The Power of Public Assemblies: Democratic Politics Following Butler and Arendt

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Abstract: Public assemblies play a major role in current politics. On the one hand, the Arab Spring and the Occupy movement have generated hope on the left. On the other hand, many countries are experiencing a surge of right-wing populism. Considering both developments as driven by the power of public assemblies, this article addresses the ontology and ethics of public assemblies. In terms of ontology, it investigates the conditions under which public assemblies unfold their power. In terms of ethics, it discusses possible criteria for a normative evaluation of public assemblies. The discussion is guided by Hannah Arendt's theory of acting together in the public sphere and Judith Butler's performative theory of assemblies. However, it will be shown that the ontology and ethics of public assemblies turn out to be more intricate than they anticipated. First, whereas Arendt (and Butler) focused on assemblies that are constituted by bodily co-presence, processes of digitalization raise new questions about the constitution of public spheres beyond the dichotomy of direct and indirect gatherings. Second, current political polarization suggests that strategies of public assembly, far from following an intrinsic normative trajectory, are ethically neutral tools that can be deployed for various political purposes.

Public assemblies play a major role in current politics. While uprisings like the Arab Spring, the Occupy movement and the Gezi Park protests generated hope on the left, this moment has since passed, overshadowed by the recent emergence of right-wing political movements in many countries. In both developments, strategies of public assembly have played a crucial role. To get a better grasp of these developments, this paper discusses Hannah Arendt's theory of plural action in the public sphere and Judith Butler's performative theory of assembly as resources for addressing the ontology and ethics of public assemblies. In terms of ontology, the focus is on the conditions under which public assemblies enact their power. In terms of ethics, this essay will discuss possible criteria for a normative evaluation of public assemblies.

While Arendt and Butler provide important conceptual tools for understanding public assemblies, the ontology and ethics of public assemblies turn out to be more complicated than they anticipated. First, whereas Arendt, and to a lesser extend also Butler, focused on assemblies that are constituted by bodily co-presence, processes of digitalization have raised new questions about the constitution of public spheres beyond a strict dichotomy of physical and mediatized spaces. We therefore need new conceptual tools for understanding the ontology of assemblies in hybrid public spaces. Second, current political polarization suggests that strategies of public assembly, far from following an intrinsic normative trajectory, are ethically neutral tools that can be deployed for various political purposes, complicating the normative evaluating of assemblies.

The paper is divided into six parts. The first two parts offer preliminary discussions of Butler's concept of plural performativity and Arendt's concept of plural action. The third part is concerned with Butler's appropriation of Arendt's thought, which leads the way to an attempt at conceptualizing the power of public assemblies in part four. Whereas the first four parts focus on a reconstruction of Butler and Arendt's thought in order to sharpen the conceptual tools they have to offer, the last two parts evolve around two crucial issues not adequately addressed by their works. Part five raises the issue of public assemblies in the age of digitalization, while part six discusses possible criteria for a normative evaluation of public assemblies.

Butler's Performative Theory of Public Assemblies

In a number of recent essays, collected in the volume *Notes Towards a Performative Theory of Assembly* (cf. Butler 2015), Judith Butler develops her understanding of performativity into a proposal for thinking about public assemblies in a new way. The gist of her proposal is to conceptualize assemblies in terms of bodily and plural performativity. The added emphases on the body and plurality transform the understanding of performativity in two regards. First, Butler's original account of performativity, as it was introduced in the 1990s (cf. Butler 1990, 1993, 1997a, 1997b), was often read as being exclusively concerned with linguistic or discursive practices. In this way, it could be seen as in line with how the term performativity was introduced in Austin's (1975) speech-act theory. For Austin, performativity refers to the capacity of speech to perform an action; an utterance is performative if it does what it says. By thinking about performativity in terms of bodily enactments, Butler moves beyond an

exclusive focus on discourse. This does not require her to abandon the dimension of speech, as performative enactments sometimes take the form of discursive expressions. The thrust of her argument, however, is that the performativity sometimes lies already in the act of being bodily present in a certain space, without anything being said or otherwise linguistically expressed. Second, whereas Butler's previous reflections on performativity focused on how individuals act within normative frames – frames she understood as at once enabling and regulating the realm of possible actions – the new focus on plurality expands the scope of performativity to the question of how individuals can come to act together. Butler proposes a performative theory of assembly in a strong sense, according to which an assembly performatively constitutes itself in and through acting together. Thus, her suggestion is to investigate the self-constitution, self-determination, and self-authorization of assemblies.

