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Affective Authority and the Practice of Assembly

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Abstract

This thesis argues that the relation between political authority and collective action depends upon the interaction between discursive claims and affective attachments. The principal contribution to knowledge is the elaboration of an aesthetic theory of political judgment inspired by Hannah Arendt's theory of agonistic deliberation, but based not on Immanuel Kant's critical aesthetic, as is Arendt's theory, but on Alfred North Whitehead's aesthetic theory of experience. The connection between authority and collective action is established through the claim that collective action is enabled by structures of authority and that, conversely, collective action is productive of the discursive norms and affective attachments through which authority is constituted. The thesis begins with an account of the concept of assembly not as a vehicle for political demands or as a site of performative claims but as a creative, "world-building" practice through which the discursive (or narrative) and affective bases for political authority are established. It then provides an account of Arendt's political theory, in particular her creative repurposing of Immanuel Kant's critical aesthetic to develop a model of agonistic political deliberation, and her theorization of the foundation of political authority as presented in her essay, "What is Authority?" and her book, *On Revolution*. This is followed by a critique of Arendt's account that focuses on her dismissal of the role of emotions in public life and on the implicit metaphysical biases

that influence her account, in spite of her explicit rejection of the metaphysical tradition. It is argued that an adequate account of political authority must give proper recognition to the role of affective attachments in the experience of authority and, furthermore, that Arendt's exclusion of affective phenomena undermines her own arguments concerning political authority and the public realm more broadly. An alternative political aesthetic is proposed that replaces Kant's aesthetic theory, and its claim that emotion necessarily invalidates aesthetic judgment, with Alfred North Whitehead's aesthetic theory of experience. In this model, political judgment is necessarily guided both by affective attachments and by evaluative judgment. This Whiteheadian political aesthetic is combined with contemporary philosophical research on the phenomenology of emotion to elaborate a novel account of affective authority as a central component in the world-building practices that are both product and precondition of collective political action.

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Declaration

I declare that the research contained in this thesis, unless otherwise formally indicated within the text, is the original work of the author. The thesis has not been previously submitted to this or any other university for a degree, and does not incorporate any material already submitted for a degree.

Signed

Dated

Chapter 1

Introduction

In this thesis I present a political theoretical argument concerning the important role played by authority, considered as an experience of both discursive legitimacy and affective attachment, in collective political practice. To this end, I develop a novel conception of authority that takes as its starting point an unconventional reading of Hannah Arendt's writings on authority and on its role in founding and sustaining the common world that is essential to political action. My reading of Arendt focuses largely on the period from 1958 to 1963 in which she laid out the core of her political theory in *The Human Condition*, the collection of essays entitled *Between Past And Future*, including the essay "What is Authority?" and her book *On Revolution*, which I consider to provide the most comprehensive account of Arendt's theorization of authority in the modern age. Although Arendt's conceptualization of authority suggests that the foundation of political authority depends upon the elicitation within citizens of feelings of awe and worship ("What is Authority?" 126; *On Revolution* 198, 203-4), she is famously distrustful of the "passions," frequently highlighting the threat that they pose to political freedom (*The Human Condition* 142; *On Revolution* 72). While, like Arendt, I give great

importance to the role of collective action in the foundation of authority, in contrast to Arendt, I focus on what I argue to be an irreducibly affective element of political authority, and propose an interpretation of assembly and of collective deliberation as not only expressive, discursive practices, but as *affective* practices that are generative of the authority that creates bonds of solidarity between political actors and motivates ongoing participation in collective action.

Arendt's model for political deliberation draws its inspiration from the aesthetic theory of Immanuel Kant's *Critique of Judgement*, in which he claims that the judgment of taste demands a "broadened" mode of thought which takes account "of the mode of representation of everyone else, in order *as it were*, to weigh its judgment with the collective reason of mankind" (*Critique of Judgement* § 40, 123-124). Arendt describes this broadened thought ("*eine erweiterte Denkungsart*") as "an enlarged mentality", but rather than following Kant in making this a subjective, theoretical faculty to be practiced in solitude (§ 40, 123), she argues that it "cannot function in strict isolation or solitude; it needs the presence of others 'in whose place' it must think, whose perspectives it must take into consideration, and without whom it never has the opportunity to operate at all" (Arendt, "The Crisis in Culture" 221-222). While Kant associates this faculty with an inner "aesthetic common sense", whose existence he infers from the simple fact of the communicability of judgments, (*Critique of Judgement* § 21, 69), Arendt insists instead on the necessity of a *common world* maintained through collective political practice as a precondition for such judgment.

Arendt's account of collective action rests on a very unmodern faith in the capacity of human judgment to disclose the world as it is (Arendt, *The Human Condition* 283). Although, for Arendt, a judgment is a necessarily partial

perspective on the world, this does not mean that it is necessarily distorting. Indeed, the only corrective to a partial perspective is comparison with other perspectives. For this reason, Arendt maintains that the faculty of judgment "implies a political rather than a merely theoretical activity" ("The Crisis in Culture" 219). As Linda Zerilli has shown, Arendtian political judgment, rather than being defined by its object, is defined by this activity of gathering and comparing perspectives (Zerilli, *A Democratic Theory of Judgment* 7). Such collective, deliberative practice is both a means of arriving at judgments on political objects, and a means of constituting particular objects as political (8-9). Without collective activity through which the "innumerable perspectives and aspects in which the common world presents itself" are brought into conversation, then there is no politics and no public realm (Arendt, *The Human Condition* 57).

Arendt's inversion of Kant's theory of judgment, from one that rests on an interior common sense to one that depends upon the existence of a common world, implies that the communicability of judgment must be considered a *result* of collective practices of meaning-making, and not only their precondition. While liberal theory contends that assembly should be protected as a legitimate vehicle for the expression of citizens' claims, it is important not to overlook the vital role of assembly in the creation of political meaning. The force of political claims rests upon a ground of shared meanings which makes them intelligible both to those that would support them and those that would contest them. Practices of assembly are central not only to the expression of political claims, or even to the creation of political expressions, but also to the creation of a broader field of meaning within which contention over political claims can take place.

Such collective meaning-making is among the "world-building capacities"

that Arendt considers crucial to building a common world that provides a basis for ongoing collective action (Arendt, *On Revolution* 175). In its turn, this common world of shared meanings depends for its durability upon a shared source of political authority. Arendt contends that only if the common world is supported by structures of political authority can it provide a lasting basis for collective action. Indeed, she argues that the weakness of political authority in the modern age (together with the loss of religion and of tradition) has been a major factor in the failure of most modern states to establish durable political institutions ("What is Authority?" 140).

Arendt then, rejects Kant's interiorization of "common sense" as a subjective faculty, and, more broadly, the focus on individual experience that characterizes the metaphysical tradition and has formed the basis of political thought throughout the philosophical tradition. The best known instances of this tendency appear in the Kantian tradition of practical philosophy, where the individual experience of moral right provides the ground for politics, and in the individual experience of truth that Plato places at the basis of politics. The central site of politics for Arendt is not the individual's conscience or intellect, but the in-between "which consists of deeds and words and owes its origin exclusively to men's acting and speaking directly *to* one another" (Arendt, *The Human Condition* 183). Despite arguing for the essentially worldly nature of politics however, Arendt maintains a categorical distinction between this intangible in-between of words and deeds—the realm of political activity—and the physical in-between which includes the natural world and bodily experience. Like the metaphysicians that she critiques, Arendt insists that in a properly ordered political community, political judgment, however worldly, must be independent of subjective human needs and desires.

In transforming Kant's theory of aesthetic judgment into a political theory

of agonistic deliberation, Arendt refuses to follow Kant in asserting an inner faculty rather than the worldly experience of commonality as the basis for agreement, but she maintains Kant's requirement that judgment, in order to be valid, must be "effected by so far as possible leaving out the element of matter, i.e. sensation" (Kant, *Critique of Judgement* § 40, 123). Like Kant, Arendt maintains that valid judgment must be "purely 'disinterested'" (Arendt, "The Crisis in Culture" 222), and so can be achieved "only after the needs of the living organism have been provided for, so that, released from life's necessity, men may be free for the world" (210).

Arendt is damning in her account of the impact of emotion or passion upon political life. As many critics have argued (and as I will discuss in detail in Chapter 4), this position is extremely harmful to any attempt to build an inclusive political realm (Butler, *Notes Toward a Performative Theory of Assembly* 77-78; Honig, "Toward An Agonistic Feminism" 215). Furthermore, the idea of "contemplation without interest" demanded by such judgment has been frequently and convincingly criticized from a variety of philosophical perspectives (Nietzsche 87; Johnston; Kruks 123). As regards the central argument of this thesis, Arendt's exclusion of passion from the political realm is also difficult to reconcile with her assertion of the importance of feelings of awe and worship in the experience of authority that she claims to be necessary to establishing durable political communities. Put more strongly, the experience of authority, as described by Arendt, is simply incapable of performing the role that she demands of it without admitting the binding force that, for better or worse, is provided by affective attachments.

Rather than abandoning Arendt's account, or, on the other hand, simply ignoring the exclusion of affective experience that makes Arendt's account politically and philosophically problematic, I provide an alternative basis

for an Arendtian political aesthetics in Alfred North Whitehead's theory of experience rather than Kant's critical aesthetics. Whitehead's theory is thoroughly aesthetic in the sense of the Transcendental Aesthetic of Kant's *Critique of Pure Reason*, that is to say, it is a theory of feeling. Whitehead presents his philosophy as "a critique of pure feeling" that would not only replace Kant's first *Critique*, but would also "supersede the remaining *Critiques* in the Kantian philosophy" (A. N. Whitehead, *Process and Reality* 113). While the Transcendental Aesthetic provides the starting point for Kant's account, feeling (or sensibility) is immediately placed at the service of understanding (or knowledge) as the essential form of experience. Kant's account proceeds from an originary subjectivity as a necessary condition for the construction, by the understanding, of objective knowledge. The form of all experience originates *a priori* in this foundational subjectivity, "and can therefore be considered separately from all sensation" (Kant, *Critique of Pure Reason* A 20, B 34).

Whitehead's philosophy proceeds in the opposite direction. He begins from the objectivity of the external world and seeks to explain the construction of subjectivity (A. N. Whitehead, *Process and Reality* 156). And unlike in Kant's account, feeling is at no point subordinated to understanding. From beginning to end, experience is a process of feeling, of which understanding is but a special (and rare) form (153). Whitehead contends that "the primitive form of physical experience is emotional—blind emotion—received as felt elsewhere in another occasion and conformally appropriated as a subjective passion" (162). Feeling always involves the feeling of another (antecedent) occasion of experience. This includes (but is not limited to) the feeling of one's own body and the sensations to which it gives rise. Indeed, the primary datum of human experience of the world is not the sensory perception of the world, the reception of sense data from the external world, but "*our reception of feelings*

from our bodies" (Griffin 235).

Experience is the experience of being moved by another occasion; an experience in which "the *'withness' of the body* is an ever-present, though elusive, element" (A. N. Whitehead, *Process and Reality* 312). It is not the categories of the understanding, but the visceral feelings of the body that are "the starting point for our knowledge of the circumambient world" (*Process and Reality* 81; see also Griffin 235). Nor is this feeling merely passive reception as in Kant's Transcendental Aesthetic (Shabel 94). All experience, conscious and unconscious, bodily and mental, human and inhuman, involves some degree of purposiveness. This elementary purposiveness of physical experience contrasts with the passive receptivity of affections in Kant's philosophy and, in Whitehead's *Adventures of Ideas*, is named "concern." This subjective concern is not the invention of the incipient subject, but arises between subject and object. It is provoked by the objective datum, as a source of immanent value, such that subject and object cannot simply be distinguished as constructive on the one hand and constructed on the other. Both subject and object contribute fully to the constructive process of experience.

To anticipate somewhat, when I come in Chapter 6 to describe a theory of political authority that is consistent with this metaphysics, Whitehead's theory of feeling as the emotional disclosure of immanent value will allow me to present an account of the experience of authority not as passive submission, (as Immanuel Kant, Martin Luther and many others would have it), but as an experience of value which both elicits and is elicited by the subject of authority.

Although my turn to Whitehead is motivated by a desire to formulate a political aesthetics that gives proper consideration to the political importance of bodily feeling, this does not imply diminishing the importance of discursive

normativity in political experience. Instead, Whitehead's account offers a broader account of experience as affective-discursive sense-making that shows the necessity of affective experience for transforming normative beliefs into reasons for action. Nonetheless, while I contend that Whitehead's theory of feeling can provide a much sounder basis for political aesthetics than Arendt's repurposing of Kant's *Critique of Judgement*, Arendt's work remains valuable for an understanding of how this affective-discursive sense-making contributes to the collective construction of a common world in which collective shared meanings and shared feelings inhere.

In this introduction I will present an overview of the argument of this thesis and its development through the arguments of subsequent chapters. I will indicate the interpretative positions that I take with regard to the concepts of assembly and of authority, and to the works of Hannah Arendt and Alfred North Whitehead, my two principal interlocutors. I will also attempt to indicate the paths not taken, the many sources and points of view which have been left out and, hopefully, to justify my choices.

1.1 A Different Approach to Assembly

An important reason for persisting with an Arendtian model of authority is that I believe it allows a distinctive approach to studying the practice of assembly. A focus on authority as an affective experience that gives durability to the structures of common life allows me to address aspects of assembly that are sometimes neglected in contemporary scholarship, which tends to focus on the role of assembly as performative enactment. One of the most influential texts on the political theory of social movements in the past few years is Judith Butler's *Notes Toward a Performative Theory of Assembly*. Butler's approach

is summed up in the chapter entitled "'We the People'—Thoughts on Freedom of Assembly". There she asks

> What are the bodily conditions for the enunciation of "we the people," and do we make a mistake if we separate the matter of what we are free to say from how we are free to assemble? I propose to think about the assembly of bodies as a performative enactment, and so to suggest not only that (a) popular sovereignty is a performative exercise, but (b) it necessarily involves a performative enactment of bodies, sometimes assembled in the same place and sometimes not. First, I propose that we have to understand the idea of popular sovereignty that "we the people" seeks to secure (Butler, *Notes Toward a Performative Theory of Assembly* 177).

Butler's approach, and the concept of performativity more generally, is of great value in the development of political and social theories that aim to provide a fuller understanding of collective political practice. In particular her insights regarding the performative force of assembled bodies highlight important elements of the ways in which assemblies express themselves beyond their explicit messages. Performativity brilliantly highlights the expressivity and normative eloquence of individual and collective bodies. Even when Butler focuses on the pre- or non-discursive elements of assembly, she shows these to involve the enactment of claims or demands, such as the enactment of a claim to a right to life or simply the implicit claim to the right to assemble (Butler, *Notes Toward a Performative Theory of Assembly* 11, 17-18).

Jason Frank draws on the same tradition in speech act theory in his 2010 book *Constituent Moments*. Frank describes the "constitutive surplus inherited from the [American] revolutionary era" which underpins "the power of claims to speak in the people's name" (Frank 3). Invoking Derrida's reading of performativity, he argues that "the authority of the vox populi derives from its continually reiterated but never fully realized reference to the sovereign

people beyond representation, beyond the law, the spirit beyond the letter, the Word beyond the words–the mystical foundation of authority" (3). "The people" always exceeds its representation, resisting its capture through political representation such that it is at once "the entity in whose name the state governs, *and* a higher power that can resist the authority of the state. For reasons historically rooted in the American Revolution, the people both menace and ground the political order; they are at once a constituent and a constituted power" (7). Frank democratizes attempts to represent the sovereign people by asserting the "double inscription" of the people that enables what he calls "constituent moments, when the underauthorized—imposters, radicals, self-created entities—seize the mantle of authorization, changing the inherited rules of authorization in the process" (8).

What is noteworthy here is that whether "the people" menace or ground the authority of the state, they do so by invocation. In one form or another, the account of competing discursive invocations of the people has been predominant in theoretical studies of social movements and other collective political action in the last twenty years. Another important current derives from the work of Ernesto Laclau and Chantal Mouffe on the concepts of hegemony and populism. The concept of hegemony describes the discursive processes in which a "*particular* social force assumes the representation of a *totality* that is radically incommensurable with it" and by which "politico-hegemonic articulations retroactively create the interests they claim to represent" (Laclau and Mouffe x, xi). The Occupy! movement, and its famous claim, "we are the 99%", was frequently analyzed in these terms, with the aid of a rehabilitated notion of populism understood as the means by which a political frontier is constructed between "the 'regime', the 'oligarchy', the 'dominant groups', and so on" and "the underdog" (Laclau 87). The unification of the underdog into

a populist unity takes place "on a radically heterogenous social terrain" so that "any kind of unity is going to proceed from an inscription, the surface of inscription (the popular symbols) being irreducible to the contents which are thereon inscribed" (95).

As is well known, this latter body of research has been highly influential amongst prominent activists in many social movements over the last decade. It has also influenced a prominent strain in political science where representative politics is recast as "a multi-sided process of claim-making and the reception and judgment of claims" (Saward 2) in which, through a dynamic process of claim-making, the representative constructs the constituency they claim to represent.

In each of these approaches, political activity is viewed in terms of the discursive elaboration of claims through which a sovereign people is constituted as a potent (albeit empty) signifier, whether for liberatory or oppressive purposes. These approaches all provide useful tools for the analysis of assembly. In this thesis though, my starting point is not the function of assembly as a vehicle for the expression or elaboration of claims, whether those claims are understood as embodied performative enactments or as hegemonic representations. Instead I focus on the role of assembly in constituting a shared world between those involved in the assembly, a world that allows political claims to arise and to be intelligible as such. As I will argue in Chapter 6, this function of assembly involves the mutual entanglement of discursive and affective phenomena, with neither one nor the other enjoying outright priority in political experience. However, notwithstanding the great virtues of the concept of performativity in the theorization of assembly, in order to do justice to the role of affective phenomena in a political context, I have decided to develop my argument from an alternative perspective to that

which sees assembly as a signifying practice that embodies performative or (counter-)hegemonic claims.

Of course, claim-making is central to assembly. Most assemblies produce claims, demands or resolutions of some sort that bear on others inside and outside of the assembly, but these claims are not the key focus of this thesis. What I'm interested in here is assembly as creative not only of claims, but of the shared meanings and affects that constitute a common world. I attempt to justify this position, in Chapter 2, through a discussion of the freedom to assemble and its interpretation as the liberal protection of an expressive freedom. The framing of assembly in the First Amendment, and its subsequent interpretation in U. S. jurisprudence, establishes a provisional conceptualization of assembly as a practice that is expressive of dissent. I will argue that the practice of assembly necessarily exceeds the liberal understanding of these terms. First, contrary to the view reflected both in US Supreme court orthodoxy (including some of the court's most celebrated decisions, such as NAACP v. Alabama) and in contemporary research on social movements (Tilly and Tarrow), the expressiveness of assembly is very often irreducible to the simple expression of a claim. In US jurisprudence, the freedom of assembly is now most commonly subsumed under the concept of "expressive association." To be recognized as an expressive association, an association must show that "it is organized for specific expressive purposes" (New York Club Ass'n v. City of New York 13). However, as John Inazu argues, what a group expresses generally far exceeds any explicit message, claim or demand. A group is expressive not only by virtue of its message, but also by virtue of its practices (Inazu, *Liberty's Refuge* 152).

Furthermore, beyond considering assembly as an expressive practice, it is also a *creative* practice. As the legal scholar Robert Cover argues in "Nomos

and Narrative," the practice of assembly is creative, not only of normative claims, but of the narratives that provide the context for normative behavior (Cover 10). These narratives are not only shared by the community, they are produced by it, and are an essential element in the functioning of legal structures. Communities themselves are *jurisgenerative*, and it is through practices of assembly and association that normative worlds proliferate within a society. For this reason, the interpretation of assembly as a practice of dissent goes far beyond considering assembly as a vehicle for the expression of existing grievances. The practice of assembly gives rise to new political communities which are likely to come into conflict both with the State and with one another, not just in disagreements over particular laws or rulings, but through disagreements in way of life. Through an engagement with Ludwig Wittgenstein's late work concerning the dependence of rule-following on agreement in form of life (Wittgenstein, *Philosophical Investigations* 241), I argue for an interpretation of assembly as establishing a form of life or, in Arendt's terminology, a world in common (there are important parallels here with Linda Zerilli's argument in her 2016 book *A Democratic Theory of Judgment*).

The arguments presented in Chapter 2 do not directly engage with the relationship between assembly and affect. Instead they provide a starting point from which I may begin to discuss this relationship, not only in terms of the ways in which emotions become expressive through their practical, communicative and collective elements, but also in terms of affective experiences understood as collective, intercorporeal, world-building practices. In the subsequent chapters I will argue that the affective experience of authority both enables and sustains these practices and is also produced by them.

I do not wish to overstate my case, I am not here criticizing accounts

that focus on the performative or discursive force of collective action or of emotions, I am simply attempting to begin from a starting point other than that which immediately translates the politics of the body into the politics of the bodily expression of discursive claims. Nor, however, do I wish to diminish the importance of normative, discursive legitimacy to the conduct of politics or to the concept of authority. Although I question the complete subsumption of the politics of the body and its affects under the notion of the body's role in the elaboration of claims, I do not wish to replace the political priority of the discursive with the priority of the affect. My hope is that this thesis is able to capture the deep interrelation of discursive norms and affective engagements, especially within experiences of authority and assembly. It is for this reason that I attempt to combine Hannah Arendt's theorization of collective political deliberation as both dependent on and constitutive of a common world given stability by structures of authority, with Alfred North Whitehead's aesthetic theory of experience as fundamentally emotional (A. N. Whitehead, *Adventures of Ideas* 176), in order to elaborate a conception of affective authority as a central element in sustaining collective political action.

1.2 The Concept of Authority

Arendt's theoretical approach might not seem appropriate for this project, considering both her political antipathy towards the body and the passions, and the central importance she gives to speech as the political medium par excellence (Arendt, *The Human Condition* 3). However, I intend to follow the current in her work that Bonnie Honig and Patchen Markell have identified in recent years and that shows her asserting the aesthetic and affective importance of things in constituting a common world for political action. I read Arendt's

account of authority as demonstrating the importance of affective phenomena to the establishment and maintenance of a common world which gives meaning and orientation to political action. There is no doubt that this interpretation requires reading Arendt *contra* Arendt, but I take inspiration from her account of authority's dependence, in Rome and in the federal United States of America, upon feelings of worship, awe and reverence (*On Revolution* 198-204), as well as from her distinctively aesthetic conception of politics and law ("The Crisis in Culture" 222).

Arendt's conception of authority is highly distinctive compared to the canonical texts in the philosophy and sociology of law, whether with respect to Max Weber's conceptualization of authority as a means for facilitating social coordination by legitimizing domination through the "power to command and [the] duty to obey" (Weber, *Economy and Society* 943), or to the conception of a "right to rule" common to modern legal positivism, whether legitimized via social habit (Hart, *The Concept of Law*) or practical reason (Raz, *Between Authority And Interpretation*). For Arendt, the question of authority goes beyond the question of legitimacy. Not only does authority ensure obedience to law, it also inspires participation in collective political action. More than merely legitimizing obedience, authority motivates action, orients it and gives it meaning. It creates an obligation to obey, but also a desire to participate in a political community and a willingness to contribute to the development and maintenance of its institutions. Arendt does not believe that in the modern world such sustained civil engagement is possible on the basis of a relation of command and obedience such as that imagined by Weber (as well as John Austen and Jeremy Bentham), but nor does she believe that it can arise out of a relation of rule as envisaged by legal theorists such as H. L. A. Hart and Joseph Raz. For Arendt, if law is to be authoritative, and to provide a

political community with the stability that allows it to endure, then it cannot be conceived as command or rule, instead, members of the community must perceive the law in terms of a promise, a mutual compact in which they engage as equals.

1.2.1 Arendt's Political Aesthetic

H. L. A. Hart also speculates that the promise "in many ways is a far better model than that of coercive orders for understanding many, though not all, features of law" (Hart, *The Concept of Law* 43-44). Hart's paradigm for the promise, however, is bilateral and private, creating an obligation that corresponds to the traditional view of the legal-moral obligation of the private individual. Arendt's conception of the promise that founds a political community is fundamentally public and makes its demands not upon the individual's moral sense of private obligation but upon a "public sense" of mutual implication in a shared body of laws enacted by and for the community. Arendt identifies this public sense with the *aesthetic* sensibility described in Kant's *Critique of Judgement.* Kant's theory of aesthetic judgment, or taste, provides Arendt with a model of intersubjective agreement in the absence of grounds upon which to base a determinate truth claim (Benhabib 190). The claims of aesthetic judgment are necessarily subjective but, as Kant says, they are experienced as necessary. "The judgement of taste expects agreement from everyone; and a person who describes something as beautiful insists that everyone *ought* to give the object in question his approval" (Kant, *Critique of Judgement* § 19, 68). This *ought* however, is "only pronounced conditionally", it cannot be demonstrated once and for all, and so it makes of us "suitors for agreement of everyone else" (§ 19, 68).

In the absence of determinate grounds, it is not possible to demonstrate

once and for all the correctness of the political judgment that proposes a course of collective action. The conditionality of this judgment in no way mitigates its necessity, but it leaves no recourse other than persuasion and the exchange of opinion to gain the agreement of others. Arendt's "aestheticization" of politics and her refusal to provide a determinate "cognitive foundation" for political judgment has invited significant criticism from a range of positions in political philosophy (Habermas, "Hannah Arendt's Communications Concept of Power"; M. Jay, "'The Aesthetic Ideology' As Ideology"; Beiner). As Linda Zerilli shows however (see *A Democratic Theory of Judgment* 7-9), what is at stake for Arendt is not whether this or that *object* is susceptible to rational determination (and here the analogy with Kant's aesthetic theory may be misleading), but whether the *procedure* for arriving at judgment depends primarily upon individual cognitive determinations (in which case the judgment is individual and apolitical) or upon a practice that involves taking into account "the mode of representation of everyone else" (Kant, *Critique of Judgement* § 40, 123). For Arendt, the very possibility of such a "public sense" depends not, as Kant would have it, upon the existence of a "common sense", that is "a subjective principle, . . . one which determines what pleases or displeases, by means of feeling only and not through concepts, but yet with universal validity" (§ 20, 68), but upon the existence of a common world that assures us of the "sameness of the object" of judgment despite "the differences of position and the resulting variety of perspectives" (Arendt, *The Human Condition* 57-58). Arendt transforms Kant's aesthetic theory from one that involves "weighing the judgement, not so much with actual, as rather with the merely possible, judgements of others" (Kant, *Critique of Judgement* § 40, 123) via the proper application of a subjective faculty of common sense, to one that makes of judgment a means of orienting one's action in a common

world through procedures of collective deliberation. These procedures not only enable the collaborative elaboration of judgments concerning political objects, but also a means for the creation of new "matters of common concern", by which "something that was not already considered political (e.g. housework, sexuality, and reproduction, as feminists claim) can come to be seen and judged as such" (Zerilli, *A Democratic Theory of Judgment* 8-9).

Although Arendt rejects the notion of common sense as a subjective "inner faculty without any world relationship" (Arendt, *The Human Condition* 283), she shares with Kant the belief that weighing the judgments of others requires "leaving out the element of matter, i.e. sensation, in our general state of representational activity" (Kant, *Critique of Judgement* § 40, 123). Arendt and Kant both consider that valid judgment must be disinterested and effectively disembodied. For Kant, to admit "the element of matter" into judgment contravenes the requirements for the "correct subsumption of the case" under the common ground provided by the "*sensus communis*" (§ 19, 68). An aesthetic judgment of taste that is grounded upon feeling rather than reason can make no claim to universality and, indeed, "taste that requires an added element of charm and emotion for its delight, not to speak of adopting this as the measure of its approval, has not yet emerged from barbarism" (§ 13, 54). As for Arendt, this essentially public faculty of taste "is the very opposite of 'private feelings'" (Arendt, "The Crisis in Culture" 222). To admit the emotions and interests of the individual would lead to the encroachment into the public realm of private sentiments which are not only politically irrelevant, but which erode the "in-between" space by which a common world "gathers us together yet prevents our falling over each other, so to speak" (*The Human Condition* 51-52). While Arendt is criticized by proponents of deliberative democracy for her non-cognitivism in appealing to aesthetic judgment directed

towards a common world as a basis for political deliberation, she shares their belief that valid deliberation must be strictly disinterested.

I will later argue that the Kantian notion of disinterested judgment is philosophically untenable, Nietzsche calls it "a non-concept and an absurdity" (Nietzsche 87), but, more importantly, Arendt's insistence on disinterested judgment as a prerequisite to political discourse also threatens to reproduce political exclusion and, what's more, upon my reading, undermines elements of her own project. Many, especially feminist, critics have shown clearly the extent to which the requirement that deliberation be "formal, orderly, contained, [and] dispassionate" privileges those well-off, educated, culturally mainstream groups that are well trained in the rhetorical modes that evince these criteria (Hall 83). Even if such requirements could be valid in a *polis* in which equality is already established, in an unequal state they will surely tend to reproduce inequality along preexisting lines. As Iris Marion Young argues, economic inequality cannot simply be bracketed and enclosed in the private sphere, as "the social power than can prevent people from being equal speakers derives not only from economic dependence or political domination but also from the internalized sense of the right one has to speak or not to speak, and from the devaluation of some people's style of speech and the elevation of others" (Young, "Communication And The Other" 122). Arendt appears to assume that norms of deliberation are universal and so culturally neutral. Instead, as Young argues, they are "culturally specific and often operate as forms of power that silence or devalue the speech of some people" (123), by falsely identifying objectivity "with calm and absence of emotional expression. Thus expressions of anger, hurt, and passionate concern discount the claims and reason they accompany" (124). Different patterns of speech can lead to the acceptance or rejection of the perspective of the speaker and

these patterns correlate directly with patterns of privilege, with more valued patterns of speech associated with the white, middle class men, who are best placed both to acquire these patterns but also to establish the norms for their recognition as modes of objective, rational discourse (124).

1.2.2 Affect and the World in Common

It is clear then, that Arendt's sharp distinction between public, disinterested reason and private, antipolitical passion has exclusionary consequences. In my view, this distinction also weakens some of Arendt's most valuable insights on the importance for politics, not only concerning collective deliberation in the mode of speech, but also concerning the he need for a material world-in-common that provides structure and durability to human relations. Arendt contends that the world of things, products of human hands, provides a source of stability through which individuals "can retrieve their sameness, that is, their identity, by being related to the same chair and the same table" (*The Human Condition* 137). Although many readings of *The Human Condition* (see, for example Kateb; Villa, "The 'Autonomy of the Political' Reconsidered") focus on the threat that work poses to political action, through the desire "to substitute making for acting in order to bestow upon the realm of human affairs the solidity inherent in work and fabrication" (*The Human Condition* 225), Bonnie Honig and Patchen Markell focus their interpretations of the activity of work on the necessary structural support that these give to Arendt's public realm. As the only truly productive human activity (in contrast to the circle of production and consumption characteristic of labor, and the ephemeral nature of action), Arendt argues that work is necessary for the memorialization of political deeds by which they are preserved for posterity. This, in Honig's phrase, is "Work's gift to action" (Honig, *Public Things* 42). Aesthetic objects

produced by work allow words and deeds to be “transformed, reified as it were into things—into sayings of poetry, the written page or the printed book, into paintings or sculpture, into all sorts of records, documents, and monuments” (*The Human Condition* 195). Work has a dual character in the sense that while it involves instrumentalist, rule governed procedures which are antithetical to the free, spontaneous and egalitarian practice that Arendt sees as the essence of political action, it also produces objects of aesthetic worth which preserve ephemeral deeds such that they may go on to shape future political practice. Although Arendt focuses on the role of poems and monuments in doing this, as Markell points out, Arendt’s discussion of the work of art, with which she closes her exposition of the concept of work, shows that all products of work necessarily contain and aesthetic component (Markell 31). “There is in fact no thing that does not in some way transcend its functional use, and its transcendence, its beauty or ugliness, is identical with appearing publicly and being seen” (*The Human Condition* 173). All products of work contain this aesthetic element which, although irrelevant to instrumental reason, makes them potentially fit to play a role in the construction of the public realm. Contrary to the most popular understanding of Arendt’s *vita activa*, Markell concludes that Arendt is concerned less with mourning the subsumption of action under work (itself already largely supplanted by labor in consumer society), than with warning against the tendency to view work as purely instrumental (Markell 35).

Although, as Markell shows, Arendt recognizes the value of the products of work in “materializing” the intangible words and deeds of political action, she nonetheless argues that this reification results in the conversion of the “living spirit” of the fleeting moment of action into the “dead letter” of monumental remembrance (*The Human Condition* 95). In contrast, Bonnie Honig draws

on Arendt's political phenomenology to highlight the vital importance of the "public things" that "constitute us, complement us, limit us, thwart us, and interpellate us into democratic citizenship" (Honig, *Public Things* 5). The world of things that provides a common space for shared action includes monuments to political action, but it is also a world of transport, power and sewage systems, national parks, cemeteries and education systems, social security and national healthcare systems (4). What Honig makes clear is that the bond that ties citizens to these public things, and which gives them the capacity to sustain public life, is an affective bond. Reading *The Human Condition* alongside the object-relations theory of D. W. Winnicott, Honig suggests that these thinkers "invite us to attend to how specifically public things bind citizens into the complicated affective circuitries of democratic life" (7). While Arendt condemns the "modern enchantment with small things", arguing that "while the public realm may be great, it cannot be charming precisely because it is unable to harbor the irrelevant" (*The Human Condition* 52), Honig argues that the capacity of public things to provide stability "derives from their enchanted condensation of, and entry into, complicated sets of affective relations underwritten by certain affective, relational environments, and ultimately also by fantasy" (Honig, *Public Things* 46-47).

Honig's argument echoes that of Jane Bennett, who, in her book *Vibrant Matter*, rejects "the image of dead or thoroughly instrumentalized matter [that] feeds human hubris and our earth-destroying fantasies of conquest and consumption" (Bennett ix). Bennett argues that things retain a certain vibrancy, a vitality, by which they are able "not only to impede or block the will and designs of humans but also to act as quasi agents or forces with trajectories, propensities, or tendencies of their own" (viii). Arendt would undoubtedly reject Bennett's suggestion that things might be considered to

bear a sort of quasi-agency as an absurd affront to the uniqueness of human freedom and agency. She repeatedly contrasts the timeless durability of passive, inert things and the fleeting vibrancy of thought and the "living spirit" that uniquely characterize human life "in its non-biological sense" (Arendt, *The Human Condition* 173). However, Arendt's account appears rather confused when she insists that this intangible realm of thought and action is the unique basis for human freedom as a "worldly, tangible reality" ("What is Freedom?" 148).

Arendt maintains that both freedom and agency are contingent experiences that are endangered in the moment of their exercise by the essential unpredictability of action under the condition of human plurality that both enables and limits freedom. Her account of freedom as a necessarily intersubjective experience is invaluable for its displacement of freedom and agency from the rational, transcendental subject that received absolute priority in modern philosophy after Descartes. However, Arendt immediately surrenders the gains of establishing freedom as belonging to the in-between world by asserting, as a condition of possibility for freedom, a dubious distinction between the subjective in-between world made up of the unmediated intercourse between speaking and thinking agents detached from their physical needs, and the objective in-between world of tangible things (Arendt, *The Human Condition* 182-183). As Diana Coole argues, agency is not only intersubjective, it is "transpersonal" (Coole 128). It is a practice that involves not only multiple subjects, but multiple bodies. The "agentic capacities" of humans extend from the physiological processes of the intentional body—"active in composing structures and thus efficacious in changing its world: it does not require a 'mind' subsequently to impose form" (129)—to the contingent, transpersonal or intersubjective agency of collectives.

Further, as Bennett and Honig show, it is a mistake to ignore the role of nonhuman things in both constraining and enabling human activity. Things possess a power to interpellate that plays an important role in political life (Honig, *Public Things* 5). This argument draws on the important insights of poststructuralists that depict the material as a surface of inscription for cultural norms, but also as stubbornly resistant to cultural inscription (Butler, *Gender Trouble*; *Bodies That Matter*). However, Bennett in particular highlights not only "the recalcitrance of things", but also the "positive, productive power" of things (Bennett 1). There are glimmers of such "thing-power" in Arendt's account of the importance of the products of work to common life, but the implicit dualism of Arendt's schema limits the explanatory value of her insights. Honig appeals to Arendt and Winnicott to correct what she sees as a lack of attention in contemporary political theory to the importance of public things. "If democratic theorists neglect public things, we end up theorizing the demos or proceduralism without the things that give them purpose and whose adhesive and integrative powers are necessary to the perpetual reformation of democratic collectivity" (Honig, *Public Things* 90). However, as demonstrated by Honig's need to read Arendt alongside Winnicott, Arendt's political theory neglects that part of human experience that can explain the peculiar "adhesive and integrative powers" of public things. By explicitly barring affective phenomena from the public realm, Arendt excludes that part of experience which can explain the force with which the common world interpellates the individual into democratic participation. In my view this weakens the explanatory power of the argument presented in *The Human Condition* and, even more so, that of her account of authority in "What is Authority?" and, especially, in *On Revolution*, the book in which Arendt presents a model of authority for the modern age.

1.2.3 The Foundation of Authority

Many commentaries on Arendt's theorization of authority focus their account entirely on Arendt's essay, first published under the title "What was Authority?" in 1958, and again in a slightly revised version in 1961 in the collection *Between Past And Future*, under the title "What is Authority?" In this essay, Arendt argues that the experience of authority has been lost to the modern age. She harks back to the Roman concept of *auctoritas* which, she contends, was able to ensure the stability of Roman institutions over the course of a millenium thanks in significant part to Roman citizens' reverence for tradition and to the religious faith by which they were "bound back" (*re-ligare*) to the sacred foundation of the city ("What is Authority?" 121). Reverence for the mythical foundation gave meaning to contemporary political action, as those in authority were seen to augment (*augere*, the root for *auctoritas*) that foundation (121-122). In Arendt's diagnosis of the modern world, religious faith and reverence for tradition are no longer sufficient to provide an adequate basis for political authority, resulting in a "constant, ever-widening and deepening crisis of authority" (91) that is misdiagnosed by liberals, who mistakenly identify authority with tyranny, but can no more be resolved by conservative appeals to tradition and faith, since these no longer have sufficient force to bind modern political communities (96-104).

The inaccessibility of the Roman experience of authority lies at the root of Arendt's diagnosis of the modern age's "loss of worldly permanence and reliability" ("What is Authority?" 95). This loss, however, "does not entail, at least not necessarily, the loss of the human capacity for building, preserving, and caring for a world that can survive us and remain a place fit to live in for those who come after us" (95). This is the point at which many readings of Arendtian authority leave off. Dana Villa, in an influential study, reads

Arendt's account in "What is Authority?" as showing that "as a political principle, . . . authority conflicts with Arendt's basic convictions as to what authentic politics is (namely, something that occurs only in 'the egalitarian order of persuasion')" (Villa, *Arendt And Heidegger* 158). He rightly criticizes the widespread tendency to accuse Arendt of "nostalgia for authority", instead highlighting her account of the "unprecedented opportunities" provided by a situation which finally allows citizens to be "confronted anew, without the religious trust in a sacred beginning and without the protection of traditional and therefore self-evident standards of behavior, by the elementary problems of human living-together" (Arendt, "What is Authority?" 141; Villa, *Arendt And Heidegger* 158). Villa, however, rather too quickly concludes that "by tracing the opening and closure of what could be called the 'epoch of authority,' Arendt points us toward a postauthoritarian concept of the political (*Arendt And Heidegger* 158).

Towards the end of "What is Authority?" Arendt argues that "the revolutions of the modern age appear like gigantic attempts to repair" the foundations of political life that have been lost with the decline of religion, tradition and authority, "and to restore, through founding new political bodies, what for so many centuries had endowed the affairs of men with some measure of dignity and greatness" ("What is Authority?" 140). Of all the attempts to establish durable new foundations, all have failed in Arendt's view, except one, the American revolution (140). Although Arendt argues in "What is Authority?" that the experience of authority is lost to the modern age, suggesting that her article might be better titled "What was—and not what is—authority?" (91), in *On Revolution*, published in 1963, Arendt presents the revolutions of the modern age, in particular the American revolution, as attempts to provide a basis for political authority in the modern age. Arendt's

account turns not on the attempt to "think political action and judgment without grounds" (Villa, *Arendt And Heidegger* 116), nor to delineate "the conditions for an antiauthoritarian, antifoundational democratic politics" (13), but on the success or failure of modern revolutions to establish contingent grounds in the ongoing present. Arendt credits the founding fathers with achieving a foundation in the present in which the authority of the federal republic was stable, since located in a Constitution and a Supreme Court that was relatively distant from the turbulence of electoral politics, but also flexible, thanks to the mechanism of constitutional amendment by which political action could continue to augment the republic's foundation (Arendt, *On Revolution* 202).

Although Arendt ultimately concludes that the founding fathers failed in their true task of establishing lasting political freedom, unduly favoring stability over the right of all to exercise political freedom, the American experience provides her with a model (a decidely problematic one, as I will discuss in Chapter 4) for the establishment of a durable but continually renewed foundation for political life that can avoid becoming a straitjacket for future generations. I discuss the dynamics of ongoing foundation in Chapter 3, where I describe this notion as Arendt's attempt to establish a form of political foundation that escapes from the charge of decisionism, as this concept was developed in the works of her near contemporaries Walter Benjamin and Carl Schmitt. Here I wish to highlight the central importance of experiences such as "reverent awe" and "worship" to the efficacity of Arendtian foundation ("What is Authority?" 126; *On Revolution* 198, 204). Is it really possible to suggest, as Arendt does, that the success of the founders of the U. S. A. in establishing a durable polity was decided "the very moment when the Constitution began to be worshipped" (Arendt, *On Revolution* 198), while maintaining in the

same text that, in political life, emotions are, at best, “irrelevant and without consequence” (86)? In a similar fashion to Bonnie Honig in *Public Things*, I contend in this thesis that, despite Arendt’s protestations regarding the apolitical or antipolitical nature of emotions, her account of authority’s capacity to provide a durable framework for political action remains inadequate as long as the political relevance of affective phenomena is denied.[1]

It is in part Arendt’s denial of affect, which William Connolly describes as her “deaf and dumb model of the corporeal” (Connolly, “A Critique of Pure Politics” 25), that leaves scope for liberal readings of her account of foundation such as that offered by Jeremy Waldron. Waldron suggests that although the foundation of a political community “is bound to be in some sense arbitrary”, citizens’ respect for the law can still be counted upon because “they are determined nevertheless to act henceforth as though this one will do” (Waldron 304). Such a liberal conception of citizenship, so lacking in the spirit that Arendt, following Montesquieu argued was central to the law (Montesquieu; Arendt, *On Revolution* 188-9), is entirely alien to the vision of participative democracy that Arendt evokes throughout her work. It is precisely *this* foundation, with all its particularity, its rhetorical force, its symbols and rituals, and all the “public things” established on its basis, that elicits the worship that gives this foundation the capacity to bind a community, buttressing respect for its norms while inspiring ongoing action to sustain and augment the foundation. Without a full recognition of the role of affect in the experience of authority, authority simply cannot do the work that Arendt requires of it.

[1] I should acknowledge that in *On Revolution*, a very important element of Arendt’s account centers on the various institutional requirements for the durable establishment of authority. I give little attention to these aspects of her argument in this thesis, focusing on an aspect of her argument that many may consider less important.

1.2.4 Authority and Affect

Of course, there already exist scholarly accounts of authority that fully acknowledge its affective nature. The starting premise of Richard Sennett's book *Authority*, is that authority is an emotional bond that, among other emotional bonds, is essential to the functioning of social institutions and of society as a whole (Sennett 4). Sennett recognizes the ambiguity of authority in that this is a bond that both connects and constrains, but he does not accept the view that such a bond, while emotional, is necessarily blind or irrational. He rejects the tendency in philosophy and psychology to separate cognition and affect and suggests that "anger, jealousy, [and] compassion" may be understood "as interpretations people make of events and of other people" (5). Sennett's depiction of authority as an ongoing, ambiguous process of affective interpretation and is of value to my own understanding of the affective nature of authority. However, when Sennett describes authority as "the emotional expression of power" (4), he is referring to power as a necessarily asymmetric force possessed by the parent, the state, the figure of authority. His account of authority is entirely structured in terms of inequality. The emotional interpretation that takes place is an interpretation of the strong carried out by the weak. Sennett states unambiguously that "authority is a bond between people who are unequal" (10).

A similar optic is present in some of the most recent research on authority by a group of researchers in the social sciences that has brought a biopolitical perspective to the theorization of authority (Blencowe; Brigstocke; Dawney; Millner). The perspective of these authors is valuable in part for their more complex, Foucauldian conceptualization of power and for their explicit concern with both the oppressive and the productive aspects of power that are present in the functioning of authority (Blencowe, Brigstocke, and Dawney 1). Here

too, the ambiguity of both power and authority is recognized, providing a useful corrective to Arendt's rather too easy distinction between power as productive and egalitarian, and domination as the unilateral application of coercive force (Arendt, *The Human Condition* 199-207). This body of research also explicitly aims to draw attention to the importance of affect and embodiment in the production of authority. In highlights the material basis of authority as an experience grounded in an immanently produced locus of "objectivity" that is experienced as a transcendent "exterior" which "elicit[s] an affective response, an embodied demand . . . " (Dawney 29; see also Blencowe). Clare Blencowe, elaborates on the role of authority in establishing Arendt's "common world", via the "idea of objectivity" represented in the modern, biopolitical conceptions of economy and biology "as focus points, anchors, for experience, enabling us to escape our finite singularity and to occupy worlds in common" (Blencowe 10). As Leila Dawney points out though, this objectivity is not only ideal. Dawney highlights the affective force of embodied experience in establishing particular "figures of authority" whose lived experiences are supposed to give them "embodied and experiential access to a specific objectivity" which gives significant, affective authority to their words (Dawney 32, Dawney uses the example of the grieving mother and the aging war veteran).

The principal point of difference between this research and my own is that here too, the relation of authority is theorized as "necessarily a matter of hierarchy and inequality (Blencowe 12). Certainly, this corresponds with Arendt's position in "What is Authority?" in which she states that authority "is incompatible with persuasion, which presupposes equality and works through a process of argumentation" ("What is Authority?" 93). In *On Revolution* however, Arendt attempts to present a model of authority in which not only is authority consistent with equality, but the two terms are interdependent. If,

as Arendt contends, equality is not to be taken for granted as a self-evident truth but is instead made possible by the establishment of a *polis* (Arendt, *On Revolution* 31), then it becomes self-evident that if authority is indeed a necessary condition for the long-term stability of the *polis*, then equality too can only be assured on the condition of authority. Inversely, however (and this is where the Arendt of *On Revolution* differs from the Arendt of "What is Authority?"), Arendt contends that lasting authority can, in the modern age, only be established on the basis of equality. It is for this reason that the founding of a durable political institution cannot derive from sovereign decision nor from moral law, nor from any other source of objectivity external to the community, but must instead take the form of the mutual compact agreed between equals (170). For this reason, despite Sennett's less dogmatic account of the relation between cognition and affect, I favor Arendt's account of authority as providing a more promising basis for an account of egalitarian politics outside the structures of the nation state. While in "What is Authority?" Arendt suggests that authority and persuasion or argumentation are incompatible, I intend to follow the lead provided by *On Revolution* and, through an engagement with research into affective experience, push her argument further towards an understanding of affective authority as enabling the process of argumentation and providing both affective and discursive structures through which objects for political deliberation become recognizable as such. This involves arguing, with Sennett and with contemporary Arendtians such as Linda Zerilli, and against Arendt as well as the many critics of her aestheticization of politics, that affectively informed perspectives do not necessarily distort judgment, and are in fact an indispensable element of rational evaluation, without which rational evaluations cannot become reasons for action.

