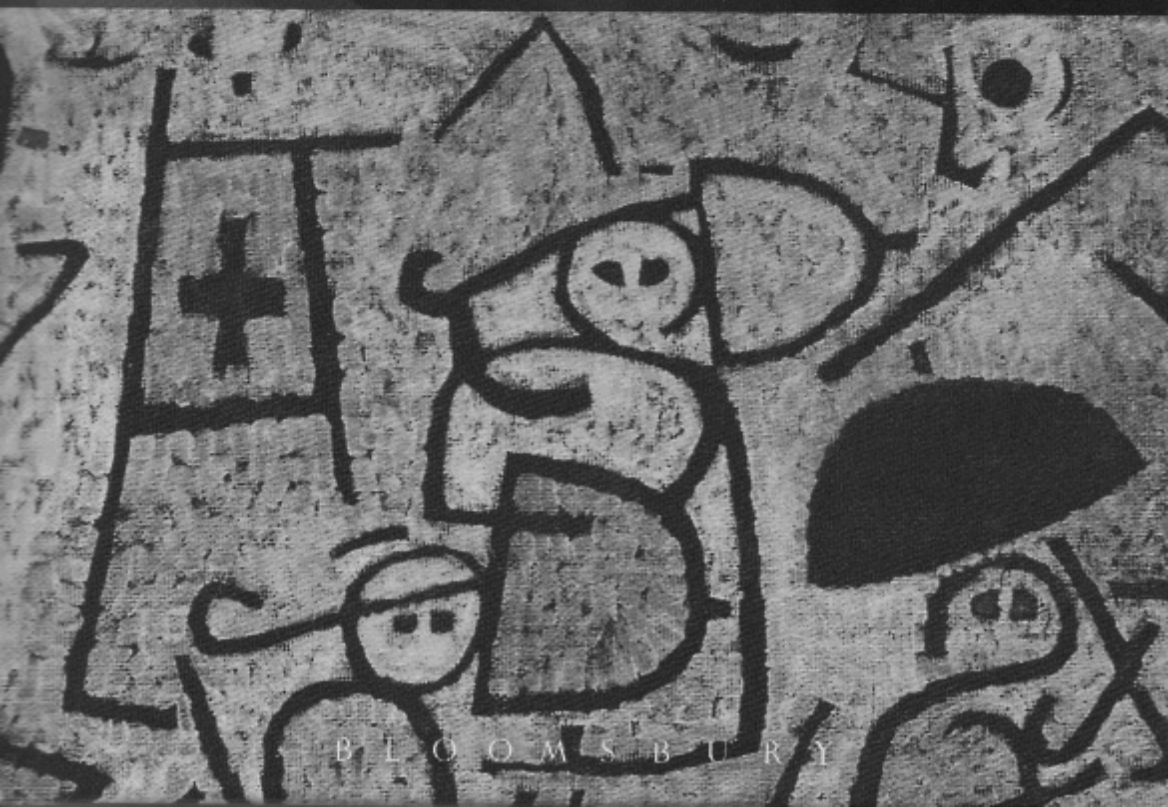
THE AESTHETICO-POLITICAL

The Question of Democracy in Merleau-Ponty, Arendt, and Rancière

MARTÍN PLOT



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For Anabel and Ulises

En memoria de mi viejo (1936–2014)

Contents

Preface

During the last few decades, democratic theory has been dominated by normative or analytic approaches to the study of political life and institutions. Debates on institutional design or moral philosophy went from the liberal/libertarian/communitarian discussion of principles of justice to the consideration of deliberative and/or other procedural models for the justification of forms of action, decision-making, or institution-building. Contemporary to these debates, Continental thought went from the structuralist embracement of strict relational—linguistic or ethnographic—models of social coexistence to the post-structuralist, deconstructionist, and biopolitical critique of all previously established approaches to the study of democracy and other political phenomena. These two tracks of political theorizing were of course dominant mostly in academic contexts rather than in the broader field of the public debate—a field in which the intertwining of political struggles and political thinking, scholarly publishing and political action, made democracy a field of multiply contesting discursive positions and practices. In this latter, broader—but not necessarily less sophisticated—milieu, philosophical reflection, and political activity engaged again and again in the practice of interpreting the events of their time, and it was in these contexts that the "question of democracy" became and remains a political and theoretical battlefield.

Historically speaking, quite a few of the theorists central to the first two aforementioned tracks of theoretical reflection on political phenomena played also a central role in the broader public conversation. On the one hand, American scholars such as Michael Walzer and Robert Nozick, or German social theorists such as Habermas, became very much part of the public debate. On the other hand, thinkers such as Ernesto Laclau, Chantal Mouffe, Andrew Arato, Slavoj Žižek, or Claude Lefort, very much inscribed in the Continental tradition of political thought, became influential across disciplinary borders and beyond the strictly academic world. Several were the events that motivated these crisscrossings between academic theorizing and public acting and interpreting—from the consecutive waves of democratic transitions in South America, Southern and Eastern Europe, and South Africa to the global collapse of the Soviet model;

from the emergence of American identity politics to the postcolonial theorizing of "Third" and "First" World politics; and from economic globalization and the antiglobalization movement to the "war on terror," its neo-imperial policies, and the advent of political Islam. It was in the context of the theorizing *from* these events and processes that the question of democracy was thus visited and revisited.

In the past few years, two new debates also emerged in dialogue with this sequence of events and theoretical clashes. On the one hand, some on the left—as a reaction to the defeat of the revolutionary project and its trust in the effectiveness of political violence—chose to reactivate the question of conflict and struggle along new lines, this time revisiting Carl Schmitt's controversial but immensely sophisticated understanding of the political. It was through this theoretical door, combined with the multiple paths opened by the revival of the religious right in America and Europe, and that of radical Islam in the Middle East, that the question of the theologico-political became once again a central field of political theorizing. On the other hand, by the 1980s and 1990s, the largely abandoned phenomenological approach to the practice of political philosophy got reactivated by the relevance attributed to Hannah Arendt and Lefort's ideas and theoretical perspectives during the aforementioned processes of transition to democracy, together with the birth of a democratic left willing to conceptually rearm with the help of other, non- or post-Marxist traditions. It is one of the central premises of this book that the reactivation of this (post) phenomenological tradition, in tandem with its self-proclaimed affinity with the "enigma" of democracy, could give birth to a conception that fundamentally opposes the theologico-political view from the position of an aesthetic—in the original sense of "aisthesis"—primacy of the plurality of perceptions and appearances in the understanding of the political.

Six, and not three, are the authors that dominate the book's argument: Schmitt, Maurice Merleau-Ponty, Jürgen Habermas, Arendt, Jacques Rancière, and Lefort. The first and the last ones play the role of limit cases; that of thinkers that, for opposite reasons, could be said to delineate the contours of what I will describe as an aesthetico-political understanding of democracy. Schmitt, on the one hand, will be portrayed as the most significant representative of a contrasting view of democratic sovereignty and *the political* that subsumes under the monopolizing instance of the decision and the friend-enemy distinction the entirety of political life. Lefort, on the other hand, will be—no matter how critically—identified as

the most significant representative of an aesthetico-political understanding of forms of society. The "Introduction" focuses on these two authors. Following this outline of alternative views of the political and of democracy, the first and second chapters are devoted to presenting Merleau-Ponty and Arendt as consecutive and—relatively—intertwined instances in the twentieth-century development of an aesthetico-political theoretical perspective. In both chapters, the analysis pauses to engage in a critical dialogue with Habermas's work. This critique offers a highly prolific background against which to contrast Merleau-Ponty and Arendt's theorizing. Finally, the third and concluding chapter recaptures the original dialogue with Lefort, this time fully incorporating Rancière's more recent aesthetico-political writing into the conversation.

Although the book is structured as a sequential discussion of three authors, it does not offer, in fact, isolated snapshots of each of them. On the one hand, Merleau-Ponty establishes a general, historico-ontological framework for the entire argument, thus constantly reemerging from the background in order to illuminate general, unclarified, or taken-for-granted assumptions characteristic of Lefort, Arendt, Habermas, Rancière, and even Schmitt's political theorizing. On the other hand, our three main author's original contributions, made in part possible precisely due to those taken-for-granted assumptions, make their appearance in all of the book's chapters, illustrating or reinforcing dimensions obscured, ignored, or denied by the other authors' analysis. Arendt's late reading of Merleau-Ponty, for example, should be seen as a meaningful indicator of the way in which the former chose to inaugurate her study of "the life of the mind" with a long defense of a primacy of the aesthetic in the section "Appearance" of *Thinking*. Both in the chapter devoted to her work and in several other moments of the book, it is shown how Arendt's political thought should be regarded, together with that of Lefort, as the two most exemplary interpreters of a political phenomenology whose features become much more recognizable when seen against the background of Merleau-Ponty's late philosophy. The final chapter will show how Arendt, Lefort, and Rancière share a general understanding of the political as the egalitarian institution of spaces and times of appearance; spaces and times in which the visible and the invisible, the speakable and the unspeakable, get both disrupted and rearranged, changed and instituted. It is this shared understanding that makes two of them (Arendt and Rancière) equally mistrust political philosophy, defining it as the "politics of the philosophers" (Rancière)—a "politics" that is not such, since what it rejects is precisely

the "way of the polis" (Arendt), the anarchic isonomy (both) that springs from equality and disrupts the rule of those "naturally" used to command in non-egalitarian social relations. This unique, shared way of articulating politics and equality that characterizes Arendt and Rancière's political theories, I claim, is fundamentally associated with the plural character of the spaces and times of co-perception implied in their positions. In this book, Merleau-Ponty's late theorizing of the intersubjective and intercorporeal *flesh* of the social thus serves as a general framework for an aesthetico-political understanding of democratic politics that aims to contest the dominant currents in contemporary democratic theory.

Finally, it should be added that, in articulating the thought of these three aesthetico-political thinkers—against the background, also often foregrounded, of Lefort, Schmitt, and Habermas—several controversial dimensions of their work are reconsidered. From Arendt's *seeming* blindness to the emancipatory character of the modern dissolution of the markers of certainty (Lefort) and the democratic relevance of the declarations of the rights of man and the citizen (Rancière,) to Rancière's own inability to explicitly acknowledge Arendt as a fellow traveler in his denunciation of philosophy's antipolitical foundations and tradition and their shared, fundamentally aesthetic understanding of politics. It is in this argumentative context that the third chapter is used as an opportunity to investigate Rancière's insistence that politics and democracy mean the same thing—the egalitarian disruption of any hierarchical distribution of the perceptible. This insistence is contrasted with his insightful critiques of our contemporary (post)democracies as plutocratic communities of fear. Democracy, in his words, is to be understood as the institution of politics itself—and he frequently adds to this definition two historical lessons central to the idea of "regime" to be defended in this book. First, Rancière asserts—in agreement with Merleau-Ponty, as the book makes clear—that an emancipatory project cannot follow the revolutionary model of emancipating humanity once and for all, since that goal unavoidably ends up bringing to life the "archipolitical" or "metapolitical" elimination of politics. Second, he also states—in referring to the relationship between "politics" and "the police"—that some political orders favor, or at least are more open to, the recurrence of politics' disruption of the police order. That openness testifies to an acceptance of the contingency of all political orders, of all given distributions of the perceptible, that is strikingly close to Lefort's view of democracy as a form of society as well as to Merleau-Ponty's late philosophical embracement of democracy as the "regime we must look for."[1] Although probably understanding it differently, all three would have agreed that democracy is a "provisional accident within the history of forms of domination."[2] With a focus on contemporary American politics, the final chapter will thus advance some hypotheses regarding the current status of this accident.

Acknowledgments

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Introduction: The Advent of the Aesthetico-Political

Rather than seeing democracy as a new episode in the transfer of the religious into the political, should we not conclude that the old transfers from one register to the other were intended to ensure the preservation of a form which has since been abolished, that the theological and the political became divorced, that a new experience of the institution of the social began to take shape . . and that, ultimately, it is an expression of the unavoidable—and no doubt ontological—difficulty democracy has in reading its own history . .?

Claude Lefort

Although Merleau-Ponty's early phenomenology of perception and his essays on art, politics, and language already showed an affinity between the aesthetic phenomena of expression and style, and the political and cultural dynamics of society at large, it was his late notion of *flesh*[1] that became crucial for grounding what I assume to be his *aesthetico*-political understanding of politics and, ultimately, democracy. The emergence of flesh as a concept was contemporary with Merleau-Ponty's break with both Marxism as a philosophical model and revolutionary dialectics as a political project. The move represented the earliest and more fundamental rejection of the revolutionary "solution" to both the indeterminate and conflictive character of social life and the attempt to eliminate democratic politics in the name of a free-market capitalism liberated from the unpleasant reality of social and political conflict—and Lefort was the author who made the most out of this rejection.[2] In theorizing the historical breakdown of the horizon of radical transcendence implied in the theologico-political regime and in denouncing the reembracement of the One in the horizon of radical immanence in the totalitarian party's claim to having access to a complete knowledge of the social, Lefort developed a comprehensive understanding of the social in terms of flesh and of the political as its *mise-en-forme*, *mise-en-sens*, and *mise-en-scène*.

I will limit myself in this introduction to just anticipating the major conclusions I extract from Merleau-Ponty's late philosophy—as I will fully develop the argument later in the first chapter. His investigation moved from an early concern with *the body* as an incarnated and situated subject[3] to one that concerned the general way of being he called *flesh*. Existing in the form of flesh was, for him, existing as simultaneously active *and* passive, subject *and* object, seer *and* visible. This way of transcending the idealist/materialist dichotomist approach that had dominated the history of modern Western thought was soon afterward fully politicized by Lefort, formerly his student and later his friend. For both authors, flesh thus became the way of being, not just of individual humans and animals, but also of society and the world at large. The *flesh of the social* became, for Lefort much more explicitly than for Merleau-Ponty, a collective way of being of society that is neither just object nor just subject, neither just visible nor just seer, but *primordially* both. This intertwining of activity and passivity of the social in which individuals, collective actors, and societies at large are all "reversible," "two-dimensional" beings, at once active and passive, is, however, unable ever to achieve full transparency for itself. If I touch my left hand with my right hand[4] and then I switch to touching my right hand with my left hand, I still can never achieve an instance in which my hands are, at the same time, touching and touched; a chiasm always remains between my left hand as touched and my left hand as toucher, my right hand as touched and my right hand as toucher. Neither individuals nor societies can see-themselves-seeing; there is always a last-minute failure in the reversibility of flesh. Moreover, it is also the case that for all flesh there is always a "blind spot," since all seeing is always within—and *of*—the visible and thus unavoidably constitutes a region of invisibility for its vision—both of itself and of the world. According to Merleau-Ponty, the elaboration of two new concepts was thus required: *hyper-reflection* and *hyperdialectics*—hyper-reflection being a form of reason that takes its circumstance into account, not to achieve a complete picture of the whole but to recognize the impossibility of achieving such a thing; and hyperdialectics assuming the same attitude regarding time—the whole is impossible to grasp; time's unfolding cannot be seen in simultaneity.

In Lefort's use of these findings, what takes place is a full assumption of the political implications behind the idea of the flesh of the social. In the same way as Merleau-Ponty's theory moved from the body to the flesh, Lefort's forms of society moved from the body (politic) to the flesh (of democracy). Flesh is an "element," as Merleau-Ponty said, in the sense the Greeks gave to the term.

And no element can exist without a form. Nothing is merely flesh, in the same way as nothing is merely earth, water, air, or fire. Forms of society thus became for Lefort, styles of political configuration of the flesh of the social. In his work, the theologico-political form assumes that the political configuration of the flesh of the social springs from a transcendent, divine, and extrasocial source, and that its earthly representative is the figure of the single *mon*-arch. Inversely, for Lefort, the totalitarian regime is the form that no longer conceives the political configuration of the social as transcendent. In the totalitarian form of society, the shaping of the social is radically immanent; it claims an internal point of view from which society becomes completely transparent and loses all opacity, being able to indeed see-itself-seeing—that is, a political actor claims for itself a point of view from which the social is visible completely and in simultaneity, from which society becomes *fully* reversible. The form of society Lefort called modern democracy—and the *regime* I will soon suggest should be called *aesthetico*-political and be understood along Rancièrian lines—assumes the "failure" in the last instance of the reversibility of the flesh of the social and institutes practices and institutions that are hyper-reflective and hyperdialectic.

The enigma of democracy

As Lefort often pointed out, modern democracy is an enigma. It is an enigma because, being born out of the split of the theological and the political, it places society face-to-face with its own institution. In theologico-political orders, societies see their unity as guaranteed by the objectifying gaze of God. Modern democracies, in contrast, confront the ambiguity proper of a two-dimensional, reversible being. No longer a heteronomously constituted object, now the body politic becomes both subject and object, flesh before its own gaze.[5] Following the famous notion of Ernst Kantorowicz,[6] Lefort tells us that the two bodies of the king in theological monarchies were the premodern guarantee of social and political unity. The kingdom was considered to be an organic and mystical unity by reference to a king's body that was both real and symbolic. In its symbolic character, it represented an externally instituted unity of the people: "A carnal union [was] established between the great individual and his mass of servants, from the lowliest to the most important, and it [was] indissociable from the mystical union between king and kingdom."[7] Moreover, what I have just described as the unifying gaze of God[8] had another side: because the king

had "the gift of attracting the gaze of all, of concentrating upon himself the absolute visibility of man-as-being . . he [abolished] differences between points of view and [ensured] that all merge in the One."[9] In short, the king was both the body and the head of the body politic, and this is why the democratic revolution staged itself when both the physical body of the king and the body politic at large were decapitated. The corporeality of the social—its unity, its heteronomously constituted shape—was destroyed, and thus democratic societies became fundamentally indeterminate. The enigma of democracy is thus, for Lefort, the enigma of a flesh trapped in a constant dynamic of self-institution, a dynamic that makes its appearance with the vacuum of a shared otherworldly reference generated by the disentanglement of the theological and the political in early modern times.[10]

Lefort shows, in his work, how this process should be understood as a symbolic mutation. In the mutation from the theologico-political to modern democracy, religion became an ideology, and no longer governs our access to the world, because it is no longer the stage on which society represents itself. With the appearance of secular political regimes in early modernity, but particularly during the process of the democratic revolutions in late eighteenth and early nineteenth centuries in Europe and the Americas, *the political* became the symbolic as such, the stage on which society represents itself as a self-instituting entity. However, this disentanglement of the theological and the political did not change the fact that both share the position of an outside–inside in which societies represent themselves. The religious in theologico-political orders, and the political understood as the plural and conflictive *mise-en-forme/mise-en-sens/mise-en-scène* of the flesh of the social in modern democratic orders, govern our access to the world.

In the essay "The Permanence of the Theologico-Political?"[11] and elsewhere, Lefort carefully outlines the main elements of the unprecedented experience of modern democracy. As is usual in his writings, he does so by playing the game of contrasts.[12] In this text, he puts modern democracy side by side with theologico-political orders—as he elsewhere puts democracy side by side with totalitarianism—in order to show the main characteristics of the democratic experience. Lefort claims that the nineteenth century's widespread conviction "that one cannot discern the transformations that occur in political society—that one cannot really take stock of what is appearing, disappearing or reappearing—without examining the religious significance of the Old and the New"[13] was based on the postrevolutionary feeling that a fundamental

break with the past had occurred. Nineteenth-century thinkers certainly felt the centrality of the relationship between the religious and the political in the changes that were taking place before their eyes, but they were not completely ready to understand their significance. What was common to many nineteenth-century thinkers—and what Lefort analyzes in the particular case of Michelet—was not the rejection of the separation between the theological and the political, but the assumption that the revolution had inaugurated a new religious tradition that now acquired a political face. According to this interpretation, the revolution had replaced Christianity as the religion of our times.[14] Although these thinkers were inspired by the right insight—that the theologico-political formation seems to have remained a primary datum[15]—what persists in modern democracy of the theologico-political system of representation is not, according to Lefort, the religious meaning of the political, but its "oppositional principle."[16] This oppositional principle is the one that after the displacement of the religious to the realm of the private remained the exclusive attribute of the pole of the political. Until this process of disentanglement took place during the sixteenth, seventeenth, and eighteenth centuries, the theologico-political was the internal–external reference that would determine the shape of society. The political was then the general way of being of society, its *form*. But this form was theologico-political in the sense that it was embodied in a representative of an otherworldly reference. The representation of society before itself was mediated by—and incarnated in—the monarch as a representative of God. The democratic revolution took place when this mediation with—and embodiment of—the otherworldly collapsed. However, as I have already suggested, this does not imply that societies no longer have a *form*—although it does mean that they no longer have a body[17]; what happened was that this phenomenon turned the form of the flesh of the social into a permanent enigma and a permanent labor of self-institution. In modern democracies, then, societies no longer have a heteronomously shaped body; they are now flesh that manages to achieve only a quasi-representation, and thus a quasi-shaping, of themselves. Since the now-disembodied, empty place of power becomes the price to be won in a permanent political struggle arbitrated by the periodical intervention of the voice of the people, this self-shaping activity in which modern democracies engage turns out to be the unending and instituting dimension of their own existence—and, as Lefort suggests, if this enigma is "solved," democracy is destroyed.

As I said earlier, a great symbolic mutation was behind the move from the theologico-political regime to modern democracy. However, according to

Lefort, a second symbolic mutation took place in some regions of modernity itself. Since this second mutation attempted to overcome modern democracy proper, it could also be used to throw light on the democratic experience as such. This second mutation was the advent of totalitarianism, a political form that sprang from the goal of a reembodying of power within the secular limits inaugurated by modernity. These two great symbolic mutations gave birth, successively, to the political forms of modern society proper: democracy and totalitarianism. As we saw earlier, it was the image of the king's two bodies that was at the center of the game of representations that characterized the theologico-political formation. The first symbolic mutation took place when this system of representation collapsed and the new one—modern democracy—emerged. The second symbolic mutation took place with the emergence of a new type of party, a party that no longer accepts being just a *part* of the whole but claims to be consubstantial with it. A new system of representation emerged, a society that "seems to institute itself without divisions."[18] According to Lefort, totalitarianism is a reaction against the democratic dissolution of the markers of certainty, an attempt to "resolve the paradoxes of democracy."[19] However, it is important to note that this second symbolic mutation is not a restitution of the model of the two bodies of the king. Now, the *egocrat*[20] does not represent a reference exterior to society but the incontestable, secular, and transparent unity of the People-as-One. Totalitarian regimes completely reverse the logic of modern democracy. Under totalitarianism, power no longer designates an empty place, and is thus reembodied. This restitution of a *body* to the *flesh* of the social recreates in a new form the negation of internal division. Now, again, society is a unity in the gaze of an entity—only this time that entity is not God but the Party,[21] which claims to possess a total knowledge on the nature of the social.

Schmitt, Lefort, and the theologico-political

I will now move to outline a relatively modified reading of Lefort's typology of theologico-political, modern-democratic, and totalitarian forms of society. This transformation/alteration will allow me to distance myself from the more conventional readings of the Lefortian model—probably even from his own reading—but I will do so in order to reclaim the validity of his democratic theory for the critical interpretation of our contemporary political life. The distance will not be too great, however. Following his notion of political regimes as forms of

society, I will propose to see regimes as constellations of practices and institutions, social positions and interpretive horizons, successively inaugurated and made available, instituted, and sedimented. This, of course, is close to Lefort's view. In emphasizing the way in which they are capable of remaining in competing coexistence, however, I will try to render his typology more critically useful for our times.

Lefort offered an interpretation, at once historical and philosophical, of the three forms of society he analyzed, all of them genealogically articulated out of Christological, European premodernity. This theologico-political form then mutated, significantly but not absolutely,[22] because of the modern dissolution of the markers of certainty, and finally witnessed the advent of the totalitarian rejection of such dissolution. The first limitation I want to attribute to this model relates to its theorization of these forms of society as seemingly mutually exclusive *gestaltic* totalities. I do not, of course, deny the existence of identifiable configurations or constellations of practices and institutions, articulations of dominant social relations and generative principles of collective life,[23] configurations that, in fact, allow for certain practices to prevail over others, certain institutions over others, and so forth. Rather, I would like to suggest that the Lefortian regimes should be seen along the lines of the Rancièrian aesthetic regimes, that is, as sets of visibilities and invisibilities, of different generative principles and distributions of the thinkable and the unthinkable superimposed and competing with each other at any given historical time.[24] The Lefortian gesture—like the Foucaultian one[25]—turns the appearance of new *dispositifs* and discursive formations into the institution of some sort of *episteme*; into a symbolic rupture, as Lefort would put it; and into the inauguration of a form of society that would render obsolete the previously dominant *dispositifs* and its general *mise-en-forms*, *mise-en-scenes*, and *mise-en-senses*.[26] At the same time, his model implied that the newly instituted articulations and regularities would seem to occupy the totality of the thinkable and to a large extent completely determine the universe of the unthinkable; to overwhelmingly affirm the realm of the possible; and to successfully monopolize the delineation of the impossible. The gesture is (for Lefort) strangely unphenomenological and structural, and, thus, relatively unable to capture the dynamic of sedimentation and reactivation that keeps the past in the present and associates the future with the pregnancy of the past. In effect, the Lefortian gesture identifies with precision the appearance of new practices and vocabularies, new institutions and regularities; it captures, we can say, the emergence of a new social and political grammar. What the

gesture also does, however, is to engage in some kind of self-imposed ignorance of the survival of vocabularies and practices previously instituted, but that remain operative, of grammars that persist in tension with, and lying in wait for, the one that has most recently emerged. What I thus claim, in short, is that the Lefortian model, in its conventional reading, does not clearly capture the survival of the old in the new, the coexistence of competing political regimes within the context of the dominance of a given one.

The second suggestion I want to make is to modify, or, if I am allowed to use this unusual expression, to "coherently deform,"[27] the Lefortian model, this time by establishing an analogy with the inspiration behind the Weberian ideal types. This move turns Lefortian regimes into ideal types, not of legitimate forms of domination, but, instead, of horizons for the configuration of collective life. Weber never suggested that the dominant political legitimacy in a given society would be entirely and exclusively traditional, legal, or charismatic. Actually, every society presents an intertwining of those forms of legitimacy that does not exclude the possibility of identifying different hegemonies, distinctive decisive roles played by certain types of legitimate domination in a given society or during a certain historical period. This (hopefully) coherently deformed Lefortian model thus offers us a typology of coexisting and competing horizons for the configuration of collective life—of regimes of visibility and invisibility, of the thinkable and the unthinkable—that is also tripartite: (1) theologico-political, (2) aesthetico-political, and (3) epistemologico-political.

