

# *The Current Crisis of Democracy\**

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Democracy of opinion? Television democracy? Market democracy? Whether one studies them in the context of the crisis or evaluates them in relation to the dynamic of postmodernism, the pathologies affecting contemporary democracies are attracting more and more attention. The general opinion is that these pathologies, far from being inherent to democracy itself, are the result of a corruption of its principles. The most superficial observers attribute this corruption to external factors or phenomena (hence the ritualistic denunciations of fundamentalism, populism, communitarianism, globalization, etc.), which amounts to questioning solely the changes in morals and the transformation of society. Yet this confuses the cause with the effect. More serious observers go beyond immediate matters and interrogate the internal evolution of democracy itself, drawing attention to the more or less pronounced divergence between the current shape of democracy and what it ought to be on the basis of its foundational principles. Some are already speaking of “post-democracy,” not in order to suggest that democracy has reached a conclusion but to suggest that it has itself taken on post-democratic forms that need to be defined.<sup>1</sup> Still others

\* Translated by Russell A. Berman. The essay makes several references to “liberalism,” which the author uses in the standard European sense as referring to the doctrines of free-market capitalism and individualism. It is therefore precisely the opposite of the American usage, which currently denotes the expansion of the welfare state. The history of this trans-Atlantic semantic shift would be worth another investigation.—Trans.

1. “We cannot exclude the possibility that, politically, a new era is commencing: the era of post-democracy,” writes Christian Savès in *Sépulture de la démocratie: Thanatos et politique* (Paris: L’Harmattan, 2008), p. 10. His thesis is that democracy is “the victim of its own death instinct” and that its “Freudian Thanatos pulls it inexorably down . . . pushing

suggest that contemporary France is in a situation comparable to the one a few years before the Revolution.<sup>2</sup> There is a general sense of worry and disillusionment.

This is not the first crisis for European democracies. Marcel Gauchet has published the first two volumes (of a four-volume series) presenting a vast fresco on the passage of democracy.<sup>3</sup> He presented a summary of his work in a lecture at Angers in June 2006, which has been published as a small book.<sup>4</sup>

The first crisis of democracy emerged in France in the 1880s and became more apparent with the “shock of 1900,” but it only truly erupted after the First World War, culminating in the 1930s. In that period, Gauchet writes, “the parliamentary regime turned out to be simultaneously mendacious and impotent; society, torn apart by the division of labor and class antagonisms, gave the impression of dislocation; and as historic change became more extensive, it also sped up and grew stronger, escaping any control.”<sup>5</sup> The age of the masses had begun, and society was ripped apart by class struggles. Meanwhile, forms of organic solidarity began to decline as the countryside grew empty.

The direct result of this crisis included initially the rise of the first ideologies conferring political power on “experts” (planism, technocracy), and then, especially, the unleashing of totalitarian regimes that would attempt, as Louis Dumont has shown so well (and Claude Lefort to a lesser extent), to compensate for the dissolution effects of individualism and the cultural deconstruction of societies with a holism that was as artificial as it was brutal, linked to mass mobilizations and the establishment of

it to work perpetually toward its own demise” (p. 12). All that is left is to show how democracy is intrinsically nihilistic. The same notion is found in the title of the short book published by Karlheinz Weißmann, *Post-Demokratie* (Schnellroda: Antaios, 2009). The author is less concerned with the future of democracy than with the future of the state. He notes in passing that “the weakness of all the discourse on post-democracy is the timidity regarding the consequences” (p. 67).

2. Thus the thesis presented brilliantly by Guy Hermet: “Like our ancestors of 1775 or 1785, we are reaching the end of a future *ancien régime*, a regime coming to an end, destined to be replaced by a different political universe that still lacks a name, but which is already largely evident in practice. Like them, we stand before the gates of the next regime” (*L’hiver de la démocratie ou le nouveau régime* [Paris: Armand Colin, 2007], p. 13). See also his discussion “Crépuscule démocratique,” *Catholica* 100 (2008): 27.

3. Marcel Gauchet, *La révolution moderne* and *La crise du libéralisme, 1880–1914*, vols. 1 and 2 of *L’avènement de la démocratie* (Paris: Gallimard, 2007).

