



New Horizons in Political Philosophy

The Australian Postgraduate Conference in Political Philosophy, 2007

Thursday 6th December, 9:30 – Friday 7th December, 12:30

Location:

Roland Wilson Building,
The Australian National University,
Canberra

PROGRAM

Thursday 6th December

9:30-10:00	Conference Opens	Roland Wilson Building
10:00-11:00	Keynote Address by Claus Offe (Hertie School of Governance, Berlin) "Pros and Cons of Precommitments in Constitution-Making"	Lady Wilson Room

Morning Tea : 11am

Session 1 – 11.30 -1pm

Stream 1 – Lady Wilson room	
Mark Chou (UQ)	‘Democracy and Tragedy in Ancient Athens’
Mike Pepperday (ANU)	‘A Divisional Technique for Obviating Intersecting Difference.’

Lunch: 1pm

Session 2 : 2pm – 3.30pm

Stream 1 – Lady Wilson Room		Stream 2 – Shortcourse Room	
Lea Ypi (European)	‘Justifying Subsistence	Alexander C. Karolis (UC)	‘Kant’s Politics: A New

University Institute Via dei Rocsettini)	Rights'		Interpretation of Kant's Political Theory or a Reworking of His Moral Philosophy?'
David Douglas (UQ)	'The Social Disutility Argument against Software Ownership'	Ricardo F. Mendonça Selen Ayirtman (Universidade Federal de Minas Gerais and ANU)	'Discourses of Recognition in Contemporary Politics'

Afternoon Tea :-3.30pm

Session 3 : 4pm – 5.30pm

Stream 1 – Lady Wilson Room	
Rianna Oelofsen (Rhodes U, Sth Africa & ANU)	'Towards a Theory of Reconciliation'
Peter Balint (UNSW)	'How Much Social Cohesion do we Need?'

CONFERENCE DINNER 7PM – Caffè Della Piazza, Garema Place.

FRIDAY 7TH DECEMBER

Session 1: 9am – 10.30am

Stream 1 – Lady Wilson Room		Stream 2 – Shortcourse Room	
Mathew Abbott (Univ. Sydney)	'Language, Life and Polis'	Kathryn Kelly (ANU)	'Weighing Up Deliberation...'
Rochelle Bright (UC)	“‘Have We Ever Yet Known the Human?’”: Ontology, Agency, and	Katherine Curchin (ANU)	'Representing Those Who Can Not Object'.

	Political Potential in Butler and Agamben'		
--	--	--	--

Morning Tea – 10.30am- 11am

Session 2: 11am – 12.30pm

Lady Wilson room	
Robin W. Cameron (ANU)	'Liberty/Security in the War on Terror: Toward a Domestic Conception of Foreign Policy Discipline'
Tim Aistrop (ANU)	'This Sporting Life: Representing International Relations as 'Contest''

CONFERENCE CLOSES – 12.30PM

New Horizons Abstracts

[In alphabetical order]

Mathew Abbott (University of Sydney) 'Language, Life and Polis'

In this paper I work to show that the grounds and stakes of the Giorgio Agamben's political philosophy will remain opaque to us until we can grasp its foundations in a particular philosophy of language and ontology. As Agamben himself points out in the opening pages of *Homo Sacer*, "The question 'In what way does the living being have language?' corresponds exactly to the question 'In what way does bare life dwell in the polis?'" This statement makes it clear that it is crucial to relate Agamben's recent political works (*Homo Sacer*, *State of Exception*) to his earlier works on language and ontology (*Language and Death*, *The Coming Community*). This will help us render his provocative political claims about the state of emergency, the treatment of refugees and the status of human rights intelligible.

Tim Aistrope (Australian National University) 'This Sporting Life: Representing International Relations as 'Contest''

As one of the dominant cultural phenomenon of the modern world, sport has increasingly been deployed metaphorically in representations of social and political life. Indeed, in orthodox narratives of international politics there exists a casual interchange between the language of conflict, strategy and policy and the language of sport. However, while sporting metaphors are often thought of as natural and unproblematic, I argue that the language, imagery, and logics of the modern sports contest are far from apolitical. To the extent that representations exist not as descriptors of a pre-discursive reality, but, rather, are implicated in constituting "fields of reality", sporting representations advance and legitimise a particular way of thinking about society and politics, and a particular mode of political behaviour. More specifically, I argue that when the sports/IR confluence is engaged the world of international politics is figured as an objectified arena where discrete actors contend in zero sum contests; as a world emptied of the confluence of peoples and experiences that constitute it; and as a spectacle unfolding beyond the reach of ordinary individuals. The significance of this, then, is that such an interpretation is reductive and exclusionary, and, as I shall demonstrate, acts to legitimise international violence. Nevertheless, these implications remain largely unacknowledged in IR.