While I propose to change the meaning of the notion of regimes in order to allow for them to remain in competition and coexistence with each other in any given time and place, I also suggest keeping the idea of forms of society in place as Lefort conceived it. In this way, splitting Lefort's indistinct use of "regimes" and "forms of society" into two different categories, we make room for the understanding of two different dimensions of collective life. On the one hand, we allow for the identification of the seemingly paradoxical situation of contemporary and conflictive sets of constellations of practices, institutions, and social positions, of visibilities and invisibilities, of limiting and contrasting forms of the thinkable and the unthinkable. On the other hand, we preserve the illuminating power of the notion of forms of society, with which we also remain capable of identifying regularities in this coexistence and competition of regimes, of dominant regimes during historical periods in any given society. In this way, what Lefort conceives as modern democracy, for example, is to be

understood as the form of society in which the aesthetico-political regime, or the aesthetic regime of politics, successfully undermines and delegitimizes the theological and epistemological horizons for the configuration of collective life. Modern democracy is thus the form of society in which the aesthetic regime of politics has the upper hand, in which it is hegemonic—to use, though in a different way, the expression reactivated from Gramsci by Ernesto Laclau and Chantal Mouffe.[28] Totalitarianism, alternatively, is the form of society in which it is the epistemologico-political regime that hegemonizes. Finally, theocracies are the forms of society in which the theologico-political regime for the configuration of collective life hegemonizes social and political practices and institutions. In neither of these forms of society—at least, since the democratic revolutions instituted and activated the aesthetico-political regime—is either one of these three regimes entirely absent. On the contrary, the three remain in contemporary competition and unstable struggle.

Rancière suggests that what he calls the aesthetic regime of art "is the true name for what is designated by the incoherent label 'modernity'."[29] Actually, this fight over naming confuses two dimensions of what he calls the partition or distribution of the perceptible. Translated into this investigation on the aesthetic regime of politics, it could be said that modernity is the historical experience in which the aesthetic regime prevails. Modern democracy is thus, as I just said, the period inaugurated with the advent of the aesthetico-political regime as the predominant one—while remaining in competition and coexistence with both the theological and epistemological regimes. Introducing in passing—he has not used it since—the very category of the aesthetic regime of politics I am putting forward, Rancière also suggested, in a quite Lefortian manner, that with modernity what appeared has been " a certain regime of politics, a regime based on the indetermination of identities, the delegitimation of positions of speech, the deregulation of partitions of space and time. This aesthetic regime of politics is strictly identical with the regime of democracy "[30] To which I would add that, inversely, a Lefortian modification of the Rancièrian model would allow me to state the following: the aesthetic regime of politics is not strictly identical with the regime of democracy, but it does become hegemonic in the context of the democratic form of society, because forms of society—but not regimes, in the sense I am putting forward here—are indeed gestaltic quasi-totalities. As we know from the Gestalt theory, configurations are different rearrangements of elements, the elements not necessarily being different themselves—think of the famous duck/rabbit perceptual exercise. Thus, to put it briefly again, what

Lefort calls the modern-democratic form of society is a gestaltic quasi-totality in which the aesthetic regime of politics—its specificity as a horizon for the configuration of collective life—dominates the structuration of its gute form, while, as we have just said, the theologico-political form of society is the one in which the theological regime of politics dominates its structuring principle, and totalitarianism the one in which the epistemologico-political regime becomes hegemonic.

Finally, the Rancièrian understanding of political regimes I propose here is also based on establishing a loose parallelism between what he calls the ethic regime of images and the representative regime of the arts and my theological and epistemological regimes, respectively.[31] In this way, the aesthetic regime of art and the aesthetico-political regime, or simply the aesthetic regime of politics, appear with the modern emergence of the generative principle of equality, but do not for that reason make disappear—although they do profoundly put into question—the theologico-political regime on the one hand, and the ethical regime of images and the representative regime of the arts on the other. Already, in the context of the transformations introduced by the appearance of the aesthetic regime of politics, something similar occurred with the emergence of what Arendt, Lefort, and others have called "totalitarianism," but which I propose to transform into the most radical version, the one closest to the ideal type, of what I suggest should rather be described as the hegemony of the epistemologico-political regime in a given society.

Let me give two very brief examples of the kind of dynamic I have in mind. The alliance between Catholicism and the democratic opposition against the communist regimes of Central and Eastern Europe described by Lefort,[32] for instance, should be interpreted, according to this understanding of political regimes, as an anti-epistemologico-political alliance—anti-epistemologico-political because they opposed the Communist Party's claim to being the practical embodiment of historical knowledge and necessity. Similarly, the alliance of political Christianity and the political epistemologies of the minimal state and free-market economy in the Republican Party of today's America—as much as that same alliance in the Latin American Southern Cone dictatorships of the 1970s and 1980s—should be interpreted as theologico-political and epistemologico-political alliances against the aesthetico-political regime, that is, against the egalitarian dissolution of the markers of certainty introduced by modern democracy and the political staging of social conflict and plurality it implies. To put it briefly, "ontologically," political

theologies and political epistemologies oppose each other in that they make incompatible otherworldly *or* scientific/philosophical claims on the monopoly of the determination of the thinkable and the unthinkable, the visible and the invisible. In practice, however, they share their antiaesthetic character, since they are both antipluralist and antihyperdialectic.

German political theorist and legal scholar Carl Schmitt was, of course, the main exponent and defender of the permanence of the theologico-political regime in times of aesthetico-political hegemony. For him, the idea was quite simple: in his words in *Political Theology II* paraphrasing Eusebius: "[O]nly the victory of Christendom completes the victory of unity over plurality, the victory of the one true belief in God over the polytheism and the superstition of the polis of pagan peoples. The Roman Empire is the peace, the victory of order over uproar and over the factions of civil war: One God—One World—One Empire."[33] When, in *Political Theology*, Schmitt states that all significant concepts of the modern theory of the state are secularized theological concepts, he is *partially* right, though. What is missed, however, is more important than what is captured. The problem resides in the totalizing aspiration. Not *all significant* modern political concepts are secularized theological concepts, not even those circumscribed to a "modern theory of the state." Only those concepts that remain part of the theological regime of politics belong to Schmitt's secularized theological concepts in the modern vocabulary. It is correct to say that the theological regime of politics, the theologico-political regime, remains available as a horizon for the configuration of collective life even in modern times. The problem is that, in the context of modern democracy, it has not been the dominant regime as often as it had been during European premodernity. When Schmitt thus offers his definition of the survival of political theology in all significant modern political concepts, he is, and is not, right for very specific reasons. He is right because no social and political change takes place ex nihilo, because all appearance of the new is, at the same time, a reconfiguration of elements of the past and, in this way, a perpetuation of some dimensions of those very elements. He is wrong, however, because in making such a claim Schmitt hopes to be dissipating the illusion that would ludicrously expect that some elements of modern politics could possibly have parted company with the theologico-political regime, since they would claim to have opened horizons for the configuration of collective life in which concepts such as absolute decision, sovereignty as indivisible unity, existential enmity, and so on would no longer carry the implications that a political theology demands from them. An immediate indication that Schmitt's fight against democratic

"charlatans" might not be as winnable as he thought, however, was already present in the often redundant character of modern theologico-political concepts: Why is there a need to add "absolute" to "decision," "indivisibility" to "sovereignty," and "existential" to "enmity"? The reason is simply that decision, sovereignty, and enmity no longer hold the antiplural, theologico-political connotations that Schmitt's understanding of them requires, since they no longer carry the weight that the theologico-political *dispositif* had successfully demanded from them in more triumphant times.

Schmitt's claim to be dissipating an illusion is, in fact, illusory itself, since it is an attempt to denounce as illegitimate and false the very appearance of new forms of conceiving legitimacy and truth. It is, we could almost say—following Arendt's critique of the Platonic understanding of the two-world theory[34]—a fallacy, since it emerges from the hypostatization of one of the elements of the advent of the new (its not being ex nihilo,) turning it into a totality (nothing new has happened). This is the reason why Schmitt is not only an extremely lucid exponent of the conservative perspective before the Lefortian dissolution of the markers of certainty but also the almost definitive theorist of modern revolution *and* modern dictatorship.[35] Schmitt, with his twofold dictatorship—commissary and sovereign—fully understood the novel political forms with which the theologico-political regime had to respond to the general indeterminacy of the aesthetico-political regime and its unavoidable moments of crisis. As we know, however, since crisis situations can be neither truly anticipated in legislation nor objectively determined by science, the theologico-political dictatorship requires the mystification of one of the multiple possible (aesthetic) judgments on the situation, in this (mystical) way rendering this judgment theologically—or even epistemologically—sovereign. This mystification, which quite a few authors on today's theoretical left ask us to accept as unavoidable, is actually a tranquilizing gesture, since it simplifies the indeterminate spaces and times opened up by the equality of intelligences: as Rancière says,[36] the spaces and times in which anybody, and from any perspective, could claim the capacity to act and judge in collective life.

With those forms of—aesthetic *and* epistemological—critique of the theological monopoly on political authority and the validity of social norms first appearing with the Enlightenment, and then becoming decidedly aesthetic and political with Romanticism and the democratic revolutions of the late eighteenth and early nineteenth centuries, together with the persistent erosion of all forms of naturalization of hierarchical orders by the generative principle of equality,

an alternative regime of politics emerged. It is this regime that I propose to call aesthetico-political. The Tocquevillean/Lefortian generative principle of equality is, quite simply, the aesthetic principle: paraphrasing Rancière, the principle that anyone and everyone,[37] whoever wants to, from whatever point of view, can judge and act in aesthetics and politics.[38] Inversely, the generative principle of hierarchy is, quite simply, the theological—and epistemological—principle: not anyone and everyone, not merely whoever wants to, much less from any point of view, can judge and act. Here Lefort's theorizing once again reemerges, since the stability claimed by theologico-political orders was due to the fact that the point of view from which it was possible and necessary to judge and act, that place that was not anywhere, was a transcendent one—and that, according to Lefort, became radically immanent in the totalitarian form of society. The figure of the two bodies of the king gave this transcendent place an immanent locus—a necessary condition for the actual exercise of power—but did not stop for that reason to invoke a point of view on the social that in principle was not accessible to anyone because it did not belong to society; it transcended it and was anchored in an otherworldly beyond. It is for this reason that, in the modern context of the decapitation of the king and, thus, of the body politic, emptying in this way the place of power, as Lefort described, the accusation of destabilization that Schmitt and Koselleck made against the practice of—aesthetico-political—critique[39] should actually be reversed. This can already be inferred, but it must still be fleshed out, from the Lefortian (and, surprisingly on this point, also Arendtian) view of the working of modern societies. For both Arendt and Lefort, totalitarian regimes were potentially vulnerable and weak, because they lacked power and flexibility, respectively. So, when Schmitt tells us that all significant modern political concepts are secularized theological concepts, what he is thus recognizing is that all modern theologico-political concepts become, after the successful challenge posed by the aesthetic regime of politics, suddenly deprived of a transcendent source of legitimacy. As a result of the appearance, and, often, modern supremacy, of the aesthetico-political horizon for the configuration of collective life, it is the theologico-political and epistemologico-political forms of the exercise of authority that become *radically* unstable. In the words of Arendt and Lefort, what they called totalitarian regimes are inflexible (Lefort) and inherently weak because they do not generate power (Arendt). To put together both arguments, totalitarian regimes become incapable of adapting to new circumstances, to changes—in aesthetic perspectives, in the indeterminate character of the reconfigurations

of the visible and the invisible characteristic of modern plurality—because they do not allow for the exercise of, and the struggle for, democratic judgment and power. This is what turns decision and legitimacy into Schmitt's central concerns. The difficulty of legitimating the theologico-political decision is a destabilizing factor for any order aiming to fixate—that is, de-aestheticize—the capacities to judge and act: in short, the decisionist view of the exercise of power. This turns Schmitt into not only the most articulate theologico-political contemporary thinker but also, as his own biography indicates, the precursor of the theorization of the epistemologico-political regime—that is, an advocate for the reestablishment of ultimate, absolute, irrevocable criteria and sources of authority; a theorist of sovereignty understood as the supreme and originary power to rule[40]; in short, a thinker of the sovereign and antipluralist decision, either theologically or epistemologically rooted.

It will be said that Schmitt was nonetheless a democratic thinker, that his dictatorship was a democratic dictatorship. The answer is that this was unavoidable to him, since his interlocutor in modern times was the aesthetico-political principle—in his *Political Theology* he says: "the form of aesthetic production knows no decision"[41] and this, of course, exasperates[42] him. But this interlocution, this modern imperative of being democratic, made him become the theorist of the popular will as sovereign will, of the ideal of popular sovereignty not as an ever-changing horizon, as in Lefort, but as a source of theologico-political certainty, in act or by default—preferably by default, since there is no more sovereign theologico-political decision than the one made by the leader and silently acclaimed by the people. Earlier I used the neologism "de-aestheticizing," precisely because the theologico-political difficulty in times of aesthetico-political hegemony resides in its need to unravel the web of relationships knitted by the generative principle of equality—that is, by the democratic principle that is the aesthetic principle. It is the need to undo these decentralized webs of relationships, in which anyone and everyone can judge and aspire to exercise power, in order to redo them as those in which the capacity to judge and the exercise of power are again monopolized by a given perspective on the social, that turns modern political theologies and epistemologies into usually violent, revolutionary and, once victorious, both authoritarian and weak phenomena.[43]

Again, this is why Schmitt is the theorist of both the commissary (conservative) and the sovereign (revolutionary) types of modern dictatorship. A sovereign dictatorship, for Schmitt, operates in a legal void that is mythically

seen as democratically full, as a moment of unlimited—because of its legal vacuum—but legitimate exercise of power.[44] The model is a dichotomist one, a model of *pouvoir constitué* and *pouvoir constituant*, since it cannot conceive of an order not based on a constituent—transcendent or immanent, theological or epistemological—source of political authority. Modern democracy in Lefort's words, the aesthetico-political regime in my conceptualization, is the hyper-reflective and hyperdialectic alternative to this dichotomist view. The Schmittian dictatorship is the affirmation, either protective or constituent, of normality. Inversely, collective life under the influence of the generative principle of equality is never either fully constituted or in need of the radicalism of the constituent; it should, instead, be thought along the lines of the notion of "institution,"[45] that is, of the self-instituting dynamic, neither exterior to itself nor capable of seeing the whole, of the flesh of the social.

The epistemological regime of politics

Let me now justify more explicitly the choice of the notion of the epistemologico-political as a critically reactivated substitute for some of the uses given to the notion of totalitarianism. What fundamentally motivates the need to revisit the concept of totalitarianism is that it has presented many more problems than solutions in our goal to understand contemporary politics and regimes.[46] On the one hand, in some circles, the concept continues to be too closely associated with its use during the Cold War, when it was little more than a grotesque tool in the global cultural war against the Soviet Union—and, soon afterward, against political Islam. On the other hand, even when successfully disentangled from such connotations, as is often the case in the context of debates within the tradition of Continental social and political thought, the concept of totalitarianism remains too closely associated with the memory of the extermination and labor camps, with the holocaust and with total domination, to be critically reactivated before contemporary events and transformations. Understandably, the concept established a threshold too difficult—although, sadly, not impossible—to reach.

Totalitarianism, however, when it was developed as a concept and used analytically by its two main theorists—Arendt and Lefort—did signal in a direction that can and must be freed from such connotations. The direction in which the concept signaled is easy to reconstruct: totalitarian domination, in

both its Nazi and Bolshevik incarnations, was a domination based, according to Arendt, in the claim to a total knowledge of history and nature,[47] and, in Lefort, this domination materialized in the de-disentanglement of the spheres of power, knowledge, and right, and its subsequent reincorporation of power into an organ, the totalitarian party.[48] This is, in brief, precisely the reason why I propose to give the name of epistemologico-political to the type of regime that both builds on the legacy of totalitarianism and, when hegemonic, becomes a sign of the institution of such a form of society. This epistemological regime of politics, however, should be understood in the way previously suggested, that is, as a horizon for the configuration of collective life. Understood in this way, the practices, institutions, standards, and criteria for the distribution of the acceptable and the unacceptable, the visible and the invisible, that belong to this regime of the distribution of the perceptible—to use Rancière's expression—are not completely disarticulated and disabled in its times of weakness. On the contrary, these alternative regimes remain latent, or even in open competition, with the other regimes.

Going back to Merleau-Ponty—again, briefly, only anticipating what will be much more extensively elaborated in the first chapter—it could be useful to see how he captured very early on the moment in which the epistemological basis of communism was replaced by the voluntarist decisionism of what he described as Sartre's "ultra-bolshevism."[49] The failure of the Marxist dialectic, which Merleau-Ponty took for granted rather than questioned, was for him the failure of the—in my words—epistemologico-political point of view of Marxism, its claim to spring from the most complete and deep knowledge of the social and its historical unfolding. This critique was, indeed, also Sartre's. The distance between their positions did not result from the diagnosis of the situation but from Sartre's quasi-religious frustration, and with what he did with it. For Merleau-Ponty, what Sartre did—and what I would say most of the Schmittian left often still does today—was to replace the "objective" spontaneity of the proletariat as a historical subject, knowable by the philosophy and science of Marxism, with the decisionist voluntarism of the party or the leader that manages to constitute the proletariat—or the people—in claiming to fully represent them and to speak in their name. For the Merleau-Ponty of *Adventures of the Dialectic*, the "ultra-bolshevist" move from knowledge to will, from reason to decision, was nothing more than an idealist turn before the failure of materialist "realism." It was the transition, in my words, from an epistemologico-political to a theologico-political position.

What Merleau-Ponty proposed instead was a decidedly aesthetico-political path. In Merleau-Ponty's aesthetic theory there already was a theory of action that was neither decisionist nor rationalist. As I will explore in the next chapter, what I find in *Adventures of the Dialectic*, in addition to a theory of action, is the beginning of an idea of regime in terms of a horizon for the configuration of collective life that would welcome plurality and autonomy, an opposition, a hyper-reflective notion of truth, and freedom. Did we know exactly what such a regime looks like, he asked? Only provisionally, he answered—and he called it parliamentary democracy. What we did know for sure, he suggested, was which regimes were not acceptable: capitalism as a system of economic exploitation and communism as a system of political domination. The most promising hypothesis for the regime Merleau-Ponty advocated springs from distancing our understanding of parliamentary democracy from those dogmatic views that reduce it to a mere political instrument of the bourgeoisie—idem Schmitt and a variety of Marxisms, and now the Leninist or Schmittian left—or a mere tactical move during periods in which the relations of force in the class struggle do not yet make room for the establishment of the dictatorship of the proletariat. From the insuperable impasse at which the objective, historical dialectic had arrived, Merleau-Ponty claimed that Sartre forced an escape from the point of view of a decisionist constituent voluntarism (Kantian in the sense of abstract and aprioristic) that keeps only the *idea* of the proletariat, and turns its "representatives" into those capable of *constructing* the classless society. Rejecting this move, Merleau-Ponty, much more modestly, suggested that a better option was to call for a regime that no longer expects to change society once and for all, a regime that welcomes opposition—because it institutionalizes the hyper-reflective and its unavoidable blind spot—and freedom—because it institutionalizes the hyperdialectic and its openness to an always different future.

Conclusion

The reversibility of flesh—of the individual body, of social and political agents, and of the body politic at large—is what eludes the comprehension of political theologies and epistemologies. "The handshake too is reversible; I can feel myself touched as well and at the same time as touching," says Merleau-Ponty, and this is also true of every political action, practice, and institution, since they belong to a flesh of the social that is "sensitive to itself in all its parts,"[50] to say it

with Lefort. Every political action acts and feels itself judged—that is, acted upon—in the same act. However, this reversibility is never complete: it never leads to a total convergence of the seer and the seen, of the speaker and the said.[51] This unbreachable *and* uniting distance between the seer and the seen, between the touching being and the being touched, is what Merleau-Ponty called *chiasm*.[52] The aesthetico-political regime, in instituting the being flesh of the social, constantly experiences this inability to complete itself. This is thus the basis for what Lefort called the enigma of democracy: "To touch *oneself*, to see *oneself* is not to apprehend oneself as an object, it is to be open to oneself ."[53] The aesthetico-political horizon for the configuration of collective life springs from this: from the opening of society to itself.

In the same way as the difficulties of apprehending the being flesh of the body are in the origin of the idea of the soul or the mind, the difficulties of apprehending the being flesh of the social are in the origin of the idea of God as theologico-political, constituting shaping of the body politic. Schmitt strikingly writes in 1969, in an attempt to defend his political theology that "the church of Christ is not *of* this world and its history, but it is *in* this world."[54] This could be translated as the claim that the Church should be regarded as the noncarnal, externally introduced, otherworldly representative *in* the flesh of the social. Inversely, Merleau-Ponty and, following him, Lefort, insist that individuals, collective agents, institutions, and societies at large are unavoidably both *in* and *of* the world—because they are all equally flesh. What Schmitt did not accept, but Merleau-Ponty and Lefort did indeed articulate, is that the aesthetico-political displaced the theologico-political as the dominant horizon for the configuration of collective life the moment modern societies confronted politically—rather than resolved theologically—the enigma of their own institution. This is the experience behind Lefort's dissolution of the markers of certainty and the indeterminacy experienced by modern democracies, because there is a kind of "last-minute failure" of the body politic's self-perception: "the moment I feel my left hand with my right hand, I correspondingly cease touching my right hand with my left hand it is, as [if the body were] prepared for self-perception, even though it is never itself that is perceived nor itself that perceives."[55] The *last-minute failure* of the aesthetico-political configuration of the flesh of the social is thus not a failure in the negative sense of the word. It is a failure in the sense that it *fails to reach final closure*—in short, it is the manifestation of the hyperdialectic. Moreover, the last-minute failure of the democratic form of society is also a failure in the sense that it *fails to embody power*, because whoever

moves to the central stage in the pole of the political cannot overcome the blind spot that makes it unable to successfully claim a permanent monopolization of the visibility of the social—in short, it is the manifestation of the hyper-reflective. The last-minute failure of democracy is the permanent renewal of its enigma, its (historico-)ontological inability—because it is flesh—to apprehend itself completely and in simultaneity.

1

Our Element: Flesh and Democracy in Maurice Merleau-Ponty

Time is the very model of institution: passivity-activity, it continues, because it has been instituted, it fuses, it cannot stop being, it is total because it is partial, it is a field.

Merleau-Ponty

The central goal of this first chapter is to present more comprehensively Merleau-Ponty's late theorizing of the notion of flesh, in tandem with his highly elaborated critique of revolutionary, teleological dialectics, as one of the central precedents behind the "non-communist" left's embracement of the aesthetic regime of politics and the democratic form of society "we must look for."[1] The chapter as such is structured around three sections. In the first one, I will offer a brief genealogy of the way in which the early modern theorists of the theological regime of politics—in particular Hobbes—were challenged by the appearance of institutions and practices informed by a rather aesthetico-political sensibility—in particular, that of Tocqueville.[2] In the second section, I will show how Merleau-Ponty's theorizing of the "element" of flesh became valid, in his own view, for all human institutions and practices, from the body to language and from the arts of expression to the very being of society. The third section will present Merleau-Ponty's extension of his aesthetic and philosophical insights to the realm of politics proper. As Merleau-Ponty himself used to put it, the minimal unit of perception and meaning is the figure against the background. In this final section we will thus have the opportunity to consider Merleau-Ponty's evolving understanding of the political against the background of Machiavelli, Weber, Sartre, and Habermas's thought. I will analyze Merleau-Ponty's phenomenological defense of Machiavelli's views of action and politics, and this will become the proper preface to the way in which the former would sharply criticize Sartre's voluntaristic embracement of Communist politics.

Finally, the chapter will present an analysis of how Merleau-Ponty found in Weber the unexpected ally he needed in his search for an alternative political model to that of teleological dialectics and the revolutionary project. In this final section, I will also contrast Merleau-Ponty's understanding of action and meaning with that of Habermas, in order to complete the picture of the former's "quasi-philosophical" justification of democracy and parliamentary politics as the only political forms that make room for opposition and freedom in the institution of society.

Deus mortalis

Following the description of the advent of the aesthetico-political regime I outlined in the "Introduction," I will now show how the modern replacement of an otherworldly source of political power with the idea of secular rule implied, from the very beginning, the problematization of the enigma of democracy as stated by Lefort.[3] With Hobbes, this enigma appeared as *the* question to be "solved" by the formula of an incontestable Leviathan. Once the theological had been subordinated to the political and was no longer the warrantor of this world's stability, new premises on which to build a political order had to be found. And from Hobbes onward, the question of how to deal with the enigma of a secular, self-instituted political form became the crucial element that modern political thinkers increasingly tried to come to terms with. Indeed, after Hobbes, other authors such as Montesquieu and the Federalists also addressed the intermingling and tension between human plurality, social conflict, and political institutions that characterize the aesthetico-political regime. However, none of them went as far as Tocqueville in this direction. Contrasting Tocqueville's position to that of Hobbes—and to that of his twentieth-century sometimes-reluctant disciple, Schmitt—I will later devote some time on the former's "exploratory incision into the flesh of the social."[4] But let me first analyze Hobbes and Schmitt's attempts to solve the enigma presented by the modern split of the theological and the political.

To put it simply, it could be stated that both Hobbes and Schmitt did not see another remedy to the exposure of general uncertainty and internal division generated by the disentanglement of the theological and the political than creating a "political theology" that would render political authority incontestable and the unity of the people—its definitive shape as a body politic—guaranteed. "Whether God alone," Schmitt said, "is sovereign, that is,

the one who acts as his acknowledged representative on earth, or the emperor, or prince, or the people, meaning those who identify themselves directly with the people, the question is always aimed at the subject of sovereignty. . . Who is supposed to have unlimited power?"[5] Either in his notion of dictatorship or that of sovereignty, or even in interpreting the famous Article 48 of the Weimar Constitution, Schmitt's political theology was clear: "One God—One King."[6] Without getting here into the tensions between Schmitt's twentieth-century theorization and Hobbes's seventeenth-century views,[7] Schmitt's Hobbesianism could be thus summarized using Schmitt's own words: "Sovereignty is the highest, legally independent, underived power."[8] We know that Schmitt did not see his model of undivided and underived authority as incompatible with democracy.[9] He did recognize, however, the incompatibility between a constitutively plural and conflictive democracy such as Lefort's—and, as I will show, Merleau-Ponty's—and his monotheistic political theology: "Thomas Hobbes, in his *Leviathan*, has systematically positioned the concept [of *political unity*] in this way: the Highest, the sovereign, can be a single human being, but also an assembly or a majority of people capable of action. If the formula is no longer: One God—One King, but: One God—One People, and if the political side of the political theology is no longer oriented towards a single monarch but towards a people, then we turn to democracy."[10] This, he sees as possible. Nevertheless, the crucial antinomy is that of *indivisible unity* against *the plurality of the aesthetico-political regime*. It is indeed plurality that found no room either in Hobbes's early modern or Schmitt's twentieth-century models. And finding no room for plurality in democracy, Schmitt lamented what he saw as the sheer depolitization of modern life, concluding that "the sovereign, who in the deistic view of the world, even if conceived as residing outside the world, had remained the engineer of the great machine, has been radically pushed aside. The machine now runs by itself."[11]

For Hobbes, Schmitt's early master, however, the body politic was much more complex than a simple machine. So let me go back briefly to the original, masterful formulation of this reaction to the disentanglement of the theological and the political: the *Leviathan*. What are the central elements of Hobbes' argument in the *Leviathan*—whose subtitle strikingly was *Or The Matter, Forme, and Power of a Common-Wealth Ecclesiasticall and Civil*? His starting point already confirms my main claim: Hobbes is concerned with reestablishing a body to the now shapeless flesh of the social. Only that now it is the "*Art* of man," and not God, that "can make an Artificial Animal."[12] According to Hobbes, man, "both the matter and the artificer" of the Leviathan, creates *and* is a part of the

body politic at the same time. The plurality of men and their relationships are the *elements*—the flesh—of which the larger body politic is made, but at the same time the "pacts and covenants" of these men are actions and words that, in the way of the creator, constitute the Leviathan with words such as "let us make" the body politic. The Leviathan is a body, but its shape is no longer guaranteed from the outside; it is unavoidably self-given. However, for Hobbes it was still not possible to regard this process of self-institution as indeterminate. There had to be a single rationality behind the constitution of the Leviathan, a rationality that would stabilize human affairs in an incontestable way. What happens is that the post-theological "common-wealth" is no longer a predetermined body but a form of society that embraces its being flesh, and that is why Hobbes was right and wrong at the same time. From Hobbes on, the question of sovereignty, that of the shaping of the flesh of the social, remained open and contestable.

