On Giving Religious Intolerance Its Due: Prospects for Transforming Conflict in a Post-secular Society*

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In this essay I explore the possibility that intolerance and conflict motivated by deep moral and religious commitments and identities might be reframed and positively utilized as resources for constructive political and social purposes. Section I of the essay revisits efforts by political philosophers and religious ethicists over the past two decades to accommodate in political discourse religious voices and actors allegedly inclined toward intolerance and, thus, likely to spawn divisive and destabilizing conflict. These debates have made considerable headway in illuminating the plausibility—if not the necessity—of accommodating various degrees of religion-specific reasoning and speech in public, political discourse in liberal-democratic contexts. Arguably, they have helped to illuminate and overcome the deficiencies of exclusively secular framing of public, political space and to conceptualize and aid the emergence of a “post-secular society.” I explore the limits of these efforts to accommodate religion in public, political life, arguing that many such efforts to curb or manage religiously motivated conflict, in fact, tend to either domesticate the voices they aim to accommodate and include or further exclude religious voices deemed irremediably intolerant of the basic parameters of democratic discourse itself. This leads me, in Section II, to a sustained interrogation of Charles Taylor’s attempt to improve upon the limits of “accommodation” through mutual under-

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standing between identity-based opponents. I argue that each of these approaches to religiously motivated conflict in public, political life take the depth and gravity of such conflict with insufficient seriousness.

Section III explores the possibility of reframing religiously motivated intolerance and conflicts that often ensue therefrom. In contrast to strategies of accommodation and mutual understanding, I explore the potential goods of forthright and intentional conflict that come into view by first recognizing the full depth—and perhaps irremediability—of assertions of intolerance. I will not argue that intolerance is good, or even that political life that is tumultuous because riven by intolerance and resentment is to be preferred to one that is tranquil, yet marked by indifference and disengagement. Instead, I examine Chantal Mouffe’s account of agonistic pluralism as a proposal for thinking beyond tolerance as a primary, orienting value that aims to contain, assuage, or resolve intransigent conflict. While I conclude that Mouffe’s account finally suffers from certain of the same misgivings as the accommodationist and recognition-based approaches, her agonistic pluralism aids in executing a conceptual reframing of religious intolerance and conflict and, thus, moves in an important and promising direction toward a workable model of transforming and constructively utilizing conflict that is liable to be intransigent.

I. THE CULTURE OF DISBELIEF AND THE PROSPECTS FOR A POST-SECULAR SOCIETY


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form insofar as that society was to be stable, just, and free. Such a position, Carter complained, entailed intrinsic biases against religious commitments. It prescribed deliberative restraints upon reasoning in political discourse that prohibited explicit appeals to religious and moral commitments that the participants in question often considered to be ultimate and obligating. Requiring that religious claims and commitments be edited to conform to, or be translated into, terms of “common rationality” or “public reason” placed an asymmetrical burden on religiously motivated citizens.

In the interest of producing stable social conditions and political justifications that were accessible to all, political liberals had stipulated that substantial (or “comprehensive”) religious commitments would need to be bracketed from public, political discourse. Such deliberative restraints served two indispensable purposes. First, they would facilitate a tolerable diversity of the broadest possible range of moral and religious viewpoints, while mitigating the likelihood of conflict between them. In the United States, this framework had been called the “Jeffersonian compromise,” referring to the view inspired largely by Thomas Jefferson. In the interest of honoring the autonomy, basic rights, and freedom of conscience of individual citizens, the state agreed to tolerate equally a variety of often incompatible and potentially conflicting religious and moral views, practices, and institutions of its citizenry. It would permit this plurality on the condition that the practitioners in question tolerate one another and thereby contribute to the overall stability of the society. Citizens have the freedom to practice their religion of choice, or none at all, so long as their doing so does not interfere with the liberty of their fellow citizens not to be interfered with in pursuing their own conception of the good life. Moreover, to promote stability and mutual respect, religiously motivated citizens ought to hold their religion-specific reasoning, speech, and justifications in abeyance when participating in public life and political operations of the state.

Second, the restraints articulated by the “Jeffersonian compromise” ensured that legitimate use of coercion by the state would be justified on publicly accessible grounds. The liberal state was predicated on the ideas that coercive actions of the state should neither be motivated nor justified by particular religious authority and, thus, tradition-specific reasoning. In contrast to the substantial conceptions of the good or

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truth around which religious and moral traditions organized themselves—and over which their adherents were historically all too willing to enter into frequently violent conflict with one another—political terms could provide a framework of at least minimal cooperation amid social realities of increasing religious, ethnic, and moral diversity. Conflicting conceptions of how people ought to live their lives should be tolerated and, thus, permitted to peacefully coexist, so long as they all conformed to certain basic, minimal rights and laws.

Carter argued that such restraints, in fact, entailed their own substantial, yet unacknowledged, value claims. The deliberative rules proposed aimed not simply to facilitate the reality of increasing diversity in the United States but to institute and positively promote such diversity as a good that any such society ought to cultivate. In the interest of both accommodating the facts of pluralism and cultivating that pluralism as an orientational value, for instance, the liberal state came to frame its public square and political processes as a “marketplace of ideas.” Any view could be permitted into this marketplace so long as that view does not threaten the stability, inhibit the plurality of, or risk foreclosing the overall openness of the life of the marketplace itself. Some went so far as to argue that, in as far as participation in that “marketplace” is necessary to cultivate the values essential to liberal-democratic citizenship (such as tolerance), even “opting out” of participation in, or exposure to, the marketplace framework is not justifiable.

This quandary was illustrated by the case of Mozert v. Hawkins County Public Schools (1988). The complaint was filed by several self-identified “religious fundamentalist” families seeking to exempt their children from a public school reading program. They claimed that the program’s aim to expose their children to cultural and religious diversity interfered with the parents’ freedom to inculcate their own religious beliefs in their children. The complaint noted “that of 47 stories referring to, or growing out of, religions (including Islam, Buddhism, American Indian religion and nature worship), only three were Christian, and none Protestant.”4 The plaintiffs did not challenge the program itself, or public school education generally. In fact, they desired to keep their children enrolled in the schools in question. They sought selective exemption from the specific program.

Judge Danny Boggs conceded that the program placed a burden upon the parents’ ability to instill in their children their own religious values and way of life. He noted further that options of homeschooling or

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Christian schools “amounted to about a doubling of the state and local tax burden of the average resident.” Nonetheless, Boggs joined the Court’s majority in ruling that the parents did not have the right to exempt their children from the program, though they surely could withdraw their children from the public school system altogether and enroll them in private education or homeschool them. Some defended this as a ruling for “enforced tolerance” on the grounds of the necessity of political liberalism. “Do families have a moral right to opt out of reasonable measures designed to educate children toward very basic liberal virtues because those measures make it harder for parents to pass along their particular religious beliefs? Surely not,” Stephen Macedo argued. “To acknowledge the legitimacy of the fundamentalist complaint as a matter of basic principle would overthrow reasonable efforts to inculcate core liberal values. It would provide religious fundamentalists with a right to shield their children from the fact of reasonable pluralism.” The decision exemplified “tolerance of diversity” imposed by law and the exclusion of a broad range of “exclusive” viewpoints. As one commentator summed up the central complaint, “‘The all-questions-are-open-questions-society’ . . . cannot practice tolerance toward those who disagree with it.” Carter’s book brought into focus a range of debates over the ensuing decade about the legitimacy of religious commitments, reasoning and speech in public life, and political debate. Surprising headway ensued.