Peter Balint (University of New South Wales) 'How Much Social Cohesion do we Need?'

Part of the backlash against multiculturalism in recent years has involved calls for greater social cohesion on the part of politicians as well as political

theorists. We are told that cohesion is important for things such as welfare redistribution, cooperative projects such as healthcare, the building and maintaining of a tolerant society, and even that living in a cohesive society is simply a good in itself. This paper examines the ends of some of these projects of social cohesion, and argues (a) that the amount of cohesiveness necessary to achieve these ends is often overstated, and (b) that there are better and worse ways of achieving these ends particularly if we hold the individual's freedom to live their life as they please as paramount.

Rochelle Bright (University of Canberra)
“‘Have We Ever Yet Known the Human?’: Ontology, Agency, and Political Potential in Butler and Agamben’

Prominent in much recent philosophical and theoretical work is the question of what constitutes the “human” of social and political life and how understandings of the human might contribute to the development of a new form of politics (see for example Agamben, 1993; 1995, 2004; Butler, 2004a, 2004b, 2005). These discussions are grounded in ethical challenges to a condition of biopolitics (following Foucault) in which power over life is seen as the *raison d’être* of contemporary politics. This power manifests in “violent act[s] of sovereignty” (Butler, 2004a, p. xii), where the dehumanization of unintelligible subjects often results in not only social and political, but physical death. Such a violent politics, it is argued, must be interrupted. Judith Butler approaches the task through the consideration of embodied subjectivity and mutual vulnerability, a humanity unbound by identity or essence but connected by an understanding of “a fundamental dependency on anonymous others” (2004a, p.xii). Giorgio Agamben’s recent work centres on an examination of the *caesura* between man and animal, and seeks a place “outside of being” for whatever emerges in that space (2004, p.92). It is this *being outside of being* that will provide the ontological foundation of what Agamben, according to Stefano Franchi, proposes as a new “passive politics”, where passivity need not be opposed to agency, but is understood as alternative political action (2004, p.39). This paper suggests that, despite vast differences in their approaches, both theorists consider the human to be a position of openness to the world and view this exposure as a political condition. Rather than this being a state of suspension and inactivity where the power of contemporary politics converges to create subjects in various “regimes of unfreedom” (Brown, 1995, p.xi), the political human sought by Butler and Agamben contains the potential for an actively non-violent politics.

Robin W. Cameron (Australian National University)
‘Liberty/Security in the War on Terror: Toward a Domestic Conception of Foreign Policy Discipline’

This paper seeks to offer an explanatory schema for understanding the ability of foreign policy to determine social norms and enact discipline within the state. That is, an articulation of the effects of foreign policy upon its own citizens. This explanation is developed from an examination of the

contemporary debate over the balance between security and liberty in the War on Terror. Drawing on a Foucauldian critique of liberalism the negative equation of liberty with security is suggested to rely on an essentialised understanding of both terms. It relies on a simplistic understanding of negative freedom and misunderstands the way in which security can function under liberal democracy. Liberty and security should be seen as connected but not in this negative sense. The concept of liberty can only be understood in the broader context of state security, whilst high levels of personal freedoms give rise to their own mode of security in the form of social norms and self-regulation.

Mark Chou (University of Queensland)
'Democracy and Tragedy in Ancient Athens'

This paper examines the symbiotic relationship that existed between democracy and tragedy during their formative years in ancient Athens. More specifically, it suggests that both democracy and tragedy disclosed a crucial paradox which sustained the core of the Greeks' existence: that self-institution (or Being) exists and incessantly struggles with self-limitation (or Chaos). What this meant was that democracy, in ancient Athens, exuded to the polis a tragic expression of the indeterminacy of reality, while tragedy democratised the individual by 'sensitising and energising' them toward the fragility, difference and unknowns of existence. Together, democracy and tragedy flourished and made certain that the only certain thing was the survival of plurality, limits and paradox. All of this, as this paper will briefly conclude with, was made possible, even necessary, in ancient Athens given that the Greek world was disclosed through the collective enterprise of poetry, philosophy and politics.