We know that Hobbes's "solution" to this question had two different geometric logics: (1) A theorem that unfolds from the premises—the one on the state of nature and its rational way out in the form of the contract, (2) and an axial center of the commonwealth that remains linked to the session of absolute individual rights of self-protection to Leviathan's sovereign right to use any available means to guarantee protection and peace for all. The end of the commonwealth is security, but since "Covenants, without the sword, are but words,"[13] speech's performative capacity to build a body politic must be backed by force. In Hobbes' own words, then, the origin of absolute sovereignty is the reduction of an original plurality of voices unto one single will.[14] Or, in a different formulation, the Leviathan becomes the making of a single will out of the cession of all rights of self-defense on the part of its members. The operation is logically very simple: the cession of all rights replicates in the absolute character of the Leviathan the absolute freedom of individuals in the state of nature. In particular, the sovereign becomes the absolute judge of doctrines, because doctrines could threaten the peace of the body politic—and the most dangerous beliefs are those that make citizens think that there is a higher law than that of the sovereign, that is, religious beliefs that do not accept the primacy of the current theologico-political regime. As a consequence of the divisions in Christianity, Hobbes was thus the first modern political thinker for whom plurality became a political problem: "[F]rom the innumerable variety of Fancy, men have created in the world innumerable sorts of Gods. And this Feare of things invisible, is the natural seed of that, which every one in himself calleth Religion. And this seed of Religion, having been observed by many; some of

those that have observed it, have been enclined thereby to nourish, dresse, and forme into Lawes . by which they thought they should best be able to govern others."[15] However, religion no longer leads to peace and stability but to civil war and, for Hobbes, there is no doubt that absolute power is better than civil war. That was enough of an argument for him to focus all his attention on the task of outlining the rational justification for a *deus mortalis* that would be able to fill the vacuum generated by the split of the theological and the political—and for Hobbes, of course, there is not yet an aesthetico-political alternative to the dichotomy of Leviathan or the state of war.

We have seen already that the being flesh of the social was enabled by the split of the theological and the political in early modern times. This was the origin of those premises that "had long been established" that Lefort had referred to, quoting Tocqueville. But this process was accelerated and gained in intellectual and practical clarity during the revolutionary periods in both America and France. During those years, the notion of the "people" displaced the king's body as the way in which societies represented their unity. However, the revolutionary experience early on showed the impossibility of embodying or fully representing the people. Since it is the ungraspable identity of the people that makes democracy an enigma, it is only the ongoing struggle for its always-changing shape that keeps the form of society—when dominated by the aesthetico-political regime—from mutating as a consequence of the challenges always posed by either the theological or the epistemological regimes of politics. Therefore, against what happens in Hobbes's as well as in Schmitt's undivided, theologico-political democracy, in Tocqueville and Lefort the image of an identity of the people became constantly open to question.

For Tocqueville, democracy was a social condition rather than a form of government. The game of contrasts played by Tocqueville placed democracy against the background of aristocratic societies and thus he came to the conclusion that a radical transformation had been taking place for centuries. Aristocratic societies, Tocqueville told us, were organized around the principle of difference. Men and women, lords and serfs, all were born "naturally" different from each other and the hierarchic element of those societies was constitutive of their practices and institutions. The democratic revolution took place when the generative principle of societies started to change from hierarchy to equality. Under these new conditions, social conflict and division assumed new shapes. Division, which during aristocratic times was only *objectively* present but was *practically* invisible under the unifying effects of the generative

principle of hierarchy and its custody under the vigilant gaze of God, now became apparent. This new awareness is fundamental. The (aesthetico-)political appears in this perspective as the institutional and cultural configuration of the social—configuration that is domestication in the sense in which Merleau-Ponty used the insights of the *Gestalt* theory[16]: the *gute form* being the best working arrangement of an otherwise wild and dispersed set of elements. In this sense, in feudalism, the political form was the paternalistic protection of the weak by the nobility—and its decline began when absolutism showed itself to be sheer, undomesticated aristocracy by leaving the weak without protection. In democracy, the task was thus to create, and to contribute to the creation of, the institutional and cultural forms that might mitigate the dangers that the condition of equality poses to the cause of freedom—dangers of a kind entirely different from those posed to liberty by the generative principle of hierarchy. Against Hobbes and Schmitt's antipluralist reactions, for Tocqueville the remedies for the risks inherent in wild democracy were to entrust with power a variety of "secondary public bodies temporally composed of private citizens"[17]; to replace all hereditary officers with elected ones; and to keep alive the discursive polyphony that the liberty of the press generates—"the only cure for the evils that equality may produce."[18]

However, these remedies did not change the fact that the political consequences of the equality of condition could be either universal citizenship or universal oppression, because "in a state where citizens are all practically equal, it becomes difficult for them to preserve their independence against the aggressions of power. No one among them being strong enough to engage in the struggle alone with advantage, nothing but a general combination can protect their liberty. Now, such a union is not always possible."[19] Thus, when a nation is able to escape the danger of the universal oppression of absolutism, Tocqueville told us, what is then established is a political realm of secular power. This grasping of power by "a general combination" that can protect liberty assumes the shape of the sovereignty of the people, a situation in which the people reign in the "political world as the Deity does in the universe. They are the cause and the aim of all things; everything comes from them, and everything is absorbed in them."[20] Schmitt, without recognizing the specificities I am attributing to Tocqueville's rather aesthetico-political view of democracy, but nonetheless identifying a continuity that is relevant to the argument, would comment on this, saying that "it is true, nevertheless, that for some time the aftereffects of the idea of God remained recognizable. Tocqueville in his account of American democracy

observed that in democratic thought the people hover above the entire political life of the state, just as God does above the world, as the cause and the end of all things, as the point from which everything emanates and to which everything returns."[21] Although sovereign, however, the people, for Tocqueville, was unavoidably engaged in a permanent auto-schematizing activity—to use a notion introduced by Merleau-Ponty—that could not be reduced to a political theology.

The institutions Tocqueville identified in his attempt to understand how Americans managed to protect freedom in the context of equality are well known—the townships, because town meetings are to liberty what primary schools are to science; and the separation of powers, a principle brilliantly incorporated by the framers, according to Tocqueville, in order to escape the potential problem of the despotism of the legislative body. However, most importantly, he considered the need to move from the institutions outlined in the American Constitution to the practices dominant in the context created by the intermingling of those institutions and the condition of equality. Which was the institution—and the practices associated with it—that Tocqueville first approached in order to examine how the power of the people operated? It was the institution and practice of political parties. For Tocqueville, the way in which the people manifests itself is that of division, the way of an unstable equilibrium dominated by a constitutive social and political struggle that expressed itself in the existence of political parties.[22] Tocqueville's insights on the practice of parties focus particularly on one of them: the electoral processes and the rhythm of the alternation between dominant forces of opinion.[23] Tocqueville, it is true, seemed to be ironic at times, but it is obvious that, when discussing the matter of elections, he is describing a process of passionate antagonism that belongs to the conflictive plurality enabled by the advent of the aesthetico-political regime. Moreover, it is also evident that even though political and civil associations and the public life in which their members engage are very relevant, it is only when the general shape of the flesh of the social becomes the outcome of free political struggle that freedom recreates itself and expands to those smaller associations that allow individuals to experience the joy of the physical copresence of their fellow citizens. Furthermore, it need not be highlighted that for Tocqueville the main element of any electoral process, and particularly of the elections of presidents, cannot be reduced to the mere selection of representatives but also implies the determination of the general identity of the people.

Many other elements are relevant in Tocqueville's exploratory incision into the flesh of the social. But they are also well known, so there is no need to

enumerate them here.[24] The post-theological, aesthetico-political regime and its intermingling of both political and individual freedoms were understood by Tocqueville in a way that neither Hobbes nor Schmitt have a grasp of. My analysis of Tocqueville and Lefort's approaches to the enigma of democracy and their contribution to the understanding of the aesthetico-political regime thus comes full circle. I have outlined the emergence of modern democracy's central features with Lefort, and with Tocqueville I can reaffirm the fundamental centrality of the political process—the central stage in which citizens "act together in great things," the symbolic pole that, once the theological and the political have parted company, becomes the empty place always dependent on the temporary outcomes of the democratic political struggle. Power is now an empty place, and Lefort reminds us that, in agreement with this insight, Tocqueville's very purpose was to demonstrate that modern society "is at its most vigorous when the illusion that its organization can be mastered is dispelled."[25] Tocqueville and Lefort dispel the Hobbesian and Schmittian illusion that the sovereignty of the people can be embodied. Modern democratic societies cannot successfully be transparent and fully represent themselves, and that is why the acceptance of the dissolution of the markers of certainty proper to the aesthetic regime of politics becomes the crucial—quasi-philosophical because both hyper-reflective and hyperdialectic—achievement of modern times. Aiming to articulate this intuition, I will now proceed to show how the incorporation of Merleau-Ponty's late thought into the universe of democratic theory, this time in a more explicit way than that chosen by Lefort, could substantially improve our ability to understand the complexities and dilemmas characteristic of what I am calling the aesthetic regime of politics.

Flesh and democracy

Merleau-Ponty's philosophy could be described as an intellectual evolution from the concept of the *body* to that of *flesh*. His *Phenomenology of Perception*, published in 1945, was a systematic critique of both the empiricist and idealist understandings of the sensible experience—a critique in which the notion of the *body* played the central role. Both empiricism and idealism, Merleau-Ponty emphasized, remained trapped in the pendulum that swings from the transparent immateriality of the subject to the empirical positivity of the object, from the for-itself to the in-itself. However, the book he was writing at the moment of his

premature death in 1961 strove to go further. What was left of it—*The Visible and the Invisible*—is the unfinished attempt to overcome the limited concept of an embodied subject at which his earlier work had arrived. The central notion of Merleau-Ponty's late work was that of *flesh*—a reversible and indeterminate *element* that cannot be reduced to the old notions of subject or object. As I have already highlighted, the notion of flesh would later become the horizon in which Lefort would inscribe the question of democracy. However, as Lefort himself puts it in the preface to *The Visible and the Invisible*, this book is only an introduction, "[the] intention is to direct the reader toward a domain which his habits of thought do not make immediately accessible to him."[26] It is with this consideration in mind that I will pursue my own reading of *The Invisible and the Invisible*. Without claiming that Merleau-Ponty's late work has said what I am going to say, nevertheless, it is in his directing our attention toward problems hidden by other approaches that its value should be found.

Let us thus now go back to Merleau-Ponty's words: "[T]he flesh is not matter . . . it is not a fact or a sum of facts 'material' or 'spiritual.' . To designate it, we should need the old term 'element,' in the sense it was used to speak of water, air, earth, and fire, that is, in the sense of a *general thing*, midway between the spatiotemporal individual and the idea, a sort of incarnate principle that brings a style of being wherever there is a fragment of being. The flesh is in this sense an 'element' of Being."[27] *An incarnate principle that brings a style of being wherever there is a fragment of Being*, says Merleau-Ponty, indicating that, as I am arguing here, with the notion of flesh he was not talking of the "style of being" of the body alone. The concept, appearing already in his writings during the 1950s, but present "as element" even in his earlier works on perception and expression, slowly pervaded his entire interrogation of the disparate phenomena of speech and the dialectics, painting and the visible, parliamentary democracy and the revolutionary project. What it is being considered with these thoughts, he would say, is "whether every relation between me and Being, even vision, even speech, is not a carnal relation, with the flesh of the world."[28] That is why, at the intersubjective level, what Merleau-Ponty said of language, "our *element* as water is the element of fish,"[29] was equally valid for all forms of intercorporality.[30] Language "has the same source, even the same style, as intercorporeal communication."[31] *The Visible and the Invisible* was in this way meant to become the ontological analysis required by the dynamic of expression, action, and history that Merleau-Ponty had in his previous work already identified with the human institutions of painting, writing, and politics.[32]

The book, as in many of his previous texts, was organized as a double critique of empiricism and rationalism, for both were, for him, unable to comprehend our intimate and unique inscription in the world. In the unfinished manuscript, the double critique unfolded as that of naïve rationalism and teleological dialectics, for it was against them that Merleau-Ponty proposed the alternative concepts of *hyper-reflection* and *hyperdialectics*, that are, as I am showing, central to the being flesh of society and to an aesthetic understanding of political life.[33] These concepts became particularly crucial to his late praise of parliamentary democracy as the only known regime that welcomes "opposition and freedom"—a formula that, as we have already indicated, would be meant to become the political carrier of an ontological meaning, that is, of the actual institutional and practical inscription of hyper-reflection and hyperdialectics in the contemporary flesh of the social.

Merleau-Ponty thus begins *The Visible and the Invisible* by revisiting his earliest questions: What does it mean to perceive? Who or what perceives? What is the perceived? What is the relationship between the perceived, the *Gestalt*, and the world, the horizon of perception? Moreover, even though his investigation would later take a different route, he initially returns to the same intuitions that lead his answers in his early works: "The idea of the subject, and that of the object as well, transforms into a cognitive adequation the relationship with the world and with ourselves that we have in the perceptual faith. They do not clarify it; they utilize it tacitly, they draw out its consequences. And since the development of knowledge shows that these consequences are contradictory, it is to that relationship that we must necessarily return, in order to elucidate it."[34] In this framework, he would say that, on the one hand, those who reduce the perceiving body to "a set of nervous terminations upon which physico-chemical agents play," produce an "exorbitant abstraction," since the "'other men,' a social and historical constellation, can intervene as stimuli only if we also recognize the efficacy of ensembles that have no physical existence and that operate on man not according to their immediately sensible properties but by reason of their social configuration, within a social space and time, according to a social code, and finally as symbols rather than causes."[35] On the other hand, those who erase the perceiving body by turning our relationship to the world into an activity of our disembodied minds produce an analogous abstraction. Although they would admit that we "perceive the thing itself," this happens because "the thing is nothing but what we see—but not by the occult power of our eyes. For our eyes are no longer the subjects of vision."[36] Now the subject of vision is our mind. In this way, even though the latter approach to the question of perception

"liberates us from the false problems posed by [the] bastard and unthinkable experiences [of empiricism,] it also accounts for them through the simple transposition of the incarnate subject into the transcendental subject and of the reality of the world into an ideality."[37] The later position, which Merleau-Ponty calls *philosophy of reflection* and is the view he attributes to Descartes and Kant, is indeed a path that deserves respect—since it avoids the crude simplifications of the empiricists' understanding of the sensible experience. However, the problem with the philosophy of reflection consists in that it "thinks it can comprehend our natal bond with the world only by *undoing* it in order to *remake* it, only by constituting it, by fabricating it. [Reflection] clarifies everything except its own role. The mind's eye too has its blind spot."[38]

For Merleau-Ponty, the blind spot that characterized the philosophy of reflection's naïveté was its inability to take into account its own situation, the experience of the plurality of the intersubjective world, and the existence of the other as other. For him, "rationalism" was unable to explain communication and truth, since a "genuine conversation gives me access to thoughts that I did not know myself capable of, that I *was* not capable of, and sometimes I feel myself *followed* in a route unknown to myself which my words, cast back by the other, are in the process of tracing out for me. To suppose here that an *intelligible world* sustains the exchange would be to take a name for a solution . . "[39] It is true, however, that the point of view of reflection is right in what it denies—an "exterior relationship between a world in itself and myself."[40] The road of reflection, however, leads to the theoretical reconstruction of the world and to a chronic inability to take into account its own inscription in the intercorporeal and intersubjective space and time, an inscription that turns the "blind spot" into an irreducible element of existence and judgment, and thus of reason and reflection. This inability to take into account its own inscription in—and its being "of the same stuff" of—the same space that reflection reflects upon, turns the blind spot into a forgetting that leads to the illusions of complete knowledge, transparent communication, and final truths. It is against this background, he concluded, that "we are catching sight of the necessity of another operation besides the conversion to reflection, more fundamental than it, of a sort of *hyper-reflection* (*sur-réflexion*) that would also take itself and the changes it introduces into the spectacle into account. [Hyper-reflection must] plunge into the world instead of surveying it,"[41] since it is *in* and *of* it, and thus becomes no longer capable of claiming for itself the *pensée de survol* Merleau-Ponty often denounced. Hyper-reflection is the reflexive attitude that renounces the claim of having access to

the whole, a theoretical—but also a practical—attitude that comes to terms with the fact that there is always a chance of not seeing or conceiving from one's own position what others can nonetheless see and conceive from theirs.

As I just suggested, this critique of rationalism had its immediate sequel, since in the same way that reflection had to be reintroduced into the field in which it is inscribed and to which it belongs in order to become hyper-reflection, the same operations need to be performed regarding the "dialectical" unfolding of time—and thus the notion of the *hyperdialectic*. For Merleau-Ponty, both *field* and *time* were notions that implied spatial and historical openness, since "time is the model of these symbolic matrices, which are openness upon being" and, at the same time, "the world is a field, [and] as such is always open."[42] This is why, in order to introduce the dimension of openness in the unfolding of time, Merleau-Ponty briefly revisited, in *The Visible and the Invisible*, his critique of the Marxist dialectic already outlined—and that we will further discuss later in the chapter—in his previous *Adventures of the Dialectic*,[43] asserting that "there is no good dialectic but that which criticizes itself and surpasses itself."[44] For Merleau-Ponty, these two critical insights became, in *The Visible and the Invisible*, the pillars of the enigma and opacity involved in the reversibility of the being of flesh, in the ambiguity proper to being visible-seers, touching-touchables, that is the being of individual bodies, languages, and "body politics" alike.

The element of flesh, the flesh of the body as much as the flesh of the social and the flesh of language, together with the inscription of the flesh in the flesh—that is, of speaking and acting bodies, carnal beings, in the flesh of society—must be understood as sharing the ontological characteristics of hyper-reflection and hyperdialectics. Flesh, being the element of both the intercorporeal and the corporeal at once, of the "subjective" expression and their intersubjective space of co-perception, creates temporal dynamics and spatial fields in which the fold and reversibility of being flesh constitute the texture of the social as such. This texture is a texture of layers and chiasms, of thinking-speakers and speaking-thoughts, of intercorporeal relations of reversible, two-dimensional visible-seers and touchable-touchers, of spaces of the visible and the speakable that, in their very existence and coexistence, constitute the blind spots and the fields of the visible and the invisible and the speakable and the unspeakable. In short: "this swarming of words behind words, thoughts behind thoughts—this universal substitution is also a kind of stability."[45] And this "kind of stability" is a field and a temporality, a style of being flesh in which carnal beings inscribe in their very

practices the types of incarnated principles that Merleau-Ponty called hyper-reflection and hyperdialectics, an "unstable equilibrium," as he put it, that very well may be "the regime we must look for."[46]

Merleau-Ponty's use of the notion of *regime* here anticipated Lefort's understanding of *forms of society* we have discussed and reelaborated in the "Introduction." A regime, for both Merleau-Ponty and Lefort, was a given form of the flesh of the social, a given style of collective existence in which this "kind of stability," this open, relational space of carnal bodies that is flesh and that is society, could be said to last and to shape, to stage and to perceive, to make sense and to interpret itself and its parts. In his unfinished text, Merleau-Ponty referred to language as that "lightest" manifestation of flesh. "As my body, which is one of the visibles, sees itself also and thereby makes itself the natural light opening its own interior to the visible . . . so also speech . . [is] the organ and the resonator of all the other regions of signification and consequently coextensive with the thinkable."[47] For him, *thinking language* and *speaking thought* were indistinguishable and their logic was a prototype of the "fundamental problem"[48] of sedimentation and reactivation, the problem of speaking and spoken speech,[49] in short, the problem of "institution" understood also as a being of twofolds, as a reversible entity in which both the *instituting* and the *instituted* dimensions characteristic of the element of flesh make their appearance. It is along these lines that the problem of institution became central to Merleau-Ponty's late work.[50] As Lefort summarizes it in the "Foreword" to Merleau-Ponty's course notes on *Institution and Passivity*:

> [Merleau-Ponty] takes [the term "institution"] in its double sense—the action that provides a beginning and a state of the thing established, for example, the state of being social, political, or juridical—but with this essential difference, that institution as foundation is not considered as the product of an act and that institutions as establishment contains at the same time the possibility of its perpetuation, by means of repetition, indeed, the possibility of its petrification as well as the possibility of the reactivation of the instituting force. Merleau-Ponty distinguishes immediately the problematic of institution from that of constitution (in the Kantian sense). He rejects, along with the idea of constituting consciousness, that of a world in which nothing would be discovered that had not been constituted with its operations. Understood in this double sense, institution presupposes a non-coincidence between the institutor and the instituted. This is what makes him say that time is the model of institution. If institution is *openness to*, openness to is always produced *on the basis of*.[51]

The flesh of language and the flesh of society are of this order, they are *openness to* as much as they are produced *on the basis of,* they are self-driven, hyperdialectic, unstable equilibriums, they "must be understood neither synchronically nor diachronically but as [systems] in the making."[52]

This "in the making" is what Merleau-Ponty elsewhere called a "dynamic of advents": events in life, language, art, and politics that open up a future, that are a promise of further events. *Advent* thus became, in some of his writings, the central concept of the dynamic of institution that Merleau-Ponty attributed to language, society, and to the entirety of human culture. He borrowed the concept from Paul Ricoeur—and it was precisely the latter who insisted that Merleau-Ponty's "formulae themselves contain an entire conception of action, and even an entire politics."[53] But what was this entire politics that Ricoeur attributed to Merleau-Ponty's understanding of institution and the dynamic of advents? Let me give a preliminary answer to this question—that will be addressed more broadly in the next section of this chapter—by making an important clarification. Some of these reflections, having dealt with flesh, with bodies, and with intercorporality, with incarnate principles such as hyperdialectics and hyper-reflection, could have given the misleading impression that, for Merleau-Ponty, communication was only face-to-face communication, that it could only produce effects in an immediate space of copresence, in a direct human interaction. Merleau-Ponty's theory of expression, speech, and action, however, applies to face-to-face as much as to distant or mediated communication. In fact, for him, the distinction between these two forms of communication was not even altogether easy to make, since there is always a *chiasm* that separates *and* unites any human interaction in such a way that—when the expression is successful—the "amount" of distance is ignored *as medium*. Communication is always at-a-distance. Vision is always tele-vision. There is always a chiasm, first in the body itself, between the body as seer and the body as visible, and this chiasm operates in the same fashion in all carnal beings and in the intercorporality of the world. The chiasm is at the same time separation *and* union in both face-to-face interaction and in mediated communication.[54]

As Francoise Dastur has recently put it, "for Merleau-Ponty communication constitutes an 'enchantment' or a sort of possession both the listener and the speaker are immersed in the presence of a meaning that is everywhere, but that is nowhere posited in itself."[55] And this enchantment could and does stretch over indeterminate distances. It is in this manner that somebody's expressive style—an artist, a writer, a political actor, any aesthetico-political individual or

collective agent—becomes comprehensible to us in such a way that the *distance becomes milieu.*[56] Indeed all human communication, for Merleau-Ponty, "is an encounter between the glorious and impalpable incarnations of my own speech and the author's speech."[57] This encounter—isomorphic in the realms of literature, art, or politics—when communicatively successful, tends to blur the hierarchy between speaker and listener, between actor and spectator, since "when I speak to another person and listen to him, what I understand begins to insert itself in the intervals between my saying things, my speech is intersected laterally by the other's speech, and I hear myself in him, while he speaks in me."[58]

The truth, however, is that we have only started to grasp Merleaeu-Ponty's aesthetico-political understanding of communication and political and aesthetic agency and how it is that "these formulae contain an entire conception of action, and even an entire politics," as Ricoeur put it. Although we have established that discursive interaction between writer and reader, between speaker and listener, is indeed *inter-action,* we still need to make explicit the way in which this understanding of the being flesh of the social, and of this being flesh of both speaking actors and the language they themselves speak, implies an entire politics. This communication in which distance becomes milieu applies equally to the experience of the political actor who spontaneously responds to what Merleau-Ponty describes, in *Phenomenology of Perception,* as a "certain lack," an intersubjective, intercorporeal lack that is (co)experienced when there is a shared feeling that something needs to be done or said. But before I get to the strictly political implications of this philosophy, let me first conclude this section by discussing the dimensions of *The Visible and the Invisible* that are in more open dialogue with his political writings. I will not deal in detail with Merleau-Ponty's detour through Sartre, Bergson, and Husserl's works. However, what is, in fact, significant here is the denunciation of the radical disassociation of subjectivity and the world that Merleau-Ponty identifies in Sartre's concepts of being and nothingness. It is with the "intuition of Being as absolute plenitude and absolute positivity, and with a view of nothingness purified of all being we mix into it, that Sartre expects to account for our primordial access to the things." But the problem is that from "the moment that I conceive of myself as negativity and the world as positivity, there is no longer any interaction. We are and remain strictly opposed because we are not of the same order."[59] Thus, "an absolute negativism and an absolute positivism are exactly synonymous. To say that nothingness is not is the same as to say that there is only being—in other words, that one could not find nothingness

among the things that are."[60] The problem is that if we cannot find nothingness among the things that are, we are no longer able to understand the fact that the world is not just permanent positivity.