4. Marcel Gauchet, *La démocratie d’une crise à l’autre* (Nantes: Cécile Defaut, 2007).

5. *Ibid.*, p. 25.

militarized regimes on a global scale, all based on an appeal to *prepolitical* notions, such as the “racial community.” In reality, notes Gauchet, “they return, or attempt to return, through secular language, to a religious society, and its coherence and convergence of parties.”<sup>6</sup> The totalitarianisms of the twentieth century are incontestably, from this point of view, the (illegitimate) children of liberalism.<sup>7</sup>

The end of World War II marked the grand return of liberal democracy. At first, in order to avoid falling back into the problems that prevailed before the conflict, this liberal democracy masked itself in the costume of the welfare state. In the context of triumphal Fordism, it was in fact a mixed regime that emerged, combining the classic state of law with elements essentially more democratic, but in which democracy was seen as above all a “social democracy.” Gauchet enumerates some of the characteristics of this “liberal-democratic synthesis”: reevaluation of executive power within a representative system; adoption of a full series of social reforms designed to protect individuals from illness, unemployment, old age, and poverty; and the establishment of an apparatus for regulation and prevention in order to correct the anarchy that could follow from the unchecked development of market exchange. This system functioned more or less normally until the end of the so-called “thirty glorious years” (“Trente Glorieuses”), that is, until the middle of the 1970s.

Starting in 1975–80, new tendencies emerged that recreated the conditions of crisis, but a crisis of a different sort. Social democracy, conceived of as a society of security and organized welfare, began to decline, and pure liberalism came to the fore. Civil society, privileged as never before, became the motor of a new phase of the autonomous organization of social life. Economic liberalism returned in grand style, while capitalism surpassed, step by step, any and all obstacles, a process that culminated in the globalization that followed upon the collapse of the Soviet system.

6. *Ibid.*, p. 27.

7. It was under the influence of the liberal concept of democracy that the classic opposition between democratic regimes and totalitarian regimes—whereby totalitarianism is treated as the very negation of democracy or the political form most distant from it—was deemed absolute. Yet the most totalitarian regimes themselves display certain undeniably democratic components. Citing the American historian David Schoenbaum (*Hitler's Social Revolution*), Emmanuel Todd reminds us that “despite its reactionary discourse of a return to blood and soil, Nazism was Germany’s crucial moment of democratization. In a very particular social sense, the National Socialist experience was equivalent to the French Revolution, with its version of the night of August 4 and the abolition of privileges” (*Après la démocratie* [Paris: Gallimard, 2008], pp. 121–22).

The ideology of human rights, long preserved in the purely symbolic and decorative role reserved for the venerable abstractions of another age, gradually took on the trappings of the civil religion of the new era, the culture of good sentiments that alone might ground a consensus on the ruins of previous ideologies. At the same time, the nation-state turned out to be increasingly ineffective in the face of contemporary challenges, progressively losing all its “majestic values,” while a massive relaunching of a process of individualization in all arenas took place, leading to the disappearance of all the grand collective projects that once provided a foundation for a “we.” While in the past, “it was only a question of masses and classes, because the individual was understood in terms of his group, mass society was now subverted from the inside by a mass individualism, detaching the individual from his contexts.”<sup>8</sup> This was also the epoch of the effective disappearance of western rural societies (in France, farmers amount to only 1.6 percent of households), a veritable silent revolution, the profound consequences of which are passing nearly unnoticed. But it was also the epoch of the generalization of multi-ethnic societies as a result of mass immigration.

To understand this development, it is necessary to grasp the distinction between ancient democracy and modern democracy. The former, underpinned by the idea of the auto-constitution of human societies, could be defined as the political form for autonomy by way of the citizens’ participation in public affairs. Modern democracy is intrinsically linked to modernity, but only by way of a tie to liberalism, which tends to undermine it. The profound cause of the crisis is the unnatural alliance of democracy and liberalism, which Gauchet has presented as “the very doctrine of the modern world.”<sup>9</sup> The expression “liberal democracy” joins together two terms as if they were complementary, when in fact they are contradictory. This contradiction, which has by now become completely apparent, endangers the very foundations of democracy. “Liberalism puts democracy in crisis,” in Gauchet’s words.

Chantal Mouffe has rightly observed, “On the one hand, we have the liberal tradition including the rule of law, the defense of human rights and the respect of individual liberty; on the other hand, the democratic tradition where the principal ideas involve equality, the identity of the rulers and the ruled and popular sovereignty. There is no necessary relation

8. Gauchet, *La démocratie d’une crise à l’autre*, p. 35.

9. Gauchet, *La crise du libéralisme*, p. 18.

between these two different traditions, but only a contingent historical articulation.”<sup>10</sup> Without recognizing this distinction, it is impossible to understand the current crisis of democracy, which is ultimately a systematic crisis of this “contingent historical articulation.” Democracy and liberalism are not at all synonymous. On important points, they are even antithetical notions. There can be non-liberal democracies (democracies pure and simple) and forms of liberal government that are not at all strictly democratic. Carl Schmitt went so far as to say that the more a democracy is liberal, the less it is democratic.