In her performative theory of assembly, Butler argues against approaches, which hold that for an assembly to emerge it must refer back to some previously established social formation with a collective identity. According to such approaches, individuals must already identify themselves in advance with the group or category that the assembly comes to represent (e.g. members of the Green Party, heterosexuals, Christians or white-collar workers). Butler voices an ontological and a normative challenge against such approaches. On an ontological plain, she argues that an exclusive focus on group-identification and group-membership often misses the crucial social dynamics of public assemblies. Her assumption is that assemblies can be constituted and sustained in light of more heterogeneity and dissonance than theories focused on identity and identification usually acknowledge. In terms of a normative or perhaps strategic argument, Butler suggests that focusing on identity is a bad strategy for progressive political movements. She considers it more promising to support coalitions that actively incorporate their internal antagonisms, thereby showing that cooperation and acting together are also possible where people disagree or are in conflict with each other. With her emphasis on public assemblies, Butler emphasizes a bodily and plural enactment of freedom, which presupposes neither a collective identity nor a conformist understanding of what it means to act together. She takes many public assemblies to display forms of plural action that are characterized by large degrees of heterogeneity and internal deviation. More importantly, many assemblies do not presuppose a pre-established collective subject. By contrast, assemblies are often the place in which a "we" is performatively constituted in bodily and plural practices.

Butler's understanding of bodily and plural performativity draws on three main sources. First, it is an expansion of her notion of performativity as it was developed in her earlier work. It has always been crucial for Butler's understanding of performativity that it does not imply that individuals are free to do whatever they want. A performative theory of gender, for instance, does not mean that an individual can freely choose to be a woman one day and a man the next. Her notion of performativity is meant instead to emphasize the normative frames into which any such enactment is embedded. A performative theory of gender, for instance, requires one to investigate the gender norms constituting and limiting the realm of possible gender enactments. Similarly, a performative theory of assembly directs our attention to the normative frames, which govern who is able to assemble, as well as when and how. The appearance of an assembly in public space refers back to the norms constituting what it means to appear in public and regulating who is allowed to publicly appear. We will see later that the political force of assemblies often lies precisely in their challenge of the norms regulating the appearance in public space.

Second, Butler's understanding of bodily and plural performativity is informed by the relational ontology of the body, which was one of Butler's main concerns in the 2000s (cf. Butler 2004, 2009). According to such a relational ontology, bodies are constitutively relational insofar as they are dependent upon networks of support for their development and preservation. Butler understands these networks both in terms of social interdependence and in terms of infrastructural and technological conditions. With her performative theory of assembly, Butler builds on such a relational ontology of the body but shifts her focus to the possible power of bodily presence in public spaces. She wants to explore how bodies assembled in public space can "form networks of resistance together" (Butler 2015, 184) by making manifest their interdependency and challenging the conditions for navigating in public spaces. She is particularly interested in cases where the public appearance of a plurality of certain bodies is itself the main political claim. This is, for example, the case when the assembly is constituted by individuals who do not have the required status to appear in the particular public sphere; for instance, because they do not have legal residence in the respective polity. In other cases, it is the possibility to assemble in public itself that becomes the main political claim. This might be the case, for instance, because the responsible polity restricts the right of free assembly or because infrastructural conditions hamper the possibility of public appearance. One can think about scenarios with a general curfew or scenarios in which there is no public space left because the entire land is private property.

Third, Butler's notions of plurality and of the public are inspired by Hannah Arendt. Not only that, but Butler's understanding of the self-constituting, self-determining and self-authorizing power of public assemblies appears to be crucially informed by Arendt's notion of power, which she sees as emerging when a plurality of individuals comes to act together. Hence, Butler's performative theory of assembly can only be understood against the background of Arendt's groundbreaking work. The following section will discuss how plurality, power, and the public are connected in Arendt's work.

Arendt's Notion of Plural Action in the Public Sphere

Arendt thinks about the connection of plurality, power and the public through the concept of *appearance*. As she states in the first chapter of *The Life of the Mind*, she takes being and appearance to be the same (cf. Arendt 1978, 19–65). She defends the same thesis in *The Human Condition*, where she considers appearance as constitutive of reality: "For us, appearance – something that is being seen and heard by others as well as by ourselves – constitutes reality" (Arendt 1958, 50). In the following, I will trace this link between reality and appearance and discuss how it relates to power and plurality.

With her understanding of *appearance*, Arendt builds on a phenomenological notion of *world* according to which a world is a holistic horizon within which all entities, including human beings, can appear as meaningful. However, she gives the phenomenological notion of world a particular twist, a twist pointing towards the political, by connecting the notion of world with the notion of the public. In a first step, she does so by identifying world and appearance. Something is part of the world if it crosses the threshold of appearance. Appearance, however, does not only mean appearing to me, but implies appearing to all. As a consequence, the world is intrinsically a common world. Something being a part of the world is constituted by its appearing to all, by its being public. This claim is condensed in the title of §7 of *The Human Condition*: "The Public Realm: The Common." In short, it is its public character that guarantees the reality of the world and everything that appears in it: "To men the reality of the world is guaranteed by the presence of others, by its appearing to all" (Arendt 1958, 199).