These debates highlighted the inaccuracy of earlier predictions by secularization theorists that, positioned within a broad and tolerant multiplicity of views, religion would recede from public and political significance of its own accord as modernization trends increased. In light of the fact that religion was not only not receding but in many places positively increasing as a presence and force in public life, efforts

5 Ibid., 1080.
8 A locus classicus for this view is Peter Berger’s *The Sacred Canopy* (New York: Anchor, 1967), a position he later reversed in such books as *The De-secularization of the World* (Washington, DC: Ethics and Public Policy Center, 1999).
to deliberatively restrain religious voices were, as a practical matter, counterproductive. Imposing restraints appeared to achieve the opposite of what was intended, creating a self-fulfilling prophecy of sorts. In some cases, such restrictions inspired the perception of threat and feelings of resentment toward advocates of liberal and secular polity that those advocates had attributed to religious voices by default. It stood to reason that religiously committed fellow citizens would be less likely to assert their views confrontationally; they might even be more amenable to compromise if they felt less marginalized politically or were not assigned an asymmetrical burden in public discourse owing to their religious commitments. It was plausible to think that, if such disparities were mitigated, citizens otherwise uncompromising in their religious commitments would incline toward public, political discourse with less resentment and perhaps greater tolerance toward views that opposed their own. The solution, it seemed, would be to acknowledge liberalism’s antireligious proclivities, cultivate self-reflectiveness about its “intolerance of intolerance,” and thus become more accommodating of morally and religiously motivated voices and tradition-specific identities in public life. A new post-secular era, one that could accommodate the presence of religious commitments in public, political engagement—and that might even acknowledge some degree of their indispensability as counterparts to secular reason—appeared to have dawned.9

Despite the headway made in these debates, several participants remained reserved about religious interventions in political life. To take a few high-profile examples, for instance, while admitting the possibility that appeals to religion-specific justifications might bear positive fruit in public, political exchange, Richard Rorty held fast to his claim that strong and assertive religious convictions run contrary, and are generally dangerous to, democratic political discourse.10 Every positive ex-


ample was outnumbered exponentially by negative ones. As a practical matter of fact, Rorty persisted, “For every Martin Luther King, Jr., you get ten Joseph Ratzingers and ten Pat Robertsons.” Critics pointed out that even the more accommodating account of public reason that John Rawls set forth in the later edition of *Political Liberalism* continued to place an unnecessary and unfair justificatory burden upon tradition-specific forms of reasoning, speech, and action. Upon closer inspection, moreover, the celebrated strides that Jurgen Habermas made in engaging religious belief and practice in terms other than secularization theory arguably did not carry him much further than the kind of revisions that Rawls had made. More, it seemed, would be needed.

II. THE POLITICS OF RECOGNITION AND THE FUSION OF HORIZONS

One broadly influential proposal that held out hope for overcoming the contradictions of liberal tolerance with specific attention to its tendency to alienate those it restrains was the philosopher Charles Taylor’s proposal for a “politics of recognition.” Drawing upon the work of Hans-
Georg Gadamer, Taylor introduced the “fusion of horizons” as a model for political and moral engagement. On the one hand, this model refuses to bracket or ignore the substantive disagreements and differences of identity. At the same time, it opens a way to the resolution of value-driven conflicts through mutually recognizing engagement that leaves no party unaltered. Recognition and engagement of the differences that occasion intolerance and conflict are inscribed in the terms of engagement as Taylor frames it, rather than bracketed out or sublimated for the sake of stability or the absence of explicit conflict. Dialogical encounter is a necessary means to charitable interpretation, mutual understanding, and thereby, enriched coexistence. It transforms understanding on the part of all parties to disputes, moving beyond the mere acknowledgment and toleration of identity-constitutive differences. Instead, Taylor frames these differences as occasions of substantial engagement in which the parties in question learn about the other and thereby find their respective self-understandings altered and transformed.14

To illustrate, Taylor considers the examples from the so-called culture wars in the United States. “Life-style” or “cultural conservatives” understand their religious and moral commitments as constitutive of their identities and, thus, find norms of deliberative restraint alienating. “They are being told to bracket these, to remove them in various ways from the public square, e.g.[,] through banning prayer in schools, or through redefining marriage to include homosexual unions,” Taylor explains.15 On the one hand, mutual toleration of a multiplicity of options is necessary for the existence of any society in which a plurality of conceptions of the good coincide. And yet, pluralism and tolerance tend to assert themselves hegemonically in such contexts. This leads many of these “cultural conservatives” to perceive the liberal framework of their society as intrinsically dismissive and even contemptuous of their most important, identity-constitutive values and commitments—in some cases, values about which they simply cannot compromise. The ethos of alienation and perception of disenfranchisement that results, in turn, fuels and exacerbates the very aggressiveness that the framework in question aims to combat.

To defuse such a situation, Taylor appeals to the kinds of mutual understanding made available through the fusion of horizons. Taylor

identifies the need to be more accommodating to those who would be intolerant toward views that oppose their own. Marginalization or outright rejection of such views as irrational, irrelevant, or simply untenable (because at odds with the necessity of mutual toleration) invites the alienation of such cultural subgroups. “The sense ‘we’re not being heard’ is close to the sense: ‘we can’t talk to those people; we can only defeat them.’ People engage in politics on issues which have aroused this reaction rather as though they were engaging in a war,” Taylor explained. “The other side has to be wiped out or totally neutralized. The goal is not to go on living with them but under a new arrangement. It is somehow to root them out, or subjugate them, so that one does not have to deal with what they stand for anymore.”

A primary objective of Taylor’s account is preventing ressentiment on the part of such voices by actually listening to and understanding them. The “cultural conservative” needs to be understood on his own terms, appreciated, respected, and negotiated with, rather than dismissed as puerile, evil, or simply irrational or unreasonable and, thus, deliberatively “out of bounds” from the start. Even if the end result is mutually understanding disagreement, it is plausible to think that the conflicting parties will part company with enriched and altered ways of viewing each other and the world in which they must coexist. The possibility, perhaps the likelihood, of such modification in one’s commitments (even if unintended, or not fully recognized at the time) at least holds out the prospect for constructive mediation of potentially intractable points of conflict. With reference to the “culture wars” in the United States, one would recognize what school prayer means to the people who advocate for it and a mutually engaged exploration of its plausibility within a context characterized by religious pluralism. “Once engaged in this kind of discourse, there is a premium on helping the other side toward a rearticulation of their outlook which can allow them to live with the new restriction; in this case, some way of conceiving their communal Christian life in which the absence of school prayer would not just be a truncation,” Taylor explained.