It must be noted that to say that affect is not necessarily distorting is not to say that affect *cannot* distort perception. It most certainly can. It is important not to overlook the extent to which the “worship” of the U.S. Constitution that Arendt describes, is apparently capable of concealing the horrific violence and hypocrisy that accompanied and arguably enabled the foundation of the United States of America. Arendt does not give adequate attention to authority’s capacity to conceal violence and exclusion, in particular in the context of her adopted home in the U. S. A. Although in this thesis I argue for the importance of authority to collective action, I will endeavor not to underplay the essential ambivalence of authority, including of the model of affective authority that I present here (on the ambiguity of authority and of affect, see Connolly, *Politics and Ambiguity* 127-142; Bargetz). In Chapter 4, I will also address the problematic elements of Arendt’s own elision of racial suffering as highlighted by critics such as Patricia Owens and Kathryn T. Gines.

Authority, and affective experience more generally, can play a role in concealing political violence, but the response to this is not to construct models of politics that exclude these phenomena, but rather to fully recognize their existence in a political community while remaining vigilant to the dangers that may arise from a lapse in critical awareness. What’s more, although it is vital to try to resist being blinded to injustice by the force of authority and of affective attachment, it is no less important to beware the exclusionary effects of devaluing those modes of political expression that do not correspond to dominant norms of rational argumentation.

Contrary to critics of Arendt’s aesthetic conception of politics, I argue that there is too little *aesthesis* in Arendt’s political theory. Her account of political deliberation as a practice of persuasion without determinate closure is of

great value. Rather than accepting that individual perspectives are necessarily distorting as her rationalist critics contend, such that a determinate ground is required to arbitrate between conflicting perspectives, Arendt shows that the only corrective to a necessarily limited perspective is a process of deliberation through which perspectives are gathered and each one recognized as "revealing something *about* the world" (Zerilli, *A Democratic Theory of Judgment* 39).

Where Arendt's account falls down is in her refusal to recognize the affective experience that so thoroughly informs our worldly perspectives. This is all the more regrettable given the tantalizing hints that Arendt's work provides for an account of the materiality of politics. One such hint surfaces in Arendt's discussion of the role of the U.S. Constitution in establishing the authority of the federal republic. She describes the Constitution as "a written document, an endurable objective thing, which . . . was never a subjective state of mind, like the will. It has remained a tangible worldly entity of greater durability than elections or public-opinion polls" (*On Revolution* 157). Similarly, in the Roman context, Arendt argues that the authority resided not just in the Senate, but in the bodies of the Senators, who "held their authority because they represented; or rather reincarnated, the ancestors" (200). However, having gestured towards the importance of the material objectivity of the Constitution, Arendt equivocates, suggesting that it was primarily "remembrance of the event itself", the event of constitution, that "shrouded the actual outcome of the event", the document of the Constitution, "in an atmosphere of reverent awe" (204). Arendt distinguishes the event of the constitution from the objective Constitution, insisting that it is the memory of the event and not the object that grounds the authority of the Federal U. S. A. However, as discussed above, Bonnie Honig's *Public Things* shows how Arendt's work can offer insights regarding the importance of affective attachments to things in

the constitution of the public sphere. By extension, affective attachments to such material, objective things as constitutions are central to the establishment of authority, perhaps the paradigmatic experience of political aesthetics. As Crispin Sartwell argues, and as Arendt's theorization of the political importance of a common world would suggest, the concept of political aesthetics implies that that politics takes place in an "aesthetic environment" (Sartwell 2). This environment includes the discursive content of political claims, but also "systems of imagery, architecture, music, styles of embodiment and movement, clothing and fibers, furnishings, graphic arts . . . the sound of the spoken word, and the arrangements of shapes that constitute or convey the written text" (2-3). "The thoughts expressed in the text or received from it, the content of the text, are embodied in more-than-conceptual—in particular, aesthetic—material objects" (3). The experience of the written constitution can no more be stripped of its material, affective and aesthetic components than any other worldly, embodied experience.

My intention is that the argument offered here will complement both Honig's and Linda Zerilli's readings of Arendt, while learning from the accounts of authority offered by contemporary scholars of authority such as Clare Blenowe and Leila Dawney. In recent years Bonnie Honig and Linda Zerilli have offered convincing accounts of the value of Arendtian political theory for an account of political life that recognizes the political importance of affective experience. Each builds on Arendt's account of the indispensability to political life of a common world which gives meaning and orientation to collective action, and each argues for the importance of recognizing the role of affect in establishing this common world. As discussed above, Honig shows the importance of affective attachments to public things in the maintenance of a shared public sphere that can orient political action. For her part, Zerilli

focuses on Arendt's aesthetic model of political judgment and shows, through an appeal to Wittgenstein's account of agreement in rule-following, that while a common world (or agreement in form of life) is a prerequisite for the sort of public deliberation that can lead to agreement in the absence of determinate grounds, such deliberation is not merely a procedure for obtaining agreement but is itself an important world-building practice (Zerilli, *A Democratic Theory of Judgment* 262ff).

Like Honig, Zerilli too emphasizes the importance of affective phenomena in this process. She argues that the aesthetic process of political judgment proposed by Arendt is "irreducibly affective" (Zerilli, *A Democratic Theory of Judgment* xiv), while refusing to accept that this renders it "intrinsically partial and distorting" (4). Such work shows the possibility of building a political theory in which the discursive and the affective are each given full recognition as contributors to political action and political meaning-making. My own contribution to this recent tendency in studies of Arendt's work is to argue for an affective interpretation of Arendt's theorization of authority. As I have suggested above, only an affective experience of authority could fulfill the role given to it in Arendt's account of authority as central to founding a durable political community. What draws me to Arendt's position though, beyond its commitment to a non-sovereign notion of authority and its suitability for a model of authority that is not state-centric, is the extent to which normative discourses and affective attachments can be read as inextricably entangled in her rendering of authority.

Linda Zerilli's position in particular is close to that which I will defend in the final chapter of this thesis, but while both Zerilli and Honig argue for the importance of affective phenomena in an Arendtian politics, neither engage explicitly with the philosophical grounds for Arendt's rejection of such

phenomena. In contrast, an analysis of Arendt's love-hate relationship with the metaphysical tradition in an important element in this thesis. Although her political aesthetic draws deeply from Kant's aesthetic theory, Arendt famously rejects the tradition of political philosophy, including those elements that are central to Kantian metaphysics. Most important in this context, she rejects the internalization of common sense by which Kant is able to give aesthetic judgments the status of conditional universality and assert the possibility of agreement in the absence of determinate grounds (Kant, *Critique of Judgement* § 19, 68; Arendt, *The Human Condition* 283). Kant's faculty psychology enables him to separate the faculty for feeling from that of cognition, and to ground his theory of aesthetic judgment in the latter rather than the former. Arendt argues that it is not a shared human faculty, but a shared world that provides the basis for agreement, but retains Kant's metaphysical criteria for valid judgment, that is, his rather unworldly requirements for disinterested, disembodied judgment.

In William Connolly's words, Arendt wants "to retain the authority of Kantian judgment while remaining wary of the philosophy that endows it with such authority" (Connolly, "A Critique of Pure Politics" 25). She attempts to make political judgment a public, intersubjective process, and therefore rejects the philosophical tradition that makes private cognition the only source of certainty. However, she maintains that tradition's belief in the inherent untrustworthiness of bodily feelings and processes. I contend that in rejecting Kantian metaphysics, and arguing that the possibility of agreement has its basis in a distinctly worldly form of judgment, an Arendtian political theory can no longer maintain the exclusion of the bodily feelings which are an intrinsic part of human being in the world. Like Zerilli, I will argue against the position that affective experience is necessarily distorting, but in order to do so,

I will attempt to provide an alternative basis for an Arendtian political theory in a philosophy of experience that recognizes the role of affect, as disclosure of immanent value, in orienting and motivating action in the world.

One of the major aims of this thesis, and the reason for my attempt to bring Arendt's work together with that of Alfred North Whitehead, is to show how this suggestion of an affective basis to political life, does *not* constitute an embrace of irrationalism or an abandonment of political critique, but requires elaborating a broader notion of rationality in which the affective experience of immanent value is itself a central element in efforts to rationally engage in and with the world.

1.3 Whitehead's Aesthetics of Experience

The reception of Whitehead's philosophy has had a rather convoluted history, in part due to the many disparate and, at times, seemingly contradictory currents in his work. The situation is not helped by the fact that, as Charles Hartshorne describes it, Whitehead's work is "somewhat sparing in argument", frequently favoring an oracular rather than expository tone (cited in Weber and Desmond 592). Nonetheless, the fundamental elements of his philosophy can be stated quite briefly. First of all, he subscribes to what he calls "a reformed subjectivist principle" which, in its barest form, he describes thus: "apart from the experiences of subjects there is nothing, nothing, nothing, bare nothingness (A. N. Whitehead, *Process and Reality* 167). Rather than implying a collapse into solipsism, this indicates Whitehead's expansion of the notion of experience, and of the subject-object relation, to include all the relations and interactions that constitute the physical universe.

The foundation of Whitehead's process philosophy is "the occasion of

experience", which implies that although experience is a process, it is not to be understood as "an undifferentiated flow but rather involves transition from one occasion to another" (Cobb 171). Experience is not a ceaseless flow of subjective awareness, or, conversely a chaotic flow in which meaning slips away too quickly to be grasped (as Plato argued to be the consequence of Heraclitus' process philosophy, see Hooper 47), but a series of intermittent emergences of "actual occasions", "the final real things of which the world is made up"(A. N. Whitehead, *Process and Reality* 18, at other times he refers to these occasions as "actual entities" or, in his earlier philosophy, as "events"). During the occasion of experience a subject emerges in its mutually constitutive relation to an object. Crucially, the objective datum of the present occasion of experience includes not only the present sensory data ("prehension in the mode of presentational immediacy" see *Process and Reality* 168ff) but also the "non-sensory perception" of the immediate past through which (in "the mode of causal efficacy") the actual entity is aware of the effect upon it of other, past entities (A. N. Whitehead, *Process and Reality* 120; David Ray Griffin provides a particularly lucid account of this, Griffin 33-34). For Whitehead, this latter, non-sensuous mode is the primary mode of perception, and "perception, in this primary sense, is perception of the settled world in the past as constituted by its feeling-tones, and as efficacious by reason of those feeling-tones" (A. N. Whitehead, *Process and Reality* 120). The present occasion feels both the immediate sensory data and also the effects of past physical and mental feelings of the prior occasion. This includes the awareness of the hands and the eyes, but also the beliefs and attitudes and emotions of the occasion's immediate past. This "feeling as enjoyed by the past occasion is present in the new occasion as datum felt" (*Adventures of Ideas* 183). The personal past is no less objective than the sensuous world. The failure to

recognize the importance of such "non-sensuous perception" of the past is, in Whitehead's view, one of the major failings of the "sensationalist doctrine" of modern philosophy.[2] Without such non-sensuous perception, Hume in particular was at a loss to explain the reality of causal influence (Griffin 8-9).

The traditional prioritization of the subject-object relation in the description of experience is also found in Whitehead's philosophy, but he refuses to identify this with the relation of knower to known via the intermediary of sensory perception. Instead, Whitehead contends

> that the notion of mere knowledge is a high abstraction, and that conscious discrimination itself is a variable factor only present in the more elaborate examples of occasions of experience. The basis of experience is emotional. Stated more generally, the basic fact is the rise of an affective tone originating from things whose relevance is given (A. N. Whitehead, *Adventures of Ideas* 175-176).

The affective tone to which Whitehead refers names the "concern" that the emergent subject has for the object. This concern immediately invites parallels with the phenomenological tradition, especially with Heidegger's *Sorge* (Schrag), but it does not belong to the subject (or *Dasein*) as such, but "places the object as a component in the experience of the subject, with an affective tone drawn from this object and directed towards it" (A. N. Whitehead, *The Concept Of Nature* 176). Whitehead's theory of feeling then, is purposive, or intentional, it describes a feeling-toward, but a feeling-toward "things whose relevance is given". The relevance of the object does not result from subjective decision, but is immanent in the object and thus "provokes" the "affective tone", or "subjective aim" of the occasion. It is this insight that leads Whitehead

[2] An example of this doctrine is found in Kant's *Critique of Pure Reason*: "Objects therefore are given to us through our sensibility. Sensibility alone supplies us with intuitions. These intuitions become thought through the understanding, and hence arise conceptions" (Kant, *Critique of Pure Reason* A19/B33; cited in A. N. Whitehead, *Process and Reality* 155).

to reject what he calls the subject-predicate form of expression (*Process and Reality* xiii), according to which particular subjects are qualified by universals, and in which "a particular is that it is described by universals, and does not itself enter into the description of any other particular" (48). On the contrary, that which is grasped by experience is not a compound of universals but "an individual 'It' with its own significance" and it is this "It" which commands the "poignancy of feeling" from which the affective tone arises (*Adventures of Ideas* 262).

1.3.1 Rationalism and Empiricism

The brief overview of the occasion of experience offered above emphasizes those elements that invite the most widespread reading of Whitehead today as a fellow traveler in the radical empiricist tradition initiated by William James. However, there are aspects of his theory, especially as presented in *Process and Reality*, which lend themselves to an altogether different reading. John Dewey highlighted this ambiguity in a talk given at a symposium on Whitehead's philosophy in 1936. Dewey's talk shows that although Whitehead defines the task of philosophy in empiricist terms as that of providing "descriptive generalizations of experience" and, further, holds that "there is in every real occasion a demonstrative or denotative element that can only be pointed to: namely, the element referred to in such words as 'this, here, now, that, there, then'; elements that cannot be derived from anything more general", there exists another current within *Process and Reality* that suggests that Whitehead is concerned with "*a priori* generalities from which the matter of experience itself can be derived" (Dewey 170). This other current is indicated by Whitehead's assertion that the "descriptive generalizations" must form "a coherent, logical, necessary system of general ideas in terms of which

every element of our experience may be interpreted" (Dewey 170; citing A. N. Whitehead, *Process and Reality* 285). Here, Whitehead's method no longer seems quite so empiricist and would instead "point to the primacy of mathematical method, in accord with historic rationalism" (Dewey 174). Dewey illustrates his argument through a discussion of "eternal objects", which stand in for universals in Whitehead's theory and which he defines as "Pure Potentials for the Specific Determination of Fact" or "Forms of Definiteness" (A. N. Whitehead, *Process and Reality* 22), but which may more simply be described as those things that "enable us to say 'what' a thing is, and to describe its character" (Hooper 47). Whitehead describes the process of "ingression" by which "the potentiality of an eternal object is realized in a particular actual entity, contributing to the definiteness of that actual entity" (A. N. Whitehead, *Process and Reality* 23). As Dewey notes, this concept of ingression "suggests an independent and ready-made subsistence of eternal objects, the latter being guaranteed by direct intuition" rather than by empirical observation (Dewey 176). These eternal objects appear to preexist empirical reality and to require an external principle, one that cannot be determined by empirical observation, that directs their regular relations to temporal entities and thereby guarantees the coherence of experience, serving as "the ground of all order and of all originality" (A. N. Whitehead, *Process and Reality* 108). In *Process and Reality*, Whitehead calls this principle God and his appeal to an external, non-empirical principle to explain the coherence of experience brings his philosophy much closer to traditional rationalism than to empiricism.

Dewey suggests that these two philosophical paradigms—mathematical-rationalist and natural scientific-empiricist (Dewey 174)—struggle for priority in Whitehead's work. He insists that the latter paradigm must be given primacy

and so agitates for a thoroughly empiricist reading of *Process and Reality.* In this empiricist reading, eternal objects are not "independent and ready-made", ingressing into actual existences by divine guidance, but possibilities that "emerge originally as suggestions" and are "operatively applied to actual existences" (176). Empirically grounded intelligence here "performs the office for which Deity has to be invoked upon the other [rationalist] premise" (176). In this empiricist reading, Whitehead's God becomes superfluous.

Dewey claims that this reading of Whitehead's method as empiricist is not only tenable, but promises to "take philosophy away from by-paths that have led to dead-ends and would release it from many constraints that now embarrass it" (Dewey 173). He predicts however, that "as currents of philosophy are running at present," the immediate influence of Whitehead's philosophy would most likely be among adherents to the rationalist tradition (177). Sure enough, rationalist, and indeed theological, readings of Whitehead's process philosophy dominated for much of the twentieth century. Given the now widespread acceptance of Whitehead within American pragmatism and the radical empiricist tradition (Henning, Myers, and John), it is interesting to dwell briefly upon this rationalist reading of Whitehead.

Whitehead himself notes the existence of a "rational side" and an "empirical side" to his philosophy, as reflected in his requirement that a speculative metaphysics must, on the one hand, be coherent and logical, and on the other, adequate and applicable to the description of empirical experience (A. N. Whitehead, *Process and Reality* 3). In *Process and Reality*, while Whitehead argues that the task of philosophy is descriptive generalization, he also holds "that there is an essence to the universe which forbids relationships beyond itself, as a violation of its rationality. Speculative philosophy seeks that essence" (4). As Dorothy Emmet suggests, "Whitehead was trying to

hold together a way of looking on the world as made up of interconnected dynamic and fluent processes, and at the same time as exhibiting structures which could be exhibited in mathematical and logical forms" (Emmet xv). This has subsequently been reflected in the contrast between those readings of Whitehead's philosophy which incline towards a focus on coherent and uniform organization of experience on the one hand, "the rationalization of 'the inner flux,' the giving to it of an intelligible structure" (Sherburne 11), and, on the other hand, those that focus on the experiential primacy of the physicality of feeling, the "vague and inarticulate feelings from a dim, penumbral region" (Dean, "Whitehead's Other Aesthetic" 107).

From the perspective of Whitehead's privileging of the experience of the immediate past as the primary datum for perception, his philosophy offers the possibility of emphasizing either "the intellectual organization of the past" or the "physical response to the past" (Dean, "Whitehead's Other Aesthetic" 104). This can be illustrated by reference to theories of artistic practice and aesthetic evaluation inspired by Whitehead's metaphysics. A prominent representative of the rationalist school is Donald Sherburne, whose Whiteheadian aesthetic theory gave the work of art the ontological status of the proposition (Sherburne 98). In Sherburne's theory, the aesthetic experience of the work of art becomes the "aesthetic re-creation by the contemplator of the proposition objectified in a performance" (Sherburne 112; for other examples of strongly rationalist developments of Whitehead's philosophy, see Hartshorne; Northrop; Ross; Valenza). In contrast, William Dean has argued that by exaggerating "the meaning of aesthetic experience", such rationalist readings neglect "the power of aesthetic experience" (Dean, "Whitehead's Other Aesthetic" 74). The "genius of the beautiful" can only be recognized, in Dean's view, by turning to the Whitehead who was inspired by radial empiricism to elaborate an

"empirical aesthetic [that] emphasizes the immediate, physical, emotional, and nonconscious response to the world" (107).

This is the Whitehead that is more familiar today to readers who have been introduced to Whitehead's work via the work of Isabelle Stengers, Brian Massumi, Nigel Thrift or Erin Manning. These latter commentators stress those elements of Whitehead's metaphysics that focus on the role of bodily affectivity in experience, often drawing parallels with the work of Gilles Deleuze and Baruch de Spinoza. The connections between Whitehead's philosophy and the North American schools of radical empiricism and pragmatism have been elaborated in ever greater detail over the last decade (Stenner, "James and Whitehead"; Henning, Myers, and John; Auxier and Herstein) and with good reason. George Allan has shown that although the empiricist and rationalist threads in *Process and Reality* sometimes come into conflict, introducing inconsistencies along the way, in Whitehead's later work (from *Adventures of Ideas* onwards), he abandons many of the problematic vestiges of rationalism, including the idea of eternal objects as requiring divine agency (Allan, "A Functionalist Reinterpretation of Whitehead's Metaphysics" 346). This is not to say that those readings of Whitehead that follow more rationalist tendencies are simply wrong. There remains room in Whitehead scholarship for a focus on the intellectual organization of the past, as well as the physical response that it elicits.

Although in this thesis I support a reading of Whitehead as a godless empiricist, his insights regarding "conceptual feeling", and the role of the propositional content inherited from the past as an important factor in experience, are of central importance to my argument. This is what allows me to defend a political aesthetic that gives *co-priority* to discursive and affective phenomena, rather than asserting the primacy of one or the other of these

terms. For this reason, while I do not follow the thoroughly rationalist reading of Whitehead's work supported by twentieth century process philosophers such F. S. C. Northrop and Charles Hartshorne, I am also wary of the tendency to assimilate Whitehead's thought to a Spinozist erasure of subjectivity (Paul Stenner provides a useful critique of this tendency in contemporary literature on Whitehead Stenner, "A. N. Whitehead and Subjectivity"), or to focus on the occasion of experience's physical or affective inheritance from the past to the detriment of its intellectual inheritance (Massumi, *Politics of Affect* 59-60). While I turn to Whitehead to correct the affective deficit in Arendt's work, what I find most compelling in Whitehead's philosophy, and that which orients my reading of him, is not his assertion that "the basis of experience is emotional" (A. N. Whitehead, *Adventures of Ideas* 176), but, in Nicholas Gaskill's words, the manner in which his general concept of prehension "encompasses both what we usually call 'thought' and what we call 'feeling,' gathering this opposition into a constructive contrast and sharpening our sense of when and where affect, as an explanatory term, is helpful" (Gaskill, "An Adventure of Thought" 35).

1.3.2 Metaphysics and Phenomenology

In this thesis I bring Whitehead's metaphysical theory of experience into contact with two closely connected bodies of thought, both of which are associated with an explicit rejection of the metaphysical tradition. First, in Chapter 5, I argue that Whitehead's metaphysics can provide a basis for an Arendtian political theory of judgment which gives due recognition to affective experience. Second, in Chapter 6, I attempt to elaborate an account of affective authority grounded in Whitehead's metaphysics, but which draws heavily on recent work on the phenomenology of emotion. At first sight, both pairings appear questionable. Arendt famously rejected metaphysics and insisted

that her work was political theory, *not* philosophy. As for phenomenology, Husserl's attempts to establish phenomenology as a "rigorous science" of an "absolute transcendental subjectivity" via the bracketing "with regard to the world of the spirit, then consequently also with regard to physical nature, and then to nature in an enlarged sense" (Husserl, Ideas II 380, see also 406-409) relies upon a fundamental divide between "the Objective world" and "the Ego existing purely in itself and for itself" (417-418). This contrasts sharply with Whitehead's rejection of the "bifurcation of nature" and his deployment of the notion of experience and the subject-object relation as a paradigms for all interactions in the universe. Nonetheless, here I will argue that Whitehead's speculative metaphysics is motivated by many of the same concerns that led Arendt to embrace an anti-metaphysical phenomenology, before showing that Whitehead's philosophy can be further complemented by contemporary phenomenological research, especially that which follows Maurice Merleau-Ponty's rejection of the notion of transcendental subjectivity (*Phenomenology Of Perception* 65) and his assertion of the "flesh" as "a connective tissue of exterior and interior horizons" (*The Visible And The Invisible* 131) to assert the feeling body as the "very core of our affective being in the world" (Slaby, "Affective Intentionality and the Feeling Body" 441).

Whitehead's Speculative Philosophy

Whitehead is committed to metaphysical explanation, that is, to explanation that does not take for granted its implicit dependence on a particular view of the structure of experience and of the universe. He holds that "every proposition proposing a fact must, in its complete analysis, propose the general character of the universe required for that fact. There are no self-sustained facts, floating in nonentity" (A. N. Whitehead, *Process and Reality*

11). Whitehead's own approach to metaphysics however, departs significantly from traditional approaches. Indeed, he often criticizes the very elements of traditional metaphysics that have motivated other thinkers to abandon or to declare the failure of the metaphysical project, including its claims to establish once and for all the necessary conditions of experience. While Whitehead attempts to offer a coherent, logical, adequate and applicable metaphysics, he maintains that "philosophers can never hope finally to formulate these metaphysical first principles" (xiv), indeed, that "the merest hint of dogmatic certainty as to finality of statement is an exhibition of folly" (4). As Isabelle Stengers argues, *Process and Reality* should not be read as offering "a new conception of the world", but rather an imaginative construction that aims to "modify our relations to our own experience" (Stengers, "A Constructivist Reading of *Process and Reality*" 60). Whitehead thereby aims to challenge the habits of thought "that supported the modern epoch's 'complex of bifurcations'" (Gaskill, "An Adventure of Thought" 3; citing A. N. Whitehead, *Process and Reality* 290). In fact, Whitehead maintains that we simply lack the tools for a comprehensive, definitive view of the cosmos. "Weakness of insight and deficiencies of language stand in the way inexorably. Words and phrases must be stretched towards a generality foreign to their ordinary usage; and however such elements of language be stabilized as technicalities, they remain metaphors mutely appealing for an imaginative leap" (*Process and Reality* 3). Thus, rather than asserting universal conditions, Whitehead offers provisional metaphysical constructions directed to specific problems and to satisfying specific demands (Stengers, "A Constructivist Reading of *Process and Reality*" 45).

The process philosopher and psychologist Susanne Langer, who studied under Whitehead at Harvard, proposed a similar approach to philosophy, argu-

ing that philosophical theories must not offer proofs, but "furnish . . . concepts that give rise to insight and discovery" and whose excellence can only be proven through their practical application to particular problems (Langer xii). Among the many problems to which Whitehead addressed his speculative, metaphysical method were that of challenging "the Kantian doctrine of the objective world as a theoretical construct from purely subjective experience" (A. N. Whitehead, *Process and Reality* xiii) and, perhaps most importantly of all, escaping the bifurcation of nature, that case "of radical incoherence that literally plagues modern thought" (Stengers, "A Constructivist Reading of *Process and Reality*" 51). As I will show in Chapter 5, these concerns, together with a concern to defend the validity of common sense as data for intellectual reflection, are common to both Arendt and Whitehead.

Phenomenal Experience and the Feeling Body

In Chapter 5 then, I argue at length that far from being incompatible with Arendt's political theory, Whitehead's metaphysics complements many important aspects of Arendt's thought. While Arendt maintains a complex relation to the philosophical tradition, and to phenomenology more specifically, many of the scholars that I turn to in Chapter 6, where I elaborate a theory of affective authority, explicitly employ a phenomenological method in their work. Despite the elements in the phenomenological tradition that conflict with Whitehead's metaphysics, many philosophers, both process philosophers and phenomenologists, have emphasized points of connection between these schools of thought. The most direct point of connection is arguably to be found in the work of Maurice Merleau-Ponty, which has been of value to scholars attempting to elaborate a philosophy of immanence and a politics of affect (Connolly, *A World of Becoming* 43-67; "The Complexity of Intention" 794).

As William Hamrick points out, phenomenology and Whitehead's metaphysics share "identical concerns for recovering the concreteness of experience . . . and elucidating the immediacy of experience as a justification for philosophy itself" (Hamrick, "A Process View of the Flesh: Whitehead and Merleau-Ponty" 117). Concrete, direct experience is the subject matter of both philosophies, and must not be undermined through "brilliant feats of explaining away" (A. N. Whitehead, *Process and Reality* 17) which would subordinate the facts of experience to the specialist insights of philosophy or the natural or human sciences (Merleau-Ponty, *Phenomenology Of Perception* i). Throughout his philosophy, Whitehead maintains "the doctrine of a direct experience of an external world" (A. N. Whitehead, *Symbolism, Its Meaning and Effect* 28), arguing that such direct experience "is infallible. What you have experienced, you have experienced." (4). Phenomenology shares this commitment to the primacy of experience as direct experience of an object and, in Merleau-Ponty's work, this is means that experience and its objects "are given together and meant to be studied together, and that, consequently, a perceptual object, for example, has the 'paradoxical' status of being an 'in-itself-for us'" (Hamrick, "Phenomenology and Metaphysics" 340; citing Merleau-Ponty, *Phenomenology Of Perception* 375). The phenomenological concept of intentionality is intended to capture this directedness of experience towards its object. As in Whitehead's philosophy, this experience, is also constructive. Husserl, in his later philosophy expounds a notion of genetic phenomenology that aims to explain the constitution of both the "objects and categories of objects" that exist for the ego, and the "genetic form that makes the concrete ego (the monad) possible as a unity" (Husserl, *Cartesian Meditations* 76). Husserl, however, continues to maintain a strict division between the inner world of subjective consciousness and the objective outer

world. Merleau-Ponty, especially in the later work which is frequently brought into conversation with that of Whitehead (see Gier; Hamrick, "A Process View of the Flesh: Whitehead and Merleau-Ponty"; Veken; Vanzago), aims to overcome this bifurcation (Merleau-Ponty, *The Visible And The Invisible* 141).

In Merleau-Ponty's late ontology, the central category is neither thought nor substance, but flesh, "midway between the spatio-temporal individual and the idea" and out of which both experience and experienced emerge, "a sort of incarnate principle that brings a style of being wherever there is a fragment of being" (Merleau-Ponty, *The Visible And The Invisible* 139). There is both a "how" and a "what" to all being, not just to conscious experience. Form and meaning cannot be allocated to one realm, and matter or substance to another. "Meaning is thus organic and carnal" (Hamrick, "Phenomenology and Metaphysics" 343). For late Merleau-Ponty, as for Whitehead (and in contrast to Husserl's notion of "transcendental subjectivity"), meaning is not something added to a chaotic world by consciousness, but is already present in the world. In Merleau-Ponty's words "there is being, there is a world, there is *something*; in the strong sense in which the Greek speaks of τὸ λέγειν, there is cohesion, there is meaning" (*The Visible And The Invisible* 88). Meaning does not require consciousness but is always present in the world. If *logos* is possible, it is because the world includes *legein*, gathering. This corresponds entirely with Whitehead's assertion, in somewhat different terminology, that "the datum includes its own interconnections" (*Process and Reality* 113).

Just as meaning is already present in the objective world, so consciousness is continuous with that world via the body as a site of "a carnal adherence of the sentient to the sensed and of the sensed to the sentient" (Merleau-Ponty, *The Visible And The Invisible* 142). This embodied notion of experience,

from which consciousness is derivative, is highly influential in contemporary phenomenology, particularly phenomenological research concerning emotion and affect. One of the key concepts in the contemporary phenomenology of emotion that I draw on in Chapter 6 is that of bodily intentionality. This notion corresponds with Whitehead's account of experience as inherently purposive and provides a means to navigate between the many conflicting accounts of affect and intentionality that have been at issue in attempts to elaborate the role of affect in political life.

1.4 Affect and Intention

One major current in contemporary psychology of emotion goes by the name of "appraisal theory" and is associated with the work of, among others, the psychologists Richard Lazarus, Nico Frijda and Klaus Scherer, as well as philosophers such as Peter Goldie and Martha Nussbaum. Appraisal models of emotion are based on the hypothesis that emotional experience involves an act of appraisal of the relevance of an event, its implications for the individual's aims, the organism's capacity to cope with the event, and its normative significance (Scherer, "The Dynamic Architecture Of Emotion" 1309). On the basis of this appraisal, physiological arousal may occur, such as muscle contraction, changes in temperature, breathing and heart rate, as well as motor expression through changes in posture or facial expression ("Which Emotions Can Be Induced By Music?" 240). Much of this process is considered to occur outside of conscious awareness, a claim supported by neurological studies which appear to suggest that non-conscious neural activity pertaining to affective stimuli influences the intensity of sensory processing and attention (Grandjean et al.; Scherer, "Unconscious Processes In Emotion"

312). Non-conscious physiological and mental responses to appraisal feed into subsequent appraisals and influence the decision as to whether the event merits continued non-conscious appraisal, or possibly higher level conscious processing ("The Dynamic Architecture Of Emotion" 1307, 1316). This is a recursive process in which emotion processes are "dynamically integrated over time" (1320). For this reason, according to Klaus Scherer, "the term 'emotional state' is misleading, as it suggests a static, unitary phenomenon rather than a flow of continuously changing component states that constitute emotion episodes" (1320).

This extended, dynamic and recursive process is highly context sensitive and allows for a great diversity of possible emotional responses depending on an enormous range of personal and cultural variations (Frijda 95). In this sense it is a distinct improvement on the theories of "basic emotions" that suppose a limited range of universal basic emotions (from seven to around fifteen or twenty depending on the theorist) which structure the affective responses of all humans. Such theories have had a significant influence in affect theory, informing the work of theorists such as Brian Massumi, John Protevi, William Connolly and Nigel Thrift. Ruth Leys' well-known critique of these writers and their dependence on theories of basic emotions revolves around the charge of anti-intentionalism. Basic emotions are viewed as hard-wired biological responses of the organism that are inaccessible to intentionality (DeLancey 90). Proponents of the basic emotions model argue for the existence of "a gap between the subject's affects and its cognition or appraisal of the affective situation or object, such that cognition or thinking comes 'too late' for reasons, beliefs, intentions, and meanings to play the role in action and behavior usually accorded to them" (Leys 315). Like Leys, I am loathe to reject intentionality entirely. At least some of the authors she criticizes are motivated

by what I consider to be an exaggerated concern to resist the subjectivism that is so prevalent in the metaphysical tradition (Thrift 9). Leys however, responds to the "anti-intentionalism" of the affect theorists by reverting to a cognitivist understanding of emotion along the lines of the appraisal models described above, according to which the process of appraisal involves mental representation and interpretation. Indeed, Scherer gives a "central, and causal, role" to cognitive (if not necessarily conscious) processing (Scherer, "The Dynamic Architecture Of Emotion" 1307), subordinating what he considers to be the purely responsive physiological elements of emotion.

Although all of the affect theorists criticized by Leys explicitly evoke Whitehead's philosophy in their work, as I argue more fully in Chapter 6, Whitehead's theory of feeling, together with the accounts of bodily intentionality offered by some contemporary phenomenologists of emotion, offers a means of navigating between an exaggerated cognitivism, which underplays the role of the body in affective experience, and an exaggerated anti-intentionalism, which, as Paul Stenner argues, risks throwing the baby out with the bathwater by effectively rejecting subjectivity along with subjectivism (Stenner, "A. N. Whitehead and Subjectivity" 93; Thrift 9)

As John Cromby and Martin Willis argue (describing the work of both Whitehead and Susanne Langer), "rather than feeling being dependent upon prior cognitive appraisal for intentionality, feeling is already intentional" (Cromby and Willis 488). Jan Slaby, from a phenomenological standpoint, and in contrast to cognitivist theories of emotion in which physiological responses are seen as data that enable cognitive appraisal of the world, contends that "the feeling body is not an object to which we have some specific way of epistemic access" but a subjectively lived body, the very basis of "our deep existential evaluations" (Slaby, "Affective Intentionality and the Feeling Body" 441).

Bodily feelings are themselves “crucial carriers of world-directed intentionality” (429), or, as Gerhard Thornhauser puts it, they are “intentional experiences that pertain to an essentially shareable, culturally modulated, concern-driven engagement with the world” (Thornhauser 53). It is this notion of affect as a form of intentional, bodily engagement with the world that will inform my attempt to develop an affective account of authority on the basis of a Whiteheadian political aesthetic.

1.4.1 A Note on Terminology

It is important to address the question of terminology when conducting research on the topic of affect. Many of the scholars whose work I discuss recognize clear, hierarchical distinctions between the terms affect, emotion and feeling. Several affect theorists, for example, follow Brian Massumi in distinguishing sharply between affect and emotion. For Massumi, affect is “irreducibly bodily and autonomic”, “a nonconscious, never-to-be-conscious autonomic remainder”, asignifying, and pre-subjective (Massumi, *Parables For The Virtual* 25-28). An emotion on the other hand, is “a subjective content”, a sociolinguistically fixed experience that is personal, conventional, consensual and narrativizable (*Parables For The Virtual* 28; see also Shaviro 47n1). In contrast, the psychologist Klaus Scherer uses the term feeling to describe conscious awareness of an emotional state and reserves emotion for the entire physiological and mental process, which may or may not include conscious awareness. Affect, for Scherer, refers to the category of subjective experiences that includes emotions but also moods and attitudes, which may be related to, but are distinct from emotions. The presubjective is not a valid domain of experience for Scherer. Finally, Gerhard Thornhauser considers feeling to be the broadest term in the “conceptual field” of affect, emotion and feeling,

capturing both relational and bodily phenomena which are often grouped under the notion of affect while also frequently functioning as a synonym for emotion (Thornhauser 52). He contends however, that, in contrast to affect and emotion, which it is possible to understand "solely with reference to their function and as only rudimentarily involving felt experience, feeling necessarily entails an experiential dimension including an irreducible form of self-awareness or self-involvement—a feeling is always experienced by someone and involves an evaluation of one's own situation" (52).

None of these distinctions can be unambiguously identified in Whitehead's work. Whitehead uses the terms feeling, emotion and affect interchangeably. Like Whitehead, I am somewhat indifferent to this particular terminological question and consider it preferable to state that a given phenomenon is conscious or unconscious, subjective or pre-subjective, rather than by imposing terminological distinctions that many readers may not recognize. However, since in this thesis I discuss the views of a diverse collection of theorists of affective phenomena, for the most part I will attempt to respect the usage of the researcher under discussion in a given passage, providing contextual commentary wherever necessary to make clear the sense in which the researcher is using a given term. Thus, I will make no attempt to resolve the complexity of terminological systems found in theories of affect, emotion and feeling, but I will at least try not to add to it.

1.5 Affect, Authority and Assembly

In Chapter 6, the account of affective experience that I derive from Whitehead's metaphysics, and which, in Chapter 5 I use as an alternative basis for and Arendt-inspired political aesthetic, provides the starting point for an

account of affective authority. I argue that such a conception is necessary for understanding how political norms can provide the basis for collective action. It is in the sense of a purposive and affective experience of immanent value described in Section 1.4 that the perceptions of normative claims can be transformed into motives for action. The question of how normative reasons become motives for action is a problem for traditional metaphysical accounts of experience based on the theories such as those of Kant or David Hume that depend upon a categorical distinction between affection and cognition (Döring 363). This problem does not arise for Whitehead. When all experience is recognized as the affective disclosure of immanent value, then it becomes clear how such experience can bridge the metaphysical gap between knowing and doing, thereby giving emotive force to practical reasons (Johnston 187; Krause 211).

A model of bodily, intentional, affective experience, inspired by Whitehead's metaphysics, but also by recent work on the phenomenology of emotion, underpins the account of affective experience that I elaborate in Chapter 6. This is a model of authority that recognizes the interdependence of normative claims and affective attachments in legitimizing obedience to common rules and in motivating action in common. It is a model that can coherently and consistently develop Arendt's claim that, in the modern age, sustainable political authority depends upon both normative conditions (such as an explicit commitment to equality) and affective attachments (such as "an undiscriminating and almost blind worship" of the Constitution (Arendt, *On Revolution* 198)). I attempt to describe how such a model can explain authority's capacity to motivate collective action but also how such authority itself arises out of practices of assembly which are creative of new paradigms for discursive and affective practice. This interrelation of affective and discursive

practice applies to practices of collective deliberation just as much as to practices such as marches as demonstrations that are more readily recognized as manifestations of political emotion. Parallel to Robert Cover's argument, presented in Chapter 2, that assembly is creative of the narratives that make law meaningful, thereby giving it purchase on common life, in Chapter 6, I argue that practices of assembly are creative of both the discursive and affective elements that contribute to the establishment of political authority. More than this though, these practices contribute to the "shared practices, structures of salience, routes of interest and feeling" that Linda Zerilli argues are central to the establishment of the world in common that makes action in common possible, enabling affective experience to disclose the values that "attune us to how other people see the world" (Zerilli, *A Democratic Theory of Judgment* 272).

This commonality is both central to and a product of collective action and requires a commonality of both normative claims and affective attachments. I contend that the only defensible political aesthetic is one which gives co-priority to the propositional basis of political practice and the materiality of aesthetic experience. I close Chapter 6 with an illustration of this co-priority via a discussion of two examples in which I argue, one the one hand, that the normative legitimacy that accompanies the practice of collective deliberation can create the affective attachments that bind individuals together in collective action and, on the other hand, that affective practices of passionate testimony and bodily assembly can give intelligibility to discourses that, however reasonable, appear to be incomprehensible in mainstream discourse.

The world-building power of affective authority then, both derives from and enables collective practices. Hannah Arendt's account of authority, and her broader political theory based on the interdependence of agonistic deliberation

and the aesthetic experience of a common world, inspires this account of authority, but cannot provide it with a sound basis due to Arendt's inheritance of the metaphysical distrust of human passions. In this thesis, I begin, in Chapter 2, by arguing that there is great value in conceptualizing assembly not only as an expressive practice, but as a world building practice, one that not only serves as a vehicle for claims, but which contributes to creating the commonalities that make norms intelligible and that give them purchase on the life of a community. This argument elucidates the interconnection between practices of assembly and the notion of authority as it is theorized by Arendt. In Chapter 3, I provide a detailed exegesis of Arendt's political theory, and her theorization of the foundation of authority, before critiquing her exclusion of the passions from the political domain, in Chapter 4. I show there that her account of authority as an important component in world-building practices is seriously undermined by her explicit and implicit borrowings from Kantian metaphysics. I attempt to correct the deficit in Arendt's account, in Chapter 5, by proposing Alfred North Whitehead's metaphysics as an alternative basis for a political aesthetic that can better capture the mutual entanglement of discursive and affective phenomena in political communities. This is the principal original contribution of this thesis. This affective model of politics is put to work in Chapter 6 to develop an account of authority that draws on many of Arendt's political commitments but that also gives full recognition to the affective elements of authority. This chapter also aims to show how this model of authority corresponds to Arendt's theorization of authority as both enabling and arising out of affective, world-building practices of assembly. I thus return to a concept of assembly that significantly exceeds its liberal constitutionalist framing as a practice for enunciating claims directed primarily at the state.

Chapter 2

Assembly

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.
>
> U.S. Constitution, amendment I

2.1 Introduction

In the summer of 2018, I attended a talk in Athens given by the Turkish ethnographer Deniz Nihan Aktan. Nihan Aktan was studying the *Karşı Lig*, a queer football league in Ankara, and other LGBTQi+ football leagues in Turkey. She described how, as players gathered for matches, police too would gather. Turkey's liberal constitution includes strong protections for the freedom of assembly,[1] but Nihan Aktan's research was taking place during the state of emergency declared after the attempted coup d'etat of July 2016, under which "authorities frequently imposed arbitrary bans on public assemblies and violently dispersed peaceful demonstrations" (Human Rights Watch). Nihan

[1] "Everyone has the right to hold unarmed and peaceful meetings and demonstration marches without prior permission." Article 34 of the Turkish Constitution.

Aktan described how police would linger hesitantly while matches took place, apparently unsure whether to intervene or not. At first drawn by what may have looked like a gathering of queer activists, when this turned into a game of football, police were no longer sure of their role.

What interests me in this anecdote is the way it reveals the difficult fit between collective practices and legal precepts. No doubt the qualified legal authorities would be capable of deciding whether or not this gathering of queer footballers constitutes assembly and should be protected or prohibited as such, but such a decision would inevitably be severely reductive. The reality of a simple game of football is far more complex than the most comprehensive legal precept. Although this complex reality exceeds legal circumscription, it does not, of course, escape it. Collective practices and legal precepts inform each other reciprocally. The creation of the constitutionally protected right to assemble was undoubtedly shaped by experiences of the political practice of assembly, but such practice was itself shaped by assembly's legal definition.

This was made clear in the years immediately following the American Revolution. In the decade following the establishment of the federal U. S. A., there arose a culture of "festive politics" in which festive events, including elections, fourth of July celebrations, and demonstrations in support of the French revolution, would become occasions for parades, with community banquets and bands playing political and patriotic music (Abu El-Haj 554-556). These celebrations, widely reported in the press, were often used to spread political messages to a broad audience and were a means by which women, slaves, and the disenfranchised poor could intervene in public debate (S. G. Davis 33; Newman 8-9). They were however, vulnerable to repression, despite the ink being hardly dry on the declaration of the people's constitutional freedom "peacably to assemble". Tabatha Abu El-Haj, referring to historian

Simon P. Newman's description of a protest on Independence Day in 1795, against the federal government's tacit support for Great Britain in its war on revolutionary France, shows how the formulation of the legal right to assembly influenced its practice. In contrast to the contemporary tendencies, "the procession was silent with wagon wheels muffled and participants seldom talking, giving local officials no excuse to break up the event . . . " (Newman 99, cited in Abu El-Haj 563-4). As one defender of the protest stated, "never was a procession more peaceably conducted" (563-4). The ambiguity of the word "peaceable" provided the authorities' with a legal pretext upon which to break up a protest and so shaped the way that protesters conducted their assemblies when they feared they were vulnerable to legal repression.

In this chapter I use the first amendment of the U.S. Constitution as a way in to an investigation of the concept of assembly and as a platform to argue that assembly should not only be seen as an expressive practice, but also as a world-building practice. Over the last two centuries, legal instruments protecting the freedom of assembly have proliferated throughout the world. The freedom of assembly has great political significance in nations with both liberal and non-liberal systems of government, but the social, legal and political history of the United States of America offers a particularly privileged site for the study of assembly. Two reasons in particular stand out. First, ever since the foundation of the U.S.A. over two hundred and thirty years ago, the right of citizens to assemble has been inscribed in the Constitution, celebrated as a cornerstone of liberal democracy, and subjected to detailed interpretation and reinterpretation by the courts, especially since the first world war (Rohde). Second, this legally inscribed right has long been denied, *de jure* or *de facto*, to many inhabitants of the United States who have nonetheless sought to exercise that right, thus challenging the differential allocation of rights in

what purports to be a liberal democracy. By codifying the right to assemble, and assuring differential access to that right, the first amendment of the U.S. Constitution actively shaped, and continues to shape, the ways in which assembly is practiced (Abu El-Haj 546, 563).

An initial survey of the text of the first amendment provides some preliminary suggestions regarding the characteristics of assembly from the perspective of liberal constitutionalism. The first amendment places the right to assemble alongside free exercise of religion, speech, petition and the press. Most of these practices are very clearly expressive practices. By grouping freedom of religion and of assembly together with these practices it is perhaps implied that these too are principally expressive practices. Unsurprisingly, the first amendment is also framed in terms of limitations placed on the ability of the federal Congress to pass laws that restrict the liberties of citizens. It draws a clear distinction between "Government" and "the people"[2] and, juxtaposes the people's right to assemble with their right "to petition the Government for the redress of grievances". The first amendment therefore appears to concern extra-parliamentary acts of claims-making (Lindekilde). Assembly is thus an element in *contentious* politics. Indeed, Abraham Lincoln contended that assembly was "the Constitutional substitute for revolution" (Lincoln 127). This suggests, as a tentative starting point, that assembly can be understood as an expressive, extra-parliamentary, and potentially contentious political gathering.