In relation to ancient democracy, the main difference of modern democracy, as it began to realize its principles after 1750, is that it is based not so much on citizen participation in public affairs than on the universal rights of individuals and, in addition, that it is no longer foreign, in its historical manifestation, to the ideology of progress. Liberalism contributes to a confusion among politics, morality, and law. The ideology of progress gives the democratic dynamic an orientation, constantly projecting it forward through the invention of a future. This cascading into the future, a historical dimension henceforth privileged, leads to a “complete reorganization of the order of societies.”<sup>11</sup> It leads in particular to an “inversion of the sign in the relations between power and society.”<sup>12</sup> Society—and no longer power—becomes the seat of the dynamic collective. It follows that the political system must above all guarantee the liberty of individuals, who are the genuine actors in history. It is no longer the laws that determine the morals but rather the morals that progressively modify the laws.

According to Gauchet, “power in this context can no longer be viewed as the *cause* of society, as if it were the factor charged to make it exist by fiat. . . . Power should be maintained for the *effect* of society. It can only have been generated by it, and it can only have the role of fulfilling the missions that are assigned to it. It has no meaning, in one word, other than to *represent*.”<sup>13</sup> Democracy remains classically defined as consecrating the “power of the people,” but in reality, since it became liberal and purely representative, it is nothing more than the political regime, consecrating the rise of the modern individual and the primacy of “civil society” over political authority.

10. Chantal Mouffe, *The Democratic Paradox* (London: Verso, 2000), pp. 2–3.

11. Gauchet, *La démocratie d'une crise à l'autre*, p. 21.

12. *Ibid.*

13. *Ibid.*, p. 22.

At the end of the 1980s, with the emergence of postmodernity, the arrival of the “democracy of human rights” indicated the rising influence of liberalism over democracy. This phenomenon corresponds to what Marchel Gauchet calls “the turn of democracy against itself”: “The notion of the rule of law takes on a meaning at this point that goes far beyond the technical significance to which it was previously limited. It tends to become confused with the very idea of democracy, now linked to the safeguard of private liberty and to the respect for the procedures that govern their public expression. In a revealing manner, the spontaneous implication of the word democracy has changed. . . . It used to mean the collective power, the capacity for self-government. It now refers only to personal liberties. Everything that enhances the role of individual prerogatives is judged to be democratic. A liberal vision of democracy has supplanted the classical notion. The touchstone is no longer the sovereignty of the people but the sovereignty of the individual, defined by the ultimate possibility to cancel, if necessary, collective power. It follows, step by step, that the promotion of democratic rights leads to the incapacitation of a democratic politics.”<sup>14</sup>

Democracy implies the existence of a democratic subject, the citizen. The atomized individual as conceived by liberal theory cannot be a citizen because he is, by definition, alien to the desire to live in a community. Taking the part for the whole, doctrinaire liberals claim to defend the individual’s liberty while ignoring his collective dimension, i.e., the existence of communities and the need for collective mastery inherent to democracy. In addition, the logic of individual rights is an infinite logic, since it is driven by “the abstraction of rights that never ceases” (Gauchet). Thus, the emphasis placed exclusively on individual liberty prohibits the creation of conditions of collective liberty to the extent that the former poses an intrinsic threat of disassociating the collective. Tocqueville believed that the passion for equality constantly endangered liberty. He was wrong not to see the reverse: the passion for abstract liberty also endangers democracy. Procedural democracy is founded on the idea of liberty without power, which is only an oxymoron (since power will simply migrate elsewhere).

Mouffe underscores that “the inability of contemporary democratic theory to grapple with the question of citizenship is a result of a conception

14. Ibid., pp. 38–39. Christian Savès also writes of a “veritable deconstruction of democracy by rights, rights in general, and human rights in particular” (*Sépulture de la démocratie*, p. 71.).

of the subject that considers individuals as anterior to society, carriers of natural rights, and who are either agents to maximize utility or rational subjects. In any case, individuals are cut off from social relations and power, from language, culture and the full set of practices that make their action possible.”<sup>15</sup>

The prerogatives of politics are threatened not only by rights but also by the economy. In liberal society, the political community, ceasing to govern, “becomes, in a strict sense, a *political society of the market*. This does not imply a society where economic markets dominate political choices but one in which political functioning itself borrows from the economy the general model of the market in such a way that its overall form appears as the result of initiatives and responses of different actors, within a process of self-regulated accumulation. A metamorphosis in the function of government follows: it is only there to watch over the preservation of the rules of the game and to guarantee the successful continuity of the process.”<sup>16</sup> Government by men turns into administrative management. The negation of the supremacy of the public sphere and the erasure of the notion of a common good, even in its degraded form as “general interest,” makes way for the multiplication of categorical responses and particular interests, while public power attempts, for better or for worse, to guarantee the coexistence of these conflicted procedural responses within a state of permanent inflation. “A politics based on the addition of particular interests,” notes Chantal Delsol, “rather takes the shape of anarchy, that is to say, a non-politics. In contrast, democracy consists of allowing for the definition of several versions of the general interest, which popular sovereignty alternatively lifts into representation.”<sup>17</sup>