What is particularly problematic here for an aesthetic understanding of politics is that this radical separation of being and nothingness turns the intersubjective space into a space of sheer mutual objectification. Since the subject is nothingness and "there are no degrees in nothingness," somebody else's nothingness can only experience me as a thing—and vice versa. "Strictly speaking there is no intermundane space; each one inhabits only his own, sees only according to his own point of view, enters into being only through his situation."[61] This philosophical position, in its political manifestation, was present, according to Merleau-Ponty, in Leninism and in Sartre's "ultrabolshevism".[62] Against this Sartrean[63] celebration of a dichotomy of absolutisms, Merleau-Ponty puts forward a model in which

> instead of the other and me being two parallel For Itselfs each on his own stricken with the same mortal evil, we be some for the others, a system of For Itselfs, sensitive to one another, such that the one knows the other not only in what he suffers from him, but more generally as a witness, who can be challenged because . his views and my own are in advance inserted into a system of partial perspectives, referred to one same world in which we coexist and where our views intersect. For the other to be truly the other . it is necessary and it suffices that he has the *power to decenter me, to oppose his centering to my own.*[64]

This power of *decentering* is neither an objectifying, petrifying power, nor a docile agreement backed by a transparent, universal, or higher validity.[65] This is the power of conflict *and* influence, struggle *and* agreement, an indirect power of communication that takes place against the background of the carnal being of the social. In the "Working Notes" of *The Visible and the Invisible*, Merleau-Ponty states this through the aforementioned concept of chiasm: "[Like] the chiasm of the eyes, this one is also what makes us belong to the same world. By reason of this mediation through reversal, this chiasm, there is not simply a for-Oneself for-the-Other antithesis, there is Being as containing all that."[66] And one of the fundamental regions of this Being is the flesh of the social, since itself being neither subject nor object, but their connective tissue, it springs from the intersubjective communication that becomes the social flesh's chiasm. What is shared between individuals and collectivities is not their form—this is rather the idea at the base of theologico-political and organicist notions of

community—but their element. Or, to put it differently, individuals and collectivities are not isomorphic, they do not have "members" and "organs" placed in equivalent locations. Individuals and societies are of the same element—flesh—but they are not shaped or structured in the same way. Societies, when hegemonized by the aesthetico-political regime, keep reinstituting the place of decision. Society performs its reversibility through the plurality of the social subjects' ability to communicate with *and* decenter each other.

Two more aspects of Merleau-Ponty's criticism of Sartre in *The Visible and the Invisible* are still fundamental here. On the one hand, the philosophy of nothingness' attempt to overcome the problems of empiricism and rationalism ends up radicalizing the separation of world and consciousness, only without "taking sides"—as empiricism and rationalism would. Merleau-Ponty's path reverses the philosophy of nothingness' radical split—it gives primacy to the chiasm forgotten in that separation. On the other hand, Sartre's philosophy makes intersubjectivity unthinkable because it erases the space in which it could be possible. "A negativist thought is identical to a positivist thought, and in this reversal remains the same in that, whether considering the void of nothingness or the absolute fullness of being, it in every case ignores density, depth, the plurality of planes, the background of worlds."[67] Merleau-Ponty thus implies an intercorporeal existence of flesh: an element in which those beings made of the same element recognize each other and experience their copresence. This copresence is, as we just said, different from the literal copresence implied in the Arendtian notion of the space of appearance.[68] The copresence of same-element (carnal) beings is not that of literal immediacy but that of their belonging to this common, intercorporeal but nonetheless plural existence of the social flesh. Carnal beings, seers that see themselves seeing—but that experience a last-minute failure of reversibility—can tell when they face not mere objects but other reversible beings—and this interaction is not objectification but communication.

Thus a type of subjectivity, such as that of nothingness, which conceives all perspectives as arbitrary, ends up denying the pluridimensionality of being. In this sense, the "analytic of Being and Nothingness is the seer who forgets that he has a body," and this results in a Being that is not only flat but entirely transparent; a Being that could be fully known, while in fact "there is no thing fully observable, no inspection of the thing that would be without gaps and that would be total."[69] The nonempiricist realism that Merleau-Ponty's late phenomenology outlines constantly insists on this point, turning what has been labeled "a philosophy of

ambiguity" into a philosophy of an ambiguity of being that aims at establishing a level of hyper-reflection that takes the density and plurality of the world seriously. Merleau-Ponty's "other point of departure" thus tries to overcome the aforementioned shortcomings of the philosophies of reflection and nothingness and, in his attempt to do so we find indeed another point of departure from which to approach the uniqueness of the types of relations and institutions inaugurated by the advent of the aesthetico-political regime. This occurs because hyper-reflection, when considered at the level of the flesh of the social, points toward the political realm as it is instituted by modern democracy—because, as Lefort said, the religious and the political, not philosophy, govern our access to the world. The aesthetic regime of politics incorporates both the point of view of reflection and reinscribes it into the indeterminate plurality of competing perspectives that has become the central characteristic of the modern form of society. This is why, even though the ability to give reasons is a must of modern democratic politics, the normative and practical approaches to democracy need to operate at an even higher level of reflexivity. This higher level is shown in the hyper-reflective, democratic primacy of the outcome of the political struggle over any claim to the embodiment of a sovereign will or a rational truth.

What I thus call the *aesthetico-political* regime is precisely this alternative style of society's self-reflexivity. *The aesthetico-political is hyper-reflection at the level of the social.* The aesthetico-political springs from the historical insight that the social "becomes a system with several entries. Hence it cannot be contemplated from without and in simultaneity."[70] This is the ongoing conversation of actual democratic politics as the stage of social self-interpretation that the democratic enigma embraces. This aesthetico-political insight has two built-in elements that cannot be ignored: On the one hand, the temporality of the aesthetico-political dynamic of self-institution and, on the other hand, the normative status of the decentering and conflictive coexistence of perspectives that keeps the world from becoming "flat" and thus theologico-politically or epistemologico-politically shaped. And, as I have already anticipated, the aesthetico-political dynamic is a social dialectic that we can describe using the words Merleau-Ponty used to define his concept of *hyperdialectic*: it is "unstable (in the sense that the chemists give to the word), it is even essentially and by definition unstable. [And what] we call hyperdialectic is a thought that is capable of reaching truth because it envisages without restriction the plurality of relationships and what has been called ambiguity."[71] In the "Themes from the Lectures at the Collège de France" he refers to the hyperdialectic in terms of a "circular dialectic,"[72] which can help

understand the way in which his late concepts point toward the overcoming of the idea of a society's *telos* of "solving" conflict and disagreement: the *telos*—if we can call it that way at all—of the aesthetico-political regime is to remain open, unstable, plural, and to reproduce itself as such. Speaking using Lefort's newly modified terms, the aesthetic regime of politics just keeps trying to avoid the reembodiment of the place of power against the spontaneous tendency of political theologies and epistemologies toward its reoccupation. The novelty is thus not the instability—the social is essentially *relatively* unstable because it is flesh—but the institutionalization of that very instability that the aesthetic regime of politics achieves. The aesthetico-political is thus not only hyper-reflective, but also implies the double movement of being dialectic—unstable—and understanding it as unavoidably such—hyperdialectic—thus rejecting any dream of reconciliation, end of history, or universalizable interest.

These two built-in elements of the aesthetico-political can now be restated and summarized: (1) a *hyperdialectic* that understands and institutionalizes the blind spot of dialectical thought and practice by embracing the temporal and permanently renewed character of sedimented truths, partial agreements, political divisions, or circumstantial majorities; and (2) a *hyper-reflection* that understands and institutionalizes the blind spot of rationalism by embracing the plurality of perspectives and reasons as they materialize in conflict and agreements. However, this is not all, since the flesh of the social is not only unstable (hyperdialectic) and plural (hyper-reflective,) it is also an entity with a density of its own. "The flesh (of the world or my own) is not contingency, chaos, but a texture that returns to itself and conforms to itself."[73] In the aesthetic regime of politics, society becomes an agent of itself, but this "itself" is not nothingness but thickness, social tissue, web of relationships, plurality of perspectives, ossifications, myths, laws, in a word, *flesh*—which, of course, implies that the societal agent of itself does not act ex nihilo but in an *instituting* rather than in a *constituting* way.[74] This "thickness of flesh between the seer and the thing" should not be thought of as "an obstacle between them, [because] it is their means of communication."[75] What this always imminent but unrealizable reversibility of flesh implies is that both the body and any *body politic*, are constitutively two-dimensional beings.[76] It is this two-dimensionality that turns each of the many perspectives characteristic of the thickness of the social flesh into the visible-seers of the social tissue that they are. Political parties, political actors, organizations of civil society, all act in the two-dimensional way of the flesh: "My body as a visible thing is contained within the full spectacle. But my seeing body subtends

this visible body, and all the visibles with it. There is reciprocal insertion and intertwining of one in the other. [The] seer is caught up in what he sees, [and] it is still himself he sees."[77] And there is indeed reciprocal insertion and intertwining of every social and political agent in the spectacle that society stages for itself as a reversible being. Social and political agents are indeed "caught up" in what they see and still they are those that see. Social and political agents both *are of* and *have a vision of* the flesh of the social, and this overlapping and encroachment of the plurality of agents and visions in the aesthetico-political regime is what shapes, stages, and interprets society for and before itself.

An entire politics

Merleau-Ponty was fundamentally an aesthetic theorist[78] and a philosopher.[79] His political thought spent a significant period of time trapped in a militant commitment to Marxism[80] that delayed the task of developing a complete position consistent with his philosophical writings.[81] However, the political productivity of his philosophy appeared clear to him in two of his late works[82] and, to some of his interpreters[83]—particularly to Lefort,[84]—in almost all their Merleau-Ponty-inspired political philosophy. I will thus now outline the main elements of Merleau-Ponty's explicitly political thought, attempting to put us in a better position to fully grasp his entire aesthetico-political view of politics. I will do so by drafting those central elements of Merleau-Ponty's works that openly approached political action and modern democracy.[85] With this in mind, I will first analyze "A Note on Machiavelli,"[86] an essay from the 1940s that was later included—in 1960—in *Signs*, and, second, I will show how, as I have already briefly anticipated, it is in his 1955 *Adventures of the Dialectic* that Merleau-Ponty arrived at the conclusion that parliamentary democracy could be regarded as the only modern political regime that institutionally and practically welcomes "opposition and freedom" and therefore the hyper-reflective and hyperdialectic dimensions of the flesh of the social.

Merleau-Ponty, in his interpretation of Machiavelli's thought, explicitly shows his understanding of political action and the entirety of a politics. Allow me to quote him quite extensively now:

> What sometimes transforms softness into cruelty and harshness into value, and overturns the precepts of private life, is that acts of power intervene in a certain state of opinion which changes their meaning. They awake an echo which is at

> times immeasurable. They open or close hidden fissures in the block of general consent, and trigger a molecular process which may modify the whole course of events. Or as mirrors set around in a circle transform a slender flame into a fairyland, acts of power reflected in the constellation of consciousnesses are transfigured, and the reflections of these reflections create an appearance which is the proper place—the truth, in short—of historical action. Machiavelli writes expressly: "A prince should try to fashion for himself a reputation for goodness, clemency, piety, loyalty, and justice; *furthermore, he should have all these good qualities* Machiavelli says the prince should have the qualities he seems to have but, he concludes, 'remain sufficiently master of himself to show their contraries when it is expedient to do so." A political precept, but one which could well be the rule for a true morality as well. For public judgment in terms of appearances, which converts the prince's goodness into weakness, is perhaps not so false. What is a goodness incapable of harshness? What is a goodness which wants to be goodness? A meek way of ignoring others and ultimately despising them. [He] tries to define a political *virtue* . [a] real spiritual strength, since it is a question of steering a way between the will to please and defiance, between self-satisfied goodness and cruelty, and conceiving of an historical understanding all may adhere to. . Through mastery of his relationships with others, the man in power clears away obstacles between man and man and puts a little daylight in our relationships—as if men could be close to one another only at a sort of distance.[87]

In a way, this long quotation says it all.[88] Merleau-Ponty's notions of political action and interaction, his understanding of politics in general, integrate all the aforementioned features. First, he insists on the expressive character of political action, claiming for it all the properties he elsewhere attributes to expression in general, embodied in the practices of speaking language and painting in particular. As with both speech and art, this expressive character is not mere subjectivism, since it is the instituting action of a carnal being in the context of a field that is itself flesh of the social flesh. There is no fecund action, the quoted fragment suggests, that does not manage to change not only the actor's presentation before others and him or herself, but also the constellation of intersubjectively shared meanings in which it is inscribed. Actors introduce change and change themselves, shape and shape themselves, are both activity and passivity at once, since they "intervene in a certain state of opinion which changes their meaning" and "open or close hidden fissures in the block of general consent."[89] The political actor acts in such a way that his or her personal—or even collective, if we are talking of a collective actor—style appears in open display, since it is as a consequence of

such appearing that the intercorporeal field of other actors and reactions, visions and perceptions, will constitute the ultimate meaning—the reality—of political existence. This style, this display and appearing, should contribute to configure a state of opinion in which "goodness" does not become "weakness." "What is a goodness which wants to be goodness?" Merleau-Ponty asks. And he answers without hesitation: "A meek way of ignoring others and ultimately despising them." Political actors obsessed with being and appearing good will do nothing but betray the trust of their co-citizens, because the latter trusted the former out of the expressive, therefore contingent, agreement between their own judgment and that of the public—and not because of a submissive attempt to please either the public's or their own self-satisfying idea of the good. In sum, Merleau-Ponty's political speech is Machiavelli's *virtù*—and this virtue is not that of withdrawing from the uncertainties and risks of action in order to remain consistently "good" but that of engaging in the struggle of politics in order to institute the meanings that the time demands.

Machiavellian virtue might seem too instrumental to some, since it does set goals and does consider the means necessary to attain them, but this could appear so only if we ignore the realm of meaning and sedimentation, of instituting and instituted fields, in short, the hyper-reflective and hyperdialectical dimensions of politics that is the element of political actors as water is the element of fish. Only forgetting that the "goals" and "means" of politics are communicative, that they are both attainable and implementable only in dialogue, debate, and symbolic struggle with the others, only forgetting politics' "milieu," the milieu of meaning and the genesis of meaning, can we ignore its centrality to the understanding of action and the understanding of democratic politics—because, as Merleau-Ponty also says, "it is this virtue and not success which Machiavelli takes as a sign of political worth," the virtue of *instituting* sense and not of surrendering to a supposedly preexistent, rational sense. It is precisely because this dynamic is analogous to that of flesh and institution that this virtue of acting politically is, moreover, an indirect task, a process that could neither be completely controlled nor fully subordinated to the surveilling gaze of a reason ignorant of its own blind spots. It is, in short, "as if men could be close to one another only at a sort of distance," as if the distance between circumstantial actors and spectators comes from institutionally and practically rejecting both the expectation of a complete agreement between them *and* the decisionist obliviousness to the dynamic of meaning and meaning formation that makes decisions collectively acceptable. It is as if each time we are trying to close the enigma of communication, meaning,

and power, we end up just removing ourselves from the problem we are trying to grasp, which requires embracing politics in its aesthetic—that is, expressive and institutive—character.

"What is original about Machiavelli," Merleau-Ponty adds later in the same text, "is that, having laid down the source of struggle, he goes beyond it without ever forgetting it. He finds something other than antagonism in struggle itself. We are far from the relationships of sheer force that hold between objects. To use Machiavelli's words, we have gone from 'beasts' to 'man.' Power is not naked force, but neither is it the honest delegation of individual wills, as if the latter were able to set aside their differences."[90] Meaning springs from man's—not beast's—struggle, but it springs from struggle nonetheless. And this meaning is indirect and uncertain because each action that means "right" for many, means "wrong" for others, and even sheer immorality for a few more. However, all occurs in the human world of significations; the world of hyper-reflective reasons and hyperdialectical agreements and disagreements; the world of fields of forces and of sedimented practices; the world of the instituting and instituted dimensions of society. What Merleau-Ponty is saying, in short, is that "Machiavelli introduces us to the milieu proper to politics."[91]

But is Machiavelli introducing us to *any* politics? Is he equally introducing us to an "absolutist," revolutionary politics attached to the formula of "a 'no' which is a 'yes'"—the philosophical formula of the revolution, as Merleau-Ponty puts it in the "Preface" to *Signs*—and to a politics sensitive to the folds and fields of the flesh of the social, a politics such as the one the aesthetico-political regime implies? In truth, there is little doubt as to what politics Merleau-Ponty's Machiavelli introduces us to: it is to a politics that is not that of the revolutionary (the stage of "no") and dictatorial (the stage of "yes") party, a politics that is not that of total contestation that mutates into that of total affirmation once in power; it is to a hyper-reflective and hyperdialectical politics that renounces the certainty of total vision and knowledge of the field of the social—a politics that renounces the certainty of a total foresight and predictive knowledge of the unfolding of historical time. Thus understood, Machiavelli's politics is an aesthetic politics of a "perpetual movement of languages where past, present, and future are mixed [and] no rigorous break is possible."[92]

As I anticipated, "A Note on Machiavelli" *almost* says it all. I must still analyze, however, the way in which this general understanding of politics found its final elaboration in Merleau-Ponty's late thought, since it is here that Machivelli's aesthetic politics becomes democratic politics—and it is here that democratic

politics becomes Merleau-Pontyan politics, with all the critical and philosophical implications thus involved. I will therefore now show the way in which these insights acquired a more comprehensive version in *Adventures of the Dialectic*, Merleau-Ponty's most explicitly political work, since it is here that Merleau-Ponty attempts a massive revision of post-Marxian philosophy of history and its overall failure to recognize the contingency and unpredictability—the hyper-reflective and hyperdialectical character—of political action and events, while, at the same time, keeping in mind their grounded, embodied, and sedimented character. In this work, democratic politics—or what he calls "parliamentary democracy"—becomes the actual attempt at institutionalizing and embracing the flesh of the social.

The "adventures" of the dialectic were the adventures of a Marxist dialectic that assumed the possibility of transcending the dichotomy subject/object through the action of the proletariat—the object of capitalism—in its becoming the subject of history. However, both the historical and theoretical "solutions"—the praxis of Marxism—to this problem failed to achieve this goal. The cases Merleau-Ponty chooses in order to show this failure are those of Lenin, Trotsky, Sartre, and Lukács. Lenin, by assuming that only the party could give shape to the proletarians' will, ended up creating an intellectual elite that claimed total knowledge. This was, according to Merleau-Ponty, nothing more than a radical subjectivism of the party. Trotsky, however, finding himself confronted with the party-of-Lenin-under-the-direction-of-Stalin, preferred, first, not to struggle from a minority position; and, second, to go into exile and trust in the spontaneity of the masses. This alternative, of course, did not fare any better than Lenin's subjectivism of the party, since Trotsky's approach assumed an equally abstract objectivism of the proletariat.[93] Finally, the longest analysis in the book is devoted to Sartre, whose "ultrabolshevism" was basically a voluntaristic, extemporaneous Leninism, asking for an unconditional and unjustified—after Stalinism and Korea, and later Budapest—acceptance of the party's leadership. Nobody reading the book can thus fail to see that its central purpose was, indeed, engaging Sartre, confronting Sartre's flight forward—in the face of the collapse of the Soviet Union and the Communist project as emancipatory models—with a complete revision of the ontological basis for the politics that the times demanded. This ontological basis is found, again, in the rejection of the paradigm of the constituting subject and the embracement of a new paradigm of instituting practices that remain open to contestation and no longer expect to redo the world from scratch. It was thus Sartre's gaze of the party "nothingness" the *rationalist constituting* of the proletariat that was

confronted with the *aesthetic instituting* Merleau-Ponty associated to political action and the dynamics of parliamentary democracy.

Sartre sides with communism based on his own principles, says Merleau-Ponty, which are different from the Communists' principles. He rejects the spontaneity of an objective dialectic immanent to society—that "second nature" of Lukács—and

> founds communist action precisely by refusing any productivity to history and by making history, insofar as it is intelligible, the immediate result of our volitions. As for the rest, it is impenetrable opacity. To be sure, this extreme subjectivism and this extreme objectivism have something in common: if the social is a second nature, it can be modified, like the other, only by a technician, in this case a sort of political engineer. And if the social is only the inert and confused residue of past actions, one can intervene and put it in order only by pure creation. Whether it be in the name of a theoretical knowledge which the Party alone possesses or in the name of an absolute nonknowledge, the Party's action is not subject to the criteria of meaning. The philosophy of pure object and the philosophy of pure subject are equally terroristic, but they agree only about the consequences. As for the motives, these remain in a position of rivalry. The ruin of the dialectic is accomplished openly with Sartre and clandestinely with the communists, and the same decisions that the communists base on the historical process and on the historical mission of the proletariat Sartre bases on the nonbeing of the proletariat and the decision which, out of nothing, creates the proletariat as the subject of history.[94]

According to Merleau-Ponty, Sartre maintains that the proletariat has no existence before the party creates them ex nihilo. There thus is a Schmittian theory of the party in Sartre:

> It should not be said that [the Party] expresses the proletariat *because* the militants elect the leadership or even *because* they tacitly approve it. It has an eternal and total mandate from the single fact that without it there would be no proletariat any decision is, by nominal definition, "unanimous." This regime without secret ballot, without a minority, without an opposition, calls itself "real" democracy . because it creates out of nothing the power of the powerless, an enormous undertaking which cannot afford contestation.[95]

Which leads to Merleau-Ponty's contrasting idea of politics and action:

> If there is action, it is necessary to elicit information, facts, a discussion, arguments, a preference given to this rather than that—in short, the probable, which Sartre does not want because he looks at it as a pure rationalist and sees

> it as a lesser certitude. . [But] the probable is another name for the real, it is the modality of what exists. . . . There is no action worthy of the name which is "pure action." Pure action, the "unanimous" Party, are the action and the Party seen from outside; and if Sartre entered within, he, like everyone else, could no more abstain from discussing than from breathing. Ultimately, pure action is either suicide or murder.[96]

In Merleau-Ponty's aesthetic view, political action is never pure, expression is never constituent; dialectical movement never gets any closer to the end of history nor can expect to introduce in reality a passionately willed or philosophically imagined order that does not spring from the clash of opinions and forces, traditions and expressions, structures and practices within the very flesh of the social it wants to transform. There is no answer to the question of what comes from things and what comes from agency, of what is already there and what is pure addition. Our only certainty is that neither side of the equation does without the other. This irreducibility of *institution*, of the ineradicably intertwined instituting and instituted dimensions of flesh, extends to the question of representation and power, to the meaning of the very definition of the people or the proletariat and its collective actors or "its" party. For Sartre, however, "between the proletariat and the militants, between the militant and his leaders there is literally an identification in obeying the leader, it is one's own better self that one obeys. Undoubtedly this principle brings back painful memories. . When men wish to create things *ex nihilo*, then the supernatural appears,"[97] concludes Merleau-Ponty.

It is true that Merleau-Ponty does not explicitly investigate the Schmittean implications of Sartre's ultradecisionism. He does, however, fully understand the theologico-political consequences of a Marxism that contingency forced to abandon the epistemological claim to total objective knowledge, without for that reason having given up the will to making real its "philosophical" truth. Under these conditions, "the assurance of being the carrier of truth is vertiginous," he states, "[it] is in itself violence. How can I know what God wants unless I try it out, asked Coufontaine? If I succeed, it is because God was with me. In the same way, the Bolshevik in power, assailed as he is by contingencies is assured of acting according to truth only if he succeeds: it was then permitted by things and by the ineluctable truth of socialism. Such are the poisoned fruits of *willed truth*: it authorizes one to go ahead against all appearances; in itself it is madness."[98] This is, in short, the most common form in which the theological regime of politics appears in modern times. Willed truth, voluntaristic action,

in coexistence and competition with the pluri-perspectival character of the aesthetic regime, is in itself madness, either suicidal or murderous, both literally and metaphorically—that is, in the literal form of a radical political violence that could be exercised either from above or from below, or in the metaphorical form of political actors or movements that by engaging in voluntaristic action generate the conditions for their own demise and/or seek too proactively that of their adversaries.

As we can see, Merleau-Ponty's critique of Sartre's constituent voluntarism was a form of engaging in a subtle—and sometimes not so subtle—game of contrasts in which a form of action, a type of regime, an entire politics indeed emerges. In his reading of Machiavelli, Merleau-Ponty had found an understanding of political life that "puts a little light in our relationships" and that could be even said to be "a true morality." In his reading of Sartre, he found a politics that cannot be embraced and, in his rejection of it, begins to discover "what is not acceptable to us"[99] and what might indeed be instead. In the process of reaching those findings, however, not all forms of Marxist dialectic were equally wrong, since, according to Merleau-Ponty, Lukács' approach was different. Still, the problem with the latter was that it had been proven wrong by history, both personally—he himself ended up "recognizing" his mistakes—and empirically. It was proven wrong empirically because the mediation of the proletariat and the party—the "chiasm" of the "free exchange among thinking, speaking men"—was overwhelmed by the party's monopoly of historical knowledge. In the end, Merleau-Ponty concludes, we should admit that "the proletariat and revolutionary society as [Lukács conceived] them are indeed ideas without historical equivalency."[100] However, the lessons Lukács had learned from his teacher—Weber—were actually the path to follow, since they had already shown a "better" dialectic than that of Marxism.

According to Merleau-Ponty, Weber's dialectic was "brand new" because his nonuniversalistic liberalism "does not ingenuously consider itself to be the law of things; rather it perseveres in becoming such a law, through a history in which it is not predestined."[101] Weber understood that history implies plurality and contingency, that it is "other people," as Merleau-Ponty puts it.[102] Weber was indeed a fundamental inspiration for Merleau-Ponty's hyperdialectics and hyper-reflection, since "there is no attitude more respectful, no objectivity more profound, than [Weber's] claim of going to the very source of history. History is not an external god, a hidden reason of which we have only to record the conclusions. It is the metaphysical fact that the same life, our own, is played

out both within us and outside us, in our present and in our past, and that the world is a system with several points of access, or, one might say, that we have fellow men."[103] In his analysis of Franklin's work ethic and the spirit of capitalism, we can already see the depth of Weber's "better dialectic," since "an economic system is, as he says, a cosmos, a human choice become a situation. . . . History has meaning, but there is no pure development of ideas. Its meaning arises in contact with contingency, at the moment when human initiative founds a system of life by taking up anew scattered givens."[104]

Weber's deep understanding of history and politics was shown in his ability to grasp the instituting and instituted dimensions of collective existence: "These intelligible nuclei of history where man and the givens of nature or of the past meet, arising as symbolic matrices which have no preexistence and which can, for a longer or a shorter time, influence history itself and then disappear, not by external forces but through an internal disintegration or because one of their secondary elements becomes predominant and changes their nature."[105] Weber leaves behind the limits of those dialectics that aim at final closure—he was not a revolutionary. For him "revolution [was] essentially a military dictatorship a carnival of intellectuals dressed up as politicians."[106] Weber was a liberal whose liberalism was *heroic* because he knew that democracy—the hyper-reflective and hyperdialectical aesthetic regime of politics—is a human possibility that can and probably deserves to be instituted rather than a rational truth that must be proved. Merleau-Ponty uses the word *libéral*, which, in the French context does not, of course, mean "social-democrat" as it generally would in the United States, although it did not yet mean in Europe what it means today (economic neoliberalism.) Merleau-Ponty's enigmatic use of the notion signals rather in the direction of a liberal *régime*. "Sartre once said that the Party itself has a history. Yes, and to speak like Max Weber it is the history of the Party's efforts to utilize the ebb and flow that are the respiration of the class and of the entire society. . . It is therefore essential for the Party to include this plurality or this inertia which Sartre refuses it and which is its flesh. "[107] Merleau-Ponty indeed saw in Weber, in his "ebb and flow," in his theorizing of the back and forth movement of conflict and plurality in modern society, the sociological understanding of the texture and tissue of society he chose to call flesh and he sought to institutionalize in a liberal *régime*. In the context of Weber's ebb and flow of society, it was not "reason" but a secularized, originally religious charisma that carried the burden of political action in the context of plurality. Weber saw in the *instituting* power of a *democratized* charisma the only hope to counterbalance the modern

disenchantment of the world. Charismatic leadership was, for Weber, still "extra-ordinary"—expressive in Merleau-Ponty's words—the speaking rather than the spoken moment of political speech. Charismatic leadership was, for Weber, a revolutionary, *constituting* force in premodern contexts, but becomes the democratic, *instituting* force in what both Weber and Merleau-Ponty called parliamentary democracy. In premodern times, the dialectic between charisma and tradition monopolized the logic of continuity and discontinuity. In modern times, it is the dialectic between the democratic charisma of the parliamentary or political leader on the one hand, and the legal system and the institutions of society on the other, that ought to keep in place the "kind of stability" that is the flesh of the aesthetico-political regime.