Of course, even as many parties to the debate began to revise their views, some raised instructive objections. Stanley Fish was not persuaded that so much has been gained from the “religion in public life” debates, in any of its variations. He claimed that, though the arguments for greater accommodation of religion in public, political life may be valid,
conceding these is to concede at most a series of debater’s points. Fish put the point tersely:

To persuade liberalism that its dismissive marginalization of religious discourse is a violation of its own chief principle, all you will gain is the right to sit down at liberalism’s table, where before you were denied an invitation. But it will still be liberalism’s table that you are sitting at, and the etiquette of the conversation will still be hers. . . . [A] person of religious conviction should not want to enter the marketplace of ideas but to shut it down, at least insofar as it presumes to determine matters that he believes have been determined by God and faith.18

Clearly, the lines of this passage veer into rhetorical overstatement. It is not the case that to maintain even uncompromising religious commitments requires—or even necessarily inclines—one to shut down the so-called marketplace of ideas. Religious actors and traditions often have their own distinctive reasons to be tolerant, to respect conflicting viewpoints, and remain open to engagement—collaboration in some cases—in religiously and politically diverse political contexts.19

Even so, the critical edge of Fish’s point is that there may remain a variety of groups and communities who challenge or resist even the most well-intentioned efforts to encompass them in tolerant engagement and processes. Such groups do not simply desire a seat at the table of democratic exchange. They seek to alter the nature of the exchange, or to transform the framework within which such exchanges occur.20 For such a group or thinker to take a seat at the table of deliberation according to liberal norms is to compromise its identity and most obligating commitments. Such groups usually reject the idea of “a faith held so lightly that it leaves the everyday world unaltered” and, in some cases, claim that “religion deprived of the opportunity to transform the culture in its every detail is hardly a religion at all.”21

18 Fish, The Trouble with Principle, 250.
20 Susan Harding characterizes the motivation behind the early formation of the Moral Majority in precisely this way. By her account, it was their intention to broadly transform society that set Jerry Falwell’s social and political program apart from “separatist” fundamentalist counterparts. See Susan Harding, The Book of Jerry Falwell (Princeton, NJ: Princeton University Press, 2001), chap. 5.
21 Fish, The Trouble with Principle, 251.
groups get referred to as fundamentalists, fanatics, or theocrats. Groups of this sort understand themselves to possess truth and understand a central feature of their identity as the obligation and responsibility to actively seek conversion of the opposing viewpoints they encounter. In some cases, they see this mission as concomitant with the transformation (in law and culture) of the society in which they live. To such groups—on certain issues, at least—tolerance, conceived as cultivated indifference toward, “bearing with,” “living and letting live,” or even entering into a dialogue whose primary purpose is to achieve compromise or mutual acceptance, is already to have conceded the substance of its commitments and the demands of its faith.

From such perspectives, accommodationist efforts to incorporate religious particularity expand the circle of tolerable voices by softening the restraints upon public deliberation in principle. In practice, however, accommodation comes at a cost. Viewed positively, accommodation is a legitimate effort to expand unwarranted or untenable restrictiveness of deliberative norms and thereby revise the exclusionary tendencies intrinsic to political liberalism. At the same time, it aims to orient all parties to the debate according to a conception of mutual


23 Note that I am not characterizing the oppositional positioning of these commitments either as incommensurable or as conflicting “worldviews” (i.e., complete and internally integrated belief systems or conceptual schemes). Both characterizations have been thoroughly worked through and fruitfully countered, in my judgment (see, e.g., Richard Bernstein, *Beyond Objectivism and Relativism*, pt. 2, and a more recent restatement of the central insights in “The Specter Hunting Multiculturalism,” *Philosophy and Social Criticism* 36, nos. 3–4 [2010]: 381–94). I am describing the opposition as a matter of particular, contradictory truth claims and the practical and propositional inferences that extend therefrom. Such oppositions, while they may be categorical, may occur along with points of commonly shared belief or elements of ambiguity in other areas or issues. On such an account, it is possible to recognize and even respect the person whose commitments on some issue (or range of issues) contradict one’s own and yet still view that person’s commitments or actions as morally evil and politically unjust and, thus, insist that the implications of those views for policy and law ought to be ruled out and fought against (culturally, politically, and legally).
toleration that would mollify and manage differences that, when taken with full gravity, may well be irreconcilable and irremediably intolerant of what they oppose. Viewed suspiciously, accommodation forgoes the task of explicitly policing religious and moral convictions through deliberative restraints. Yet, in the interest of making such voices “safe” for liberal-democratic politics, the requirements for participation in effect “domesticates” those religious commitments.24

Consider, for example, the Texas Board of Education revisions to its social studies textbook curriculum, passed in May 2010.25 In these circumstances, a voting bloc of self-identified Christian conservatives came to exert prominent (when not controlling) influence in public school textbook guidelines. Their primary objective was to revise social studies textbooks to reflect their shared conviction that “the United States was founded by devout Christians and according to biblical precepts,” that these inform its founding documents, and that its contemporary culture and laws ought to reflect this. On their view, the understanding of “church and state separation” reflected in laws and court decisions that removed Christian prayer and Bible reading from public schools, and the Ten Commandments from school and courthouse walls, is a relatively recent accretion in constitutional law. They argue that such laws and verdicts are based upon selective (mis)applications of fairly peripheral documents (e.g., Jefferson’s coining the “wall of separation” metaphor in his “Letter to the Danbury Baptists” of 1802, and much,


much later retrieval and elevation of that phrase by Supreme Court Justice Hugo Black in 1947). 26

The aims of the board’s revisions were not to gain a hearing within a deliberative framework that had previously shut them out, or parity of participation where they previously were assigned an asymmetrical justificatory burden, or even to achieve a mutually understanding disagreement. They do not seek simply to be tolerated as equal participants or to be respectfully understood as one viewpoint among many. Their objective—quite forthrightly stated in some cases—is to alter the Texas public school social studies and history curricula, specifically, and more broadly to transform contemporary U.S. society over time in ways consistent with what they understand to be the truth about the Judeo-Christian origins of its founding documents and the original biblical and theological intentions of its founders. “The philosophy of the classroom in one generation will be the philosophy of the government in the next,” board member Cynthia Dunbar put the point. It would be wrong to suggest that the program they aim to establish has no capacity for toleration and pluralism. However, any conception of toleration or pluralism must be understood in terms of, and situated within, what they understand to be the plain, historical facts of the founding, the broadly Christian framework implicated therein, and laws consistent with these facts. 27

The question to Taylor at this point is the extent to which, in circumstances such as these, “charitable understanding” actually overcomes the weaknesses of accommodationist models. To be fair, his description of the inescapability of difference has a double aspect, one that is rather mundane and another that has a more explicit normative edge. On the one hand, “living with difference” is an unavoidable reality. That is, whatever one’s commitments or worldview may be, and however unfalteringly one may hold to it, a myriad of alternatives exists. Moreover, in today’s hyper-interconnected world, such alternatives will

26 Member of the Texas school board, law professor, and attorney Cynthia Dunbar articulated her justification of this position in her book One Nation under God (Oviedo, FL: Onward Press, 2008). While such claims are at times presented as selectively ideological in popular treatment, many of them actually find particularly rigorous and substantial vindication in legal and historical scholarship. See, e.g., Philip Hamburger, Church and State (Cambridge, MA: Harvard University Press, 2002), esp. 479-92.

exist in close (if not immediate) proximity and likely arise in any number of hybrid varieties. At one level, this is a reiteration of the facts of pluralism.

