

Ungovernable Understanding: Some Reflections on Aesthetics and Political Disagreement

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“At the time when men’s bodily parts were not as coordinated as they are now and each limb its own way of thinking and its own voice, the other parts were angry that they had the worry, trouble, and effort of providing everything for the belly; whereas the belly had a quite time in their midst, doing nothing except enjoying the good things they supplied. So, they made a conspiracy that the hands should not carry the food to the mouth, nor should the mouth receive what it was given, nor the teeth chew it. While they wanted to starve the belly into submission, their anger caused all the limbs and the entire body almost to waste away. It was then apparent that the function of the belly was by no means idle: Not only was the belly nourished, but it also provided nourishment, since it supplied to all parts of the body the source of our life and strength—our blood, which it apportions to the veins after it is enriched with the food it digested.” –Livy, *The History of Rome*

“In many ways, the twists and turns in political philosophy—Habermas’s no less than any other—turn on locating the point of *irresistible* mimesis” (Miller, 2001: 39, emphasis in original).

“[W]hoever emancipates does not have to worry about what the emancipated person learns. He will learn what he wants, nothing maybe” (*Ignorant Schoolmaster*, 18).

One important development in recent political theory has been the interest in the “aesthetic” aspects of political life. This interest can take many forms. For some, it is a matter of examining the ways in which the transformation of politics into an aesthetic spectacle disfigures democracy (cf. Urbinati 2014: 171ff). In other cases, the focus is more on how political action introduces new perceptions into the field of sensory experience, and how this introduction reconfigures the sensible (cf. Rancière 1999: 35ff; Panagia 2006, 2009; Zerilli 2005: 161ff; 2012: 15ff). In still another strand, the interest in aesthetics addresses many of the same issues Plato had when he worried about the role of art in the ideal city; in these cases, there is concern with the non-cognitive, affective, or mimetic powers that either “enchant” our agency and our interactions (Miller 2011: 59) or affect (or effect) them without our knowing (Bennett 2010). I cannot map or assess all of these disparate approaches here. Rather, I wish to take much of this literature as an inspiration and provocation to explore a key aspect of politics, namely, the question of how we should understand the nature of a political conflict or disagreement.

Partly because she has written directly on this question, my main interlocutor for this exploration will be Zerilli's (2005, 2012) work on judgment. Inspired by Arendt's reading of Kant's *Critique of Judgment*, Zerilli proposes a conception of political disagreement that steers between the supposed rationalism of Habermasian or Rawlsian conceptions of deliberation or public reason, and Lyotard's conception of political conflict as a bearing-witness to the *differend*. Like Habermas and Rawls, Zerilli holds that argumentation is central to political conflict, and that there is a "logic" to it. However, such arguments should not be understood as *disputieren* (a dispute in which one tries to persuade through the exchange of compelling proofs) but instead as a Kantian *streiten* (a quarrel akin to a disagreement over whether something is beautiful or not). In a *disputieren*, which is the conception of political disagreement that she attributes to Habermas, participants assume "that agreement can be reached through an exchange of arguments constrained by the rules set out by conceptual logic and objective knowledge (as with determinate judgments), [whereas a] *streiten* occurs when concepts are lacking and agreement cannot be reached through the giving of proofs (as with reflective judgments) (2005: 170). Participants in an aesthetic quarrel cannot compel their opponents to accept a position is valid; instead, they express how the world appears to them and invite their interlocutors to see it that way. This might sound demoralizing, because there appears to be no way to know what the proper resolution of a political disagreement should be. Yet Zerilli celebrates the freedom that comes with this interpretation. Understood as part of an aesthetic quarrel, a political claim operates as an "imaginative extension of a concept beyond its ordinary use in cognitive judgments" (171). Viewed in this way, political claims maintain freedom, both in the sense that a claim can never *compel* an actor to accept it, and in the sense that it is through political claim-making that actors to create and re-create the common world in which we live.

Thus like many others influenced by Arendt lectures on Kant's conception of judgment, Zerilli draws attention to the world building aspects of political speech and argumentation. Arguments raise validity claims, but they also invoke a world in which the argument can be received as such. There is no doubt that this orientation offers a rich conception of political life and that it opens up fruitful paths of research in which one focuses on the ways in which argument is bound up with forms of world-disclosure. Still, I wish to raise questions about Zerilli's conception of political disagreement as aesthetic quarrel. On her account, political disagreement is structured as a triad: Two critics look at an object and disagree about what's there. In this activity, we disclose ourselves, utilize the faculty of imagination to view the world from the perspective of others, and therefore also forge the public space (i.e., the space "in between" people) in which common objects can appear. My concern is that Zerilli's model of political argument as aesthetic quarrel does not see the implications of her attention to the aesthetic aspects of political disagreement and therefore cannot explain how they can be processed. Using Livy's story about the secession of the plebeians, I will argue that a political disagreement cannot be modeled as a conflict between two critics who quarrel over whether object is beautiful or not. Rather, it emerges in and through a disagreement/misunderstanding over whether the interlocutors exist as such, over whether they are offering arguments/reasons (or are instead simply expressing subjective preferences), and/or over whether there is a common "object" that both are pointing to.

To develop this conception of a political disagreement and how it can be processed, I look to an unlikely source: Habermas's theory of communicative action, or more specifically, Gregg Miller's (2011) reconstruction of it. Both Habermas's supporters and his critics typically read him as Zerilli does, as presenting a rationalist account political

disagreement; his goal, the story goes, is to develop an account of the procedural norms that participants must adopt when debating whether a norm is legitimate (or whether a factual claim is true). This reading would make Habermas an unpromising source of a conception of political disagreement in which the very existence of the disputants is at stake. It is hard to see how Habermas's approach, which holds that norms are valid only insofar as all affected could agree them, can help us understand a conflict in which the very identity of the "all" is at issue (cf. Mackin 20013: 13-14). However, as Miller shows, Habermas develops an account of communication that is bound up, root and branch, with mimetic power. In the first place, Habermas's procedure of communicative exchange takes the form of that which Plato was so keen to purge from his ideal city, namely, the practice of mimetic role-taking. Moreover, it also turns out that those practicing this role switching are affectively formed and transformed in the process, and in ways that cannot be governed. This is what Habermas means when he says that the "potential of unleashed *communicative* freedoms does contain an anarchistic core" (1996: xl, emphasis in original). This anarchistic core, Miller argues, is a mimetic one, and it is both ungovernable and constitutive of any cultural solidarity (Miller 2011: 13). This means that we can distinguish between the rules guiding communicative exchanges and the experience of understanding within that process. As Miller puts it: "[Habermas's universalization principle (U)] can govern *how* humans come together in language, but it does not penetrate the *how* of understanding" (65). There may be rules immanent to language that govern the procedures by which ego takes the position of alter in practices that generate valid norms, but they cannot govern the affective and solidaristic transformations that occur therein.