Anticipating discussions that I will more fully present in the next chapter, I should say here that other readings of Weber fundamentally disagree with Merleau-Ponty's interpretation—and this disagreement is extremely useful in throwing light on the specificities of the latter understanding of the plurality of the flesh of society in general and of democracy in particular. Habermas's reading of Weber, in particular, implied that the latter's move from premodern to modern types of legitimate domination displaced the conservative dimension of legitimacy from the *traditional* to the *legal-rational*. However, in this move from premodern to modern societies, Weber also introduced a second modification—the one I have already suggested—but that is not sufficiently considered by Habermas. The second fundamental change experienced with the advent of modernity was the aforementioned *democratization* of charisma. In democratic charisma, the emphasis moved from attributes supposedly belonging to the prophet in premodern times to the agreement the political actor manages to obtain from parts—though not necessarily all—of the plural public in modern democracies. Habermas's move regarding premodern and modern legitimacy is of a different type. While Weber underlines the novelty of a dynamic between democratic charisma and legal-rational legitimacy, Habermas simply assumes that only rationality in its twofold character (teleological and communicative) replaces both traditional and charismatic legitimacies in modern times—in short, that communicative rationality replaces charisma as the *constituting*—as opposed to Merleau-Ponty's *instituting*/Weber's *democratic*—type of legitimacy. It is true that Weber was pessimistic about the rationalizing and bureaucratizing tendencies of modernity. It is also true, however, that that was precisely the reason why he placed his hope in the vital role of the parliamentary and party leader of modern democracy that is, because he saw in them the

democratic, secularized charisma that could somehow mitigate the process of disenchantment by instituting renewed dimensions of meaning into the life of modern societies.

However—going back to Habermas—when the latter excluded the perlocutionary from his notion of communicative action, it could even be said that he was removing the Weberian ethic of responsibility from the political sphere—an ethic of crucial relevance in the Merleau-Pontyan understanding of democratic politics. From Merleau-Ponty's perspective, the end of public speech in the political sphere cannot possibly be agreement and only agreement[108]—although it can neither be reduced to the logic of the system in Habermas's sense. In a democratic polity, disagreement and opposition, struggle and conflicting understandings, should be assumed to be permanent facts. Societies institutionalize electoral and decision-making processes when they have (aesthetico-politically) assumed that the change of opinions is a *permanent datum* of the flesh of democracy, and because if the moment of decision were not periodically fixed, we would expect societies to continue either permanently deliberating—if our side is in the minority—or make binding decisions at any time—if our side happens to coincide with the circumstantial majority of opinions. Societies do not make democratic decisions without waiting for all to agree out of "practical" considerations.[109] They make them because there is a hyper-reflective assumption that there is no such a thing as "agreement of all"[110] in modern democracies.[111] In democratic politics, the straightforward standard of combining *debating* with *voting* in the complex intermingling of the variety of existing democratic procedures is reflectively higher—it is hyper-reflective—than the one implied in Habermas's theory of communicative action. Aesthetico-political speech as it is understood by Merleau-Ponty, speaks to all but only aims at persuading the many—and just outnumber the rest, without for that reason considering the "dialectic" to have come to an end. The ethic of responsibility that is behind hyperdialectical and hyper-reflective institutions cannot be reduced to the categories of instrumental or strategic action. Democratic political action is fundamentally communicative in the sense that its central characteristic is to try to institute a constellation of meanings and values of a new type—or to reproduce a constellation of meanings and values prevailing in a certain status quo—not to merely engage in a narrowly defined teleological action.[112]

For Merleau-Ponty, to speak or to act in the political realm is not to mediate between preexisting interests or even meanings and policies in such a way that some kind of rational undistorted influence of interests—or an aggregation of

them—could be achieved in public policies. To speak and act in democratic politics is, rather, to *become aware*—or, even better, to participate in the *coming into being*—of interests and meanings by giving them an actual, intersubjective existence in the flesh of society. The political actor accomplishes what language actualizes: "by breaking the silence, [it accomplishes] what the silence wished and did not obtain."[113] Political action and speech are agents of the auto-schematizing flesh of the social, not a mediating mechanism between processes of meaning formation and communication that should somehow take place elsewhere. In the same way that, as Paul Klee once said, the line in modern painting "no longer imitates the visible; it 'renders' visible,"[114] speech in general—and aesthetico-political action and speech in particular—do not "represent" in the sense of merely presenting an already existent meaning in a different stage but "render visible,"[115] thus contributing to the individual and social permanent labor of self-institution.[116]

As I have shown in this chapter, Merleau-Ponty's readings of Machiavelli, Weber, and Sartre, together with our discussion of the tensions between his thought and that of Habermas's, offer a set of contrasts that, almost perceptually, revealed and confirmed the central features of his views of politics, action, and democracy. Merleau-Ponty sides with Machiavelli and Weber against Sartre and—ex post facto[117]—Habermas. And this talks to us about his aesthetics and even his ethics, and of his rejection of all forms of rationalism or irrationalism—"communicative" or voluntaristic—and of his siding with "difficult thinkers without idols," as he said of Machiavelli in the opening lines of "A Note." For Merleau-Ponty, however, it was still evident that the model for a "better dialectic"—that is, for the understanding of the political dynamic between the instituting and instituted dimensions of the flesh of the social he found in Weber—still required elaboration. His attempt to pursue such elaboration was brief, somehow fragmentary, and obviously unfinished, but it was enough, for him, to point in the direction of a novel interpretation of the regime we must look for. What Merleau-Ponty's brief elaboration showed was that Weber's political thought was already prepared to claim the hyperdialectical and hyper-reflective, aesthetico-political primacy in modern democracy. The path Merleau-Ponty followed, concluding *Adventures of the Dialectic* with a defense of parliamentary democracy, was his critique of the revolutionary experience as a failed attempt at realizing and bringing to a close the institution of society.[118] The fundamental insight of the Epilogue to his book was that if the revolution leads to *Thermidor*, then we have to reconsider our faith in revolution.[119] An insight he restated, using

different but familiar, Machiavellian words, when he said in his 1960 "Preface" to *Signs*, that "the condition is not rebellion, it is 'virtue' [*la virtu*] without any reservation. A disappointment for whoever believed in salvation, and in a single means of salvation in all realms."[120]

Conclusion

As I have just indicated, in the "Epilogue" to *Adventures of the Dialectic*, Merleau-Ponty's gesture pointed toward reading a foundation for democracy in all that the revolutionary experience failed to achieve. This is how Merleau-Ponty summarizes that transition (and allow me to quote him extensively one more time):

> The question is to know whether the revolutionary enterprise, a violent enterprise directed toward putting a class in power and spilling blood to do so, is not obliged, as Trotsky said, to consider itself absolute; whether it can make room in itself for a power of contestation and thereby relativize itself; whether something of the belief in the end of history does not always remain in it. If one concentrates all the negativity and all the meaning of history in an existing historical formation, the working class, then one has to give a free hand to those who represent it in power, since *all that is other is an enemy*. Then there no longer is an opposition, no longer a manifest dialectic. Truth and action will never communicate if there are not, along with those who act, those who observe them, who confront them with the truth of their action, and who can aspire to replace them in power. There is no dialectic without opposition and freedom, and in a revolution opposition and freedom do not last for long. Thus the question arises whether there is not more of a future in a *regime* that does not intend to remake history from the ground up but only to change it and whether this is not the regime that one must look for, instead of once again entering the circle of revolution.[121]

To which he, later in the text, added:

> Like Weber's heroic liberalism, [this regime] lets even what contest it enter its universe, and it is justified in its own eyes only when it understands its opposition. For us a noncommunist left is this double position, posing social problems in terms of struggle and refusing the dictatorship of the proletariat. As for the limitations of parliamentary and democratic action, there are those which result from the institution, and they should be accepted, for Parliament is the only known institution that guarantees a minimum of opposition and truth. There are other limitations which are the result of parliamentary usage and maneuvers; these deserve no respect at all, but they can be denounced in Parliament itself.[122]

In these passages, revolutionary violence is not questioned morally—its problem is philosophical: that of considering itself absolute. Merleau-Ponty no longer believes the revolutionary model "can make room in itself for a power of contestation and thereby relativize itself"; a fundamental condition of the regime "we must look for." For him, a "belief in the end of history" is immanent to the revolutionary paradigm of social transformation. Moreover, a philosophical model that claims for a social group the embodiment of all of history's truth cannot but "give a free hand to those who represent it in power." And we know what "free" means here—the decisionist freedom to identify "all that is other as enemy." Under these conditions, what Merleau-Ponty claims for society—its being flesh; its being an open field, and equally open to its unfolding in time; its being unable to be grasped from without and in simultaneity—gets radically threatened: under these conditions, there are no longer, "along with those who act, those who observe them, who confront them with the truth of their action, and who can aspire to replace them in power." Is this, somebody could ask, just a critique without political value? Are we, regardless of Merleau-Ponty's claim to the contrary, before the well-known complaint of a moralizing politics? What do you, Merleau—as Sartre would have asked—want, a republic of philosophers? Well, maybe not so much a republic of philosophers as a *quasi-philosophical democracy*: one that embraces opposition and freedom, hyper-reflection and hyperdialectics. What I want, he seems to have said, is a regime that renounces constituent rationalism and therefore embraces society's plural and conflictive labor of institution and self-institution.

Merleau-Ponty concluded his *Adventures of the Dialectic* quoting a—perhaps imaginary?—heated dialogue with somebody who rejects his democratic turn:

> "And so you renounce being a revolutionary, you accept the social distance which transforms into venial sins exploitation, poverty, famine "
>
> "I accept it neither more nor less than you do. To be revolutionary today is to accept a State of which one knows very little or to rely upon a historical grace of which one knows even less; and even that would not be without misery and tears. Is it then cheating to ask to inspect the dice?"
>
> "*Objectively* you accept poverty and exploitation, since you do not join with those who reject it unconditionally."

> "They say they reject it, they believe they reject it. But do they reject it *objectively*? [Rejecting poverty and exploitation] does not require only our good will and our choice but our knowledge, our labor, our criticism, our preference, and our complete presence."[123]

And, as we just saw, on this particular point, for Merleau-Ponty, there is no ambiguity: "For us a noncommunist left is this double position, posing social problems in terms of struggle and refusing the dictatorship of the proletariat." As for the problems of parliamentary democracy—he clarified—they are of two kinds (to say it in the words put forward here): First, there are those problems proper to a political form that does not consider itself absolute, and those are the problems that are intrinsic to the aesthetico-political regime; problems proper to the last-minute failure of the reversibility of flesh and of the being flesh of society. As for the other problems, those are precisely the ones that we have to fight against, and those are the problems that democracy provides the hyper-reflective and hyperdialectical tools to confront. Of course, in a reversal of destinies, today it is not the blind faith in communism but that of the free markets that often requires us to inspect the dice.[124]

"Are you then for today's so-called democracies?" Some theologico-political friend of mine could ask *me*. "Are you saying that there is no alternative to today's corporations, financial oligarchies, and imperial policies?"

I'm, of course, not saying that any more or any less than you are. I'm saying that today's theological and/or epistemologial hijackings of our democracies is precisely what we have to fight against—in the name of democracy.

2

The Law of the Earth: Hannah Arendt and the Aesthetic Regime of Politics

Exasperation with the threefold frustration of action—the unpredictability of its outcome, the irreversibility of the process, and the anonymity of its authors—is almost as old as recorded history. It has always been a great temptation, for men of action no less than for men of thought, to find a substitute for action in the hope that the realm of human affairs may escape the haphazardness and moral irresponsibility inherent in a plurality of agents.

Hannah Arendt

In the "Introduction," I described the advent of the aesthetic regime of politics and the form of society Lefort called modern democracy. As we know from Reinhart Koselleck and Habermas, however, during the historical mutation that brought about the aesthetico-political regime, it is possible to identify the emergence of another, seemingly more radical, feature of modern democracy: the rational-critical capacity of a civil society claiming to possess the key to the ultimate source of democratic legitimacy—the consent of the governed.[1] Of course, the interpretation of the ultimate meaning of the emergence of this new feature has been at the center of democratic theory since Koselleck and Habermas first analyzed it. On the one hand, Koselleck's thesis was that the emergence of a critical public during the Enlightenment did not achieve the goal of generating a new type of legitimacy but, on the contrary, actually undermined the political authority of absolutism without putting anything in its place, thus giving birth to the chronic instability that democratic regimes have suffered since then. On the other hand, according to Habermas, the experience of the emergence of a critical public sphere during the Enlightenment did achieve the goal of outlining an emancipatory type of political legitimacy that at least in theory—if not in actual practice—contained the seeds of a political order free of domination. Paradoxically enough, however, Koselleck and Habermas's interpretations agreed

on two fundamental points: they both saw the destruction of the absolutist regime as the successful part of the historical advent of the bourgeois public sphere, while agreeing that the instauration of a political order inspired by a rational-critical legitimacy had historically failed. It is true that, according to Koselleck, this failure was unavoidable, since there is nothing political in the rational-critical principle; for Habermas, however, that historical failure said nothing about the validity of the rational-critical emancipatory project. At any rate, this seemingly paradoxical agreement might actually be the sign of a more basic, shared intellectual position—that of an antiaesthetic view of politics. It might indeed be the sign of both Koselleck and Habermas's rejection of the aesthetico-political regime from theological and epistemological positions respectively.

In his classic *The Structural Transformation of the Public Sphere*, Habermas offered an account of the emergence, transformation, and decline of the bourgeois public sphere. His intellectual influences were not altogether different from those of the Merleau-Ponty of the same years—Hegel, Marx, Weber, Lukács. However, as I have shown in the previous chapter, in the 1950s Merleau-Ponty was already detaching himself from a notion of the political realm that in the 1960s was still haunting Habermas's thought—one closer to the epistemological than to the aesthetic regime of politics. It is indeed clear that in *The Structural Transformation* the field is already prepared for Habermas's following decades of research—a research that was going to be characterized by a systematic and methodic attempt to locate a linguistic, extrapolitical source for a new type of emancipatory legitimacy. During the Enlightenment, with the help of "institutions of the public and with forums of discussion," Habermas says, "the experimental complex of [bourgeois] audience-oriented privacy made its way into the political realm's public sphere."[2] However, this entrance was not republican in the sense of the exercise of actual self-government or participation in political society; it was critical in the sense of external and rational. In the normative outline that could be extracted from that entrance, what was morally right converged with what was to be considered just and thus, for Habermas, ought to converge with what becomes the law. Moreover, just as until then "secrecy was supposed to serve the maintenance of sovereignty based on *voluntas*, so publicity was supposed to serve the promotion of legislation based on *ratio*."[3] As early as 1962 then, the historical bourgeois public sphere became for Habermas a normative standpoint from where to judge and promote the potential reconstitution of a post-liberal public sphere in our times. This understanding of the public sphere is crucial because it indicates the elements of Habermas's communicative turn regarding

the project of emancipation: the fundamental role played by the notions of the illocutionary, the force of the better argument, and the ideal speech situation. However, from the perspective I am putting forward here, his spontaneous association of "public rational-critical opinion" with *ratio* against *voluntas* implies a criterion for the legitimacy of rule that runs the risk of threatening the openness and plurality proper to the aesthetic regime of politics.

Disagreement: Arendt and Habermas

As Merleau-Ponty earlier, Habermas also followed Weber and emphasized the need for a strong political society with parliamentary deliberation by means of public communication. For Habermas, however, this goal remained only a provisional one while, as we saw, for Merleau-Ponty it was simply the best normative model available once the revolutionary project proved to be a misleading one. In contrast, Habermas still thought that the democratic enigma merely

> results from the *unresolved plurality* of competing interests. Neutralization of social power and rationalization of political domination in the medium of public discussion indeed presuppose now as they did in the past, a possible consensus, that is, the possibility of an objective agreement among competing interests in accord with universal and binding criteria. Otherwise the power relation between pressure and counterpressure, however publicly exercised, creates at best an *unstable equilibrium* of interests supported by temporary power constellations that in principle is devoid of rationality according to the standard of a universal interest.[4]

This "unstable equilibrium" that Habermas accepted provisionally but rejected in principle—or, similarly, the unstable equilibrium that Merleau-Ponty embraced in principle—thus had to be eventually overcome by an order of a rationality achieved "according to the standard of a universal interest." Against the background of the aesthetic configuration of collective life, however, democracy is, to say it with Rancière, "neither compromise between interests nor the formation of a common will. Its kind of dialogue is that of a divided community. Not that it is indifferent to the universal, but in politics the universal is always subject to dispute. The political wrong does not get righted. It is addressed as something irreconcilable within a community that is always unstable and heterogeneous."[5]

In both the aesthetic regime of politics and Habermas's models arguments must be put forward, but in Habermas's thought, the goal is universal agreement, while in the aesthetico-political horizon, it is the agreement of provisional majorities in a context of an institutionalized disembodiment of power. A question reappeared in Habermas's late work—What is the law?—that, as we saw, was also formulated in *The Structural Transformation*. Is the law *voluntas* or is it *ratio*? According to Habermas, the historical answer to this question should be traced back to the advent of the bourgeois critical public and, theoretically, to Kant's reformulation of Rousseau's emancipatory project. The only problem with Rousseau's solution, Habermas tells us, was that it left aside the critical-rational side of opinion- and will-formation. Habermas thus puts the problem of power posed by the public sphere becoming a functional element in the political realm in these terms: "Public debate was supposed to transform *voluntas* into a *ratio* that in the public competition of private arguments came into being as the consensus about what was practically necessary in the interest of *all*."[6] Habermas cannot accept the aesthetico-political procedure of hyperdialectic political struggle and electoral competition that historically sprang from the advent of modern democracy—that is, the fact that it is neither *voluntas* nor *ratio* alone that is in the genesis of opinion and the law but the dynamic of expression and action in a context of intersubjective plurality. In the aesthetic regime of politics *ratio* and *voluntas* coexist in the sense that political action should be communicative—it should persuade the many—but it is also fundamentally related to *voluntas* in the sense that the will of provisional and changing majorities—not universal consensus—is what is required. The majority decision and the respect for the right of minorities and the opposition—procedures present whenever democratic legitimacy makes its appearance—is the aesthetico-political replacement of the theological, and it is so because power becomes associated to the ungraspable identity of a people that can be reunified with neither God's will nor knowledge nor the law. Habermas's interpretation is thus in disagreement with what I have been claiming is at the center of the advent of the aesthetic regime of politics. For Habermas, modern democracy is not the form of society that emerges from the symbolic mutation that empties the place of power in the move from the theologico-political to the aesthetico-political regime. Instead, modern democracy should be regarded as the transition from conventional communities to postconventional societies. This model is in a fundamental discontinuity with the regime that sprang from the disentanglement of the theological and the political. Aesthetico-political regimes do not achieve a complete representation

of themselves—they stage for themselves their own rationally irresoluble but democratically hyperdialectical divisions and in this way achieve a quasi-representation of their form that cannot be substantialized in any given part of the body politic. However, it is difficult to conceive Habermas's model without at least bracketing the empty character of the place of power, since it is through the path of truth and reason that Habermas reads his postconventional society.[7]

It is true that Habermas's approach in "Popular Sovereignty as Procedure" and in some sections of *Between Facts and Norms* seems to show more flexibility and dynamism in his understanding of democracy.[8] Introducing a modification to his interpretation of power as simply a systemic medium, he thus says that we should actually "distinguish between *communicatively generated* power and *administratively employed* power. In the political public sphere, then, two contrary processes encounter and cut across each other: the communicative generation of legitimate power, for which Arendt sketched a normative model, and the political-systemic acquisition of legitimacy, a process by which administrative power becomes reflexive."[9] Although this dual model of power again replicates his dichotomist idea of modern rationality—communicative versus teleological—it is indeed interesting that here Habermas refers to a different model of action—that of Arendt's—in order to reintegrate communicative rationality into the political public sphere. In *Between Facts and Norms*, for example, he presents Arendt's thought as the opposite of the purposive-rational notion of action he attributes to Weber and says that Arendt "views power as the potential of a *common will* formed in noncoercive communication. She opposes 'power' to 'violence'; *that is*, she opposes the consensus-achieving force of a communication aimed at reaching understanding to the capacity for instrumentalizing another's will for one's own purposes: 'Power corresponds to the human ability not just to act but to act in concert.'"[10] However, even though Habermas's attempt to introduce a dynamic relationship between "action" and "system" through the incorporation of Arendtian insights is welcome, his reading of Arendt's notion of action does not coincide, as I will now show, with the more proper aesthetico-political interpretation her theory invites.

Although Habermas fails to recognize it, Arendt's notion of action is not interchangeable with his notion of communicative action and Arendt's notion of power is not equivalent to his notion of communicative power. The dichotomy of power/violence in Arendt does not replicate Habermas's opposition of communicative versus strategic action. The opposite of Arendt's action is violence or force, not Weber's purposeful and meaningfully oriented action—that is, she

does not oppose "the consensus-achieving force of a communication aimed at reaching understanding to the capacity for instrumentalizing another's will for one's own purposes."[11] She opposes the capacity—thanks to our persuasive words and deeds—to act in concert to the sheer imposition—through the extra-political means of force or violence—of your own will *against the different or rendered-irrelevant will* of others. For Arendt, the actor is the one who knows "how to enlist the help, the co-acting of his fellow men."[12] Arendt locates the conceptual origin of the "substituting of making for acting" not in any kind of replacement of truthfully, normatively, and trustworthily valid utterances by persuasive perlocutions but, on the contrary, in the moment in which "the original interdependence of action, the dependence of the beginner and leader upon others for help and the dependence of his followers upon him for an occasion to act themselves [was] split into two altogether different functions: the function of giving commands, which became the prerogative of the ruler, and the function of executing them, which became the duty of his subjects."[13]

Arendt keeps talking about "speech and action" even though speech is the human way of acting par excellence because she understands that public speech always extends further than its locutionary and illocutionary dimensions—to use Habermas's borrowed language from Austin's speech acts theory.[14] In his *Theory of Communicative Action,* Habermas considers Austin's theory of speech acts partially deficient because it does not isolate the illocutionary dimension of speech as essentially different—and normatively superior—from the locutionary, merely semantic, and the perlocutionary, merely strategic, dimensions of speech acts.[15] The problem is that even though the perlocutionary effects of speech acts are, according to Austin, so broad that can include immoral as well as evidently moral actions, when Habermas lists examples of the perlocutionary he limits the list only to those that could be regarded as manipulative or deceiving. For Austin, however, the perlocutionary intention or indirect effect of a speech act could be to encourage, to console, to give hope, to stimulate, to support, to persuade, to relax, or to give confidence as much as "to give fright to, to cause to be upset, to plunge into doubt, to annoy, mislead, offend, infuriate, humiliate, and so forth,"[16] as Habermas states. To this problematic presentation of speech acts could be added that because modern democracy is constitutively conflictive, divided, and plural, the perlocutionary effects of speech acts could be not only positive (in the sense of encouraging, persuasive, etc.) or negative (in the sense of infuriating, humiliating, etc.) but both (in the sense of encouraging and persuasive for some and infuriating and humiliating for others). However, Habermas does not take

this possibility into consideration, and thus proceeds to use the (just vilified) perlocutionary as the other of an illocutionary that would then become the paradigm of a built-in type of communicative rationality in the use of language. There is indeed a kind of specter of pure language, to use Merleau-Ponty's words, that underlies Habermas's typology of speech acts. What we are supposed to expect from language is a kind of transparency in the communicative practices that resembles that secret veneration of an ideal "language which in the last analysis would deliver us from language;" a language in which symbols, in themselves meaningless,

> never say more than they mean conventionally. Nothing implicit should be introduced . . so that one never means to say more than one does say and no more is said than one means. Then, finally, the sign remains a simple abbreviation of a thought which could at any moment clarify and explain itself. Thus the sole but decisive virtue of expression is to replace the confused allusions which each of our thoughts makes to all the others with precise significations for which we may truly be responsible, because their exact sense is known to us.[17]

Against this notion, the speech Arendt has in mind is revelatory because it is performative: it talks about something but says something else, it is unpredictable in its meaning and implications; and this surplus is the political dimension of speech—it does not just reveal the actor, it also institutes a world of shared and disputed significations. Furthermore, for Arendt, to act in concert does not need to live up to the "demanding conditions" of reaching agreement—or, actually, in Arendt's words, of "enlisting the help"—of *all* in the political realm. Arendt's action is aesthetico-political and thus addresses the indeterminate many in a context of plurality.