But this is only the first step towards Arendt`s political notion of world. In a second step, Arendt claims that public appearance is not a given, a kind of anthropological fact that can be

deduced from human nature. On the contrary, public appearance is a potentiality, something that needs to be actualized in order to come into being. This can be seen in Arendt's claim in *The Human Condition* that the *space of appearance* is constituted by human speech and action: "The space of appearance comes into being wherever men are together in the manner of speech and action, and therefore predates and precedes all formal constitution of the public realm and the various forms of government, that is, the various forms in which the public realm can be organized" (Arendt 1958, 199). In other words, a space of appearance becomes actualized whenever individuals are acting together and speaking with each other. A space of appearance is a transient phenomenon, as "it does not survive the actuality of the movement which brought it into being, but disappears not only with the dispersal of men… but with the disappearance or arrest of the activities themselves. Wherever people gather together, it is potentially there, but only potentially, not necessarily and not forever" (Arendt 1958, 199).

Against this background, we can see the quasi-transcendental role that Arendt reserves for *plural action*: Since a space of appearance is constituted if and only if individuals are acting together, Arendt considers plural action as the site of the foundation of a world. Such a foundation opens up a public sphere in which entities can appear. However, since plural action takes place only in its concrete actualization, this foundation is necessarily a contingent one. The opening of a public sphere can only take place when a plurality of individuals is acting and speaking together; it dissolves when speech and action disappear. Thus, we see the interconnectedness between Arendt's notions of *world*, *space of appearance* and *public sphere*, and how she thinks of them as potentialities. They are possibilities that need to be actualized. The opening of a public sphere that enables entities to appear – in other words, to become part of the common world – is *the power of plural action*, and such an opening only happens when a plurality of individuals comes together and acts with each other.

Having discussed the constitution of a world in plural action, we are in a position to address Arendt's notion of *plurality*. As Sophie Loidolt has recently shown, "plurality is not something that simply *is*, but essentially something we have to take up and *do*. Therefore, it manifests itself only as an *actualization of plurality in a space of appearances*" (Loidolt 2017, 2). Thus, we primarily need to think of plurality in a verbal sense, as an activity or enactment (cf. Loidolt 2017, 51). Plurality – understood as a "we" that is composed of the "paradoxical plurality of unique beings" (Arendt 1958, 176) – needs to be actualized by speech and action in a space of appearance. Thus, plurality is not an ontological given, but emerges only in and

through plural action. This is related to Arendt's understanding of *power*, which she sees as emerging whenever individuals act together in a space of appearance. According to Arendt, power is not something one individual can exercise over another, but a potentiality that can become actualized only when individuals are acting together. Power never resides within an individual, but always within an interaction; it is an exclusive possibility of plural action.

Finally, we can see how this matches a performative understanding of plural action. According to Arendt's notion of action, an isolated individual cannot act. For Arendt, action is intrinsically linked with the appearance before others. It requires a space of appearance in which human beings can appear for each other. In other words, action is necessarily public. As Arendt puts it in *The Human Condition*: "In acting and speaking, men show who they are, reveal actively their unique personal identities and thus make their appearance in the human world" (Arendt 1958, 179). In the German version of the text, Arendt uses the metaphor of the stage. Human beings, she states explicitly, "appear on the stage of the world" ("treten gleichsam auf die Bühne der Welt") (Arendt 1960, 219). This shows surprising similarities to Goffman's (1959) *The Presentation of Self in Everyday Life*, which appeared at the same time and whose German translation was published with the title *Wir alle spielen Theater* ("We all play theatre") (cf. Goffman 1969). Goffman shares Arendt's idea that appearance is constitutive of reality, including the reality of the self. In acting and speaking we show who we are, in front of others, on the figurative public stage.

Butler's Appropriation of Arendt

Butler often focuses on those aspects of Arendt's work that she sees in a critical light, which makes it appear as if their accounts were rather far apart from each other. However, behind this curtain of critique, the similarities between Butler and Arendt's accounts outbalance the differences, and Butler's critique often seems excessive in light of more progressive readings of Arendt.

Against the background of Arendt's notion of action, we can further advance a *performative understanding of plural action*. Butler asserts that plural action does not require a coherent collective with a single demand. Rather, it allows for internal differentiations; in other words, a plurality of diverse participants and a multiplicity of demands can be accommodated within plural action. Alluding to Arendt's terminology in *The Human Condition*, Butler suggests an

understanding of plural action as "acting in concert" and not as "acting in conformity." Plural action, in this sense, is distinct from collective action. It does not require participants to join one token of action, but rather focuses on how they might join forces despite the diversity of their interests and aims. This shows Butler's appropriation of an Arendtian notion of power, according to which power emerges in virtue of a plurality of individuals coming together to act and speak with each other. As a consequence, power is not a precondition for plural action. On the contrary, power originates from plural action. As Butler puts it, "it is not a question of first having power and then being able to act; sometimes it is a question of acting, and in acting, laying claim to the power one requires. This is performativity as I understand it" (Butler 2015, 58).