For Miller, communicative action's mimetic core is important because it enables language use to produce meaning and affective bonds of solidarity, the "binding" power

(*Bindungseffekt*) that emerges in and through language use. For the purposes of this paper, however, I focus on another aspect of the anarchistic/mimetic affects that Miller identifies. If there is no governance of the moment of understanding, then there is no way to ensure that one's reasons will be heard as presenting reasons at all. There is no guarantee that one's interlocutor will see one as a fellow critic with differing taste; instead, she might see you as nothing more than a hand, and as a hand, one can only comply with one's job to feed the stomach or revolt against it. If so, then the important question is how a political disagreement be processed (or find temporary settlement) even when no "public" space or point of commonality seems to be getting created. To address this issue, I suggest that we must go beyond Zerilli's notion that political disagreement takes the form of an aesthetic "world of competing worlds" (cf. Rancière 2011: 7). It involves the inscription, enactment, or experience of the anarchistic moment of communication that Habermas identifies. One can always "understand" another's expression in a way that morphs or "queers" existing categories and identities, yet at the same time (and for the same reason), there is no way to compel others to hear the utterances this way or to hear one's utterances and performances in this way. This generates a different and more Rancièrian conception of a disagreement. As Nichanian (2012) points out in his interpretation of Rancière, a political disagreement can emerge over whether there is a disagreement at all. The processing of a political disagreement must take the form of a clash of "as ifs." Actors act *as if* they possessed the speech that their interlocutors deny they have, and they act *as if* the world that their opponents presuppose already acknowledges that fact (Nichanian 2012: 5). With this orientation, it is problematic to say that political disagreement is akin to an aesthetic quarrel as opposed to a rational dispute, or that political judgments must be understood as reflective and not determinate. For it turns out that the questions of whether one is in a rational

dispute or an aesthetic quarrel, or whether one is making a reflective or determinate judgment, are often precisely what are at stake in a political conflict.

1

I begin with an old example of political conflict, Livy's account of the secession of the plebeians. The crisis initially emerged as a conflict over debt. The plebeians, who were the backbone of the Roman army and who also did the manual labor in Roman society, were angry about their indebtedness to wealthy patricians, and in particular, about the poor treatment accorded to debtors. Having recently won a victory against Rome's foreign enemies, the plebeians began to agitate for reform. This agitation left the Roman Senate in a bit of a quandary. On the one hand, the Senate needed the plebeians to serve in the military, and so when there were looming foreign threats, the Senate tended to offer concessions to the plebeians, promising, for instance, that no one serving in the military would be subject to seizure, nor will a soldier's property and family be threatened. On the other hand, many Senators, particularly those associated with one of the Roman consuls, Appius Claudius, insisted that there should be no concessions to the plebeians. Their agitation, he argued, was a result not of misery but of "license." The plebeians have been allowed to get away with too much, and this lenience has encouraged them to revolt. The republic's sacred laws must be maintained; it cannot be permitted for the plebeians to disregard the authority of the Senate and of the law. The plebeians must be brought to heel (cf. 112ff).

In the lead-up to the secession, then, we see a tacking between these two policies. Senatorial concessions induced the plebeians to fight Rome's foreign enemies, but then the plebeians return from war to find that no debt reform is forthcoming, and indeed, that Appius Claudius has broken pledges that other Senators have made by even harsher decrees with regard to debtors, making it easier for them to be imprisoned or enslaved by the

moneylenders (115). So the plebeians resisted: They ignored Appius Claudius's decrees; they exercised violence to prevent people from being arrested for debt; they rioted; they refused to join the army to protect Rome from foreign enemies; they personally insulted the Senate and Appius Claudius by refusing to name him as the one to dedicate a new temple to Mercury. And in response to the Senate's failure to deal with the debt issue, they finally withdrew some three miles from the city to the Sacred Mount.<sup>1</sup> Out of fear that the plebeians might attack, or that their foreign enemies might do so, the Senate dispatched former consul Menenius Agrippa to induce the plebeians to end the secession. Perhaps because of his plebeian birth, he was popular among the secessionists, and was admitted to their camp. There he argued that they must cease their secession by telling them the fable quoted in the epigraph. Apparently, the fable worked. Livy tells us that the speech "won over men's minds" (123). The plebeians negotiated a settlement with the Senate that permitted the plebeians to elect Tribunes to represent their interests against the Senate. Peace was restored (Though not for long. Livy explains that there was a grain shortage the year after the secession, and that Marcius Coriolanus attempted to use the shortage to force the plebeians to give up their newly won power, cf. Livy 125ff).

At first glance, this story seems to pose few problems. It seems like a straightforward class conflict. It emerges because there are two groups whose interests diverge, and it is resolved because the plebeians had the power to force the Senate to take their interests into account. If one wishes, one could add a bit of ideology critique to the reading, emphasizing the ways in which the apparently neutral idea of the "rule of law" actually supports ruling class interests. One could even add an "agonistic" twist, noting how unruly violations of an

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<sup>1</sup> Nichanian (2012) points out that Livy has them withdrawing to the Sacred Mount. Rancière, following Bellanthe and the Roman historian Piso, re-locates the secession to the Aventine Hill, which is still within the city (42, note 130). I will discuss the significance of this alteration of the location of the secession below.



apparently legitimate law improve the prospects of freedom. Still, these additions do not seem to alter the basic interpretation. The conflict emerged because there is divergence of interest, which is then resolved in good deliberative democratic fashion: The excluded party uses its power to get representation in formal decision-making processes. With this procedural reform in place, one can be more confident that future laws will be in the general interest.

Yet for Zerilli, along with other theorists examining the “aesthetic dimensions” of political life, this reading of the story is at least incomplete. Particularly if we focus on Appius Claudius’s position that the plebeians are simply rebellious animals who must be tamed, it is clear that the *political* problem the plebeians face is not that they are treated badly by moneylenders; it is, to use Rawls’s language for a moment, that they were “not counted as the sources of claims” (PL, 33). They lack the status or standing to make claims that others must take into account. Their job in Roman society was only to work and to serve in the military, whereas the job of the patricians is to make arguments and to rule. Thus, the plebeians’ noise utterances cannot be heard as rational speech, and must instead be treated something closer to the growl (or cry) of an animal, or at best, as subjective complaining. Indeed, many in the Senate held that the very idea that the plebeians have a political voice that senators had to respect was an affront to their dignity. Having the Tribunes participate in government was akin to being “sent under the yoke,” as Marcius Coriolanus put it (cf. Livy, 125-126).

If so, then reading the story of the secession of the plebeians as a clash of interests skips over an important part of the disagreement; indeed, it skips over what many understand as the specifically political moment. Before the plebeians can articulate their values and interests as part of a communicative exchange, they must be heard as *saying*

something. They must become speaking beings and heard as such. There are, of course, many different ways of conceptualizing this transformation and how it comes about. I have already alluded to one version: The plebeians constituted themselves as speaking beings mostly through the exercise of power. Because they did the working and the fighting for Roman society, they exercised a power that the patricians could not ignore. The question of whether they were speaking or merely howling/whining does not matter; the Senate would have to offer them concessions in any case, for without plebeian service in the army or in the fields, Roman society would not function. The downside of this reading is also obvious, however. It robs the story of any moral or rational significance. If it is just a clash of power, we have no reason for thinking that the establishment of the Tribunes was an expansion of freedom.

Thus, perhaps the most common current interpretation of the process of becoming a source of claims is to see it as a logical or progressive extension of universal principles that proceeds by way of an immanent critique. This is how, for instance, many Habermasians conceptualize the extension of rights to previously excluded groups (non-whites, workers, women, the poor, the LGBT community, and potentially all of the other others, ad infinitum). The transformation therefore takes the form of a Kantian determinate judgment. There are universal principles, such as the idea a norm can be legitimate only insofar as all those affected it can agree to it, and then the particulars get subsumed under it. To be sure, this requires a struggle for recognition, and this struggle requires the exercise of power. Still, the exercise of power can be *justified*, and this justification proceeds through appeals to universal principles. The universal principles are somehow already “there” (even if only as a counter-factual presupposition), and the political struggle for recognition “taps” into them. The whole affair then becomes quite logical. The plebeians are men, and if (as we must

presuppose as we argue over validity claims) all men deserve rights of political participation, then the plebeians' actions were justified, and the outcome was good. Freedom. Progress.