Still, Habermas's particular incorporation of Arendt's thought does play a further revelatory role in our task of illuminating the central practices, institutions, and dynamics of the aesthetic regime of politics. In what is presented as a rephrasing of Arendt's theory of action using the vocabulary she actually used to draft her (incomplete) theory of judgment, Habermas claims that her idea of power "can develop only in undeformed public spheres; it can issue only from structures of undamaged intersubjectivity found in nondistorted communication. It arises where opinion- and will-formation instantiate the productive force of the 'enlarged mentality' given with the unhindered communicative freedom each one has 'to make public use of one's reason at every point.'"[18] I will discuss later in the chapter the details of Arendt's attempt to develop a theory of

political judgment out of Kant's aesthetics.[19] What is clear here though is that the uncertain status of the universalizable aesthetic judgment in Kant is what allows Habermas to postulate an actual common ground between his theory of action and that of Arendt. Surprisingly enough, Habermas claims that Arendt's political power does not refer to a potential for "realizing collective goals" but *only* to "an *authorizing* force expressed . in the founding of institutions."[20] On the one hand, it is, of course, only in Habermas's dichotomy of communicative versus teleological action that *realizing collective goals* is incompatible with the *founding of institutions*, not in Arendt's thought. On the other hand, Arendt insisted that the persuasive power of action is fundamentally different to any sort of force, even the force of the better argument or that of either rational or factual truths. Moreover, of these it is only factual truth that matters for the political realm proper—and it matters because it establishes the conditions for a recognized intersubjective reality in which the indeterminate exchange of opinions and interpretations of the many becomes possible and meaningful. Philosophical truth always becomes opinion in the *polis*, which is why it acquires *power* only by the means of becoming the opinion of the many—or, alternatively, *force* by becoming the official ideology of the state. Only plain lies backed by force can overcome the obstacles factual truth opposes to political power—thus becoming ideological (against facts) and terroristic (against the space for their appearance.) The result of the destruction of factual truth does not turn lies into reality; it undermines the basis of the real world.[21]

Habermas establishes one final parallelism between his and Arendt's divergent ideas of power. It is true that Arendt was unable to explain where her notion of action could appear in modern democracy other than in the moments of republican foundation or, as she suggested in *Crisis of the Republic*,[22] in the exercise of civil disobedience that became common during the 1960s. However, it is also clear that Arendt did see a fundamental difference between the ongoing public affairs of Western democracies and the loss of power and final impotence she successfully predicted would consume the Eastern European, totalitarian regimes.[23] Why did she see such a difference between already founded, largely obedient and "privately happy" Western republics and the ideological, permanently moving forward of totalitarian regimes? Why was power at least barely alive in the former, while inexistent in the latter? Arendt never really answered these questions in a straightforward manner, but it is evident that the distinction was clear to her. Habermas however indicates that Arendt's notion of communicative power did not refer to "the competition to acquire and preserve"

power but only to the "*emergence* of political power,"[24] to which he adds that political power should be divided in, on the one hand, communicative power, and, on the other hand, "the use of administrative power within the political system, as well as the competition for access to that system."[25]

Habermas's notion of communicative action is well known. However, it is necessary to outline the main elements on which it relies in order to recognize the problems it presents to our attempt to understand the aesthetic regime of politics' central features. As we have suggested, first and foremost, Habermas's theory relies on a dichotomy: that of communicative versus strategic action or, to put it in a different formulation, that of action oriented toward reaching understanding versus action oriented toward success.[26] This fundamental difference between actions that pursue strategic ends and actions oriented toward reaching understanding introduces a problem in Habermas's theory that is at the very beginning of its formulation. According to this view, no strategic end ought to be fundamentally involved in the reaching of understanding and, similarly, reaching understanding ought to be essentially disassociated from those actions that involve an extra-communicative *telos*.[27] This purification of human understanding shows its problematic consequences immediately: Habermas's contribution is meant to overcome the problems of Weber's typology of social action but it ends up being unable to grasp the complexities of political action as such, a type of action that is not only fundamental to democratic theory but also reveals exactly the kind of *combined* characteristics that find no place in Habermas's theory. Habermas explicitly refers to this point by reaffirming that "in identifying strategic action and communicative action as types. I do not want to use the terms 'strategic' and 'communicative' only to designate two analytic aspects under which the same action could be described. Rather, social actions can be distinguished according to whether the participants adopt either a success-oriented attitude or one oriented to reaching understanding."[28]

This position is exactly the problem, because when Habermas discards the use of the terms as analytically differentiated dimensions of a single phenomenon, he does so at the price of dismembering the fundamental type of action characteristic of the aesthetico-political regime.[29] Habermas says that he regards "purposive activity and action oriented toward reaching understanding as elementary types of action, neither of which may be reduced to the other."[30] The problem is that, even if that were correct, democratic political action—or, rather, aesthetico-political action—is still irreducible to either form of action as well. Aesthetico-political action is precisely the type of

action in which the measure of its success is related to the grasping of political power through the reaching of an understanding with the many in the political process. Habermas says that in Weber's purpose-oriented theory of action "reaching understanding counts as a derivative phenomenon."[31] However, it is clear that even if this criticism were also correct regarding Weber, it still does not affect the constellation of institutions and practices associated with the aesthetico-political regime, because for *achieving success*—if measured against the horizon for the configuration of collective life delineated by the aesthetic regime of politics—it is fundamental to *reach an understanding* with the many. However, Habermas notion of a non-teleological action with the *exclusive* goal of reaching understanding does not account for political action either, because for the latter the goal of reaching understanding with the many is fundamental *because* achieving success is in the *telos* of the action at stake. In sum, reaching an understanding *is both an end and a means* for aesthetico-political action. Habermas's dichotomization of teleological actions and communicative speech acts may not be problematic from a moral point of view. From the point of view of democratic theory however, it is very problematic, since it excludes from the theorization Arendt's aesthetico-political action[32]—the form of agency that is born out of the split of the theological and the political and the advent of the form of society Lefort called modern democracy. Aesthetico-political action is a type of goal-oriented action that is concerned with the shape of the world in such a way that the particular values or principles that inspire the actor—Weber's value-rational action—have a built-in communicative component—the intersubjective understanding of my action—that is inextricable from its teleological purpose. Its *telos* assumes, in short, the form of a reflexivity-in-the-context-of-a-constitutive-plurality.

A final dimension of the problem of Habermas's organizing dichotomy springs from the fact that he does not contemplate the possibility that the communicative dimension of political action is oriented both toward reaching agreement *and* toward staging conflict. He develops the Other of Schmitt's theory and thus succumbs to the opposite mistake. Schmitt's political thought elaborates a theory of conflict materialized in his idea of the enemy but is unable to develop an equally necessary and complex theory of friendship, so to speak, that would imply a reaching of understanding that is analytically intrinsic to political action—a kind of friendship that becomes particularly complex in aesthetic, post-theological times. Normatively speaking, in Habermas, disagreement should be overcome at some level of reflexivity and lead to universal agreement

because he does not see the need for a theory of conflict consubstantial to the theory of agreement that he puts forward. The communicative meaning of our actions or, to put it better, our ability to reach understanding in the context of the aesthetic regime of politics, always intermingles agreement and conflict. More often than not, we reach an understanding with the many because we are able to engage in a conflict with others—that is, we manage to stage the conflict in such a way that the organization of political differences institutes a broader consensus for our principles, positions, and values than for that of our adversaries.

It is true that Arendt showed enthusiasm for the contemporary, mostly electoral form of political struggle only occasionally,[33] but in those rare moments (and other strictly political events) she did nonetheless recognize an emergence of power involved in political action and speech associated with the democratic struggle. Of course she did not expect power to emerge from "the competition to acquire and preserve" power, as Habermas put it, but this is because for Arendt, since power is neither a thing nor a means, it, by definition, cannot be acquired or preserved. Moreover, Habermas attempts to make his differentiation of communicative and administrative power—parallel to his dichotomy of communicative and teleological rationality—coincide with Arendt's notions of action and administration. The problem is that for Arendt action is persuasion, the search for sheer fame, and innumerable other perlocutionary, indirect effects of human words and deeds in the space of appearance and the social web of relationships and enacted stories.[34] It is in this crisscrossing of action and plurality that we must locate the type of political action that is a necessary condition for the sustainability of the aesthetico-political labor of self-institution. And it is in this intersection that we should locate Arendt's inability to offer strong theoretical reasons for the differentiation between the flawed but nevertheless alive Western democracies on the one hand, and the powerless and ultimately antipolitical Eastern-European, totalitarian forms of society on the other. As we will see in the conclusion to this chapter and in the following one, it is in part through the image of Arendt's attribution of powerlessness to regimes without action that we should portray the dangers the aesthetic regime of politics faces when the empty place of power no longer welcomes democratic struggle.

The closest institutional constellation that could be regarded as Arendt's modern political model was a parliamentary democracy of councils.[35] Arendt rejected the idea of a parliamentary democracy as Weber and Merleau-Ponty understood it because of her contempt for political parties and representative democracy. However, we have to keep in mind that this very contempt was inspired

in what has been—in part wrongly—identified as the unmodern character of her political theory.[36] In the paragraphs devoted to the labor movement in *The Human Condition*, Arendt is unambiguous in identifying the failed attempts to institutionalize the councils' experience, "from the revolutions of 1848 to the Hungarian revolution of 1956, [as the example that] the European working class, by virtue of being the only organized and hence the leading section of the people, has written one of the most glorious and probably the most promising chapter of recent history."[37] Arendt's contempt for parties sprang from her historical description of the clashes between these attempts and the ideological parties that consistently overtook the political processes in the name of a philosophy of history that claimed to know in advance the direction in which the "movement" ought to continue to go. However, we now know that this ideological, avant-garde attitude of the parties has not become dominant in contemporary party systems. Indeed the opposite has become true (the parties turning into mostly job-hunting organizations) and Arendt would have despised these as much as Weber, Merleau-Ponty, and Habermas did and do. From an aesthetico-political perspective, however, contemporary democratic parties have become neither just ideological nor just job-hunting organizations. Moreover, parties in modern democracies are generally coalitions of groups held together, not only by strict ideological narratives *or* compatible egotistic interests, but also by constellations of circumstantial political interpretations, common antagonisms, and relatively compatible principles.[38] In fact, the party form is the outcome of modern democracy's institutionalization of plurality, conflict, and the hyper-reflective primacy of debating and voting over the ideas of a sovereign, indivisible will or a rationally determined universal interest.

Political phenomenology

Communicative action—Habermas says in engaging the phenomenological tradition—"takes place within a lifeworld that remains at the backs of participants in communication. It is present to them *only* in the prereflective form of taken-for-granted background assumptions and naively mastered skills."[39] However, it seems rather that it is precisely in those moments in which background assumptions are challenged that political action and public deliberation take place. When confronted with the emergence of a problematic element of the lifeworld, Habermas seems to be thinking in empiricist, not phenomenological terms,

since he disregards the *gestaltic* reconfigurations that often take place in these circumstances.[40] He agrees, that, "naturally, members live in the consciousness that new situations might arise at any time, that they have constantly to deal with new situations; but such situations cannot shatter the naïve trust in the lifeworld. Everyday communicative practice is not compatible with the hypothesis that *everything* could be entirely different."[41] The problem is that what is moved to the foreground during moments of change is neither just one element nor everything. In a Gestaltic fashion, what is at stake is neither *the elementary units* nor *the totality* but the general articulation of the elements and their overall configuration. "Signification occurs where we subject the given elements of the world to a 'coherent deformation,'"[42] says Merleau-Ponty. Some elements might produce public deliberation and even a radical change of perspective concerning their meaning, and still, this might not seriously rearrange the central articulations of a given state of the flesh of the social. However, it does sometimes happen that the rendering problematic of a previously unquestioned assumption might eventually prove to be shape-changing, even if the revision is not as radical as the revolutionary tradition expected it to be. It is during these circumstances that society stages itself—in the way I will, following Arendt's eventful understanding of action, propose to call *deliberative scenes*—and sediments in the web of social relationships and enacted stories. Using Merleau-Ponty's words, we can say that "sedimentation is not only the accumulation of one creation upon another but also an integration."[43] As I will suggest, deliberative scenes should be seen as the processes by which events temporarily monopolize public attention, staging a set of discourses that struggle to shape the interpretation of an event in such a way that its meaning is instituted and at some point left behind—*integrated*, in the phenomenological sense. Of course, the meaning of the event can be reshaped in the future and is always open to question, but that requires, at least, the partial restaging of the issue at stake.

Arendt, in her unfinished book *The Life of the Mind*, quotes Merleau-Ponty for the first time in her life—and quotes the Merleau-Ponty of *Signs* and *The Invisible and the Invisible*. She structured the entire first section on "Appearance" around a reading of Merleau-Ponty's late works, and she found particularly relevant his notions of perceptual faith and the reversibility of perceiving beings.[44] During the same time, Arendt had asked twice, in letters written to Martin Heidegger, what the latter thought of the French philosopher's work. Regardless of Heidegger's response—he, probably without having even read him, disregarded Merleau-Ponty as just one more case of hopeless French existentialism—Arendt's work,

from her early identification of totalitarianism as the regime that aimed at obliterating human spontaneity, action, and expression from the face of the earth to the notion of the space of appearance and her late political reading of Kant's aesthetic judgment, clearly inscribed itself in the same phenomenological tradition as Merleau-Ponty's.[45] As opposed to the latter, however, Arendt did not attempt to develop an ontology that would claim a generality for aesthetic expression, political action, and the being flesh of the social. What she did do, however, was to engage in the constant phenomenological description and interpretation of political action, speech, and judgment that Merleau-Ponty's philosophy of the flesh demanded. What she found out in the process was that "plurality is the law of the earth"—a notion that Merleau-Ponty would have had no problem in endorsing.

Arendt's work should be seen as a relentless, sometimes even stubborn, phenomenological interrogation of the central features of the aesthetic regime of politics—as well as a relentless, always stubborn, critique of the theological and epistemological ones. All of them of course regarded also as competing and coexisting horizons for the configuration of collective life, since nobody can deny that she understood what was at stake when and if action is replaced by decision, principles by premises, and judgment by thoughtlessness. From the very beginning, Arendt's thought, in her massive interpretive and theoretical response to totalitarianism, replicated Merleau-Ponty's rejection of what we discussed in the previous chapter as, alternatively, objective dialectics and voluntaristic ultrabolshevism. And, even more importantly, her interpretation of totalitarianism, against which she developed the most fundamental aspects of her political thought, remained present in all her subsequent analyses and conceptual elaborations. The political was, for her, the common-in-plurality, that is, the common neither because aprioristically given nor the plural as merely multiple. This structuring presupposition of her entire work made its appearance for the first time in her political and genealogical interpretation of the European totalitarianisms of the first half of the twentieth century. It was already in the preface to her "field manual,"[46] as Elizabeth Young-Bruehl called *The Origins of Totalitarianism*, that Arendt introduced the key to her aesthetico-political thought. It is there where Arendt assumed that it was no longer possible to recover the old categories that had dominated political thought until then. The book, she told us, had been written against those who believe either in progress or in decadence—both, of course, being epistemological or theological superstitions. The question that organized her analysis was crucial: How to make sense of the

contrast between the cynical realism of the totalitarian movements and their most complete negation of the intersubjective texture of the real?[47] A question that she started answering by summarizing the most strictly political conclusions of her interpretation of the totalitarian phenomenon: "Antisemitism (not merely the hatred of Jews), imperialism (not merely conquest), totalitarianism (not merely dictatorship)—one after the other, one more brutally than the other, have demonstrated that human dignity needs a new guarantee which can be found only in a new political principle, in *a new law of the earth*, whose validity this time must comprehend the whole of humanity while its power must remain strictly limited, rooted in and controlled by newly defined territorial entities."[48]

The new political principle she is talking about, that new law of the earth she enigmatically refers to, is of course the aesthetic regime of politics' central characteristic: plurality. In effect, *The Origins of Totalitarianism* identifies with precision the two aspects of the human condition radically negated by totalitarianism: human spontaneity and plurality as the law of the earth. In the context of this analysis, we can see how, in the theological and epistemological regimes of politics, Arendt's action becomes decision thanks to the suppression of the plurality of the intersubjective world. Once the indeterminacy regarding the meaning and success of an action—an indeterminacy that springs from the unpredictability generated by its pluriperspectival appearance—gets suppressed, action becomes irrevocable and univocal decision. Of course, neither Merleau-Ponty nor Arendt saw things in this way. In the context of their aesthetico-political perspectives, what looks like a "decision" for the theologico-political regime is actually the hybrid product of an expression/action relatively successful—and then combined with the effective suppression of the dissenting voices and actions of others. The decision is, to put it differently, the "subjective" side of the relational and fleshly phenomena that expression and action are. The actor decides how to act, but he or she cannot decide what the intersubjective meaning and effect of his or her action will be. In order to turn the decision into a phenomenon in itself—that is, into something more than a dimension of a complex relational phenomenon—it is necessary to suppress the conditions of the plural coperception characteristic, for both Arendt and Merleau-Ponty, of reality and the world.[49] To turn the decision into a phenomenon, it is necessary to de-aestheticize the world; it is necessary the theological or epistemological dictatorship.

In the second of her major works, *The Human Condition*—a work that could be defined as a massive and multidimensional phenomenology of

isonomy—Arendt theorized the conditions of aesthetic co-perception that characterize the human world. In particular, she analyzed the relationship between action and space of appearance, together with their unavoidable intertwining with human equality and freedom—and all this in both the public space and the world at large, which brought her closer than the usual interpretation would assume to the Merleau-Pontyan and Lefortian sensibility as well as to her own late theorization of aesthetic and political judgment, in which communication is always at-a-distance and does not limit itself to the small-scale, face-to-face interaction of unmediated discourse. And, in opposition to Schmitt as the theorist of enmity as constitutive of the political, with *The Human Condition* Arendt becomes the thinker of (political) friendship. For her, friendship was, precisely, the model of the common-in-plurality as opposed to enmity as the dichotomist model of the common-in-homogeneity and the plural-in-multiplicity characteristic of Schmitt's theological regime of politics. It is in this context that two of the central intuitions of Arendt's thought—even before her well-known political reading of Kant's aesthetics—already underlined the aesthetico-political inspiration of her thought. In *The Human Condition*, Arendt's findings are essentially two: (1) Political action, as an action in the context of an intersubjectively perceived and shared world, should not be conceived as the work of a craftsman or a plastic artist on a merely passive material—which could be seen as the conception that characterizes the theological and epistemological regimes of politics—but as a "labor" of a different kind (I am not using the word in her sense, of course, but in Merleau-Ponty's), that of the inscription of a style of configuration in a world of plurality in which all passivity is already activity and vice versa, a world in which all actors are already spectators and vice versa.[50] (2) What is central to political life is precisely that it is "made" of plurality, of the impossibility of reducing the multiplicity of perspectives to a single one: be it that of the philosopher or the political leader who becomes the center of theologico-political regimes, or that of the philosopher or the political leader who becomes the center of epistemologico-political ones.[51]

Between *The Human Condition* and *The Life of the Mind*, Arendt published a number of books and essays in which her confrontation with any kind of antipluralist understanding of the political was no doubt the central driving force. In "What is Freedom?"[52] and *On Revolution*,[53] she launched a fierce critique of the concept of sovereignty[54] as the dream of human omnipotence rooted in an undivided understanding of free and, in the context of the revolutionary experience of French inspiration, popular will. In *Eichmann in Jerusalem*, she offered what could be described as a phenomenological case study of the epistemologico-political "man"; that is, those humans rendered either superfluous or thoughtless[55] as a consequence of the total renunciation or imposed inability to judge or act for themselves. This epistemologico-political man radically opposes the isonomic understanding of the political shared by both Arendt and Rancière, an understanding of politics predicated in the equal capacity of anybody and everybody to act and judge. And it was in her influential essay "Crisis in Culture: Its Social and Political Significance" that Arendt started developing her political reading of Kant's aesthetic judgment, a reading in which imagination and enlarged mentality became the concepts that welcome plurality in the very heart of a new kind of aesthetico-political reason. "Truth and Politics,"[56] finally, an essay added in 1968 to *Between Past and Future*, made it completely explicit that, for her, the political is the real in which the meaning acquired by factual truths belongs to the plural world of opinion and not to the compelling claim posed by rational or epistemological—and, it goes without saying, theological—truths.

Always a phenomenologist, Arendt's understanding of politics was thus fundamentally aesthetic in the sense of being concerned with the intersubjectively co-perceived character of the human world. Arendt's most explicit reference to aesthetics, however, was her entirely original reading of Immanuel Kant's *Critique of Judgment*[57] as a basis for the theorization of judgment and spectatorship in general, and of political judgment and modern political understanding in particular. As is well known, at the time of her death in 1975 an almost blank page was found in Arendt's typewriter. The page contained only two epigraphs and a title: *Judging*. This new text was going to become the third part of *The Life of the Mind*. For over a decade—since her encounter with Eichmann's "thoughtlessness" in the Jerusalem trial—Arendt had already been reflecting along Kantian lines on the question of mental activities. She had fundamentally paid attention to the distinction between thinking and knowing, a crucial Kantian distinction in which the latter deals with truth, while the former with meaning. And she had also explored the way in which morality might be much more intertwined with our ability to think about the meaning of our actions than merely being dependent on our knowing a moral law whose application would be self-evident. Second, Arendt started reflecting on the political implications of Kant's reflections on taste and the beautiful. In Arendt's reading, while for Kant, the categorical imperative and the standards for moral behavior would be valid for any rational creature in any context, taste and the beautiful, however,

only happen in society. Starting from this observation, Arendt then argued that aesthetic and political judgment, and thus the faculty of taste—our ability to distinguish this from that—associated to both, are intrinsically related to our ability to collectively take care of the world and to the "enlarging of our mind" exercised in the context of an intersubjectively co-perceived and shared reality.

In the unfinished *The Life of the Mind*, Arendt thus turned her attention to the plurality of the spectators without abandoning—on the contrary, theorizing it much more explicitly—the space of plural appearance and co-perception that was for her the world. By "the life of the mind" Arendt did not mean what the Middle Ages had glorified as the contemplative life and which she had opposed to her typology of human activities in *The Human Condition*. The laborious life, the active life to which Arendt dedicated her earlier book, was the life of the activities of the body, the life of that "heavier" form of being flesh, to say it with Merleau-Ponty, that belongs to the visible. *The Life of the Mind* became, inversely, a massive investigation on the life of that lighter form of flesh that Merleau-Ponty attributed to thinking and speech. *The Life of the Mind* dealt with language and thought, with the invisible, in Merleau-Ponty's words. And if, for the latter, perception was already expression, because there is no passivity of perception that is not already the activity of organization of the perceived, for Arendt, judgment became already action, since there is no judging that does not already actively affect the intersubjectively shared meaning of the world and no acting that does not passively anticipate what judgments will do with it in the space of appearance. This is the most relevant conclusion to be extracted, from the perspective of this investigation, from Arendt's incursion into this "most difficult point" that Merleau-Ponty talked about, into this lighter form of flesh that is language and thought, that is our plural and aesthetic element of the flesh of intercorporality and intersubjectivity. As I have already mentioned, Arendt was unable to conclude the third book of *The Life of the Mind*, which was going to be devoted to "judgment." What she left instead was the references to her political reading of Kant's aesthetic judgment already made in "Crisis in Culture" and other essays and lectures from the time,[58] together with her course notes for a seminar taught in 1970 at the New School for Social Research.[59]

In her reading of Kant's political writings offered in this seminar, she famously found in the world spectators' witnessing-at-a-distance the spectacle of the French Revolution a disinterested sympathy for the players on one side against those on the other and a wishful participation that borders closely on enthusiasm.[60] In this disinterested sympathy and enthusiasm Arendt recognized

Kant's aesthetic interpretation of the political—rather than moral—meaning of the event. She then traced back concepts such as disinterested interest, enlarged mentality, and imagination, together with their intertwining in the experience of the spectators' judgment of aesthetic and political life, to Kant's aesthetic theory. Moreover, what she also found in Kant's "public use of reason" was a phenomenally intersubjective element of history/progress that cannot be reduced to a transcendent human capacity independent of political contingencies. It is well known that the conventional political reading of Kant's philosophy finds in his practical reason the clue for a normative approach to questions of law and society. Following her own path in this as in all matters, Arendt found a different sort of reason in Kant's historical essays and late writings. And she then emphasized that it was the threatening of the *public* use of reason, and not of reason as such, that, for him, should be considered a crime against human progress; that it is the actual creation of republican institutions able to address humans' unsocial sociability that would contribute to the pursuit of a peace other than that of cemeteries; and that it was the meaning acquired by political events before the spectators of the world—that is, the way in which they *appeared*—rather than their morality as judged by the agents themselves that would illuminate their historical significance.

Finally, in her reading of *Critique of Judgment*, Arendt found Kant's theorizing of the central vocabulary present in these late writings on politics. She had already noticed, in her reporting on Eichmann's trial, the defendant's inability to look at anything from the "other fellow's" point of view and to utter a single sentence that was not a cliché.[61] In a phenomenological way, Arendt had thus already identified the close connection between the capacity to judge from the "standpoint of everybody else" and that of communicating and making sense of a common and shared world. Arendt had confronted an enigma that Kant himself interrogated in his third *Critique*: How do we judge when we lack a general rule under which to subsume the particular we have before us? And she found in Kant's company that it was not just she who perceived that this enigma is common to both aesthetic and political concerns. It was thus in her close reading of Kant that she would finally find the central concepts she needed to complete her theory of political judgment: the "disinterested interest" with which one judges both works of art and political events; the "general communicability" with which one attempts to seek a universal validity for our judgment in art and politics; the "impartiality" characteristic of the plurality of spectators—as opposed to the artists and actors, who are unavoidably a party

to the judged—required for those very judgments to address the intersubjective space of coperception; and the capacity to "enlarge our minds" using our faculty of "imagination" as the mental operations taking place in the human unending labor of making sense of the world, without any guarantee.

Spaces and times of appearance

As I suggested earlier, although Arendt's supposedly unmodern political theory was unable to have the political form of modern democracy in high esteem, her notion of action is still fundamental to the modern idea of an aesthetico-political type of agency. In her work, Arendt strongly emphasized the indeterminate meaning of political action—the fact that we know who initiates the political processes but we do not know *how* or *when* they are going to end. Moreover, neither the immediate nor the final meaning of an action could be considered to precede the utterance or to be in the actor's possession. The action's meaning is revealed to the spectators—first the co-citizens as the public, and then the historian—rather than to the actor him or herself. And it is the plurality of spectators that will eventually tell the stories that render the meaning of the action and of its outcomes comprehensible in the intersubjective political world. This uncomfortable uncertainty proper to the meaning of political action is the reason why political philosophy, according to Arendt, has always been dominated by the attempt to find an extrapolitical source of certainty that could become the germ of what ought to happen in the political realm. "The Platonic god," she said, "is but a symbol he is the true forerunner of Providence, the 'invisible hand,' Nature, the 'world spirit,' class interest, and the like, with which Christian and modern philosophers of history tried to solve the perplexing problem that although history owes its existence to men, it is still obviously not 'made' by them."[62] Of course, this perplexity, intimately linked to modern democracy regardless of Arendt's opinion on the latter, is the one that the aesthetico-political institutional constellation understands as the always-uncertain outcome of the fact of plurality. When the "story" to be told was no longer the one seen by a single narrator—the monotheistic God—but the outcome of polyphonies of disagreeing interpreters, modern societies slowly developed the remedies of universal suffrage and the "necessary degrees of confrontation and freedom," as Merleau-Ponty put it, required by hyper-reflective and hyperdialectical practical and theoretical positions. And these are only remedies because there

is no cure. The irreversibility and unpredictability of action—and its inscription in the web of relationships and enacted stories that every human society is—has historically found only partial solutions. It is true that Arendt did not see modern democracy in the way that it is being presented here. However, she did analyze a number of these solutions that are still analytically relevant in this context—such as the Greek attempt to protect the public realm from its constitutive "frailty," the Roman Republic and its *telos* of durability, and the more recent and generally unsuccessful attempts to achieve the "foundation of freedom" during the modern revolutionary experiences.