With regard to an appropriation of Arendt's reflections on the public sphere, Butler advances a double strategy of adoption and critique. She does so by utilizing an ambiguity in the use of the term *public sphere*. In the very general sense that Arendt aimed at, public sphere means a *space of appearance*, which emerges whenever a plurality of individuals comes together to act and speak with each other, however such a space may concretely be shaped. In a narrower sense, public sphere refers to a *public space*, that is a concrete, material location where people can come together, like a town hall or a public square. (To avoid the ambiguity, I use *public space* whenever I refer to a public sphere in this second sense.) Arendt is focused on the public sphere in the sense of a space of appearance and claims that a space of appearance emerges whenever individuals act and speak with each other – and she sees this as the only precondition for a space of appearance to be possible. Butler, on the other hand, raises the question about the possibility of public assembly under aggravated conditions, for example, in regimes where freedom of assembly is not guaranteed, in cities where public space is limited, or when a public space is architectonically shaped in such a way that it hampers certain individuals from participating, such as when a location is not wheelchair-accessible. With these considerations, Butler emphasizes that infrastructural and technological conditions are crucial for the possibility of assembly in public spaces, and she criticizes Arendt for neglecting those concrete conditions of possibility of public assembly in favor of general reflections on the nature of a space of appearance. More generally, Butler claims that assemblies always require a location – a location that is necessarily material in some sense. This is also true in the case of mediatized spaces, since they also require some form of technological basis and maintenance, something that is often only noticed *ex negativo* when the technological conditions are lacking, for instance because a regime is censoring or

blocking the internet. Butler worries that if we follow Arendt's focus on the public sphere solely in terms of a space of appearance, we are led to ignore that political conflicts are often precisely about the various conditions that enable or disable assemblies in public space.

The Power of Public Assemblies

Having outlined the general frameworks of Butler and Arendt's remarks on plural performativity and plural action, we can now discuss how the power of public assemblies can be conceived based on their works. The slim volume *Who Sings the Nation-State*, which contains a conversation between Butler and Gayatri Spivak, offers an apt illustration for this discussion. Butler and Spivak discuss demonstrations of illegal residents that broke out in California in 2006 (cf. Butler and Spivak 2007, 58). In particular, they are intrigued that the protesters sang the US national anthem in Spanish and aim to understand what kind of action this singing was.

In this text from 2007, Butler discusses this singing in terms of a *performative contradiction*. The anthem was sung in a language in which it is not supposed to be sung, at least according to then US president George W. Bush (cf. Holusha 2006). Moreover, it was sung by individuals who were not considered entitled to sing it and who were not legally even allowed to reside in the area where the singing took place. Butler refers to Arendt's essay "The Decline of the Nation-State and the End of the Rights of Man" from *The Origins of Totalitarianism*, where Arendt introduces the famous dictum about "the right to have rights" (Arendt 1973, 296). The "right to have rights" amounts to the demand to "live in a framework where one is judged by one's actions and opinions" (Arendt 1973, 296f.). Being judged by one's actions and opinions means to be considered a legitimate part of a common world. According to Arendt, participation in a common world is precisely what stateless persons are deprived of. Such individuals can still utter sentences and pursue activities, but what they do and say is not considered relevant speech and action within a common world. Thus, what they do and say does not have power. It is excluded from appearing as meaningful within a given space of appearance.

It is important to note, however, that neither stateless persons nor illegal immigrants exist beyond all legal structures. Rather, being a stateless person or being an illegal immigrant are legal statuses that make one particularly exposed to the authority of the state. What Arendt

wants to emphasize is that while these individuals are subject to state authority, and while they might also participate in economic and social life, they are excluded from participation in the public sphere. In other words, they are banned from appearing as *political* subjects, as persons whose actions and opinions matter.