This preliminary outline of the concept of assembly is challenged and complicated by twentieth and twenty first century interpretations of, and

[2]In fact, the amendments were principally an instrument to reassure state authorities that federal government would not usurp state powers. Many "Anti-Federalists" opposed ratification of a federal constitution as they feared a powerful federal government would threaten the autonomy of state legislatures. They focused on the issue of popular rights, however, as a more politically palatable approach to protecting the autonomy of states (Levy 14).

debates around, the first amendment right to assemble. For example, while it is important to recognize the expressive element of assembly, recent scholarship argues that a too narrow interpretation of what it means for an assembly to be expressive, as occurs for example when assembly is considered simply as a means to petition, may limit the legal protections offered to assemblies. John D. Inazu has criticized the tendency in contemporary U.S. legal practice for the constitutionally guaranteed right to assembly to be subsumed under the rights of speech and of expressive association (Inazu, *Liberty's Refuge* 2). The right to expressive association is the "right to associate for the purpose of engaging in those activities protected by the First Amendment — speech, assembly, petition for the redress of grievances, and the exercise of religion" (Roberts v. United States Jaycees 618). Importantly, since the case of New York Club Ass'n v. City of New York in 1988, in order to receive legal protection as an expressive association, an association must be able to show that "it is organized for specific expressive purposes" (New York Club Ass'n v. City of New York 13). Inazu argues that this requirement ignores the fact that assembly is expressive not simply by virtue of its stated message, but also by virtue of its practices (Inazu, *Liberty's Refuge* 152). As Judith Butler argues, and as the footballers of the *Karşı Lig* show, these practices are expressive right from the moment that bodies begin to gather (Butler, *Notes Toward a Performative Theory of Assembly* 8). A group's activities may appear devoid of expressive content if considered as a simple vehicle for a message, but acquire a profound intelligibility from within the context provided by the group's formal and informal practices and rituals. While there is no doubt that assembly is as an expressive practice, to treat it as association *for the purpose of* expression significantly constrains the range of practices eligible for constitutional protection (Inazu, *Liberty's Refuge* 235). These practices may

in themselves express far more than can be contained in a group's "message", expressing not just beliefs and opinions, but ways of being with others.

Moreover, by assuming that the claim exists prior to the act of association, the Supreme Court's definition of expressive association ignores the importance of assembly for creating those claims, and, indeed, for creating the communities of interest which make those claims meaningful. While John D. Inazu's work shows that contemporary first amendment orthodoxy fails to recognize the expressiveness of an assembly's practices beyond any explicit spoken or written message, the work of Robert Cover highlights the inherently *creative* nature of assembly. According to Cover, "the intelligibility of normative behavior inheres in the communal character of the narratives that provide the context of that behavior" (Cover 10). These communal narratives are not only shared by the community, they are produced by it, and it is through them that a community constructs and makes sense of the norms that structure life in common. Communal narratives and practices give birth to normative worlds far richer and more complex than that found in law books. Indeed, Cover argues that law, as a means of maintaining social order, cannot function without these shared narratives. Thus the community, rather than the legislative branch of the state, should be considered the true source of law in a society. The various communities within a territory give rise to multiple, intersecting, and potentially conflicting normative worlds.[3] By incorporating the right to assemble, the U.S. Constitution not only protects the individual's liberty to express them-self, it also guarantees the freedom to invent the communal practices and narratives that give birth to meaningful normative worlds apart from and potentially in conflict with the state (Minow 8). On this

[3] Among his examples of "jurisgenerative communities" in the U. S., Cover cites insular religious communities, such as the Amish, nineteenth century abolitionists, twentieth century civil rights activists, and a private university with strict rules on inter-racial dating.

interpretation, assembly becomes a practice of *world-building*.

Such normative worlds, which far exceed the sum of legal precepts contained in a community's law books, are a necessary condition for law to be meaningful and so applicable to lived experience. Cover implies that the passage of a law is not sufficient to guarantee that law's applicability in practice, and argues for the necessity of communal narrative practices to allow citizens to integrate the law's stipulations into the daily reality of their lives. H. L. A. Hart makes a related argument from the opposite perspective of the State's judiciary in the account he gives of the limits of legal definition for providing an unequivocal procedure for judicial decisions. No rule, no matter how well devised, can provide for its own application. "Mechanical" jurisprudence (Hart, *The Concept of Law* 126), in which legal decisions can be arrived at simply by the correct and infinitely repeatable application of the rule is impossible. Legal decision is necessarily a creative practice. Hart is indebted to Ludwig Wittgenstein's arguments concerning rule-following in Wittgenstein's *Philosophical Investigations* and *On Certainty*. Wittgenstein shows that the application of a rule is never a purely private, rational act, but instead requires initiation into a customary practice. Agreement in the application of a rule depends ultimately, not on agreement in definitions, but on agreement in form of life (Wittgenstein, *Philosophical Investigations* § 241). The creative practice of assembly described by Cover is a practice through which new forms of life are developed, creating the necessary conditions for agreement.

Assemblies then, are undoubtedly expressive, in their words, their practices and even their mere existence. However, they are also creative of the worlds from which normative claims originate and within which the claims of law become meaningful. This creativity suggests that wherever people are free to assemble, normative worlds may proliferate, almost inevitably leading to

discord between groups whose normative commitments are incompatible with those of other groups or with the legal precepts of the State (environmentalists, contemporary or historic abolitionists, pro-lifers and pro-choicers . . .). To argue that by protecting the right to assemble, the first amendment fosters the potential not only for dissent but also for normative creativity, is to suggest that the first amendment provides support for a conception of citizenship as active democratic practice. This is the sort of creative dissent that Sheldon Wolin argues to have been a key feature of the anti-war protests of the nineteen sixties that rejected "bourgeois forms of civility" while inventing new forms of civility based on participation, equality and common concern (S. Wolin, "What Revolutionary Action Means Today" 377). Wolin argues however, that by framing fundamental freedoms in the discourse of rights, the first amendment undermines the active element of citizenship, promoting instead a prototype of the citizen as a passive bearer of rights ("What Revolutionary Action Means Today"). Certainly, as Inazu shows, modern legal interpretations of the first amendment have tended to support such critiques. U.S. courts have frequently treated litigation around assembly by appeal to the freedom of association, itself considered, since NAACP v. Alabama, as an extension of the individual freedom of expression (NAACP v. Alabama 459), rather than treating it as an issue of the collective right to participate in public deliberation. Nonetheless, I contend that the practice of assembly as creative of new normative worlds continually challenges the liberal reduction of assembly to a form of expressive claims-making.

Hannah Arendt's account of the world-building power of collective action provides an interesting contrast to Wolin's radical democratic critique of constitutionalism. Like Wolin, Arendt is critical of the liberal rights discourse of the U.S. Constitution and agrees that the participatory model of citizenship

is frustrated by the U.S. Constitution, but the positions of Wolin and Arendt on the role of constitutionalism itself are divergent. Wolin, in his famous article "Fugitive Democracy," argues that "a constitution in setting limits to politics sets limits as well to democracy, constituting it in ways compatible with and legitimating of the dominant power groups in the society" (S. Wolin, "Fugitive Democracy" 103). Arendt on the other hand argues that, notwithstanding the shortcomings of the U.S. Constitution, the founding of a democratic *polis* in modern times is impossible without the framing of a constitution (Arendt, *On Revolution* 125). Arendt arrives at this position due to her insistence that a durable democratic order requires not only the organization of popular power but also the establishment of authority. She celebrates instances of democratic action such as the Russian soviets and the council system of the Hungarian Revolution but argues that such outbreaks of democratic participation could not endure without an objective source of authority to sustain democratic practice indefinitely. For Arendt, the founding of the Constitution was the central act in establishing the authority of the U. S. A. and she considers such a foundation essential to ensuring the long term durability of the common world established through collective action. In distinct manners and from distinct perspectives, Robert Cover, Sheldon Wolin and Hannah Arendt all argue for the role of assembly in establishing common worlds which, especially in the case of Arendt and Cover, are seen as necessary conditions for ongoing collective activity. In Chapter 3, I will discuss Arendt's work on authority as a next step in theorizing the interrelation between assembly and authority, and in Chapter 6 I will argue that this interrelation requires an understanding of authority as an affective experience. I will begin here however, by presenting a theorization of the practice of assembly as a creative, world-building practice, a theorization that departs significantly from that of the expressive practice

that dominates research on assembly, and from that which is delineated in the first amendment of the U. S. Constitution and its subsequent interpretation by the courts.

2.2 Assembly and the First Amendment

2.2.1 Expressive Assemblies

In the text proposed by James Madison for what was to become the first amendment, the clause protecting the right to assembly was separated by a semi-colon from that asserting the right to petition government for redress of grievances. In the condensed text approved by congress the two clauses have been collapsed into one and the semi-colon replaced by a comma (Cogan 228). According to Caleb Nelson, to "lawyers of the day, little hinged on the difference between a semi-colon and a comma" (Nelson 258), subsequently however, such minutiae have assumed much greater importance. Had the semi-colon stood, it may have been difficult for the courts to justify some of the narrower interpretations of the first amendment that tend towards the conflation of assembly and petition (Inazu, "The Forgotten Freedom of Assembly" 573). In the late nineteenth century the U.S. Supreme Court position was that there existed no right of assembly "unless the purpose of the assembly was to petition the government for a redress of grievances" (Presser v. Illinois 267). This early conservative view held the right to assemble to be "subordinate and instrumental" to the right to petition (Corwin 332; see also Arendt, *On Revolution* 32). Although the Supreme Court subsequently broadened its interpretation, the principle was established that an assembly's right to legal protection depends upon the expressed purpose of that assembly (Rishe 320-321).

This narrow understanding of assembly demonstrates a recognition of the expressive function of assembly but it also arguably makes the right of assembly redundant. John Inazu argues that since the second half of the twentieth century "freedom of assembly has become little more than a historical footnote in American law and political theory" (Inazu, *Liberty's Refuge* 1-2). He shows that many cases which could have been argued through appeal to freedom of assembly have instead been argued via other means. The tendency since the second half of the twentieth century has been to consider punctual gatherings such as protests and parades to be protected via freedom of speech, while longer term forms of assembly such as clubs and civic organizations are considered to be protected by freedom of association (2). Freedom of association is not itself an explicitly protected constitutional right, however, since 1958, when the NAACP challenged the State of Alabama's attempts to restrict its activities, "expressive association" has been considered an extension of speech. The association is considered to be "the medium through which its individual members seek to make more effective the expression of their own views" (NAACP v. Alabama 459).[4] Since New York Club Ass'n v. City of New York in 1988, the Supreme Court position has been that to be recognized as an expressive association, an association must be able to show that "it is organized for specific expressive purposes" (13). The right of assembly is therefore effectively replaced by the individual right to free expression for punctual gatherings such as demonstrations, and the right to expressive association, essentially a right to collective speech, for longer term associations and assemblies (Batchis 7; Citizens United v. FEC). In both cases, protection is based on the premise that an explicit attempt is being made to communicate

[4]The Supreme Court's support for the collective expression in the civil rights era would later serve as a precedent for its support of corporate expression in the form of unlimited election spending by corporations and labor unions. See Citizens United v. FEC.

a specific message.

This interpretation reduces assembly to a means of expression, recognizable as valid by the articulation of a specific message. The explicit statement of a claim is certainly an important motivation for many assemblies, and NAACP v. Alabama was a landmark case in recognizing the centrality of collective action to the articulation of certain messages, but it is not always the case that that which an assembly expresses can be easily distilled into a message, nor that an assembly's message exhausts that assembly's function. Inazu argues that the subsumption of assembly under the category of "expressive association" obscures the fact that assembly is not merely a *means* of expression, but "is itself expression" (Inazu, *Liberty's Refuge* 152). Even before a group articulates a message, its existence, selection of members, its organizational form, are expressive:

> every association—and every associational act—has expressive potential. Communicative possibility exists in joining, excluding, gathering, proclaiming, engaging, or not engaging. Once a relational association is stipulated between two or more people, any act by those people—when consciously undertaken as members of the association—has expressive potential reflective of that association (Inazu, *Liberty's Refuge* 160-161).

The meaning of a group's expression is bound up with the practices, rules and rituals of the group, and may not even be intelligible outside the context of those practices. According to the narrow understanding of "expressive association", many associations that engage in practices that explore the limits of accepted social norms—Inazu uses the examples of a gay social club, a prayer group and a college fraternity—fail to qualify as "expressive associations" under current constitutional orthodoxy (Inazu, *Liberty's Refuge* 3).

Judith Butler makes a similar argument, but one that gives greater emphasis

to the expressive capacities inherent in the simple appearance of bodies gathered together. Such a gathering "signifies in excess of what is said, and that mode of signification is a concerted bodily enactment, a plural form of performativity" (Butler, *Notes Toward a Performative Theory of Assembly* 8). Butler argues that the physical act of gathering is itself expressive of a demand, not least a demand for the right to assemble (17-18). Butler, like Inazu, considers that the freedom of assembly must not be reduced to the freedom of expressive association precisely because that which assembly expresses exceeds its explicitly articulated claims. When bodies assemble, "some matter of political significance is being enacted and conveyed" (22) irrespective of any particular message that a given assembly may intentionally articulate. A group's expression both exceeds and precedes its "message". A group is expressive right from the moment of its formation, long before it raises its voices or its banners to articulate its message, if indeed it ever does so. The expressive potential of an assembly goes far beyond "petition for redress" and potentially encompasses a whole array of practices, gestures, rules, rituals, enunciations and silences enacted by the people assembled.

2.2.2 Creative Assemblies

As important as it is to recognize the full expressive potential of assembly, the practice of assembly cannot simply be reduced to a practice of claims-making, not even to the embodied, performative enactment of claims. Assemblies not only express, advocate or demonstrate claims, they also create the narratives, practices and ways of life without which normative claims are empty. The Supreme Court position, established in Presser v. Illinois, that held that the right of assembly is secondary to the right to petition, assumes that a petition is well formed prior to the occasion of expressive association. Against

this interpretation can be placed the words of John Adams, describing the public assemblies in the colonial towns of Massachusetts Bay, Connecticut, New Hampshire, and Rhode Island.

> The inhabitants who live within these limits are formed by law into corporations, or bodies politic, and are invested with certain powers and privileges, as, for example, to repair the great roads or highways, to support the poor, to choose their selectmen, constables, collectors of taxes, and above all, their representatives in the legislature; as also, the right to assemble, whenever they are summoned by their selectmen, in their town halls, there to deliberate upon the public affairs of the town, or to give instructions to their representatives in the legislature. The consequences of these institutions have been, that the inhabitants, having acquired from their infancy the habit of discussing, of deliberating, and of judging of public affairs, it was in these assemblies of towns or districts that the sentiments of the people were formed in the first place, and their resolutions were taken from the beginning to the end of the disputes and the war with Great Britain (Adams 388).

The colonial assemblies not only allowed people to express their sentiments, they provided a forum in which to discuss, argue and deliberate and thus to form their sentiments and develop new claims. Such collective creation of normative meaning is the topic of Robert Cover's "Nomos and Narrative." Cover argues that "no set of legal institutions or prescriptions exists apart from the narratives that locate it and give it meaning" (Cover 4). The dynamic complex of statutes and the narratives that make them meaningful, makes up a normative world in which law is no longer simply reducible to a system of rules (5). The effectiveness of a system of obligation depends upon the cultural intelligibility of its prescriptions. While law may be imposed unilaterally through violence, the narratives that give meaning to normative behavior, creating a sense of duty, are necessarily communal.

Cultural context makes law meaningful. Only when law is woven into

the cultural fabric of shared meanings and actions is it able to gain purchase on the lived experiences of the community. Narratives, myths and rituals establish paradigms for behavior, building "relations between the normative and the material universe, between the constraints of reality and the demands of an ethic" (Cover 9). Communal narratives provide the meanings that give the abstract norms of law purchase in the material world. Once established within a normative world, law itself becomes communicative and, inversely, communal behavior acquires further meaning when understood in its relation to legal precepts. This is especially clear in the case of civil disobedience, where behavior gains great expressive power by virtue of its explicit defiance of a norm. Here too however, it is communal practice, not State legislation, that is the origin of normative meaning. Acts of civil disobedience involve a deliberate and provocative demonstration of the conflict between a groups' principles and the practices of the State. This most often requires the State to publicly affirm its own normative position (a position that might otherwise have remained unacknowledged) while suppressing the normative behavior of civil disobedients. New narratives are necessarily brought into existence through this conflict between a normative community and the State, which, although it holds a privileged position as the author of legal precepts, as creator of normative meaning it is one among countless actors (18). For Cover then, *jurisgeneris*, the creation of law, is a necessarily collective practice that escapes the control of the State.

> Such is the radical message of the first amendment: an interdependent system of obligation may be enforced, but the very patterns of meaning that give rise to effective or ineffective social control are to be left to the domain of Babel (Cover 17).

2.2.3 Legal Rules and Forms of Life

It is interesting to consider Cover's argument concerning the connection between assembly and law alongside other philosophical accounts of law as social practice. H. L. A. Hart presents his legal theory as "an essay in descriptive sociology" (Hart, *The Concept of Law* vi). He rejects attempts to provide conceptual definitions of terms such as law, right, State or possession ("Definition and Theory in Jurisprudence" 21) and instead focuses on the use of legal language within specific social contexts. In contrast to Cover's account, which focuses on the community's relationship to law, Hart's "descriptive sociology" is first and foremost a sociology of legal practitioners. Like Cover, however, Hart maintains that the obligations produced by law cannot be understood without reference to the beliefs of those implicated in law (*The Concept of Law* 88).

Hart argues that laws are to be understood as social rules which, from "the internal point of view" of those who accept them in practice, are understood to carry with them an obligation, and not merely a sanction as traditional legal positivists would have it (Shapiro 1157). Hart is especially interested in those instances where the application of rules is unclear, that is, where interpretations of statutes, or of their application to a particular case, "cannot be exhibited as deductions from determinate legal rules" (Hart, "Problems of the Philosophy of Law" 106). He notes that "rules cannot provide for their own application, and even in the clearest case a human being must apply them" (106). Legal decisions "do not arise in a vacuum but in the course of the operation of a working body of rules" concerned with complicated intersections of "individual and social interests, social and political aims, and standards of morality and justice" (107). In such circumstances, "however it may be in moral argument, in the law it seems difficult to substantiate the claim that a

judge confronted with a set of conflicting considerations must always assume that there is a single uniquely correct resolution of the conflict" (108). The application of legal procedures cannot always be expected to produce a unique, correct decision.

> Even when verbally formulated general rules are used, uncertainties as to the form of behaviour required by them may break out in particular concrete cases. Particular fact situations do not await us already marked off from each other and labelled as instances of the general rule, the application of which is in question; nor can the rule itself step forward to claim its own instances. In all fields of experience, not only that of rules, there is a limit, inherent in the nature of language, to the guidance which general language can provide (Hart, *The Concept of Law* 126).

Neither legislation nor precedent can provide a world in which "everything could be known, and for everything, since it could be known, something could be done and specified in advance by rule. This would be a world fit for 'mechanical' jurisprudence" (Hart, *The Concept of Law* 128). In the real world, judgment cannot be entirely reduced to the application of rules to cases. Judicial innovation is indispensable. Legal officials cannot simply apply law but must also create it.

Hart's view of law as a social practice directly transposes Ludwig Wittgenstein's later philosophy into legal theory. Wittgenstein's influence shows through in the rejection of an approach that would seek to elucidate law by investigations into the hidden meaning of key terms (Wittgenstein, *Philosophical Investigations* § 97; Lefebvre 105), and in the related problematization of rule-following (Hart, *The Concept of Law* 124). Wittgenstein shows that the application of a rule is never a private affair (Wittgenstein, *Philosophical Investigations* § 202). To follow a rule is to engage in a customary practice rather than an individual act of interpretation (§ 199, § 202). Understanding a

rule is a demonstration of technical mastery rather than correct interpretation. It requires initiation in the relevant practices, and, beyond agreement in definitions or opinions, demonstrates agreement in "form of life" (§ 241).

While Robert Cover's philosophical debt is rather more to Heidegger rather than to Wittgenstein, the two approaches have similar implications regarding the grounds of legal obligation. According to Cover, "the transformation of interpretation into legal meaning begins when someone accepts the demands of interpretation and, through the personal act of commitment, affirms the position taken" (45). Cover argues that "an act of commitment is a central aspect of legal meaning" (11). This commitment extends beyond the affirmation of a particular interpretation of law to an engagement in the system of beliefs and shared narratives that constitute a normative world. Experience and interpersonal faith "as much as 'reason,' are constitutive of our understanding of normative worlds" (49). For this reason, protecting the possibility for the creation of legal meaning requires more than the protection of free speech. As Cover says, "those who would offer a law different from the state will not be satisfied with a rule that permits them to speak without living their law" (49).

Agreement in legal meaning, for Cover as for Wittgenstein, depends on more than the free exchange of ideas. It requires agreement in form of life. Anna Boncompagni notes that the word that Wittgenstein uses for this agreement is "*Übereinstimmung*," which denotes "a consonance, a harmony of voices towards a sense which is in common" (Boncompagni 117). It has also been translated as "attunement", and contains the underlying sense of a mood (*Stimmung*) (Guidi 1599). As Chantal Mouffe points out, this term is fundamentally distinct from an agreement arrived at through reason. It cannot therefore be assimilated to the *Einverstand*, the rationally motivated agreement or consensus that Jürgen

Habermas considers to be the result of rational deliberation in his deliberative model of democracy (Habermas, *Between Facts And Norms* 168). Legal and political agreement may well be arrived at through rational procedures, but their ultimate ground is agreement not in definitions, nor even in interpretation, but in form of life. The "personal act of commitment" that Cover argues is necessary for the creation of legal meaning (45) is above all a practical affirmation of a form of life, which ensures the mutual intelligibility of common norms and actions.

2.2.4 The Jurispathic State

The proliferation of normative worlds that can occur in a society presents a problem for a State concerned with the maintenance of social order, as groups' normative commitments come into conflict with those of other groups and with the rules of the State itself. What's more, the dependence of law on communally produced narratives limits the State's capacity to employ law as a tool of social control. The State does retain however, the ability to impose law through violence. This violence, whether actual or merely potential, acts as an effective check on the proliferation of normative worlds. The violence of the State, in Cover's terms, is *jurispathic* (Cover 40). Violence and the threat of violence counters the creative and hermeneutic tendencies of social groups whose principles may at some point come into conflict with the precepts of the State. When this occurs members of the group must choose between obeying their own principles at the risk of confrontation with State violence on the one hand, and violating group principles to accommodate the State on the other. Both situations require the group to attend to the possibility of coercion. This results in what Supreme Court Justice Louis Brandeis called "silence coerced by law" (Whitney v. California 375-6). Brandeis was warning against the

legal suppression of the Communist Party of the United States after the first world war and against the excessive use of the "clear and present danger test" in suppressing subversive speech, but the silencing effect of State coercion extends beyond citizens' speech.

A desire not merely to advocate non-consensus principles, but to live according to them, animated both nineteenth century abolitionism and the civil disobedience of twentieth century civil rights activists (Cover 35, 47). The freedom to not only express, but to create and live normative existences apart from State control has been an important feature of radical discourse, on both right and left, in the U.S. from before the revolution to the present. The freedom of groups to develop and commit themselves to their own normative worlds inevitably leads to the creation of norms which conflict with those of other groups and with those of the State (46). Rather than bemoaning this fact, and seeking to construct a polity built on consensus via the active suppression of the jurisgenerative tendencies of associative activity, Robert Cover's radical interpretation of the first amendment embraces the disruptive, agonistic potential fostered by assembly. This radical interpretation however, in the U. S. context at least, is in constant tension with the liberal conception of citizenship conveyed by the Constitution as a whole.

2.2.5 Dissenting Assemblies

Widespread associative activity within society can be expected to lead to a proliferation of norms and normative worlds and may sooner or later lead to confrontation with, or dissent against the precepts of the State. The celebration of dissent has been an important element in democratic discourse in the U. S. A. since the revolution. Thomas Jefferson, for example, argued that "a little rebellion now and then is a good thing" ("Letter to William Stephens Smith").

He felt that rebellion, even if misguided,

> prevents the degeneracy of government and nourishes a general attention to the public affairs . . . . An observation of this truth should render honest republican governors so mild in their punishment of rebellions, as not to discourage them too much. It is a medicine necessary for the sound health of government ("Letter to James Madison").

While Jefferson (and Lincoln too, as mentioned in the introduction to this chapter) considered moments of rebellious dissent to be valuable to the democratic system of government, Sheldon Wolin locates democracy itself in those moments of dissent, which he sees as instances of political renewal in an otherwise moribund constitutional democracy (S. Wolin, "Fugitive Democracy" 112). For Wolin, the democratic concept of "citizen-as-actor" is "incompatible with the modern choice of the State as the fixed center of political life" (111). The paraphernalia of representative democracy, "public opinion polls, electronic town meetings and phone-ins, and . . . votes" (102), are mere *representations* of democracy, concealing the absence of "the political," which Wolin defines as "an expression of the idea that a free society composed of diversities can nonetheless enjoy moments of commonality when, through public deliberations, collective power is used to promote or protect the well-being of the collectivity" (102).

In Wolin's view, the ordered institutionalization of politics is antithetical to democracy, which is both historically and theoretically bound to transgression. Just as democracy was born out of transgression, "for the demos could not participate in power without shattering the class, status, and value systems by which it was excluded" (S. Wolin, "Fugitive Democracy" 106), so too the political maintains its presence in the *polis* only by continued transgression. In "Transgression, Equality and Voice," Wolin makes the case that transgression

is “crucial to the making of a democratic actor” (“Transgression, Equality and Voice” 65). Transgression provokes the contestation necessary to disturb power relations, interests and taboos (68-69). If it is through “revolutionary transgression” that “the demos makes itself political” (“Fugitive Democracy” 107), then the institutionalization of political power “marks the attenuation of democracy” (108). Wolin argues that democracy is not a form of politics, but a political moment. Rather than a system of government, it is a fugitive experience, both fleeting and transgressive, in which the absence of the political becomes apparent. “Democracy is a political moment, perhaps the political moment, when the political is remembered and recreated. Democracy is a rebellious moment . . . ” (111). It is hopeless to seek a renewal of democracy, or a restoration of the political moment, in liberal, proceduralist politics, which in fact institutionalize the *exclusion* of the political, instead:

> The possibility of renewal draws on a simple fact: that ordinary individuals are capable of creating new cultural patterns of commonality at any moment. Individuals who concert their powers for low-income housing, worker ownership of factories, better schools, better health care, safer water, controls over toxic waste disposals, and a thousand other common concerns of ordinary lives are experiencing a democratic moment and contributing to the discovery, care, and tending of a commonality of shared concerns. Without necessarily intending it, they are renewing the political by contesting the forms of unequal power which democratic liberty and equality have made possible and which democracy can eliminate only by betraying its own values (S. Wolin, “Fugitive Democracy” 112).

Wolin shares Robert Cover’s belief in the creative power of common action apart from the State. Both insist on the importance of the collective creation of shared meanings, concerns and patterns of commonality (see also Cover 9), potentially or even necessarily in conflict with the precepts of the State. The principle site of democracy is not the State, but a community whose defining feature is its heterogeneity. For Cover, the creation of normative meaning is

“to be left to the domain of Babel” (17), while for Wolin, it is by *stasis*, that is, by civil strife, “that the demos acquires a civic nature” (S. Wolin, “Fugitive Democracy” 107). Neither thinker seeks to establish the unity of the people, but instead asserts the creative potential of difference and conflict actualized through collective action.

The creativity of assembly necessarily leads to dissent as the creation of “new cultural patterns of commonality” (S. Wolin, “Fugitive Democracy” 112) come into conflict with existing cultural norms. There could be no question however, of Wolin following Robert Cover in proclaiming the “radical message of the first amendment” (Cover 17). For Wolin, the transcription of the practice of assembly into a constitutional right to assemble constitutes assembly’s *circumscription* (S. Wolin, “Fugitive Democracy” 102). A constitution “regulates the amount of politics that is let in” (102). Wolin situates politics firmly within the demos while constitution sets limits to politics and to democracy, constituting them “in ways compatible with and legitimating of the dominant power groups in the society” (103). Law is on the side of the State, trangression on the side of the demos, democracy is “reduced, even devitalized by form” (108).

For Wolin, the rights that many consider to be among the greatest victories of collective power are in fact responsible for its attenuation. Although Hannah Arendt shares many of Wolin’s critiques the the discourse of rights and of the democratic deficit in the U. S. A., she insists on the importance of establishing lasting political institutions and, especially, a constitution to sustaining democratic action over the long term (Arendt, *On Revolution* 125). In the next section I will discuss Wolin’s and Arendt’s arguments on the relation between popular power and constitutionalism, especially as they relate to the establishment of patterns of commonality (Wolin) or a common world

(Arendt), and, in Arendt's case, to the authority that she considers vital to sustaining these worlds and so the possibility of politics, understood, by both Wolin and Arendt, as instances of collective action among equals.

2.3 Public Freedom and Individual Liberty

2.3.1 Revolutionary Democracy

Sheldon Wolin presents civic activity and the constitutional protections for individual liberty as mutually antagonistic. For him, beginning with the Bill of Rights, and proceeding through abolitionism and the various constitutional amendments of the nineteenth century, up to the nineteenth amendment in 1920, which extended suffrage to women, "a distinct pattern emerged in which each extension of rights was assumed to be an advance toward the realization of democracy. In actuality, the ideal of rights was usurping the place of civic activity" ("What Revolutionary Action Means Today" 369). In opposition to the liberal-constitutionalist vision of democracy, Wolin's work advocates a model of democratic participation as revolutionary transgression ("What Revolutionary Action Means Today" 376; "Fugitive Democracy" 107), but the tradition in revolutionary thought to which he appeals is not revolutionary Marxism, but the liberal contract theory of John Locke. Locke famously proclaimed (in a proclamation that found its echo in the Declaration of Independence) that should the legislature

> either by ambition, fear, folly, or corruption, endeavour to grasp themselves, or put into the hands of any other, an absolute power over the lives, liberties, and estates of the people; by this breach of trust they forfeit the power the people had put into their hands for quite contrary ends, and it devolves to the people, who have a right to resume their original liberty, and, by the establishment of

> a new legislative, (such as they shall think fit) provide for their own safety and security (Locke, *Two Treatises Of Government* 197).

This right to revolution gives citizens a decisive role in the establishment of institutions to provide for their safety and well-being. If indeed revolution concerns establishing new institutions, then "citizenship is more than a matter of being able to claim rights. It is about a capacity to generate power, for that is the only way that things get established in the world. And it is about a capacity to share in power, to cooperate in it, for that is how institutions and practices are sustained" (S. Wolin, "What Revolutionary Action Means Today" 376). Revolution is concerned with establishing new ways of living and acting in common. The wave of protest, rebellion and civil disobedience that swept the United States in the nineteen sixties was revolutionary, "not because it was violent—the violence was exaggerated by the media—but because it was uncivil and yet civil: uncivil in withdrawing from and condemning the bourgeois forms of civility, but civil in inventing new ones, many of them bearing the marks of an obsession with participation and equality as well as an intoxication with the first experience of power, the experience of cooperation, common sacrifice, and common concern" (377).

Dissent against consensus norms and the creation of new norms, new ways of living together, are inseparable in Wolin's vision of collective action as Lockean revolution. This vision recalls that offered by Hannah Arendt in *On Revolution*. For Arendt, neither violence nor change are adequate to describe the phenomenon of revolution. What characterizes revolution is the "sense of a new beginning," the constitution "of an altogether different form of government," in which "the liberation from oppression aims . . . at the constitution of freedom" (Arendt, *On Revolution* 35). This definition

relies upon a distinction between liberty and freedom that can be directly superimposed upon Wolin's critique of liberal constitutionalism. In Arendt's account, liberation from oppression, while necessary for the constitution of freedom is not sufficient. Freedom does not simply consist in the opportunity to choose between alternatives, but in the creative act of virtuosity in which new forms are brought into existence ("What is Freedom?" 153-4). According to Arendt, to the eighteenth century revolutionaries freedom meant not only "freedom from unjustified restraint" (*On Revolution* 32), but the ability to participate in public affairs, to collectively engage in the creation of new political forms (119).

Arendt contends that the founding fathers "knew that public freedom consisted in having a share in public business, and that the activities connected with this business by no means constituted a burden but gave those who discharged them in public a feeling of happiness they could acquire nowhere else" (Arendt, *On Revolution* 119). The connection between freedom and happiness seems to have been especially apparent to Thomas Jefferson, who in later life wrote that "freedom and happiness" were "the sole objects of all legitimate government" ("Letter to Tadeusz Kosciuszko"). According to Arendt, when Jefferson, in the Declaration of Independence, asserted the unalienable rights of "Life, Liberty and the pursuit of Happiness", he intended us "to hear the term 'pursuit of happiness' in its twofold meaning: private welfare as well as the right to public happiness, the pursuit of well-being as well as being a 'participator in public affairs'" (Arendt, *On Revolution* 132). This happiness is perhaps akin to the "intoxication with the first experience of power, the experience of cooperation, common sacrifice, and common concern" that Wolin attributes to the protesters of the nineteen sixties (S. Wolin, "What Revolutionary Action Means Today" 377).

2.3.2 Containing Democracy

Both Wolin and Arendt link freedom to the creation and experience of power, rather than the simple absence of constraint, and both associate revolution with participatory democracy via the collective creation of forms of life in common. Arendt's account of revolutionary action, like that which Wolin attributes to Locke, involves both the liberation from oppression and the collective establishment of, and cooperation in political power. This vision of freedom as participation describes an essentially positive, creative condition, whereas, as Arendt makes clear, quoting James Fenimore Cooper,

> the liberties which the laws of constitutional government guarantee are all of a negative character . . . they are indeed "not powers of themselves, but merely an exemption from the abuses of power"; they claim not a share in government but a safeguard against government (Arendt, *On Revolution* 143).

Although the Constitution and the Bill of Rights are considered to be the documents that founded democracy in the United States of America, they concern not the establishment of popular power, but protection from the abuses of arbitrary power, "especially the form of power represented by the will of the majority" (S. Wolin, "What Revolutionary Action Means Today" 370). Federalist founders such as James Madison and Alexander Hamilton sought to construct a union that could "break and control the violence of faction", that "dangerous vice" of popular government (Hamilton, Madison, and J. Jay 48). A faction was "a number of citizens . . . united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community" (49). Should such a faction come to constitute a majority of citizens, "pure democracy" would have no means

> to check the inducements to sacrifice the weaker party or an obnoxious individual [to the interests of the majority]. Hence it is that such democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security or the rights of property; and have in general been as short in their lives as they have been violent in their deaths (Hamilton, Madison, and J. Jay 52).

The advantages of "republican" over "democratic" government are "first, the delegation of the government . . . to a small number of citizens elected by the rest; secondly, the greater number of citizens and greater sphere of country over which the latter may be extended" (Hamilton, Madison, and J. Jay 52). The effect of the first is to "to refine and enlarge the public views by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations" (53). However, it remains possible that men "of factious tempers, of local prejudices, or of sinister designs, may, by intrigue, by corruption, or by other means, first obtain the suffrages, and then betray the interests of the people" (53). Here, the larger scale of republican government offers insurance against the men of factious tempers:

> Extend the sphere and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens; or if such a common motive exists, it will be more difficult for all who feel it to discover their own strength and to act in unison with each other (Hamilton, Madison, and J. Jay 54).

These concerns directly informed the Constitution of the United States which established a form of "republican government" that instituted various mechanisms, such as indirect election of the Senate,[5] the president and vice-

[5]The seventeenth amendment introduced direct election of senators in 1913.

president, that distanced ordinary citizens from political power. Measures such as these are combined with the protections of individuals and States against government overreach that suggest that while the individual's liberties are to be protected, their participation in political deliberation must be limited. The Constitutional guarantees of equal rights to vote, speak, worship, acquire property and receive a fair trial are insufficient measures of democratic citizenship. As Wolin argues, there can be no democratic citizenship without popular participation in public affairs. "A democratic conception of citizenship, if it means anything at all, means that the citizen is supposed to exercise his [*sic*] rights to advance or protect the kind of polity that depends on his being involved in its common concerns" (S. Wolin, "What Revolutionary Action Means Today" 369).

Wolin and Arendt both considered the trajectory from the Declaration of Independence to the Constitution and the Bill of Rights to be key to understanding democracy in the United States. They see the great hope of the Declaration of Independence, with its "profoundly political conception of collective identity and a profoundly democratic conception of power" in which "power was grounded in the deliberations of the governed and exercised within a structure that had been democratically organized" (S. Wolin, "The People's Two Bodies" 382), frustrated through the establishment of a republic in which "there was no space reserved, no room left for the exercise of precisely those qualities which had been instrumental in building it" (Arendt, *On Revolution* 232).

Although the American Revolution succeeded in liberating the colonists from oppression by the King and Parliament, and even in founding a new body politic that endures to this day, it failed in "the central idea of revolution," a task which "Jefferson especially considered to be of extreme importance

for the very survival of the new body politic", that is "the foundation of freedom", "of a body politic which guarantees the space where freedom can appear" (Arendt, *On Revolution* 125-126). While the Constitution guarantees citizens' liberties and, through the republican principle, provides mechanisms for the representation of their interests, it provides no "opportunity of *being* republicans and of *acting* as citizens" (253). According to Arendt, while such a system is capable of representing citizens' interests, their opinions cannot be heard. This is not because of any imperfections in their aggregation through electoral mechanisms, but "for the simple reason that they are non-existent . . . . Opinions are formed in a process of open discussion and public debate" (268), a process that has no place in representative politics.

Representative government and the discourse of individual liberties substitute public deliberation with "interest politics", dissolving "the idea of the citizen as one for whom it is natural to join together with other citizens to act for purposes related to a general community" and replacing it with "the idea of individuals who are grouped according to conflicting interests" (S. Wolin, "What Revolutionary Action Means Today" 371). Both the discourse of rights and the electoral calculus contribute to defining the citizen "as an abstract, disconnected bearer of rights, privileges, and immunities" rather than as a political being, "whose existence is located in a particular place and [which] draws its sustenance from circumscribed relationships: family, friends, church, neighborhood, workplace, community, town, city" (377). Political life can only take place within these concrete relationships and interactions that enable citizens to act together to effect changes in the world, to act and be acted upon, to create and recreate the relations that constitute a common world.

2.3.3 The Constitution of Freedom

In light of what was said previously in this chapter, the first amendment now appears to be a rather paradoxical text; simultaneously supportive of and antagonistic towards collective action. On the one hand it can be argued that the first amendment preserves a space of politics in which free rein is given to creative and potentially dissenting forces of society. In preserving the freedom of assembly, the first amendment guarantees the right of citizens to collectively engage in deliberation, and to create new normative worlds and new cultural and political forms; to *act* as democratic citizens. On the other hand, as one of the most famous statements of liberal rights, it can be argued that the Constitution guarantees the depoliticization of the citizen. It institutes the division between an active legislative whose powers must be limited, and the passive, rights-bearing citizen who requires protection both from the State and from fellow citizens whose collective action is seen as a threat. While a radical interpretation of right of assembly suggests that it harbours the potential for creating new forms of common life that transgress and challenge consensus norms, a radical critique of the Constitution that guarantees that right, asserts that the Constitution guarantees the atomisation of society, constituting a barrier to collective deliberation and collective action outside of an elite sphere of political representation.

Both Sheldon Wolin and Hannah Arendt are critical of the anti-political tendencies of the U. S. Constitution and the Bill of Rights. Wolin argues that the effect of constitutional proceduralism is to keep political life at a safe distance from institutional politics. He considers that "constitutionalism, especially in its Madisonian version, is designed to strew as many barriers as possible to demotic power" (S. Wolin, "Fugitive Democracy" 110). A constitution, for Wolin, functions to contain democracy rather than to enable

it. It effects "the liberal-legal corruption of the citizen", reducing citizenship to "one or two modes of activity—voting or protesting" ("What Revolutionary Action Means Today" 377). For Wolin, the Constitution, constitutionalism *tout court*, ensures the exclusion of the people from politics.

Arendt too is critical of the U.S. Constitution for establishing a form of government that "by no means enabled the citizen to become a 'participator' in public affairs" (Arendt, *On Revolution* 268). And yet in the same text she argues that "the foundation of freedom", that is, the foundation of political life, is impossible in the modern world without a written constitution, indeed, that under modern conditions "the act of foundation is identical with the framing of a constitution" (125). Arendt considers a written constitution to be the only form in which, in modern times, structures of popular political power can be given stability and any degree of permanence. A constitution, for Arendt, lends authority to political forms created through collective action, thus ensuring the durability of the conditions which structure people's ongoing engagement in political action. Arendt's position can be understood when we consider her assertion that, were the new republic not to suffer the same fate as King and Parliament, whose authority in the colonies was effectively abolished by the Declaration of Independence (149), a new source of authority must be provided to ensure the persistence of the body politic. This is why, despite her sustained criticism of the liberal rights discourse, she can nonetheless cite with approval such claims as that of John Adams that "neither morals, nor riches, nor discipline of armies, nor all these together will do without a constitution" (142). Arendt argues that the power that the American colonies demonstrated when they defeated Britain's armies arose out of the experience of one hundred and fifty years of democratic practice in the townships, provinces, counties and cities of the colonies (175-176). The American Revolution did not create

the power of the American people, but when its successful deployment of that power abolished British authority in the colonies, those who sought to establish government in the newly formed states were faced with the problem of how to give a lasting basis to this power. Arendt considers this "the chief problem of the American Revolution," that is, "the establishment and foundation not of power but of authority" (178).

2.4 Authority and a World in Common

Wolin and Arendt can both be read as arguing for the importance of assembly in establishing not only new systems of government, but new patterns of commonality, new ways of living in common. They also agree that these new forms of commonality involve not just people but institutions. However, while Wolin follows Locke in suggesting that revolt "is about devising new institutions" (S. Wolin, "What Revolutionary Action Means Today" 376), he also insists that "institutionalization marks the attenuation of democracy" ("Fugitive Democracy" 108). The sole method proposed by Wolin for the sustenance of popular institutions is continued openness to popular cooperation. Arendt, on the other hand, devoted an important part of her work to elaborating the prerequisites for durable institutions of popular power. The establishment of a shared source of authority is central to her account in *On Revolution* and this is why she condemns the failure of the founders to build a truly participative democracy while celebrating their success in establishing a republic that was able to endure for over two centuries.

Arendt's political theory posits a world in common as both condition and product of political action. As for Wittgenstein and Cover, it is the existence of this common world that makes the communication of meaning possible.

According to Arendt, "the reality of the public realm relies on the simultaneous presence of innumerable perspectives and aspects in which the common world presents itself and for which no common measurement or denominator can ever be devised" (Arendt, *The Human Condition* 57). These various perspectives and aspects must necessarily differ. No two individuals can occupy the same perspective. But to be recognizable as perspectives, and to be communicable as such, they must recognizably share the same object. They must be understood as perspectives on the same reality.

> Under conditions of a common world, reality is not guaranteed primarily by the "common nature" of all men who constitute it, but rather by the fact that, differences of position and the resulting variety of perspectives notwithstanding, everybody is always concerned with the same object. If the sameness of the object can no longer be discerned, no common nature of men, least of all the unnatural conformism of of a mass society, can prevent the destruction of a common world (Arendt, *The Human Condition* 57-58).

The possibility of agreement or disagreement in perspective requires the recognition of a shared object. The condition of possibility for this recognition lies neither in the subject (no "common nature" guarantees it) nor in the object (for if this were so then the "sameness of the object" would be self-evident) but in the existence of a world in common shared by all observers. It is this that makes agreement possible, the shared perspectives on the same object that are recognizable as such by virtue of what Wittgenstein calls agreement in form of life.

For Arendt, the existence of a shared source of political authority is necessary to give durability to the world in common that makes collective action possible. In the absence of authority, normative worlds become fragmented and perspectives are no longer able to enter into negotiation. Shared understanding

and the exchange of opinions becomes impossible between individuals who cannot find agreement on the basic terms of exchange since they occupy fundamentally distinct normative worlds and practice incompatible forms of life. Importantly, in Arendt's account, this shared source of authority is both a precondition and a product of collective action. It sustains but also arises out of collective action undertaken on the basis of a common world. Cover's normative worlds, Wittgenstein's forms of life and Arendt's world in common all provide the basis for an theorization of assembly as creative of structures of commonality that enable continued exchange and collaboration. Assembly is undoubtedly an expressive practice, and it is vital to analyze the many ways in which assemblies signify, through the constitutive claim to speak in the people's name (Frank 3), or through the performative enactment of a "bodily demand for a more livable set of economic, social, and political conditions no longer afflicted by induced forms of precarity" (Butler, *Notes Toward a Performative Theory of Assembly* 11). But it is important too to analyze the ways in which gathered bodies establish shared repertoires of feeling, meaning and knowing, thereby establishing the shared worlds which allow such claims to arise in the first place and make them meaningful within a community even while they may be unintelligible to those that do not share the same world.

The footballers of the *Karşı Lig* may or may not have been violating the restrictions on assembly during the state of emergency in Turkey. Every player may have a different response to the question of whether claims were being made or dissent expressed while they kicked a ball around a football pitch. Whatever the response may be, by coming together the players were affirming particular ways of being-in-common, potentially establishing new patterns of commonality that diverge from those of the dominant normative order, and, as the hesitancy of the onlooking police would suggest, confounding the attempt

to subsume the complexity of a form of life under the demands of a legal order.

2.5 Conclusion

In this chapter I have attempted to sketch an outline of assembly that departs from the liberal view of assembly as a means of expression. Of course, assembly is an inherently expressive practice, but, as John D. Inazu and Judith Butler argue, one whose expressiveness both precedes and exceeds any particular message or demand. Assembly describes a practice that challenges existing norms, but also one that creates new normative meanings, not through the proliferation of claims or of interpretations, but by the proliferation of forms of life in common. For this reason, to consider assembly solely as an expressive, claims-making practice misses an important part of what makes assembly essential to democratic politics.

The normative creativity of assembly necessarily leads to conflict as incompatible ways of thinking, living and acting develop alongside one another. As Sheldon Wolin argues, not only collective action, but dissent, trangression and conflict are essential to democratic life. Arendt shares this commitment to an agonistic politics, but whereas Wolin considers atrophy to be the inevitable result of the institutionalization of political life, for Arendt, institutionalization is necessary if the common world in which democratic practice can take place is to endure. This is only possible if democratic practice can give rise to shared sources of authority that sustain and orient ongoing action. For Arendt, popular power cannot endure in the absence of authority. Despite its many failures, the U. S. Constitution was successful in establishing the authority of the newly founded federal republic, and thus of ensuring the durability of its institutions for over two centuries. In Arendt's work, authority is a central

structure of commonality, one that she argues, in *On Revolution*, is able to bind a community of equals in ongoing collective practice. In the coming chapters I will describe Arendt's account of authority and its relation to collective action, but also demonstrate its fatal weakness in its failure to recognize the importance of affective experience in enacting and sustaining political practice. Finally, in Chapter 6 I will offer an explicitly affective theorization of authority and attempt to demonstrate its co-dependence on assembly as a practice that is creative of both the discursive and affective structures of a common world. This model of affective authority necessarily departs from that provided by Arendt due to the important role that it gives to affective experience in maintaining the political realm. Nonetheless, Arendt's work on authority provides an excellent starting point for a model of authority that is suitable to communities that reject hierarchical social orders based either on notions of command or of rule, and that attempt to respect and foster the plurality of perspectives necessary to maintaining a common world in which agonistic deliberation can take place. In the next chapter, Chapter 3, I present Arendt's aesthetic conception of politics and her model for the foundation of authority that is free of coercion and compatible with the equality that is indispensable to political practice.

Chapter 3

Arendt's Political Aesthetic

3.1 Introduction

In this chapter I provide an account of Hannah Arendt's aesthetic conception of politics and its relationship to her theorization of political authority as a necessary and, in the modern age, missing, ingredient in durable political communities. In Arendt's political theory, authority provides a world-making and world-sustaining function that ensures the degree of commonality required for collective action. In this chapter and the next, I argue that Arendtian authority can be interpreted in analogy to the products of work that Arendt describes, in *The Human Condition*, as guaranteeing "the permanence and durability without which a world would not be possible at all" (Arendt, *The Human Condition* 94). I will then argue that this world-building faculty depends importantly on the affective components in the experience of political authority.

I believe that Arendt's unconventional account of authority, as well as her broader aesthetic account of politics, offers useful resources to an account of politics that does full justice to the role of affects in political life. Of

course, Arendt herself would not accept such a reading, and as I will show in chapters 4 and 5, this reading requires rejecting many of Arendt's explicit or implicit philosophical commitments, in particular her insistence that political deliberation must be disinterested. Such a revision of Arendt's theory, however, gives much greater scope to her political commitment to plurality. In this chapter, I will begin by describing Arendt's account of authority in her essay "What is Authority?" and, most importantly, her book *On Revolution*. In the former she claimed that the disappearance of the experience of political authority as known in ancient Rome was a central problem of the modern world, while in the latter she presented a model of authority for the modern age.