In the case of what Arendt called the "Greek solution," the frailty of human affairs was protected by the foundation of the *polis*, the building of both the walls of the city and the laws of the land that would stabilize a space of appearance. But the walls of the city and the content of the—procedural—laws were not politics proper, or at least did not determine what the meaning of speech acts and actions would be under their protection. Within the restricted franchise of Greek citizenship, the indeterminacy of action and decision-making was thus equivalent to what we are delineating here as proper to the aesthetic regime of politics. What Arendt did not emphasize though was that in the Greek city-states the place of power was actually embodied in a deliberative aristocracy that gave a very limited definition to the notion of the demos. What modernity performed—and Arendt was unable to recognize or at least to sufficiently welcome—was the blurring of the boundaries of the demos, turning the predetermined shape of the body politic into what I have—with Lefort and Merleau-Ponty—identified as an auto-schemating flesh of the social. In this context, however, Arendt's notions of action on the one hand, and the institutional protection of the frailty, unpredictability, and irreversibility of human affairs on the other, are still valid for the aesthetic regime of politics—and this is what Arendt intuitively guessed but did not fully theorize.

Beyond the extension of the franchise, there is one even more important difference between the Greek and the modern, aesthetico-political remedy. In the Greek case, the polis intended "to enable men to do permanently, albeit under certain restrictions, what otherwise had been possible only as an extraordinary and infrequent enterprise for which they had to leave their households."[63] However, this idea of the institution of a *permanent* space of appearance, when transformed into an implicit normative model for modern democracies, is no doubt a recipe for frustration. It is probably odd to mention Benjamin Constant in this theoretical context, but his famous lecture on the freedom of the moderns compared with that of the ancients might at least be inspired in the right

intuition.[64] His point was that we need representatives to take care of our public affairs because we moderns are too busy enjoying our individual freedom and taking care of our private businesses. He might have had a point, even if we only think in the permanent, highly demanding business of public administration—and Arendt read in this fact the modern substitution of administration in the place of action. However, Constant's argument could also be pushed in a different direction: Is it not possible to recognize that we modern citizens are many more—indeed "all"—and privately busier than our fewer and labor-eased (male) ancient counterparts, and thus in the need of instituting not just a single space of appearance but periodic and exceptional *times* of appearance as well?[65] In other words, does not the main difference between ancient and modern democracy—with the latter's primacy of the aesthetic regime of politics—reside in the fact that we moderns instituted not only the *spaces* but also the *times* of appearance? Are not democratic elections, for example, not only the moments in which we elect those who take care of public administration during normal times, *but also at the same time,* the exceptional times in which public deliberation takes place, in which new perspectives, principles, and meanings are publicly staged and culturally sedimented? Since, as Arendt herself recognized, "no man can live in the [space of appearance] all the time,"[66] it is clear that deliberation takes place during, and focuses on, the exception.[67]

The contrast between Arendt's *uneventful* approach to Greek and Roman political life on the one hand, and her decidedly *eventful* view of the rare manifestations of modern public happiness on the other, is in the background of her inability to theorize the question of public *time*, along that of the public space. With pre-philosophic[68] Athenian political life as a model, Arendt defined the space of appearance as the space that "comes into being *wherever* men are together in the manner of speech and action."[69] Nevertheless, the eventful character of action's initiative is evident for the reader of her work and Arendt herself often came to the realization that speech and action are always *about*—and take place *during*—particular public events rather than being a permanent and abstract philosophizing on general rules. However, she never managed to theorize the idea of a phenomenon that comes into being wherever and whenever men are together in the manner of speech and action. Thus, although the broad picture of her analysis of the public sphere authorizes the interpretation put forward here—an interpretation concerning the exceptional character of political action and public deliberation in the aesthetic regime of politics—the contributions of her theory to an idea of public time were only fragmentary.

On the one hand, the public space was for her, not only the place where everybody sees and hears from a different perspective but also, precisely because of that, the fundamental intersubjective mechanism for the constitution of a sense of reality and the emergence of the kind of power and concerted action that keep societies robust and durable in the sense of the Romans. On the other hand, the private space was that hiding place from where to appear in the public light and where to retreat when the time of appearance was over. According to Arendt, an entirely exposed life becomes as shallow as one entirely deprived of such exposition. In brief, it is clear that Arendt's theory of action has a kind of pulse without which its appearance would not be meaningful at all. Arendt nevertheless did stop short of seeing that the Greek solution's "permanent" remedy (the attempt to make the extraordinary ordinary) was indeed not a means of turning deliberation into a permanent state of life but the institution of *the space and times* in which deliberative encounters and collective decisions were to take place. The main problem with Arendt's translation of the ancient model of the public sphere into the modern condition is not that she kept the model of the political public sphere intact, but that even though she was sensitive to the temporal character of a centralized—but pluraly and intersubjectively co-perceived—political public life by paying attention only to exceptional political events such as revolutions, she nonetheless continued to look for small spatial ways to materializing those public spheres in modern times—councils, soviets, and so on. Had she more explicitly realized that public times do not necessarily have to be revolutionary or foundational but could very well be intra-democratic—in the words put forward here, that they could be *instituting* rather than *constituting*—she might have been better prepared to leave aside the small scale, face-to-face normative requirement of public life and see modern democracy as the attempt to institutionalize, in large and plural polities, the aesthetico-political renovation of public meanings, practices, and legislation in centralized public times.

In fact, this idea of a centralized public sphere that monopolizes public attention and sediments meaning in spurts, so to speak, is one of the missing links in the contemporary theorizations on democratic political and public life. On the one hand, Cohen and Arato have shown how the practice of civil disobedience and the generation of social movements imply a relatively permanent but nevertheless *eventful* character of public expression in civil society. In other words, although the existence of civil society is a permanent condition of our times, the *emergence* of expressions of civil society exhibit

the kind of exceptional character of deliberation I am putting forward here. However, these public times are *partial* in the sense that they rarely monopolize the attention of the polity at large as long as they remain an issue of the civil public sphere. On the other hand, Nancy Fraser's reference to the existence of a plurality of public spheres in contemporary democracies reproduced this *partial*—in the spatial sense—character of the public sphere.[70] In these analyses, civil society is correctly portrayed as a decentralized and relatively fragmentary—because only loosely overlapped and articulated—spatial coexistence of "small" public spheres and spurts of localized, exceptional public times. These public spaces and times are generated around and within associations, families, workplaces, educational spaces, loosely defined groups of friends, social collectives with some common identification, and lately, even the internet and the blogosphere. The picture seems complete. However, to complete the picture of an aesthetico-political public life this plurality of public spheres should still be complemented with a more explicit reference to a kind of public time that appeals to all citizens—that is, transversally cutting through Fraser's plurality of public spheres and monopolistically claiming the attention of the polity at large. These public times always involve political and not only civil society—the involvement of the former is normally the articulating dimension that incorporates precedents of, and generates consequences in, the latter. Political society and political actors' actions occupy the center stage of society's auto-schematizing when an event monopolizes everybody's public attention for a given period of time in a way that reproduces the logic of Cohen and Arato's civil society's exceptional public time but expands it to the political realm. This aesthetico-political public-political life is thus the centralized, but relatively dispersed in time, emergence of monopolistic—but in the context of a multiperspectival perception and judgment—common public spheres.

Other instances of either nonregular electoral expression or monopolistic public attention on processes that place political struggle at the center should be seen under this light as well. The *institutionalized deliberative exception* of political campaigns and the *deliberative scenes* of informal monopolistic attention on political events are thus the *advents*—to use Ricoeur/Merleau-Ponty's concept—that have the power of generating new political landscapes and conditions of possibility for subsequent political events.[71] It is true that without the presence of an active and plural civil society these advents that monopolize public attention would probably be only the manifestation of Schmittean instances of public acclamation. However, as Tocqueville suggested

early in the democratic experience, when the members of a community are unable to get involved in the affairs of the polity at large they would hardly remain interested in participating in "smaller" affairs. As Schmitt put it, the Enlightenment and liberalism expect "the machine to run by itself"[72] without an absolute deciding instance. From an aesthetico-political point of view, that deciding instance is neither *one* nor *absolute*, it is the permanent outcome of the institutionalized struggle of the plurality of perspectives characteristic of the post-theological, aesthetic regime of politics. During electoral processes and deliberative scenes, the political public sphere becomes a single public forum engaged in both deliberation and decision-making processes. The space of the political public sphere is not *plural* in the sense of the fragmented, civil public sphere, but *plural and common* in a sense similar to that of Arendt's space of appearance—an aesthetic space in which the uniqueness of equal individuals and groups can combine their perspectives and make sense of their common but nonetheless dissensual world.

This monopolistic disruption of everyday political life spontaneously overlaps with another kind of disruption. In normal times, democratic politics is crowded with interest groups lobbying or pressing to improve their relative situations. Yet, during institutionalized deliberative exceptions and deliberative scenes the public's involvement with the case is often "disinterested" in the sense of Arendt's political interpretation of Kant's aesthetics: it does not relate only to the particular goals of particular groups but with the common fate of society as a whole. In public times, by judging a particular event the aesthetic regime of politics reevaluates practices, principles, and sometimes even the very institutions that give shape to the flesh of the social. In this way, newspapers, television, and the associated spectrum of news and discussion spaces opened in the press and the internet by the event itself, constitute a space where the time for public deliberation unfolds; and this is a dramatic aesthetico-political circumstance. In *The Visible and the Invisible*, Merleau-Ponty quotes a phrase of Paul Claudel: "From time to time, a man lifts his head, sniffs, listens, considers, recognizes his position: he thinks, he sighs, and, drawing his watch from the pocket lodged against his chest, looks at the time. Where am I? And What time is it?—such is the inexhaustible question turning from us to the world "[73] This is what aesthetico-political actors and institutions do, and this is what the aesthetic regime of politics institutionalizes in periodic electoral times or experiences in the un-institutionalized exceptional times I called deliberative scenes.

In this context, the aesthetico-political actor faces an indeterminate flesh of the social that is perceived in the form of a permanent and equally indeterminate entity called *public opinion*. However, this public opinion is an *element* to which the actor him or herself belongs, since he or she is *in* and *of* the flesh of the social. In fact, the flesh of opinion sets a resistance to the aesthetico-political actor that is also its openness.[74] The aesthetic regime of politics is not a regime in which political actors represent the interest and opinion of their constituents and the people at large as a supposedly empirical, positive existence but a regime in which those very interests and opinions are the offspring of a process of conflict and debate within the world of opinion, a debate that periodically leads to decisions made by mutating majorities. Against this horizon for the configuration of collective life that is the aesthetic regime of politics, each actor is not supposed to identify with whatever is said to be the interest or the opinion of the people as a whole or of "targeted" sections of the people—through the ideal speech situation, polls, or ideology—but to actively (and therefore passively) *contribute* to the struggle staged in electoral and political processes that actually put-into-form those very interests and opinions. In her essay "What is Freedom?"[75] and in *The Human Condition* Arendt articulated Montesquieu's notion that political action springs neither from the intellect nor from the dictates of the will but from principles. These principles become fully manifest in the performative action of the political actor and do not have an existence independent of it. Because of this, whenever there is action, there is revelation, and this means that the answer to the question "who are you?" is

> implicit in both [the actor's] words and speech. . This disclosure of "who" in contradistinction to "what" somebody is . is implicit in everything somebody says and does [and] its disclosure can almost never be achieved as a willful purpose. On the contrary, it is more than likely that the "who," which appears so clearly and unmistakably to others, remains hidden from the person himself, like the *daimon* in Greek religion which accompanies each man throughout his life, always looking over his shoulder from behind and thus visible only to those he encounters.[76]

The uneasy impossibility to know our *daimon* is something we all learn from experience and it remains a permanent factor in aesthetico-political action. Thus, to stand for something in and during the spaces and times of appearance requires a courage that should not be underestimated:

> *Who* somebody is or was we can know only by knowing the story of which he is himself the hero. . . The hero the story discloses needs no heroic qualities; the word "hero" originally, that is, in Homer, was no more than a name given [to somebody] about whom a story could be told. The connotation of courage, which we now feel to be an indispensable quality of the hero, is in fact already present in a willingness to act and speak at all, to insert one's self into the world and begin a story of one's own. [Courage] and even boldness are already present in leaving one's private hiding place and showing who one is, in disclosing and exposing one's self.[77]

Aesthetico-political actors' participation in contemporary public times requires precisely this kind of courage, since it takes courage, indeed, to risk your life—your public and symbolic life, your glory—and speak up for what you believe is right; to propose to do what you believe is better; to offer the reasons why you believe it to be so; and to try to persuade your fellow citizens to side with you—without any guarantees. And this courage is not a mere accessory aspect of the aesthetico-political regime. This is the courage taken for granted in the assumed willingness to defend your own perspective and judgment once the theologico-political order collapsed before the plurality of perspectives that makes up our modern phenomenal world.

Conclusion: *Political kitsch* and *ideology politics*

> *Machiavelli was right: values are necessary but not sufficient; and it is even dangerous to stop with values, for as long as we have not chosen those whose mission it is to uphold these values in the historical struggle, we have done nothing.*
>
> Maurice Merleau-Ponty

To conclude my discussion of Arendt's aesthetico-political thought and her contribution to the understanding of the institutions and practices characteristic of the aesthetic regime of politics, I will briefly outline a new typology: one of political action in the context of the modern-democratic form of society. The typology begins by assuming a strong Arendtian perspective, defining *aesthetico-political action* along the lines of what Arendt understood by action, but transposing the concept into the context of modern democratic politics. The typology is completed by dividing the practice of aesthetico-political action into two other types of action—*political kitsch* and *ideology politics*. These latter two

types are fundamentally opposed manifestations of the hypostasis of built-in elements of the aesthetico-political action proper. The concept of political kitsch aims to illuminate the kind of contemporary political practice that tends to reduce the creativity implied in any democratic politics to a minimum, limiting political action to the expression of public positions obsessively tested in advance. Alternatively, the concept of *ideology politics* aims to shed light on the kind of political practice that, while strongly rooted in fundamental—and probably even innovative—principles, deals uncomfortably with the self-limiting, hyper-reflective, and hyperdialectical character of the aesthetico-political.

As I think it has become clear at this point, the aesthetico-political actor cannot just confront states of affairs or general consensuses as empirically unchangeable. The political actor, "according to the occasion," has to "change the terms of the problem"[78]; this implies that his or her role cannot comprise mere mediation between a deliberation that takes place only in the civil public sphere and a state that is only an administrative system. In the end, the political actor is the one who has to assume the responsibility for the world. "It is fine to do all that is possible step by step and to leave the rest to the gods, but how is one to know where the possible stops?"[79] Given that political actors cannot be simple neutral mediators or conductors in the electric sense, which are the alternatives at hand? What are the mitigating attitudes political actors can assume in order to overcome the uncertainty produced by the inability to know where the possible stops? These are the *real* questions that ideology politics and political kitsch try to answer with *ready-made* formulas. And their answers, if generalized, are indeed a threat to the aesthetic regime of politics.

My introduction of the concept of political kitsch stems from a more complex theoretical crossroads than the one implied in Arendt's notion of action. Arendt, while performing her aforementioned political reading of Kant's aesthetics, often insisted on what can be described as an art/politics isomorphism. As we saw, since Eichmann's trial in Jerusalem, the problem of judgment became one of the central aspects of her work, and in search of a better understanding she turned to Kant's *Critique of Judgment*, finding there an inspiration to reintroduce the condition of plurality that already characterized action in *The Human Condition*. But, Arendt's reflections on art—or, if you wish, Kant's reflections on the subject—do not provide us with the kind of research required in order to understand the practice I call kitsch. Dealing with the same amount of indeterminacy-because-of-plurality that fully aesthetico-political action does,

kitsch expects to reduce indeterminacy's intensity through limiting itself to the prudent calculation of its potential effects. To fully grasp this practice, I will thus go back once again to Merleau-Ponty's aesthetic thought and political reflections. In his *Phenomenology of Perception* Merleau-Ponty, upon giving a definition for his concept of expression, quoted Cezanne, who tells a story about his relationship to painting. All his life he had tried to paint Balzac's image of a "white tablecloth, like a covering of snow newly fallen, from which rose symmetrically the plates and napkins crowned with light-colored rolls." Finally, he understood that one must try to paint only: "the plates and napkins rose symmetrically" and "the light-colored rolls," but that to paint them "crowned" was to ruin everything. So Cezanne finished the idea by saying: "And if I balance and shade my napkins and rolls as they really are, you may be sure that the crowning, the snow and all the rest of it will be there."[80] To paint plates and napkins "crowned" would be to include in the act of painting that which is an unavoidable part of the act of looking, an obsessive and self-defying search for the desired effect for your painting. Merleau-Ponty's concept of expression—the one he used, as we saw, to refer to both aesthetic creations and political actions—alludes to the act of *putting into form*, without rules of guidance, that which is not yet existent. Nevertheless, even if the expressive act in this sense seems to be entirely subjective, it obtains validity only from its intersubjective and worldly appearance in the flesh of the social. Its meaning does not preexist the appearance; others contingently constitute it in a process of open-ended interpretations. Following this idea, kitsch becomes a political problem when supposedly political actions forget Cezanne's lesson and try to paint "crowned" instead of just "light-colored rolls;" when the so-called knowledge of social or public expectations—gleaned from focus groups or public opinion polls, for example—ultimately becomes a guide for action.

To use the words of Hermann Broch, "the kitsch system requires its followers to 'work beautifully', while the art system issues the ethical order: 'Work well'. Kitsch is the element of evil in the value system of art."[81] To "work beautifully" is in this framework equivalent to a motto that would read: "work politically." That is indeed the way in which the word "political" is often used in both colloquial and academic language. When "political" is used as an adjective in everyday life it normally refers to the desire of not offending your interlocutor by speaking your mind or, similarly, to a form of achieving agreement by way of saying what the listener wants to hear. When used to refer to campaign strategies in

electoral contexts, the adjective "political" is normally used to describe positions inspired in a similar attitude—that of pleasing the public by saying what the public already finds acceptable. The discursive operation behind this use of the adjective "political" is the hypostasis of what is indeed a constitutive element of aesthetico-political action. The latter is, as we saw, the phenomenal intermingling of both communicative and teleological dimensions of human agency. To obtain the agreement of a majority of our fellow citizens is an intrinsic aspect of action in the aesthetic regime of politics; but to obtain that agreement for what we consider ought to be done or for the values we consider ought to be advanced, is its other, no less relevant intrinsic aspect. Political kitsch reduces political action to the former and discards the latter as "unrealistic," thus calling "political" what should be designated differently. I propose to call it "kitsch." In this way, political action in the aesthetico-political regime, an activity that ontologically lacks guaranteed rules for success, finally believes to have found these rules in the anticipation of the effect of actions by limiting the latter to its subordination to a now epistemologico-political horizon that claims to know the empirical state of public opinion at large. In short, political kitsch rejects the hyperdialectical character of the flesh of the social by simply subsuming the acceptable under the supposedly-already-accepted, by subsuming the possible under the supposedly already-known real.

In a post-theological, aesthetico-political context, political action replicates the dynamics of modern art; it becomes entirely aware of its indeterminate being, while politicians (and their interested patrons) try desperately to find new methods of avoiding surprises. This is how a significant portion of contemporary political culture has become kitsch. It is generally agreed that kitsch can be fundamentally defined as the "pre-fabrication and imposition of the effect"[82] during the process of art production. Because of this, kitsch is often redundant—presenting itself as a spontaneous speech act when in fact it is a fully scripted one. This difference between an instituting expression and its methodological standardization is crucial for an analysis of a kitsch attitude as a form of contemporary politics: each act of kitsch often tries to imitate the originally expressive gesture in order to reduce the uncertain outcome immanent to its appearing before others. Although the kitsch attitude looks to overcome the chiasm between an action and its meaning, this intention can never be successfully realized. The kitsch gestures are standardized, but the indeterminacy of their meaning is unavoidable. In this context, we can conclude that kitsch is both an imitation and a negation of art, exactly

the relationship political kitsch establishes with aesthetico-political action at large.

Going back to Arendt, what allowed her to find a political theory in Kant's aesthetics was precisely the fact that aesthetics and politics' isomorphism comes neither from structural imposition—in both art and politics the actor creates and the spectator judges in an indeterminate way—nor from subjective transcendental rules—logical rules and categorical imperatives cannot tell us how to act or make judgments in art and politics. What is collectively shared in art and politics is, rather, contingently shared—as opposed to already given, as it would be if it were to come from the mere development of universal logical rules or the linear imposition of determinant judgments.[83] As Arendt says, "[W]hile I take into account others when judging, this does not mean that I conform in my judgment to those of others, I still speak with my own voice and I do not count noses in order to arrive at what I think is right. But my judgment is no longer subjective either."[84] Showing sympathies similar to those Arendt showed for Kant's notion of enlarged mentality, for Merleau-Ponty an action is political when it "adds to my obligations as a solitary person the obligation to understand situations other than my own and to create a path between my life and that of others, that is, to express myself. Through the action of culture, I take up my dwelling in lives which are not mine."[85] In short, the idea of "counting noses" as a simple solution to the uncertainty implied in enlarging our minds, through our imaginary efforts to put ourselves in the place of others, was as much rejected by Merleau-Ponty as it was by Kant and Arendt. In art and politics, then, the common is, at the same time, indeterminate.

So how do political actors resolve the fact that they have to achieve the agreement of the many for their actions and speech acts without any rule guaranteeing success for their enterprise? They do not. Or better still, some believe themselves to able to solve it by trying to anticipate the unpredictable outcome ignoring Cézanne's warning and introducing the desired "effects" of the action into the action itself. Kitsch, either in art or in politics, is precisely that form which, while knowing that the meaning of an act is not inherent to it and that to institute something as common requires the indeterminate interpretation of the spectators, still tries to turn the indeterminate precisely into the determination that art and politics lack. In other words, the desired effect of the action now assumed to be known—thanks to those who have the know-how on the subject of public opinion—is reintroduced as a guide for the

action itself. Kitsch is, from the point of view of the political actor, that form of relationship with actions that searches obsessively for the desired effect. Kitsch is the strategy that tries to replace the indeterminate search for the democratic agreement of the many with the more prudent activity of counting noses and going with the majority's taste. As opposed to this prudent practice of kitsch, the artist—as well as the political actor—is, for Merleau-Ponty, "the one who arrests the spectacle in which most men take part without really seeing it and who makes it visible."[86]

However, this task of making visible, of putting into form what is not yet existent, is precisely the kind of experience that pushes artists and political actors to the sense of indeterminacy that characterizes their practices. "The meaning of what the artist is going to say does not exist anywhere—not in things, which as yet have no meaning, nor in the artist himself, in his unformulated life. . . Cezanne's difficulties are those of the first word. He thought himself powerless because he was not omnipotent."[87] The experience of feeling powerless-because-of-not-being-omnipotent is exactly the turning point that leads political actors to abandon the assumption of responsible and principled attitudes toward issues of common interest. Instead, these political actors favor empiricist readings of a supposedly already constituted public opinion that can be followed without risk—or, alternatively, by assuming ideological attitudes and ignoring the hyper-reflective character of aesthetico-political action.[88] This problematic has always been at the center of debates on political representation, where Rousseaunean or Hobbessean theories argue against each other in order to clarify the origin of political sovereignty. In the aesthetic regime of politics, with the exception of the rare cases when a delegative mandate on the part of the represented is explicit, or during the more common ones in which decisionist attitudes are enforced by violence, action is characterized by the requirement to both take into account *and*, at the same time, institute the subjects of the relationship of representation. "The painter or the politician moulds others much more often than he follows them," says Merleau-Ponty in this respect.

> The public he aims at is not given; it is precisely the one which the oeuvre will elicit. The others he thinks of are not empirical "others," defined by what they expect of him at this moment. No, his concern is with others who have become such that he is able to live with them. [History] is the perpetual conversation carried on between all spoken words and all valid actions, each in turn contesting and confirming the other, and each recreating all the others. The appeal to the judgment of history is not the appeal to the complacency of the public. It is inseparable from the inner certainty of having said what waited to be said in the particular situation.[89]

As it became clear in the previous chapter, Weber did not interest Merleau-Ponty only because of the common fascination that both of them, together with Cézanne, shared for rejecting empiricism without denying the real world. What Merleau-Ponty also found in Weber was a reflection on the political actor and his or her practices that captured the unavoidable uncertainties of the political realm. "He who makes a mistake about the path to take betrays the ultimate ends," because politics always "oscillates between the world of reality and that of values, between individual judgment and common action, between the present and the future."[90] The aesthetico-political is the kind of regime that implies the preservation of these tensions and the negation of their possible resolution. It is in this Weberian way that any aesthetico-political action deals with the fact of plurality, and it is in this situation of existential uncertainty toward its results that a democratic politics lives. "[Since] in the density of social reality each decision brings unexpected consequences, and since, moreover, man responds to these surprises by inventions which transform the problem, there is no situation without hope; but there is no choice which terminates these deviations."[91]

This is the density formed by the confluence of human agency and its multiplicity and intermingling character, which empiricists tend to call objective reality. But the problem does not just concern political analysts; it also has performative manifestations. It is not by objectifying what we know is flesh—that is, turning plurality into a thing—that only those who study political life could be misled and thus fall short of understanding their subject matter. What should worry us here is that the very actors that must deal with uncertainty could accept this interpretation. It is understandable that political actors are fascinated with those "solutions" that explain that there is a way out of the anxiety that characterizes their practice, that there is no point in risking anything by taking a stand on principles or performing untested actions in public if it is possible to first be sure of what the public wants to hear—or, in the case of more fragmented political "markets" what their particular targets already think about an issue. However, this is no solution, this either transfers the necessary input of new ideas that the aesthetico-political requires to a different source or—in establishing a vicious circle of action and judgment in which the action itself is reduced to a prejudgment of the possible public interpretation it would assume—it diminishes the quality of public deliberation and judgment as a whole.