Taylor connects this descriptive aspect with a further feature of the unavoidability of “living with difference”—a more forthrightly normative aspect. This second aspect implies that the undeniability of plurality entails the necessity to accommodate that plurality, at least in the sense of articulating or situating one’s commitments as one among the many present, viable options. The fusion of horizons—encounter, recognition, and engagement that are to some degree unavoidable amid the realities of pluralism—results in the expansion of one’s own horizon in which, as Taylor phrases it, “the other’s way of being can figure undistortively as one possibility among many.”28 And yet, this second, normative aspect of “living with difference” does not necessarily follow from the descriptive former. It does not follow, at least, in all cases—and, typically, not in the most pressing and volatile cases. In such cases a worldview or lifestyle (religious, moral, political, or, more likely, some mixture of these) is recognized from some perspective as deviant, an abomination, a moral evil, or something that (from the perspective in question) ought to be legally banned or culturally ostracized. Recognition that multiple lifestyle possibilities exist neither implies nor entails recognition of those possibilities as viable, acceptable, or something that should be accommodated.

So, for instance, while Taylor frames his example of the lifestyle conservative as an encounter of mutual understanding, the realities of difference require that the “rearticulation” occurs unidirectionally, namely, in the direction of helping the cultural or lifestyle conservative rearticulate her commitment to the need for formal, tradition-specific prayer in public schools to fit within the overriding realities of religious and moral diversity. And yet, as we saw above, this hypothetical “cultural conservative” might not be concerned to be given a hearing and understood as charitably as possible as a means of helping him or her rearticulate his or her outlook to fit within the facts of diversity and the more or less stable coexistence of plurality that the prevailing framework aims to facilitate. The group in question may be concerned primarily that their views are true. They might argue that they have pressing (perhaps even urgent) reasons to assert those views unequivocally, seeking to change—to transform—their society politically, legally, and culturally in ways consistent with those views. From such a perspective, the fusion of horizons aimed at enriching mutual understanding risks

trivializing the magnitude of what is at stake when such orientational commitments conflict.

At moments, Taylor’s hypothetical scenario of the lifestyle conservative who is aided in adapting his position to the realities of diversity comes across subtly as analogous to the pro-life activist being told that her views about abortion are fine, so long as she does not impose those views on everyone else by seeking to “legislate” her moral commitments. In other words, provided she abstains from uncompromising assertion in the form of legal institution of her views, then there can be a place for those views within a spectrum of coexisting moral options (as one viable possibility among many). Yet, from the perspective of many pro-life advocates, abortion is the unjust taking of an innocent human life and, thus, murder. So understood, it is as patently unjust as any other act of murder and ought to be categorically excluded as a viable option. From a natural law standpoint, in fact, laws that sanction or permit the killing of innocent life are unjust as such and, by implication, not valid laws. On this line of reasoning, such laws ought to be positively resisted, and abortion ought to be altogether excluded from the range of legal possibilities. Anything short of its legal exclusion is, in effect, an admission of defeat.  

Examples such as this one illuminate why appealing to a fusion of horizons as the way to overcome the limits of mere tolerance invites Fish’s criticisms. Such a position moves beyond mere tolerance so that opponents can “admire or appreciate or enjoy or sympathize with or (at the very least) ‘recognize the legitimacy of’ the traditions of culture other than their own.” As such, it improves upon deliberative restraint. Moreover, it aims at some degree of alteration of all parties to the dispute through mutual understanding and arguably holds out hope for more than those who concede some accommodation of religious voices. However, the kind of transformation by which Taylor’s proposal would handle the most charged and irremediable sources of conflict remains basically unidirectional. Those voices must reconcile themselves to the realities of plurality by positioning themselves as one viable option among many. But this refuses efficacy to these cultural practices.


30 Fish, *The Trouble with Principle*, 56.
and views at the points at which they would most forthrightly assert themselves politically or legally.

At each turn such criticisms present the possibility that in some cases—perhaps the most pressing cases—the goal of accommodation is pinned to the furthest point on an ever-advancing horizon. These models of accommodation persist in their aims of promoting a well-ordered, stable, and just society through processes of political engagement that conceive of stability in terms of the containment or cessation of conflict. They attempt to draw uncompromising, irreconcilable, or categorical moral and religious commitments into the ambit of some degree of tolerant diversity. But, at least in some cases, this underestimates the depth and gravity of the orientational differences and commitments in question. The pivotal insight is that some commitments, insofar as they enter into public discourse and political engagement on their own terms, will altogether resist “being tolerated” or “accommodated.” Moreover, these need not aim at or resort to direct violence to be unyielding, uncompromising, committed to seeing their views implemented legally, or effecting a cultural transformation.

If the above analysis persuades, it appears that even the revised and expanded conceptions of accommodation replicate limitations and exclusions similar to those of unrevised forms of liberalism, albeit in perhaps more palatable or less conspicuous forms. And insofar as this is the case, models in which competing and irreconcilable comprehensive views ought to be accommodated and mutually accommodate one another risk taking with insufficient gravity the depth and persistence of the oppositions and conflicts that moral and religious commitments sometimes motivate.

In spite of my focus on the risks and limitations of accommodationist efforts and results, I will not argue that the severity and persistence of religiously and morally motivated intolerance necessitates reverting to more stringent proposals for deliberative restraint. In my judgment, the headway made in the “religion in public life” debates has afforded insights that contribute to a more robust understanding of democratic practice and public discourse. Various interventions in these debates have demonstrated quite powerfully that the case for restraint is untenable. Headway made in these debates has shown, moreover, that charitable interpretation in the pursuit of mutual understanding and the context-sensitive exchange of reasons as a way of respecting particular identities in public life are important—even indispensible—strategies and tools. An implication of my account above, however, is that these pivotal insights (in-

31 Stout, Wolterstorff, and Eberle authored three examples of such criticisms.
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dividually or in concert) do not eliminate the need to account for, and grapple with, the depth, severity, and intractability of the conflicts that can ensue when opponents’ most deeply held convictions are at stake. An important pathway forward, I hope to demonstrate in the remainder of this essay, requires taking the full weight and significance of non-negotiable convictions that conflict as an orientational insight, and working, nonetheless, to engage and reframe these oppositions in ways that strive to be as constructive—perhaps even transformative of the elements of conflict—as they are realistic about the severity, depth, and persistence of the oppositions at stake.

The question I take up is whether and to what degree it may be effective to devise a different set of lenses for thinking about the forms of intractability that emerge when we give intolerance—religious and otherwise—its due. Thus, rather than attempt to further expand the debates about reasonable accommodation or extend the criticisms already leveled at toleration as a means of containing and/or managing conflict, my aim is to investigate resources for sketching a constructive proposal. I propose to reorient deliberative models of democracy that view the purpose of political engagement as achieving a workable consensus (and gauge the health and success of a political process by those criteria) in terms that some political philosophers have called “agonistic” models of democracy. Specifically, I critically examine Chantal Mouffe’s account of “agonistic pluralism” as a way to decenter tolerance as an orienting value for purposes of containing or resolving conflict. My aim here is to investigate the possibility that placing conflict at the center of the model might permit reframing and potentially constructively transforming the inevitabilities and intransigencies of that conflict. I conclude that, while Mouffe’s application of agonistic pluralism finally finds itself caught up in some of the same exclusions of deliberative democracy that it aims to overcome, the conflict-centered reframing effected by this model at least points the way toward novel possibilities for transforming and constructively utilizing religious intolerance and conflict.

