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Özgür Yalcin
PhD Candidate
Institute for Social Justice

Title
Conflict in Rawls's Political Justice and Mouffe's Agonistic Democracy

Abstract
Mouffe’s agonist democracy is one of the democratic theories of the political, which argues for the constitutiveness of pluralism and conflict, reflected in political power struggles in democratic politics. She presents her view of agonistic democracy in a critical dialogue with what she calls rationalist and moralist conceptions of democracy expressed in Rawls’s political liberalism and Habermas’s deliberative democracy.

In this paper, I focus on the main points of Mouffe’s critique of Rawls, and I will advocate Rawlsian conception of justice against Mouffe’s agonistic democracy.

Mouffe’s fundamental critique of conceptions of democracy such as Rawls’s political liberalism is that such conceptions prioritize rational consensus over conflict or even they ignore conflict. For Mouffe, underestimating or ignoring conflict is one of the main reasons for contemporary democracies to understand and cope with the current existence of fundamentalisms or anti-immigrant, racist rightist movements and the violent protests that threaten democracies. Mouffe claims that such anti-democratic movements express various collective identifications that could not find legitimate channels of political expression under existing democracies. According to Mouffe, consensus-oriented conceptions of democracy lead to the elimination of democratic channels for the political expression of such collective identity claims that constitute the basis of anti-democratic political positions or protests by assuming that democratic society can be represented as a product of rational consensus and therefore fully inclusive, and those who do not accept the values of democracy are simply irrational and their anti-democratic claims do not have any legitimate basis that we need to take into account in the organization of democratic politics and therefore they have to be simply excluded.

Mouffe argues that Rawls’s idea of overlapping consensus expresses an instance of aforementioned moral or rationalist understandings of consensus in a
democracy society, and despite Rawls’s claims, his notion of overlapping consensus necessarily excludes certain political claims on the basis of a political decision rather than as a requirement of rationality or morality. According to Mouffe, the problem in Rawls’s conception of overlapping consensus is rooted in his closing of “the gap between justice and law that is a constitutive space of democracy”.

In my paper, however, I contend that Rawls’s political liberalism accepts the gap between justice and law, and through the elaboration of Rawls’s ideas of stability and legitimacy, I will argue that Rawls’s political liberalism has a space for political conflict, even though it is different in nature than Mouffe’s.

Bio
I am a Ph.D. student at the Institute of Social Justice, Australian Catholic University. I work on conceptions of democracy, justice, and political legitimacy. I am broadly interested in the understandings of human freedom in various ontological, phenomenological and normative philosophical approaches.