Political authority is traditionally understood as that which gives legitimacy to the law of a political community. It has also traditionally been associated with violence or coercive power. For Max Weber, the modern state is a "relation of men dominating men, a relation supported by means of legitimate (i.e. considered to be legitimate) violence" (Weber, "Politics as a Vocation" 78). When this domination is achieved "by virtue of authority", then this implies the recognition of a "power to command and duty to obey" (*From Max Weber* 943). Ever since the publication of H. L. A. Hart's classic critique of traditional legal positivism in *The Concept of Law*, the conception of law as command has been abandoned. From the nineteen sixties until the present, the predominant conception of political authority in legal philosophy has concerned not a power to command, but "the right to rule". Subsequent debates in legal positivism have largely revolved around discussions of the extent to which this right also implies an obligation to obey, what form this obligation may take, and the degree of coercion admissible in light of this obligation (Raz, *The Authority Of Law*; Marmor; Hershovitz; Schauer).

Arendt conceives the relation of law in a fundamentally different light. She bases her account of law, not on the concept of command or rule, but on the concept of the promise. The basis for law must be a mutual promise, a foundational compact to which citizens consider themselves party and which motivates their obedience to the laws of the community. The language of promising however is potentially misleading. This should not be confused with the view of the promise as an act of the individual will that imposes a moral obligation upon the one who promises. The promise that Arendt is referring to is a compact, an agreement between many that binds conditionally and is continually subject to revision. The moral conception of the promise is politically irrelevant for Arendt. Instead she basis her political theory on an aesthetic conception of agreement. She turns to Immanuel Kant's aesthetic theory to argue that the basis of a political community is not a moral contract originating in and binding the will of the individual, but a collective agreement arising out of the deliberative judgment of a plurality of individuals (Arendt, "The Crisis in Culture" 222). This unconventional theory of law gives rise to a much broader understanding of authority than is found in most other accounts of political authority, in which authority is that which confers legitimacy on the law. Of course, the notion of legitimacy is relevant to Arendt's account, but her conception of authority also captures Montesquieu's idea of "the spirit of the laws" which not only leads citizens to accept the law's constraints on action as legitimate, but also inspires action in the name of the community (*On Revolution* 188-9; "Civil Disobedience" 94). The role of authority is to motivate citizens to consider themselves not only as subject to the rules of a community, but as participants in that community. In Arendt's account, this was achieved in the case of the U. S. A. when, in the earliest days of the federal republic, "the Constitution began to 'worshipped', even though it

had hardly begun to operate" (*On Revolution* 198-9). Upon my reading, this worship of the Constitution, that Arendt also describes as reverent awe (204), implies an affective bond between citizens and the founding documents of their community. This affective bond was key to "the great measure of success the American founders could book for themselves . . . in founding a new body politic stable enough to survive the onslaught of centuries to come" (189). By creating a powerful attachment to a shared foundation, authority drives popular engagement with the community's institutions, going far beyond the liberal concept of consent, and thus ensuring the durability of the community. She insists such an engagement cannot be sustained on the basis of a relation of rule or command. Only on the basis of a mutual compact can a community establish an authoritative and therefore durable political foundation.

The concept of foundation is central to Arendt's theory of authority. She insists that the source of authority lies at the *origin*, "the initial getting together', of the community (Arendt, "On Violence" 151). The normative ground for the foundation of a community lies not in universal principles but in the particular circumstances in and for which the community comes together. The legitimacy of a political compact cannot be established by appeal to eternal absolutes, be they universal truths, moral laws, or the absolute right of the sovereign. Legitimacy is always contingent and particular to a given community. A claim to legitimacy remains a necessary feature of a political community however, if the community's rules are to be obeyed by its members. Without general obedience to common rules, the community itself cannot endure. A central question of Arendt's work is therefore the question of how to establish a legitimate basis for life in common without recourse, one the one hand, to assertions of universal truth or moral law, or, on the other hand, to an arbitrary decision of a sovereign will, guaranteed by violent coercion.

Arendt's response to this question was undoubtedly informed by the works of Walter Benjamin and Carl Schmitt over the course of the 1920s.[1] Arendt rejects both Benjamin's assertion of an insoluble connection between law and violence, and Schmitt's claim that the sovereign decision on the exception, imposed by force, constitutes the ultimate ground of all law. Arendt's conception of authority aims both to explain how authority can motivate obedience to law in the absence of coercion, thus breaking the connection that Benjamin asserts between law and violence, and to formulate a model for foundation that, while it makes no appeal to external grounds in morality or truth, nonetheless escapes the charge that it is grounded upon a decision of the sovereign will.

Arendt's approach to this question this involves an attempt to dissociate political foundation from the act of a unitary will, whether monarchic or popular. The Latin root of the word authority, *augere*, "to augment," provides her with the starting point for an interpretation of authority as a continual, collective process of augmentation of the foundation. Arendt gives great importance to the moment of foundation as a single moment that establishes a lasting compact, a higher law detached from punctual enactments of collective power, but which provides a lasting framework that binds citizens together, inspiring the worship that motivates obedience and participation, and gives durability to the community as a whole. This foundation however, must always remain an ongoing project, permanently open to "augmentation" through collective action. The foundation is not established once and for all, providing a fixed law for subsequent generations but must instead be kept open for continual renewal and renegotiation. Popular, agonistic participation is vital to maintaining the openness of the foundation.

[1]For an account of the complex relation between Arendt's work and that of Carl Schmitt, see Kalyvas and Moyn.

Arendt argues that the founding fathers stumbled upon a mechanism for this process of continued renewal through the constitutional amendments. Unfortunately, through an excess of concern for stability, in addition to the founding racism of the U. S. A. (that will be discussed in Chapter 4), the barriers to popular participation that they established in the Constitution ultimately deprived the great majority of citizens from the possibility of participating in the political life of the federal republic. For this reason, Arendt considers that the spirit of the revolution died with the revolutionary generation (Arendt, *On Revolution* 232-3).

Arendt's aesthetic conception of law as a mutual compact and her theorization of foundation as an open process of continual augmentation are central to her attempt to build a model of non-violent political community. While Arendt's account does not give adequate attention to the sort of structural violence and entrenched relations of power that have become impossible to ignore in political life and political theory since the 1970s (thanks in large part to the activism of the civil rights and feminist movements), her concept of foundation offers one possible model for the ongoing effort to identify and confront the hidden coercion and unconscious prejudice that poses a threat to all communities. It does this by making political community a site of ongoing negotiation through deliberation that, since it is conducted upon an aesthetic model, that is in the absence of absolute criteria by which to decide the universal truth or falsity of a judgment, is necessarily agonistic. I will postpone until Chapter 4 a discussion of the critiques of Arendt's political theory that will lead me to argue, in agreement with many feminist critics and race theorists, that elements of Arendt's theory have dangerous, exclusionary implications. I will first focus on the elements of Arendt's critique that I consider valuable for an account of collective political action and which may

be salvaged from the critiques of her work.

I begin, in Section 3.2, with a discussion of Arendt's aesthetic conception of law as arising out of a mutual compact, and her repurposing of Kant's *Critique of Judgement* to provide a model in which such agreements are experiened as both necessary and conditional. Then, in Section 3.3, I explain Arendt's conception of the foundation of authority via its relation to the works of Walter Benjamin and Carl Schmitt, the thinkers who arguably provided the immediate intellectual background to Arendt's theorization of foundation and revolution. By elaborating the conflict between Benjamin's and Schmitt's positions, the problems that motivated Arendt's unique contribution become much clearer.

Finally, in Section 3.4, I describe Arendt's account of the loss of authority in the modern age, and its consequences for a modern age suffering from "world alienation". I then turn to her account of the foundation of authority in the modern age, for which the U. S. A. provides a model. I focus on Arendt's suggestive narrative of the authority of the U. S. A. as resting on the "worship of the Constitution" to argue, against Arendt, that durable authority requires a foundation that not only satisfies specific normative criteria relating to equality, but which also inspires strong affective attachments. Over the course of this thesis I will build on this reading of reading of Arendt to elaborate an account of *affective authority* as intimately linked to practices of assembly and to the establishment of durable structures for participative democracy.

3.2 The Promise of Law

At first sight, the insistence on the central importance of authority appears difficult to reconcile with the commitment to egalitarian, agonistic politics

for which Hannah Arendt is best known. For Arendt however, institutional structure, procedure and authority are necessary counterparts to spontaneity, free action and equality in the practice of politics. In Arendt's political theory, authority, freedom and equality are mutually interdependent. In a modern world in which neither religion nor tradition have the force to sustain relations of political domination indefinitely, lasting political authority can only be founded on the basis of a mutual compact among equals (*On Revolution* 153, 170). And since political freedom consists not merely in the absence of constraint, but in the freedom to fully participate in the collective conduct of public affairs, political freedom presupposes equality (31). But equality, a *sine qua non* of both political freedom and political authority, does not preexist the *polis*, it is its product. Equality exists "by virtue of citizenship, not by virtue of birth" (31). It requires durable institutional structures that ensure that citizenship, civic engagement and collective deliberation can be enacted on an equal basis. Egalitarian politics requires laws to regulate the relations between citizens, bringing individuals into alliance (170) while allowing each to maintain their individual liberty and their right to withdraw into privacy (252).

For Arendt, there can be no question of building political authority based on a relation of command and obedience. Even the concept of rule, as envisaged by legal positivists such as H. L. A. Hart and Joseph Raz, institutes a division between ruler and ruled, between the origin of action and its execution, in which those who are required to *do* are alienated from the will that *knows* and that instigates action. This division, that Arendt calls the "Platonic separation of knowing and doing," converts action into distinct processes of rulership and obedience in a manner antithetical to "the most elementary and authentic understanding of human freedom" (Arendt, *The Human Condition* 225).

The theme of the division between ruler and ruled, presented in political-philosophical form in *The Human Condition*, is replicated in Arendt's writing on authority in the form of a political-historical argument concerning the impossibility, in the modern world, of establishing a political system with enduring authority on the basis of such a division. In Arendt's opinion, neither rule nor command can create the sort of obligation that can form a durable basis for a political community, since neither can give rise to an obligation consistent with the modern demand for equality. Arendt therefore believes that for citizens to consider law enduringly authoritative, its basis must be in a "mutual contract . . . [whose] actual content is a promise" (*On Revolution* 170). It is only on the basis of such a theory of law that a notion of authority can be developed that operates beyond the simple role of legitimization to motivate not just obedience, but enduring political participation.

3.2.1 The Mutual Compact

When the passengers on the Mayflower were forced to make land far from the jurisdiction of the Virginia Company to which they had intended to sail, they chose in their predicament to

> solemnly and mutually, in the Presence of God and one another, covenant and combine ourselves together into a civil Body Politick, for our better Ordering and Preservation . . . And by Virtue hereof do enact, constitute, and frame, such just and equal Laws, Ordinances, Acts, Constitutions, and Officers, from time to time, as shall be thought most meet and convenient for the general Good of the Colony; unto which we promise all due Submission and Obedience (Mayflower Compact).

The "really astounding fact" according to Arendt, was the confidence the passengers had "in their own power, granted and confirmed by no one and as

yet unsupported by any means of violence, to combine themselves . . . solely by the strength of a mutual promise" (*On Revolution* 167). Contemporary arguments of Jean Bodin or Hugo Grotius notwithstanding (Bartelson 89), there is no question here of ceding power to an absolute sovereign unbound by law. The collective power of those combined is preserved in this covenant, enacted for their "better Ordering and Preservation", by means of a promise to obey the "just and equal Laws, Ordinances, Acts, Constitutions, and Officers" of the colony.

Despite the claim of Jean-Jacques Rousseau, a later proponent of the theory of absolute sovereignty (Rousseau 174), that "it is absurd that the will should take on chains as regards the future" (170), this is exactly what happens when a promise is made. A promise, enacted according to recognized procedures, creates an obligation for the promiser, and confers rights on others. "In lawyers' parlance", when promising, "we exercise 'a power' conferred by rules" (Hart, *The Concept of Law* 43). It is the self-binding element of promise that makes the promise a useful metaphor for H. L. A. Hart's legal positivist description of law in the absence of an unlimited sovereign. The promise remains a metaphor for Hart though, because, as he says, laws are usually created according to much more complex procedures than those we associate with promises. Arendt though, is not concerned with the moral paradigm of the promise, but with the formation of a founding, multipartite compact by the members of a community. This compact is enacted among a plurality of individuals who, only by "binding and promising, combining and covenanting", can keep in existence the power that arises between them (*On Revolution* 175).

The compact's principal aim is not to ensure compliance but to constitute power. Such power is enabled by plurality, by the collective action of distinct individuals, but is also threatened by the unpredictability that arises out of

that plurality. Through promising, a group of individuals gives durability to collective action while offering mutual guarantees which provide stability "in the ocean of future uncertainty where the unpredictable may break in at all times" (*On Revolution* 175). Individuals commit to a mutual compact to allow them to enjoy the benefits of acting in common while holding in check some of the unpredictability that is an inevitable consequence of such action.

3.2.2 The Aesthetics of Promising

Arendt contrasts the mutual compact, which is "based on reciprocity and presupposes equality" (Arendt, *On Revolution* 170), with social contract theory. In social contract theory, each individual, as individual, cedes certain rights and powers to the ruler or to the community in order to receive in exchange, as citizen, protection for their life and property (169). Here we are much closer to the sort of bilateral agreement that Hart has in mind when discussing the merits of promising as a metaphor for law. Arendt rejects this model. Consent and promise are normally considered proper to the discipline of moral philosophy, they imply an engagement of the will and concern the practical reason of the individual who voluntarily binds their will in accordance with moral law. For Kant, "the will is a faculty of choosing *only that* which reason, independently of inclination, recognizes as practically necessary, i.e., as good" (*Groundwork for the Metaphysics of Morals* 29). Like Kant, Joseph Raz, one of the most important voices in contemporary analytic philosophy of law, considers obedience to the law to constitute a moral obligation and so attempts to provide a basis in practical reason for the authority of what he considers to be law's moral claim (Raz, "The Argument From Justice" 19). But while the promise is central to Arendt's political theory, she insists that "mores and morality" are "irrelevant for the body politic" (*On Revolution* 116). Politics

finds its basis neither in the truth of the understanding, nor in practical reason that enables free action in accordance with moral law, neither the first nor the second *Critique*. Concerned as it is with appearance in public, politics for Arendt is based in the aesthetic faculty of reflective judgment, which Kant theorizes as

> a faculty of judging which in its reflective act takes account (*a priori*) of the mode of representation of everyone else, in order, *as it were*, to weigh its judgement with the collective reason of mankind, and thereby avoid the illusion arising from subjective and personal conditions which could readily be taken for objective, an illusion that would exert a prejudicial influence upon its judgement (Kant, *Critique of Judgement* § 40, 123).

In "The Crisis in Culture," Arendt contends that the "Critique of Aesthetic Judgement" in Kant's *Critique of Judgement* "contains perhaps the greatest and most original aspect of Kant's political philosophy" ("The Crisis in Culture" 219). While practical reason, upon which moral conduct depends, rests upon the conformity of the autonomous will with the individual's law-giving reason (*Critique of Practical Reason* 30), Kant's theory of judgment appeals to a "*common human understanding*", a "*public* sense" that makes it possible "to weigh its judgement with the collective reason of mankind" (*Critique of Judgement* § 40, 123). Such judgment has its own validity distinct from the truth of the understanding. This aesthetic mode of judgment presupposes a plurality of subjects and subjective representations and cannot pretend to universal validity. It can however, claim a specific subjective validity, on the basis of a *common sense.* This arises from a common sensory experience, a shared feeling, which "differs essentially from common understanding, which is also sometimes called common sense (*sensus communis*)", since this latter judges by concepts while Kant considers the common sensibility to refer to a

kind of judgment by feeling, understood as "the effect arising from the free play of our powers of cognition" (§ 20, 68-9). According to Kant, the existence of such a common sense can be presupposed as a necessary condition of the communicability of experience (§ 21, 69).

This subjective validity of aesthetic judgements is not apodictic, it does not have the compulsive force of reason. Instead, it has the persuasive power of what the Greeks called *peithein*, "the convincing and persuading speech that they regarded as the typically political form of people talking with one another" ("The Crisis in Culture" 222). The aesthetic mode, bearing neither the compulsive force of truth, nor the coercive power of violence is therefore proper to both cultural and political discourse, because what is at stake here is "the judicious exchange of opinion about the sphere of public life and the common world" (223). According to Kant, a judgment of beauty, while subjective, is experienced as necessary, as giving rise to a normative demand that others ought to agree with the judgment (Allison 4). However, "[t]he *ought* in aesthetic judgements" is "only pronounced conditionally. We are suitors for agreement from everyone else, because we are fortified with a ground common to all" (Kant, *Critique of Judgement* § 40, 68). The common ground can never give rise to a moral claim or to a truth statement and so, in attempting to generalize the experience of beauty as valid for all, the one experiencing beauty can never be more than a suitor for agreement.

This does not mean however, that such judgments are "merely subjective." As Linda Zerilli shows, while not susceptible to apodictic demonstration, the politico-aesthetic judgment maintains its necessity. In Arendt's Kant-inspired political aesthetics, "to say "This war is wrong," is not to claim it is wrong to *me* but that others too ought to find it wrong—because it *is* wrong" (Zerilli, *A Democratic Theory of Judgment* xiv). In Zerilli's reading, the conditionality of

an aesthetic judgment in no way vitiates its necessity. Nor does its necessity vitiate its conditionality. If Arendt uses Kant's aesthetic to ground a theory of political deliberation, then her intention is that this must be a theory that enables deliberation without presuming consensus. This is contrary to Kant, who uses his notion of common sense to provide a basis for universal agreement, even in aesthetic judgments that cannot be subsumed under determinate concepts. While aesthetic judgments do not provide grounds for determinate claims, Kant maintains that it would nonetheless be possible to count on the agreement of all "provided we were always assured of the correct subsumption under" the common sense that provides a common ground for judgment (Kant, *Critique of Judgement* § 19, 68).

As Seyla Benhabib notes, Kant's theory provides Arendt with "the model for the kind of intersubjective agreement we could hope to attain in the public realm" (Benhabib 190). This model for agreement achieved through public deliberation never yields to a lasting consensus, always remaining conditional, threatened by the disparate perspectives and human unpredictability immanent in any community. For Arendt, judgments of taste are subjective by virtue of the "simple fact that each person occupies a place of his own from which he looks upon and judges the world" (Arendt, "The Crisis in Culture" 222). Agreement remains possible, not as a result of an inner common sense that would ensure consensus were it only to be properly deployed, but because "the world itself is an objective datum, something common to all its inhabitants" (222). Arendt does not need to posit a "common sense" to explain agreement, but nor does her theory lead towards necessary consensus in which all perspectives can be reduced to a unique, valid judgment.

3.2.3 Judgment, Dissent and The Good Life

It is in terms of a contingent act of judgment, rather than a necessary determination of the will, that Arendt figures her founding promise. This is not the promise of moral philosophy, the expression of the individual will binding itself unconditionally for the future, but the agreement, pronounced conditionally, of many wills gathered for a common purpose (*The Human Condition* 245; *On Revolution* 182). It is a contingent promise enacted in the world, rather than in the conscience. It is grounded neither in self-evident truth nor in moral law. The obligation which arises out of such a mutual compact is not grounded in moral law, but is a particular, culturally grounded obligation that can never be more than provisional. For this reason, the issue of consent, which is central to social contract theory, is rarely addressed in Arendt's work. Nonetheless, even if the obligation that founds law is not a moral obligation, it has undeniable ethical content. It shapes both the form that relations between individuals may take, and, in giving a specific form to the community, it restricts the range of possible relationships that the community as a whole may form with other communities.

As Christian Volk has shown, in *On Revolution* and the posthumously published *The Promise of Politics*, Arendt's description of the effects of distinct conceptions of law in ancient Greece and Rome reveals the interconnection between law, politics and morality. Arendt contrasts the Hebraic conception of law as command that informs the modern conception (*On Revolution* 189), with the Roman and Greek conceptions of law. The Greek *nomos* evokes a spacial demarcation which encloses and limits the *polis*. Separating the *polis* from the surrounding territories but also separating citizens from one another. *Nomos* denotes "an enclosing border that no one should overstep" (Arendt, *The Promise of Politics* 184; cited in Volk 776). Roman *lex*, in contrast, signifies a

"'lasting tie' and very quickly came to mean 'contract'" (Arendt, *The Promise of Politics* 184) and, as Volk says, "demonstrates the relation-establishing dimension of law" (Volk 776). Whether conceived as command, contract or compact, or in terms of an alliance or a spatial demarcation, Volk argues that "each and every concept of law carries and conveys its notion of a good life" (778). Despite Arendt's claim that "mores and morality" are "irrelevant for the body politic" (*On Revolution* 116), neither the compact nor the community it founds are ethically neutral. Nor can the notion that a community is built on a mutual compact allow one to entirely ignore the classic liberal-moral question of consent in any community that requires obedience (even without explicit coercion) to law. Widespread agreement with the founding compact cannot be assumed without imposing a fictitious universality on its claims, a fictitious unity on the populace, or even a fictitious unity on the individuals subject to the law. Characteristically enough however, when Arendt comes to treat the question of consent and dissent in the context of widespread civil disobedience in the late sixties and early seventies, she sees neither dissent nor civil disobedience as moral actions. Like the citizen, the civil disobedient "never exists as a single individual" but can "function and survive only as a member of a group" (Arendt, "Civil Disobedience" 55). Civil disobedience, like the founding of a mutual compact, is a practice of "organized minorities, bound together by common opinion" (55). Arendt refuses to conceive the agreement with others in a political community as secondary to an internal decision taken before the tribunal of the conscience concerning the "citizen's moral relation to the law' (58). And yet the question of individual consent cannot simply be ignored for all those who arrive, by birth or by immigration, in an existing community to whose founding compact they were not party. For these individuals, their engagement in the compact is no less a fiction than

the "aboriginal contract" of social contract theory (87). The fact that the large majority continue to comply with the law suggests that "we all live and survive by a kind of *tacit consent*, which, however, it would be difficult to call voluntary" (88). The minimum condition for this tacit consent to have any sort of positive meaning for one born into society is the "legal and *de facto* possibility" of dissent (88).

This remains a minimum condition however. Tacit consent is a far cry from the sort of participatory politics that Arendt calls for throughout her work. In "On Violence," Arendt herself offers another somewhat unsatisfactory response to the question of consent by suggesting that the individual born into a political community is led to obey simply because to deny the rules of "the great game of the world" would mean "no mere 'disobedience,' but the refusal to enter the human community" (Arendt, "On Violence" 193). Jeremy Waldron offers a variation on this argument when discussing Arendt's account of foundation in *On Revolution*. In Waldron's interpretation, citizens' respect for the foundation, and the law that arose from it, is assured "not because of anything special or perfect about this event or body of law but simply on account of their acknowledgement that there must be such a point of reference, that it is bound to be in some sense arbitrary, and that they are determined nevertheless to act henceforth as though this one will do" (Waldron 304).

Such anaemic accounts, arise whenever the relation to law is considered simply in terms of the liberal-moral category of consent. The foundation of the law is the key moment in Arendt's account, and the relation of both founder and citizen to that foundation is first and foremost aesthetic, demanding "a *public* sense" (Kant, *Critique of Judgement* § 40, 123), collective assent rather than individual consent. An engagement with questions of consent is important, especially in the context of contemporary debates over the right

to, and the limits of dissent. The broader question however remains not that of consent but of participation, of the extent to which citizens are truly implicated, in a free and equal manner, in a civil compact, or are instead simply obligated to obedience to one form or other of sovereign will. The element in Arendt's system that deals with this question, responding to critiques such as Volk's and providing a more satisfactory basis for political community than Waldron's "this one will do", is her conceptualization of the foundation of authority as an ongoing process.

3.3 The Foundation of Authority

In *On Revolution*, despite insisting on the necessity of modeling the institution of law on a promise, by which may be founded "a 'society' of 'cosociation'" (*On Revolution* 170), Arendt argues that

> [n]either compact nor promise upon which compact rests are sufficient to assure perpetuity, that is, to bestow upon affairs of men that measure of stability without which they would be unable to build a world for their posterity, destined and designed to outlast their own mortal lives (*On Revolution* 182).

Establishing the institution of law is not sufficient to provide a lasting foundation for a community without providing a source for the authority of law. According to Arendt, revolutionaries and thinkers of the eighteenth century conceived the problem of authority in terms of a "'higher law' which would give sanction to positive, posited laws" (*On Revolution* 182). If it wasn't known already, the revolutions of the eighteenth century made it clear that the laws of society were of human origin and were potentially therefore as capricious and arbitrary as the human will. If a lasting political settlement

was to be achieved, and faith in the reliability of laws to be established, then the law had to be given a more trustworthy basis. The problem, as Rousseau saw it, was "how to form a government which puts the law above man" (183).

For Arendt, this higher law "from which all laws ultimately derive their authority" (*On Revolution* 184) cannot be grounded in moral law or universal truth, nor in any sort of natural or divine law. Nor, however, can they be based on any form of popular sovereignty figured as the absolute source of legitimacy for the state. According to Arendt, the desire for an absolute source of authority to give sanction to positive law was a relic of European absolutism, but Rousseau's General Will, "always constant, unalterable, and pure" (Rousseau 228), is no less absolutist, identifying the General Will with inalienable, indivisible sovereignty (170-171). The question for Arendt is that of how to found law without recourse to any absolute principle. Neither truth nor morality nor sovereign right can provide the basis for a free community of equals, as each implies a right to coerce whosoever would violate the absolute principle upon which the society was founded. Two other German writers broached the topic of the foundation of law during Arendt's formative years, Walter Benjamin and Carl Schmitt. Both claimed that their exists an insoluble link between law and violent coercion and Arendt's work on foundation can usefully be read as an attempt to escape, on the one hand, from Benjamin's conception of law as inherently coercive, and, on the other, from Schmitt's insistence that the foundation of law must be an arbitrary act sovereign decision.

3.3.1 Sovereignty and Violence

In his "Critique of Violence," published in 1921, Benjamin depicts law and violence as inextricably linked. In effect, for Benjamin, law is legal violence,

and neither legal contract, nor even compromise, are conceivable without coercion or compulsion. There exists no legal institution, from the prison to the contract, that is not inherently violent (Benjamin 244). Inversely, not only is all law violent, Benjamin also argues that the use of violence constitutes a legal act. He considers law itself to be founded upon the arbitrary imposition of order by the violence of an entity (the newly founded state) which then claims a monopoly on the use of violent means to preserve its privilege as the origin of law. The practice of violence either supports the law, when sanctioned by the state, and employed to enforce the law or to wage war upon the enemies of the state, or, when employed without the sanction of the state, disrupts the state order. According to Benjamin, the state's monopoly on violent means exists not only because a given instance of violent conduct violates this or that statute, but because *any* violent act that is not directed towards the legal ends of the state is inherently disruptive of the legal order. Violence, when it is not practiced in the maintenance of an existing legal order, is an attack upon that order, and posits, at least in embryo, a new law, an alternative legal order founded in the new settlement established by the use of violence unsanctioned by the prior order (240). All use of violent means is either law-preserving violence, when practiced in accordance with the existing legal order, or lawmaking, "mythic," violence when practiced without legal sanction (240-241).

For Benjamin, any legal order is ultimately founded upon an instance of mythic violence, as groundless and capricious as fate (Benjamin 248), and is preserved by the violent exaction of legal retribution. The connection between violence and law can only be broken by the practice of "divine," revolutionary violence which, rather than establishing a new law, abolishes law altogether. Divine violence achieves "the suspension of law with all the forces on which it

depends as they depend on it" (251-252), inaugurating the abolition of the state and founding "a new historical epoch" (252). The dialectic between law and violence is only broken by a violence that abolishes law altogether.

Benjamin's "Critique of Violence" provides perhaps the first explicit formulation of decisionism, the doctrine that legal decision combines the regular application of a rule with the anomic force that founds the rule. He asserts the "ultimate undecidability [*Unentscheidbarkeit*] of all legal problems" (Benjamin 247; translation altered following Agamben 53-54), undecidable since "it is never reason that decides on the justification of means and the justness of ends: fate-imposed violence decides on the former, and God on the latter" (Benjamin 247). Decisionism however, is most commonly associated with Carl Schmitt, whose *Political Theology* was published one year after Benjamin wrote his "Critique of Violence" (Kotsko 122). Benjamin overcomes the undecidability of law, the ultimate irreconcilability between the rationality of law and its basis in violence, by asserting a pure revolutionary violence that abolishes both law and the state. In the closing sentence of "Critique of Violence" divine violence is referred to as sovereign violence, but the concept of sovereignty remains undeveloped. Schmitt, in contrast, makes the figure of the sovereign the central, ineluctable figure that maintains the relation between law and violence through the sovereign decision to declare a state of emergency (*Ausnahmezustand*). Confronted with theoretical indecision over the applicability of law in the abstract, in a concrete state of emergency, the sovereign quite simply decides whether the constitutional order shall be maintained or suspended. Schmitt's sovereign overcomes undecidability, not by abolishing the relationship between violence and law, but by situating their nexus in the ultimate assertion of a concrete power to decide that cannot be subsumed under an abstract legal order and instead stands at its origin.

In abstract terms, the decision to suspend the legal order must be external to the legal order for the simple reason that any formal right to suspend the legal order would itself be rendered void by its exercise. In this sense the concept of the sovereign decision places the sovereign outside the law. By the same token, however, the sovereign remains bound to the law as that which, in any given situation, decides if the rule of law applies or if the situation is exceptional. Schmitt insists that "all law is 'situational law'", exercised in a concrete situation in which abstract norm gives way to concrete decision (Schmitt, *Political Theology* 13). The concept of the sovereign decision places the sovereign outside the law, but sovereign decision is ever-present in law as the instance of force that decides upon the imposition or the suspension of law in any given circumstance (7). A limit concept, the exception, that emergency situation in which the sovereign decides that the law no longer applies, defines and delimits law in its everyday application. Rather than marking the end of law, as in Benjamin's "Critique of Violence," the suspension of law becomes internal to law, inhabiting every regular application of the law as a decision on whether there pertains a state of regular legality or a state of exception.

In response to Benjamin's assertion that the revolutionary general strike can abolish both state and law, Schmitt insists that there is no outside of law nor of state power. Law's limit, the exception, is not only maintained in its relation to law, but becomes its ground, establishing the sovereign decision on the state of exception as the foundation of all law. Benjamin is troubled by the undecidability of all legal problems, of the difference in kind between legal reason and the force that grounds it, and thus the irreducible gap between politics and law. Schmitt, in contrast, firmly asserts the priority of political force, placing anomic state power at the interior of all law in the form of the sovereign's factual power to decide.

Schmitt's sovereign sits squarely within the tradition of European political philosophy since Jean Bodin. In contrast, when Benjamin gives a fuller treatment to the concept of the sovereign some years later, Benjamin's sovereign is congenitally indecisive, unable to find the resolve required to overcome the antithesis between arbitrary power and rational the demands of rule (Kotsko 125). But if the sovereign is incapable of forging a stable alloy between force and law, he is no more capable of dissolving the bond between them. For Benjamin, law and politics are inseparable. Wherever the state exists there exists legal violence, and neither can be destroyed without destroying both through the divine violence of the revolutionary general strike.

3.3.2 Constituting Authority

Benjamin and Schmitt agree then on the existence of an insoluble bond between violence, law and foundation. The foundation of law requires a forceful imposition of an essentially arbitrary order, which is both repeated in the law's every instance, and supplemented by the day-to-day enforcement of legal statues. Arendt fundamentally rejects this framework. Her elaboration of the concept of authority without sovereignty can be understood as an attempt to break the connection between law, foundation and violence. She insists upon the necessity of law for providing the necessary structural framework to make possible both equality and collective action (and therefore power). For this reason she cannot share Benjamin's hope for a society in which law is abolished, but nor does she share his evaluation of law as necessarily linked to violence. Arendt argues for the possibility of non-violence in both the foundation and the application of law. The concept of authority is central to her argument.

Authority and Violence

In Arendt's understanding, "authority precludes the use of external means of coercion; where force is used, authority itself has failed (Arendt, "What is Authority?" 93). Her claim that founders of the U. S. A. achieved the "consistent abolition of sovereignty within the body politic of the republic" (*On Revolution* 153), indicates her belief that the Constitution established a legal order that solicited obedience from citizens, without asserting a power to command or a hierarchy of rulers over ruled. This was made possible in part by the ability of the Constitution to elicit "worship" in the citizenry, that is, to achieve the citizens' commitment to the normative order that it constituted, thus establishing the authority that enables the coexistence of obedience and freedom ("What is Authority?" 106). If, however, as both Benjamin and Schmitt argue, the arbitrary violence of the foundation is repeated in every legal act, then even if citizens' freely obey a given law without coercion, this obedience still carries the stain of arbitrary force from a legal foundation that takes no external standard of legitimacy as its ultimate ground, but which nonetheless restricts the range of citizens' possible actions. Rather than seeking to provide an ultimate ground for law, Arendt embraces the arbitrary nature of foundation, but argues that with the proper institutional safeguards, law established upon an arbitrary ground can still be free from coercion.

Arendt refuses to seek the justification for a political settlement outside of that settlement itself. The normative basis for a political community must not be sought in morality, self-evident truths, natural or divine law. Indeed, the absence of any but the broadest normative grounding (beyond a commitment to non-violence and equality which she asserts on pragmatic, rather than normative grounds) in Arendt's political theory has lead many commentators to characterize her politics as decisionist (see, for example M. Jay, *Permanent*

Exiles 242; R. Wolin 191; see also Kalyvas). As Dana Villa points out, such liberal critiques focus on Arendt's failure to provide normative grounds that can provide an extrapolitical standpoint from which to assess legitimacy (Villa, *Arendt And Heidegger* 156). This "failure" is a feature of Arendt's belief in the autonomy of the political, a belief that she shares with Schmitt. However, while for Schmitt, this autonomy means that moral, aesthetic and economic considerations are epiphenomenal with respect to the sovereign decision as the ultimate ground of politics (Schmitt, *The Concept of the Political* 27), for Arendt, it is not the act of decision, but the process of deliberation that defines the political. Politics, like art, cannot be evaluated according to moral standards, or indeed, "self-evident" truths, but, on the other hand, neither can it be reduced to decision. The "truth" of Arendt's political aesthetic must, in Kant's words "woo the consent of everyone" (Arendt, "The Crisis in Culture" 222, Arendt's translation). This requires a process of collective deliberation that cannot be cut short either by final resort to absolute truth or moral law, nor by the arbitrary imposition of decision by a sovereign will. There is no alternative in the political sphere to "the drawn-out wearisome processes of persuasion, negotiation, and compromise" (*On Revolution* 86-87).

The liberal demand for normative criteria with which to assess the validity of political claims is a demand for a shortcut to political decision-making which is potentially no less problematic than the sovereign decision. Any such desire to put a term on deliberation, implies the imposition of an external, non-deliberative criterion, which, from the perspective of those engaged in deliberation, constitutes a forceful truncation of the *time* of deliberation reminiscent of Jacques Derrida's *décision qui tranche* in "Force Of Law" 252. For Arendt, collective deliberation replaces sovereign decision both in the everyday business of politics and in the exceptional moment, that is in

foundation. Foundation too must be negotiated. It does not arise out of the decision of a will, but out of a compact agreed upon by many individuals through a process of deliberation. For this reason she gives great importance to the North American constitutional conventions, but also to the pre- and post revolutionary assemblies and town meetings, Jefferson's proposed ward system, the soviets in the Russian Revolution, and the workers councils in the Hungarian Revolution (see Chapter 6, "The Revolutionary Tradition and Its Lost Treasure" in *On Revolution*). In Arendt's terms, each of these events can be considered as experiments (or proposed experiments) in beginning. Such experiments however, built around popular participation in collective deliberation, operate according to a temporality that is considerably different from that of the decision.

The Time of Foundation

While Benjamin distinguishes the mythical violence that founds the state from the subsequent law-preserving violence that maintains it, Jacques Derrida problematizes the distinction between the two in a manner that complicates the temporal relation between and its foundation. Law-preserving violence recalls the violence that founded law and is justified with respect to that foundation. Equally, every foundation, understood as a promise that posits for the future (*pro-met*), presupposes and prefigures its repetition in future applications of the law (Derrida, "Force Of Law" 272). Foundation calls for its own repetition in the demand for the continuity of the order established in founding violence, such that "there is no more pure foundation or pure position of law, and so a pure founding violence, than there is a purely preserving violence" (273). Derrida deconstructs Benjamin's opposition of law-preserving and law-founding violence, but in doing so, rather than following Schmitt in

expanding the founding violence of the sovereign decision on the exception to occupy all law, he reinforces Benjamin's assertion of the undecidability of legal problems.

Derrida presents an idealized image of the decision as a decision that divides, imposing a rupture in time, a break in "learning, reading, understanding, interpreting the rule, and even calculating" (Derrida, "Force Of Law" 252). The progressive, continuous, imperfective aspect gives way to a perfectly present decision, a *fiat*, complete and self-sufficient. Such a decision would be purely constative, and even if we are able to isolate such a category, it could not include decisions. Constatives *constate*, they observe, denote, describe. They are true or false. A pure constative leaves no room for decision. Decisions are necessarily performative. Their validity depends upon past conventions and future uptake. An entirely self-present decision is impossible. For this reason, Derrida argues that the proper tense (*temps*) of the foundation of law is the future perfect (*futur antérieur*). The foundation is only justified retroactively, just as the right-to-sign of the signatories of the Declaration of Independence was only established after the fact of signing, in part through the victorious conduct of a revolutionary war ("Declarations of Independence" 10). An justice of an act of foundation is only decided with respect to a future state which itself claims justification through appeal to a past state in a circular process in which neither foundation nor enforcement of law are entirely self-present.

The temporal structure of foundation is just as important to Arendt, for whom beginning and continuity must always be thought together. While Derrida considers the distinction between law-founding and law-preserving to be logically untenable, for Arendt, these two aspects of law must remain in ongoing dialogue if law is to be freed of violence. She substitutes Schmitt's

logic of decision for a negotiated process of deliberation in both the moment of foundation and in daily acts of legislation. The negotiation which characterizes an agonistic polity that aims to give all citizens the freedom to participate in the deliberative process must itself be founded in a negotiated process. The constitutional paradox, according to which there is a deficit of legitimacy in the act of constitution, is addressed by appeal to authority's etymological origin in augmentation (*augere*). A constitution, the source of legal authority, and itself established through a process of negotiation, must remain permanently open to "augmentation." The basic norms of a community are not established in perpetuity in the moment of foundation. This foundation must be repeatable and repeated throughout the development of the community. The founding fathers stumbled upon a mechanism for this process in the form of the constitutional amendment. However, with the introduction of a series of constitutional controls designed to distance the people from the institutions of political decision-making, Arendt considers the great promise of the American Revolution to have been lost to subsequent generations. Out of a concern to ensure stability, and out of a fear of the people (and their factions, Hamilton, Madison, and J. Jay 48-55), the founders ensured that theirs was the only generation to be able to participate in free political action. The treasure of free political participation was lost to future generations.

The failure of the founders of the U. S. A., but also of the French revolutionaries, was the failure to establish a durable equilibrium between revolutionary creativity and institutional solidity. For Arendt, a constitution provides a community with stability but also a framework for ongoing political innovation, achieving the "coincidence of foundation and preservation by virtue of augmentation" (*On Revolution* 202). Citizens are provided with a stable legal framework, but one that they feel they have the capacity to change

should it no longer correspond to their needs. While Arendt argues that the constitutional safeguards provided by the founders of the U. S. A. ultimately stifled popular participation in political life, she contends that the French revolutionary appeal to the sovereignty of the popular will lead the French Republic first into the terror, and then into a century and more of political instability. The appeal to the national will, made in order demonstrate the legitimacy of the republic and so resolve the constitutional paradox, simply replaced one form of absolutism with another. “What else did even Sieyès do but simply put the sovereignty of the nation into the place which had been vacated by the sovereign king?” (156). With the concept of sovereignty, a claim to absolute justice is combined with the assertion of an impossible unity, and an impossible mastery that, for Arendt, leads inexorably towards violence.

The Process of Foundation

Arendt’s conceptualisation of the foundation of authority requires not only normative continuity between the moment of foundation and daily life in the *polis*, but also temporal continuity. This involves grappling with the problem of how to conceptualize “an unconnected, new event breaking into the continuous sequence of historical time” (Arendt, *On Revolution* 205). An important element in Arendt’s thought concerns the relationship between process and event, although, as Ari-Elmeri Hyvönen shows, Arendt is wary of the political consequences of framing experience in terms of “the modern concept of process” (“The Concept Of History” 63; *The Human Condition* 105; Hyvönen 538). Arendt’s warning of the dangers of process thinking, however, does not involve a rejection of process ontologies, but a concerted effort to reveal the dangers of conceptualising human activity in terms of “automatic processes,” and to argue for the possibility of events understood as the inception of *new* processes,

conditioned but not determined by their past (Arendt, "What is Freedom?" 168-171). She urges her readers to attend to that which is "miraculous" in the capacity to begin anew and thereby break from the past (*The Human Condition* 246-247). Her repeated references to the "great deeds" of the ancient world are exhortations, not to retrieve the style or content of the actions of the past, but to retrieve a perspective in which human actions are recognized in their individuality and uniqueness, and are not conceptually subordinated to historical or natural processes of which they are seen as mere manifestations ("The Concept Of History" 42-3).

This is not then, a rejection of the concept of process, but an insistence on thinking together process and event, continuity and new beginning. In this sense Arendt maintains that the eighteenth century revolutions were new beginnings, (*On Revolution* 202) even though their outcomes were deeply conditioned by the constitutional settlements that preceded them: constitutional monarchy giving way to constitutional government and the division of powers in the U. S. A.; absolute monarchy replaced by absolutist conceptions of the sovereign will of the people in France (155-157). Despite her continued insistence, throughout her writing, on the importance of new beginning, such beginning never marks an absolute break with the past. The capacity for change is "limited by the extension of the past into the present" ("Civil Disobedience" 78-9) such that all beginning occurs *in media res*.

Events are conditioned but not *determined* by their past—they have the capacity to surprise, to defy probability—but similarly, no event determines the whole field of subsequent effects. In Arendt's schema, human action, more than any other phenomenon, manifests the coincidence of process and event, at once displaying the contingency of the event and the irrevocability of process. All beginnings, and all action, are caught between unknown

origins and unpredictable consequences (Arendt, "The Concept Of History" 84-5). Kant mourned the "melancholy haphazardness" of action (cited in "The Concept Of History" 82), while Nietzsche declared the imperative to affirm both the unpredictability and the irrevocability of action, treating its indeterminacy as a point of departure rather than an occasion for *ressentiment*. Such an affirmation, a central aspect of Nietzschean ethics, is for Arendt a political imperative. Her attempt to construct a political theory that escapes the western philosophical tradition is in large part motivated by what she considers to be that tradition's repeated attempts to escape the unpredictability of processes set in motion by action. "The hallmark of all such escapes is the concept of rule, that is, the notion that men can lawfully and politically live together only when some are entitled to command and the others forced to obey" (Arendt, *The Human Condition* 222). Arendt locates the source of the concept of rule in the philosophy of Plato, which she considers to have "dominated all subsequent political thought" ("What is Authority?" 106) and which makes truth into an instrument for taming the contingency of human action. Rule by truth is just one of the forms that this tendency has taken, but what all instances have in common, from Plato to Rousseau, is the attempt to establish an absolute at the foundation of politics.

3.4 Nonsovereign Authority

According to Arendt, "among the pre-revolutionary theorists only Montesquieu never thought it necessary to introduce an absolute, a divine or despotic power, into the political realm" (Arendt, *On Revolution* 188). She attributes this to his Roman conception of laws as "no more than the relations which exist and preserve different realms of being" (188). Laws such as these require no

absolute sanction, indeed, the Roman Republic never sought to establish an absolute legislator outside of the law (186). The Romans did however have great reverence for the mythical foundation of their city, and it is here that Arendt finds a model of political authority that is independent of the notion of sovereignty.

In Roman civil law, *auctoritas* (from *augere*, to augment) was that attribute by which a person was recognized to have the legal capacity to authorize the act of another (Agamben 76). In the political sphere, the Roman Senate had *auctoritas*. Its role was to ratify the resolutions of the popular assemblies (Hornblower and Spawforth 372) and, upon request, to offer advice to elected magistrates. Arendt considers the authority of the Roman Senate to have derived from the Senators' mythical connection to the *patres* appointed by Romulus during the foundation of Rome. Their approval binds "every act back to the sacred beginning of Roman history, adding, as it were, to every single moment the whole weight of the past" ("What is Authority?" 123). The decisions of the magistrates, by virtue of their ratification by the Senate, were tied back to the foundation of Rome, fixing them in the stability and permanence of the foundation which was itself augmented and increased by the acts of Rome's current leaders. Every innovation in the present was simultaneously an augmentation of the foundation (*On Revolution* 202).

The authority of the Senate was traditional (*tradere*, *trans+dare* 'to hand over, deliver', (de Vaan 174)) in the sense of a link to the past, but one in which something of the past is handed down to each new generation, such that it is perpetually present for both preservation and augmentation. Arendt cites Cato's dictum that the constitution of the republic was "the work of no single man and of no single time" (*On Revolution* 201). The constitution of Rome was an ongoing process in which the innovations of the present were grounded

in the solidity of the past. *Auctoritas* was that which bound permanence and change together, such that "foundation, augmentation, and conservation [were] intimately interrelated" (201). This union of durability and change, of new beginnings tied back to the solidity of the foundation, is vital to Arendt's conception of political action which, concerned with "founding and preserving political bodies, creates the condition for remembrance", while at the same time constituting the possibility of "beginning something anew"(*The Human Condition* 8-9).

The belief in the sacredness of the foundation, "in the sense that once something has been founded it remains binding for all future generations" was central to Roman politics. To engage in politics "meant first and foremost to preserve the founding of the city of Rome" (Arendt, "What is Authority?" 486). The Senate provided the link between contemporary political activity and the foundation that gave meaning and legitimacy to such activity. The Senate's authority depended upon a widespread reverence for tradition that was religious in the fullest sense, tying it back (*religare*), and creating an obligation, "to the enormous, almost superhuman and hence always legendary effort to lay the foundations . . . to found for eternity" (121). Authority, tradition and religion were inseparable in Roman politics. The Senate was only permitted to meet in an inaugurated space (a *templum*) and meetings were preceded by a sacrifice and the reading of the auspices, as Romulus and Remus were said to have done when deciding upon the site for the foundation of Rome (Lintott 72). Consulting divine will was more than simple superstition, it was "an integral aspect of the ordinary, constitutional process" (Brent 20), suggesting that the line between politics and religion in Rome was vanishingly thin.

3.4.1 The Loss of Authority

According to Arendt, the Roman experience of authority is unattainable today as a result of the weakening of the influence of tradition and religion in the modern world. The authority of Rome and thus the stability of its institutions depended upon its citizens' reverence for tradition. The trinity of authority, tradition and religion was able to persist through the fall of the Roman Empire and the inheritance of much of its institutional structure by the Holy Roman Empire, on condition that religious faith and reverence for tradition remained strong. However, Arendt argues that the challenges to temporal authority of the Roman Church and to the divine right of earthly kings, beginning with the Reformation, have undermined faith in both religion and tradition to such a degree that these can no longer provide a solid foundation for authority in the modern age ("What is Authority?" 128). This is why her essay "What is Authority?" begins with the contention that "authority has vanished from the modern world" (91), and it is in her discussion of the loss of authority that the aesthetic character of the experience of authority is at its clearest.