Katherine Curchin (Australian National University)
'Representing Those Who Can Not Object'

Green political theorists have made a number of attempts to imagine how the interests of non-human entities, such as animals, plants and ecosystems, might be represented politically. Deliberative democrats such as John Dryzek and Robyn Eckersley have drawn an analogy between the political silencing of marginalised social groups and the silencing of the non-human natural world. They argue that just as groups such as women or ethnic minorities have fought for representation in deliberative fora, non-human nature needs to be given a political voice. This paper argues that enfranchising the earth is a misguided project. Drawing on Hanna Pitkin's insight that the non-objection of the represented is crucial to political representation, I will show that the representation of non-human entities makes no sense. Political representation depends upon the possibility of competing claims of representation, and ways of arbitrating between these claims. In environmental disputes, we find multiple groups claiming to represent the interests of, for example, a particular species, but there is no way of arbitrating between these claims, because there is no one with the capacity to register a decisive objection. This paper

contends that those who imagine that non-human entities can be incorporated into an ever expanding political community fail to take seriously the diversity and incompatibility of environmental values. They ignore the distance between *attending to* nature and *interpreting* nature, imagining their own interpretations to be unmediated and others' interpretations to be false. To reduce 'being represented' to being merely observed or listened to mischaracterises the political representation for which marginalised social groups have struggled. Marginalised groups have fought not just to be listened to, but for the right to interpret their own interests, and the power to object to others' interpretations of what they need.

David Douglas (University of Queensland)
'The Social Disutility Argument against Software Ownership'

The social disutility argument against property rights (as presented by Lawrence Becker in his book 'Property Rights: Philosophic Foundations') uses the concept of 'social instability' to argue against the private ownership of land and means of production. Here I explore whether a similar social disutility argument can be used to argue against property rights over software. For this argument, I will consider software as a means of production, and draw on the harms of software ownership as given in Richard M. Stallman's essay 'Why Software Should Be Free' to be 'social instability' in this instance. I find that restricting the social disutility argument to software does not resolve all of the issues that Becker identified with the original argument, and does not succeed as a sole argument against software ownership. However, I suggest that social disutility can be used as a strong argument against specific property rights over software, such as patents.

Alexander C. Karolis (University of Canberra)
'Kant's Politics: A New Interpretation of Kant's Political Theory or a Reworking of His Moral Philosophy?'

In 2005 Elizabeth Ellis published her award-winning book titled 'Kant's Politics: Provisional Theory for an Uncertain World'¹. In this work three themes dominate Ellis' conception of Kant's political theory; publicity, the judging public, and provisional right. These themes all attempt to elucidate Kant's politics as containing a 'worldly and pragmatic' commitment to human freedom. Ellis claims that throughout his writings Kant "develops an original theory of political transition that accounts for that part of political change driven by the concrete effects of common political ideals." (Ellis, 2005, p.x)² This is through Kant's notion of publicity and public judgment residing in the 'Kantian republic of letters' - that drive change through the public realm. Ellis goes on to argue that Kant "is uniquely comfortable with the provisional and uncertain politics of transition. [emphasis added]" (Ellis, 2005, p.1) This is

¹ Kant's Politics: Provisional Theory for an Uncertain World won the 'First Book Award' by the American Political Science Association in 2006

² Ellis, E. (2005) Kant's Politics: Provisional Theory for an Uncertain World, Yale University Press

because Kant concerned himself, politically, with the manner in which states may progress from monarchical absolutism to republican self-rule.

For Ellis, in today's political climate - particularly in the theoretical debates surrounding deliberative democracy - much of the world is in political transition; and as her reading of Kant places his theory in the "provisional nature of political institutions...[thus] focusing less on ideal outcomes than on the places where citizens gain the capacities needed to bring the promise of democratic freedom closer to reality" (Ellis, 2005, p.2), Kant's theory is ideally suited to the concept of transition. Ellis uses the argument that Kant's moral philosophy creates its own political theory through Kant's political commentary. There is however little difference between Ellis' creation of a political theory of transition and Kant's moral philosophy. Though Ellis does bring a new and interesting reading of Kant's political writings, she does not create an ostensibly new political theory - beyond the adaptation of Kant's categorical imperative to the idea of provisional right and the public realm.

Kathryn Kelly (Australian National University)
'Weighing up deliberation....'

Deliberative democracy has very much come to the fore of democratic theory and practice over recent years. But defining what it is, is still very much a work in progress. What constitutes deliberation and where does it take place? What is the relationship between deliberation and discourse? What criteria are required for a process to be called a deliberative democratic process and is all 'deliberation' of equal value in the democratic process? Why try to assess 'quality' of deliberation? Does, or can, a deliberation assessment tool accurately measure quality of deliberation and should we try to measure deliberation quality?

A number of issues need clarification for the effective measurement of the quality of deliberation, and an important task is identifying all the variables involved. Some of the variables include the context of deliberation, the process for agenda setting, quality of facilitation to ensure equality of participation and a rigorous quantitative measurement tool to assess the content of language used. The confusion between the terms deliberation and discourse also needs attention.

In the paper, I argue that there are valid reasons why measuring the quality of deliberation is important and that the quality of deliberation can be measured by a combination of qualitative and quantitative means.