“Modern democracies,” observes Alain Caillé, “never think of themselves as anything more than an order founded on rational calculations of interested subjects, and interested in particular in terms of their material advantages. Thus, in view of this understanding, both the gift and politics are basically incomprehensible and even fully invisible.”<sup>18</sup> This triumph of the economy over politics is interpreted by liberals as the victory of liberty, while it in fact amounts to a dispossession of the self because it translates

15. Mouffe, *The Democratic Paradox*, pp. 95–96.

16. Gauchet, *La démocratie d’une crise à l’autre*, pp. 47–48.

17. Chantal Delsol, “La démocratie asphyxiée,” in *Valeurs actuelles*, July 10, 2008, p. 22.

18. Alain Caillé, *Théorie anti-utilitariste de l’action: fragments d’une sociologie générale* (Paris: Découverte, 2009), p. 143.



into the inability for collectivities to take control of their destiny. Gauchet describes the “ravages of powerlessness” and the “festive dereliction of the last men, celebrating their incapacity to govern themselves.”<sup>19</sup>

This antipolitical revolution is played out in the sense of the “neutralization” evoked by Schmitt. To cite Gauchet again: “Historically modern democracies were constituted on the basis of the appropriation of public power by members of the political body. . . . Their new ideal is to neutralize power, whatever it may be, by placing the sovereignty of individuals under absolute protection. . . . Democracy of human rights is thus driven, by a powerful tendency, to reject the very practical instruments that it would require to become effective. Hence, the melancholy discovery of *public powerlessness*, which it permanently confronts. This powerlessness is, in fact, the result. . . . This is the deep cause for the shock facing states and their principle of authority in contemporary democracy.”<sup>20</sup>

In short, trapped between economics and morality, the ideology of the marketplace and the ideology of human rights, contemporary democracy is less and less democratic because it is less and less political. The economy is able to impose its law under the cover (and in the language) of rights.

Referring to purely abstract concepts, democracy has finally been deprived of its territorial and historical dimensions. Collective beliefs and religious origins used to have a mobilizing effect because they were rooted in territories. The notion of citizenship itself is also directly associated with particular territory in which the existence of citizens takes place. As Gauchet writes: “The fundamental universalism that is reworking democracy leads, in effect, to disassociate it from the historical and political orders within which it was forged and . . . by definition limited. Universalism would prefer, ideally, to lack both a territory and a past. In the same sense, it rejects any history that would establish a dependency on a particularity. In other words, democracy is being led toward an inability to assume the very conditions in which it was born.”<sup>21</sup> Under the influence of the ideology of human rights, the principle of democracy is no longer “one citizen, one vote” but rather “one person, one vote.”

Liberal democracy is confused with parliamentarism and representation. It is a constitutional regime founded exclusively on suffrage and pluralism, in which democracy is merely the social space negotiated with the rule of law. Thus, as Schmitt never ceased to repeat, the people has as

19. Gauchet, *La révolution moderne*, pp. 19, 25.

20. Gauchet, *La démocratie d'une crise à l'autre*, pp. 47–48.

21. *Ibid.*, p. 46.



much need to be represented as it is itself politically present to itself. Rousseau had already commented: “[W]hen the people has rulers who govern for it, whatever name they bear, the government is an aristocracy.”<sup>22</sup> In liberal democracy, the constitutional people is sovereign only to the extent that it is possible to consent to the power of those who are supposed to represent them. Representation is however merely makeshift. “Once it has become obligatory, the delegation of popular sovereignty to representatives who are in reality authorized to monopolize power provides the highly questionable evidence regarding the principle of democracy,” according to Guy Hermet.<sup>23</sup> For this reason, Althusius, according to whom global society was defined as an association (*consociatio*) of bodies articulated toward each other, only allowed for a delegation of power that was constantly revocable (what we would today designate as an “imperative mandate”). Placed beyond any control except suffrage, the representative system betrays those it claims to represent, while the binary of representatives and represented pushes inexorably toward transforming the former into an oligarchy. This treason is particularly evident today, given the concentration of programs and the disappearance of alternatives symbolized by the conversion of the European left to market society and the conversion of the European right to the end of nations, both of which are linked again to the neutralization of universal suffrage by directives from the European Union in Brussels.<sup>24</sup> All this culminates today in the cult of human rights, its dialectic with the triumph of money, on the basis of *storytelling*, i.e., an emptiness both spectacular and commercial.<sup>25</sup>

Another constant trait of liberal democracy is the manner in which it tends to denounce as “antidemocratic” any democratic demand that goes beyond the definition that it gives to democracy. This denunciation

22. Jean-Jacques Rousseau, *The Social Contract and Discourses*, trans. G. D. H. Cole (London: J. M. Dent, 1913), p. 75n1.