Arendt considers the loss of political authority, and the correlate decline of tradition and religion, to be responsible both for the modern increase in the frequency of revolutions ("the consequences of but never the causes of the downfall of political authority" (*On Revolution* 116)), but also for the subsequent failure of revolutionary forces to establish lasting political settlements (140-141). In phenomenological parlance, this loss entails "the loss of worldly permanence and reliability" ("What is Authority?" 95) as it is authority that endows "political structures with durability, continuity, and permanence" (*On Revolution* 127).

While the loss of authority, religion and authority opens up new possibilities for political life, it is vital to recognize the importance of what has been lost

with each of these features of pre-modern life. With the loss of tradition is lost the lived experience of an intimate connection to a shared past, a past that inhabits the present, binding "each new generation knowingly or unknowingly . . . in its understanding of the world and its own experience" ("Tradition and the Modern Age" 25). This loss is manifested not simply in a lack of historical awareness, of knowledge of the past, but in the absence of the past as a "living force" in the present (26) that orients and gives meaning to human action. Arendt considers tradition to be that which enables humans to bridge the gap between past and future, to gain a perspective on both the past and the future that allows the present to be experienced not as ceaseless, directionless change but as continuity ("The Gap Between Past and Future" 5).

That which is lost though, is figured as both guiding thread and as chains that fetter ("What is Authority?" 94). The loss of tradition is a forgetting that deprives human experience of depth, the depth of remembrance as it occurs within a comprehensive worldview and which allows the individual to situate their experience with regard to both past and future ("The Gap Between Past and Future" 6). However, it is also an unfettering which offers the possibility that the past may "open up to us with unexpected freshness and tell us things no one has yet had ears to hear" ("What is Authority?" 94). Tradition gives depth to experience but it also necessarily restricts the range of experience. The loss of tradition involves the loss of moorings for common life but it creates the opportunity to explore new possibilities that were inconceivable while people were tethered to prior traditions. Only once the veneration of tradition had been lost, with the concomitant weakening of authority, did such experiments in common life as Jefferson's ward system or the revolutionary soviets become conceivable. But unless such experiments

succeed in establishing a basis for authority, they cannot provide a durable foundation for common life.

As for the the loss of religion in the modern age, this would pose no problem for Arendt were it simply a loss of belief in the tenets of religion. What Arendt mourns is the loss of faith that preceded, rather than resulted from, the decline in religious belief since the seventeenth and eighteenth centuries. The "paradoxes and absurdity" of modern Christianity could not withstand the assault of the modern era's radical injunction to doubt, "inherent in Descartes' *de omnibus dubitantum est*" ("Tradition and the Modern Age" 29), but the loss that Arendt mourns is not faith in God, but faith in the human capacity to trust "the given evidence of the senses . . . the 'innate truth' of the mind . . . [or] the 'inner light of reason"' which had until then been thought simply to follow from "the awe-inspiring simplicity" of humans' relationship with the world ("The Concept Of History" 54). What Arendt mourns is the loss of faith in human capacities themselves. Without some degree of faith, most importantly for Arendt, faith in the human capacity to promise, it is difficult to build the necessary trust for durable human relations.

Not merely knowledge of the past, but a capacity to inhabit the past, the moment of foundation, *in* the present; not merely belief but faith; Arendt believes that these engagements, in which an individual both engages and is engaged, were necessary for the experience of political authority that animated the political life of Rome. This notion of authority does not merely satisfy the need for the legitimacy or acceptability of rule, it provides the structure for a shared world that gives meaning to action, situating it with regard to past and future and in respect of the shared meanings and motives through which action becomes intelligible.

For Arendt, it was this experience of political authority that granted

Rome its extraordinary permanence and durability. This particular Roman experience is lost to the modern age, but this loss does not entail “the loss of the human capacity for building, preserving, and caring for a world that can survive us and remain a place fit to live in for those who come after us” (“What is Authority?” 95). It is still possible to build durable political communities providing something can take the place of the *auctoritas* that sustained Roman institutions.

3.4.2 The Worship of the Constitution

In *On Revolution*, Arendt presents the “worship of the Constitution” as a modern analogue to Roman faith and reverence for tradition. She contends that the success of the founders of the U. S. A. in establishing “a new body politic stable enough to survive the onslaught of centuries to come . . . was guaranteed the very moment when the Constitution began to be ‘worshipped’”(*On Revolution* 198-199), and suggests that this achievement would not have been possible were the new republic founded upon the basis of sovereign rule (153). Over a century and a half, under the various compacts and colonial charters, while continuing to identify themselves as Englishmen, many colonists grew accustomed to a much greater degree of autonomy and participation in public matters than was possible on the other side of the Atlantic. When the federal U. S. A. was established, those who were granted the rights and protections of the Constitution were arguably justified in considering themselves as subject to neither command nor rule, but as equal partners in a founding compact.

It was this perception of being equal partners in the republic founded after the revolution, that made possible the establishment of “a new body politic stable enough to survive the onslaught of centuries to come” (*On Revolution* 198). According to Arendt, this achievement was assured “the

very moment when the Constitution began to be 'worshipped', even though it had hardly begun to operate" (198-199). The strength of feeling with which "the American people bound themselves to their constitution" parallels the Roman veneration for their foundation, each is a *religare* in which citizens bind themselves back to a beginning (198). The difference however, is that while the Roman's venerated a mythical foundation in the distant past, when the worship of the Constitution arose in the U. S. A., its object was no doubt a mythologized foundation, but one that was contemporary, the work of fellow citizens. Converting this historical event into an object, in Woodrow Wilson's words, of "undiscriminating and almost blind worship"(cited in 198) made the historical foundation of the U. S. A. into a monument around which two centuries of political practice could be enacted. This "political genius of the American people", that is, "the extraordinary capacity to look upon yesterday with the eyes of centuries to come", leads Arendt to speculate that more than any other fact, it was "the authority which the act of foundation carried within itself . . . that assured stability for the new republic" (198-199).

Arendt's account of both Rome and the U. S. A. presents an image of a political realm of words and deeds that depends for its durability on feelings such as worship (*On Revolution* 199), reverence and religious awe ("What is Authority?" 126). Upon my reading, this implies that authority necessarily contains an *affective* element. The affective engagement between citizen and community provides people with "that measure of stability without which they would be unable to build a world for their posterity, destined and designed to outlast their own mortal lives", which promises and compacts alone cannot assure (*On Revolution* 182). As a counterpart then, to the performative speech of political action, I contend that Arendt (perhaps in spite of herself) demonstrates the political necessity of affective, world-building practices. Law's

promise is given durability by a relation of authority characterized by such words as reverence, awe and worship. Of course, this relation is far from being *purely* affective. Such worship is heavily dependent on the normative form that the relation takes and, for Arendt, if such a relation is to be durable in the modern age, it must be founded upon claims of equality and freedom. Nevertheless, absent the affective attachment, that which ensures obedience with laws in the long term and which provides the spark that motivates citizen's desire to participate in the community is lacking.

3.5 Conclusion

Arendt develops an aestheticized theory of authority in order to argue for both the possibility and the necessity of a conception of authority that is compatible with an agonistic politics that both originates in and fosters human plurality. Her theory offers the hope of going beyond liberal consent to providing scope for a genuinely contestatory politics that combines agonist deliberation with the structural solidity necessary to provide a durable forum for the exercise of political freedom. For this she relies on a creative adaptation of Kant's *Critique of Judgement* which allows her to assert a basis for law that, in addition to dispensing with coercion by violence, also dispenses with the coercive force of universal truth or moral law, each potentially as absolutist as sovereign command (*On Revolution* 192). Her appeal to aesthetic judgment allows her to construct a model of a polity bound by judgments that originate in a community rather than in an individual will. What's more, Arendt's assertion of authority's absolute incompatibility with either domination or rule ("What is Authority?" 93), leads to a much more capacious conception of authority than that found in the canon of legal and political philosophy.

Authority does much more than simply legitimize a system of laws. Authority motivates collective action, orients it and gives it meaning. Authority, narrowly understood, gives legitimacy to law, but in Arendt's rendering it becomes a truly *political* authority by giving depth and meaning to the association that mutually binds citizens and motivates action in common. Authority is therefore a central element in the world-building practices that are a necessary precondition to collective action.

The authoritative bond established by a mutual compact implies something more than consent to rule, it provides the foundation for action in common. This is a foundation established *within* a community, without appeal to a sovereign will that exists prior to the community. Nor does the foundation establish a sovereign ruler outside of the law, whether of the Hobbesian or the Rousseauian variety. In modern times, the latter is perhaps the most threatening since, as Arendt states, the nation is "the cheapest and the most dangerous disguise the absolute ever assumed in the political realm" (Arendt, *On Revolution* 195).

Authority is charged with a difficult task. It must at once ensure durability and stability while respecting the conditionality of political agreement and citizens' freedom to reshape, to augment, the community of which they are a part. The threat that the foundation comes to represent a new absolute is lessened by the insistence that the compact is both conditional and provisional, always subject to revision and augmentation, but this threat nonetheless persists, especially in a reading such as mine where the "worship of the Constitution" is figured as an affective attachment that is irreducible to normative claims of legitimacy. As Patricia Owens has shown, and as I will discuss in more detail in Chapter 4, Arendt's failure to adequately recognize the scale and the nature of the U. S. A.'s founding crime in establishing a

slaveholder democracy significantly undermines her project. While Arendt discusses the extent to which U. S. A. depended upon “black labour and black misery”, she immediately proceeds to offer an apologia for the founder’s lack of concern (*On Revolution* 71-2), and appears largely unconcerned by the contrast between the founders’ assertions of self-evident equality and the institution of slavery. In my view, Arendt overlooks the capacity of an authority founded upon “the worship of the Constitution” (or indeed on religious faith or reverence for tradition) to obscure the inequalities and exclusions that constitution establishes. Of course, this risk is in no way obviated by my insistence upon the affective nature of authority. Focus on this affective nature however, makes it clear that authority must always be an ambiguous force, one whose enabling capacities are inseparable from, perhaps even dependent upon, its capacities to obscure (on the ambiguity of authority see Chapter 8 of Connolly, *Politics and Ambiguity*).

Furthermore, the strength of citizens’ affective engagement to their shared foundation ensures the durability of the community, but may also obscure, or even create, a growing fixity in the foundation. The capacity of authority to confer durability upon a foundation potentially risks endangering the spontaneity and freedom that it is supposed to protect (Kennan 298). Arendt herself warns of this threat in *The Human Condition* when she describes the misuse of the faculty of promising “to cover the whole ground of the future and to map out a path secured in all directions” (*The Human Condition* 244), but she also provides a means to counter this threat through her conception of foundation as an open and ongoing process. In my view, what is ultimately more problematic for Arendt’s project is her Kantian insistence on a disinterested and effectively disembodied model of politics. In the next chapter I will turn to a problematization of what I consider to be the metaphysical

vestiges implicit in Arendt's philosophy that inform her philosophical exclusion of affects from the political realm, and with them, the body as a site of politicization. This exclusion ultimately undermines her political commitment to plurality.

Chapter 4

Plurality and the Body in Arendt's Politics

4.1 Introduction

In the previous chapter I discussed Hannah Arendt's account of authority as indispensible to sustainable collective action and to the foundation of a durable political community. I began by outlining Arendt's conception of law and showed its basis in the aesthetic conception of politics that she founded upon a creatively repurposed reading of Immanuel Kant's critical aesthetics. The model of authority for the modern era delineated in Arendt's work describes a force that binds a community, not only ensuring obedience to law, but also motivating participation in the community. In *On Revolution*, Arendt argues that a modern experience of authority requires a founding document that enshrines equality and eschews sovereignty. Neither command nor rule, the paradigms for law in the legal positivist tradition, can serve as the basis for a durable political community since both imply a degree of coercion that is inimicable to "the most elementary and authentic understanding of human

freedom" (*The Human Condition* 225). In the modern age, lasting political authority can only be founded on the basis of equality and freedom. These could be described as the discursive, normative conditions that Arendt asserts as minimum criteria for the establishment of authority in the modern age.[1] However, upon my reading, Arendt's work also highlights a necessary affective component to authority. She describes the experience of authority for the Romans as a religious awe through which Romans were bound back (*religare*) to the foundation of the city. Her analogue for this religious awe in a modern era lacking religious faith and the Roman veneration of tradition, can be found in what Woodrow Wilson called the "undiscriminating and almost blind worship" of the U. S. Constitution (Arendt, *On Revolution* 198).

The normative commitments expressed by and through the founding documents enabled the worship that guaranteed the republic's stability, but those documents could not have endured were that additional affective engagement absent. The discursive and affective elements of authority are inseparable, and no viable account of authority can neglect its affective nature. The affective element of political authority that I find in Arendt's *On Revolution*, can usefully be thought in relation to *The Human Condition*'s common world of material things, "the products of work" that "guarantee the permanence and durability without which a world would not be possible at all" (*The Human Condition* 94). As I will argue here, and further in Chapter 6, the affective and world-building elements of authority are closely connected. An analogy can be found here with the recent work of Bonnie Honig, in which Honig argues that Arendt's products of work gain their world-building and world-sustaining capacities from the affective relations that humans form with those products

[1]For Arendt, these are logical, not normative conditions, since she considers that politics, properly speaking, simply does not exist in the absence of freedom and equality. In essence, politics is the process of free deliberation between equals.

(Honig, *Public Things*).

The problem of with this reading (both Honig's reading of *The Human Condition* and my reading of *On Revolution*) is that Arendt categorically and repeatedly denies the relevance of emotions to political life (*The Human Condition* 52, 141; *On Revolution* 86). Indeed, more than irrelevant, she considers emotions to be profoundly threatening to the public realm (*The Human Condition* 242), even going so far as to attribute the failures of both the French and Russian Revolutions to a surfeit of compassion (*On Revolution* 66). One of my aims in this thesis, however, is to insist on the affective elements of Arendtian authority, despite Arendt's protestations, in order to develop a model of political authority that expresses the interconnectedness of discursive norms and affective attachments in political life. The obstacles to this go beyond Arendt's repeated expressions of the dangers of emotion to political life. Arendt's theory of authority cannot simply be detached from the Kant-inspired theory of disinterested political judgment that shapes her political theory. The affective model of authority that I derive from Arendt's work plays a central role in the world-building practices that make collective, political judgment possible. Inversely, as Linda Zerilli has shown, in her book *A Democratic Theory of Judgment*, the practices of rational deliberation and argumentation also have broader, world-building effects in which their affective force plays an important role (Zerilli, *A Democratic Theory of Judgment* 39). If Arendt's work is to be of value to an account of political affect then the complicated and somewhat problematic role of affect in her political theory as a whole must be addressed.

Honig's *Public Things* shows that Arendt's work has significant potential for an account of the role of affect in politics. Unfortunately, this potential is severely limited by the theoretical exclusion of emotions from Arendt's

aesthetic account of political judgment. In Chapter 5 I will present an alternative political aesthetic based not on Kant's critical aesthetics, but on A. N. Whitehead's "Theory of Feeling." Whitehead's philosophy is far more appropriate than Kant's for building a political aesthetic that admits the importance of both rational argumentation and emotional attachments, without asserting the ultimate priority, or autonomy, of either. First though, in this chapter, I will discuss the complex role of emotion in Arendt's work, and the serious problems posed by the Kantian inheritance of her political aesthetic.

I argue that many of the most problematic elements of Arendt's political theory derive from commitments that she shares with the philosophers of the metaphysical tradition, in particular her appropriation of Kantian conceptions of disembodied and disinterested judgment. As I will show, these borrowings seriously undermine Arendt's stated commitment to plurality. Further, she appears to share the metaphysical tradition's belief in a sharp divide between cognitive (rational, active, free) and affective (irrational, passive, deterministic) experience, and in this way implicitly replicates the metaphysical dualism in which human experience, and, in particular, the experience of freedom, is discontinuous with the natural, material world. That Arendt maintains such a sharp mind-body duality in her political theory is strange considering the force of her own critique of the dualism prevalent in the metaphysical tradition from Descartes to Kant (a critique in which, incidentally, she was influenced by Whitehead's work, see *The Human Condition* 257-289). In Section 4.3 I discuss the critique that Arendt herself brings to bear on Kant, and on the metaphysical tradition more broadly, in particular her rejection of the separation between being and appearance, and of Kant's notion of a subjective "common sense" upon which aesthetic judgment depends. While Arendt's

critiques problematize these elements of the metaphysical tradition, I will show that Arendt herself reproduces these problems via her selective appropriation of Kant's metaphysics.

In Section 4.4 I discuss the impact of Kantian metaphysical commitments on Arendt's political theory, in particular with respect to her treatment of the body and the emotions, relying on the feminist critiques provided by Bonnie Honig, Linda Zerilli, Iris Marion Young and Sonia Kruks. These critiques reveal the extent to which Arendt's exclusion of the body and its passions effectively undermine the plurality that is a central commitment of her political theory. As has been noted by both feminist critics and race theorists, some of the most problematic elements of Arendt's work are related to her insistent exclusion of interest and emotion (most famously, compassion, in (*On Revolution* 73-98)) from political discourse. This provides her with the theoretical cover to put slavery in the U. S. A. to one side while celebrating "the consistent abolition of sovereignty within the body politic of the republic" (153), and later, to dismiss the "clearly silly and outrageous" demands of black students in the late sixties, in favor of the "usually highly moral claims of the white rebels" (Arendt, "On Violence" 121; Owens 417).

Despite the difficulty in maintaining an engagement with Arendt's work after the critiques of race theorists that reveal the extent to which Arendt's uncomfortably easy dismissal of the political importance of transatlantic slavery follows the pattern of the overtly racist sentiments expressed in *The Origins of Totalitarianism* (see page 206 for a particularly egregious example) and in her personal correspondence, Arendt's work continues to offer useful resources for a political aesthetic that would give proper place to the role of affects in political life. These resources cannot be properly deployed, however, unless they are disentangled from the implicit metaphysical inheritances in

her work. In Chapter 5 I attempt to provide an alternative political aesthetic derived from the philosophy of Alfred North Whitehead, thus enabling proper recognition to be given to the political role of affects while maintaining an Arendtian commitment to plurality and to a form of political judgment that is free of the determinate grounds that can so easily become grounds for coercion. I will begin here however, in Section 4.2, with an account of the role of affect in Arendt's work with the help of Bonnie Honig's account of the emotional importance of "public things" alongside my own reading of Arendtian authority as an irreducibly affective experience that is indispensable to the construction of a durable common world.

4.2 Passions and Promises

Arendt's work is probably best known for its focus on the agonistic politics of "the in-between that consists of words and deeds", in which individuals disclose themselves by "acting and speaking directly *to* one another" (*The Human Condition* 183). However, equally important is the role of human relations with things, especially with the "artificial" world of things "whose stability will endure and outlast the ever-changing movement of their lives and actions" (173). Bonnie Honig's reading of *The Human Condition* in dialogue with Donald Winnicott's object relations theory, highlights the resources that *The Human Condition* offers for understanding the role of emotional attachments to the "things" of the public domain in contemporary democratic politics (Honig, *Public Things*). When one turns to *On Revolution*, in which the principle focus is the establishment of sources of political authority that remain valid for multiple generations, the possibilities for reading Arendt's work as an argument for an affective politics increase, undoubtedly in spite of Arendt's

own intentions. In this later work, the speech acts of promising and forgiving that, in *The Human Condition*, Arendt describes as central to politics, are no longer considered sufficient to sustain the conditions for political action for present and future generations. What is needed, in the modern age, is a constitution (*On Revolution* 182). Crucial to my reading of *On Revolution* is that, in the one modern example that Arendt offers of a successful act of foundation, that is the foundation of the United States of America, she suggests that its success "was decided the very moment when the Constitution began to be 'worshipped', even though it had hardly begun to operate" (198-9).

This dependence of political action on the worship of the constitution indicates a significant change in emphasis between *The Human Condition* and *On Revolution*. In *The Human Condition*, the unpredictability and irreversibility of human action which endanger the very possibility of action in common are tempered by acts of promising and forgiveness (*The Human Condition* 237). Promising is offered as "the only alternative to a mastery which relies on domination of one's self and rule over others; it corresponds exactly to the existence of a freedom which was given under the condition of non-sovereignty" (244). To the author of *The Human Condition* however, promising itself begins to pose a threat the moment "promises lose their character as isolated islands of certainty in an ocean of uncertainty, that is, when this faculty is misused to cover the whole ground of the future and to map out a path secured in all directions" (244).

By the time of *On Revolution*, published five years after *The Human Condition*, Arendt is still convinced of the power and importance of promising and considers the power of promises, elevated to a new degree in the proliferation of compacts, covenants and constitutions in Britain's American colonies, both to have assured the success of the revolutionary war against Great Britain (*On*

Revolution 176) and to have provided the conditions for the establishment of a new, egalitarian body politic (153). Now however, Arendt states that the power of mutual promises, although sufficient to bind the colonists through their revolution, "was by no means enough to establish a 'perpetual union'" (182). More than the mere "islands of certainty" of *The Human Condition*, such a "perpetual union" would require a "higher law, . . . authoritative and valid for all, the majorities and the minorities, the present and future generations" (182). The promise of *The Human Condition* must be supplemented by a constitution, a written artefact that gives solidity and durability to the promise, not least through its capacity to operate as a synecdoche for the foundation, inspiring the sort of reverence that Roman citizens felt for the foundation of their city (198). The authority of the federal U. S. A. was established, in Arendt's view, the moment that the Constitution became an object of "blind worship" (199). This affective engagement between citizen and community provides citizens with "that measure of stability without which they would be unable to build a world for their posterity, destined and designed to outlast their own mortal lives", a measure of stability that promises and compacts alone cannot assure (182).

4.2.1 Public Things

This reading of *On Revolution* implies that, rather than owing its "origin exclusively to men's acting and speaking directly *to* one another" (*The Human Condition* 183), "the in-between that consists of words and deeds", the *The Human Condition*'s agonal public realm of politics, also depends upon an affective attachment to "a written document, an endurable objective thing, which . . . was never a subjective state of mind, like the will" (Arendt, *On Revolution* 157). It suggests that the in-between world is also constituted by

bodily affects and material things (including constitutions) that guarantee and confer permanence upon political action. It is not easy, however, to reconcile this position with many of Arendt's statements in *The Human Condition*. There, Arendt argues that "the passions of the heart" can only make their appearance in the public realm at the cost of being "transformed, deprivatized and deindividualized," losing in intensity what they gain in reality by virtue of their public recognition (*The Human Condition* 50). Arendt's public realm has no room for emotion or charm, only for great deeds of speech and action. Indeed "while the public realm may be great, it cannot be charming precisely because it is unable to harbor the irrelevant" (*The Human Condition* 52; Kant is similarly dismissive of the *uncivil* nature of charm, see *Critique of Judgement* § 13, 54).

Bonnie Honig, however, in a recent reading of *The Human Condition*, argues precisely for the importance of enchantment with the public things "around which we constellate, and by which we are divided and interpellated into agonistic democratic citizenship" (*Public Things* 36). Honig's argument requires giving much greater importance to Arendt's category of work in the constitution of public life than is found in much of the scholarship on Arendt's political theory (Patchen Markell's research is a notable exception, see "Arendt's Work: On the Architecture of the Human Condition"). Honig highlights Arendt's account of the importance of work in producing "an 'artificial' world of things" for humans to inhabit, a world that is intended to "outlast and transcend" the naturally limited human lifespan (*The Human Condition* 7). In Honig's view, this artificial world is essential to political action as it provides "public things—objects of both facticity and fantasy—[that] underwrite our collective capacities to imagine, build, and tend to a common world collaboratively" (Honig, *Public Things* 38).

Honig treats Arendt as "a kind of object relations theorist," who, in her writing on the concept of work, stresses the capacity of things "to stabilize a world fit for human inhabitation" (Honig, *Public Things* 34). Things carry out their stabilizing work precisely through their capacity to enchant. It is this that gives them the "adhesive and integrative powers" that sustain "the daily practice of preserving, augmenting, and contesting" that is central to democratic citizenship (91).

There is a striking parallel between the work of human hands in *The Human Condition* and the ongoing work of foundation and augmentation in *On Revolution*. Authority, like work, is necessary for the establishment of a durable world-in-common that enables and sustains the relations between individuals, granting them a degree of reliability in human affairs that would otherwise be lacking, and with it the mutual trust upon which common life depends. Arendt describes the modern loss of political authority as entailing "the loss of worldly permanence and reliability" (Arendt, "What is Authority?" 95), as it is authority that endows "political structures with durability, continuity, and permanence" (127). The work of foundation that makes politics possible is precisely that ongoing work to establish structures that secure the space in which agonistic politics take place. If, like Honig, one reads Arendt as a thinker who invites us "to attend to how specifically public things bind citizens into the complicated affective circuitries of democratic life" (*Public Things* 7), then a reading of Arendtian authority as a necessary affective counterpart to the performative, deliberative and rational realm of politics begins to appear plausible.

Rational argumentation by no means loses its centrality in this reading. Discursive legitimacy remains fundamental to Arendt's conception of authority. A central element of her account of authority is a description of the normative

conditions that are necessary for the foundation of authority in the modern age if this authority is to maintain its binding and motivating power for future generations. What Woodrow Wilson called "undiscriminating and almost blind worship" could never come about without the founding documents' claim to originate in the people themselves and their rhetorical evocation of equality as the founding principle of the new polity. Upon my reading, the affective elements of authority cannot arise in the absence of certain normative claims (which may vary from community to community), but equally, these normative claims are insufficient in the absence of an affective commitment to the community. The affective force of authority, in all its materiality, is inseparable from but irreducible to its normative claims.

4.2.2 Virtuous Affections and Vicious Passions

Such a reading of Arendt's work is severely complicated by her insistence that human passions are not only apolitical, but antipolitical. Honig turns to the work of Donald Winnicott to provide the missing affective counterpart to her reading of *The Human Condition* as an account of the importance of "public things" to common life. As Honig says, Arendt herself attributes the stability-conferring properties of the products of work to their physical properties, which they lend to our common world irrespective of "our attachment to them or . . . their meaning for us" (Honig, *Public Things* 46). The public passions and emotional attachments that both Honig and I argue to be of great importance to an Arendtian public realm, whenever directly addressed by Arendt, are described as at best irrelevant and at worst dangerous to politics.

As I will discuss in Section 4.4, Arendt's own prejudices, and the traces they have left in her work, as demonstrated by scholars such as Patricia Owens, Kathryn T. Gines, reveal the deceptive character of a theory of judgment

that claims to operate in the absence of interest or emotion and to provide a universal framework for public deliberation. Beyond, or better, this side of, the political implications of such claims, I contend that the metaphysical basis for the exclusion of passion from political deliberation is deeply flawed. As will be discussed further in Chapter 5, the sort of disinterested reflection demanded by Arendt is simply impossible. It is also worth asking, though, whether Arendt's theory is internally consistent. Can her exclusion of human passions from politics can be held consistent with her simultaneous assertion of the political importance of "the atmosphere of reverent awe" surrounding the U. S. Constitution?

Arendt repeatedly warns of the dangers that human passions pose to political life (*The Human Condition* 100; *On Revolution* 113). Is it really possible though, to assert a categorical distinction between these passions and the experience of "blind worship" of the U. S. Constitution, or the "religious awe" of Roman citizens (Arendt, *On Revolution* 198; "What is Authority?" 126)? Certainly, contemporary psychologists of emotion do not hesitate to classify experiences such as awe among affective phenomena (Scherer, "Which Emotions Can Be Induced By Music?" 242). Arendt herself only rarely uses the term affect, but her explicit and repeated negative descriptions of the passions, together with her approving evocation of such feelings as worship and awe, might suggest a tacit acceptance of Augustine's distinction between between "the rational virtuous affections and vicious passions" (Dixon 47). Such a distinction, however, is irrelevant in the context of Arendt's political aesthetic. In this model, valid political judgments require the establishment of "a certain distance between ourselves and the object . . . . This distance cannot arise unless we are in a position to forget ourselves, the cares and interests and urges of our lives, so that we will not seize what we admire but let it be

as it is, in its appearance" (Arendt, "The Crisis in Culture" 210). The "blind worship" of the U. S. Constitution is a far cry from the "disinterested joy" that Kant attributes to valid aesthetic judgments and that Arendt transposes directly into her political aesthetic (210, 222). It is impossible to consistently maintain both the exclusion of human passions from political life and the importance to political authority of feelings such as awe and reverence. Arendt clings tenaciously to categorical distinctions that are dear to the metaphysical tradition but which have long been abandoned in much modern philosophy and psychology. That this is so is all the more strange given Arendt's own scathing critique of the western philosophical tradition and of metaphysics in particular. In my view, the partial acceptance and partial rejection of metaphysical doctrines is a source of the most problematic elements of Arendt's political theory. I will now turn to a discussion of Arendt's critique of the metaphysical tradition before arguing, in Section 4.4, that despite this critique, Arendt fails to rid her political theory of some of this tradition's most damaging tendencies.

4.3 Arendt's Critique of Metaphysics

As discussed above, elements of Arendt's work are compatible with, and complemented by, a more expansive understanding of the public realm that acknowledges the significant role of affective experience in building and sustaining a common world. However, it is also clear that the metaphysical commitments implied by her Kantian political aesthetic are inconsistent with such an affective politics. Further complicating this question is the fact that Arendt herself is critical of many elements of Kant's work and of the philosophical tradition of which they are an important part. The inconsistencies introduced into Arendt's political phenomenology by her

selective appropriation of Kant's critical aesthetics cannot simply be dismissed by noting that Arendt's appropriation of Kant is pragmatic and does not necessarily imply a commitment to a two-world metaphysics, a political philosophy grounded in the will, or the assertion of a universal subject of knowledge. While Arendt rejects these elements of Kantian metaphysics, vestiges of a Kantian framework can still be found in many of her political principles. In Arendt's work, the distinction between the possibility of free human agency on the one hand and a deterministic natural world on the other is stark. She also exhibits great antipathy towards the body and its passions as unruly sources of disruption to a public realm constructed by and for disinterested deliberation. And this antipathy arguably leads her to replicate a dual world metaphysics by requiring the existence of a pure and spontaneous discursive domain of politics established through the constitutive exclusion of bodily and natural processes presumed to be both deterministic and inherently chaotic and disruptive.

Although impossible in a Kantian register, in Chapter 5 I will argue that an alternative political aesthetic can be elaborated that maintains the importance of argumentative reasoning without excluding the passions that are of such great importance to political life, especially in communities that recognize the productive value of agonism and plurality. Here though, I will describe Arendt's own criticisms of Kantian metaphysics and of the metaphysical tradition as a whole. I will focus in particular on the distinction between being and appearance and the related theory of common sense as a universal human faculty required to explain the possibility of agreement between subjects, through the mechanism of a shared subjective capacity to impose meaning and order upon a chaotic world.

The idea of a fundamental distinction between being and appearance

runs throughout the metaphysical tradition. It arises in Kant's work as a consequence of his constructivist theory of experience, in which knowledge is made possible by the spontaneous activity of the mind which gives form to the chaotic mass of sense data. While Kant distinguishes between things as they appear to consciousness and things as they exist independently of perception, Arendt insists that such a metaphysical distinction is not only wrong-headed, but that such claims are a symptom of a peculiarly modern crisis. Rather than presenting an alternative metaphysics, Arendt rejects metaphysics altogether, offering a phenomenological account of experience based on the "common-sense" notion that there is no essential discord between reality and appearance. It does not follow however, that the individual subject thus has unobstructed access to true knowledge of the objective world in the traditional sense of these terms. Although Arendt does not doubt that we are capable of true knowledge about the world, certainty in knowledge cannot be obtained through individual contemplation or observation. While, for Arendt, appearance constitutes reality, appearance itself is not simply the evidence of our senses, but "something that is being seen and heard by others as well as by ourselves" (*The Human Condition* 50). Only "the presence of others who see what we see and hear what we hear assures us of the reality of the world and ourselves" (50). Certainty in knowledge depends on the comparison of perspectives and therefore upon the presence of others (199). "The only character of the world by which to gauge its reality is its being common to us all" (108). This makes the comparison of perspectives the only reliable means for verifying knowledge of the world.

Although distrust in the reality of that which is presented by the senses predates even Plato's "separation of a world of mere shadowy appearance and the world of eternally true ideas" (Arendt, "Tradition and the Modern Age"

37), Arendt considers that this doctrine assumed its most damaging form in the modern epoch (*The Human Condition* 260). She considers one of the most pernicious errors of the modern age to be its radicalization of the tendency to doubt the human capacity to know the world as really is. She locates the origin of this doubt in the Copernican challenge to the geocentric world view (260). Galileo's confirmation of Copernicus' speculations constituted a "challenge to the adequacy of the senses to reveal reality", leaving us "a universe of whose qualities we know no more than the way they affect our measuring instruments (261). The immediate philosophical response was to abandon the senses as organs of knowledge and to turn to the mind as the only source of certainty (280). Descartes established an ontological distinction between res cogitans and res extensa, making the former the only substance of which certain knowledge is possible (Descartes 18). On this basis, conceptual, tautological truths such as those of mathematics become the model for true knowledge (*The Human Condition* 283) while empirical evidence must be considered at best doubtful, at worst, maliciously deceptive.

What is often remarked as Arendt's nostalgia for the pre-modern age is in large part nostalgia for a time in which people believed the evidence of their own eyes (Arendt, "Tradition and the Modern Age" 29; "What is Authority?" 93-95). While Arendt mourns the loss of faith in Europe since the middle ages, it is not the loss of faith in God that she regrets, but the loss of faith in the human capacity to know. "When the trust that things appear as they really are" is lost, ideas lose the power "to illuminate the world and the universe" that they had for Plato, becoming instead the "regulating, limiting forces of man's own reasoning mind, as they appear in Kant", before finally, after the industrial revolution, which in Arendt's view was accompanied by the absolute prioritization of social utility, becoming "mere values whose

validity is determined not by one or many men but by society as a whole in its ever-changing functional needs" ("Tradition and the Modern Age" 39-40). Since the senses can no longer be trusted, the highest ideal of knowledge becomes mathematical knowledge produced by the mind independent of empirical data. Citing Whitehead approvingly, she calls this theory, "common-sense in retreat" (*The Human Condition* 283). Indeed, retreat here seems the appropriate world as common sense withdraws from its position in the world as that which is evident (*ex-videre*) to all, to become an inner faculty that orders the sense data in a uniform manner for all members of a species. The internalization of common sense is accomplished most completely in Kant's philosophy in which subjective faculties are argued to be the source of all logical, moral and aesthetic order. As Arendt notes, in the Kantian schema, what humans "have in common is not the world but the structure of their minds" (283). For Kant, the necessary condition of possibility for agreement is not a common world but a common subjective faculty. While aiming to free humans from the doubt of radical skepticism, establishing the possibility for a limited degree of true knowledge, Arendt contends that modern metaphysics succeeded in freeing humanity "from given reality altogether—that is, from the human condition of being an inhabitant of the earth" (285).

An indispensable element in Arendt's conception of the human condition is undermined by Kant's resort to a subjective common sense to explain the commonality of experience. For Arendt, the concept of human plurality means that "we are all the same, that is, human, in such a way that nobody is ever the same as anyone else who ever lived, lives, or will live" (*The Human Condition* 8). Human plurality means that however many characteristics humans may share with their fellows, they always remain unique, occupying a singular perspective that is irreducibly distinct from that of all other humans. The

existence of a shared world makes possible the exchange of opinions and the sharing of experiences in spite of the uniqueness of each individual human perspective, but "no common measurement or denominator can ever be devised" that would make these allow the truth of falsity of different perspectives to be determined once and for all (57). The multiplicity of perspectives cannot be reduced once and for all to a final truth-beyond-appearance without doing great violence to the plurality inherent in life in common. Kant's internalization of common sense therefore runs entirely counter to Arendt's commitment to plurality. Agreement is possible for Kant because, despite the immense variability in perspectives, we are in fact all the same, all endowed with the same faculties. Disagreement can then be explained by the failure to extricate oneself from minority (Kant, "An Answer to the Question: What is Enlightenment?" 17), or by the "barbarism" of allowing one's judgments to be swayed by "charm" or "emotion" (*Critique of Judgement* § 13, 54). The price for protecting the universality and certainty of absolute truth from the threat of perspectivism is the erasure of human plurality and the establishment of standards of subjectivity to which only a small subset of wealthy white men could obtain (C. Gilligan 14).

Despite Arendt's rejection of many of the best known and most important elements of Kant's philosophy and her awareness of the danger that such a philosophy poses to a politics of plurality, it is to his work that she turns in order to elaborate a deliberative theory of political judgment. Of course, as I have suggested above, she is fully aware of the drawbacks of Kantian metaphysics and she modifies elements of his work to better support her own political commitments. However, the elements of his philosophy that she retains are themselves highly problematic. In the next section I describe Arendt's appropriation of Kant's theory of judgment and argue that this is the

source of some of the most exclusionary implications of her political theory.

4.4 Arendt's Use of Metaphysics

Arendt's appropriation of Kant's *Critique of Judgement* for her political aesthetics is clearly unorthodox (Dostal 726). To the extent that Kant developed a political philosophy, this was a practical philosophy that treated political questions from a moral standpoint, and so identified political subjectivity with the individual will that applies universal principals to decide on questions of right or wrong pertaining to particular actions, rather than with the aesthetic faculty of reflective judgment which sets out from particulars to form universalizable judgments (Bernstein 232). Arendt thoroughly repurposes Kant's critical aesthetic in an attempt to construct a political theory of agonistic deliberation. Central to this repurposing is the attempt to form a model of political deliberation that is both intersubjective and disinterested. The reflective judgment that Arendt considers appropriate for the evaluation of political questions, "judges the world in its appearance and in its worldliness; its interest in the world is purely 'disinterested,' and that means that neither the life interests of the individual nor the moral interests of the self are involved here" (Arendt, "The Crisis in Culture" 222). Although Arendt recognizes the politically harmful consequences of explaining common sense in terms of a universal subjective faculty rather than through the existence of a world in common, the implications of her insistence on disinterested judgment are no less damaging to pluralist politics.

4.4.1 The Erasure of Plurality

In the schema that Arendt borrows from Kant, aesthetic judgments are invalid whenever contaminated by interest, such as when influenced by hunger or fear. The "disinterested joy" that one feels in the contemplation of an object of beauty "can be experienced only after the needs of the living organism have been provided for" (Arendt, "The Crisis in Culture" 210). The sort of judgment that Arendt considers fit for the public realm is only possible for those that have been "released from life's necessity" (210). This model of reflective judgment, concerned purely with a mental representation, independent of any interest or with physical sensations of pleasure or displeasure, may traditionally be called aesthetic, but it is in no way affective (Kant, *Critique of Judgement* § 3, 38).[2] Kant distinguishes between objective sensation, in which the green of the meadow is represented in cognition and thus becomes an object for aesthetic evaluation, and subjective sensation, in which the agreeableness of the green is felt in the absence of cognitive representation. He holds that such agreeableness, a purposive bodily sensation, can and ought to be held entirely independent of aesthetic contemplation of objective sensations (§ 3, 38).

Perhaps the most important reason for Arendt's appropriation of Kant is his description of reflective judgment as a "*public* sense, i.e. a faculty of judging which in its reflective act takes account (*a priori*) of the mode of representation of everyone else, in order, as it were, to weigh its judgment with the collective reason of mankind" (Kant, *Critique of Judgement* § 40, 123). Although Kant suggests that this involves "weighing the judgement, not so much with actual, as rather with the merely possible, judgements of others" (§ 40, 123), as Arendt argues, "this enlarged way of thinking . . . cannot function

[2]Although contemporary Kant scholars, as well as cognitivist psychologists of emotion, now often suggest that pleasure itself should be understood a form of judgment (Ginsborg 44; Frijda 93).

in strict isolation or solitude; it needs the presence of others" (Arendt, "The Crisis in Culture" 220). In Arendt's reading of Kant, valid judgment can only be achieved through the exchange of the perspectives with others, but no matter how comprehensive the survey of perspectives, "an aesthetic judgment is not an objective or cognitive judgment", it is not apodictic (Kant, *Critique of Judgement* § 18, 67). For this reason, one cannot command the agreement of others by simply presenting the evidence supporting a judgment. Instead, "we are suitors for agreement from everyone else" (§ 19, 68).

Kant's critical aesthetic then, offers Arendt a schema for a deliberative model of intersubjective agreement (Benhabib 190) in which the validity of judgments cannot be determined once and for all through appeal to self-evident truth or universal law. It is worth noting however that for Kant, although the passage from particular to universal implied by aesthetic judgment is not apodictic, it would be possible to guarantee agreement between aesthetic judgments were we "always assured of the correct subsumption of the case under that ground" provided by the common sense (Kant, *Critique of Judgement* § 19, 68). Kant's theory of aesthetic judgment, and the political theory that Arendt elaborates on its basis, does not provide criteria to assess the correctness, that is, the content, of a judgment, but it does provide criteria for assessing the validity of its form (Schaper). The key criterion for valid judgments concerns the exclusion of all interests, emotions and bodily urges from judgment. This becomes a general theme in Arendt's political theory, one which, as many critics have shown, effectively excludes not just many judgments, but many social groups, identities, and sites of politicization from the political realm, with the end result that Arendt's commitment to the plurality, her political principle *par excellence*, is fundamentally undermined. I will return to the exclusionary tendencies in Arendt's work in Section 4.4.3,

but first I will describe the contortions that arise out of Arendt's attempt to provide an account of free human action as a worldly, tangible process, while maintaining the traditional belief in the natural and bodily processes as inevitably deterministic.

4.4.2 Disembodied Freedom and the Process Character of Action

As I will discuss further in Chapter 5, in many respects Arendt's conception of freedom corresponds closely with that of Alfred North Whitehead, but there are important differences which can be best understood by reference to Arendt's complicated relationship with the concepts of process and plurality. For Arendt, the primary condition that simultaneously enables and constrains worldly freedom is the condition of human plurality. She considers freedom to be a specifically human experience, and argues that, despite the causally determined nature of the physical world, the sheer unpredictability of action in conditions of human plurality frees it from the constraints of determinism. The utter contingency of human action also renders the idea of freedom as conformity of will and action an impossible fantasy (Arendt, "What is Freedom?" 170). Indeed, Arendt argues that any attempt to render human action predictable necessarily leads to violence (*The Human Condition* 244-5).

In Arendt's account of freedom, free action is the initiation of a new process, one that cannot simply be considered a predetermined continuation of a prior process, but also one that enters into complex interactions with countless existing processes that shape its potential outcomes. As the initiation of a new process, there is something "miraculous," something entirely unexpected, about action carried out under the condition of human plurality (Arendt, "What

is Freedom?" 170), but equally, to the extent that such action is dependent on human plurality as its condition, it inevitably drags the actor into a web of relationships that escapes their control (*The Human Condition* 234). For Arendt, the plurality that is constitutive of the human condition both makes possible the entry of the new into the world, but also guarantees that this novelty escapes human control. This theorization of freedom derives from Arendt's understanding of "the process character of action" (230). The concept of process plays a significant role in Arendt's thought, especially in *The Human Condition*, but it emerges in contrasting guises depending on which processes are in question. While her concept of political action involves an ontological description of action as a process of unpredictable, irreversible and contingent becoming (230), she considers this process to be menaced by a historically specific *conception* of process in which the modern concepts of history and nature are understood as irresistible processes which overwhelm any possibility for "wilful decisions or humanly meaningful purposes" (106). As Ari-Elmeri Hyvönen shows, Arendt's considers this conceptual "process-framing" (to use Hyvönen's term) to have played a role in European imperialism and totalitarianism as well as in the modern regime of mass consumption (Hyvönen 540-1). *The Human Condition*, then, presents an argument for the protection of the (ontological) process character of human action as a source of novelty from, one the one hand, a process-conception of history that denies the possibility of creative beginning inspired by individual human actions and, on the other hand, economic and social theories that seek to subordinate all human activity to "automatic processes" designed to meet the ends of social utility (see also "The Concept Of History" and "What is Freedom?" for variations on these arguments).

For Arendt however, the threat to the spontaneous processes of political

action does not only result from modern conceptions of history or from attempts to regulate life in accordance with automatic processes in the interests of social utility. Natural processes themselves pose a threat to political action whenever the compelling, deterministic forces of nature, in particular human bodily needs, transform the plurality characteristic of human life-in-common into the uniformity of a multiplicity of bodies driven to sustain the biological processes of life. Arendt conceives spontaneous, contingent, human action, made possible by the human condition of plurality, to be a means of escaping "the endlessly repetitive" biological process (*The Human Condition* 98). This is only possible, in her view, upon condition that action is conducted in the absolute absence of biological need.

Arendt argues that this faculty of free action is "ontologically rooted" in the fact of natality (*The Human Condition* 247). This would appear at first sight, and somewhat paradoxically, to situate the human capacity to escape to from biological determinism in the biological fact of birth. Arendt though, does not use natality to name the simple fact of birth, but to assert a specifically human temporality that is able to interrupt the circular temporalities of biological life via the "miracle" of a new human life characterized by its historicity. Although Miguel Vatter argues that the concept of natality marks Arendt's attempt to "deconstruct the 'humanist' opposition between animality and humanity based on the distinction between *zoe* and *bios*" (Vatter 148), Arendt's natality is a distinctly historical, political and human condition. While natality bears a relation to the activities of work and labor "in so far as they have the task to provide and preserve the world for, to foresee and reckon with, the constant influx of newcomers who are born into the world as strangers", it is most closely connected with action since "the new beginning inherent in birth can make itself felt in the world only because the newcomer possesses the

capacity of beginning something anew, that is, of acting" (Arendt, *The Human Condition* 9). Rather than overcoming the Aristotelian distinction between *zoe* and *bios*, by associating natality with a specifically historical human existence Arendt effectively reinstates Aristotle's division (see, for example, Ricoeur 65), fundamentally dividing the mute, ahistorical and bodily world of biological needs from the *bios politikos* (and *historikos)* in which free words and deeds establish the unique identity of the actor with their own narrative history (Cavarero 12).

Arendt's historical critique of modernity and the threat that modern process-framing of the concepts of history, nature and life poses to political action is undoubtedly valuable. It can be usefully read in analogy to a Foucauldian biopolitics in which a modern concept of life, one that originated during the development of the human sciences, alongside political economy and philology (Foucault, *The Order of Things*), becomes the object of a politics that employs statistical methods to govern the life of the population, even at the cost of the destruction of an enormous number of individual lives (*The History Of Sexuality I* 133-159). Many contemporary critics read Arendt in this manner, presenting her concept of natality as a site of resistance to the "political zoefication of life" through the proposal of an alternative, non-processual temporality (Braun 5). At various points in her work, Arendt gives support to this reading of her work as straightforwardly opposed to "process-thinking", as for instance in "The Concept Of History" when she argues that "the modern concept of process pervading history and nature alike separates the modern age from the past more profoundly than any other single idea" ("The Concept Of History" 63). However, not only does this reading ignore Arendt's understanding of both natality and action as creative moments *in* process, instead presenting them in opposition to process (as demonstrated

in Hyvönen 547), it also insufficiently distinguishes the ontological and the historical components in Arendt's argument.