III. HEGEMONY AND FUNDAMENTALIST STRATEGY

Deliberative models of democracy typically understand the cultivation of stability amid the facts of pluralism to be an essential goal of democratic politics. Deliberation views free and equal discussion as the means by which collective political goals can be achieved and needs met through processes of reasoned debate and the force of argument. While such models recognize dissent and conflict as inherent in the
contest of competing political interests, generally they frame these as potential obstacles to the overarching goal of a working and sustainable consensus. Conflict and dissent are what the deliberative political process aims to come to terms with—to manage or resolve in order to arrive at consensus or accommodate a reasonable pluralism of views. It is with the goal of achieving and sustaining a workable consensus in mind that deliberative models devise and then confer premium value to the norms of stability, accessibility of reasons, and legitimacy.32

Models of so-called agonistic democracy, by contrast, posit the facilitation of dissent and conflict as the primary strength of—and indeed essential to—democratic politics.33 A feature distinctly enunciated on Chantal Mouffe’s account of agonistic pluralism is her attempt to harness and constructively utilize the antagonistic impulses and energies intrinsic to democratic political engagement. Because political engagement occurs between a plurality of conflicting values, identities, and aims that compete for realization, at its root, it is antagonistic.34 The antagonism intrinsic to political conflict tends to occur by way of differentiation and opposition. Where such differences and oppositions emerge, there will be conflict—“the creation of an ‘us’ by the determination of a ‘them,’” and vice versa.35 Because the motivating differences are persistent and sometimes irreconcilable, they frequently defy

32 The term “deliberative democracy” encompasses a range of specific proposals. In her seminal essay on the topic, Mouffe assessed Jürgen Habermas and Seyla Benhabib as exemplars of the deliberative model that she aims to move beyond. She also endorsed Stanley Cavell’s Wittgenstein-inspired criticism of the deliberative features of John Rawls’s work in Stanley Cavell, *Conditions Handsome and Unhandsome* (Chicago: University of Chicago Press, 1990). See Chantal Mouffe, “Deliberative Democracy or Agonistic Pluralism?” *Social Research* 66, no. 3 (Fall 1999): 745–58. In his article “Coping with Moral Conflict and Ambiguity” (*Ethics* 102, no. 4 [1992]: 763–84), David Wong leveled powerful criticisms at a range of proposals for accommodating moral disagreement within self-identified deliberative frameworks (he assessed proposals by Gutmann and Thompson, Thomas Nagel, and Stuart Hampshire).

33 For the purposes of the present essay, I draw exclusively from the model of agonistic pluralism developed by Mouffe, though without proposing that she stand in for what is a varied range of thinkers associated with “agonistic” theories. It is crucial to keep in mind that there is no such thing as “agonistic democracy” per se. There are what have come to be termed “agonistic” models of democracy. While it is true that the moniker of “agonism” has come to serve as shorthand for a range of thinkers and projects that share a diverse array of family resemblances and points of common interests, the differences between the particular accounts are important, sometimes contentious, and occasionally more pronounced than their similarities. Other theorists broadly identified as articulating “agonistic” accounts of democratic engagement—and some of whose work will be pivotal in the lengthier version of the account I propose here—include William Connolly, James Tully, Ernesto Laclau, Bonnie Honig, and David Owen. In some cases Sheldon Wolin and Hannah Arendt are read with an eye to the agonistic impulses of their writings.


efforts to contain, ignore, altogether resolve them, or sort them out (without remainder) through the measured exchange of reasons. A motivating question for Mouffe’s model is not whether political struggle will entail the construction of another against whom one struggles but how such oppositional relationships will be formed and how the ensuing struggle will be conceptualized, framed, and pursued. The goal is neither to persuade potential participants to play by antecedently derived deliberative rules for reason exchange nor to aim at consensus as the overarching objective.

Agonistic pluralism, by contrast, seeks to facilitate and utilize the inevitable—indeed necessary—roles that dissensus and contestation play in a democratic society. Conflict is reconceived as an intrinsic feature of human sociality. This reconceptualization aims to both recognize and grapple with the depth, persistence, and potential severity of such conflict, at the same time that it reconceptualizes conflict so as to motivate respect for one’s opponent as an adversary to be contended with, rather than an enemy to be destroyed. Mouffe’s account seeks this perhaps especially in the midst of conflicts that may not prove susceptible to compromise or straightforward mediation. Of necessity, democratic political engagement will entail points of concession and compromise. Yet, Mouffe’s agonistic model sees these as moments in the persistently unfolding processes of change in which conflict continues to unfold, though emerging in new forms, and cutting across varying constituencies. In other words, agonistic pluralism expects moments of compromise to occasion further interpretive contestation and conflict.

Mouffe aims to constructively reframe the inevitable tumultuousness of political engagement by first drawing a distinction between “antagonism” and “agonism.” Antagonism construes the oppositional engagement as between enemies, each intent upon eliminating the other and seeing the claims and demands of the other as illegitimate. Agonism reframes this opposition as one between adversaries—“somebody whose ideas we combat but whose right to defend those ideas we do not put into question.” She proposes to transform antagonism into agonism by setting the sustainability of political association as the orienting goal of political engagement. This permits her to reconceptualize its perennial features. Mouffe’s attention to the features of passion, intolerance, and conflict is especially relevant to my present inquiry.

From a range of deliberative democratic models, passion, intolerance, and conflict are typically identified as obstacles to deliberation and the

prospects for consensus and, thus, elements of political contest that need to be resolved, or at least mitigated. Rather than viewing these as simply destabilizing and inhibiting of political association, Mouffe posits these as intrinsic to, even necessary for, democratic political association. She then distinguishes between constructive and destructive varieties of each.

From the perspective of Mouffe’s agonistic pluralism a primary task of democratic politics is “not to eliminate passions or to relegate them to the private sphere in order to establish a rational consensus in the public sphere. It is, rather, to attempt to mobilize those passions toward democratic designs.”38 Agonistically reconceived, tolerance is neither cultivated indifference, restrained aversion, putting up with what one opposes in the interest of “getting along,” “agreeing to disagree,” nor refusing to take sides. It entails recognition and engagement of—at times, positively opposing and actively contesting—views and policies that one finds objectionable or stands against. “Tolerance” comes to refer to the character of one’s engagement with one’s opponent, rather than nonengagement or noninterfering disapproval. It takes on the more refined meaning of recognizing those who champion opposing ideas and viewpoints—perhaps irreconcilable with one’s own—as legitimate opponents. To “tolerate” them is to respect them as one respects an adversary to be contended with, rather than an enemy to be destroyed.