Coming back to the illegal residents in California, it can be noted that singing the US-anthem in Spanish is not an isolated act without context. If this were the case, this singing of the anthem would not be comprehensible for what it is. By contrast, the illegal residents drew on a long-standing tradition of singing *The Star-Spangled Banner*, which is also codified in a few written rules and a much larger set of unwritten norms. If there were no established practice of singing the anthem, expressing norms of who is supposed to sing it when and how, then this particular singing in California could not have been identified as an inappropriate act of singing the anthem. It was inappropriate in the sense of being sung by the wrong individuals (individuals who are not citizens of that nation), in the wrong location (those individuals were not allowed to reside in that polity), and in a wrong way (the US anthem is supposed to be sung in English). Nevertheless, what the protesters did was identifiable as an act of singing the US national anthem. The performative contradiction arises from the gap of legitimization: The singing was an action that had no basis of legitimacy within the established norms. Rather, its performance issued a claim of legitimacy against the established practice. In this sense, it can be understood as a demand for "the right to have rights," a right that is "guaranteed by no law but belongs to the nature of equality which turns out to be not nature but a social condition" (Butler and Spivak 2007, 65). What the illegal residents demanded was for their words to be heard and for their actions to matter. In other words, they demanded to be part of the political community of the polity in which they reside.

In terms of a performative theory of assembly, these demonstrations can be understood as both the foundational act of a group and the challenge of the prevalent shape of the space of appearance. The illegal immigrants had no established right to appear within the particular space of appearance. It was their assembly itself, by that fact of its very existence, that first expressed the demand for such a right. As Butler suggests, this is a case where "*the assembly is already speaking before it utters any words*" (Butler 2015, 156). In this case, *assembling* in public space already *is* the main claim. What the assembly primarily expresses is its own existence, and in so doing it demands that this existence becomes a part of reality, that it appears as meaningful and relevant.

Against this background, it is possible to explicate what is meant by the *self-constituting, self-determining and self-authorizing power of public assemblies*. In the act of gathering, a plurality constitutes itself as an assembly. By occupying a particular public space in a specific fashion, the assembly determines its own make-up. Finally, since the assembly has no basis within the established order, it authorizes itself in the very act of gathering. This power of assembly is particularly visible in cases like the illegal residents in California, when the assembly is constituted by individuals who do not have an established right to appear in public space. In such a case, it is obvious that the assembly does not only lay a foundation for its own existence, but also challenges the established organization of a space of appearance.

Relating to this matter, the chapter "'We the People' – Thoughts on Freedom of Assembly" from *Notes Towards a Performative Theory of Assembly* is particularly illuminating in showing that this is not only what happens in such particular instances like the demonstrations in California. Rather, it is a general feature of assemblies that concerns the relation of an assembly to the polity in which it occurs. In this text, Butler discusses what it means when an assembly claims to speak *in the name of the people*. Butler's main point is that when a public assembly claims the power of popular sovereignty – "We are the people" – this does not presuppose or imply that the assembly represents the entire people. On the contrary, the crucial point is that no enactment of "the people" can fully represent *the people*. The term "the people," Butler states, "can never adequately represent a collectivity that is in the process of being made or making itself – both its inadequacy and its self-division are part of its enacted meaning and promise" (Butler 2015, 169). A public assembly claiming to speak *in the name of the people* performs an act of self-determination and self-authorization, which is different from an act of self-representation. It is precisely on the basis of an insurmountable representational gap that such self-determination is both possible and necessary. Every representation of *the people* leaves a gap that points to "the people" being an "essentially contested concept" (Gallie 1955) that can only be invoked in a presumptuous act of self-determination and self-authorization. In other words, since a people can never fully or adequately represent itself, it can only appear in a plural action that self-authorizes itself to represent the people.

With these considerations, Butler's thought is in the vicinity of Claude Lefort's groundbreaking considerations about the postfoundational foundations of society after the

democratic revolution (cf. Marchart 2007). The democratic revolution is defined by the experience that "there is no representation of a centre and of the contours of society: unity cannot now efface social division. Democracy inaugurates the experience of an ungraspable, uncontrollable society in which the people will be said to be sovereign, of course, but whose identity will constantly be open to question, whose identity will remain latent" (Lefort 1986, 303f.). Because it is only possible to represent society in particular entities claiming to perform this representation, there will always be conflicting claims of representation and society can never rest in itself. Lefort condensed this representational gap into his famous dictum that power is an "empty place." The dominant position in society can only be temporally occupied by a particular group or person and will always be open for contestation: "There is no law that can be fixed, whose articles cannot be contested, whose foundations are not susceptible of being called into question" (Lefort 1986, 303).

Butler sees the main power of public assemblies in the contestation of an established order of society. An assembly claiming to speak in the name of the people draws attention to the possibility of a different organization of society. It points towards different images of society beyond its currently dominant representation. Similarly, a public assembly of individuals not currently represented or representable in a space of appearance – like the demonstration of illegal residents in California – is not reducible to a demand for inclusion (the demand that one's actions are visible and one's speech is heard). Rather, it is at once also a demand for a different shape of the public sphere. Precisely because such an assembly is not legitimized by the dominant representation of society, it has the potential of unfolding a critical power in virtue of its self-constitution, self-determination, and self-authorization.

