no. 3 (1995): 18.

⁴⁷ See Arditi, “Tracing the Political,” 19.

enemy type. Now, if the conditions in which the friend-enemy opposition develops presuppose a site of confrontation which can take place anywhere, it seems that the account of the public sphere that Habermas puts forth is insufficiently political. First, because it inhibits the appearance of the political by rationalizing conflict and second, because it removes the space of confrontation to an official institutionalized public realm that disregards any form of political action occurring outside this sphere.

Further, Schmitt reinstates that “[t]he enemy is solely the public enemy, because everything that has a relationship to such a collectivity of men, particularly to a whole nation, becomes public by virtue of such a relationship.”⁴⁸ Political action is enacted *publicly* by virtue of its correlation with the disclosure of identities. I mentioned in chapter three that both agonistic political action and deliberative procedural forms of participation offer alternative ways to rethink political action in the present world. Following a liberal line, for deliberative democrats enemies take the character of rationally equal members in pursuit of a common good. The mission for agonistic pluralists is to transform public enemies into adversaries with the aim of locating the conflicting discourses developing in the public sphere as sites of power-infused relationships. By contrast, in public sphere theory the matters which bring the different parties to a confrontation become public to generate public opinion on matters that once were removed to the private sphere. Similarly, it is plausible to say that the role transnational public spheres play consists in making public (on the international level) issues that originally concerned a national or regional interest.

Recently, a similar demarcation between politics and the political has taken over the academic milieu and is provided by Claude Lefort.⁴⁹ He distinguishes politics (*la*

⁴⁸ Schmitt, *The Concept of the Political*, 28.

⁴⁹ For an excellent discussion of Schmitt and Lefort see Bejamín Arditi, “The Becoming-other of Politics: A Post-liberal Archipelago,” *Contemporary Political Theory* No. 2 (2003): 307-325. Also see Sergi Prozorov, “X/Xs Toward a General Theory of the Exception,” *Alternatives* 30 (2005): 81-112.

politique) from the ‘political’ (*le politique*). Lefort sees politics as the constituted order, a sphere where “a general agency of power takes shape and is reproduced.”⁵⁰ In a similar line as Schmitt, he conceives of the ‘political’ as the constitutive principle of this order. The link between the constituted order (politics) and its constitutive component (the political) obtains the condition of possibility of order in the founding rupture of the exception.⁵¹ Because the rise of the political escapes the institutional framework of the administrative sphere of politics, Schmitt’s concept of the exception is more concerned with the preservation of the activity of politics by establishing order and less with the adjudication of the political to a certain territory.

In a similar way, Ernesto Laclau has drawn attention to the relationship between public spaces and social identities.⁵² The central supposition is that identities can never be fully constituted because they are discursively constructed in relation to structures of difference which are ‘objective’ to both self and other. Because the incomplete character of identities leads to a never-ending struggle to ‘hegemonise’ the experience of identity, the ‘spatialization’ of the political remains a site *free* from structure: “Freedom exists because society does not achieve constitution as a structural objective order.”⁵³ It is therefore in the very process of collective identity formation that the need for a free space in which to confront the incomplete identities emerges. This is what makes the nature of Arendt’s space of appearance as “otherwise unconditioned” by the formal structures of the state an instrumental basis to materialize the concept of the political in circumstances “otherwise unconditioned” by essentialist or associationalist identities. Mika Okajangas’ interprets Schmitt’s hostility towards liberal universalistic ideals by stressing Schmitt’s conviction that political action is what gives collective

⁵⁰ Lefort quoted by Arditì, “The Becoming-other of Politics,” 85.

⁵¹ Prozorov, “X/Xs Toward a General Theory of the Exception,” 82.

⁵² Ernesto Laclau, *New Reflections on the Revolution of our Time* (London: Verso, 1985).

⁵³ Laclau, *New Reflections*, 44.

human life meaning.⁵⁴ Therefore for Schmitt, subordinating action to the technological control of calculative reason not only curtails the human freedom to strive for a collective identity. It also inhibits collective action as a means to achieve freedom which, for Schmitt refers to the possibility of free collective human action.