While Arendt's historical critique of "automatic processes" is unequivocal, her ontological theorisation of process is deeply ambivalent. She appeals to process as the mechanism by which human freedom may exist as a "worldly, tangible reality" but sets this in direct opposition to "endlessly repetitive" biological processes from which human action strives to free itself. Her process ontology is thoroughly dualistic, as it must be in order for her to maintain a form of human exceptionalism in which freedom, although worldly, is the unique possession of disembodied human speech and action. This has important philosophical consequences. Unlike Whitehead, whose philosophy of process automatically leads to a pluralistic ontology, Arendt's more ambivalent deployment of process-thinking means that plurality and freedom must be asserted in a somewhat arbitrary doctrine of human exceptionalism, rather than arising directly out of a broader philosophical framework. Although she appeals to the concept of process in her account of the *vita activa*, Arendt, in an attempt to retain a clearly demarcated conceptual space for free political action, imposes sharp distinctions between contingent processes of human activity and deterministic natural processes. As shown above, she rejects any distinction between being and appearance, but reinstates a similar divide between the novel processes occurring between speaking, thinking and acting humans, and those to which all human and non-human matter in the universe is subject. Human action on the one hand is contingent and spontaneous, while all other activity in the universe is deterministic. Nature exists as a purely passive medium within which spontaneous human action takes place, but only on the Kantian condition that this action is completely isolated from the material bodily needs and characteristics of those engaged in such action.

However valuable her historical critique of process thinking in European modernity, Arendt's ontological argument for the possibility of spontaneous, non-causally determined processes of human origin in a universe of deterministic natural processes, relies implicitly on a two-substance cosmology to assert the possibility of a human mouth that is free when it speaks but bound when it eats. As well as being philosophically questionable, Arendt's attempt to hold free, human action distinct from the processes of the natural world and the feeling body in and through which it takes place has highly problematic consequences for any attempt to construct inclusive political practices.

4.4.3 The Exclusion of the Body

The disinterested and disembodied nature of Kant's critical aesthetic allows Arendt to construct a political aesthetic without the need to admit the disruptive force of emotions or interests into the public realm. This presumes a capacity of the mind to operate in absolute autonomy from the body that would contain it. As Sonia Kruks notes, such autonomy in unattainable because, as phenomenological thinkers such as Maurice Merleau-Ponty have shown, "our embodied orientations to the world profoundly suffuse our 'thinking'; we discover 'the body itself as a knowing-body'" (Kruks 121-2; citing Merleau-Ponty, *Phenomenology Of Perception* 475). Humans are necessarily "incarnate thinkers" (Kruks 122), we always and unavoidably "feel as we judge" (Merleau-Ponty, *Phenomenology Of Perception* 40). In the next chapter, in my attempt to provide Arendt's political theory with a more philosophically tenable, and less politically problematic theoretical basis, I will attempt to delineate a political aesthetic that draws on Alfred North Whitehead's "Theory of Feeling." Neither interest nor emotion could be excluded from a political aesthetic grounded in Whitehead's aesthetic theory, and as many feminist

critiques of Arendt's work suggest, such a loss is no cause for mourning. In her 1992 essay "Toward An Agonistic Feminism," Bonnie Honig describes the contrast in Arendt's work between "the multivocal self" and "the univocal body" (Honig, "Toward An Agonistic Feminism"). Honig describes Arendt's account of "the acting self" as a performative site of continual creation of identity that only discloses itself in action, and that always escapes determination, even and especially by the actor (220). In contrast to this, the Arendtian body is univocal, expressing only biological need and drowning out anything that might express the uniqueness or individuality of the actor (218). The body expresses simply "what" we are, which, for Arendt is of little interest, belonging only to our inner, private selves ("Toward An Agonistic Feminism" 219; Kruks 124).

> Nothing, in fact, is less common and less communicable, and therefore more securely shielded against the visibility and audibility of the public realm, than what goes on within the confines of the body, its pleasures and its pains, its laboring and consuming. Nothing, by the same token, ejects one more radically from the world than exclusive concentration upon the body's life, a concentration forced upon man in slavery or in the extremity of unbearable pain (*The Human Condition* 112).

As Honig argues, the problem with Arendt's quarantining of the body in the private realm ignores the potential for the body itself to become a site of politicization ("Toward An Agonistic Feminism" 216), even a site of the performative production of identity that is no less expressive than political speech (Honig, "Toward An Agonistic Feminism" 222; Butler, *Gender Trouble*).

Conversely, Arendt also ignores the extent to which the body is always already, political, "always enculturated" (Young, *On Female Body Experience* 17). As Kruks argues, "attending to embodied qualities of the self" requires complicating Arendt's conceptualization of judgment since "our styles of

engaging in political deliberation and judgment are always inflected (while not determined) by how we each embody and express our (often unchosen) social identities" (Kruks 122). While Arendt argues that in public deliberation we must express who and not what we are, what we are influences both our styles of expression and the way that others respond to words expressed. It is not so easy to disentangle bodily "whatness" from enculturated "whoness", not least because we are not alone in deciding who and what we are. As women in many walks of life can testify, simply being a woman very often makes it far harder both to speak and to be heard, and thus, in Arendt's terms, to express who one is. This includes those women who appear to have broken through the glass ceiling, such as academics at elite universities and members of parliament (C. Gilligan; Childs). Such experiences were identified in the some of the canonical texts on race and gender (De Beauvoir; Fanon), and have since been thoroughly documented by scholars of trans issues and those working in race, gender and disability studies (Alcoff 189; Lennon and Alsop; McRuer). The who and the what are irrevocably interlinked. As Sonia Kruks points out, "certain styles of embodied voice, particularly those consonant with the symbolic expression of norms of masculinity—and, indeed, of white and upper-class masculinity—are likely to command greater attention and be more persuasive" (Kruks 124). Whenever someone attempts to bring their disinterested judgments into the "market place" of public deliberation, thus expressing their "who", they inevitably also signal their "what", through their qualities of speech and innumerable other markers of social and bodily identity.

As Iris Marion Young has argued, the body is an essential locus of intentional engagement with the world but also, for some socio-biological configurations more than others, a potential inhibitor of intentional action (Young, *On Female Body Experience* 35). Contrary to Arendt's Kantian

dismissal of the agentic capacities of the body, Young, in her accounts of female bodily experience, shows such "inhibited intentionality" to derive not from the impingement of the body upon the agent's free action, but from the "alienated objectification" of the body that inhibits the experience of the body as the locus of intentional, embodied subjectivity (51). In Young's work, the paradigm for subjective experience is not the rational subject, but the pregnant body (46-61). As for Alfred North Whitehead, the "withness of the body" is an irreducible element in Young's account of subjective experience (A. N. Whitehead, *Process and Reality* 312). Twentieth and twenty first century research in gender, race and queer theory has made clear the extent to which the lived body of subjective experience is always simultaneously expressive of both the who and the what of the individual.

The irreducible expressiveness of the body makes Arendt's requirement that political judgment "liberate itself from 'subjective private conditions'" ("The Crisis in Culture" 222) an impossible demand. Furthermore, as Linda Zerilli shows, Arendt's problem with the body is not only that she considers it mute, nor simply that she considers its sheer facticity to be beyond political contestation, but also and especially that she fears the body's capacity to "engulf" or "devour" the world built for and by free collective action (Zerilli, "The Arendtian Body" 171; Arendt, *The Human Condition* 100; *On Revolution* 113). The Arendtian body is "grotesque, mute, oral, desiring, and engulfing . . . the space where the Word fails" (Zerilli, "The Arendtian Body" 177). Arendt considers the body a mass of deterministic but inscrutable natural processes that must be left at the door when the individual enters the political realm. If instead the needs of the body are allowed to enter into public life, Arendt argues, then the incommunicable urgency of needs demanding immediate satisfaction will overwhelm all other considerations. In

her view, this is exactly what happened during the French Revolution, with the result that "freedom had to be surrendered to necessity" and it was this necessity, "the urgent needs of the people, that unleashed the terror and sent the Revolution to its doom" (*On Revolution* 60).

4.4.4 Compassion and Race

The "argumentative reasoning" necessary to political life is threatened even by the "noblest" passions, such as compassion (*On Revolution* 87, 95). For Arendt, compassion, like love, destroys the in-between space constructed by and for words and deeds. This is the unique space of politics in Arendt's account, a space reserved for the "predicative or argumentative speech" that she claims is silenced by the "passionate intensity" of compassion (*On Revolution* 86; see also *The Human Condition* 242). The implications of this position are shocking. While *On Revolution* includes a passage in which Arendt wonders at the founders' utter lack of compassion for the black slaves whose suffering made possible the establishment of the new body politic (*On Revolution* 71), compassion becomes *politically* relevant in Arendt's discussion of the eighteenth century revolutions, only when she comes to discuss the important role that compassion for France's impoverished masses played in the French Revolution's descent into terror (79).

When reading *On Revolution*, it is clear that Arendt does not believe that human suffering is unimportant, nor that slavery, institutionalized violence or economic subjection are acceptable. Racial equality, the eradication of poverty and institutional violence are all prerequisites for sustainable political communities, in the Arendtian sense, in the modern age. She does not believe that these are political questions in themselves however, for the simple reason that these subjects are not amenable to dispassionate deliberation. For Arendt,

equality and the elimination of poverty are necessary preconditions to politics, but are not themselves political issues, nor is the struggle against these a political struggle.

The most eloquent rebuttal of Arendt's position is given, in my opinion, by Frederick Douglass in his address of 1852 entitled "What to the Slave Is the Fourth of July?" There is no sense in which Douglass's judgment of the annual fourth of July celebrations could be considered disinterested. Douglass advances his judgment on "this day and its popular characteristics from the slave's point of view" (Douglass 86). He gives an impassioned denunciation of hypocrisy driven by compassion for those, on a day of "national tumultuous joy", "whose chains, heavy and grievous yesterday, are today rendered more intolerable by the jubilant shouts that reach them" (85). Douglass denounces, he does not argue, for "where all is plain there is nothing to be argued" (86). The justice of the case against slavery is irrefutable such that "convincing argument" is redundant, what is needed is "scorching irony" to awaken the nation to what is surely self-evident, "that for revolting barbarity and shameless hypocrisy, America reigns without a rival" (87-8).

While Arendt accepts that the institution of slavery was an enabling condition for the establishment of the U. S. A. (*On Revolution* 71), she would deny the political relevance of a speech such as Douglass's. Surely to exclude such passion would exclude the force that motivated generations of abolitionists and civil rights activists, and continues to motivate defenders of black rights and black lives today. It is true, however, that this very same argument could be presented in defense of Arendt's position. The durability of the institution of slavery perhaps demonstrates the capacity of "undiscriminating and almost blind worship" to entirely blind patriots to slavery's abject criminality, despite is flagrant contradiction of the founding principles of the U. S. A. Not only

was the foundation of a republic built on the ideal of the self-evident equality insufficient to ensure the abolition of a self-evidently abhorrent practice such as slavery, or to ensure the extension of unalienable rights to the continent's women or native inhabitants, the rituals of worship that took the foundation and its Constitution as their object were able to successfully obscure the absurd hypocrisy of slaveholder democracy for decades.

Indeed, there is perhaps an extent to which "the blind and almost undiscriminating worship of the Constitution has its effect on Arendt too. In order to make her "idealised version of the American republic" (Owens 417) a model for non-sovereign authority grounded in equality, Arendt actively devalues the political importance of slavery at the time of the revolutions, a time when abolitionism was growing in importance on both sides of the Atlantic (Sinha 98). For reasons other than those of Arendt, I too would argue that the foundation of the U. S. A. is paradigmatic of authority in the modern age. The establishment of authority was indeed enabled by discourses of self-evident equality and individual and collective freedom, but this authority also successfully obscured the partiality of those discourses. Just as blind worship can lend authority to institutions that enshrine equality and freedom, so to can it lend authority to those same institutions that rest on slavery, enabling the annual "jubilee" of white self-congratulation to drown out "the mournful wail of millions" (Douglass 85). If the eloquent compassion of Frederick Douglass was able to highlight hypocrisy, so the passionate racism of many white citizens blinded to this hypocrisy.

This moral critique of political aesthetics cannot be neglected. There can be no doubt that a theory that argues that affective attachments are central to political engagement must be ready to concede that this model cannot provide any guarantee that the passions that make themselves political will be

virtuous. The answer, however, is not a sharp categorical distinction according to which one proclaims that where equality is lacking, or where violence is present, there is no politics. Such proclamations are worthy, but whenever awareness of inequality, coercion or violence is imperfect or contingent, as it surely always is, then such formulations serve either to make egalitarian politics an impossible dream, or to enable the establishment of political settlements based on concealed violence and unconscious prejudice. In fact, Arendt's conception of foundation as an ongoing work of augmentation provides one model by which problems of structural violence can be confronted. Rather than communities founded on declarations of self-evident equality, communities must engage in an ongoing project to reveal hidden inequalities and eliminate implicit coercion. No political theory—rationalist, aesthetic, deliberative—can can guarantee the exclusion of racism, violence or coercion, from political life. The only protection is precisely the sort of ongoing work that Arendt makes central to her extended notion of political foundation.

This is a project without end but the only alternative, as I see it, is a rationalist model that is quite simply blind to the concealed prejudices of whichever group regulates the criteria for valid rationalist discourse. Unfortunately, Arendt's exclusion of interest and emotion from the political realm fundamentally undermines the possibility for confronting problems of structural violence and racial and sexual exclusion. Worse, several scholars have shown that Arendt herself offers an example of just this kind of unexamined prejudice and have highlighted how this prejudice colored her theorizing. Patricia Owens shows that Arendt's apologia for America's slaveholder founders enabled her to base her theorizing on a form of American exceptionalism in which what Arendt called the "Negro question" was "severed from its colonial and imperial origins" (Owens 422). Rather than an isolated theoretical manoeuvre in which Arendt

distances the U. S. A. from European colonialism, “the one great crime in which America was never involved” (Owens 415; citing Arendt, “Reflections on Little Rock” 46), Owens argues that there exists an intimate connection between Arendt’s vindication of the U. S. A. and her overtly racist descriptions of European encounters with Africans in *The Origins of Totalitarianism* (Owens 422). From this standpoint, Arendt’s distinctions between the human and the natural, the political and the merely bodily, life and world, no longer seem merely problematic, but “racist and colonial to the core” (423).

As Owens notes however, even if one considers Arendt’s racism, as expressed most fully in *The Origins of Totalitarianism*, “On Violence,” and in her personal correspondence, to have influenced her work throughout her lifetime, it is important nonetheless not “to miss what Arendt got right,” nor to “forego certain insights that Arendt too was unable to imagine, but nonetheless might inspire in others” (Owens 423). One of the aims of my project is precisely to preserve those things that, in my view, Arendt got right, while attempting to separate them from the elements that are either philosophically or politically untenable, or downright repulsive. At the root of many of the most problematic elements of Arendt’s political theory is the exclusion of emotion that countless scholars have condemned. In this thesis I attempt to demonstrate the philosophical untenability of this position, but I also argue that it is possible to reconstruct a somewhat Arendtian model of authority in which the irreducible plurality of bodily experiences is respected and in which affective attachments play a crucial role.

4.5 Conclusion

Arendt's work on authority and on the construction of a common world that provides a durable framework for political action can be overhauled to provide the basis for a political aesthetic that gives full recognition to the political importance of affective experience. Whether this involves asserting the importance of emotional attachments to the world of things in interpellating individuals into agonistic democratic citizenship (Honig, *Public Things* 36), or maintaining that it is the affective nature of the "worship" of the authoritative ground for a political community that gives that community the force to bind and motivate participation over the long term, it makes clear the value of affective experience in sustaining political action, while also recognizing the dangers presented by such political affects, (Bargetz). Such a reading aims to retain Arendt's commitment to plurality and to agonistic politics, as well as her argument for the central importance of a world in common as a prerequisite for political action. Authority is a central component in sustaining this common world and I contend that if the affective element of experience is truly irrelevant in the public realm, as Arendt argues, then neither authority nor the world of things are capable of doing the work that Arendt demands of them.

An affective reading of Arendt's work aims to overcome the shortfalls of Arendt's insistence that political action must be solely concerned with direct speech, "without the intermediary of things or matter" (*The Human Condition* 7, 183) and liberated from "subjective private conditions" ("The Crisis in Culture" 220). Arendt herself offers a critique of some of those features of the metaphysical tradition that run counter to an attempt to build a pluralist and agonistic political theory, including for example, the theorization of "common

sense" as a subjective faculty, but by retaining the metaphysical dogma of disinterested, disembodied experience and making such experience central to her political theory, Arendt retains some of the most politically deleterious doctrines of the metaphysical tradition.

The exclusion of interests, passions and bodily needs from politics, far from ensuring that deliberation can proceed in a rational and objective manner, simply guarantees that the interests of those who adjudicate on the norms of dispassionate speech, that is those who already hold social privilege, will be recognized as politically, universally relevant, while the interests of the underprivileged will be discarded as private concerns, lacking general validity and unfit for the market place of rational exchange (Arendt, "The Crisis in Culture" 220; Young, "Communication And The Other" 124; Kruks 124-125).

I contend then, that Arendt's appropriation of Kant's critical aesthetic creates serious problems for her political theory. The critical aesthetic carries with it conceptual baggage that significantly undermines that part of her project, so central to *The Human Condition*, committed to elaborating an agonistic pluralism that refuses to evaluate political judgments with non-political criteria. The central thesis of the next chapter is that Alfred North Whitehead's metaphysics provides a more consistent, and less problematic basis for a political aesthetics. Unlike Kant's aesthetic theory, Whitehead's "Theory of Feeling" leaves space for the elaboration of a theory of political deliberation without eliminating plurality or asserting universal criteria for the validity of judgment. Whitehead's metaphysics also offers support to Arendt's assertion of the unity of being and appearance, the irreducible perspectivism of experience, and the existence of freedom as a worldly reality. The price for this, as Arendt would see it, is that it is no longer possible to coherently exclude interest or emotion from political deliberation, as these are central,

not only to judgment, but to all experience. This has important consequences for political aesthetics and, as I hope to have shown in this chapter, is in fact no loss at all.

Chapter 5

A Whiteheadian Political Aesthetic

5.1 Introduction

This chapter aims to demonstrate the suitability of Alfred North Whitehead's "Theory of Feeling" as a basis for a political aesthetic that supports the sort of agonistic pluralism championed by Hannah Arendt. Whitehead's metaphysics of experience provides an alternative to the Kantian conception of experience that Arendt both rejects and instrumentalizes in her political theory. The development of an Arendt-inspired political aesthetic grounded upon Whitehead's metaphysics is the principal original contribution of this thesis. In Chapter 3, I described Arendt's political theory and her use of Immanuel Kant's critical aesthetic to provide a framework for intersubjective agreement in the absence of an external standard. However, as discussed in Chapter 4, some of the features that Arendt borrows from the metaphysical tradition introduce severely problematic elements into her political theory, while others are simply incompatible with Arendt's phenomenological standpoint, particularly her

faith in the senses to disclose the world in its actuality. Here, I will argue that a Whiteheadian political aesthetic avoids or resolves the most problematic aspects of Arendt's political theory.

Kant introduces his notion of common sense to explain the apparently universal claim of aesthetic judgements (*Critique of Judgement* § 21, 69) and claims that, despite the absence of an *a priori* standard of truth against which such judgements can be measured, "quarreling" [*streiten*] over the content of aesthetic claims is nevertheless a meaningful activity with the potential to lead to agreement. This argument concerning the meaningfulness of argument in the absence of a determinate concept provides the basis for Arendt's model of agonistic political deliberation as a process of striving for intersubjective agreement in the absence of absolute standards for truth or rectitude. Kant however, as a result of his conceptualization of common sense as a universal, subjective capacity, goes on to claim that although the content of aesthetic judgments is not based on determinate concepts, if the judgment is correctly subsumed under the principle of common sense, that is, if aesthetic judgments have the proper form, then universal assent could be expected and demanded (§ 19, 68, § 22, 70). This position is sharply at odds with Arendt's commitment to political pluralism. Arendt rejects Kant's claim that the grounds for agreement lie in the structures of the mind. Her position is fundamentally perspectivist. There can be no universal subjective ground for necessary agreement. Agreement in judgment depends above all on the existence of a common world (*The Human Condition* 58).

As I argued in Chapter 4, the Kantian notion of a subjective common sense is antagonistic to the Arendtian notion of plurality. However, while Arendt rejects Kant internalisation of common sense, she retains the criteria that Kant imposes on the *form* of aesthetic judgments, by which the proper

subsumption of these judgments under common sense can be assured. That is, while privileging the notion of a common world over that of a common sense, Arendt nonetheless insists that politico-aesthetic judgments must satisfy the Kantian criterion of disinterestedness. They must be entirely detached from material (worldly) needs or desires in order for the subjective faculty to function correctly and so for agreement to be possible. Arendt, then, while she rejects the subjective basis of common sense, maintains the concomitant criterion of disinterestedness that is so antagonistic to human plurality.

In his relational process ontology, Whitehead has no need for a subjective common sense to explain agreement. He shares Arendt's faith in the basic reality of appearances and in the compatibility of a perspectivist epistemology with reliable human knowledge. Furthermore, far from imposing disinterestedness as a criterion for valid judgment, Whitehead insists that there can be no disinterested judgment, indeed, no experience that is not accompanied by affective *concern* for the object of judgment (A. N. Whitehead, *Adventures of Ideas* 176; *Modes of Thought* 8-9). Although there are important difficulties in bringing Whitehead's metaphysics into conversation with Arendt's political theory, I believe that Whitehead's philosophy provides a much sounder basis for political aesthetics, one that resolves many of the more problematic elements of Arendt's political theory.

Kant's critical aesthetic creates serious problems for Arendt's political theory. It carries with it conceptual baggage that Arendt herself explicitly rejects, while significantly undermining that part of her project, so central to *The Human Condition*, that is committed to elaborating an agonistic pluralism that refuses to evaluate political judgements according to non-political criteria. The central aim of this chapter is to demonstrate that Alfred North Whitehead's metaphysics provides a more consistent and less problematic basis for an

Arendt-inspired political aesthetic than Kant's theory of aesthetic judgment. Unlike Kant's aesthetic theory, Whitehead's "Theory of Feeling" leaves space for the elaboration of a theory of political deliberation without eliminating plurality or asserting universal criteria for the validity of judgment. While Kant's theory offers useful ingredients for conceptualizing intersubjective agreement, it makes this agreement dependent upon unrealistic and problematic demands to exclude all material interest from the practice of judgment.

Whitehead's metaphysics has little to say about processes of deliberation or intersubjective agreement, but it does offer support to Arendt's phenomenologically inspired assertion of the unity of being and appearance, the irreducible perspectivism of experience, and the existence of freedom as a worldly, tangible and necessarily conditioned reality. Most importantly from my perspective, if not from Arendt's, a Whiteheadian political aesthetic is far more suitable for theorizing the political importance of affect and, as I will discuss more fully in Chapter 6, for elaborating an explicitly affective theory of authority.

In Section 5.2 of this chapter I describe Whitehead's theory of feeling, in which he asserts the *emotional* basis of all experience (A. N. Whitehead, *Process and Reality* 162). Whitehead's theory rejects the "bifurcation of nature" prominent in western philosophical thought since Descartes (Descartes 18), and argues for the purposive, intentional, and essentially interested nature of all experience (A. N. Whitehead, *Process and Reality* 85). In Section 5.3, I discuss the implications of Whitehead's philosophy for an Arendtian political aesthetic, particularly with regard to the notions of perspectivism, plurality and freedom. There are a surprising number of parallels between Whitehead's philosophy and Arendt's political theory. Whitehead's ontological perspectivism corresponds well with Arendt's account of the *political* grounds for certainty in knowledge (see Section 5.3.1). What's more, both Whitehead and Arendt elaborate an

account of freedom as a tangible (rather than noumenal) reality that relies on a form of process philosophy. In Section 5.3.2, I show how Whitehead's process theory gives rise to a theory of freedom that strongly resembles Arendt's but avoids the confusion introduced by her adherence to certain vestiges of traditional metaphysics. As discussed in the previous chapter (in Section 4.4.2), Arendt's attempt to retain human exceptionalism with respect to freedom leads her to effectively repeat Kant's dualism by excluding embodied life from the experience of freedom. Arendt's gesture here duplicates the exclusion of the bodily interests from political deliberation. In Section 5.3.3 I will show that such an exclusion is impossible in a Whiteheadian schema. Finally, in Section 5.4, I present a conception of political judgment as it arises out of Whitehead's metaphysics. As will become plain, such a conception differs in important respects from the Kantian model of disinterested judgment proposed by Arendt. Most importantly, I argue that it is only through a full recognition of the role of feeling in political deliberation that political judgments can become not just intellectual evaluations, but *reasons for action*.

5.2 A. N. Whitehead's Theory of Feeling

Immanuel Kant begins his *Critique of Pure Reason* with "The Transcendental Aesthetic" in which he describes the means by which objects are given to cognition by the senses. For Kant, no experience is possible unless representations are presented to the mind for cognition. "The capacity (receptivity) to acquire representations through the way in which we are affected by objects is called sensibility" (Kant, *Critique of Pure Reason* A19/B33). Sensation is the effect of an object upon "the capacity for representation" and gives rise to an "empirical intuition" whose as yet undetermined object is

called "appearance" (A19/B33). Kant immediately distinguishes between two elements of appearance, its "matter," corresponding to the physical sensation and given *a posteriori*, and its "form," which is that which allows it "to be intuited in certain relations" (A20/B34). Although the matter of the appearance is given by the senses, "its form must all lie ready for it in the mind *a priori*, and can therefore be considered separately from all sensation" (A20/B34). The remaining pages of "The Transcendental Aesthetic" are concerned with the pure, *a priori* forms of sensible intuition, namely space and time, through which representations are constructed and presented to the mind for cognition.

This transcendental aesthetic, which makes up 15-20 pages of the *Critique of Pure Reason*, describes the receptive faculty of affection, or sensibility, through which particular, sensible representations are presented to the mind. The remaining several hundred pages describe the cognitive operations through which the spontaneous faculties of the mind construct experience out of the representations provided either by sensibility or by imagination. "The Transcendental Logic" describes the spontaneous faculty of understanding, the faculty for bringing forth conceptual representations independent of empirical experience. This is followed by "The Transcendental Dialectic" in which Kant prescribes the proper limits for the synthesis of concepts by the faculty of reason (*Critique of Pure Reason* A304/B361). The fundamental faculties of receptivity and spontaneity contain under them faculties of sensibility, understanding and reason, which are further supplemented by the faculties of judgment and imagination, each of which plays an important role in the functioning of understanding and reason. In his *Critique of Practical Reason*, Kant further discusses willing as the faculty of desire, before returning to the faculty of judgment, in the *Third Critique*, to discuss those instances in which

judgment is required to operate in the absence of a determinate conceptual ground, that is, in the absence of a necessary rule, principle, law or maxim given by the faculty of understanding by which the object may be determined (Nuzzo 10).

Whitehead celebrates Kant's "conception of an act of experience as a constructive functioning" (A. N. Whitehead, *Process and Reality* 156), as an important innovation in modern philosophy. Rather than considering experience simply as the direct result of sense-perceptions mediated by the sensory organs of the body and given in the immediate present (177-8), Kant gives subjective cognition a constitutive role in the occasion of experience. He thereby overturns the "sensationalist doctrine" that Whitehead attributes to David Hume and John Locke, among others, in which experience is conceived as "an interpretative reaction wholly derivative from . . . perception" (*Adventures of Ideas* 178; see also *Process and Reality* 57). While he overturns the "sensationalist doctrine" of the empiricist tradition, however, Kant maintains that tradition's assertion of "the radical disconnection of impressions *qua data*" (*Process and Reality* 113). This leads Kant to conceive "the act of experience as constructive functioning," as the unilateral imposition of subjective form upon mute, impassive and chaotic data.

While Kant claims that the subject spontaneously deploys the categories of understanding to construct the object of experience out of the morass of sense-data, Whitehead considers neither subject nor object to be prior to the occasion of experience. Instead, both subject and object arise out of the occasion of experience, not as timeless, independent entities, but as subject and object of *this* occasion, existing as subject and object only in the instant of this occasion. This is a significant departure from Kant's subject of knowledge as the enduring, cognitive locus of experience, applying the categories of

the understanding in order to construct an object of knowledge out of the morass of sense data. Although Whitehead considers Kant's Transcendental Aesthetic to have broken important new ground in establishing the notion of construction, he criticizes Kant's "obsession" with the "mentality of intuition" (A. N. Whitehead, *Process and Reality* 139) which led him to attempt to explain the whole of experience through an elaborate faculty-psychology that privileged universal (synthetic, *a priori*) knowledge, independent of particular embodied experiences, over all other forms of experience. This "neglect of bodily reference", that Whitehead considers common to almost all philosophy since the eighteenth century (*Nature and Life* 29) is a symptom of what he calls the "Fallacy of Misplaced Concreteness" in which the relatively clear experiences offered by conscious cognition are mistaken for the concrete basis of all experience, rather than recognized as simplified abstractions from the much less conceptually structured feelings that constitute the most concrete elements in experience (*Science and the Modern World* 52; *Process and Reality* 18).

For Kant, the empirical intuition of an appearance, derived from sensation and presented to conscious experience, that is, the Transcendental Aesthetic, forms a brief prolegomenon to a theory of experience. The appearance of the object before consciousness is understood as the uncontroversial ground for experience rather than, as it is for Whitehead, a final, and by no means necessary stage in a complex process of physical and conceptual feeling in which both subject and object are mutually formative. For Whitehead, the metaphysics of experience as such begins and ends with a "critique of pure feeling" which "supersedes" not only the *Critique of Pure Reason*, but also Kant's subsequent *Critiques* (*Process and Reality* 113).

Whitehead follows the metaphysical tradition in asserting that the subject-

object relation is the "fundamental structural pattern of experience", but neither subject nor object pre-exist the occasion of experience. Thus the "actual entities" of Whitehead's cosmology are not subjects or objects, but occasions of experience, the constantly changing relations out of which subjects and objects arise in an ongoing process of becoming and passing on. Actual entities (in *Science and the Modern World* Whitehead calls these "events") are the "substance" of Whitehead's philosophy. This substance is nothing more than "experience, complex and interdependent" (*Process and Reality* 18-19). Of course, this requires a far broader understanding of experience than that which is operative in Kant's writings. While Kant equates experience with conscious, "empirical cognition" (*Critique of Pure Reason* B3, A125, B148, *passim*), for Whitehead, "conscious discrimination . . . is a variable factor only present in the more elaborate examples of occasions of experience" (A. N. Whitehead, *Adventures of Ideas* 175-6). Experience, in Whitehead's terms, is a compound of physical and mental processes. Not only does it extend beyond human consciousness, it extends to cover all interactions, human and non-human, although, "when we pass to inorganic actual occasions", the mental phase, " so far as our observations go, [is] negligible" (*Process and Reality* 177).

Whitehead states that he has, "with Locke, tacitly taken human experience as an example upon which to found the generalized description required for metaphysics" (*Process and Reality* 112). David Ray Griffin calls Whitehead's philosophy "panexperientialism", and argues that it provides a means of resolving what David Chalmers calls "the hard problem of consciousness", that is, the question of how something like experience can arise out of physical processes (Chalmers), and indeed, how such nonphysical things as aesthetic and moral norms can affect physical bodies (Griffin 58; Chalmers). The generalization of the notion of experience is central to Whitehead's rejection of both dualism and

materialism, and to his "protest against the 'bifurcation' of nature" that results in the philosophical "separations of perceptual fact from emotional fact; and of causal fact from emotional fact, and from perceptual fact; and of perceptual fact, emotional fact, and causal fact, from purposive fact; (*Process and Reality* 289-90). Whitehead is committed to a "one-substance world" in which there is no fundamental difference in nature between mental and corporeal facts (6), such that any explanation of conscious human experience must be possible in terms of categories applicable to all occasions, human and inhuman, organic and inorganic. This is consistent with the thoroughgoing empiricism that, as discussed in the introduction, many contemporary commentators ascribe to Whitehead. As will become more clear in what follows, this is a radical empiricism in the tradition of William James and John Dewey rather than a return to the pre-Kantian empiricism of Hume and Locke.

5.2.1 The Occasion of Experience

In Whitehead's metaphysics then, "'actual entities'—also termed 'actual occasions'—are the final real things of which the world is made up. There is no going behind actual entities to find anything more real" (A. N. Whitehead, *Process and Reality* 18). These actual entities are simply "drops of experience" (18). The substance of Whitehead's theory is the occasion of experience, a relation out of which arises the subject and object of *this* relation. No sooner does this subjective experience come into existence as actual entity than it perishes, losing its "subjective immediacy", but gaining "immortal objectivity" as an objective element in a future occasion of experience (29). The subjective experience of the past becomes an objective datum in the present occasion of experience.

Rather than conceiving the occasion of experience as a relation between

knower and known, Whitehead contends that "the basis of experience is emotional" (*Adventures of Ideas* 176), a relation of a feeling, "received as felt elsewhere in another occasion and conformally appropriated as a subjective passion" (A. N. Whitehead, *Process and Reality* 162). He takes great pains to demonstrate the constructive functioning of both subject and object in this relation. In *Adventures of Ideas*, he describes "the occasion as subject" as having a "'concern' for the object . . . [which] places the object as a component in the experience of the subject, with an affective tone drawn from this object and directed towards it" (*Adventures of Ideas* 176). In the language of *Process and Reality*, this concern is described as a "subjective aim" which conditions the process of experience (*Process and Reality* 24), the *how* of feeling, as opposed to the *what* (*Process and Reality* 41; *Adventures of Ideas* 176-7). The subjective aim contributes to the determination of the occasion and operates with respect to the quantum of indeterminacy that inheres in any occasion. In the final determination of an occasion as the *what* that it becomes, in addition to the causal determinations of its objective parts, there exists a "remainder for the decision of the subject-superject" through which the "final modification of emotion, appreciation, and purpose" bears on *how* the actual entity becomes (*Process and Reality* 28).

Whitehead's extension of subjectivity beyond the domain of human consciousness is provocative. It gives centre stage to intentions, purposes and aims, all of which, by the time Whitehead was writing, had long been banished from the lexicon of modern scientific disciplines which had rejected the notion of final causation. Whitehead rehabilitates this concept. He does not hesitate to claim that an actual entity, in its subjective immediacy, possesses final causation. Only when the entity passes into "objective immortality," as a potential object in a future occasion of experience, does it lose final causation and instead

become efficiently causal (*Process and Reality* 29). As Paul Stenner shows, Whitehead insists that final causes—aims, purposes, designs—as undeniable elements of experience, cannot be excluded from an adequate account of experience (4). Such an exclusion, although productive in the physical sciences, "is the result of a selective abstraction" (Stenner, "A. N. Whitehead and Subjectivity" 96), and cannot be maintained in a general account that intends to encompass all modes of experience. Unquestionably, aims, purposes and ends have an important place in ethology, and an adequate one-substance cosmology cannot exclude them any more than it can exclude subjectivity or consciousness. Whitehead accepts that the role of subjectivity is negligible in the vast majority of "experiences," but insists that his account must be adequate to the whole of experience without the "bifurcation" of nature into "irreconcilable subjective and objective aspects" ("A. N. Whitehead and Subjectivity" 90; A. N. Whitehead, *Process and Reality* 289; see also Stengers, "A Constructivist Reading of *Process and Reality*" 51). As John Dewey describes Whitehead's account of the subject-object relation, "in every actual occasion the relation is found; each occasion is subject for itself and is reciprocally object for that which 'provokes' it to be what it is in its process" (Dewey 172).

Whitehead describes all experience as having two poles: a physical pole made up of corporeal interactions, and a mental pole, which is constituted by a subjective (though not necessarily cognitive) act of valuation of the datum and by the subjective aim which influences this valuation (*Process and Reality* 26, 104). This subjective pole is elided in the accounts of affection of Hume and Kant, for whom experience begins with the conceptual registration of passively received physical sensations (248), but it is this subjective valuation that introduces novelty into the occasion of experience. All occasions without

exception contain some small degree of novelty. Pure repetition without difference is impossible simply because no matter how similar the repeated instance may appear, it will always differ from the antecedent by virtue of the fact that it contains its antecedent in its past as its inheritance (Allan, "A Functionalist Reinterpretation of Whitehead's Metaphysics" 337). Furthermore, the development of quantum theory demolished the Newtonian conception of a causally determined and theoretically predictable universe (330). For Whitehead though, true novelty arises from the subjective valuation that "introduces creative purpose" through the subject's participation in the determination of its own emergence (*Process and Reality* 248).

The occasion of experience involves the coming together of entities whose "physical prehension", the act of physical feeling, is purely causal (*Process and Reality* 239). This coming together, however, also includes and induces conceptual feelings which qualitatively condition the occasion, influencing the selection among more or less relevant aspects of the datum, and thereby adding an element of self-determination to the emergence of the subject (245). As with Whitehead's use of "experience," the term "conceptual," as employed here, must be understood broadly. Conceptual does not mean conscious, cognitive or discursive as Kant uses these terms. Pleasure-pain responses, for example, may be considered conceptual evaluations. Such conceptual evaluations are therefore not the sole privilege of human beings, but are to be found in many animal species. As mentioned above however, Whitehead states that when "inorganic actual occasions" are considered, the conceptual or subjective element, the "mental pole," is negligible. For this reason, inorganic actual occasions are "merely what the causal past allows them to be" (177).

5.2.2 Facts and Values

Whitehead's association of subjectivity with creativity and novelty does not simply return us to an empiricist position in which creative subjectivity evaluates "brute, value-free" physicality (Stenner, "A. N. Whitehead and Subjectivity" 95) as a "passive support" presented to the mind for interpretation (A. N. Whitehead, *Nature and Life* 6; *Process and Reality* 48). The "sensationalist doctrine" common to the British empiricists makes the present sensations the basis of experience. For Whitehead though, "sense-perception, despite its prominence in consciousness, belongs to the superficialities of experience" (*Adventures of Ideas* 280). A focus on sense-perception in the immediate present leads to an analysis of experience in terms of the progressive qualification of sensa by the application of universals by which the object is identified. In contrast, Whitehead contends that "the individual, real facts of the past lie at the base of our immediate experience in the present. They are the reality from which the occasion springs" (280). The present sensa provide only a fraction of the data for experience alongside an inheritance from the past that may include "sensitive nerves, the functionings of our viscera, disturbances in the composition of our blood" (189), but also moods, intentions, beliefs or knowledge. "The feeling as enjoyed by the past occasion", with all its bodily and conceptual elements, "is present in the new occasion as datum felt" (183). This inheritance, "the reality from which the occasion springs" is also

> the reality from which it derives its source of emotion, from which it inherits its purposes, to which it directs its passions. At the base of experience there is a welter of feeling, derived from individual realities or directed towards them (*Adventures of Ideas* 280).

As William Dean points out, for Whitehead, as for the radical empiricists

William James and John Dewey, the qualities and qualifications of experience are unavoidably particular, each one "an individual 'It' with its own significance" (A. N. Whitehead, *Adventures of Ideas* 280). Whitehead's empiricism is inseparable from his insistence on the aesthetic basis of experience. All mental experience "originates from sensitive experience" (*Process and Reality* 248), but this sensitive experience

> is a realization of worth, good or bad. It is a value-experience. Its basic expression is—Have a care, here is something that matters! Yes—that is the best phrase—the primary glimmering of consciousness reveals, something that matters (A. N. Whitehead, *Modes of Thought* 116).

These experiences are sensations of "aesthetic worth; that is, they sense existence for 'its own sake,' for 'its own justification,' for its 'intrinsic importance'" (Dean, "Radical Empiricism and Religious Art" 173, citing A. N. Whitehead, *Modes of Thought* 109). The "basic fact" of experience "is the rise of an affective tone originating from things whose relevance is given" (*Adventures of Ideas* 176). Whitehead's concepts of "subjective aim" and "concern" mark a recognition of experience as primordially evaluative and purposive, as unavoidably *interested*. He is critical of the false ideal of disinterested objectivity that is supposed to characterize the physical sciences.

> A sound technological procedure is to analyse the facts in disregard of any subjective judgment as to their relative interest. And yet the notion of importance is like nature itself: Expel it with a pitchfork, and it ever returns. . . . the sense of importance (or interest) is embedded in the very being of animal experience. As it sinks in dominance, experience trivializes and verges towards nothingness (A. N. Whitehead, *Modes of Thought* 8-9).

All experience involves subjective valuation, but this by no means invalidates the objectivity of experience. The subject does not simply conjure

their valuation out of thin air. The subject has a concern, an interest, in the object, but the object's *relevance is given*, it inheres in it and is particular to it. As George Allan puts it, for Whitehead, "'this is important' is thus an ontological description of the cosmos" (Allan, "The Habit Of Art" 28). Whitehead categorically rejects modern philosophy's binary descriptions of the world "in terms of subject and predicate, substance and quality, particular and universal" (*Process and Reality* 49). Borrowing William James' metaphor, in a formulation that anticipates today's new materialism (see especially Bennett), he insists that "we find ourselves in a buzzing world, amid a democracy of fellow creatures" that we encounter not though the predication of abstract universals to solitary substances, but as complex actual facts felt in their concrete relations and particular relevance (*Process and Reality* 50; see also *Adventures of Ideas* 230).

5.2.3 Novelty and Conceptual Valuation

Valuations are not operations that the subject performs on representations once these representations have been made present to the mind by sensibility. For Whitehead, valuations are operative from the earliest stages in the process of experience, although these valuations may take different forms. The "primary phase" of the occasion of experience, the "real antecedent world, as given for that occasion . . . with its concordances and discordances awaiting coordination in the new creature", gives rise to "a ferment of qualitative valuation" (*Adventures of Ideas* 210). The qualitative feelings "are either derived directly from qualities illustrated in the primary phase, or are indirectly derived by their relevance to them" (210). This former case, in which qualitative feelings are directly derived from the objective content, is called "conceptual valuation" (*Process and Reality* 26). This most basic form of valuation already

introduces some degree of novelty through the subjective appreciation or depreciation of a datum which is integrated into the physical feeling (Allan, "A Functionalist Reinterpretation of Whitehead's Metaphysics" 338). This subjective valuation "introduces creative purpose" into the feeling, making the subject a determinant in its emergence (*Process and Reality* 248). In the second case, in which "qualitative feelings" are only indirectly derived from the objective datum, the potential divergence of conceptual feeling goes beyond linear variations in degree of appreciation or depreciation. This is "conceptual reversion", in which "proximate novelties are conceptually felt" (249). The data offered through conceptual valuation are contrasted with "relevant alternatives" as determined by the subjective aim (*Process and Reality* 26; Allan, "A Functionalist Reinterpretation of Whitehead's Metaphysics" 340). This process potentially introduces a much greater degree of novelty into the occasion. As George Allan notes, reversion, unlike valuation, "challenges the extant system of enduring objects rather than reaffirming it" ("A Functionalist Reinterpretation of Whitehead's Metaphysics" 341).

Conceptual valuation takes the objective data, including the values that they inherit from the past, and assembles them according to their concordances into a conceptual unity with minor variations in subjective valuation. It thereby allows the multiplicity of data to be organized into a single conceptual feeling. Conceptual reversion develops alternatives from that feeling and, in contrast to conceptual valuation, "destabilizes established forms by opening the possibility of improving them" (Allan, "A Functionalist Reinterpretation of Whitehead's Metaphysics" 341). Rather than smoothing over differences to assemble a conceptual unity out of potentially discordant data, conceptual reversion "affirms the value of differences by encompassing them within a wider or deeper unity" (341). It is the potential for conceptual divergence introduced through

conceptual reversion that leads Whitehead to say that "even amid stability there is never undifferentiated endurance" (*Process and Reality* 249).

5.2.4 Reality and Appearance

The "ferment of valuation" that takes place in the earlly stages of experience does not abstract from the objective content of the primary phase in order to offer conceptual representations to the mind, thereby leaving the sensa behind. The objective content remains present, but "is overlaid by, and intermixed with, the novel hybrid prehensions derived from integration with the conceptual ferment" (A. N. Whitehead, *Adventures of Ideas* 210). This "enlarged objective content" is coordinated according to the "subjective aim" that characterizes the emergent occasion (210). These conceptual and physical processes are not present to consciousness but provide the background out of which consciousness arises. Out of this "dim massive complexity" of feeling, conscious awareness constructs "an incredibly simplified edition of reality" (213). Given the immense richness that Whitehead attributes to the antecedent world given to experience "mentality" is necessarily an "agent of simplification" (213). A fraction of the present feelings, by a process of selection, exclusion and integration, are "transmuted" into an appearance before consciousness. Whitehead offers the experience of orchestral music as a single entity as an example of the radical simplification carried out through bodily and mental processing.

There is no doubt that the modifications and selections of emphasis made during the process of experience may potentially distort, leading to a divergence between the "real antecedent world" and the appearance that is formed on its basis. However, "there can be no general metaphysic principles" which determine in advance the way this simplified appearance differs from the reality

from which it emerges (A. N. Whitehead, *Adventures of Ideas* 211). The nature of divergence between reality, that is the sum of elements contributing to a given occasion of experience, and appearance, the selection of those elements given emphasis in consciousness, depends on the subjective form of the encounter. As Isabelle Stengers notes, it is important to recognize that the role of the mind here is one of "selection and simplification, not of addition" (Stengers, *Thinking With Whitehead* 48). Thus, while appearance may differ from reality, it is in the mode of a selection-from, rather than an addition-to. There is no sense in which conscious awareness knows something other than the reality of the world, rather, it is always a partial, limited perspective on that reality.

It is also important to note that the reality which Whitehead places in contrast to appearance is not a noumenal existence independent of experience. It is the objective content *of an experience*. As Nicholas Gaskill notes, "'Reality' refers to the objective content in the initial receptive phase; it is the inheritance from the past that provokes the new occasion. Thus Reality is occasion-specific rather than totalizing: it is Reality 'at that moment, for that occasion'" (Gaskill, "The Habit Of Art" 183; citing A. N. Whitehead, *Adventures of Ideas* 210). Thus the partial appearance abstracted from actual reality cannot be equated to the "mere appearance" familiar from the metaphysical tradition. Indeed, a fraction of a second after its existence as a subjective representation of the actual present, it is no longer an appearance in any way distinct from reality, but "part of the real functioning of the real actual world as it stands in the primary phase of the immediately present occasion" (*Adventures of Ideas* 212). Once passed, appearance participates as objective datum in a new occasion, and in that new occasion, is no less real than any other feature of the antecedent world.

> It is a real fact of nature that the world has appeared thus from the standpoint of these antecedent occasions of the personal life. And more generally dropping the special case of personality, the objective reality of the past, as it now functions in the present, in its day was appearance (*Adventures of Ideas* 212).

This not only implies a perspectivist epistemology, but also a perspectivist ontology. It is not simply an account of the manner in which reality is knowable by consciousness, but an account of the sense in which, in a universe constituted of actual entities which are themselves occasions of experience, every occasion is itself "a unique, once-for-all perspective on a world (or worlds) made up of other distinctive and irreducible perspectives" (Crosby 64). For Whitehead, there is no distinction whatsoever between reality and experience, and while conscious experience is a result of processes of simplification and abstraction, the object of this experience remains nothing other than reality as it exists from this unique perspective.

Whitehead's account of the co-construction of subject and object makes it clear that this is not a simple subjectivist form of perspectivism which could be collapsed into relativism. Whitehead's ontology is fundamentally perspectivist but it is clear that the perspective is always a perspective *on something.* As James Conant argues in his account the use of the metaphor of perspective in Friedrich Nietzsche's late works, a proper understanding of perspective involves appreciating "that a property can be subjective (i.e., one whose very conception involves essential reference to how a thing which possesses such a property affects the subject) and objective (i.e., one that applies not only to how things seem, but to how things are)" (Conant 45).[1] This Nietzschean conception of perspective informs Whitehead's process ontology, but it is also central to Hannah Arendt's theory of political judgment.