Yet as is common among many theorists in agonistic and post-structuralist traditions, Zerilli remains skeptical both of this notion of a logical extension and the preoccupation with justification. The focus on justification, she argues, misunderstands what actors are doing when they engage in political argumentation. And the notion of logical extension cannot account for how anything new emerges in political life, which means that it is inconsistent with human freedom. These concerns lead Zerilli to turn to Arendt's reading of Kant's *Critique of Judgment*. The determination that the plebeians are speaking beings deserving of rights of political participation must be understood not as determinate but as *reflective*. The key feature of a reflective judgment is that it proceeds in the absence of an existing set of rules, principles, or universal concepts. One is confronted with a particular that does not (yet) have a universal category under which it is subsumed. The imagination and the understanding, which are typically in a hierarchical relationship (with the understanding subsuming the sensations provided by the imagination), are then set into free play. No longer bound by the rules and concepts of the understanding, the imagination forges novel connections between the particular and other objects, rules, and concepts. In this way, a reflective judgment views the particular as *exemplary*. It is connected to a universal not in the sense that it possesses the attributes necessary to be counted under a universal category, but in the sense that the universal can be known only in and through the particular. One plays with the particular, connecting it to a universal (or to various universals) without ever being able to know definitively that it belongs there. The reflective judgment invents "forms and figures," searching for a universal rule or concept that one is unable to state (cf. Zerilli 2005: 163; see also Kant, 85).

As is well known, Kant argues that this free play (or harmony) of the imagination and the understanding is experienced as pleasure, and that the judgment of beauty expresses this pleasure. Yet for Zerilli, the attraction to the concept of reflective judgment is that it opens up a different way of understanding of what actors are doing when they present political arguments. They are not only trying to justify claims to truth or rightness; they are expanding what is communicable by forging novel connections between particulars and universals. I will return to Livy in a moment, but let us first look at an example of an aesthetic quarrel: Say a critic judges a piece of music to lack beauty on the grounds that it lacks a tonal center or a coherent rhythm. Let us say further that I disagree with this judgment. I find the piece to be beautiful, perhaps on the grounds that its atonality and incoherent rhythm draw attention to features of musical structure in a new way, and that the piece avoids the “false reconciliation” so often seen in the products of the capitalist culture industry.

For Zerilli, the interesting feature of this disagreement is that we can expect it to persist even if all of the parties agree on the facts and logic. I can “stubbornly” disagree with the critic’s (reflective) judgment about the piece’s lack of beauty, even if I agree with the critic’s (determinate) judgment of the piece’s lack of tonality and rhythm. Agreement about the facts and the rules of argumentation by no means guarantees an agreement in the conclusion. This is because a reflective judgment about the beauty of a piece of music imaginatively extends a concept beyond its existing uses (see Zerilli 2005: 171). The reasons that one cites to argue that the piece of music is beautiful are not “proofs” but invitations and inventions. One is soliciting one’s interlocutor to experience a different organization of the world, one in which one sees the ways in which tonality and rhythm actually exemplify false reconciliation, and one in which “beautiful music” is the sort that opens one to an

experience of the “non-identical”. Such a projection cannot force one’s interlocutors to see things this way. Yet that does not matter. Regardless of how my interlocutor responds, my judgment of the piece’s beauty creates and expands the common world. It opens up the possibility of seeing a connection between beauty and atonality, and therefore generates an “enlarged mentality.” The aesthetic (or political) judgment becomes the means by which interlocutors can see the space in between one another, and can do by imaginatively adopting multiple points of view. It is this capacity that creates the space in which public things can appear (2005: 177; see also Arendt 1994: 20).

The same is true for Zerilli’s conception of political conflict. The plebeians, on this reading, were not using violence to force their opponents to take them into account, but neither were they “proving” that they deserve the rights of Roman citizens on the grounds that they possessed the attributes of that category. They were inventing new connections between, say, the status of being plebeian (a worker, a soldier) and the capacity to be the source of claims. Thus, before (or in the very act of) presenting arguments, the plebeians had to construct a rhetorical context in which those arguments could be heard as such. Hence the secession. Read from Zerilli’s point of view, this act was not an exercise of power; it was rather a dramatization and contestation of the fact that the plebeians in Rome do not count as “real,” as speaking beings. They literally built a counter-world, an alternative society organized around alternative institutions, but one that also stood as a commentary on Rome’s exclusion of them. This activity, we might say, opened up a public space. It invited the patricians to re-view the world as something they *share* with the plebeians, and this allowed the patricians to hear what might have originally appeared as unreasonable, violent, or hysterical action instead as reasonable speech.

There is no doubt that Zerilli's approach to political argument helps reveal essential features of Livy's story (and also of other political conflicts). My own account, which I articulate in section 3, agrees with important elements of it. Nevertheless, there remain aspects of this story that seem not to fit Zerilli's conceptualization. The most obvious difficulty arises with Menenius's speech and its aftermath. One curious aspect is that the content of the speech is not much different Appius Claudius's position. The rhetorical image Menenius evokes (a hierarchical vision of society in which the plebeian hands must do nothing more than feed the patrician stomach) at least appears to point to the idea that the plebeians must submit to their betters and return to their place in society. The image, after all, casts the plebeians as stupid; they are as stupid as a hand that does not realize it needs the stomach for nourishment. Such an image does not seem to acknowledge a "plebeian point of view," at least not one beyond the idea that they are stupid, angry and/or suffering animals. Rather, it seems only to put the plebs back in their place. Thus, it is rather difficult to understand the content of Menenius's speech as a case of "persuasion," in which the interlocutors presented competing expressions of how the world appears to them, which then invites others to see things from a different point of view and opens a space in which things can become public. Rather, it looks like one more expression of contempt. It was less an argument explaining why the Senate must rule than a declaration that the plebeians are in revolt; and as Rancière notes, the only thing to do with a revolt is "to wait for it to stop or to ask the authorities to make it stop" (1999: 53).

Thus the genuinely odd part of the story appears in the aftermath of the speech. One might expect the plebeians to respond to Menenius's speech as they did to Appius Claudius, with renewed efforts to cast themselves as more than just "hands" who do the working and fighting in Roman society. Yet not only does Livy report that the plebeians accepted

Menenius's argument, but he also insists that they loved Menenius personally; Livy reports that they mourned him when he died the next year (Livy, 124). The Senate's actions after the speech are equally peculiar. Livy states that after Menenius's speech the Senate entered into negotiations with the plebeians, and they reached the agreement that created the plebeian tribunes. But if the plebeians are nothing more than hands, why would the Senate negotiate with them and agree to give them political representation? More pointedly, *how* could one negotiate with them?