Mouffe describes agonistic political contest occurring over the values that will most inform a society’s sense of “common good” and, most important, how—and the extent to which—some conception of a common good will function hegemonically (i.e., which will establish itself with a prevailing degree of “social objectivity”). As a result, the agonistic contest is social and cultural, as much as it is political and legal. The point is not simply to get one’s preferred representatives elected, or to get laws that reflect one’s understanding of justice passed and on the books, or to place legislators and judges who will devise and apply laws in ways that reflect that value orientation. More important is cultivating frames of common understanding or “common sense”—the cultivation of hegemony. The political contest of agonistic pluralism is not to contend against some particular hegemonic frame so as to protect social and political life as a “hegemony free” space. Agonistic pluralism recognizes the contest, rather, as one over which hegemonic frames will become prevailingly orientational. In this there occurs a persistent and necessary tension and a plurality of conceptions of the common good.

When examined through the lens of Mouffe’s account, then, the Christian fundamentalist faction on the Texas school board has not merely commandeered a controlling share of local political power that enables them to determine the content of social studies textbooks in accord with their views. It becomes, rather, one episode (albeit critical) in a social and cultural movement contesting symbol systems and meanings and how those systems orient popular memory, shape imagination, and constitute notions of collective identity. The Texas school board is influencing resources and processes that shape and form the “common sense” understandings about the nature and character of U.S. society and history. As such, they present a form of hegemony, aiming to shape the “taken for granted” understandings that inflect sense, intuition, and the recognizability of what come to appear to be fairly “self-evident facts” about the extent to which certain laws or legal rulings are just or unjust, consistent or inconsistent with the “shared sense of identity” regarding “who we are.” This is a facet of a broader attempt to constitute social objectivity.

Disseminated widely and persistently enough, hegemony makes it possible to achieve specific political and legal objectives that would not be possible without it. In this light, the school board members’ assertion that “the philosophy of the classroom in one generation will be the philosophy of the government in the next” takes on multiple resonances. At one level it refers to the process by which particular individuals are inspired and trained, who then go on to pursue positions of political leadership and influence. At the same time, it refers to the fact that which stories get told and how they get told, which historical figures appear and which are occluded, which episodes and themes are valorized and which are vilified—down to the character and requirements of the reflective exercises and assignments required by the texts—all bear upon, shape, and form shared presuppositions and understandings that become broadly disseminated as common sense. In

39 Sensationalized public school curriculum disputes over biology textbooks (evolution vs. intelligent design, in particular) have overshadowed disputes over more subtle, yet no less pivotal, revisions to social studies and history textbooks. To take just a few examples among many other amendments passed (and many voted down) in its 2010 social studies textbook revisions, the Texas board passed revisions that included coverage of the birth-control pioneer, Margaret Sanger, on the basis that “she and her followers promoted eugenics”; that Ronald Reagan’s “leadership in restoring national confidence” followed Jimmy Carter’s presidency (Shorto, “How Christian Were the Founders?” 32); and that the suspicions motivating McCarthyism were substantiated when “the later release of the Venona papers confirmed communist infiltration in U.S. government” (McKinley, “Texas Conservatives Win Curriculum Change,” 1). The board passed textbook assignments that require students to “describe the causes and key organizations and individuals of the conservative resurgence of the 1980s and 1990s, including Phyllis Schlafly, the Contract with America, the Heritage Foundation, the Moral Majority and the National Rifle Association” (Shorto, “How Christian Were the Founders?” 32). The board determined names of “significant Americans” whose contributions...
all of this they aim, in effect, to cultivate hegemony. This process intends to not merely inspire individuals or groups to pursue political objectives in line with the hegemonic frame in question (say, in some individual pursuing a position of leadership). Simultaneously, they aspire to foster a public whose commonsense understandings incline them to vote for such a leader, and support the legislation he or she proposes, or to find amenable justifications offered for the appointment of a certain judge. This is something that the Religious Right in the United States appears to have understood most acutely when they declared their effort not merely political and legal but a contest for predominant cultural understandings and interpretive frames. Read in this light, Mouffe’s agonistic pluralism illuminates the broader scope and ambition behind Ralph Reed’s quip that he would “rather have a thousand school-board members than one president and no school-board members.”

Mouffe aims to reframe the conflict intrinsic to political contestation so as to constructively utilize the energies of that conflict for the enrichment of the political processes and institutions themselves. This move takes with grave seriousness the depth and severity of the different commitments and identities that present the kind of standing negation of one another for which Taylor’s use of the “fusion” metaphor cannot fully account. Moreover, it exposes the tendency of accommodationist models to surreptitiously reassert a form of hegemony that was more forthrightly in place in explicit requirements of deliberative restraint. Viewed through the lens of agonistic pluralism, countering the fundamentalist enterprise requires organizing and entering into the contest not only at levels political and legal but also social and cultural. Agonistic pluralism views this as invigorated politics.

At the same time, the limits to the range, depth, and severity of agonistic positions that can be candidates for this model, ultimately, turn out to be surprisingly constrained. Mouffe’s framework presupposes that the relationship between political enemies—agonistically reframed—stands against the backdrop of more basic, shared commitments to the principles of democracy. Any who reject the democratic framework itself are excluded. This draws the scope of pluralism more narrowly than one might expect. It compromises the depth and

students will evaluate as part of in-text assignments. These included Thurgood Marshall, Billy Graham, Newt Gingrich, William F. Buckley, Hillary Rodham Clinton, and Edward Kennedy (though Kennedy was voted down). One board member’s proposed amendment that students be required to “study the reasons that ‘the founding fathers protected religious freedom in America by barring the government from promoting or disfavoring any particular religion above all others’” (McKinley, “Texas Conservatives Win Curriculum Change,” 1) was voted down along party lines.


41 Mouffe, On the Political, 120–22.
severity of agonism that such pluralism can permit. And yet, the cases of intolerant opposition and conflict that press up against and test the limits of democracy are the ones most in need of examination and testing; most in need of an approach that aims to reframe or transform the terms within which opponents engage their adversaries. An attempt to positively utilize conflict is truly tested in its capacity to deal with those conflicts that are most deeply rooted, resistant to mediation, and potentially volatile. Otherwise, such an approach enables its users to manage conflict among those with whom they already basically agree on the most fundamental—often the most explosive—issues.

Of course, while Mouffe cannot accommodate outright rejection of practices and institutions of democratic political engagement, she does foreground political contestation over the meanings of the basic practices, institutions, and value of democratic engagement; what forms they ought to take; and even contestation as to what would or should count as “democratic.” But the same question arises here. What are the limits of this interpretive contestation? At what point would an interpretation press too far?

A key strength of Mouffe’s model is its capacity to account for this as a contest to promote and establish a hegemonic orientation. This insight facilitates attention to the legal and political features of the contest, as well as its broadly cultural and symbolic dimensions. The multidimensionality of this account would not attempt to restrain religiously motivated actors from intervening in politics. And yet, in her aim to come to grips with the depth, severity, and persistence of the conflictual character of hegemonic contests, Mouffe does not recognize the potential implications for the basic framework within which such struggle is to occur. Mouffe, for instance, does not envision the possibility that the Christian fundamentalists establish their account of society as a prevailing hegemonic frame, achieving such ascendancy as to either exclude, or largely influence the constraints upon, other contending frames.