23. Hermet, *L'hiver de la démocratie*, p. 185.

24. All the electoral polls show that the left and the extreme left achieve their best results in major urban areas inhabited by the new upper middle class and not in lower-class neighborhoods. Christophe Guilluy, the author of the *Atlas des nouvelles fractures sociales en France*, sums this up with the formula “The left is strong where the people is weak” (*20 Minutes*, March 18, 2008).

25. “*Storytelling*, this is the politics of distraction, the replacement of political discourse or debate by amusement, funny or embarrassing stories, replacing political action by evasion, substituting *faits divers* for political programs, the end of political man by the entertainer, and the displacement of need by the scandal-monger” (Hermet, “Crépuscule démocratique,” p. 34).

pertains most frequently to social demands, but it also relates to those that might give citizens any power beyond simple suffrage. The participation of the people in public affairs is therefore currently rejected with allegations of “incompetence” (power must be reserved to “those who know,” whether they act as experts or as officials who claim to know better what is good for the people than the people itself), as if something like a pure “competence” existed, which one could abstract from ends, as Aristotle already noted. These are the same voices who, in the past, pleaded for the system *censitaire*—restricting suffrage to the propertied classes—which was supposed to protect them from “the dangerous classes.”<sup>26</sup> Representative democracy invented itself as a sort of procedure to “filter” popular sovereignty. In any case, it is a matter of justifying the presence of an oligarchy, even though it is merely a product of a social history.

How can this crisis of representation be resolved? Some think that a radical extension of social democracy is needed. This is the thesis supported by Takis Fotopoulos in a book intended as a sort of manifesto for an “inclusive democracy.” A supporter of localism and anti-growth, Fotopoulos treats economic equality as the condition for political equality and wishes that the *demos* would become “the authentic unity of economic life.”<sup>27</sup> Explicitly presupposing an economy without state, money, and market, he articulates a criticism of Jürgen Habermas and denounces the “reformism” of the altermondialist (alternative globalization) movement. His work contains a good criticism of representative democracy, which he characterizes, appropriately enough, as a “democracy with no danger

26. In 1792, 44,000 privileged great electors chosen from among the most taxed, that is to say, the most wealthy, held preeminence. In 1794 it was only 25,000. In this regard, Hermet notes, “the medieval proto-democracy was rejected for three reasons: the hostility of absolute monarchs as well as enlightened despots toward the traditional claims of autonomy on the part of their subjects; the fear of the middle classes and other property owners, frightened by the hypothesis of a government by the lower classes; and the objections by intellectuals and lawyers in the age of enlightenment who imagined themselves in power acting as the appropriate representatives of the ignorant multitudes” (Hermet, *L’hiver de la démocratie*, p. 26). Jacques Julliard states as well, “In France at least, representative democracy was understood from the start as a bulwark against universal suffrage: once citizens had chosen their representatives their role was to remain silent. This is what they no longer accept” (Jacques Julliard and Régis Debray, “L’opinion, maladie infantile ou sénile de la démocratie,” *Le Monde*, June 1, 2008).

27. Takis Fotopoulos, *Vers une démocratie générale: une démocratie directe, économique, écologique et sociale* (Paris: Seuil, 2001), p. 205.

for the modern state.” Yet, by definition, it is not an extension of social democracy that could restore its political prerogatives.

The “social democracy” that goes together with the welfare state arose in Europe in the reforms of Napoleon III and Bismarck. It responded to a genuine demand but was also a way to undermine the revolutionary claims of the masses, while inculcating the idea that “democracy” essentially involves the granting and distribution of quantitative benefits. It thereby erased the political character of democracy, shifting it toward “expert” administration and management. Social democracy involves “buying the people” with material advantages and a social security that grows from election to election, finding its legitimacy in this capacity to distribute goods. It is an “insurance” regime, but it is also suicidal because public power cannot respond indefinitely to the permanent increase of quantitative demands—but this in turn undermines the basis of legitimacy (the capacity to “achieve happiness”) since they are assumed to be given and could only be met by ever larger promises that are increasingly difficult to keep. From this point of view, social democracy exemplifies the confusion between an extensive democracy (superficial) and a democracy of depth (consistency). The extensive democracy risks turning into a diluted democracy. Social democracy is ultimately incapable of consolidating the pride of being a citizen: it turns members of society into clients who never dream of being more than that.