From this perspective it seems that the uncharted territories in which the political emerges eventually acquire a sense of order from which it becomes possible to locate the appearance of transnational public spaces. In line with this argument, Hirst vindicates that “[s]overeignty is thus not a matter of constitutional doctrine... it is a matter of determining which particular agency has the capacity – outside the law – to impose an order which, because it is political, can become legal.”⁵⁵ It is in the institution of various forms of order that one can envisage the multiplicity of spaces in which political action is executed outside the domestic public sphere. Although Hirst’s observations subdues the public sphere to a legal compromise with the state, extending the concept to transnational decentred publics makes the issue of legality hinge on the constitution of forms of order which fall outside the sovereign authority of the state. Therefore, the political is not tied to a territorially enclosed sphere in the moment of its inception, since it necessarily involves human collectivities to be readily available to make the distinction between friends and enemies. It is at this moment that the Schmittian notion of sovereignty seeks to draw the borders of that confrontation in which public enemies will go into combat.

The figure of sovereignty has a two-fold purpose for theorizing public spaces in which to locate the political. First, Sovereignty as understood by Schmitt operates as the authority to carry out the designation of otherness. However, sovereignty is not executed by simply excluding the other; it has the capacity (in a similar way to

⁵⁴ Mika Ojakangas quoted by Prozorov, “X/Xs Toward a General Theory of the Exception,” 87.

⁵⁵ Paul Hirst quoted by Chantal Mouffe, ed., *The Challenge of Carl Schmitt* (London: Verso, 1999), 11.

Foucault)⁵⁶ to suspend the normal functioning order and to establish a new sense of order at the same time. Second, the decision based on the exception *qua* sovereignty establishes the dividing line between the outside enemy and the interior newly constituted order. According to Mika Okajangas, “[t]he question of the sovereign is the question of the limit. If sovereignty decides upon its own limits, its decision cannot be bound by those limits... [t]he sovereign is the unlimited power that makes limits, or in other words, the ungrounded ground of the law.”⁵⁷ However, the limits imposed to a newly constituted order by the decision on the exception do not escape the ever-present possibility of conflict and chaos. It nevertheless leaves room for other externally constituted orders to overlap and thus to introduce a state of emergency to suspend or constitute a new order. With regard to this notion of order, Arditì sustains that “[p]olitics institutes an order to overcome the threatening conflicts of the political. Yet order (any order) is only a regulative idea whose absolute moment (*pure* order) can never be fulfilled. The permanence of the political prevents the institution of a full being.”⁵⁸ Therefore, if human action is responsible for the impossibility of constituting a stable order because conflict is its core characteristic, then it is plausible to argue that the object of such dispute is the *virtual* space in which identities may flourish.

I have argued so far that Schmitt’s concept of the political contains a theoretical tool to elucidate the space for collective identities to emerge through the clear-cut demarcation between friends and enemies. The existence of virtual spaces is explained through the relationship between the political and politics as decisive in the constitutions of various forms of order in the moment of the exception “which

⁵⁶ See the alternative understanding of sovereignty provided by Michel Foucault, “A Preface to Transgression,” in *Language, Counter Memory and Practice: Essays and Interviews* (Ithaca, NY: Cornell University Press, 1977).

⁵⁷ Okajangas quoted by Prozorov, “X/Xs Toward a General Theory of the Exception,” 87.

⁵⁸ Arditì, “Tracing the Political,” 23, [emphasis in original].

constitutes form by escaping from it.”⁵⁹ Because the constitution of order refers simultaneously to an outside which is set aside by a sovereign act but which is a part of the identity of the collective, the conceptualization of the space of appearance becomes a constitutive element for collective identities.

This approach to public spaces intends to bypass the normative conception of the public sphere whereby relations among states and other international bodies gather under limited forms of political action. It is important to note that since the high stakes of politics of international relations obey to an anarchic form of organization, the concept of sovereignty remains an important conceptual tool that is more concerned with how political action is organized and how limits get set on identity and less concerned with authority and power. These public spaces constitute the arenas where the political emerges, in Arendt’s view, “[t]he polis, properly speaking, is not the city state in its physical location. It is the organization of the people as it arises out of acting and speaking together for this purpose, no matter where they happen to be.”⁶⁰ While Arendt understands this space as traditionally centred and not virtual or decentred, both Schmitt and Arendt conceive of the public realm as a site free from the institutionalized form in which the public sphere has been developed by Habermas. What matters here is not so much where the political arises in the form of radical antagonism but in the way this antagonism is transformed into agonism, to use Mouffe’s terminology. In the next section I provide a couple of examples to show how collective identities *qua* competing discourses define themselves by taking its radical antagonism as a point of reference. In particular, it will be stressed the transnational character as a shift in the sovereignty of the liberal state and I will explore very briefly how the discourses were shaped to articulate a network of power relations.

⁵⁹ Okajangas, quoted by Prozorov, “X/Xs Toward a General Theory of the Exception,” 84.