Consider Mouffe’s claims for agonistic pluralism applied to the case of Texas school board textbook revisions. Mouffe agrees with the untenability of restraining religious and moral views to the “private sphere” and that the intervention by such groups into the political arena is as legitimate as any other interest group, so long as they “act within constitutional limits.” And yet, in a case such as this one, it is precisely “constitutional limits” that are under interpretive contestation. The democratic parameters of her account enable her to hold in place the proviso that the parties must remain within the constitutional param-

eters that separate religion and state power. And yet, in the episode in question, contending interpretations of that constitutional basis—the meanings of “church and state separation”—are at issue in the debate. 43

Mouffe, however, takes her view on this issue as the point at which interpretive contestation terminates—the understanding that the principle of separation between church and state is necessary for the state to avoid privileging one religion over another or investing any religion with the coercive power of which the state must be the lone proprietor. So understood, separation of church and state provides an indispensable constitutional parameter within which the agonistic contest about intervention of religious commitments in policy and law must occur. “Those who do not share those values will of course claim that this is ‘liberal fundamentalism,’ and they will see the institutions of liberal constitutionalism as a form of violence imposed upon them,” she writes. 44 This is precisely what many of them claim. However, this does not mark, for them, the unfortunate boundaries within which the contest must occur. These are, rather, precisely those points at which the truly agonistic contest begins. It is precisely such an understanding of the default parameters that has inspired their programs to contest the meaning and application of the principle of church/state separation at all levels of the judiciary and motivated them to cultivate a new hegemony, in no small part, through what is, in effect, agonistic participation at the level of public school boards.

On these points, Mouffe’s conception of agonism invites the charge that the effort to make space for and invite engagement from those who hold undemocratic or even antidemocratic commitments and live illiberal lives is yet another form of domestication—all the more difficult because she seeks to overcome the limitations of the consensus-driven models of democracy. Yet, for Mouffe, once the democratic parameters of the agonistic engagement are called into question, all bets are off. 45 At that point she comes to perpetrate precisely the kind of exclusion in the name of consensus that her agonistic pluralism intends to overturn.

43 For an overview of the debate, see Shorto’s “How Christian Were the Founders?”
45 As Mouffe puts the point, “The category of the ‘enemy’ does not disappear but is displaced; it remains pertinent with respect to those who do not accept the democratic ‘rules of the game’ and who thereby exclude themselves from the political community.” Chantal Mouffe, The Return of the Political (London: Verso, 1993), 4. For a sampling of the criticisms leveled at Mouffe on this and related points, see Kristen Deede Johnson, Theology, Political Theory, and Pluralism (Cambridge: Cambridge University Press, 2007), 89–101.
IV. OBJECTIONS AND REPLIES: NIETZSCHE OR WITTGENSTEIN?

Mouffe’s admission of the limited applicability of agonistic pluralism points up a pivotal objection raised against it. How is the nonnegotiability of the democratic parameters not, as such, itself a hegemony imposed by default? Why should it not be called into question in non-democratic or antidemocratic ways? The Nietzschean critic presses this criticism further. How, she will ask, can agonistic pluralism avoid degenerating into a clash of preferences and wills played out under the pretense of democratic procedures? Nietzsche, after all, celebrated the virtues of the agonistic contest as well, though he derided any attempt to dress the agon in democratic posturing. Such democratic window dressing would only obscure the fact—and eventually perpetuate the self-delusion—that the contest was more “humane” than the thorough-going and contingent clash of wills that it, in fact, is (by some Nietzschean lights, at least). Democratic pretenses would, moreover, dilute and level the virtuous nature of the contest. Once the intransigence of the conflicts in question are fully reckoned with, how is Mouffe to avoid slipping from a “democracy that would be agonistic” to what is, in fact, a self-deceived “agonism that purports to be democratized”? Mouffe responds with the Wittgensteinian appeal to the form of life in which she finds herself. The Wittgensteinian features of her account exert influence in a couple of crucial ways.47

Her use of Wittgenstein highlights that Mouffe has crafted her model in a particular context with a specific historical legacy and social and cultural features. In short, the democratic form of life within which she works is already up and running. That the context is framed by dem-


47 Mouffe, “Wittgenstein, Political Theory, and Democracy,” in The Democratic Paradox, 66. The influences and uses of Nietzsche’s thought in various “agonistic” models of democracy have received considerable scrutiny. It is the (arguably) more subtle presence and impact of Wittgenstein as a counter to more pronounced Nietzschean tendencies in certain of these models (and in Mouffe’s thought, in particular) that remains underexamined. One aim of the present section is to highlight the importance of investigating and developing these Wittgensteinian features for purposes of grappling with the challenges unique to religiously motivated conflict in contemporary public life.
ocratic institutions and practices presents so many “facts on the ground.” These are best thought of as webs of democratic culture and history that shape and form subjectivities, corresponding social objectivities, and an ethos of contestation and practice. The given-ness of this form of life is not simply an arbitrary and unquestionable appeal to what happens already to be the case. It does not, for instance, preclude the demands of accounting for how this form of life emerged, reflecting critically on how it might have been (or needs to be) different, drawing upon past achievements and learning from past failures for the purposes of self-correction in the present and future, or offering reasons why this form of life is to be preferred or is superior to other possibilities. Moreover, each of these tasks will themselves be subject to recurring contestation. Indeed, a central aim of her “agonistic pluralism” is to facilitate constructively (to the extent that she is able, as I have argued) the kinds of conflicts intrinsic to a democratic form of life.

Even so, the risk of Mouffe’s account is that commitment to the democratic “given” becomes a stultifying limit; that refusal to genuinely test a kind of living faith in democratic practices and culture risks becoming, in effect, an arbitrary and uncontestable fundamentalism about them. In eliminating the risk of nondemocratic potentialities by excluding nondemocratic interlocutors—in reserving the label of “enemy” for those who do not accept the democratic rules of the game—Mouffe risks eliminating different possibilities for democratic futures. It is conceivable, after all, that new democratic vistas be opened and innovated through the agonistic engagement between democratic and nondemocratic interlocutors and concepts of legitimacy—situations in which the democratic presuppositions are legitimately called into question and actually are candidates for revision. A faith that is set off-limits from genuine doubt is a meager faith. And yet, there are many degrees between a (fundamentalist) faith that refuses to be refined by grappling with its own contingencies and the kind of paralysis that comes from radical skepticism, unremitting playfulness, or radically unconstrained self-creation that Nietzsche’s line of questioning invites. Though Mouffe seems not to recognize fully this implication, a more modest, critically self-reflective, and genuinely revisable democratic faith—one that strives to balance a sufficient sense of contingency with an appropriately open-ended accountability to the

48 Acampo recognizes this risk in her own interrogation of Mouffe (as does Muldoon): “By insisting that deep democracy must be willing to authorize or re-authorize its constitutional principles, perhaps I expose democracy to risks it cannot afford . . . hold[ing] its constitutive value of liberty and equality too lightly, all too playfully, such that it could not truly offer a viable framework for political action at all” (Acampo, “Demos Agonistes Redux,” 386).
causes and conditions that brought it into being, and the ethical substance in which it persists—is partly a resource implicit in, and near neighbor to, the reading of Wittgenstein upon which she draws.49