In short, there seems to be an interpretive puzzle here, and Zerilli's conception of political disagreement as aesthetic quarrel only exacerbates it. Zerilli argues that political arguments are rational, but not in the sense we see in a *disputieren*. The rationality of a political argument is not a function of the relationship between a proposition and the evidence that supports or falsifies it; rather, it is a function of a shared practice of articulating a position and defending it with reasons (cf. 2005: 169; see also Cavell 1976: 88, and Mulhall 1998: 26).<sup>2</sup> Thus, she agrees with Kant and Arendt that someone who refused to back up his or her judgments with reasons would not be making a political judgment at all. S/he would simply be asserting a subjective preference. The trouble is that the disagreement at work in Livy's story does not seem to contain even that kind of rationality. Menenius did not say that he disagreed with the plebeians' judgment; he argued, or appeared to argue, that they were

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<sup>2</sup> This idea that rationality consists not in a relationship between a claim and the evidence that supports (or falsifies) it but rather in a shared practice parallels developments in the philosophy of science over the course of the 20<sup>th</sup> century. Many of the early investigations of the rationality of science defined rationality in terms of a relation between evidence (facts) and theory. Science is rational, in other words, insofar as the theories scientists accept are supported by the evidence (as in forms of logical positivism) or insofar as scientists discard theories that have been falsified (as in Popper). Later approaches, most notably Lakatos (1970), eschew this model and argue instead that scientific rationality is a function of practice. For example, Lakatos notes that scientists often hold onto theories that have been apparently falsified because they remain more promising than rivals. Thus, the formal relationship between a proposition and the evidence that supports it does not exhaust the rationality of scientific practice; context is also essential. Curiously, Habermas's investigations of communicative rationality also focus on the *practice* (i.e., the pragmatics) of communication; he by no means assumes that communicative rationality should be measured in terms of the relation a proposition and evidence.

not making judgments at all. So the point of disagreement is not that the two parties see the world in different ways. Rather, what appears to be at stake is the question of whether one of the parties existed as a claim maker, and therefore whether the plebeians were offering reasons. The question at stake, in short, is whether there was in fact a shared practice of reason giving.

The problem is not that Zerilli's approach cannot grasp these aspects of political disagreement can exist. As her reading of Fredrick Douglass's "What to the Slave is the Fourth of July?" demonstrates, she is well aware of the fact that sometimes the problem actors face is that they are not counted as reasoners and so they need to use rhetorical figures and tropes to constitute themselves as speaking beings (2012: 15ff). I'm inclined to say, however, that she does not grasp the consequences of this kind of disagreement. It is not enough to examine Douglass's (or the plebeians') rhetorical strategies and to show how these actors aimed to constitute themselves as speaking beings. One must also examine these actions from the other point of view, to see what kind of understanding these rhetorical tropes and figures did or did not produce. Throughout the conflict between the plebeians and the Senate, the Senators argued and acted as if the plebeians are making judgments at all, and *this orientation persisted even after the plebeians won the right to have tribunes*; as soon as they had the power to do so, some Senators (most notably Coriolanus) tried to strip the plebeians of their newly won rights. And though they resisted Coriolanus's efforts, the plebeians seemed positively happy with Menenius's arguments. And the Senate, in spite of its apparent dismissal of the plebeians as mere hands, also agreed to negotiate. So what is happening here? How does one make sense of a conflict and resolution of this sort? Is there some way for a political disagreement can proceed—and even succeed in producing an apparently



progressive outcome—even when this rhetorical offering is not accepted or is not viewed as present?

2

I now turn to the mimetic aspects of Habermas's conception of communicative action. Let us start with mimesis. Miller points out that the concept plays a central role in two overlapping traditions, one anthropological and one associated with representational art (2011: 14). In the anthropological tradition, "mimesis means making oneself similar, or speaking in the voice of another, or acting as another would act" (ibid.). This sort of mimicry does not just occur in the arts; it is a central component to human activity in general. Imitation, it seems, is a central dimension of learning: Children mime various things in child's play, but so do adults, as I did when I got over the stage fright of teaching by constructing the persona of a professor and imitating it. One can see a similar orientation in the cliché, made popular in Alcoholics Anonymous literature, that one if one "acts as if you had faith and faith shall be granted unto you."<sup>3</sup> The idea here is that imitation produces a kind of noncognitive transformation of the self, a bringing oneself into similarity with another that occurs prior to (and perhaps even enables) rational reflection. There is a similar meaning in the representative arts. Here the focus is less on how imitation alters the self and more on the peculiar relationship between the original and the copy. Art somehow imitates natural objects, or so we say. This is obvious in representative painting. It can also occur in the other arts, as when Plato insists that the harmonious organization of the city should mime harmonious music (indeed, the music must in some sense "inspirit" the city), which itself mimes the harmonious organization of the universe. Yet the imitation is deeper than

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<sup>3</sup> The cliché partakes in both of the basic traditions of mimesis. In the anthropological register, it offers advice: One should imitate the model of a "faithful person" and eventually the model will imprint itself on one's soul; on the aesthetic register, the maxim is phrased in a way that imitates Biblical tropes and figures.

simply producing objects that look (or sound, or move, or smell) like the original. Artistic mimesis also occurs in the sense that the activity of creation is itself mimetic. The artist's creation of an artwork mimes nature's creation of new beings (Miller 2011: 14).

Part of the attraction of these aspects of mimesis is that they draw attention to the “noncognitive” aspects of politics. Political life, we are told, is not as self-interested, voluntaristic, or rooted in autonomy as many existing accounts provide. It is inevitably bound up with mimetic practices and powers. Thus, it becomes essential for students of politics to investigate these powers, that mysterious process by which various noises, gestures, or visual cues can have any meaning or force at all. This is certainly Zerilli's main interest. Though she does not use the term “mimesis,” it is clear that she takes note of the ways language (somehow) involves a process of “making similar,” of offering images, tropes, and figures that can dissolve existing selves and/or establish new bonds of solidarity. Instead of being a “patrician,” for instance, one might now see oneself as a Roman citizen, as solidaristically connected to the plebeians. Yet Zerilli is not the only one. As Miller notes, perhaps every political thinker offer at least an implicit conceptualization of mimetic power and how it forms and transforms interests, identities, and bonds of solidarity. Indeed, one could tell the history of political thought as a history of how theorists conceptualize, celebrate, worry about, utilize, and/or work to contain mimetic power.

Though it is not often recognized, the same is true for Habermas. It would take a separate paper to engage in the full exegesis of Habermas's thought that would be necessary to refute the standard reading of Habermas's thought (i.e., the claim that he develops a rational and procedural account of how truth and moral validity are possible). Still, a few remarks are in order. On the standard reading, which I might add, is consistent with many of Habermas's presentations of his own position, Habermas becomes akin to Plato in his ban

of mimetic poetry: He sets reason into opposition to irrational mimesis and then defends the former against the latter. Certainly, his polemics against Adorno and Nietzsche-inspired “postmodernism” point in this direction. Yet Miller demonstrates that both the self-presentation and the standard reading are misleading. Not only does Habermas pay close attention to the noncognitive (or pre-cognitive) relations to others that form the very possibility of the “rational” subject, (cf. Vetlesen 1997, Mackin 2013: 27ff; Miller 2011: 69ff), but he also more or less explicitly places mimesis at the heart of communicative action.<sup>4</sup>