Public Assemblies in the Age of Digitalization

So far, this paper has focused on a reconstruction of Butler and Arendt's conception of plural action in order to conceptualize the power of public assemblies. Now, it is time to draw attention to two issues arising around public assemblies, which are not sufficiently addressed in Butler and Arendt's work. First, Butler, and even more so Arendt, focus on assemblies that are constituted by bodily co-presence. Yet, recent processes of digitalization raise new questions about the constitution and efficacy of public assemblies beyond physical gatherings in public space. Second, Butler and Arendt's works are built around an implicit valuation of public assemblies – they see it as something intrinsically valuable when people assemble.

Current political polarization suggests, however, that strategies of public assembly, far from following an intrinsic normative trajectory, are ethically neutral tools that can be deployed for various political purposes. I will begin with the issue of digitalization before addressing the ethical evaluation of pubic assemblies in the following section. The main aim in these sections is not to offer finished solutions, but rather to first raise these issues in order to point towards the need for further conceptual and normative work.

Butler and Arendt implicitly build on the distinction of direct and indirect gatherings. Jean-Paul Sartre discussed these types of gatherings in his *Critique of Dialectical Reason* by example of the paradigmatic gatherings of the twentieth century (cf. Sartre 2004, 270ff.). He sees indirect gatherings as paradigmatically exemplified in the audiences of mass media, in particular radio and television. First radio and then television managed to gather large parts of the population in front of their receiving units. As primary sources of information, they were a major space of appearance. It is hardly exaggerated to say that what counted as real was decisively influenced by what appeared on television. Moreover, as radio and television were in most countries dominated by national service broadcasters, they were main sources for constituting and stabilizing a national public sphere. With regards to understanding the type of gathering that broadcasting creates, it is crucial to note that radio and television sets were pure receivers without any transmitting function. It is easy to see the consequences of these technological conditions for the corresponding gathering. While radio and television were able to assemble many individuals in front of their receivers, these individuals were addressed in isolation from each other. Lacking an immediate way of responding to the transmission, they could not perceive one another. Consequently, members of such a gathering were not in the position to speak or act with each other. In this sense, we can follow Sartre in speaking of an *indirect gathering* – a gathering which has no direct means to coordinate and instantiate plural action.

Plural action is only possible in *direct gatherings*. Traditionally, direct gatherings required physical co-presence of the participants. Public assemblies were the paradigmatic cases of direct gatherings, as they brought a plurality of individuals into close proximity, which allowed them to coordinate their action. However, as new types of media and new means of communication have arisen, it has become less clear whether a clear distinction between direct and indirect gatherings can be maintained. New media do not confine users to the role of passive recipients but enable them to also transmit their opinion. Moreover, they allow for

large-scale interaction without physical co-presence. In short, what is discussed as *digitalization* challenges the boundaries between direct and indirect gatherings and calls for a rethinking of the intersections of physical and mediatized co-presence.

Arendt, writing in the 1950s and 1960s, could not have anticipated these technological developments. For us, who are able to read her work from a historical perspective, it is important to ponder how much her thought was shaped by being conceived in the heyday of mass media. Arendt is convinced that power can only emerge when individuals are in close physical proximity, since only such proximity enables them to truly speak to each other and act with each other: "Only where men live so close together that the potentialities of action are always present can power remain with them" (Arendt 1958, 201). Audiences of mass media, by contrast, were isolated from each other and could not, therefore, obtain power. We can thus see that in agreement with Sartre's reflections in *Critique of Dialectical Reason*, a book not coincidentally also written in the late 1950s, the concept of plural action in Arendt's *The Human Condition* is based on the idea that only physical co-presence facilitates mutual appearance and enables individuals to act together.

Unlike Arendt, Butler has witnessed the role social media played in a number of recent uprisings. She is thus aware that individuals do not need to be at the same physical location to be able to collaborate in speech and action. New types of media and new means of communication have expanded the space of appearance beyond the constraints of physical co-presence. This leads to a situation in which bodily assemblies in public spaces are often not only accompanied, but also preceded and evoked by "assemblies" in mediatized spaces provided by platforms like Facebook or Twitter. This radically complicates the issue over what constitutes a "public," and forces us to raise the question: What is a space of appearance in the age of digitalization?