[1] I was directed to Conant's invaluable work on perspective by Linda Zerilli's book, *A Democratic Theory of Judgment.*

5.3 Whitehead, Arendt and Political Affect

In the previous section I provided an account of A. N. Whitehead's theory of experience. This included describing Whitehead's rejection of the idea of a fundamental metaphysical distinction between reality and appearance and his account of novelty as a result of a subjective functioning which enables an occasion of experience to escape determination by the past while necessarily remaining conditioned by the past. I also described Whitehead's *ontological* perspectivism, indeed, his blurring of the boundary between epistemology and ontology. Each of these elements of Whitehead's philosophy correspond to important *political* commitments in Hannah Arendt's political theory. In what follows I will expand upon these metaphysical insights in an attempt to show that Whitehead's philosophy of experience can provide a more consistent basis for an Arendtian political aesthetic than the Kantian metaphysics that finds its way into various elements of Arendt's work. In Section 5.3.1 I will argue that Whitehead's perspectivist ontology corresponds perfectly with Arendt's conception of perspective as a condition for, not a limit to knowledge, and provides a philosophical basis for her assertion of the dependence of agreement on the political condition of a common world to enable the exchange of opinions.

In Section 5.3.2 I show how Whitehead's philosophy complements Arendt's ontologically processual account of free action without introducing the conceptual confusion that arises in that account. As discussed in the previous chapter (Section 4.4.2), in order to assert the possibility of freedom as a tangible reality, while maintaining a notion of freedom as a distinctly human privilege, Arendt makes this tangible reality dependent on the exclusion of all that is tangible about embodied human experience in the world (Arendt,

The Human Condition 182-183). In contrast, Whitehead's account of freedom admits the possibility of freedom into *embodied* experience at the cost (or benefit, depending on one's preferences) of losing human exceptionalism with regard to freedom.

I will then return to the erasure of bodily experience and consequently of plurality that, as I discussed in Chapter 4 with the help of the critiques of feminism and critical race theorists, renders Arendt's political theory so problematic. In Section 5.3.3, I argue that such an exclusion of bodily experience would be incoherent in a Whiteheadian political aesthetic. I argue that the only solution for a truly inclusive model of political deliberation is one in which affects are recognized as indispensable contributions to "our 'concept' of the thing, our 'objectivity'" (Nietzsche 87).

5.3.1 Being and Appearance

Arendt, like Whitehead, explicitly rejects the idea of a "bifurcation of nature." This idea takes various forms in the history of philosophy, appearing in modified form in the works of Descartes, Locke, Hume and Kant among others (A. N. Whitehead, *The Concept Of Nature* 19). While both Arendt and Whitehead recognize the existence of this doctrine in ancient Greek thought, both also consider it to have achieved it most damaging form in the modern epoch (Arendt, *The Human Condition* 260; A. N. Whitehead, *The Concept Of Nature* 18ff). Whitehead describes the bifurcation in terms of "the concept of matter as substance whose attributes we perceive" (*The Concept Of Nature* 18). When the advances of modern science complicated the understanding of the means by which such attributes may be known, the philosophical response was to divide the universe into that which is given to the senses (e.g. solidity, extension, figure, number, and motion) and that (e.g. color, sound) which is

imputed by the mind (Locke, *An Essay Concerning Human Understanding* 139). In Whitehead's view, this bifurcation significantly diminished philosophy, transforming "the grand question of the relations between nature and mind into the petty form of the interaction between the human body and mind" (A. N. Whitehead, *The Concept Of Nature* 19). Thus the ontological question "What *do* we know?" was transformed into the epistemological question "What *can* we know?", the latter question "dogmatically solved by the presupposition that all knowledge starts from the consciousness of spatio-temporal patterns of . . . sense percepta" (*Modes of Thought* 74).[2]

While Whitehead laments the effects of this epistemological turn upon philosophy, Arendt gives this phenomenon even greater importance. She suggests that the modern transformation of philosophy is a mere symptom of a much more general and much more serious loss of faith in the human capacity to know the world as it is, a loss that contributed fundamentally to the "world alienation" with which she diagnoses the modern condition (*The Human Condition* 248ff). Within the field of philosophy, Whitehead shows that such a two-substance ontology recurs implicitly or explicitly throughout the philosophical canon from Descartes to Kant (A. N. Whitehead, *The Concept Of Nature* 18-32), while Arendt argues that overcoming this bifurcation was a major preoccupation of nineteenth century philosophers from Hegel to Nietzsche, via Marx and Kierkegaard (Arendt, "Tradition and the Modern Age" 37-39).

Arendt's critique of modernity as a loss of faith in the human capacity to know makes it clear that her perspectivism, like Whitehead's, is not simply reducible to relativism but instead involves a rejection of the epistemological

[2]See A. N. Whitehead, *Process and Reality* 189 for an explicit assertion of the primacy of ontology over epistemology. More recently, Karen Barad has offered a similar diagnosis of what Whitehead calls the bifurcation of nature and its consequences for the separation of epistemology from ontology (Barad 125).

premise that opposes the absolute certainty of logical, mental operations with the radical unreliability of empirical experience (*The Human Condition* 280-284). Both Whitehead and Arendt consider knowledge to be knowledge of things *as they appear*, but this is no way marks a devaluation of its status as knowledge. Knowledge must necessarily be perspectival. Non-perspectival appearance would be an oxymoron, but that does not mean that truth and falsehood become "mere values" to be exchanged at will. Both make perspective a necessary feature of worldly experience, a condition for, and not a limitation to knowledge. What Arendt offers, beyond that which can be found in Whitehead's work, is an argument concerning the *political* nature of the exchange and discussion of perspectives necessary for assessing the validity of judgments (Arendt, "The Crisis in Culture" 220). Certainty in judgments can only be had "in the presence of others" (220-221).

5.3.2 Freedom and Process

Whitehead's ontology not only underpins his perspectivism, it supports positions on plurality and freedom that can also be brought into dialogue with those of Arendt. What's more, these positions directly oppose the notion of common sense and the erasure of human plurality effected by Kantian universal subjectivity. Kant, Whitehead and Arendt all conceive of freedom in terms of novelty, that is, in terms of the possibility of an occurrence that is not simply a determinate continuation of existing processes, but a new beginning, "the entry of something truly new into the world" (Arendt, *The Human Condition* 177). Unlike Kant however, for whom freedom can only be supposed as a noumenal quality, rather than something that is manifest in the causally determined phenomenal world, both Whitehead and Arendt consider freedom to be a "worldly, tangible reality" ("What is Freedom?" 148).

As discussed above, Whitehead considers novelty to be intrinsic to experience. An actual entity involves the emergence of a "complex unity" of experience in what is an essentially creative process since, through this process, "the many become one and are increased by one" (A. N. Whitehead, *Process and Reality* 21). Experience involves "the production of novel togetherness" (21) in which occurs a selective incorporation of the possibilities and constraints inherited from the occasion's past. To the extent that an occasion involves a selection, a subjective orientation towards certain potential data rather than others, the occasion is conditioned but not determined by its past. In Donald Crosby's words, Whitehead's world "is not an ironclad world of efficient causality", but instead has a "looseness", an "openness," that allows for novel outcomes from causally conditioned events via the action of "purposeful, goal-directed" subjective involvements (Crosby 67). All events occur "with some degree of independence from the past" (67), all occasions can be considered a possible source of novelty to the extent that the actual entity supplements the objectively given past with a subjective aim that realizes the "process of self-creation" of the subject-superject (A. N. Whitehead, *Process and Reality* 25). "An actual entity is at once the product of the efficient past, and is also, in Spinoza's phrase, *causa sui*" (150). Although human consciousness is only one possible source of such novel outcomes (*Adventures of Ideas* 218), it is a particularly powerful one. Specifically, as a powerful source of abstraction from the complexity of concrete reality, human consciousness is a powerful generator of perspective and of the decisions that constitute the *how* of experience, allowing this *how* to effect the future *what* of the world.

While Whitehead argues that the degree of selection, and thus of novelty, is proportionate to the importance of the "mental pole"—significant in the conscious perception of humans, negligible in interactions between inorganic

bodies (*Adventures of Ideas* 211)—he does not specify the moment in the natural world at which conditioning transitions into determination, nor indeed could any such clear demarcation be identified. Neither radical freedom nor absolute determinacy have a place in Whitehead's cosmology, nor does the Kantian distinction between the free will of the subject and the causally determined phenomenal world. It is not Kant's noumenal will, but worldly activity that is free. Such free action however, like all worldly activity, is inevitably constrained by the conditions in which it takes place.

In Whitehead's terms, Arendt's political ontology would appear to be yet another instance of the bifurcation of nature that separates human experience—active, spontaneous, creative and meaningful—from passive, uniform, dumbly deterministic matter. While insisting on human plurality, Arendt claims that this plurality, as well as the freedom that it enables, arises miraculously out of an inert material universe. In contrast, Whitehead's process ontology unambiguously situates human perspective, plurality and freedom within a natural world in which human life is one phenomenon among countless others. The price for this, in Arendt's terms, is that it is no longer possible to maintain either human exceptionalism, or the isolation of free human action from the constraints of the body or its passions.

5.3.3 Plurality and Agonistic Deliberation

The process ontology that gives rise to Whitehead's conception of freedom also guarantees that Whitehead's universe is thoroughly pluralist, populated by occasions of infinite diversity (*Process and Reality* 73-74). This diversity is not equivalent to the formlessness that Hume and Kant attribute to a material world which only acquires form through the unilateral imposition of subjective order. Although Whitehead proposes a relational process ontology

in which there is an infinite variability of actual occasions, these occasions do not depend on human perception to give them form. Instead he insists that "the datum includes its own interconnections" (113). Whitehead's radical empiricist rejection of the original formlessness of sensory data, only given form by subjective cognition, removes the need, felt by Kant, for an appeal to a common sense to explain the apparent regularity of experience. The commonality of experience, the fact that perspectives can be compared and, to an extent, exchanged, derives from a world which contains its own meaningful connections (72) and not, as Kant would have it, from a universal faculty shared by members of a species.

As discussed in the previous chapter (Section 4.3), Kant's notion of common sense runs strictly counter to Arendt's pluralist politics, and indeed, Arendt herself is sharply critical of the Kantian conception of common sense as an inner faculty shared by all beings capable of making aesthetic judgments (*The Human Condition* 283). Although in *The Life of the Mind* Arendt defends the notion of common sense as a faculty belonging to all members of a species, she argues that it is insufficient to explain the possibility of agreement without appeal to the commonality of the world (*The Life of the Mind* 50). This becomes particularly clear in Whitehead's perspectivist metaphysics. If experience is irreducibly perspectival, then the assertion of a universal human faculty of common sense does not seem sufficient to explain the commonality of experience without some appeal to inherent order in the datum that can potentially be recovered in spite of the plurality of perspectives, and which permits the recognition that diverse perspectives are nonetheless perspectives on the same object. Given Whitehead's insistence on the "connections" present in the datum, less emphasis needs to be placed on universal structures of subjectivity to explain agreement, and more on the existence of an "'objective'

common world which we have in common and share with others" (Arendt, "The Crisis in Culture" 221).

In their distinct ways then, Arendt and Whitehead agree that the possibility of shared experience does not ultimately rely on a supposed subjective common sense, according to which, even in the absence of determinate grounds, it would be possible to guarantee agreement if the "correct subsumption of the case" under the ground provided by "common sense" could be assured (Kant, *Critique of Judgement* § 19, 68). Instead, commonality in judgments can be explained through the meaningful, comprehensible order that already exists in the world. Arendt's demonstration of the political prerequisites for this offers important insights into the difficulties, especially in mass society, of achieving agreement in a perspectival universe, especially one in which disagreement cannot always be simply dismissed as a subjective failure of common sense. Whitehead has little to say on the political conditions for shared judgments but at the very least, and in opposition to Kant's critical aesthetic, his account poses no barriers to Arendt's account. What's more, Arendt's own erasure of plurality, through her retention of Kant's criteria concerning the form of valid aesthetic judgments, simply cannot arise in Whitehead's metaphysics.

Arendt, despite abandoning Kant's appeal to an internal common sense, and dropping the expectation that universal agreement is at least theoretically attainable, retains Kant's requirement of "leaving out the element of matter, i.e. sensation, in our general representational activity" (Kant, *Critique of Judgement* § 40, 123), with all the problematic consequences that were discussed in Chapter 4. This formal exclusion of interest and materiality is inconceivable in a Whitehead-inspired political aesthetic. While Arendt champions the disinterested discussion of disparate perspectives, Whitehead argues that in the absence of feeling, there may be no perspective. It is feeling that enables

the gradation of relevance among the "infinitude of detail" in experience and which enables perspective itself to form. "Perspective is the outcome of feeling; and feeling is graded by the sense of interest" (A. N. Whitehead, *Modes of Thought* 9-10). Human experience is irreducibly interested, embodied, and material. These are constitutive features of experience that cannot be entirely abstracted away. This does not mean however, that the notion of political deliberation must be abandoned and replaced with a war of all against all where each battles to assert their own interest with no regard for the other. The push of the body cannot be excluded from deliberation in a Whitehead's model, but this does not mean that the bodily passions necessarily overwhelm the possibility of objectivity.

Friedrich Nietzsche, showing much greater faith in human capacities than Kant, argues that objectivity is not obtained by disinterested contemplation ("a non-concept and an absurdity" (Nietzsche 87)), but is made possible by "*having in our power* the ability to engage and disengage our 'pros' and 'cons': we can use the *difference* in perspectives and affective interpretations for knowledge" (87). The involvement of interests and emotions does not render deliberation impossible, as Arendt argues, but makes it all the more imperative. As Nietzsche argues:

> There is only a perspectival seeing, only a perspectival 'knowing'; the more affects we are able to put into words about a thing, the more eyes, various eyes we are able to use for the same thing, the more complete will be our 'concept' of the thing, our 'objectivity' (Nietzsche 87).

As Arendt herself shows, the political solution to the conflict that necessarily arises out of a multiplicity of perspectives is not the establishment of an external or objective standard of adjudication, but the gathering of ever more

perspectives (Zerilli, *A Democratic Theory of Judgment* 5). Unfortunately, although Arendt rejects the external standards provided by Kant's theories of understanding or morality, by accepting the requirement of disinterestedness as a criterion for the validity of aesthetic judgment, she nonetheless excludes an enormous array of possible perspectives from political deliberation. The answer however, is not to exclude affects, but to admit them knowingly, in order to improve "our 'concept' of the thing, our 'objectivity'" (Nietzsche 87). While it is vital to recognize the extent to which an individual's particular perspective is undoubtedly influenced by their interests, to exclude interest altogether from deliberation would, as both Nietzsche and Whitehead argue, destroy the capacity for judgment altogether (87).

5.4 Affect and Judgment

Arendt's political theory is in the strange position of being criticized both for being too cognitive and not cognitive enough. Linda Zerilli, in her 2016 book *A Democratic Theory of Judgment*, offers a convincing defense of Arendt's political aesthetics against the many critics (most notably Jürgen Habermas and Ronald Beiner) who condemn Arendt's turn to Kant's *Third Critique* as a turn to a non-cognitivist relativism that offers no guidance on political questions. Zerilli, citing Bernard Williams, rejects such critics' "absolute conception of the world" according to which judgments are either cognitive and rational, and therefore universalizable and subject to objective evaluation, or are affective and therefore irretrievably subjective and individual (Zerilli, *A Democratic Theory of Judgment* 11). Such critics seriously undervalue the capacity for human judgment to operate reliably in the absence of universal objective criteria that can operate as universal rules. Interestingly, Zerilli charges that the same

lack of faith in the human capacity to judge also animates the arguments of theorists of political affect such as William Connolly who see affect as a "wild card" (Connolly, *Neuropolitics* 90; quoted in Zerilli, *A Democratic Theory of Judgment* 248) that escapes causal explanation or conscious scrutiny and so leaves the political subject at the mercy of unknowable impulses. Connolly's solution to this problem of political subjectivity is to foreground "arts of the self" to counter "the insufficiency of argument to ethical life" (Connolly, *Neuropolitics* 107). Connolly certainly doesn't deny the pertinence of argument to ethical life, but via his layered depiction of experience, he asserts a divide between affective experience on the one hand, and practices of argumentation and deliberation on the other, which can only be bridged by "the thoughtful application by oneself of techniques to one's entrenched patterns of affective thought", in order to tame the irrational, affective impulses that are resistant to argument and deliberation (107).

Zerilli contends that Arendt's political theory offers a model in which affective experience can be recognized as a valuable component in agonistic deliberation, not an obstacle to it, as critics from both ends of the spectrum seem to believe. For Zerilli, Arendt's faith in appearance as "the genuine human mode of access to reality" (Zerilli, *A Democratic Theory of Judgment* 28), troubles the neat distinction between "cognitive belief states, which are subject to norms of correctness, and noncognitive affective states, which are not" (52). Certainly, by rejecting the distinction between being and appearance, Arendt undermines the possibility of maintaining a categorical distinction between the truth value of sensible and cognitive experience. However, although Arendt rejects both the bifurcation of nature that results from the metaphysical distrust of the senses to disclose reality, and Kant's notion of common sense as the subjective faculty upon which the possibility of agreement depends, she

maintains Kant's conditions concerning the validity of judgment as depending upon the exclusion of the "element of matter". As I hope to have made clear, in this way Arendt implicitly reintroduces the bifurcation that she (together with Whitehead) has explicitly rejected. Beyond this internal inconsistency, I contend that the concept of disinterested judgment also leaves Arendt's theory at a loss for how to explain how the judgments arising from disinterested political deliberation may become genuine motives for action. It is above all here, with its assertion of the emotional basis of experience, that Whitehead's theory comes into its own.

5.4.1 Judgment and Action

It would be possible to construct an account of judgment based on Whitehead's writings that would be largely familiar to scholars of Kant. For Whitehead, "judgment concerns the universe as objectified from the standpoint of the judging subject. It concerns the universe through that subject" (A. N. Whitehead, *Process and Reality* 200). When he contends that "it is evident that the ultimate 'ground' to which all probable judgments must refer can be nothing else than the actual world as objectified in judging subjects" (203), he is describing the situation that the Kantian subject finds itself in when required to make a judgment of taste. All judgment for Whitehead takes place in the absence of any *a priori* conceptual ground and so can be considered analogous to the non-determinate judgment that is the topic of Kant's *Critique of Judgement*. However, in contrast to Kant, for Whitehead, "the concept of completely passive contemplation in abstraction from action and purpose is a fallacious extreme" (*Adventures of Ideas* 264). While Kantian aesthetic judgments take as their objects the representations passively acquired via sensibility, the equivalent appearances in Whitehead's schema are already

overflowing with selections, decisions and transmutations. The conceptual valuations, the adversions and aversions, that mark the earliest stages of mental activity, prior to the emergence of the subject-superject, "are types of 'decision'" with "the character of purpose" (*Process and Reality* 254). These are not decisions of the subject, but decisions that make the subject. The affective tone that shapes experience is not subsequently added on to experience by conscious reflection, but arises within the pre-conscious mental and bodily processes of experience. As discussed in Section 5.2.4, the very constitution of the subject-object relation already involves a great degree of purposive selection, decision and evaluation that is necessary for *this* object to emerge as an object of judgment for *this* judging subject. Not only is judgment necessarily empirical, situated and particular, the data that the environment provides for the subject's "process of feeling" enter into the determination of that subject. "Thus the data upon which the subject passes judgment are themselves components conditioning the character of the judging subject" (203). This implies that there are factors external to the judging subject that condition whether the subject may recognize the object as an object of judgment at all.

While this process cannot be simply defined as noncognitive or as cognitive, it is fundamentally affective. This is vitally important to a theory such as Arendt's, which is centrally concerned with the relationship between political judgment and political action. The Kantian notion of disinterested contemplation cannot explain how, in abstraction from any subjective feeling of value—aversion, adversion, charm or emotion—a judgment can become a reason for action. The problem of how judgments or norms become motivationally efficacious continues to be an issue in analytic philosophy, and there appears to be a growing consensus that this process is dependent

upon affective experience (Döring; Ratcliffe, "Emotional Intentionality"; Smithies and Weiss). This is central to my argument concerning the motive force of authority, and will be discussed in more detail in the context of my account of affective authority in Chapter 6. Here I aim to stress that a theory of disinterested political deliberation has further work to do in explaining just how the results of such deliberation can effectively motivate action. This problem does not arise in Whitehead's account of judgment because he argues that the primary function of propositions is not as data for judgments of truth or falsity, but to serve as "lure[s] for feeling" (*Process and Reality* 186). Whitehead offers the example of "a Christian meditating on the sayings in the Gospels. He is not judging 'true or false'; he is eliciting their value as elements in feeling. In fact, he may ground his judgment of truth upon his realization of value. But such a procedure is impossible, if the primary function of propositions is to be elements in judgments" (185). A proposition is not merely judged by a subject, it must be felt. It is "a datum for feeling, awaiting a subject feeling it" (259). It is for this reason that "in the real world it is more important that a proposition be interesting than that it be true" (259).

Upon saying this, Whitehead immediately notes that truth is by no means an irrelevance, although he does assert that "in itself, and apart from other factors, there seems to be no special importance about the truth-relation" (*Process and Reality* 265). Elsewhere though, he argues that "of course a true proposition is more apt to be interesting than a false one" (A. N. Whitehead, *Adventures of Ideas* 244). What's more, as Steven Shaviro notes, "a truth that is not 'important,' or not strongly felt, does not thereby cease to be true; and a false proposition doesn't become true, merely by virtue of being invested with intense feeling or great aesthetic appeal" (Shaviro 67). What is important though, is that, true or false, for a proposition to become a reason for action,

it must be felt.

Kant holds that "every interest vitiates the judgement of taste and robs it of its impartiality. This is especially so where instead of, like the interest of reason, allowing purposiveness to precede the feeling of pleasure, it grounds it upon this feeling" (Kant, *Critique of Judgement* § 13, 54). Without some degree of passionate engagement with the object within the process of evaluation, political judgment remains mere contemplation with no necessary connection to action. As such, despite its collective nature, deliberation upon a basis of disinterested contemplation loses its political character. While the validity of disinterestedness as a criterion for the contemplation of beauty is highly questionable, as a criterion for political judgment it is fatal.

5.5 Conclusion

Arendt's political aesthetic provides an ingenious synthesis of Kant's account of the value of "quarreling" about topics that do not permit of a determinate outcome, with Nietzschean perspectivism in order to offer an account of political life in which plurality is the *sine qua non.* As David Arndt argues, "objectivity for Nietzsche is not a matter of transcending the play of perspectives, but the ability to invert perspectives and to see things from many points of view" (Arndt 92). Arendt insists that this process cannot be a simple imaginative exercise but must be enacted through the practical exchange of opinions, a process of collective judging that both depends on and helps to establish a common world (Zerilli, *A Democratic Theory of Judgment* 262). Her elaboration of the political implications of Nietzschean perspectivism lead her to an account of the absolute interdependence of human plurality and a participatory public realm which provides a forum for diverse and conflicting

opinions. Without ongoing public debate, the public realm itself disappears. As Arendt states, "the end of the common world has come when it is seen only under one aspect and is permitted to present itself only in one perspective" (*The Human Condition* 58).

Contrary to the arguments of those who critique Arendt's "non-cognitivism", Arendt's political aesthetic does not require one to accept that political judgment must be irretrievably subjective. Although necessarily situated, particular and perspectival, a judgment remains a judgment *of* some objective thing, an object in the world upon which the judgment is a perspective (Conant 43). Such perspectives *may* distort (and Whitehead holds that they necessarily involve simplification and abstraction (*Adventures of Ideas* 261)), but they are not systematically distorting, neither are they incorrigible. As Arendt shows, the political solution to the conflict that necessarily arises out of a multiplicity of perspectives is not the establishment of an external or objective standard of adjudication, but the gathering of more perspectives (Zerilli, *A Democratic Theory of Judgment* 5) in order that they can be compared and discussed.

Arendt, in arguing that affect is not only irrelevant to, but destructive of political life, excludes an enormous range of perspectives from political deliberation. Affects are not the chaotic, senseless passions that Arendt considers them, they are embodied, interested perspectives through which humans make sense of the world. No inclusive or comprehensive process of political deliberation can reasonably exclude the affective experiences of citizens without both weakening the validity of the political judgments made in that process and, more importantly, guaranteeing the exclusion of all those individuals whose perspectives, for whatever reason, do not conform to the current standards of disinterested deliberation.

What's more, the evaluation of political judgments, whether conducted

individually or through collective deliberation, is not simply a matter of evaluating discursive propositions, but of experiencing them as situated in a specific material environment. As Crispin Sartwell argues, “a politics is an aesthetic environment” (Sartwell 2). This aesthetic environment, analogous to Arendt’s common world, given durability by material things in which there inheres an irreducible aesthetic element (Arendt, *The Human Condition* 172-3), surrounds political propositions (themselves no less material and aesthetic, through the sonority of the speakers voice, the feel of the paper, the splendor of the document in the national archives), and gives them a material, “more-than-conceptual” objectivity (Sartwell 2-3). Absent this material context, and the materiality of the feeling that inhabits political judgment, such judgments may never become motives for political action. Aesthetic, affective experience, not only of a proposition, but of the world of which it is a part, turns rational judgment into a motive for action. This observation arises naturally out of Whitehead’s account of propositional feeling, and is crucial to my account of political authority as a confluence of discursive norms and affective attachments that gives orientation and motive force to action in common. It is to this account of the role of affective experience as vital to the construction of a shared source of authority, and indeed, of the world in common that makes possible the communication and exchange of perspectives, that I will now turn.

Chapter 6

Affective Authority and Collective Action

6.1 Introduction

In the previous chapter I argued for a political aesthetic that is based on a form of judgment that not only admits affects, but obeys the Nietzschean imperative to gather ever more affects in order to increase the objectivity of judgment. Although this argument has been developed in the context of a critique of Hannah Arendt's political aesthetic, both her theorization of collective deliberation as a political process for arriving at agreement without determinate grounds, and her account of the necessity of a material world-in-common as providing the framework for collective action, remain invaluable. Indeed, I believe that by adapting her theory to permit the recognition of the importance of affect in political life, some of Arendt's insights on the structure of the public realm can be given much greater explanatory force. This goes for the account of the the role of products of work in the constitution of democratic citizenship, as Bonnie Honig has shown in *Public Things* and, as I argue

in this chapter, this goes even more so for an account of the importance of authority to collective action. An important element in Arendt's account of political deliberation is its dependence on structures of authority. Authority is a necessary component in assuring the "perpetuity" of the compacts that arise through collective action, enabling fleeting moments of activity to contribute to the construction of a shared world that endures beyond the fugitive instant of political action (Arendt, *On Revolution* 182).

In this chapter I attempt to show how practices of assembly, including but not limited to practices of collective deliberation, are generative of both the normative legitimacy that justifies collective decision-making processes, and of the affective bonds that are necessary to ensure compliance with collective decisions and to motivate continued participation in collective practice. Practices of assembly are generative of the authority that then lends support to further collective practice. On this model, the citizen's relation to political authority cannot simply be reduced to passive obedience as is often the case in critiques of authority (perhaps most famously in Kant's "An Answer to the Question: What is Enlightenment?"), but must be recognized as involving an active, practical engagement. Nor can political authority be understood solely in terms of rational discourses of moral right and duty (as, for example, in Raz, *The Morality of Freedom*) or, conversely, as an irrational emotional bond of unreflective obedience (as in the case of Weber's charismatic authority in "The Three Types of Legitimate Rule").

In the model of authority presented here, the rational and the affective sides of authority are interdependent. My position, with respect to scholarship concerning Hannah Arendt's political theory, is broadly compatible with Linda Zerilli's account in *A Democratic Theory of Judgment*, in which she builds on Arendt's political aesthetic to provide a model of public deliberation

as an “affective and value-laden” world-building practice that provides the grounds for agreement in the absence of determinative criteria (*A Democratic Theory of Judgment* 267-268). However, while Zerilli largely accepts the Kantian aesthetic that underlies Arendt’s politics, supplementing it with a Wittgensteinian account of agreement as depending upon agreement in “form of life”, and leaving to one side Arendt’s explicit rejection of the role of affect in public life, I have rejected the Kantian basis of Arendt’s theory as inadequate to a political theory that gives proper recognition to the importance of affective experience in political life. In my account, the generation of affective authority is central to the construction of a world in common that makes political action meaningful, enabling political deliberation and action in common. For authority to provide common meaning and motives to action requires more than a just basis in discourses of normative legitimacy, it requires an affective experience of immanent value in which perceptions of the world are simultaneously experienced as motives for action.

The problem of “how normative practical reasons can be motivationally efficacious” continues to trouble scholars in the Kantian tradition (Döring 363). This problem simply does not exist in A. N. Whitehead’s theory of feeling, in which all experience is understood as a purposive and aesthetic experience of immanent value. Such an affective conception of experience makes it much easier to understand how authority can ensure obedience to common rules and motivate participation in collective action. While I argue for an affective conception of experience in political life, this is not at the expense of rational discourse, but in defense of a broader conception of rationality in which the individual’s affective experience is recognized as playing a central role in their navigation of a shared world. Whitehead’s philosophy provides a metaphysical basis for this argument, but here I supplement this by reference to contemporary

research on the phenomenology of emotion. Although traditional, Husserlian phenomenology retains a focus on transcendence that is strictly incompatible with Whitehead's metaphysics, as several scholars have noted, phenomenology of a "Merleau-Pontian" flavor can be fruitfully brought into contact with philosophies of immanence such as those of Whitehead or Deleuze (Connolly, *A World of Becoming* 12, 43-67; Hamrick, "A Process View of the Flesh: Whitehead and Merleau-Ponty"; Hamrick and Veken; Merleau-Ponty, *Nature* 113-122). As discussed in Chapter 1, contemporary phenomenology shares Whitehead's focus on the intentionality of affective, bodily experience as a central component in our making-sense of the world. Additionally, this research also offers a means of relating accounts of intentional, bodily experience with experiences of being in the world that resonate with Arendt's conception of political authority as a constitutive component in an experiential world.

By focusing on the role of collective action in the constitution of authority I hope to complicate the traditional ethical or moral critiques of authority that associate submission to authority with passivity, dependence, and ethical or political immaturity. The classic philosophical formulation of this argument is found in Kant's essay "An Answer to the Question: What is Enlightenment?" but similar arguments have been made by various thinkers from Martin Luther to to Gilles Deleuze. These accounts associate ethical maturity with the active use of reason in contrast to passive, unreflective obedience to authority. Autonomous political activity is diametrically opposed to passive submission to authority, and the condition for freedom is considered to be the absolute the eradication of passivity.

In philosophical terms, Whitehead blurs the Kantian distinction between the passive receptivity of affection and the spontaneous, autonomous, cognitive faculties, and the parallel distinction between freedom and determination. In

political terms, Arendt's theory troubles this ethical critique of authority and its normative distinction between activity and passivity by highlighting political freedom's dependence upon authority, or, more broadly, upon world-building practices that provide the common ground necessary for political action. The sharp distinction between political activity and passivity is implicitly weakened by Arendt's argument that political action requires actors that inhabit a shared world of things, and explicitly by her account of "the process character of action" in which the actor "is never merely a 'doer' but always and at the same time a sufferer" (*The Human Condition* 190).

As I will show in Section 6.2.1, the distinction between active cognition and passive affection continues to structure debates around affect today, especially those concerning the existence and nature of intentionality in human behavior. Much important work on the political implications of affective experience focuses on the autonomic aspects of human response that precede conscious activity and which are considered relatively impervious to argument and deliberation (Massumi, "The Autonomy of Affect"; Connolly, *Neuropolitics*). While there is no doubt that affective responses can often conflict with rational evaluations, and the relative obscurity and resistance to critique of affective impulses is of great political importance, several commentators have warned against exaggerating the gap between affective and cognitive experience (Wetherell, "Trends In The Turn To Affect"; Barnett). Indeed, in their justifiable attempt to correct the rationalist excesses of much political theory in North America and the United Kingdom, these authors often risk simply inverting the traditional prioritization of cognition over affect, rather than undermining the dualism upon which this cognitive bias is based (Zerilli, *A Democratic Theory of Judgment* 241).

Although Whitehead is sometimes read as giving clear priority to affect,

indeed, he describes his metaphysics as a theory of feelings (*Process and Reality* 219), his account of experience provides a means of understanding the intentionality of embodied experience, together with the entanglement of the propositional and the practical in both conscious and nonconscious experience. The entanglement of the discursive and the affective becomes the basis for the account of authority developed in Section 6.3 in which I attempt to add substance to the idea that affective authority is a confluence of discursive and affective factors that gives practical force to normative discourses, and normative value to affective engagements. Although inspired by Whitehead's metaphysics of experience, this account also draws heavily on recent research in the phenomenology of emotion. Such research makes clear the *publicity* of affects, when these are understood as "intercorporeal affection" rather than as expressive, internal states (Fuchs 219). It also makes clear the capacity of affect to both disrupt and constitute not just experiences, but the experiential world within which affective experience takes place (Ratcliffe, "Emotional Intentionality" 251).

These insights return me to Arendt's account of political authority as a central element in establishing the world in common that is necessary to a public realm in which political deliberation is possible without the imposition of external or arbitrary limits to debate through appeals to eternal truth or sovereign decision. Such a world in common is a necessary condition for collective practice, but authority and the world it helps to constitute are also products of such collective practice. Affective experience is indispensable to the circular process through which collective action establishes the "shared practices, structures of salience, routes of interest and feeling" that constitute a world in common, (Zerilli, *A Democratic Theory of Judgment* 272), while the experience of this world, as an affective disclosure of immanent value,

motivates further collective action to sustain and augment the community.

The interdependence of authority and action, and of affective attachments and normative claims, complicates the traditional view of submission to authority as a passive surrender of individual responsibility and rational thought in which the will of one is voluntarily subjugated to the will of another. I will begin with a discussion of this traditional account of the experience of authority whose inadequacy is demonstrated through the work of both Arendt and Whitehead.

6.2 Reason, Action and Passion

Herbert Marcuse, in *A Study on Authority*, notes the coexistence, within the relationship of authority, of both "a certain measure of freedom (voluntariness: recognition and affirmation of the bearer of authority, which is not based purely on coersion) and conversely, submission, the tying of will (indeed of thought and reason)" (Marcuse 51). This presents a serious problem for what Marcuse calls bourgeois philosophy, since the union of autonomy and heteronomy implied by the concept of authority appears irreconcilable with the individual freedom necessary to any account of moral responsibility. For Marcuse, the problem of the relation between freedom and unfreedom is characteristic of the modern age. He locates its source in the teachings of Martin Luther. Luther's solution to this problem, which, according to Marcuse, "brought together for the first time the elements which constitute the specifically bourgeois concept of freedom and which became the ideological basis for the specifically bourgeois articulation of authority", involved assigning freedom to "the 'inner' sphere of the person" while "the 'outer' person" remains subject to the authority of worldly powers (56). Despite Luther's argument for the centrality of freedom

to Christian life ("a Christian is free and independent in every respect, a bondservant to none" (Luther 357, cited in Marcuse 56)), he nonetheless holds that the Christian owes unconditional obedience to the offices of temporal authority, irrespective of the merits of the current holder of those offices (60-61). Such subjection is in no way detrimental to the freedom of the soul in its spiritual autonomy. The free human soul is entirely independent of "the external things" of the world in which neither freedom nor servitude are truly meaningful. The soul itself is freed from the chains of the outer world, from necessity and "things indifferent" (57), and conversely, worldly works and deeds also become indifferent to the life of the soul. Human freedom "so far precedes every deed and every work" that no worldly act can fulfill the soul, and human works become meaningless. What is of value is not the work, but the soul which "is an initiator and a master of work" (58). Value lies not in things done, but in the autonomous soul as an initiator of action whose freedom is entirely independent of worldly conditions.

Luther's radical dissociation of spiritual freedom and worldly conditions, which "already makes it possible to entirely deprecate 'outer' misery and to justify it 'transcendentally'", is repeated in Kant's conception of freedom (Marcuse 57). Kant too situates freedom in the inner, autonomous person, thoroughly detached from worldly conditions. Although Kant argues that the "propensity and calling to think freely" gradually leads to the capacity for "freedom in acting" (Kant, "What Is Enlightenment?" 22), freedom of thought remains prior to and independent of freedom to act. The freedom of action to which Kant refers is the freedom to throw off one's "self-incurred minority", that is, one's willingness to submit to the authority of spiritual advisors, doctors or books, in preference to the use of one's own reason. Such "passivity", however, remains indispensable with respect to the directives of governmental authority:

"here it is, certainly, impermissible to argue; instead, one must obey" (18). In Kant's ideal polity, this by no means excludes the individual from making "public use of their own reason . . . to publish to the world their thoughts about a better way of formulating it" (21), provided of course, that should political reform be required, "which may certainly be necessary at times", such reform must be initiated "by the sovereign itself, . . . not by the people" (*The Metaphysics of Morals* 133).

Luther and Kant both associate authority with passive submission in direct opposition to the freedom of the individual subject. For Kant in particular, individual freedom is synonymous with the active deployment of law-giving reason. The contrast of the active and free use of reason with passive submission to authority recurs throughout modern political philosophy. It can be perceived both in Michel Foucault's "ethical turn" following his theorization of biopolitics and governmentality and most clearly expressed in his celebration of Kantian critique in "What is Enlightenment," and in Gilles Deleuze's Spinozism according to which "the properly ethical question is linked to the methodological question of how we can become active" (Deleuze 221).

This ethical task is undoubtedly important, but both Whitehead and Arendt render the relation between activity and passivity significantly more complicated. Arendt's work demonstrates the dependence of political action, the only truly free action in her view, on the existence of a world in common and a shared source of authority that both holds a group together and gives meaning and orientation to its political practice. Neither common world nor political authority, however, exist merely as a passive ground upon which action takes place. Each requires ongoing activity by the members of the community, the instrumentalist work that is both threatening and indispensable to political action in Arendt's account (Arendt, *The Human Condition*; see also Honig,

Public Things; Markell). In *On Revolution*, political authority plays an analogous role to the activity of work in providing the degree of certainty and durability to common life that is a necessary correlate to free political action, and it too demands ongoing work via the foundational practices of augmentation that help to prevent political institutions from ossifying and becoming obstacles to freedom. While the autonomous individual of the protestant tradition can remain free despite worldly constraints (Marcuse 52), for freedom itself to become a "tangible, worldly reality" (Arendt, "What is Freedom?" 148) requires the existence of worldly things and institutions that enable free action in common. Although a shared source of political authority, like Arendt's work, is potentially antagonistic to freedom, it remains an important factor in the capacity of the world to provide both the commonality and the enduring reliability necessary to political action. To be truly effective, this authority requires not passive obedience, but that it be sustained and propagated through the active participation of citizens.

The citizen's relation to authority is not one of mere passive submission but also involves a degree of active engagement. Conversely, during the free spontaneous action that constitutes political activity, the agent is always also a patient. "To do and to suffer are like opposite sides of the same coin" since free action, "though it may proceed from nowhere, so to speak, acts into a medium where every reaction becomes a chain reaction and where every process is the cause of new processes" (Arendt, *The Human Condition* 190). These processes far escape the control of the actor who is both the initiator of the action but also its first victim, suffering its unpredictable consequences and being inevitably dragged into a net of relationships such that freedom appears to be forfeited in the very act with which it is exercised (234).

As for Whitehead, any simple dichotomy of activity and passivity in human

experience is abandoned in the same gesture in which he rejects Kant's faculty psychology. Experience cannot be divided into faculties characterized by passivity or activity. Both doing and suffering are distributed throughout the occasion of experience with neither subject nor object given priority as the origin or engine of process. Whitehead describes both subject and object in active terms, the subject "in respect to its special activity concerning an object," and the object "in respect to its provocation of some special activity within the subject" (A. N. Whitehead, *Adventures of Ideas* 176). The sense of the objective world, with its inherent "aesthetic significance" (*Modes of Thought* 121), "does not denote passivity but rather the provocation that spurs us to select and arrange the elements of our environment so as 'to elicit attention to particular values which are realizable by them'" (Gaskill, "The Habit Of Art" 181-2, citing A. N. Whitehead, *Science and the Modern World* 200). Furthermore, Whitehead's insistence on the essential purposiveness of experience not only eradicates the Kantian distinction between active cognition and passive affection, it can even be argued that it undermines the traditional opposition of *theoria* and *praxis*. Thomas M. Jeannot, in a passage that recalls Arendt's critique of the Platonic division between "those who know and do not act and those who act and do not know" (Arendt, *The Human Condition* 223), reads Whitehead as offering "an integral humanism that neither disavows conceptuality nor divides thinking from doing, issuing commands from executing them, or the leisure necessary for work and play from the mere toil of beasts of burden" (Jeannot 78). As I will try to show later in this chapter, a conception of authority grounded in a Whiteheadian metaphysics, one which gives due attention to the affective character of authority, goes some way to healing the rift between reason and action that has long bedeviled philosophy and political theory. In Whitehead's philosophy, through the

concept of purposiveness, “modes of thought” are no longer “divorced from modes of action and conduct” (79) such that, in George Allan’s words, both “our understandings and our practices are contingently situated achievements” (Allan, “The Habit Of Art” 25).

6.2.1 Affective Intentionality

Whitehead’s troubling of the boundary between theory and practice, passive affection and active reason, is of direct relevance to current debates on the relation between affect and intention. In recent years there has been considerable debate regarding the “affective turn” in the humanities and social sciences, in particular regarding the relationship between affect and intention. Several critics have criticized the perceived “anti-intentionalism” of affect theory (Leys; Wetherell, “Trends In The Turn To Affect”; Barnett). Ruth Leys’ has offered the most influential critique of the anti-intentionalism of contemporary writing on affect in the humanities, and while some of her criticisms are well-founded, her critique relies on a strictly cognitivist notion of intentionality. Responding to Leys’ criticisms, William Connolly suggests that a more complex understanding of intentionality is required, citing Whitehead’s extension of the range of intentionality far beyond the cognitive (Connolly, “The Complexity of Intention” 793). As has already been made clear, for Whitehead all feeling is necessarily intentional. It involves concern through which a relation is established and out of which relation the object is established as object of concern for a subject which exists *as* subject, only with respect to this object. While Connolly’s writings on political affect frequently evoke Whitehead’s work, in my view, the gap between affect and cognition remains too great in Connolly’s work. Connolly recognizes that affective experience plays an important role in thought, but in his “layered” conception

of thought, the rational operations of argument and deliberation are presented as belonging to a different layer than the "ethical sensibilities", such that it is only by "nudging" the different layers via "arts of the self" that it is possible to "refine the sensibility in which your judgments have heretofore been set" (*Neuropolitics* 107-108). I am receptive to many elements of Connolly's project, but I believe his work still implies too great an opposition between reason and affect in the operations of thought. As Linda Zerilli notes, although they invert the order of priority of cognition and affect, many theorists of political affect share the belief, common among the rationalists and deliberative democrats that they often critique, that affective modes of judgment necessarily impair or distort our perspective on the world and therefore systematically "restrict our capacity to judge critically and reflectively" (Zerilli, *A Democratic Theory of Judgment* 4). Whitehead's theory fundamentally rejects this opposition.

Whitehead's work provides resources both for a conception of judgment in which affect is a component in, and not an enemy of, reliable perception, and a means for describing a more complex notion of intentionality that makes both body and mind, feeling and thought, important sources of intentionality. As John Cromby and Martin Willis put it in their appeal for social psychologists to pay greater attention to the work of both Whitehead and Susanne Langer, "rather than feeling being dependent upon prior cognitive appraisal for intentionality, feeling is already intentional" (Cromby and Willis 488). What's more however, the kind of "practical intentionality" (to use Clive Barnett's language) implied by Whitehead's insistence on the intentionality of emotion (*Adventures of Ideas* 176), although conceptually prior to the "propositional intentionality" that is associated with rational reflection or representation, plays out in a dynamic intercourse of bodily and conceptual, practical and propositional experiences in which neither the practical nor the propositional intentions

have causal priority. Importantly, Whitehead doesn't "ontologize" (Barnett 186) affect (or cognition) in the way of many contemporary theorists of affect who present affect as one element in a "layered" model of experience in which ontologically distinct categories of affect, understanding and judgment interact in the production of experience (Connolly, *Neuropolitics* 9, 90). Instead, all elements of experience are gathered under the activity of feeling which includes everything from interactions of stars and subatomic particles to the notion of judgment as "the decision admitting a proposition into intellectual belief" (A. N. Whitehead, *Process and Reality* 187). Affect is not an autonomous, ontological layer of experience, distinct from and prior to conceptual evaluation. Indeed as Linda Zerilli argues, such a conception remains "entangled in the Cartesian conception of the subject as a disembodied intellect" (Zerilli, *A Democratic Theory of Judgment* 241).[1]

Contemporary phenomenological research on emotions is particularly useful in elucidating an account of bodily intentionality as a component in the individual's experience of a world replete with meaning. According to Gerhard Thornhauser, bodily feelings are "intentional experiences that pertain to an essentially shareable, culturally modulated, concern-driven engagement with the world" (Thornhauser 53). Similarly, Jan Slaby argues that bodily feelings are "crucial carriers of world-directed intentionality" (Slaby, "Affective Intentionality and the Feeling Body" 429). The physiological sensations of which we are sometimes aware during emotional experience are not passive indicators of affectivity but are acts of intentional "feeling-toward" the world (Goldie 235). It is a mistake to conceive of bodily feelings as passive sensations made present to our minds in order to inform us what is going on in our bodies

[1] Or, as Clive Barnett puts it, the view of practical, embodied, affective experience as "an autonomous layer therefore reproduces a representationalist view of representational practices in order to assert the superiority of an avowedly 'non-representational' stance" (Barnett 188).

(although they serve this purpose too, see Slaby, “Affective Intentionality and the Feeling Body” 438), and to provide us with information to guide our cognitive intentions. As Slaby notes, “the feeling body is not an object to which we have some specific way of epistemic access. Instead it is the core of our affective being in the world” (441). Such affective intentionality is neither intention *towards* the body in an appraisal of one’s inner state, nor intention *through* the body towards the world, but a bodily being-toward through which the body intends *within* the world of which it is a part.

To focus on the body and its affects implies neither a denial of intentionality nor of meaning. Intentionality is a directedness towards something of significance to the body in question. The body is not merely a passive conduit for evaluations of significance, it is itself an agent in such evaluations. In fact, it is now relatively common, even among proponents of cognitivist psychologists and philosophers, to view emotions, and even bodily feelings such as pleasure and pain as in some sense comparable to judgments (Solomon; Frijda; Nussbaum). It has become uncontroversial to claim that bodily feelings contain important evaluative elements. Whitehead belongs to a tradition that, in contrast to the Kantian framework, does not “separate feeling from understanding, but rather [recognizes] feeling as an integral part of understanding” (Thornhauser 54). Affects play an essential role in the formation of judgments. As Jonas Bens and Olaf Zenker argue “affect and emotion are not in opposition to normative judgments, but essentially contribute to their formation” (Bens and Zenker 100).

Where affect is lacking, judgment too falls short. In Mark Johnston’s words, in the absence of affective engagement, the world “appears more neutral than it is, and our immediate evaluational thought and judgement becomes impoverished” (Johnston 181). This is of immediate consequence not only for

thought, but also for action: “intrinsic motivation is lost, and eventually our own ongoing activity lacks a kind of ready intelligibility, which the giving of reasons to ourselves hardly makes up for” (181). Affective experience discloses what Whitehead calls “the gift of aesthetic significance” offered by the world and by which it makes its claim on the attention and shapes both perception and action (A. N. Whitehead, *Modes of Thought* 120).