This is true in two respects. First, it turns out that the “rational procedure” that tests validity claims is nothing more than a procedure of mimetic role-taking. Just as Plato’s banned poets speak in the voice of multiple characters, Habermas’s competent speakers must also speak in each other’s voices. Consider Habermas’s universalization principle (U), which is supposed to govern the morality of communicative exchange: “For a norm to be valid the consequences and side effects that its general observance can be expected to have for the satisfaction of the particular interests of each person affected must be such that all affected can accept them freely” (1990: 120). In the current context, what is important here is not the way in which (U) defines the general interest, but the fact that this principle is “intended to compel a universal exchange of roles” (1990: 65). Unlike Kant’s “monological” categorical imperative, which Habermas argues creates a procedure of moral reasoning in which one projects assumptions upon the other, (U) demands and takes place in actual conversation. Through the procedures of moral argumentation, one is forced to “exchange

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<sup>4</sup> For instance, he states “there is already a mimetic moment in everyday practices of communication, not merely in art” (1985a: 81). He also refers to the idea that “art can find resonance in the mimetic relations of a balanced and undistorted intersubjectivity of everyday life” (1985b: 202). In both cases, Habermas insists that mimesis operates in everyday communication, which is precisely the practice he aims to reconstruct, and that this mimesis exists even in an idealized version of this practice.

roles with each and every other” (1982: 257). In short, the procedure that (U) establishes is nothing more than a universal pantomimesis (Miller 2011: 63).

Yet the role of mimesis in communicative action goes beyond its procedural aspects. It also appears as a kind of power that might (and, as we’ll see, might not) transform the self, that produces important affects and effects on those who engage in the role-taking. Recall why Plato banned the practice of mimetic poetry. It must be banned because such practices might shape the actors’ (and audience’s) souls. Plato was afraid that unregulated mimesis would produce chaotic and thinned souls, both for the poets who imitate many models and for the audience who might take such imitative practice as a model for them to imitate. People who constantly play at mimesis would be likely to “lose themselves,” to succumb to any desire they might have or to any politician’s beautiful speech. Habermas does not think that mimetic role-taking creates the soul chaos that Plato worries about. It turns out, however, that he agrees with Plato that the practice does influence individual’s sense of self, her orientations, and her competencies.

Indeed, Habermas’s whole conception of communicative action depends upon the “soul-effects” that mimetic role-taking can produce. After all, communicative action is distinguished from strategic action primarily in terms of the orientation and disposition of the actors. Actors who engage in “success-oriented action” adopt an “objectivating attitude.” They treat the other and the speech situation as an object that they can manipulate to achieve their goals, as an advertiser does when s/he determines that X phrasing is most likely to cause the consumer to buy a product. By contrast, in communicative action—that is, in action oriented toward mutual understanding—one must adopt a “performative attitude.” One must be oriented toward the other not as an object but as a fellow speaker, as one who has a world and a point of view that one is seeking not to manipulate but to understand.

This orientation, Habermas insists, is necessary to produce language's illocutionary force, the *Bindungseffekt* that allows actors to coordinate with one another on the basis of *meaning*. It is the *Bindungseffekt* that permits one to hear a noise utterance as a question, an order, an offer of a reason, and so on, and to act accordingly. So how does this *Bindungseffekt* come about? Habermas is quite explicit on this point: The "performative attitude" that produces illocutionary force "*is rooted in the mimetic act of role-taking*—that is, in ego's making his own the expectation that alter directs to him" (1984: 390, emphasis added). If language use is to become meaningful, if it is to produce mutual understanding and not just perlocutionary success, actors must do more than simply fulfill the formal requirements of the speech situation. They must be affected (and even effected) by the other. The other's position, perspective, and expectations become part of the self and how one acts in the world.

In this sense, Habermasian communicative action requires more than a correct procedure. It must also be bound up with a transformative experience, and this experience does not produce "right" or "wrong" claims (or true or false ones), but the sort of beings for whom reasons might *matter* (Miller 2011: 141). To be sure, Habermas tends not to describe this experience. He focuses instead on the formal grammar of communication (for instance, the fact that communicative exchange maintains the first-, second-, and third-person perspectives) and on the formal norms (U) that guide it. In one of his most common formulations, Habermas depicts the event of communication only as taking a "yes" or "no" position vis-à-vis another's validity claims (cf. Miller 2011: 63). He says nothing about the "lived experience" of this no, of the internal and/or external struggles to imagine oneself or one's world differently and that might be expressed in the negation (cf. White and Farr 2012: 38); he does not describe what it's like to adopt the performative and creative attitudes that are necessary to build a meaningful social world.

There have been several other theorists who have noticed this gap, and typically their focus is on many of the same themes that Zerilli interested in. They examine the aesthetic-expressive aspects of communicative action, on how it forms subjects and worlds. Thus, Miller reconstructs Habermas's conception of a communicatively formed subject, and he reconstructs Benjamin's account of experience as a way to describe the lived experience of communicative understanding. White and Farr (2012) take up a complementary project. They use Habermas's writings on civil disobedience to argue that the no-saying one sees in practical discourses is in fact connected to a more primordial "aesthetic-expressive" negation that operates in communicative action (37). This aesthetic-expressive no, they argue, contests not just a validity claim but also the contexts, forms of life, and identities that form a speech situation. The plebeians did not just negate a patrician validity claim ("debtors should be enslaved to their creditors"); they negated a *world* and their place in it. They experience themselves as bound to a world that they declare to be unjust, and so they engage in an aesthetic-expressive negation that reveals the arbitrariness of this world and the subjectivities within it; they cease to act as if they are merely "hands," and instead act as speaking beings who are radically equal to all other speaking beings.

For our purposes, the key insight of these investigations of the aesthetic-expressive dimensions of communicative action is the idea that the experience of understanding cannot possibly be *governed* by the grammatical rules and normative principles (U) that Habermas identifies. In part, this is because the experience of understanding is potentially exuberant, transformative, even ecstatic. The fact that, for instance, Habermas can show that the grammatical positions of the first-, second-, and third-person are ineliminable might provide some reassurance that the first person perspective, which seems necessary to maintain some sort of critical distance, remains even in the process of mimetic role-taking. Yet these first,

second, and third person perspectives operate as a kind of formal accounting system. It is also apparent (and important) only from the observer's perspective. The formal existence of the first person pronoun does not matter much for the participants who might be experiencing a significant (and ongoing) transformation of their sense of self and their relations to others (cf. Miller 2011: 62). By the same token, Habermas might be able to show that (U) requires communicative actors to adopt the perspectives of others as they test validity claims, but it by no means can govern how (or whether) this process might change the very context—and therefore the identity of the “all” whose perspectives one must take into account.