Thus, one of the major contradictions of the contemporary democracy of human rights is that it remains, in terms of public opinion, fundamentally a social democracy—a democracy from which one can expect and demand everything—even though it no longer has the means or the will to do so. Hermet remarks in this regard that “the obligation, to which democracy as a system of government has constrained itself, to purchase support for the price of first statutory and then material offerings without limit, is affecting the governments of developed societies in their totality.”<sup>28</sup> He adds, “To continue along this trajectory indefinitely would mean that, by 2025 or 2030, the comprehensive budget of the state will have absorbed the totality of the wealth produced in Europe, with nothing remaining for the market economy or the private expenses of the inhabitants.”<sup>29</sup> It is noteworthy that while the middle classes are haunted by declining social

28. Hermet, *L'hiver de la démocratie*, p. 63.

29. *Ibid.*, p. 64. On this point, cf. Danilo Zolo, *Democracy and Complexity: A Realist Approach* (Cambridge: Cambridge UP, 1992).

status, maintaining the benefits of social democracy remains within most populist programs at least as important as the critique of the budget or of immigration.

The gap is growing larger between the people and a new class that is autistic, incestuous, and narcissistic. In contrast to what is repeated in reactionary circles, it is not ochlocracy, the power of the people or the multitude that Plato attacked, that is emerging in modern democracy but rather a new form of oligarchy across politics, media, and finance. Criticizing liberal democracy is therefore not a denunciation of the people but a denunciation of the elites.<sup>30</sup> Gauchet refers to “the generalized sentiment of dispossession that haunts the democracy of rights. Its mechanism . . . inexorably erodes the confidence of the people in the oligarchies to which they are forced to return.”<sup>31</sup> Populism is a classical response to this separation, but it amounts at best to a compensatory safety valve. In most cases, it even turns out to be complementary to what it denounces, to the extent that it unwittingly reinforces the power of the new class, allowing itself to be utilized by it.

As we have seen, in liberal democracy, democracy is not defined in terms of popular sovereignty, the attribution of sovereignty to the people, but rather by a sort of attitude that values both an equality of conditions and the independence of individuals, who see themselves as socially separate from others. Under the influence of liberalism, contemporary democracy attempts to organize the liberty of individuals, not to elicit decisions from the people. In the best case, democracy is defined less and less as a specific mode of government and increasingly as a modality of living together. It is a “sociological” definition on the one hand, a political definition on the other. But what does this have to do with the people?

Grotius, Hobbes, Pufendorf, and Rousseau all equally tried to show how it was possible for individuals to be constituted as a people. None succeeded because by starting with the individual, one never gets to a people. Their shared strategy was to imagine a voluntary and rational act, which would lead to the association of men and the formation of society. Thus, as Bruno Gnessounou has remarked, “no one has ever succeeded

30. Cf. Emmanuel Todd, *Après la démocratie*, especially ch. 3, “De la démocratie à l’oligarchie,” pp. 67–93. For Todd, “the true drama for democracy is not an opposition between the elite and the masses but rather the lucidity of the masses and the blindness of the elite” (*ibid.*, p. 223).

31. Gauchet, *La démocratie d’une crise à l’autre*, p. 45.

in explaining how private individuals could have entered a contract with a collective body assumed to have been engendered by the contract itself. The end is presupposed at the beginning. It is simply impossible to engender a totality if you start with individuals.”<sup>32</sup> In other words, there can be no political people if man is not by nature a being simultaneously social and political. The notion of a contract is itself based on a juridical order presupposed in advance.

Pierre Rosanvallon speaks of a “mutation of citizenship.”<sup>33</sup> In fact, one is witnessing today a disappearance of citizenship, as contemporary democracy dilutes the very sense of the word “people,” whether in the sense of *ethnos* or *demos*, by pretending to open itself (which it is incapable of doing) to a “universal people,” invoked to replace the “national people.”<sup>34</sup> The people is not simply an addition of individuals, nor however can it be replaced by the notion of “multitudes,” which likewise disperses everything in singularities. To return to the original spirit of democracy entails returning to the idea of a *political* people reaching for collective liberty through participation in civic affairs. Aristotle, who tended to support a mixed regime, already defined the democratic citizen by his capacity to “take part in the deliberative or judicial administration of any state.”<sup>35</sup> The power of the people can certainly never be fully realized. It resides first of all as an aspiration and in a tension.<sup>36</sup> Yet while participation may never be able to be complete, it is what best approximates the power of the people, precisely by reducing the distance between power and people.<sup>37</sup>

Through participation, the people not only exercises its power; it also constantly reinforces itself in its existence as a people, and it transforms

32. Bruno Gnessounou, “Se gouverner soi-même?” in Isabelle Koch and Norbert Lenoir, eds., *Démocratie et espace public: quel pouvoir pour le peuple* (Hildesheim: Georg Olms, 2008), p. 119.

33. Pierre Rosanvallon, *La contre-démocratie: la politique à l'âge de la défiance* (Paris: Seuil, 2006).

34. On the dialectic between *demos* and *ethnos*, see the beautiful pages that Régis Debray devotes to this in *Le moment fraternité* (Paris: Gallimard, 2009), pp. 340–49.