In *Notes Towards a Performative Theory of Assembly*, Butler shows awareness of these developments and discusses a number of recent events that challenge the traditional distinction between direct and indirect gatherings. However, she does not take the next step of providing conceptual tools for conceiving of the public sphere in a way that is adequate for the age of digitalization. But maybe her reflections can help sharpen our view of the issue at hand. One important observation is that the framing of assemblies in media coverage is crucial for their power, and such framing is usually an important battle place for the

conflicting parties. In Butler's words, "the signifying effect of the assembly, its legitimation effect, can function precisely through orchestrated enactments and orchestrated media coverage... The struggle over legitimation invariably takes place in the play between public enactments and media images" (Butler 2015, 19). As an example, Butler notes that the filming of police actions has become crucial in the fight against police violence. More generally, smart phones and the sharing of images and videos via social media have become central tools in gaining and maintaining public support. Although this is an important observation, Butler nonetheless fails to accentuate one of the most intriguing aspects of this development, namely that we witness the *multiplication of the public sphere*. In light of the multiple channels spreading images and competing for the main currency under digital conditions – attention – it is no longer accurate to refer to the public sphere or the space of appearance in the singular. Rather we need conceptual tools for thinking about *conflicting publics* and *competing spaces of appearance*. Whereas Butler notices the constitutive function of media coverage for the space of appearance, she does not conceptually capture the competing nature of multiplied public spheres under conditions of digitalization.

These brief remarks are merely meant to show that a lot of work is ahead of us. To name just a few questions: How should we conceive of fluent passages between physical and mediatized co-presence? Is it possible to think of assemblies that constitute themselves precisely at these passages? Does it make sense to speak of competing spaces of appearance and how should we think about their relation?

Normative Evaluation of Public Assemblies

In this final part, I will now turn to the issue of normatively evaluating public assemblies. With regards to this issue, it is important to note the temporal context in which Butler wrote *Notes Towards a Performative Theory of Assembly*. The volume collects essays that Butler wrote between 2011 and 2013. She was inspired by a number of big and powerful protest movements that took place in those years, in particular the Arab Spring, the Occupy movement and the Gezi Park protests. One can notice this temporal context in the euphoric mood that carries Butler's reflections on the power of those protests and the progress that they promised. She also confesses at some point that she experiences "a certain thrill, dating back to my adolescent years, when bodies get together on the street" (Butler 2015, 134). This sensed "thrill" likely informs her conceptualization of assemblies. However, the political

climate has changed drastically since 2013 and rereading Butler's essays now makes her enthusiasm appear rather unwarranted. As a number of right-wing political movements have adopted *the politics of the street*, we are reminded that the power of assembly can be deployed for various political purposes, and that the streets are politically contested spaces. She wrote the introduction to *Notes Towards a Performative Theory of Assembly* in 2015. At that time, most protests had already been crushed or had ebbed away, and it was foreseeable that the Arab Spring, with the exception of Tunisia, would not lead to transitions to democratic government, but rather into civil wars, most of which have since ended with the reinstallation of counter-revolutionary regimes. Moreover, 2015 was the beginning of the so-called European refugee crises, which later led to a drastic swing in public opinion and, as of 2018, is still a main factor in most European elections. Butler's introduction seems to take these developments into consideration, as it shows signs of a more complex evaluation of public assemblies than the other essays in the volume. Hence, with and against Butler, we have to ask the question: Are there criteria that allow for a normative evaluation of public assemblies?

In the introduction to *Notes Towards a Performative Theory of Assembly*, Butler links the normative evaluation of assemblies with the issue of how they enact their power. She suggests that the critical function of an assembly is linked with its *transitory* character. This is particularly the case when an assembly drives a wedge between state sovereignty and the sovereignty of the people by claiming "to represent the people along with a prospect of a more real and substantive democracy" (Butler 2015, 2). Butler, however, is convinced that movements assuming this function "are invariably transitory when they remain extraparliamentary. And when they realize new parliamentary forms, they risk losing their character as the popular will. Popular assemblies form unexpectedly and dissolve under voluntary and involuntary conditions, and this transience is, I would suggest, bound up with their 'critical' function" (Butler 2015, 7). While there is certainly something to be said for that claim, Butler's restriction of such a critical function to transitory assemblies raises an important issue: the issue of *institutionalization*. Are critical assemblies necessarily transitory or is a path imaginable that allows one to institutionalize such a critical function? Moreover, is the power of assemblies restricted to short moments of critical rupture or can this power also be preserved over longer periods of time? Finally, even if we follow Butler in restricting the critical power to transitory assemblies, this does not solve the issue of establishing a normative evaluation. It would be a mistake to think that transitory assemblies are intrinsically good. Sometimes an assembly claiming to represent the people is a justified

intervention against unjust conditions. In other cases, however, such a claim might be issued precisely to sustain existing injustices, for example, when privileged parts of the population rally against improvements for other groups.