In short, Miller is quite right when he argues that the rules that Habermas identifies as immanent to the *procedures* of communicative action do not (and cannot) immanently guide the *experience* of such action (64; see also 112).<sup>5</sup> The theorist can reconstruct the rules and rationality of an argumentative practice, but from the perspective of the participant, there is a dimension that remains ungovernable. In this sense, it turns out that Habermas and Zerilli are not as far apart as Zerilli suggests. He has at least an implicit account of the ways in which language creates an affective bond of understanding, and thus also is sensitive to the anarchic and uncontrollable powers of human world-building. Yet there is another aspect of ungovernability that is deeper than the forms Zerilli identifies and is more directly

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<sup>5</sup> As Miller points out, one important consequence of this is that it requires us to distinguish between Habermas's theory of communicative action and his discourse ethics. Understood as mimetically saturated, communicative action contains a moment of indeterminacy; it is the “opening of an articulate intersubjectivity” that does not inherently point in any particular moral or ethical direction (2011: 141). The theory of communicative action, in other words, explains how speech acts gain authority and become meaningful; it does not explain how they become legitimate. Discourse ethics then becomes a more or less rhetorical effort to filter this communication “for a specific, democratic, ethical imaginary” (141). It operates as a kind of aesthetic-rhetorical image that might be motivating, but only on the basis of shared experience (i.e., it must become embedded in concrete historical experience). Moreover, trying to motivate action its behalf, i.e., trying to motivate people to adhere to its norms and values, is a political project, something that must be invented and practiced. This is not altogether different from Honig's notion of the “enacted universal,” which means that on Miller's reading, discourse ethics remains wholly dependent on the contingencies, passions, and particularities of political life.

relevant to the story of the plebeian secession. The moment of understanding is ungovernable not just in the sense that that it can entail an exuberant, transformative, and even ecstatic experience. It is also ungovernable in precisely in the opposite sense: There are no rules and principles that can *guarantee* that such meaningfulness will get produced. Participants may not have this transformation; they may not experience the world that their interlocutors are opening up; and they may not even hear the other as an interlocutor. It is quite simple for the patricians to hear the plebeians not as engaging in an aesthetic-expressive negation of the world, but as simply being disobedient and in revolt. Just as importantly, there is no way for the theorist to state definitively whether the meaningful experience is, was, or will be present. Any description of the encounter—even one as simple as describing it as a communicative encounter or as a political dispute—might end up clashing with the participants' experiences of it, and so any description of the encounter will end up taking sides in it.

My hypothesis, then, is that this second aspect of the ungovernable character of understanding provides an important advance over Zerilli's conception of a political disagreement and judgment. It helps us to escape the assumption that a disagreement requires some commonality. No such commonality is necessary—not common agreement about the procedures that make validity claims legitimate, nor Zerilli's shared practice of reason-giving, nor even a common assumption that a disagreement is occurring. The theorist might identify something as a “disagreement” and reconstruct the rules that the participants seem to be following in processing it; yet this can only be done in retrospect and by no means governs the activities of the participants. To paraphrase the epigraph from Rancière, the participants will hear what they want, nothing maybe. Just as importantly, this second aspect of the ungovernability of understanding also provides insights into how a political



disagreement can be processed even when there is no apparent point of contact between the parties. The political actor need not wait for his/her interlocutor to acknowledge the public world between them; s/he can exploit symbolic resources to act as if such a world already exists.

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So we return to Livy's story. At the end of part 1, I noted an oddity about it. Neither the plebeians nor the Senate seemed to act in ways that were consistent with the content of Menenius's speech. Menenius appeared to defend the Senate's position and picture of the world: The plebeians are merely hands who can only fight and work. Yet the plebeians seemed happy with his statement, and the Senate negotiated with them and agreed to give them political representation. Thus, we have a story of a political disagreement in which the parties fail to acknowledge each other, and yet process (and perhaps even reconcile) it anyway. This outcome fits rather uneasily in Zerilli's account of political argument or in the accounts of Habermasian mimesis that focus on the ways in which communicative understanding entails a mimetic transformation. Both Zerilli and Habermas's interpreters draw our attention to the idea that the parties in this disagreement presented rhetorical "images" of the world that invite the other party to see the world in a particular and that (therefore) open up a context in which reasons and arguments can be heard as such. Neither, however, examine what happens when these offers are not acknowledged.

Seemingly with good reason. Nichanian (2012) points out that a number of theorists assume that a political disagreement requires some point of contact in order to proceed. Consider Chantal Mouffe's (2000) distinction between "agonism" and "antagonism." As Nichanian argues, the distinction turns on the existence (or lack thereof) of an acknowledgment that a dispute exists and that there are parties to it (8). Absent such

acknowledgment—as when one presents present one’s opponents as simple blabberers—it appears that only non- or pre-political responses are possible. If plebeian speech is not heard as such, then some kind of “rupture” is necessary. The plebeians must either go to “war” with the Senate (i.e., exercise violence or the threat of violence so as to force the Senate to take their demands into account), or they must appeal to the Senate’s ethical sense that current treatment of the plebeians is wrong, perhaps by positioning themselves as abject (cf. Mouffe 2000: 101-104; see also Nichanian 2012: 8). Either way, the actions must be understood as ruptural and pre-political; they occur *prior to* the opening of the political disagreement and the space in which it can occur.

It is true that this way of looking at political disagreement resonates with Livy’s version of the story. Regardless of whether he supports it or not, Livy casts the secession as a threatening exercise of power that forced the Senate to negotiate. One advantage, then, of both Zerilli’s conception of political judgment and the accounts of Habermasian mimesis is that they open up a different way to view the plebeians’ initial actions. These approaches reorient our perception of political language. They highlight the rhetorical dimensions of the plebeians’ actions, and these rhetorical dimensions enable one to hear an articulate critique within their apparently power-laden actions. Rancière’s reading of the story emphasizes this point too. Curiously, he gets to this orientation by changing the source material. Relying on Bellanthe’s account of the secession instead of Livy’s, Rancière re-locates the secession from the Sacred Mount to a spot inside the city, the Aventine Hill. He also emphasizes the orderliness of the secession. They did not set up a fortified camp, Rancière tells us; rather, they consulted their own oracles and founded their own political institutions and representatives (1999: 24). In short, they did not engage in a revolt; they enacted a moment of equality *within* the city by demonstrating that they had precisely those attributes that the

Senate denied that they could have: The capacity for orderly and articulate speech, the possession of names (i.e., representation), the ability to be courteous (e.g., Rancière/Bellanche have the plebeians politely thanking Menenius for his speech and then asking for a treaty), the right to make and keep promises, and so on.

Regardless of whether we follow Rancière's telling or stick with Livy, there are aspects of ungovernability at work. Consider the Senate for a moment. We could say that the existing Roman order, including the Senate's sacred authority to make laws, was (re-)produced through a collection of speech acts whose rhetorical figures (and manifest content) positioned the identity "plebeian" as a non-speaking being who has no place in political society. This is the rhetorically made world that created the context in which speech acts work to produce understanding; it's part what allows the Senate's orders to function as orders. Yet there are no rules in this process that can prevent the plebeians from "understanding" of the Senate's speech acts in ways that challenge or transform this context. Indeed, this is precisely what the plebeians did, and they used mimetic practice to do so. They set up an alternative Senate and appointed alternative representatives and authority figures. This is not only a demonstration that they possessed the very attributes that the Roman order denied they had; it also shows that the existing institutions and identities (e.g., the Senate, and the distinction between speaking patricians and working plebeians) are not *inherently* dominating (cf. Nichanian 2012: 3). They can become occasions for a transformative understanding.