Ricardo F. Mendonça (Universidade Federal de Minas Gerais)
Selen Ayirtman (Australian National University)
'Discourses of Recognition in Contemporary Politics'

The notion of recognition has been flooding contemporary politics. This is so not only because an increasing number of philosophers and political scientists

have based their analysis on the idea of recognition, but also because such notion has become recurrent in different contexts of everyday politics, ranging from identity claims raised by social movements to the discussions of cultural group rights in multicultural societies. Several understandings of what recognition is reveal above all the discursively constructed nature of this notion. Given this, the purpose of this paper is to analyse the existing discourses of recognition by focusing on four interrelated attributes of this notion: 1) the spheres where recognition is sought; 2) the actors involved in the so called politics of recognition; 3) the purposes of such politics; and 4) the implications of this conception in terms of policies. Through our analysis we criticize discourses that reduce recognition either to individual rights or to group rights. We also criticize the usage of this term as a simple word which reduces recognition to a specific dimension of politics. We argue for a discourse of recognition that understands it as a framework based in the idea of 'intersubjectivity'. When understood as such, recognition is not simply a static matter of conceding rights or of acknowledging cultural specificities. It rather implies a dynamic discourse which constructs itself in several spheres that have different purposes.

Rianna Oelofsen (Rhodes University, South Africa and Australian National University)
'Towards a Theory of Reconciliation'

Reconciliation has received a lot of attention in recent history. The fact that injustice in the past needs attention, and that the parties on either side of conflicts need to be reconciled, especially when they need to live together in the same society after the conflict, is being investigated from many angles. The academic and practical field of conflict resolution engages with the concept of peace and reconciliation; however on a philosophical level the concept of reconciliation has not been extensively analyzed. The concept of justice has been investigated on a conceptual level extensively in philosophical literature, and a similar analysis of reconciliation needs to be attempted in order to start clarifying theoretical as well as practical issues within the fields of conflict resolution and peace studies.

This paper will attempt to tease out what exactly reconciliation entails conceptually. It will be argued that political peace is a necessary condition for political reconciliation, which is in turn a necessary condition for social reconciliation. Political reconciliation is not sustainable without social reconciliation, and is therefore not sufficient to reach the true goal of reconciliation, namely the possibility for a society to live in peace for the foreseeable future.

Mike Pepperday (Australian National University)
'A Dimensional Technique for Obviating Intersubjective Difference'

Philosopher John Searle says natural science deals with a world which exists whether or not we think about it, whereas social science deals with a world which has no existence independent of human reflection. Objects such as *language, cooperation, corporation, money, goal* are "observer-relative". Each social scientist defines such concepts intuitively and their character, even existence, cannot be objectively determined.

The predictive efficacy of natural science would be mainly due to its concepts being set by *nature*, not by theorist's intuition. A way to discover "natural" social science concepts might be by deducing four *types* from two dichotomised *issues*. If (in some field of inquiry) the four deduced types always turned out the same, no matter what issues were chosen, then the four types would exist independent of any theorist. These four natural types would then control which issues fit to them, thus delimiting the field and also refining the issues so they, too, would be beyond theorist's intuition.

In the 1970s anthropologist Mary Douglas deduced four types of social structure from two dichotomised social issues. Six other 20C theorists dichotomised various issue pairs to find the same four social structures. No one has found anything different. Dozens of dichotomised issues fit these four types if suitably framed (e.g., *freedom* is too vague but *negative freedom* and *positive freedom* fit). The field seems to include everything necessarily social. Being deduced from extreme premises, objects are, as in natural science theory, idealisations. The four types are not only social structures but also social worldviews, which implies that the technique transcends emic / etic distinctions.

Searle may be wrong. Perhaps social science could be made as predictable as natural science. Whether the technique could be applied to other fields such as emotions, mating, personality, social breakdown or insanity, is unknown.

**Lea L. Ypi (European University Institute Via dei Roccettini)
'Justifying Subsistence Rights'**

This paper seeks to defend a moral cosmopolitan "right" to subsistence understood as a justified claim for the guaranteed fulfilment of a necessary and generalizable requirement regarding access to basic material resources. The chapter starts by assessing two cosmopolitan strategies of justifying human rights - a "practical" and an "intrinsic" conception - and attempts to show that the latter provides a better means of analysing the normative standing of subsistence rights. Then I argue that the moral universalism of subsistence requirements can be proved if two conditions are met: I call them the requirement of generality and of necessity. The first one stresses that a claim is justified when everyone has a reason to endorse it, and the second further clarifies that this reason must be a necessary one. The paper tries to show that the concept of "basic human need" meets both conditional

requirements and thus grounds a justified claim for access to basic material resources. As I will try to point out, this notion is here understood in both a deontological and a teleological sense. In the first case we emphasize the intrinsic relevance of fulfilling basic needs for a meaningful understanding of the very concept of right. In the second case the relevant point is the idea that needs constitute universal means for the fulfilment of any other end. I conclude by discussing the links between subsistence and social rights.