The state described by Johnston, in which the world appears neutral, judgment becomes impoverished, and intrinsic motivation is lost, corresponds to contemporary phenomenologists’ accounts of depression (Fuchs; Ratcliffe, *Experiences Of Depression*; Slaby, “Affective Self-Construal and the Sense of Ability”). Thomas Fuchs argues that depression, rather than a mental disorder, is “a disorder of intercorporeality and interaffectivity” (Fuchs 226). He discusses sufferers of depression for whom “the emotional quality of perception is lost completely, objects look blunt or dead, and space seems hollowed out . . . The patient feels like an isolated object in a world without relationships; there is only an abstract space around her, not a lived, embodied space any more. Perception only shows the naked framework of objects, not their connectedness or their ‘flesh’” (229). The depressive often experiences their body, not as “expressing and connecting the self with others”, but as a “barrier to all impulses directed to the environment, resulting in a general sense of detachment, separation, or even expulsion (222). With the “exchange of body and environment blocked . . . drive and impulse are exhausted” and “sense perception and movement . . . weakened” (226-7). When the affective, embodied concern that Whitehead defines as the “essence of perception” is lost, the affective tone of experience is diminished and perception and judgment alike are impoverished (A. N. Whitehead, *Adventures of Ideas* 180).

While affect is clearly vital to evaluative judgment, it is important not to

simply equate these two practical experiences. As Matthew Ratcliffe argues, to simply argue that affect is a type of judgment would make affect appear rather "synchronic" or "atomistic," whereas in reality affective experiences may often be longer term processes involving a variety of bodily feelings, propositional beliefs, attitudes and "habitual ways of experiencing and interacting with the world" (Ratcliffe, "Grief and the Unity of Emotion" 168). Affective experiences are temporally extended processes of practical engagement. As Jan Slaby and Philipp Wüschner argue, this "active nature of emotion . . . is what lets value manifest and become concrete, in that it opens up a practical sphere rife and buzzing with what ought to be (or not be), and thus what ought and can be done—by me, by us, here and now" (Slaby and Wüschner 212). This "acting-out" of emotion makes it a dialogic and necessarily extended phenomenon, as the practical, affective engagement with the environment "helps to shape the space of possible further ways of acting . . . and thus partly determines how the emotion will subsequently unfold" (213). It combines both a "passive" side, the manifest and provocative value of the world, and an active engagement shaped by a subjective concern in which can be found the bodily and mental history of the subject, including already held values and knowledge (Slaby and Wüschner 213; A. N. Whitehead, *Adventures of Ideas* 176, 181-183). Such dialogue between provocation and concern is ongoing since emotional enactments condition the possibilities for subsequent action while simultaneously renewing and reshaping the experiential occasion in light of the evolving process of affective experience.

Affective experience then, involves both passivity—we suffer our emotions—but also a practical engagement with the world. It is a both means of making sense of and of acting upon the world, through which both world and subject are constituted. There is no question of anti-intentionalism in this account,

but this is a far more complex intentionality than that envisaged by Leys, one in which intention cannot simply be located in subjective cognition.

6.3 Affective Authority

The central role of affective experience in the disclosure of value makes clear its vital role in the functioning both of judgment and of authority. Affect is necessary to evaluative judgment as indicated above, but it can also stand in for evaluative judgment or even overrule it. As Mark Johnston suggests, affect can make an action "seem apt or fitting in a way that silences any demand for justification" (Johnston 189). Of course, affect can also be heightened, diminished or transformed by the impact of evaluative judgment, but it remains a vital contributor to the formation of descriptive and normative evaluations. Affect gives meaning to experience and to action, rendering it intelligible in ways that rational judgment may not always discern. It shapes the way we see the world, not in the sense of systematic distortion but in the sense of raising the contrasts without which conscious perception would not be possible at all (A. N. Whitehead, *Process and Reality* 161). As purposive disclosure of value, it brings this experience of the world together with the desire to act in the world. As I have already noted, properly understood, affective experience narrows the gulf between knowing and doing, reason and action, *theoria* and *praxis*, that cleaves the philosophical tradition.

When, in this thesis, I insist on the affective nature of authority, I am referring to the sense in which affective feeling plays a central role in guiding action, sometimes in addition to, and sometimes instead of, rational evaluation. Affect does not simply duplicate reason, it is not simply evaluative judgment minus consciousness. Without it though, evaluative judgments have no

purchase on either the world or our actions. Affective engagements with the world are not mere projections of value, which may or may not influence rational judgments, they are a form of openness, bodily and mental, to the value that the world presents. This openness is necessary to perception, and when it is lacking, as Thomas Fuchs and others argue to be the case for sufferers of depression, then “the attractive qualities of the environment faint. The patients are no longer capable of being moved and affected by things, situations, or other persons” (Fuchs 228). Importantly for my argument here however, it is this affective perception of the world as a source of value that makes perceptions of the world into reasons to act (Sabine Döring also argues this from a somewhat different philosophical perspective).

When affect is understood, in Johnston’s phrase, as “at least sometimes a revelation of sensuous goods, [able to] endorse our being naturally drawn away from ourselves toward other things and other people”, its capacity to bind individuals together and motivate action in common—its authority—becomes clear (Johnston 204). Conversely, without an affective element to authority, it may be possible to understand obedience, but that motive force that drives individuals to participate in sustaining and expanding the structures of authority remains incomprehensible. Thanks to its affective character, authority can provide both guidance and motivation to action. Of course, there is nothing that guarantees that the actions inspired by authority will be directed towards egalitarian or democratic ends. The worship that gives authority its hold may be absurd or abhorrent to those who are not similarly inspired, but as an affective experience of value, such affects have the capacity to resist and potentially overpower the normative value judgments presented through rational argument. On the other hand, affects and norms are far too closely connected for affective engagements to remain entirely impervious

to evaluative judgment.[2] The interconnection between judgment and affect that is central to authority's capacity to motivate action is a central tenet of Whitehead's philosophy.

6.3.1 Propositional Feeling

A Whiteheadian political aesthetic refuses to exclude or disparage the values disclosed by affect, but it also provides a much broader understanding of propositions as simultaneously making claims upon both judgment and affection. Neither the normative force of affects nor the affective force of norms is obscured in Whitehead's philosophy. According to Whitehead, "the conception of propositions as merely material for judgments is fatal to any understanding of their role in the universe" (A. N. Whitehead, *Process and Reality* 187). As discussed in Chapter 5, for Whitehead, the principle role of propositions is not to serve as objects for determinative judgments but to act as "lures for feeling" (xxiii, *passim*). A proposition is not principally "a statement about the world to be judged true or false, not a tool for unveiling the truth behind appearances, but a possibility that draws those who entertain it into a different way of feeling their world" (Gaskill, "An Adventure of Thought" 6). As such, a proposition does not determine or describe, it modifies, "com[ing] into being with the creative advance of the world" (A. N. Whitehead, *Process and Reality* 259). It is "a hybrid between pure potentialities and actualities" (185-6).

Whitehead's use of proposition is characteristically broad but not counterintuitive. Propositions are distinct from concepts (Whitehead's "eternal objects") as they contain both a conceptual and a physical (empirical) element.

[2] As Susan Bickford writes of Aristotle's account of the relation between reason and emotion, "Aristotle doesn't say that emotion is rational, but rather that it is reasonable, by which he means that it is capable of listening to good advice. 'The nonrational part . . . is persuaded in some way by reason, as is shown by correction, and by every sort of reproof and exhortation'" (Bickford 1027; citing Aristotle 1102b-1103a).

They are also distinct from desires ("physical purposes") which, like propositions, include a conceptual and a physical element but which also include an "abruptly selected eternal object", that is to say, desires involve decision (A. N. Whitehead, *Process and Reality* 184). Propositions may conform or not to the actual world, they may be true or false. When understood as simple fodder for judgments, such falsehood renders them useless or irrelevant, but as lures for feeling, "non-conformal propositions . . . pave the way along which the world advances into novelty. Error is the price which we pay for progress" (187). According to Whitehead, "the term 'proposition' suits these hybrid entities, provided that we substitute the broad notion of 'feeling' for the narrower notions of 'judgment' and 'belief.' A proposition is an element in the objective lure *proposed for feeling*, and when admitted into feeling it constitutes [285] *what is felt*" (187).

Although Whitehead here appears to conflate judgment and feeling in the manner that I have warned against above, later in the same chapter he defines judgments more precisely as "the critique of a lure for feeling" (A. N. Whitehead, *Process and Reality* 193). Whitehead's notion of judgment necessarily implies conscious evaluation, in particular, it implies the conscious "feeling of the contrast of theory, as mere theory [Whitehead uses "theory" as a synonym for proposition (184)], with fact, as mere fact", which contrast "holds whether or no the theory be correct" (188). What is most important though is that this "critique" of propositions, rather than generating determinations, "primarily generates purpose" (188). The problem of how "normative practical reasons can be motivationally efficacious", a problem that has troubled philosophers including Hume and Kant, and which continues to excite debate today (Döring 363), simply does not exist in Whitehead's philosophy.

This inbuilt capacity of propositions to provide reasons for action depends

on their direct interpellation of the feelings. As argued above, affect is a necessary component in the formation of evaluative judgments, and evaluative judgments and the propositions to which they may give rise impact upon action via their affective capacity to generate purposes. Indeed, it is perfectly possible to complete the circuit from the feeling induced by a normative proposition to the formation of a reason for action without passing by evaluative judgment. But normative propositions and evaluative judgments remain essential sources of feeling and reasons for action, even if they do not retain the absolute priority that they are afforded in Kantian metaphysics or the political philosophy grounded in that metaphysics. While affective experience is central in guiding and motivating action, it cannot of itself settle the question of what one *ought* to do. Judgment remains vital to the evaluation of the propositions "admitted into feeling" (A. N. Whitehead, *Process and Reality* 193), and as a *modality of feeling*, critical judgment is eminently suitable as a means of cultivating the affections that shape one's judgment. The values disclosed in affective experience can be challenged, strengthened or weakened by evaluative judgment and, especially in political contexts, by a form of public deliberation that recognizes rather than excluding or obfuscating the values disclosed by affective experience. In the concept of authority that I am presenting here, the orientation and motive force provided by affective engagements is indispensable, but rational evaluative judgments are by no means redundant or even secondary. Authority involves the entanglement of the affective disclosure of value and normative claims to legitimacy.

6.3.2 Affective Authority and a World in Common

Up to now I have been discussing the important sense in which affective experience discloses value in the world. Such experience is characterized by

its intentionality. Of course, the concept of intentionality is not unique to accounts of affective experience, but Matthew Ratcliffe argues that there is something distinctive about the sort of intentionality at play in affective experiences. "Emotional intentionality'' is distinguished by what Ratcliffe calls its "two-sided structure''. "To experience something emotionally is also to experience a potential or actual disturbance of the experiential world within which the object of one's emotion is encountered'' (Ratcliffe, "Emotional Intentionality" 253). Affective experiences do not only disclose the world, they disturb it with potentially lasting consequences upon the "habitual ways of experiencing, anticipating, and acting, which are more usually taken for granted by our thoughts, experiences, and activities'' (253). Strong affective experience may demand a "revision of the world within which we feel, believe, perceive, and judge, and within which various propositions and their interrelations are intelligible against a backdrop of habitual cares and concerns" (267). There is no doubt that affective experience is a means of making sense of the world, but such experience also involves a perturbation, an unsettling, of the experiential world. Intense affective experiences may initiate an extended, dynamic process, influencing the "complicated networks of long-term cares, commitments, and projects, which intersect with one another to varying degrees" (264). In this process, an individual is potentially required to revise and repair the rational and emotional frameworks that shape their relations with the world and others. Affective experiences may destabilize our world, but through the processes of engagement, revision and repair, also sustain that world. As Ratcliffe puts it, "emotions maintain, actively revise, and repair the world that we find ourselves in when we perceive *p*, remember *q*, believe *r*, or desire *s*" (263). For this reason emotions "are not contrary to reason but integral to a broader 'rationality'; they manage and sustain a structured realm of the kind that

reason requires in order to operate" (263). Despite, or perhaps because of, their power to unsettle, affective experiences participate in the construction and maintenance of an experiential world that provides the framework within which evaluative judgments concerning the world may be carried out.

Ratcliffe's argument that emotions are not "within-world phenomena" but are in fact constitutive of an experiential world, supports my claim regarding the centrality of affective experience to political life. His argument resonates with Bonnie Honig's suggestion that the "world-stabilizing powers" of objects are explicable in terms of the affective relations between citizens and "public things" (Honig, *Public Things*). In a similar vein, Linda Zerilli discusses the way in which public deliberation functions not only as a means for reaching agreement on a given topic, but as an affective, world-building practice (Zerilli, *A Democratic Theory of Judgment*). What emerges in Ratcliffe's account is the extent to which the constitution of an experiential world relies on a form of emotional intentionality that is "dynamic, bodily, and practical" (Ratcliffe, "Grief and the Unity of Emotion" 171). What Honig and Zerilli show, as do phenomenologists of emotion such as Thomas Fuchs, who insists upon the "intercorporeality" of affect, is the extent to which this experiential world is a shared world, a world in common. In the next section of this chapter I will elaborate on the collective basis of affective authority and its close connection to collective practices that are both affective and discursive.

6.4 Assembly and Authority

In this final section I aim to support the claim that collective practices are both generative of and sustained by authority, and that this interconnection between authority and collective action cannot be understood without giving

due attention to the affective elements of political authority. In the model of authority that I have delineated above, authority's capacity to motivate political action depends upon its affective basis. This is not to neglect the normative content of discursive claims to legitimacy, but it is to claim that both the intelligibility and the motivational force of these normative claims depends upon from their capacity to affect citizens. A. N. Whitehead's theory of feeling provides a means for understanding affective experience as purposive experience of value which is both inherently normative and motivationally efficacious. It helps to understand the capacity of discursive propositions, Whitehead's "lures for feeling'', to provoke the concern of the individual, constituting a relation between subject and object that is unavoidably interested and practical. Normative discourses of legitimacy have no capacity to interpellate citizens and move them to action in the absence of an affective concern through which they are distinguished as worthy of evaluation. This becomes clear when one considers the manner in which rationally grounded discourses, such as well-researched arguments concerning the ineffectiveness of policing and incarceration as crime-prevention strategies (as in, for example, Drake), or prohibition as a means of controlling problematic drug use (Hughes and Stevens), remain unintelligible in mainstream discourse. I will return to a discussion of this at the end of this section through two examples of contemporary assembly which illustrate the affectivity of normative, discursive practice, and the normativity of affective experience.

Monique Scheer argues that understanding affect as involving a practical engagement with the world, means recognizing that it is both historical and social. The affective body is "socially situated, adaptive, trained, plastic, and thus historical" (Scheer 193). As such, affective phenomena are inherently public, communal practices. In the words of Thomas Fuchs, emotions "are

not inner states that we experience only individually or that we have to decode in others, but primarily shared states that we experience through mutual intercorporeal affection" (Fuchs 222). The political relevance of such intercorporeal affection is receiving ever more attention in contemporary political theory and cultural studies. Judith Butler sees in the "expressive freedom" of assembly, "a chance to reflect upon the embodied character of social action and expression, what we might understand as embodied and plural performativity" (Butler, *Notes Toward a Performative Theory of Assembly* 22). She draws on the work of Adriana Cavarero to show how the reciprocal exposure of bodies in assembly is expressive of our interdependency as "more than thinking beings, indeed as social and embodied, vulnerable and passionate" (119). Of course, the importance of political demonstrations as expressive of passionate feeling has long been recognized as demonstrative of the inadequacy of a conception of politics that is limited to disinterested deliberation. Michael Walzer observes of political demonstrations that "there is no room here for quiet deliberation, for that would not show the world the force of these people's concern, their passionate commitment and solidarity, their determination to achieve a particular political object" (Walzer 94).

As Walzer argues, the expression of political passions must not be overlooked as an important component in political practice. And as Butler shows, the simple assembly of bodies is already expressive of the embodied, passionate and interdependent nature of political subjectivity. What I wish to focus on here though, harking back to the argument of Chapter 2, is not the expressiveness associated with political assembly, but the affective *creativity* of collective political practice. This affective creativity is present in even the most formal and proceduralist deliberations. Cheryl Hall observes that arguments such as Walzer's concerning the role of political demonstrations in expressing

political passions, tend to reinforce the contrast between affective expressions of political fervor and the cold reason of deliberation. Instead, Hall argues that "deliberation is not and cannot be a purely rational enterprise" (Hall 82). It cannot function without empathy or care, and its normative conclusions cannot motivate action unless they engage the passions through the excitement of affective experience as the experience of value (Hall 87; see also Krause 211; Johnston 181).

The political value of affect then, does not only relate to its role in the expression of the concerns and values of citizens. It is also necessary to the recognition of value that is required both in order to engage in substantive political deliberation and to motivate normative action. Indeed, there is a growing recognition among political theorists that political practice requires both the exchange of opinion and the exchange of sentiment, and that the exchange and expression of sentiment is not reserved for expressive forms of assembly such as demonstrations, it is also central to deliberative practice. Not only are political affects expressed through collective practices, they are also created through these practices. In Chapter 2 of this thesis, I discussed Robert Cover's argument that assembly is creative of the communal narratives that give meaning to law. Similarly, assembly is creative of the affective commitments through which value is experienced and communicated. Wherever bodies assemble, whether to march, demonstrate, or deliberate, political sentiments are expressed but also created (I use the word sentiment deliberately here to evoke the inseparability of discourse and affect in political practice, see Bens and Zenker 96). Deliberation produces both political resolutions and political affections. These processes are central to the production of the political authority of a group, a movement or a community where authority is understood as comprising both normative claims to legitimacy and affective

bonds that hold a group together and motivate their collective action.

The enactment of a variety of bodily practices in assembly—some innovative, some habitual, some involving the evocation of traditional rituals (the rhetorical modes and expressive gestures of experienced syndicalists, or the more recently coined hand signals of the assemblies of the past decade (Feldman 1856))—result not only in the communication of ideas, but in the creation and communication of emotional states. Such practices are at once affective and discursive. Margaret Wetherell uses the term "affective meaning-making" to refer to this interconnection of affective and discursive phenomena through which affective experiences are recognizable as meaningful and, therefore *citeable* (Wetherell, *Affect And Emotion* 51). Over time, practices of assembly generate not only communal narratives, as Cover argues, but also, as Laurent Berlant shows, an "archive of gestures, structures, and identities of emotion, prostheses, and modes of commentary" (Berlant 46-7).

6.4.1 *Nuit debout* and the Authority of Deliberation

Some facets of the interdependent nature of assembly and the affective conception of authority defended here can be illustrated by two contemporary examples of collective political practice. The first of these examples is the *nuit debout* movement, which began in France in the spring of 2016 in response to the reforms to France's labor code proposed by Myriam El Khomri, the minister of labor in François Hollande's government. Following a march in protest against the law on the 31st of March, an assembly was held in the Place de la République. Rather than returning home after the assembly, many protesters stayed in the square until the early hours. From that day on, until well into the summer, activists would gather every day in the Place de la République, setting up various working groups, debates and events, as well as

conducting a daily general assembly open to all.

The first forty five minutes of Mariana Otero's documentary, "L'assemblée" (Otero), shows several of the discussions and deliberations that took place in the Place de la République during the *nuit debout* movement. There were debates about the law and the larger neoliberal social project of which it was a part, about the possible responses available to activists, and over the form that debate itself should take. There were repeated disagreements over whether a certain question is procedural or formal, over whether to vote on an issue or to postpone decision in favor of further deliberation, and, indeed, over the very purpose of the assembly. These countless debates were undoubtedly experiments in democratic practice. They were also deliberative practices, in which participants discussed the how and the why of their opposition to the El Khomri project; these were claims-making practices, in which claims against government were formulated and expressed (Tilly and Tarrow 7); and they were discursive practices, in which attempts were made not only to conduct democratic discourse, but also to remake the very referent of democratic life (Foucault, *The Archaeology of Knowledge* 48). Also, and equally, the debates of *nuit debout* were affective practices. The enactment of a variety of bodily practices, some innovative, some habitual, resulted not only in the communication of ideas, but in the creation and communication of particular emotional states. Such practices are "manipulations of body and mind to evoke feelings where there are none, to focus diffuse arousals and give them an intelligible shape, or to change or remove emotions already there" (Scheer 210). These practices may be focused and intentional, as with certain rhetorical performances, but more often they are more diffuse practical assemblages, requiring the collaboration of numerous bodies with no single, organizing center.

As it is presented in Mariana Otero's documentary, *nuit debout* might seem the last place to go looking for examples of affective practice. Her documentary is unashamedly dull. There is little laughter, no dancing or singing, and not much anger or shouting either. The first half of the film is little more than a collection of scenes in which various topics, often procedural, are debated. Emotions only seem to heighten when disagreements develop over whether a comment is relevant to the theme of the session or not. Nevertheless, I want to speculate that these lengthy, often technical deliberations were themselves part of the affective practice of *nuit debout*, and were likely an important element in participants' experience of the movement as authoritative. The deliberations were undoubtedly discursive, occurring through the exchange of signs, and performing the prioritization of deliberation over decision that was a driving principle for many activists. But they were also practices in which activists' emotions were manifested in a practical engagement with the world, and out of which feelings of solidarity emerged. These debates could be considered to effect what Margaret Wetherell calls an "affective-discursive loop" as the rhetoric of democracy and inclusion create and intensify emotion, thereby motivating further rhetorical acts and experiments in support of democratic practice (Wetherell, *Affect And Emotion* 7). The deliberations of *nuit debout*, with their almost obsessive proceduralism, were productive of legitimacy through their attempts to demonstrably observe rules for equal participation. But they were also productive of the affective relations that bind deliberants via their shared concern for the equal participation of all in the construction of a community. The discursive practice of public, collective deliberation plays a role in establishing common routines of discursive *and* affective interaction that enable mutual comprehension and the development of shared motivations that underpin action in common.

6.4.2 West Wednesday, Black Lives Matter, and the Authority of Passionate Speech

A very different assembly takes place every week on the streets of Baltimore. Every Wednesday, for over three hundred and seventy weeks, without exception,[3] Tawanda Jones has held a vigil for her brother, Tyrone West, who died in police custody after a routine stop. The official autopsy showed that West had died of a cardiac arrest related to a previous condition, although two independent forensic reviews concluded that positional asphyxia was the cause of death. When West's family subpoenaed the Baltimore Police Department to inspect the cocaine that he was alleged to have been carrying at the time of his arrest, they were told that the cocaine had been lost. All ten officers involved have been cleared of wrongdoing (Linderman).

I attended several of these vigils while in Baltimore in the spring of 2019. Each week Jones speaks passionately about her brother's life and death. She is often joined by relatives of other black men, such as Freddie Gray, who have died or been critically injured in police custody. Some weeks, the crowd (sometimes a few dozen, sometimes over a hundred, often as a function of current events) disperses after the speeches are complete, while other weeks the vigil includes a march on the streets of Baltimore or a demonstration in or in front of certain Baltimore institutions. Like *nuit debout*, West Wednesday, as these weekly vigil's are known, offers an opportunity for anyone who wishes to address those assembled (although the interventions are far less regulated than those of *nuit debout*, with no formlal restrictions on duration or content). West Wednesday invariably involves passionate and deeply moving testimony by Jones and other women of color who have lost loved ones to police violence.

[3]For a number of weeks during the Covid-19 outbreak, the vigil was held online.

West Wednesday has developed alongside the Black Lives Matter movement, and evinces the same passionate desire for justice and for the end of racist policing in the United States.

The style of expression at West Wednesday is significantly different to that seen in the public assemblies of the Place de la République during *nuit debout*. The proceduralism of the deliberations in the Place de la République reflected a desire to enact, as fully as possible, principles of equality and universal participation that bear great authority in the self-image of liberal democracies such as France. Even if these principles are realized relatively rarely, few people in France would dispute their validity. The orderly practice of civic egalitarianism through reasoned, collective deliberation is a practice whose discursive legitimacy is taken for granted in France today. When citizens are given the opportunity to themselves engage in this practice, it does not only operate as a means for enabling legitimate debate. It also, especially when explicitly directed towards giving a voice to every individual without discrimination, as in the case of *nuit debout* (Kokoreff), intensifies the affective engagement of participants by allowing them to physically participate in enacting the principles that most of them have been taught to cherish since childhood. As discussed above, Cheryl Hall rightly argues that deliberation requires affective engagement on the part of participants. What's more though, the widely recognized discursive legitimacy of public deliberation also allows its practice to create affective attachments in participants. This authoritative discursive practice is creative of the affective bonds that sustain ongoing collective action.

The situation is somewhat different for Tawanda Jones others demanding an end to the racist, state violence in the U. S. A. Jones and many other members of the black community in the U. S. are calling for sanctions to be taken against

police (essential agents of security in mainstream opinion), and for young black men (often with a criminal record) to be afforded greater protection. Despite the considerable evidence of widespread racism and corruption in policing (including in West's hometown of Baltimore where the story of the city's Gun Trace Task Force is only the best known of several shocking scandals involving police criminality, see Weiner; Lopez), when fighting for justice for those killed by police violence, it is necessary to counter an enormous weight of apparently common-sensical opinion regarding the difficult conditions under which police operations are carried out, the extremely high rate of violent crime in many cities, and the high rate of criminality among the young black men that are frequently the targets of police violence.

Especially since the death of George Floyd, the Movement for Black Lives has led calls for defunding police and abolishing carceral punishment (Akbar 106). There exists an extensive body of literature that argues convincingly not only that policing and incarceration are racist, but that they do not fulfill any of the purposes that they are supposed to serve ("rehabilitation, incapacitation, deterrence (from future offending), general prevention (deterrence from committing crime in the first place) and the delivery of justice" (Drake 2)). Numerous thoroughly researched, rationally grounded studies demonstrate the inadequacy of modern policing and incarceration on their own terms (Drake; James; A. Y. Davis; Gilmore; Sim; J. Gilligan; Mathiesen), but until the latest surge of protest following Floyd's death, discussions of abolition were entirely absent from the mainstream.

The protests that have spread across the United States and elsewhere in the world have forced the concept of abolition into the mainstream consciousness, even if it is still reflexively dismissed as absurd, ridiculous, or dystopian. Such demands are simply not seen as worthy of consideration, and many

recent declarations that Black Lives Matter have been qualified by rejections of some of the movement's "unreasonable" demands. That these demands can be so simply dismissed as absurd or dangerous, despite the existence of an established body of academic research that demonstrates their validity, highlights the difficulty of gaining a hearing for rational demands that threaten mainstream orthodoxy. On the other hand, the fact that these demands have finally made at least a partial incursion into mainstream consciousness, even if they currently remain largely unintelligible there, shows the power of collective action that mobilizes bodies and their emotions to lend authority to rational demands that would otherwise be completely ignored. Despite their solid rational basis, only when countless black families have been required to testify to their grief, and only when thousands of bodies have assembled on the streets to give passionate expression to the value of black lives, have arguments concerning the inadequacy of policing and incarceration as tools of social order been able to gain a brief and cursory hearing.

It is the authority lent to the words of a figure such as Tawanda Jones by the emotional intensity of her experience of loss (Dawney), and it is the authority implicit in the assembly of thousands of individuals gathered on the streets to express their rage, that gives emotive force to the rational claims of modern day abolitionists and makes their claims audible in the mainstream. These embodied, affective practices are necessary to make arguments concerning police violence and the failure of the carceral state recognizable as valid political judgments. Hopefully, as this movement progresses, mainstream figures in politics and the media will be forced to engage with the rational arguments against policing and the carceral state rather than simply dismissing them as absurd. It is the passionate speech and the enormous determination of people like Tawanda Jones, supported by the repeated assemblies of thousands

of people, that will make arguments for abolition audible, intelligible, and hopefully one day, authoritative in the mainstream. If the Movement for Black Lives achieves this then it will have fundamentally reshaped the common world such that arguments for abolition can no longer be simply ignored or dismissed, but will be appear as rational interventions in public debate over the requirements for social order.

6.5 Conclusion

To conclude, I would like to return to Hannah Arendt's claim that the authority of the federal U. S. A. was assured the moment the Constitution became an object of worship for U. S. citizens. This worship depended upon the normative and rhetorical claims associated with the Constitution, but also upon the establishment of patterns and routines of affective experience connected to specific symbols and gestures, periodic celebrations and rituals focused on the new nation. The "festive politics" of the early post-revolutionary wars played a role in this (Newman), but so did the town meetings that predated the revolution, in which "the sentiments of the people were formed in the first place, and their resolutions were taken from the beginning to the end of the disputes and the war with Great Britain" (Adams 388). Such assemblies still take place today in New England today (Bryan).

The confluence of affect and discourse in enduring but dynamic patterns of collective political practice is central to sustaining political authority. Authority provides repertoires of practice through which value can be recognized. It provides affective practices in common and citational modes of affective engagement. Political authority provides collaboratively produced shared frameworks for the recognition of value in the world, ensuring that some values are cherished,

others are rejected, and others still go unnoticed. The insights of Matthew Ratcliffe regarding the world-building capacities of affective experience make it clear that this experience of authority cannot simply be equated to an experience of a dominant interpretative framework. Affective experience is not simply another mode of evaluation, it is constitutive of the experiential world which is a precondition for judgment. The affective-discursive practices that I argue are productive of authority do not simply produce rituals and routines for the recognition of normative legitimacy in, and the experience of affective commitment to, the political structures of a community. They contribute to the constitution of an aesthetic, experiential world in which political values can be recognized and situated. The experience of political authority does not simply imply an "interpretative commitment" to a norm, as Robert Cover argues (Cover 45). More than this, it implies belonging to a common world, structured by common normative discourses and by affective engagements, which condition the range of possible interpretative commitments.

It is within a common world structured by a shared source of authority that agonistic deliberation takes place. While this necessarily involves a narrowing of the field of political possibility, it provides a framework within which political perspectives become mutually comprehensible. There is undeniable tension here. The centripetal structures of authority are in permanent tension with the centrifugal tendencies of agonistic politics. This institutionalizing impulse of authority must be balanced with an ongoing concern for the openness of political structure in order to allow the necessary structuring of political practice without this structuring becoming antagonistic to freedom.

The need for structure arises out of the disagreement that inevitably occurs whenever it is necessary to negotiate between conflicting perspectives without recourse to an apolitical source of final arbitration. Rather than providing an

ultimate ground for consensus, as arguments for authority based in practical reason contend (Raz, *Between Authority And Interpretation*), authority allows us to stay together in disagreement. This conception of authority accords with Arendt's model of political judgment as essentially aesthetic. Such aesthetic judgments, as Kant rightly argues, are experienced as necessary despite the absence of determinate grounds upon which to demonstrate their universality (Kant, *Critique of Judgement* § 19, 68). As Kant also argues, it is nonetheless meaningful and productive to *quarrel* over such judgments (Zerilli, *A Democratic Theory of Judgment* 55), or, as Arendt argues, to attempt persuasion (*peithein*) (Arendt, "The Crisis in Culture" 222). What Kant and Arendt neglect is, on the one hand, affect's role in providing the disclosure of value that makes those judgments possible and transforms them into motives for action (Johnston 181), and on the other, the role of affect in building a world in common to which individuals are bound despite the differences in perspective that must necessarily arise in a plural community.

In this chapter I have attempted to construct a model of political authority, inspired by Hannah Arendt's political theory, but in which the role of affective attachments is recognized together with their entanglement with normative claims. This is a model of authority that does not assume hierarchical relations, or passive submission, although it does recognize the extent to which authority can stand in for and sometimes overturn rational evaluation. What is clear though, is that absent some form of shared affective focus, action in common cannot be sustained beyond the short term. While this implies the need for stable structures to sustain practice and to provide foci for affective attachments, these cannot simply be imposed from outside of a community. The affective attachments that bind a community, like the communal narratives that Robert Cover argues are indispensable to the application of law, must arise

from within the community. While authority may be objectified in a figure, in symbols, documents or artifacts that are distinct from the community, the attachments that give authority its motivating force are necessarily immanent to a community. Collective practices of assembly give rise to the affective and discursive repertoires that enable and sustain political authority, and in their absence, authority is gradually undermined.

Chapter 7

Conclusion

In this thesis I have attempted to provide an account of political authority and collective political action that is inspired by Hannah Arendt's political aesthetic, but which rejects Arendt's explicit and implicit borrowings from the metaphysical tradition. Instead, I draw on Alfred North Whitehead's metaphysics of experience in order to elaborate an original political aesthetic that gives proper recognition of the role of affect in political practice. The elaboration of an Arendt-inspired model for political aesthetics that is consistent with a Whiteheadian metaphysics is the principal original contribution of this thesis.

By insisting that political deliberation must be disinterested and that emotion cannot be admitted to the public realm, Arendt recreates, within her own theory, the problems that she herself identifies in traditional political philosophy. By banning affective experience from political practice, she also diminishes the force of some of her most important insights on political practice and its dependence on the structures that provide a common experiential world for citizens. Most importantly, her distrust of the passions leads her to construct a model of politics that would institutionalize the exclusion of

all those who, for whatever reason, are incapable of performing the norms of disinterested deliberation such that politics would become (or remain) a procedure for the maintenance of privilege.

Important attempts have been made, especially in recent years, to correct this affective deficit in Arendt's work. Linda Zerilli's 2016 book *A Democratic Theory of Judgment*, brings Arendt's political theory into conversation with the ordinary language philosophy of Ludwig Wittgenstein and Stanley Cavell to present an account of political judgment as a world-building practice in which affective experience plays an important role. Similarly, Bonnie Honig's *Public Things*, published in 2017, draws on Arendt's theorization of the importance of the products of work in constructing the artificial environment that humans inhabit. This world of things provides a reliable background against which the contingencies of human action can play out, offering a reassuring "objectivity" against which humans, "their ever-changing nature notwithstanding, can retrieve their sameness, that is, their identity, by being related to the same chair and the same table" (Arendt, *The Human Condition* 137). Despite Arendt's insistence on the irrelevance of emotions to public life, Honig argues that only by becoming objects of emotional attachment are such "public things" able to "interpellate us into democratic citizenship" (Honig, *Public Things* 5).

While both Honig and Zerilli, in spite of Arendt's protestations, maintain the importance of affective experience to political life, neither contests the theoretical grounds for Arendt's exclusion of such experience. In contrast, I have argued that certain elements in Arendt's theory rest on implicit borrowings from a metaphysical tradition that she explicitly rejects. Arendt's insistence on the danger of emotion to political life assumes, with traditional metaphysics, that affective experience necessarily distorts human perception and that political judgment must therefore be disinterested and effectively disembodied

in order to be valid. Although Arendt's phenomenological allegiances lead her to argue that emotion, rather than disrupting the functioning of the cognitive faculties, "destroys the in-between space which relates us to and separates us from others" (Arendt, *The Human Condition* 242), she nevertheless asserts a categorical divide between cognitive and affective faculties. She insists that the cognitive faculties can, and indeed must, be abstracted from the affective as a condition of possibility for the existence of a public realm.

In maintaining such a distinction Arendt's account loses explanatory force. Only when human perception is recognized as an affective disclosure of value can one explain the capacity of things to structure human experience. For this reason, Honig needs to call on the object relations theory of Donald Winnicott to provide the resources to explain the capacity of things to interpellate us emotionally, and so to provide a convincing account of the democratic potential of public things. Similarly, Arendt's emotionless account of the public realm ignores the role of affective experience in constituting the experiential world that shapes our engagements (Ratcliffe, "Emotional Intentionality"), the commonality of which she holds to be a necessary condition for politics. Perhaps most importantly from my perspective, a failure to recognize the role of affective experience as disclosure of value opens up a gap between Arendt's disinterested, aesthetic judgments on political issues, and the (e)motive force that such judgments must have in order to drive collective political action. By depriving the public realm of affective attachments, Arendt cannot explain how the collective political speech that she describes so ingeniously, is transformed into collective political action.

That Arendt herself is aware of the necessity of such attachments is suggested by her account of authority in "What is Authority?" and *On Revolution*. This thesis has highlighted that peculiarity of Arendt's political

theory that leads her to assert the indispensability of political authority, and its dependence on feelings such as awe and reverence, while simultaneously maintaining that human passions are deeply antagonistic to politics. Upon the detailed reading of Arendt's political aesthetic that I have offered in Chapter 3 of this thesis, Arendt's account of authority provides a means to understand the interconnection of discourse and affect in the experience of authority. If the affective component in this experience is neglected, the full force of Arendt's account of authority as not only a justification for obedience, but a motive for political action cannot be understood. In order to allow a fuller development of Arendt's insights concerning the functioning of authority as a positive, binding force that motivates participation, rather than solely as a privative force that demands obedience, I have offered a critical interrogation of what I consider to be the implicit metaphysical commitments that underpin her account, and attempted to provide an alternative account of political experience that could provide a consistent basis for a political aesthetic which recognizes the centrality to politics of *both* rational critique of and affective attachment to political values and political communities.

This objective motivated my attempt to derive a political aesthetic based on the aesthetic theory of experience of Alfred North Whitehead, which respected many of Arendt's commitments concerning plurality as a *sine qua non* to political action, the exchange of perspectives as a means of improving knowledge of the world, and the existence of political freedom as a tangible feature of action that is conditioned but not determined by prior events. Perhaps most importantly, Whitehead, like Arendt, insists on the basic reliability of perception as perception of the world. The truthful appearances offered by perception are practical, purposeful disclosures which, while necessarily interested, are nonetheless founded upon the reality of the

world as it presents itself from a given perspective.

Like Arendt, Whitehead has faith in the capacity of human perspective to disclose the objective world in its reality, however, in contrast to Arendt, Whitehead considers affective, interested experience to be vital to this disclosive experience, rather than necessarily distorting. For Whitehead, experience is a felt awareness of an objective world in which value is immanent. If experience were truly disinterested, then this objective value could not be perceived. This, far more than judgment colored by "charm and emotion" (Kant, *Critique of Judgement* § 13, 54), would be a distorted perception. All contemplation for Whitehead is essentially interested, and indeed aesthetic. As Kant too would agree, that experience is aesthetic does not mean that it cannot involve the objective experience of immanent value, (see Kant, *Critique of Judgement* § 6, 42-43; Kulenkampff 94), only that such value cannot be determined as universally objective. For Whitehead, and for Arendt, this means that experience is necessarily perspectival, situated, and particular. *But this does not obviate its truth.* While Kant grounds aesthetic experience upon a subjective common sense which, dependent upon feeling rather than concepts, cannot be universal, Whitehead shows the dependence of *all* experience upon the feeling of the world which, while necessarily perspectival, is a feeling grounded upon the objective, situated, reality of which it is a part. Despite Whitehead's claim that "Beauty is a wider, and more fundamental, notion than Truth" (A. N. Whitehead, *Adventures of Ideas* 265), truth remains an important concept for Whitehead (266). In contrast to both Arendt and Kant, however, rather than being an obstacle to true perception, the emotional experience of aesthetic value is indispensable to the perception of truth.

Thus the Whiteheadian political aesthetic that I have presented in this thesis does not imply a pseudo-Nietzschean retreat from rational judgment

as a political principle towards a decisionistic politics as a battle of interests. To use Melissa Orlie's formula, the rejection of the notion of contemplation without interest, does not imply the assertion of a politics based on interest without contemplation (Orlie 684). What it does, is close the gap between contemplation and action that opens up when aesthetic experience is considered as disinterested and dispassionate *theoria*. The interdependence of political judgment and political action is much clearer when propositions are recognized as "lures for feeling", and feeling as the practical and purposive disclosure of "something that matters" (A. N. Whitehead, *Modes of Thought* 116). The political aesthetic that I have attempted to elaborate in Chapter 5, and to put to work in Chapter 6, aims to give expression to the vitally important affective experiences without which the capacity of feelings such as worship and reverence to ensure obedience to shared rules and, most of all, to motivate collective action, cannot be understood. It aims to build on Arendt's insights regarding the aesthetic basis of political life by elaborating the close interconnection of normative claims and affective attachments in politics and, in particular, in the experience of political authority.

Arendt's notion of disinterested deliberation and dispassionate politics is unable to adequately explain the capacity of authority to motivate collective action, the capacity of things to provide a durable framework for unpredictable and inevitably agonistic action in common (Honig, *Public Things*), or the capacity of collective action to establish a common, authoritative experiential world that can give meaning and orientation to action while allowing space for the plurality that is essential to politics. However, in my view, when the fully affective character of political authority is recognized, then the interconnection between authority and collective action as described in Arendt's work is compelling. Arendt's account of political foundation depends on the idea of a

mutual promise that arises within a community, not a law that is imposed from outside. This is presented as a necessary condition for sustainable, authoritative institutions in the modern age and provides a model in which authority originates within a community, even if it is objectified in a constitution that is deliberately distanced from the contingencies of day to day politics.

In this model, assembly should not be considered only as a practice through which claims are directed towards the holders of authority, but a practice in which authority, as a central component in a common world, is constituted and augmented. It is for this reason that I have given priority to the function of assembly as creative rather than expressive. Rather than focus upon assembly as a claims-making practice, in which those without authority make demands upon those with authority, or even in which people "speak with authority *without* being authorized to speak" (Butler, *Excitable Speech* 157; see also Frank), I have drawn inspiration from the seminal work of Robert Cover to suggest a model of assembly as productive of the patterns of affective meaning-making that structure a community to make something like authority possible at all (Cover 17). Whether it is through the emotive force that derives from the enactment of cherished norms to create affective bonds within a community, or through the capacity of emotive speech and the assembly of passionate bodies to make the legitimacy of normative claims apparent, assembly simultaneously mobilizes affect and discourse to potentially reshape the common world and the authority that sustains it.

Despite the generally positive tone that I have adopted in my discussion of affective authority in this thesis, it is important not to overlook the essentially ambiguous nature of this concept, As discussed in Chapter 4, there is no guarantee that an apparently egalitarian form of authority, inhering in shared practices, discourses and institutions, and arising out of popular action, cannot

be transformed into a system of unevenly distributed privilege and subjection. During my account of affective authority, I recalled the words of the American revolutionary John Adams to illustrate the connection between collective action and political assembly. However, I could equally have recalled Frederick Douglass's speech "What to the Slave is the Fourth of July?" Invited to give the fourth of July address to the Rochester Ladies' Anti-Slavery Society, Douglass articulated his own indisposition to participate in the outpouring of nationalist joy.

> Fellow citizens, above your national, tumultuous joy, I hear the mournful wail of millions, whose chains, heavy and grievous yesterday, are today rendered more intolerable by the jubilant shouts that reach them (Douglass 85).

Douglass's situation, constrained "to see this day and its popular characteristics from the slave's point of view", meant that he could not share the joy of his fellow citizens. Inversely, however, many of these fellow citizens were rendered deaf to the mournful wail of millions by the emotive declarations of "the great principles of political freedom and of natural justice" (Douglass 85) proclaimed by the Declaration of Independence and repeated *ad nauseam* in the annual celebrations of independence of the white male minority. Douglass laments his inability to "reach the nation's ear" in order to denounce the nation's crimes, expose its hypocrisy, startle its propriety, rouse its conscience, and quicken its feeling (87). Access to the nation's ear requires more than a platform. As Douglass himself argues, the justice of the case against slavery is irrefutable such that "convincing argument" is redundant, what is needed is "scorching irony" to awaken the nation to what is surely self-evident, "that for revolting barbarity and shameless hypocrisy, America reigns without a rival" (87-88).

What the U. S. case makes clear is that affective practices built around celebrations of justice, freedom and equality are able to successfully blind people to injustice, oppression and exclusion. It is rare, though not unique, for celebrations of supreme virtue to be so flagrantly juxtaposed to practices of vicious criminality as in Douglass's America, but there are many situations in which affective practices can work to conceal practices that would undermine their efficacity. What I wish to stress here is the inevitable ambivalence of both authority and affect as both enabling egalitarian collective action but also potentially concealing inequality. The affective attachment of U. S. citizens to their founding documents, undoubtedly enabled by these documents' proclamations of self-evident equality and the unalienability of natural rights, was able to blind citizens to the daily violation of these principles.

Although I have maintained throughout this thesis that affective experience is not systematically distorting, and, in Chapter 4, have warned of the exclusionary consequences of Arendt's political ban on passions, it is nonetheless the case, as Mark Johnston observes, that "affect can prompt illusion or failures to see. Anxiety can narrow attention, shame can make one hear a slighting tone when there is none. To say that appropriate affect can refine sensing is not to say that other forms of affect do not frequently distort it" (Johnston 211). Many contemporary political theorists, while urging a recognition of the political importance of affective phenomena, warn of the regressive potential of affective experience. Judith Butler, for example, highlighted the way in which, in the context of the U. S. wars in Iraq and Afghanistan, "affect is regulated to support both the war effort and, more specifically, nationalist belonging" (Butler, *Frames Of War* 40). Similarly, Sara Ahmed, in an influential article, highlights the way "emotions work to align some subjects with some others and against other others" (Ahmed 117), and particularly how "white fear"

establishes the racialized other as fearsome, and thereby establishes the white subject's alignment with the collective (127-128).

In contrast, many recent scholars of affect have instead affirmed the emancipatory potential of affect (Koivunen; Pedwell and A. Whitehead). Such accounts have been associated with Sedgwick's "reparative stance", emphasizing the potentialities associated with affect rather than the dangers. While Arendt's stance towards affect could be described as thoroughly paranoid, her reading of authority tends toward the reparative. Instead, and in alignment with Brigitte Bargetz with respect to affect (Bargetz), and with William Connolly with respect to authority (Connolly, *Politics and Ambiguity* 127-142), I affirm an ambivalent stance to affective authority. As Bargetz says, "emphasizing the ambivalence of affects helps us consider how emotions are embedded within (heteronormative, racist, and classed) power relations as well as how affects may serve as a critical and mobilizing force for queer feminist politics" (Bargetz 581).

As regards authority, Connolly, argues that "any successful social construction is likely to require the exclusion, denial, or repudiation of that which does not fit within its frame" (Connolly, *Politics and Ambiguity* 133). Authority cannot function without creating an unifying impetus, a centralizing force that cancels the entropic tendencies of agonistic society. Connolly observes that "there is no ontological basis for the expectation of fully harmonious unities . . . each such apparent unity can be deconstructed—can be shown to contain anomalous, irregular, disparate elements that have had this unity imposed upon them. A theory of authority, indeed a theory of ethics or politics, that acknowledges this feature of modernity will also appreciate this ambiguous character of achievements it prizes the most" (133).

Although Arendt does not dwell on such issues in her writings on authority,

that she recognizes this ambiguity is clear from her attempts to provide a model of perpetually open foundation, one in which authority, while inevitably narrowing the range of political possibilities, retains sufficient openness that each citizen and each new generation has the potential to engage in collective action to reshape the foundation. As Arendt herself recognized, the U. S. model failed, ensuring that political freedom would "remain the privilege of the generation of the founders" (Arendt, *On Revolution* 232). However, as I discussed in Chapter 4, she nonetheless celebrates many features of the foundation of authority in the U. S. A., including the supposed "abolition of sovereignty within the body politic of the republic" (153). One may perhaps wonder if Arendt, in her celebration of her adopted homeland and in her elision of its crimes (Owens 414), did not herself fall prey to the charisma of the "the cheapest and the most dangerous disguise the absolute ever assumed in the political realm, the disguise of the nation" (Arendt, *On Revolution* 195).

Recognizing the ambivalence of affective authority means recognizing that although such affective attachments are vital to enduring political practice, the danger of these attachments cannot be reduced to zero. There can be no guarantee against these dangers, and certainly, to exclude passionate modes of speech from political deliberation effects its own gendered and racialized exclusions (Kruks 122). Arendt's model of authority as augmentation of a continually open foundation offers one suggestion for the elaboration of institutional protections against persistent exclusion. So too, the examples offered by Arendt of emancipatory political practice, the Russian soviets, the Hungarian councils and the town meetings of New England, suggest that the scale upon which open, participatory political practice is feasible is much smaller than the scale at which the institutions of the modern state operate. Lasting, sustainable affective authority requires widespread participation in

political practices of assembly at a local scale. Such localized practices may be located within broader structures, but the source of authority remains the ongoing practices of assembly in which citizens are able to engage in practical deliberation informed by rational judgment and directed by and towards a passionate concern for the world in common.

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