Think about the mimicry here. In miming the Senate's practices and institutions, the plebeians treated sources of apparent domination as an occasion to prove their equality. They "understood" the Senate's speech acts in a way that posited a new critical and egalitarian subject—call it the "speaking plebeian"—and made it manifest within the Senate's

inegalitarian order. If Habermas is correct about the role of mimesis in understanding, this is always a possibility. Habermas's subject is formed communicatively, which is to say it is formed through mimicry and role-taking; it is therefore intersubjective to its core and tension filled. As Miller aptly describes it, the Habermasian subject is "a repository of *me*'s with varied capacities—creative, critical, unthinking, and rational—as varied and variable as the plurality of social roles that occasions the positing of one's own *me(s)* in response" (111).<sup>6</sup> This tension-filled plurality means that the moment of understanding, even if the language that is understood posits a subject that cannot (or need not) understand, might (or might not) assert a new "me" that dramatizes and challenges the context in which the initial speech act works. The ungovernability points in the other direction too. The fact that the plebeians offered a new self and a new world in which they possess attributes that the Senate denies by no means requires that the Senators will hear it this way. Just as the plebeians can understand, and act as if, the Senate's order in a way that links that understanding to the notion that they are thinking/speaking beings, the Senators can understand, and act as if, the plebeian actions were simple manifestations of animalistic revolt.

Part of what this shows is that the generation of understanding and meaning does not necessarily throw people into egalitarian relations (see also Nichanian 2012: 33ff). We must therefore reinterpret what Habermas means with the idea of a "performative

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<sup>6</sup> In this passage Miller is explicitly using the word "me" to refer to G.H. Mead's conception of the me as a social role. I should also add that Miller's conception of the subject as a repository of "me's" is the potential Habermasian response to Zerilli's conception of imagination. On her reading of Arendt's idea that the enlarged mentality is achieved when one imaginatively adopts the perspectives of others, the goal is, essentially, a kind of objectivity. Imagination is not a means to understand another person, but to understand the common world. It is through the imagination, in other words, that we adopt a perspective of the spectator and thus can evaluate (judge) the world in a disinterested manner (cf. 2005: 177ff). In my view, Zerilli follows Kant (and Arendt) too far here. The capacity for disinterested judgment arises from a particular cognitive faculty (imagination), which is then not analyzed further. In my view, this involves a retreat to the Kantian transcendental subject as a way to explain how a critical perspective of the world is possible. Habermas offers a different approach: The critical "I," the one that can engage in a disinterested judgment of the world, is not a function of a particular faculty of the subject; it is, rather, the product of the "generalized other" that actors presuppose and identify with in their practice of mimetic role-switching. This position, which is immanent to the "rules of the communicative game," can create the perspective by which actors can evaluate their performances (cf. Miller 2011: 100ff).

contradiction.” If the experience of understanding is ungovernable, the identification of equality is not just an acknowledgment of something that is ontologically present within a communicative exchange. It is a creative act; or better, the equality that emerges in the performative-creative disposition that mimetic role-taking produces. Again, go back to the plebeian response to Menenius’s speech. Menenius told the plebeians that they are only hands, that they are “dumb,” that the only thing for them to do is return to order. The plebeians, for their part, “understand” that speech in a way that upsets the order. In their initial act of secession, they posited the existence of a new subject, the speaking plebeian, and then acted as if it already existed. They then took Menenius’s speech as evidence that Menenius (and therefore the Senate) already acknowledged the existence of this subject. That is why they were so pleased with the speech. It isn’t so much what he said, but the fact that he addressed them and reasoned with them. For the plebeians, these facts were sufficient to confirm what they had been saying all along—that they are speaking beings, that the Senate already knew this fact, and that (therefore) the Senate’s initial refusals to negotiate represented an internal contradiction. Which is to say: The plebeians took Menenius’s speech as confirmation that the Senators were lying when they said and acted as if the plebeians cannot speak.

Did Menenius “mean” his speech that way? It’s impossible to say. Nor does it matter. One of the consequences of Miller’s (and my own) reading of Habermas, along with Nichanian’s (2012) and Chambers’s (2013) reading of Rancière, is that it dispenses with the effort to root egalitarian politics in a pre-political ontology. One can read Menenius’s speech in several ways. Rancière, for instance, suggests that Menenius was also engaging in mimesis in that he was mimicking Appius Claudius (1991: 91). Appius Claudius’s insistence on plebeian inferiority might be a form of raving, but it is not stupid; it is, like the plebeians’

actions in seceding (and indeed, like all human productions of meaning), the expression of an intelligent and creative disposition. Thus, Rancière argues, Menenius studied Appius Claudius's speech. He learned from it. He verified the intelligence that produced it by imitating and improvising on it. And in addressing these imitations and improvisations to the plebeians, he acknowledged and verified *their* intelligence, their capacity to hear, imitate, and improvise on *his* speech. I have no objection to this reading, for it is (yet another) way of highlighting the way in which actors can creatively insert a radical egalitarianism in the practice of understanding another's speech. Yet it is essential to emphasize (as Rancière also does) that whatever reading we offer is always a fable, or perhaps what we might call a counter-myth to the one Menenius offered (see Rancière 2014: 277-278). There is nothing inherent in Appius Claudius's or Menenius's speech that inevitably treats the plebeians as equals. There is no "performative contradiction" in arguing to the plebeians that the plebeians cannot grasp arguments. It remains for the plebeians to invent and assert this contradiction, to "prove" it (or act as if they have proved it) in the practice of understanding (see also Nichanian 2012: 33ff).

We need only consult Aristotle to confirm this point. As is well known, Aristotle argued that slaves can understand speech to the extent that they can understand orders, but not to the extent that they can formulate them. What this shows, as Nichanian (2012) argues, is that one can address another without presupposing that the other is inherently equal (cf. 39). This might very well be what Menenius thought too: Plebeians can understand simple parables spoken in a "rough, old fashioned" mode of speech, but this by no means implies that they can understand the needs of the community as a whole or formulate policies adequate to those needs. In short, it is always possible—indeed, this may in fact be one of the basic premises of all political communities—to argue that there are different kinds of

understanding, appropriate for different kinds of beings. As a theorist, in other words, I do not say that Menenius was caught up in a self-contradiction because he addresses the plebeians while telling them that they need not be addressed. I would only say this as a political actor, at least if I were inclined to support the plebeian position. The important issue is only that Menenius's address makes it possible for them to invent what Rancière calls an upsetting deduction (see Rancière 1999: 49). They can act *as if* Menenius and the Senate were contradicting themselves; from the forms of equality that Menenius seems to recognize (their capacity to understand his speech), they deduce forms of equality that he appears to deny (their capacity to participate).

Moreover, such a “deduction”—and the scare quotes are necessary the question of whether it is a logical deduction, a creative invention, or the roar of a suffering animal is precisely the object of the dispute—can be effective even if the Senate did not recognize it. The Senate negotiated with the plebeians. We do not know why. Probably there were multiple reasons. Perhaps some thought that negotiating was right because they had come to hear the plebeians as speaking, or perhaps because they were sympathetic to the plebeians' sad plight; others, such as Coriolanus, might have thought that the negotiation was necessary only because the plebeians had become too powerful to ignore, hoping, perhaps, that in the future the power balance might shift and the Senate would be able to rescind their concessions. What's important is that the plebeian actions would be effective regardless of how the Senate responded. Even if the Senate had not negotiated, even if they, for instance, had hired foreign mercenaries to crush the secession, the plebeians' actions would have effected a change to the Roman order. Something that appeared as “natural” (the speaking Senators ruling the plebeian hands) would then be revealed for what the plebeians had long claimed it was: An arbitrary system of domination backed by violence or the threat of violence.