In another remark in the introduction to *Notes Towards a Performative Theory of Assembly*, Butler reminds us that it's hard to dissociate normative evaluations from political assessments. We need to be aware that the evaluation of an assembly is often disputed based on political disagreements. As Butler notes, "sometimes a movement is deemed antidemocratic, even terrorist, and on other occasions or in other contexts, the same movement is understood as a popular effort to realize a more inclusive and substantive democracy" (Butler 2015, 2). As was discussed in the previous section, the battle for public support plays a major role in political conflicts and is a constitutive factor for the power an assembly can realize. More importantly for the current discussion, Butler's remark suggests that the normative evaluation of an assembly is always bound to certain political convictions, and that it is probably better to admit as much, as this allows us to also address the underlying political premises of such evaluations.

This last remark can also be implied to Arendt and Butler themselves. Following this line of thought, I will now venture to discuss three criteria that constitute the normative framework that informs Arendt and Butler' evaluation of assemblies. First, Butler's work from the 2000s focus on the concept of *precariousness* and present it as an alternative to traditional accounts in practical philosophy which consider individual capacities as constitutive for moral status (cf. Butler 2004, 2009). In contrast to a focus on individual capacities, the notion of precariousness emphasizes the relational and processual nature of moral agency based on a social ontology of the body. The main idea is that qua being embodied, a living being depends upon conditions of support to be able to obtain and sustain its life. Such support, however, is unevenly divided; some individuals live under more precarious conditions than others. Butler distinguishes precariousness as a "generalized condition" (Butler 2009, 14) pertaining to all living beings, from precarity, which is a "politically induced condition" (Butler 2009, 25) of concrete endangerment, and she suggests that precariousness is a normative resource for fighting the uneven distribution of precarity. Against this background, Butler suggests that assemblies fulfill their critical function in a normatively praiseworthy way when they make manifest the situation of parts of the population that are particularly affected by the uneven distribution of precarity.

Another type of criterion can be found in Arendt's (1963) *On Revolution*. The main thrust of this book is an understanding of *revolution as the birthplace of freedom*. A revolution creates a new space of appearance, which Arendt understands as a space of freedom and equality. Accordingly, Arendt thinks that not every uprising or coup should count as a revolution. A true revolution only occurs when it is accompanied by the idea of a new beginning in the name of freedom and equality. As a consequence, one might suggest that an assembly is praiseworthy when it does not aim solely at liberation from oppression or an improvement of living conditions, but also at building a new foundation for society in the name of freedom and equality.

Finally, the notion of plurality developed in Arendt's *The Human Condition* might be seen as yet another criterion. If we follow Arendt's claim that the actualization of plurality implies that each individual appears in her irreducible uniqueness, we might conclude that assemblies are praiseworthy if they are constituted for the sake of an actualization of plurality, i.e. if they aim to allow each individual to appear in her uniqueness (cf. Loidolt 2017, 154). If an assembly is truly an actualization of a plurality, it enables individuals to act "in concert." This implies that distinctions and even conflict between individuals are indeed possible; they are manifestations of plurality. They do not hinder but increase the possibility of plural action.

How do these criteria relate to each other? It is easy to notice a tension between Butler's criterion in her work on precariousness and Arendt's criterion in *On Revolution*. Arendt seems to suggest that an uprising cannot count as a revolution when it is driven by social issues. This is a point on which Butler disagrees with Arendt, as she emphasizes that fighting against an uneven distribution of precarity and aiming for a better life are major factors for critical assemblies. However, Butler's focus on precarity might be taken to imply that assemblies can also fulfill their critical function when they act solely in the name of the interests of a particular group. Arendt, by contrast, claims that a new beginning in the name of freedom and equality requires individuals to transcend the support of particular interests and to strive for new and more equal organization of the space of appearance. Now, what would it look like if one combines these two perspectives. On the one hand, this would suggest that uprisings are often driven by the experience of precarity that inspires the struggle for a better life in the first place. At the same time, it would also suggest that a fight against precarity is only praiseworthy when conducted with reference to the generalized condition of precariousness;

this reference implies that one group's fight for a better life cannot be justified if it requires other groups to be worse off. Taken together, these normative criteria revolve around the demand for a society that enables everyone to lead a "livable life" (Butler) – a life as free from precarity as possible – and to experience his or her words and actions as meaningful and efficacious within a common world (Arendt).

To conclude, one can note that Arendt and Butler's considerations are driven by an underlying political conviction, namely the conviction that it is best to live in a society based on *freedom* and *equality*. Following Arendt and Butler this means a society in which one is judged by one's actions and opinions, and in which one does not suffer from socially induced precarity. That the normative criteria refer to a political vision is not necessarily problematic. On the contrary, it makes manifest why these criteria are relevant and why the society envisioned in them is worth fighting for. Similarly, it is not a weakness of Arendt and Butler's considerations that these criteria might be reapplied in various contexts and by different groups. Rather, it shows how every such claim – of making manifest an uneven distribution of precarity; of representing a free and equal society; or of actualizing plurality – is open to political contestation. Public assemblies unfold their power on a normatively and politically contested battleground.

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