35. Aristotle, *Politics*, 3.1.1275b.

36. On this, Norbert Lenoir is not wrong to say that “democracy is simultaneously the impossible power of the people and the attempt to create a power for political intervention by citizens” (“Démocratie: le peuple excédentaire et les voix du peuple,” in Koch and Lenoir, *Démocratie et espace public*, p. 92). The views of this author would otherwise require discussion.

37. Again, Aristotle also noted: “Everyone finds it more pleasant to cultivate one’s land than to bother with politics and to be a magistrate” (Aristotle, *Politics*, 4.13.1297b).

democracy into the accomplished form of its existence as a people. This is what Marx invokes when, in his *Critique of Hegel's Philosophy of Right* (1843), he locates the essence of the “true” democracy in the “self-constitution of the people as subject.”<sup>38</sup>

“Civil society” is what is being offered today as a substitute for the people. According to Gauchet, “the state is tending to be transformed into a space for the representation of civil society, without any longer a sense of hierarchical superiority nor a role of historical drive.”<sup>39</sup> Civil society is nothing more than a sum of group interests. By its nature, it only defends categorical interests, which prevents it from replacing the state by formulating an authentic collective project or exercising a comprehensive regulation of society.

The importance given to civil society is in effect a way to endow the action of interest groups and lobbies—all of them equally representative of this “civil society,” all obliged to defend interests or categorical privileges—with the potential result not of a tyranny of the majority over minorities but a tyranny of minorities over the majority. The rise of civil society is equivalent, from this point of view, to the growing pressure of opinion. The “democracy of opinion” is one in which polls have more importance than real elections and in which images instrumentalized by television are more important than ideas or even deeds. “This dictatorship of the media and opinion polls,” so judges Régis Debray, “transforms government into a daily administrator, focused on supposed desires of opinion, trying to anticipate them or prevent them. Thus one finds, for example, the birth of a diplomacy that reacts instantly to everything in order to avoid any lasting occupation with anything, that jumps from one image to the next without any memory or intention.”<sup>40</sup> Debray reminds us that “in the hierarchy of philosophy, opinion is the lowest level of knowledge,” and that it “is always the opposite of conviction, which is not a question of feeling but of existence. One does not die for an opinion; one dies for a conviction.”<sup>41</sup>

Participatory democracy has little in common with civil society to the extent that what it needs above all is a public space, a common place that

38. On participation, see Benjamin R. Barber, *Strong Democracy: Participatory Politics for a New Age* (Berkeley: Univ. of California Press, 1984); Volker Gerhardt, *Partizipation: Das Prinzip der Politik* (Munich: C. H. Beck, 2007).

39. Marcel Gauchet, *La religion dans la démocratie: parcours de la laïcité* (Paris: Gallimard, 1998), p. 113.

40. Julliard and Debray, “L’opinion, maladie infantile ou sénile de la démocratie.”

41. *Ibid.*

allows the people to exist politically and to exercise its power. Public space is the place for articulation between *demos* and *polis*, the place—which establishes a linkage to the extent that it is a place—where the crowd becomes a people. It clearly has nothing to do with public relations or advertising, nor should it be confused with the space of the state. Rather, it is tied to a territorial and geographic representation. The original sense of *demos* is “land occupied by a people,” which indicates that the people has above all a telluric significance. Joelle Zask writes, “In democracy, how can the union and unanimity of wills, interests, and different individual needs be produced? The judicious answer is through contact, but one frequently thinks of contact in terms of physical proximity. Individuals have to touch each other, one way or another. Hence, the utility of thinking in terms of space. . . . In a general sense, one can claim that it is only when individuals are in contact with each other that they have the chance to forge common ideas.”<sup>42</sup> As was well recognized by Gabriel Tarde, who opposed Gustave Le Bon on this point, the despatialization of political life tends to replace the people with the “public,” which Tarde considered as the “social group of the future.”<sup>43</sup> Tarde was not wrong. The modern “publics” are characterized by dispersion and the absence of face-to-face relations, and their vitality owes nothing to common convictions or shared values. Publics do not strive for autonomy but for independence. “Public,” in this usage, does not designate anything of substance or constancy.

It is also wrong to envision the public space as something purely deliberative and procedural, as does Habermas—who speaks significantly of the “public sphere” rather than the “public space”—because the respect for formal rules and communication says nothing about the manner to make decisions nor about the value of decisions with regard to those who determine the outcome. The rules themselves are always empty. As Gnassounou correctly notes, “it is evidently because they refuse, in the name of the autonomy of the individual, to allow for the intervention of substantial ends that the adepts of ‘communicative spaces’ appeal to procedures. But to appeal to procedures . . . is above all to refuse to permit the *community* to govern itself. For governing oneself is not about imposing a law because it conforms to some superior law but rather to identify some end for oneself.”<sup>44</sup> Thus, to choose some end presupposes some prior agreement on the common good.