Of course, such a Wittgenstein-inspired appeal to a democratic form of life must itself be subject to interpretive contest. And yet, this conception of the form of life provides resources by which agonistic pluralism can avoid degenerating into democratically garbed agonism. Adversaries are such in virtue of sharing a “form of life”—a broadly encompassing symbolic context of practices and ethicopolitical principles shared by the parties to the relationship. At the barest minimum, Mouffe suggests that this mutuality occurs in the recognition by each of the other’s basic right to exist, accompanied by recognition of the other as a legitimate participant to whom he, she, or they are accountable in the shared social and political contexts and circumstances in which they find themselves. The Wittgensteinian dimension of this position means, in part, that the features of this shared background are subject to multiple meanings, innovations, and applications. It entails, further, that the practices of citizenship and democratic engagement by which adversaries hold one another accountable, and take responsibility for their claims, ought to be conceived as expansively as possible. The processes of accounting for, explicating, critically assessing, contesting, and justifying, among others, should accommodate the full range of forms of rhetorical engagement and persuasion. This stands in sharp and critical contrast to “deliberative democracy’s” rationalist model of communication—compelling one’s interlocutors to submit to the force

49 Mouffe does recognize a Wittgensteinian path through the thicket of sheer arbitrariness, on the one hand, and paralyzing skepticism or playfulness, on the other. Not just any reading of Wittgenstein will afford this (many will not). Mouffe is quite particular in her appeal to Stanley Cavell’s reading of Wittgenstein in Conditions Handsome and Unhandsome. However, she does not recognize Cavell’s account of Wittgenstein as opening a vista beyond what I have argued are the more rigid tendencies of her account of agonistic pluralism. Nor, for that matter, does she recognize in Cavell’s particular reading of Emerson on self reliance (in the same text) a more modest alternative to the Nietzschean conception of democratic citizen as a “sovereign self-creator” toward which some “agonistic” models gravitate (for a particularly pronounced example of the latter, see David Owen’s “Equality, Democracy, and Self-Respect: Reflections on Nietzsche’s Agonal Perfectionism,” Journal of Nietzsche Studies 24 [Fall 2002]: 113–31). James Tully, another whose work often gets grouped under the broader umbrella of the “agonistic” moniker, has most precisely and powerfully explicated and applied Wittgenstein’s work in these conversations (and whose reading of Wittgenstein on “following a rule” is particularly pivotal for Mouffe). Tully’s reading of Wittgenstein appears in James Tully, “Wittgenstein and Political Philosophy: Understanding Practices of Critical Reflection,” Political Theory 17, no. 2 (May 1989): 172–204. He has further developed and applied these Wittgensteinian implements in Strange Multiplicity: Constitutionalism in an Age of Diversity (Cambridge: Cambridge University Press, 1995) and most expansively in Public Philosophy in a New Key, vols. 1–2 (Cambridge: Cambridge University Press, 2008).
of deliberative argument by “invoking the commands of general rules or principles” in pursuit of a finally inclusive rational consensus.\(^{50}\)

On the one hand, the agonistic model of pluralism to which Mouffe gives voice strives to recognize and account for the fact that in some issues and points of conflict, participants may only be able to engage one another as adversaries and, on the points in question, perhaps irremediably so. In such cases, the contest will play out as a struggle for hegemonic prevalence and for political and legal success. In other words, her appeal to Wittgenstein is not another call for a dose of fallibilism in how opponents hold onto their views and mutual tolerance between all the parties involved. In fact, the pivotal insight is precisely that, in some situations, fallibilism and tolerance will be ineffective in actually addressing the conflict at hand.

At the same time, in Mouffe’s case, the shared and enveloping context and history make it possible for potential antagonists to be adversaries (some shared background is necessary even for opponents to be antagonists and enemies). To take up and investigate those instances on a case-by-case basis holds open the possibility of uncovering “similarities, relationship, and a whole series of them,” and “a complicated network of similarities overlapping and criss-crossing” that might keep the opposition from being finally intractable, or absolute, after all.\(^{51}\) It makes possible areas of ambiguity. Perhaps it illuminates points of contact or commonality on other and related issues. Moreover, conceptualizing the forms that encounter and engagement might take as expansively as possible, while inevitably messy and perennially subject to agonistic contest, nonetheless lends itself to strategically utilizing—the ambiguities and ambivalences likely to emerge in agonistic framing of intransigent conflict.

By no means does this present a solution to intransigent and irremediable conflict. But it does highlight that within the complexity and messiness of diametrical and persisting opposition there is never outright incommensurability. And this holds open the possibility of spaces within which creative or unexpected engagement might occur. One

\(^{50}\) Mouffe derives the latter insight from Wittgenstein’s account of “following a rule.” The operative lines read, “If we follow [Wittgenstein’s] lead, we should acknowledge and valorize the diversity of ways in which the ‘democratic game’ can be played, instead of trying to reduce this diversity to a uniform model of citizenship. This would mean fostering a plurality of forms of being a democratic citizen and creating the institutions that would make it possible to follow the democratic rules in a plurality of ways. . . . To be sure, we need to be able to distinguish between ‘obeying the rule’ and ‘going against it’. But space needs to be provided for the many different practices in which obedience to the democratic rules can be inscribed” (Mouffe, “Wittgenstein, Political Theory, and Democracy,” 73).

might find, perhaps, some proximal point from which to begin thinking about, rethinking, coping with, and entering into the processes of not eliminating once and for all but transforming the elements of conflict that are rooted in intransient opposition and intolerance.

V. CONCLUSION

This essay began in my effort to explore the possibility of constructively reframing religiously motivated intolerance and conflict. I have remained in a posture of criticism throughout. I began by reviewing the important headway made among political philosophers to accommodate religion-specific speech and reasoning in public political life. I argued that the positive gains made in the way of accommodation, while important, have not brought the respective debates to conclusion. In fact, they highlight the persistence of the challenges presented by forms of intolerance motivated by deep moral, religious, and political commitments and identities. Moreover, what are in some cases genuine efforts to accommodate religious particularity, in effect, assert deliberative restrictions in new—often less conspicuous and apparently more palatable—forms. I argued that Charles Taylor’s appeal to fused horizons incorporates the headway made by accommodationist concessions and improves upon them through its appeal to potential transformation through charitable interpretation and mutual understanding. But the transformation Taylor prescribes turns out to be, ultimately, unidirectional. In this, it takes with insufficient gravity the fact that many of the most intransient instances of intolerance may well refuse to be mediated. In such cases, actors do not seek to be understood or tolerated; they seek to win—to alter the discourse, laws, and culture. This is a pivotal insight with which Mouffe’s account of agonistic pluralism begins.

Finally, then, I investigated Mouffe’s account of agonistic pluralism as an explicit attempt to reframe and constructively utilize the inextricability of conflict. Her agonistic decentralizing of “tolerance” and effort to reconfigure intolerance, conflict, and passion represent an instructive effort to constructively engage those features of political and cultural life typically looked upon as perennial problems that must be rooted out or at least adequately pushed to the margins. Mouffe, I argued, does not finally succeed in this. Her own application of agonistic pluralism does not finally account for intolerance in its most intransient and irremediable varieties. Nonetheless, I hope to have suggested that, in her strategy to reconceptualize conflict, and particularly in the Wittgensteinian resources she brings to this endeavor (curtailed though her use of them may finally be), her model of agonistic
pluralism makes a promising beginning for constructive—potentially even transformative—engagement with the depth, severity, and intran-sigence that religiously and morally motivated intolerance and conflict sometimes bring in train.