⁶⁰ Arendt, *The Human Condition*, 198.

3. Locating Emerging Transnational Public Spheres

Something broke in this year, not just the false image of modernity sold to us by neoliberalism, not just the falsity of government project, of institutional alms, not just the unjust neglect by the country of its original inhabitant, but also the rigid schemes of a left living in and from the past. In the midst of this navigating from pain to hope, political struggle finds itself naked, bereft of the rusty garb inherited from pain: it is hope which obliged it to look for new forms of struggle, that is, new ways of being political, of doing politics.⁶¹

I introduce in this section a critical discourse analysis of the Zapatista movement in Mexico (EZLN) as an identity-based discourse grounded in terms of antagonism which develops through agonistic forms of political action. Instead of pointing to the Zapatista movement as a form of identity grounded on the fetish of culture, which is roughly sustained in the claims this indigenous community makes for self-government in accord to local practices and customs, the process of collective identity formation is developed through the discourses engaged against the Mexican government and neoliberalism. As a historical phenomenon, the emergency of the Zapatista movement has shown to be a fluid and non-fixed discourse throughout the time. Indigenous populations in Mexico have more than a race category: they have social, historical and labor-oriented categories which situates them in several subject positions in relation to the rest of Mexico.⁶² However, after former Mexican president Salinas undercut the *ejido* system of communal farming that had governed Mexican agriculture since the revolution, the corporatist relationship between the Mexican government and the peasant was severed.⁶³ The consequence of this rupture was mirrored in the constraint of

⁶¹ Subcomandante Marcos, cited by Rosario Ibarra, *La jornada*, May 2, (1995): in John Holloway, available at: <http://laventana.casa.cult.cu/modules.php?name=News&file=article&sid=1396>. (Accessed on 4 Mar, 2006).

⁶² The term subject position seeks to capture the idea of what enables the identity of a given subject is not self-generated but is given through its subject position (i.e. its relations with other subject positions).

⁶³ Courtney Jung, "From Contingency to Proceduralism" (paper presented at the conference on Contingency of the Study of Politics: A Conference in Honour of Robert Dahl, Yale University, New Haven, U. S., December 3-5, 2004), <http://www.yale.edu/polisci/info/conferences/Contingency%20Conference/schedule.htm> (accessed on June 23, 2005).

spaces for political activism which also diminished the leverage of an indigenous political identity.⁶⁴

The distinction between politics and the political becomes a useful starting point in order to argue that the identity of the Zapatista community is political because it deploys an antagonistic discourse in deterritorialized, often virtual spaces that transcend the boundaries of the state. By means of a transnational network of sympathizers which include several internet-based supporters, the outreach of this political movement has extended to political spaces outside the state. While the immediate antagonistic relation was that of the Zapatistas against the Mexican government, the need to find a transnational public arena surges from, on the one hand the complex power relationship between the government and the indigenous peoples. On the other hand, the transnational scope of this movement came to manifest by the antagonism to neoliberalism as a global threat to indigenous ways of life.

The view that identities are constructed in terms of the friend-enemy distinction necessarily involves the antagonism of discourses which shape the relations of power deployed by every identity. Jung has argued that the Mexican rural poor sought to locate themselves under the subject position of 'indigenous people' in order to have a more transcendental voice in world politics. If locating the subject position of 'indigenous people' against the neoliberal machinery of globalization represented by state governments posits a radical antagonism, then according to Mouffe and Laclau, neoliberalism appears to be denying or negating the completion of the Zapatistas identity while simultaneously being the constitutive outside of self-formation.

The notion of sovereignty has a political dimension in the Schmittian sense in the construction of the Zapatistas identity. While it has been argued earlier in this

⁶⁴ Jung, "The Politics of Indigenous Identity: Neoliberalism, Mexican Rights and The Mexican Zapatistas."

chapter that sovereignty is the bridging moment of the exception between the institution of politics and the political, the Zapatistas have instituted symbolically a sense of order by producing the terms of political contestation outside the Mexican domestic public sphere. Because for Schmitt, the notion of sovereignty decides the limits of any political identity in more than a mere territorial enclosure, the decision also involves the possibility for free human action in distinguishing the friends from the enemies in a free space where genuine politics are no eclipsed by liberal proceduralism.