42. Joelle Zask, “Le public est-un espace? Réflexion sur les fonctions des publics en démocratie,” in Koch and Lenoir, eds., *Démocratie et espace public*, p. 81.

43. Gabriel Tarde, *L’opinion de la foule* (1898–99; Paris: PUF, 1989), p. 38.

44. Gnassounou, “Se gouverner soi-même?” p. 124.



The preceding presentation allows us to understand the probable implications of “post-democracy.” The two new major political phenomena are, on the one hand, the emergence of the theme of “governance” and, on the other, the rise of populisms, phenomena that we have analyzed elsewhere.<sup>45</sup>

Originally a corollary to “corporate governance,” the theme of governance, in which Marc Hufty sees the triumph of “accounting thought,”<sup>46</sup> tends, on an international scale, to transform governments into organisms of management based on economic methods and to degrade them to the level of instruments subordinated to economic and, in particular, financial imperatives. Corresponding to the “great disruption” described by Francis Fukuyama, governance depends simultaneously on “civil society,” as a substitute for the political people, and on the “convergence of choice on the international scale promoted by the agreement of governing circles” (Gauchet).

Governance breaks down the classical hierarchy of the management of public affairs. The state loses its symbolic power and finds itself confined to the role of a regulatory agent, since decisions are being made more and more by co-opted actors (without democratic legitimacy) on the basis of interests negotiated at higher levels, and, for local matters, with some vague relationship of consultation with the self-appointed representatives of civil society. The inversion of relationships between power and society becomes total. It amounts to the primacy of interest over value, of the negotiated norm over the voted law, and thus of the judge over the legislator. The resulting model involves the alignment of the conduct of public affairs with the management of private concerns, based on the belief that “in all domains, societies as much as the relations between countries can be directed by mechanisms of automatic equilibrium corresponding to those of the economic market,” and on the conviction that “the major questions of collective importance should evade the errors of whatever majoritarian will and should instead follow rational choice or high-level bargaining, conditioned by changing equilibria outside the will of states.”<sup>47</sup> Finally, of course, “governance is foreign to the accomplishment

45. Cf. the dossier on governance in *Eléments* 124 (Spring 2007): 31–44, and the dossier on populism in *Eléments* 112 (Spring 2004): 19–37.

46. Cf. Marc Hufty, *La pensée comptable: État, néolibéralisme, nouvelle gestion publique* (Paris: PUF, 1998).

47. Hermet, *L'hiver de la démocratie*, pp. 202, 212.

of a more or less long-term project designed to satisfy a common good that has become unthinkable or a majoritarian will considered to be potentially oppressive.”<sup>48</sup>

Governance aims at the privatization of global society on a market model. However, the market is not genuinely compatible with democracy. It requires the suppression of frontiers, while democracy can only be exercised within a given polity. It implies that the economic mechanisms become emancipated from any political tutelage devoted to the common good.<sup>49</sup> The development of markets is, in a historical sense, the direct result of the separation of the worker from the means of production—i.e., the autonomization of the economy—a separation that goes back to the “enclosures” during the English industrial revolution, which led to the fact that two elements, previously regarded as non-negotiable, man and earth, began to be considered as “economic goods,” products for sale on the market.<sup>50</sup> In the end, historic experience also shows that capitalism can coexist well, not only with a purely oligarchical regime but also with an authoritarian regime (yesterday in Chile, today in China), which disproves the idea that the market economy automatically creates the conditions for democracy.

The increasingly repetitive usage of the term “governance” evinces, according to Hermet, “a will to repress the concept of government, with its connotation of politics, synonymous with the priority of public authority and the general interest over and above private interest and private actors. Governance is the end of politics and with it the end of civil democracy.”<sup>51</sup> Obeying “an anti-political principle that prohibits convening the people reputed to be ignorant... the notion of governance corresponds to the establishment of a system of command that will not genuinely be a political regime.”<sup>52</sup>

The current crisis of democracy is above all a crisis of politics.

48. Ibid., p. 204.

49. The economist, Robert Reich, author of *Supercapitalism*, reminds us that “no company can sacrifice its winnings to the common good,” in “La démocratie est malade du supercapitalisme,” *Sciences humaines*, March 2008, p. 31.

50. Cf. Karl Polanyi, *The Great Transformation* (New York: Farrar & Rinehart, 1944), and Jérôme Maucourant, “Marché, démocratie et totalitarisme,” in *Peut-on critiquer le capitalisme?* (Paris: La Dispute, 2008), pp. 107–22.

51. Hermet, “Crépuscule démocratique,” p. 34.

52. Hermet, *L'hiver de la démocratie*, p. 204.