What we have, in short, is a situation in which it becomes possible to process a disagreement absent any common understanding of it. This, I believe, is one important hope that arises out of the ungovernability of the moment of understanding. If the argument I have been developing is accurate, it becomes problematic for theorists to try to identify what political disagreements “actually” involve, as if we are in some special position to identify the true nature. Such a move effectively immunizes the theorist from the unruliness of communicatively achieved understanding. Still, we must admit that the theorists’ desire is, well, understandable. Although I have not emphasized this point in this essay, it is clear that there are potentially troubling consequences to the idea that the moment of understanding is ungovernable. Sure, this ungovernability might be a resource for creative enactments of equality and for the processing of disagreements, but one need not be a Platonist to see the dangers: It becomes impossible to prove that one’s interpretation of an event or conflict is accurate, and perhaps more importantly, it also seems to eliminate any link between understanding and critical reflection. The anarcho-mimetic moment of understanding, in other words, might lead us to reduce communication to a kind of seduction; the speaking subject becomes only a manipulated or unthinking “me” that is entranced by the most recent seductive speech.

It would require a separate paper to address this concern in full. Here I will conclude by offering two remarks. First, one potential advantage of using Habermas to identify the ungovernability of the moment of understanding is that it allows us to avoid the tendency, common in many theorists, to separate rational cognition from mimetic power and set the two in opposition to one another. I’m thinking in particular here of Davide Panagia’s work on sensation. This work celebrates the purely “disfiguring” elements of aesthetic sensation (as opposed to rational comprehension) and the “political efficacy of dissonance and



senselessness” (2006: 90). At least in Miller’s reconstruction, Habermas is interesting because he overcomes this opposition; his is a theory of “articulate mimesis,” of mimesis that appears and operates in linguistic form (Miller 2011: 31). It’s not just that there is a mimetic-anarchic core to communicatively achieved understanding. The reverse is also true: mimetic achievements also have a “rational core” (Habermas 1984: 390). There is nothing mystical about noncognitive, transformative, and potentially subject-suspending mimetic powers; they arrive in and through language use. If so, then it might be possible to examine how the formal rules that Habermas spends so much of his time examining mesh with, and do not simply contradict or fence in, the mimetic moments of meaning production. Such an orientation, in turn, might allay the fears that occur with acknowledging the ungovernable elements of mimetically achieved understanding. One can be “entranced” by communication without succumbing to the trance that suspends critical reflection (cf. Miller 2011: 59). One can disclose a world and transform identities without this becoming an entirely non-cognitive event.

This leads to my second remark. Habermas’s notion of an articulate mimesis might help us think about critical reflection in a different way. Rancière argues that it is precisely the assumption of inequality makes one susceptible to the unreason of rhetoric (1991: 86ff). People succumb to the appeals of the demagogue not because they are stupid, but because they believe in inferiority and superiority. Consider: A Senate of superiors must, no matter what policy they adopt, always defend its superiority. Their very sense of themselves depends upon it. In this sense, the believers in superiority are always subject to a basic imperative, and this is what makes them easy to manipulate. All one has to do is flatter their superiority or induce fear that others are threatening it, and one can convince them of nearly anything. But if it is possible to spell out and defend Habermas’s idea that mimetic

achievements have a rational core, then it turns out that the critical reflection that helps one avoid succumbing to the seductions of inequality is not a matter of resisting mimesis. Critical distance occurs not by eschewing rhetoric and speaking only the rational truth; it occurs by exploiting the potential moments of equality within an inegalitarian speech or within an inegalitarian order. People who keep their integrity, in other words, do not do so by maintaining their autonomy in the face of inegalitarian madness; rather they act as the plebeians (perhaps) did in response to Menenius's speech, or as Menenius (perhaps) did in response to Appius Claudius: They insert themselves into this madness in ways that reveal it as mad, or in ways that enact and inscribe equality within it. Critical reflection does not promise autonomy from an irrational social order; it only promises the possibility of revealing it as irrational, of carving out moments of equality within it.

#### Works Cited

- Arendt, Hannah. 1989. *Lectures on Kant's Political Philosophy*. Chicago: University of Chicago Press.
- Bennet, Jane. 2010. *Vibrant Matter: A Political Ecology of Things*. Durham, NC: Duke University Press.
- Cavell, Stanley. 1976. *Must We Mean What We Say?* Cambridge: Cambridge University Press.
- Habermas, Jürgen. 1984. *The Theory of Communicative Action, volume I: Reason and the Rationalization of Society* (Thomas McCarthy, Trans.). Boston: Beacon Press.
- Habermas, Jürgen. 1985a. "A Philosophico-Political Profile." Interview by Perry Anderson and Peter Dews. *New Left Review*. 151, 75-105.
- Habermas, Jürgen. 1985b. "Questions and Counter-Questions," in *Habermas and Modernity* (Richard Bernstein, ed.). Cambridge, MA: MIT Press.
- Habermas, Jürgen. 1990. *Moral Consciousness and Communicative Action* (S. Nichol森 and C. Lenhardt, Trans.). Cambridge, MA: MIT Press.
- Kant, Immanuel. 2011. *Critique of the Power of Judgment*. (Paul Guyer and Eric Matthews, Trans.). New York: Cambridge University Press.

- Lakatos, Imre. 1970. "Falsification and the Methodology of Scientific Research Programs," in *Criticism and the Growth of Knowledge* (Imre Lakatos and Alan Musgrave, eds.). New York: Cambridge University Press.
- Livy. 2006. *History of Rome, books 1-5*. (Valerie Warrior, Trans.). Indianapolis: Hackett.
- Mackin, Glenn. 2013. *The Politics of Social Welfare in America*. New York: Oxford University Press.
- Mouffe, Chantal. 2000. *The Democratic Paradox*. London: Verso.
- Miller, Gregg. 2011. *Mimesis and Reason: Habermas's Political Philosophy*. Albany: SUNY University Press.
- Mulhall, Stephen. 1998. *Stanley Cavell: Philosophy's Recounting of the Ordinary*. Oxford: Oxford University Press.
- Nichanian, Daniel. 2012. "Contesting Claims to Mastery: Responsiveness and Jacques Rancière's Politics of the 'As If.'" Paper Presented at the Midwest Political Science Association Annual Meeting.
- Panagia, Davide. 2006. *The Poetics of Political Thinking*. Durham: Duke University Press.
- Panagia, Davide. 2009. *The Political Life of Sensation*. Durham: Duke University Press.
- Rancière, Jacques. 1991. *The Ignorant Schoolmaster: Five Lessons in Intellectual Emancipation*, (Kristin Ross, Trans.). Stanford: Stanford University Press.
- Rancière, Jacques. 1999. *Dis-Agreement: Politics and Philosophy*, (Julie Rose, Trans.). Minneapolis: University of Minnesota Press.
- Rawls, John. 2005. *Political Liberalism*. New York: Columbia University Press.
- Urbinati, Nadia. 2014. *Democracy Disfigured: Opinion, Truth, and the People*. Cambridge, MA: Harvard University Press.
- Vetlesen, A.J. 1997. "Worlds Apart? Habermas and Levinas." *Philosophy and Social Criticism* 23 (1), 1-20.
- White, Stephen and Farr, Evan Robert. 2012. "No-Saying in Habermas." *Political Theory* 40 (1), 32-57.
- Zerilli, Linda. 2005. "We Feel Our Freedom: Imagination and Judgment in the Thought of Hannah Arendt." *Political Theory* 33 (2), 158-188.
- Zerilli, Linda. 2012. "Value Pluralism and the Problem of Judgment: Farewell to Public Reason." *Political Theory* 40 (1), 6-31.