The discourse of Zapatista identity involves exclusions which become the constitutive outside by which the very Zapatista discourse strengthen its identity. In particular, the exclusion of any purportedly left-wing initiative of the Mexican political party system embodied by the PRD, as has been explicitly manifested.⁶⁵ This also conveys the exclusion of forms of political action that constitute a system of difference that informs the practice of politics that the Zapatistas intend to deploy. In conclusion, the transnationalization of the public sphere is also a possibility for deterritorializing democracy.⁶⁶ This shift in the sovereignty of organizing political action to make claims against the dominant culture discloses a potential emancipatory character which lies specifically at the international level. The discourse on collective indigenous rights has been the weapon to mobilize political action in the transnational public sphere. The discourse on rights has provided the spaces in which agonistic forms of politics develop.⁶⁷ These spaces have provided models of political action which permit the voice of these subaltern counterpublics be heard. The extent to which these spaces consolidate viable procedures to ensure a free space for agonistic confrontation, the ‘emancipatory

⁶⁵ Fernando Belaunzarán Méndez, “La Aventura Anti-electoral del EZLN,” Available at: <http://www.prd.org.mx/ierd/coy128/fbm1.htm>. (Accessed on 3 april, 2006).

⁶⁶ Marc G. Doucet, *The Possibility of Deterritorializing Democracy: Agonistic Democratic Politics and the APEC NGO Forums Alternatives: Global, Local, Political*; Vo.7 No.1 (2001): 34- 45.

⁶⁷ These spaces include the ILO Convention 169, which protects the territorial and cultural rights of indigenous peoples, in 1994 the Working Group on Indigenous Populations completed the draft on rights to cultural identity. <http://www.unhchr.ch/html/menu6/2/fs9.htm> (Accessed on 23 Jan 2006).

possibilities' of the public sphere will become tangible. In recognizing the extent to which the state is implicated in the construction of political identities, Jung suggests that "it is because the state does play a central role in forging the terms of political contestation that political identities are contingent, it is because they are contingent that democratic procedures are better placed to respond to the claims of culture."⁶⁸ However, Jung's account for democratic procedures is insufficient to elucidate the political dimension of cultural claims themselves for she tends to conflate political identity with cultural identity.

The spaces provided by the Mexican government 'pláticas de paz'⁶⁹ during the Zapatista revolt took place in a public sphere that constraint the agonistic disclosure of the Zapatista identity by appealing to a mutual agreement as the rational procedure, thereby negating the stakes of this political affront. As an alternative approach, the Zapatistas engagement in agonistic contestation should be acknowledged as an integral part of democracy and not a threat to it. Both deliberation and agonism can bring fruitful democratic engagements depending on the kind of affront and the needs of each contending party.

Entering the transnational arena meant for the Zapatistas to have a wider audience in which to legitimize the emancipatory discourse for the indigenous populations the appeal to universal human right for indigenous people has had a double inscription, however. As it was argued earlier, Schmitt's hostility towards universal metanarratives was grounded on his intuition that universal rights served as a cover-up for power-infused groups and ideologies. The question that remains open is to what

⁶⁸ Jung, "The Politics of Indigenous Identity: Neoliberalism, Mexican Rights and The Mexican Zapatistas."

⁶⁹ Gustavo Esteva, "The Zapatistas and the Peoples Power" Multiversity available at <http://vlal.bol.ucla.edu/multiversity/Gustavo/Zapatistas.htm> (Accessed on 23 Jan 2006).

extent are the Zapatistas falling prey to a universal metanarrative that subordinates indigenous interests under a western conception of liberal individual right-bearer.

With this example I drew attention to the particularity of the Zapatista agonistic discourse for collective human rights in transnational public spaces. Whether the public sphere provides the terms of contestation to take place across identities or across discourses as is suggested by Dryzek,⁷⁰ it must provide the procedures for a type of political action that allows for dissent. This chapter developed an approach to public sphere theory for international relations that acknowledged the Schmittian understanding of the political as an instrument to locate the construction of collective identities. It is not difficult to envision how the agonistic model of political action could enable the contestation of concepts within and beyond liberal thought. The concepts of identity and politics offered here present enough written evidence to defend the central hypothesis that there is a correlation between the way liberal thought avoids dealing with concepts foreign to its own tradition and the forms of political action liberal thought employs that restrain the freedom of action necessary to disclose collective identities. Once the relationship between politics and identity is acknowledged, liberal thought and IR will benefit from the unrestrained contestation of concepts and ideas in an agonistic fashion in relation to the conceptual otherness liberal refuse to deal with. What I am arguing here is not a new theory of identity, but I am suggesting the possibility of an epistemological shift in the way identity is considered in IR.

⁷⁰ John Dryzek, *Deliberative Democracy and Beyond*, 74