When a political actor truly engages in the task of participating in the process of society's auto-schematizing, he or she sees in the social world exactly what they try to convince their fellow citizens the social world is or should become. In the words of Merleau-Ponty:

> The others such as they are (or will be) are not the sole judges of what I do. If I wanted to deny myself for their benefit, I would deny them too as "selves." They are worth exactly what I am worth, and all the powers I give them I give simultaneously to myself. I submit myself to the judgment of another who is himself worthy of that which I have attempted, that is to say, in the last analysis, to the judgment of a peer whom I myself have chosen. Others will judge what I have done, because I painted in the realm of the visible and spoke for those who have ears—but neither art nor politics consists in pleasing or flattering them. What they expect of the artist or of the politician is that he draw them toward values in which they will only later recognize their values.[92]

What defines action in the aesthetic regime of politics is the overlapping of its openness to meaning with the impossibility of turning meaning into its object. Consequently, an action that no longer intends to expose itself before others, but merely to anticipate its desired meaning, seriously undermines the ability of contemporary societies to preserve the hegemony of the aesthetico-political regime. We can even say that since the elusive concept of public opinion is so intertwined with Lefort's empty place of power, the problem of kitsch should be presented as a mitigated manner of the longing for the People-as-One. Against this, there is indeed a reversibility of aesthetico-political action that should be turned neither into a mere faithful representation of the public's interests and opinion in the political system, nor reduced to ideological consistency. As Merleau-Ponty puts it, when I speak or act, "*if I have any tact*, my words are both *a means of action and a feeling*; there are eyes at the tips of my fingers."[93] This is the way in which the democratic political actor takes into account the public—a very different approach to that of political kitsch. The aesthetico-political actor deals with an invisible world of opinion which, in fact, is a visible absence. And this absence counts in the world. Kitsch's mere following of public opinion polls represent the impossible attempt to fix the place of the invisible world of opinion. So while the aim of aesthetico-political action is to render visible the invisible, the aim of political kitsch is to anticipate the invisible without ever rendering anything visible. Speech and action, however, are particular manners of meeting the world, the offspring of styles, ways of being flesh. "To perceive a part of my body is also to perceive it as *visible*, i.e. *for the other*. The case of

reciprocity (seeing seen), (touching touched in the handshake) is the major and perfect case, where there is *quasireflection*."[94]

The second kind of hypostasis suffered by one of the two constitutive dimensions of aesthetico-political action—activity/passivity—is what I propose to call "ideology politics." Habermas, referring to the opposite of "communicative action," successfully defined this type of action when he described "the actor who simply decides as she wishes [and] is not concerned whether the reasons that are decisive for her could also be accepted by others."[95] However, Habermas wrongly associated this type of action with sheer purposive-rational behavior, without realizing that its main characteristic is not that of having a *telos* but that of reducing the action's meaning to the actor's "absolute certitude"[96] on its validity. It is the absolutism of the actor's principles that makes ideology politics different from *both* aesthetic and kitsch political action. In order to complete the picture I will thus now briefly define the notion of ideology politics—and in doing so I will show how it is the vacuum generated by kitsch's lack of unscripted political enunciation that creates the conditions in which ideology politics can operate relatively unchecked.

Arendt described ideology as a modern substitute for the principle of action. However, this modern substitute becomes completely dominant only when combined with terroristic state policies that make the spontaneous generation of common sense impossible—the kind of sense that springs from the intersection of a plurality of perspectives in normal circumstances. Total terror was thus the tool used to translate into reality the ideological law of movement Arendt attributed to Nazi and Stalinist ideologies. According to her, terror was the essence of totalitarian domination because by crashing plurality it allowed the forces of nature or history "to race freely through mankind, unhindered by any spontaneous human action."[97] However, since terror is not enough to guarantee human behavior, the substitute for the principle of action was ideology. Ideologies are those "'isms' which to the satisfaction of their adherents can explain everything and every occurrence by deducing it from a single principle."[98] As Arendt pointed out, although no ideology is in itself totalitarian, all ideologies contain totalitarian elements. The three totalitarian elements that ideologies include are the following: first, their claim of total explanation; second, their independence of experience, because they become "emancipated from the reality that we perceive with our five senses, and [insist] on a 'truer' reality concealed behind all perceptible things"[99]; and, third, their particular way of operation—a logical or dialectical deduction of an axiomatically accepted premise. It is in this

context that stringent logicality becomes guide to action.[100] In ideology politics, it is no longer public opinion polls or focus groups that tell the actor what to say or do but the consistency with a premise or a set of premises that save the actor from the uncertainties of reality and of responsible political action. But in an aesthetico-political context, is not this practice condemned to failure or to a status of permanent minority? It is, but only if the context *remains* an aesthetico-political one. The problem is that the generalized presence of political kitsch might turn the density of the flesh of plurality into a flattened and fertile field for ideology politics, since the vacuum of meaning produced by generalized kitsch replicates the vacuum of meaning generated by terror in openly totalitarian contexts.[101]

3

The (Re)Aestheticization of Politics: Jacques Rancière and the Question of Democracy

Democracy is as bare in its relation to the power of wealth as it is to the power of kinship that today comes to assist and to rival it. It is not based on any nature of things nor guaranteed by any institutional form. It is not borne along by any historical necessity and does not bear any. It is only entrusted to the constancy of its specific acts. This can provoke fear, and so hatred, among those who are used to exercising the magisterium of thought. But among those who know how to share with anybody and everybody the equal power of intelligence, it can conversely inspire courage, and hence joy.

Jacques Rancière

This book did not arise from a story by Borges—as Foucault's *The Order of Things*[1] famously did—but it did end up running into one, and into the laughter that shatters all the familiar landmarks of the theological and epistemological understandings of politics. The story is called "Theme of the Traitor and the Hero" and it begins, in a quite Borgesian manner, by introducing the blind spot of hyper-reflection and the contingency of the hyperdialectical right into the very heart of the narrators' perspective:

> Details, rectifications, adjustments are lacking; there are zones of the story not yet revealed to me; today, January 3rd, 1944, I seem to see it as follows:
>
> The action takes place in an oppressed and tenacious country: Poland, Ireland, the Venetian Republic, some South American or Balkan state. Let us say (for narrative convenience) Ireland; let us say in 1824. The narrator's name is Ryan; he is the great-grandson of the young, the heroic, the beautiful, the assassinated Fergus Kilpatrick.[2]

Borges tells us that Ryan decided to write his great-grandfather's biography and thus conducted a careful historiographical investigation. It is during this inquiry that our character identifies a certain "cyclic nature" to the events,

combining and repeating traces "of remote regions, of remote ages." And the most noticeable of these recurrences revealed "that the officers who examined the hero's body found a sealed letter in which he was warned of the risk of attending the theatre that evening; likewise Julius Caesar." Again, as often happens in Borges, the character engages in a complex metaphysical or even mystical elaboration, only to be later proved wrong by the all-too-human intertwining intricacies of empirical reality and other people's agency:

> [The parallelisms] between the story of Caesar and the story of an Irish conspirator lead Ryan to suppose the existence of a secret form of time, a pattern of repeated lines. He thinks of the decimal history conceived by Condorcet, of the morphologies proposed by Hegel, Spengler and Vico, of Hesiod's men, who degenerate from gold to iron. He thinks of the transmigration of souls. He is rescued from these circular labyrinths by a curious finding, a finding which then sinks him into other, more inextricable and heterogeneous labyrinth: certain words uttered by a beggar who spoke with Fergus Kilpatrick the day of his death were prefigured by Shakespeare in the tragedy *Macbeth*. That history should have copied history was already sufficiently astonishing; that history should copy literature was inconceivable.

As it turns out, Ryan finally discovers that the historical truth of what had happened to his great-grandfather was political, not metaphysical. Kilpatrick's murder had indeed taken place in a theater, but in reality, it was the entire event that had been a representation: Kilpatrick's fellow militants in the struggle for Irish independence had found him to be a traitor, but since his execution—and thus the revelation of his infamy—would have been devastating to their own cause, they decided to disguise the punishment as an English crime. Borges's central interrogation in the story is evident: What should be given primacy, the revelation of the moral indignity of the traitor's deeds or the political appearance of the hero's martyrdom? Confronted with the dilemma of executing the traitor or mourning the hero, the militants chose the latter: a political no-brainer. Borges anticipated, however, that the political labyrinth would be even more inextricable and heterogeneous than the metaphysical one, and as if talking about a fiction piece—and he, of course, was, almost in the Rancièrian sense of the word[3]—he concludes the story with the following lines: "In Nolan's work, the passages imitated from Shakespeare are the *least* dramatic; Ryan suspects that the author interpolated them so that in the future someone might hit upon the truth. He understands that he too forms part of Nolan's plot. After a series of tenacious hesitations, he resolves to keep his discovery silent. He publishes a book dedicated to the hero's glory; this too, perhaps, was foreseen."

Nolan's original decision, the one made under the compelling urgency of events, gave primacy to the political over the moral—or better put, found a way of making (political) virtue out of (moral) necessity. Ryan's dilemma, however, was fundamentally different—or was it? The dilemma was, rather, more "heterogeneous": it added to the original dilemma, which of course remained valid, a new one of truth versus politics—which was, of course, already present in the first decision, only that their comparative weight now became reversed. For Ryan, the meaning of the political appearance of Kilpatrick, the revolutionary hero, prevailed this second time not only over the moral indignity of his treason but also over the historical truth of having unveiled it over a century later. The story should not of course be read, in its turn, morally: Borges is not telling us that morality and (historical) truth do not matter or, even less so, that Nolan and Ryan's choices are his. What Borges is doing is interrogating the political, and in doing so he identifies it as being *aesthetico*-political.

It is well known, however, that Rancière has been very critical of Borges.[4] There is nevertheless one essay in which Borges seems to trigger precisely the critical analysis Rancière wants to engage in. In an essay called "Borges in Sarajevo," Rancière begins by saying:

> In the introduction to his grand book *Les Mots et les Choses*, Michel Foucault evokes the burlesque classification of a certain "Chinese encyclopedia" cited by Jorge Luis Borges, which divides animals into those "belonging to the emperor", "embalmed" suckling pigs', "who behave like madmen", "who have just broken a pitcher" and similar sorts of categories. What strikes us, he maintained, before these lists which blur all our categories of the same and the other, is the pure and simple impossibility of thinking *that*.[5]

This illustration leads Rancière to articulate the sarcastic rejection of the tragic geographic partition of former Yugoslavia along imposed and antipolitical lines, as if, for example, we were to divide the United States "into Christian ethnicity, feminine ethnicity, atheist ethnicity, immigrant ethnicity."[6] This critique then allowed Rancière to conclude with the following highly condensed and relevant description:

> Democracy consists above all in the act of revoking the law of birth and that of wealth; in affirming the pure contingency whereby individuals and populations come to find themselves in this or that place; in the attempt to build a common world on the basis of that sole contingency. And that is exactly what was at stake in the Bosnian conflict: confronted both with the Serb and Croatian aggressors, and also with the claim of Bosnia's Muslim identity, Bosnian democrats strived to assert the principle of a unitary identity: a territory in which the common law

> would be the only principle of coexistence—the people as *demos*. In the fact, the other people triumphed: the people as *ethnos*, the people supposedly united by bonds of blood and ancestral law, however mythical. No doubt we should remain level-headed about the prophesies announcing the widespread outbreak of ethnic, religious and other types of identity fundamentalism. Yet, so long as "socialists" and "liberals" act in concert to identify democratic government with the global law of wealth, partisans of ancestral law and separating "ethnicities" will be permitted to present themselves as the sole alternative to the power of wealth. And there will never be a shortage of appropriate classifications. For when it is forgotten that the first word of political reason is the recognition of the contingency of the political order, every absurdity proves rational.[7]

With Borges—as with other authors such as Arendt—Rancière's criticism tends to overlook what is actually shared in their perspectives, since if there was a political principle that Borges's stories helped us understand, again and again, that principle was no doubt that of the contingency of any order. The shared aesthetico-political affinities do not end here, however, since with "Theme of the Traitor and the Hero," as we saw, there is a second political principle that is shared by both Borges and Rancière's interrogation: that politics is a matter of appearances, of the unending and dissensual game of the visible and the invisible that both confirms or reconfigures the partition and distribution of the perceptible that any actual order is. The moment has therefore arrived to directly engage our third author, the one who has more recently acknowledged the relationship between appearances, the distribution of the visible and the invisible, and the equality of perceptions and utterances, in terms of an aesthetics of politics. And as I did in previous chapters with Lefort—but also with Schmitt, Weber, Sartre, and Habermas, among others—I will again follow the path of engaging in a conceptual dialogue with him. It will indeed be against the background of Lefort's generative principle of equality and its dissolution of the markers of certainty that I will contrast Rancière's understanding of the aesthetics of politics as dissensus and of the presupposition of equality as performative. As also often happens with Rancière, however, his points of agreement with Lefort are expressed only in impressionistic and fragmentary ways, so I will first offer a more comprehensive reconstruction of what it is that Rancière shares with Lefort—before concluding this investigation by offering a critical interpretation of the current state of democracy in the United States.

"Politics did not have the misfortune of being aestheticized or spectacularized just the other day,"[8] says Rancière in his major political work so far, *Disagreement*.

He was, of course, ironically referring to the Frankfurtian suspicion of all aesthetic understanding or practising of politics—although there may be some semantic issue involved here, since what the Frankfurtians called "aestheticization of politics"[9] may have very well been, in part, the germ of what this book's two other main authors—Merleau-Ponty and Arendt—would have certainly rejected as the contemporary *monopoly* of appearances and speech. Be that as it may, the truth is that Rancière's aesthetic understanding of politics elaborates quite explicitly the social dynamic of struggle and conflict regarding the visible and the invisible, the speakable and the unspeakable implied in Merleau-Ponty's conceptualizing of the flesh of society and democracy—as well as in Arendt's aesthetico-political notions of action, judgment, and the space of appearance. Elaborating on his concepts of politics and the police, as well as analyzing the current implications of his categories of archipolitics, metapolitics, and parapolitics, this chapter will thus conclude the book with a reading of the most contemporary thinker the aesthetic regime of politics has given birth to.

Rancière, Lefort, and the political

We know who the theorists of the political are. Jacques Rancière is not often mentioned as one of them. It is true that these thinkers—Schmitt, Arendt, and Lefort—tend to share little more than the notion chosen to refer to their central concerns. For Schmitt, for example, the political is the name saved for the most intense human conflict we can conceive of—that between friends and enemies. For Arendt, on the other hand, if we believe what Rancière has been telling us lately,[10] the political is just the other of the social, the realm proper to those lucky enough not to be kept, by force or "voluntary servitude," submerged in the obscurity of the domestic realm. As I have shown, however, other reading of her work is possible, one that integrating both her early and late set of concerns would rather conclude that the political was, for her, something quite close to a Rancierian sensibility. But this common ground between Arendt and Rancière is not my main concern at this point. What I would like to mobilize now instead is the shared constellation of insights and interrogations between Rancière and Lefort—our third theorist of the political.

For Rancière, we know, the political could be neither *just* politics nor *just* the police, since both notions, carefully and recurrently defined and restated, although unavoidably intertwined, are radically distinct from each other.

The police is, on the one hand, the given distribution of social positions, hierarchies, functions, visibilities and invisibilities, characteristic of any social order understood as a partition of the perceptible. Politics is, on the other hand, the egalitarian disruption of such distributions. Shall we therefore reserve the concept of the political for the ground common to both politics and police—that is, for the permanent conflict between them?[11] In support of this position we could point toward the shared aesthetic character of both the police—a given partition of the perceptible—and politics—the recurrent disruption, by the part of those without part, of such a partition. If the concept of the political were in this way reserved for the eventful encounter of the egalitarian disrupting predisposition and the hierarchical, sedimented given, we would of course not be far apart from the phenomenological view of democratic politics. Rancière himself has been rather hesitant, however, to accept the view that the police/politics opposition could be matched with the dynamic of instituting politics and instituted societies shared by political and social theorists such as Lefort.[12] But let us see how Rancière himself states the problem:

> The police/politics opposition . puts into question every principle that marks out positive spheres and ways of being. There is no distinction that separates appearance, on the one hand, from reality, on the other. Appearance is not the mask of a given reality. It is an effective re-configuration of the given, of what is visible and therefore of what can be said about it and done with respect to it. It also follows from this that there is never any opposition between two opposed sides; with the real of police institutions, on one side, and the forms of pure demonstration of authentic egalitarian subjectivity, on the other. There is no parliamentary and "democratic" comedy to set in contrast to the heterogeneous communitarian power embodied in a specific group or collective world. From the moment that the word *equality* is inscribed in the texts of laws and on the pediments of buildings; from the moment that a state instituted procedures of equality under the common law or an equal counting of votes, there is an effectiveness of politics, even if that effectiveness is subordinated to a police principle of distribution of identities, places and functions. The distinction between politics and police takes effect in a reality that always retains a part of indistinction. It is a way of thinking through the mixture. There is no world of pure politics that exists apart from a world of mixture. There is one distribution and a re-distribution.[13]

Regardless of Rancière's hesitations, it seems that we are indeed dealing with a dynamic of activation and sedimentation, configuration and reconfiguration,

a dynamic mobilized by something like an instituting gesture. The latter, the equality that disrupts, but that also redistributes, "having to do with the . . . *aisthesis* (the partition of the perceptible), its logic of demonstration is indissolubly an aesthetic of *expression*."[14] As we have already seen, Merleau-Ponty, teacher and friend of Lefort but hardly ever mentioned by Rancière, could not have put it better—and would have used almost the same words, since for him the political and aesthetic dynamic of advent, the instituting gestures, actions, and events that manage to reconfigure the relationship between the visible and the invisible, the speakable and the unspeakable, should be indeed defined in terms of an aesthetic of expression.

Lefort, for his part, who as we also already saw translated Merleau-Ponty's aesthetic and political theory into one of the most distinctive ways of thinking the question of democracy, grounded his theorizing in the move from the early Merleau-Pontyan philosophy of the perceiving body and the incarnated subject to a late one focused on the notion of flesh. It is in this way that, the political, for Lefort, refers to the *form of society*, to the shape-giving instance of the flesh of the social—and at some point he uses the notion of *politeia* to specify what he has in mind. It is also well known that Rancière, on the other hand, in his critique of Plato's *archipolitics*, states that "the *politeia* of the philosophers is the exact identity of politics and the police"[15] and therefore implies the very elimination of the dissensual encounter of politics and the police that he tries to conceptualize. What to do of this seeming "disagreement" between Lefort and Rancière on the notion of *politeia*? Simply put, we should use it to underline the program that both Lefort and Rancière share of identifying the forms of articulation—including the *archipolitical* and *metapolitical* attempts at sheer overcoming—between political action, or politics, on the one hand, and a given set of institutions and practices, roles and parts, identities and places, proper to different conceptions of the social. In short, the aesthetic commonality (which does not mean consensus) opened up by Rancièrian politics, by its expressive quality, is the dissensus that Lefort inscribes at the center of just one *politeia* among many—modern democracy—a dissensus triggered in Lefort by the same logic as Rancière's, that of equality, a logic that the former, as a late carrier of quite a few insights of the phenomenological tradition, calls "generative principle." And the generative principle of equality, in dislocating the given parts and roles, positions and functions, proper to the hierarchical character of the Rancièrian partitions of the perceptible, introduces a fundamental indeterminacy in social relations that gives birth, as a result, to what Lefort called the modern dissolution of the markers of certainty.

For Lefort, democracy was an enigma in the way in which for Rancière it is a "paradox," the enigma of the indeterminate shape of the *flesh of the social*, a shape that for Lefort should no longer be described with the notion of the body politic. The latter notion, assuming that flesh cannot be but a body, and an anthropologized body to be more precise, fixes the place of power in an organ, incorporating it, embodying it, in the head of that harmonic body, therefore distributing parts and roles, functions and social positions, in the organic partition of the sensible/sentient that the body politic experiences itself to be. But, for Lefort, the *mise en form* of societies assumed a plurality of shapes. Of these forms of society, Lefort claimed there is fundamentally one that does not seek to *solve* the enigma of its shape in the form of a permanently configured body politic; only one for which the shape of the flesh of the social remains constitutively contested; only one for which the place of power—the organizing center that stages the form of society before itself—remains empty, contingently occupied by those who emerge alternatively victorious from the political struggle. For the democratic form of society, the enigma of its shape can be neither philosophically nor religiously solved; or better put, if it manages to present itself as solved, that society can no longer be said to be democratic.

The common sensibility to the political, and to democracy, expressed in the writings of Rancière and Lefort is indeed astonishing. It is true that Rancière has, here and there, distanced himself from the narrative that Lefort uses to describe the symbolic mutation that gives birth to modern democracy—a narrative inspired, as we have already discussed, by Kantorowicz's analysis of the two bodies of the king in theologico-political regimes. It is also true though that that distancing is much less radical, much less constitutive of Rancière's own argument, than those exercised against other major political philosophers:

> Democracy—says Rancière—is, more precisely, the name of a singular disruption of [the] order of distribution of bodies as a community that we proposed to conceptualize in the broader concept of the police. [Democracy] is the kind of community that is defined by the existence of a specific sphere of appearance of the people. Appearance is not an illusion that is opposed to the real. It is the introduction of a visible into the field of experience, which then modifies the regime of the visible.[16]

The truth is that Rancière's distance with Lefort in their understanding of the political—and, we can safely add at this point, from Merleau-Ponty and Arendt, in their shared aesthetic view of politics and the space for their appearance—is far from great. Is not the democratic form of society in the sense of Lefort a

way of being flesh in which the shape of the social is contingently auto-schematized—to use again Merleau-Ponty's phrase—making it radically different to those societies based on the idea of the body politic; and in a way that is relevant to Rancière, that of the openness of the police to the emergence of politics? In one of his theses on politics, Rancière states: "Democracy is not a political regime. As a rupture in the logic of the *arkhe*, that is, of the anticipation of ruling in its disposition, *it is the very regime of politics itself.* "[17] Lefort, for his part, says that "modern democracy, of all the regimes of which we know, it is the only one to have represented power in such a way as to show that power is an *empty place* and to have thereby maintained a gap between the symbolic and the real. It does so by virtue of a discourse which reveals that power belongs to no one; that those who exercise power do not possess it; that they do not, indeed, embody it."[18] Call it regime or not—although the problem here is the very definition of *regime*, as we have already discussed, and the controversy gets solved by splitting the Lefortian notions of regime and form of society—democracy, modern democracy to be more specific, is not always in place and is clearly distinct from other forms of society, other distributions of the perceptible less open to the periodic emergence of politics.

The real disagreement between Rancière and Lefort, however, relates to the *explicit* historicity of the democratic form of society and the generative principle of equality in the latter and the *seemingly* permanent datum of politics in the former. In this context, I postulate, with Lefort, the *historical* advent of modern democracy and the aesthetic regime of politics, against Rancière's unlikely ahistoricism. The latter often makes assertions such as this one: "There never has been any 'aestheticization' of politics in the modern age because politics is aesthetic in principle."[19] It is not altogether clear what Rancière means by "in principle" here. He has been accused of offering an ahistorical notion of politics, and I think the criticism is fair. However, if we were to examine it further, the problem could probably be safely referred back to some carelessness in our author's handling of the wording, rather than to an actual metaphysical ahistoricism to be found in his work. In fact, the birth of politics to which Rancière returns to again and again is quite historical: the naming of the experience of the counting of the uncounted in the Greek *polis* and the reemergence of egalitarian disruptions—from the proletarians' to the feminists'—of all kinds of police orders. But the status of this reemergence is not altogether clear, we must admit. Is it inscribed in the historical memory of Western societies as a consequence of its first contingent appearance in the Greek *polis* or is it a universal experience that no police order, no matter in what cultural tradition it is inscribed, can avoid?

Nevertheless, Rancière is right in establishing a distinction between *archipolitics* (the antipolitical dream of a hierarchical, good, "geometric" order) and *metapolitics* (the antipolitical rejection of the fact that "politics is a question of aesthetics, a matter of appearances"[20]) on the one hand, and *parapolitics* (which does not reject the aesthetic character of politics but attempts to "solve" its scandal by intertwining the egalitarian disruptive logic of freedom with the establishment of police orders) on the other. But is he truly right in rejecting the latter? Is his model not parapolitical after all—only that obstinately claiming not to be so by rejecting the possibility of inscribing egalitarian politics in a police order in such a way that the latter could be called "democratic"? Is not the tension between his political philosophy and the politics of the parapolitical philosophers—Aristotle, Hobbes, Rousseau, probably even Lefort—rather a quarrel among parapolitical philosophies in which his and Lefort's are the ones that truly accept the destabilizing force of equality as the (for Lefort historico-) ontological generative principle of democracy? Analyzing some of the explicit references Rancière made to Lefort's work might help clarifying this point. The main one comes when Rancière, evoking Lefort's egalitarian dissolution of the markers of certainty, says the following:

> Democracy is the designation of subjects that do not coincide with the parties of the state or of society, floating subjects that deregulate all representation of places and portions. One could no doubt evoke at this point Claude Lefort's conceptualization of democratic "indetermination," but there is really no reason to identify such indetermination with a sort of catastrophe in the symbolic linked to the revolutionary disembodiment of the "double body" of the king. We need to dissociate democratic disruption and disidentification from this theatre of sacrifice that originally ties the emergence of democracy to the great specters of the reembodiments staged by terrorism and totalitarianism of a body torn asunder.[21]

The critique focuses on Lefort's historically contingent association of modern, democratic indeterminacy to the event of the democratic revolutions in the late eighteenth century—and his associated indication that democratic indeterminacy remains always at risk, threatened by the fantasy of the People-as-One and the reembodiment of the place of power. This critique is restated by Rancière at a later moment as follows: "An interpretation of democracy by Claude Lefort confers a structural sense on the democratic void. It can be argued that the people's two bodies are not a modern consequence of the act of sacrificing the sovereign body, but instead a constitutive given of politics itself."[22] The problem

with these criticisms resides in the fact that identifying politics' "constitutive given" is precisely what Lefort does not consider we are in a position to do, for the simple reasons that all politics adopts a historical form and that we have no access to a point of view from where we could make such a claim.

In fact, however, Rancière quotes Lefort—and associates his work to Lefort's scholarship on democracy—much earlier than this famous reference to the "catastrophe in the symbolic" in *Disagreement*; and this association is foundational of Rancière's political thought in a way in which we cannot speak of any other one. This foundational association goes from the aforementioned almost point-by-point Lefortian/Merleau-Pontyan description of the political as the distribution/disruption/redistribution of the partition of the perceptible to Rancière's earlier distinction between *ochlos* (what in Lefort is described as the People-as-One) and *demos* (in Lefort, the identity of the people as indeterminate); and from the identification of equality as the principle that puts into question all naturalized forms of domination to the contingency of all political orders. To illustrate Rancière's foundational relationship to Lefort's thought, let me give a couple of concluding examples. First, in *On the Shores of Politics*, Rancière says the following: "[If] the *ochlos* from the outset is not the disordered sum of appetites but the passion of the excluding One the frightening rallying of frightened men [the] *demos* might well be nothing but the movement whereby the multitude tears itself away from the weighty destiny which seeks to drag it into the corporeal form of the *ochlos*, into the safety of incorporation into the image of the whole."[23] To which Rancière adds in a footnote, underlining the shared ground of their analysis, that "the problems of imaginary incorporation and democratic division are central to Claude Lefort's work." Second, in *The Hatred of Democracy*, Rancière returns to Lefort and once again identifies a crucial node of intersection between their conceptions: that of the defense of the political character of the declarations of human rights and the practice of the movements that exploit their paradoxes[24] against the metapolitical denunciation of appearances and their self-proclaimed unearthing of the truth of their lie.[25]

The question of democracy—in America

As I have insisted in this book, the aesthetic regime of politics—of which Lefort and Rancière are the most faithful contemporary representatives—implies always a neither/nor rejection of both rationalist and decisionist

understandings, or rather erasure, of the political. And neither Lefort nor Rancière could be regarded as ideologues or as normative political theorists, interested in prescribing fixed formulas, moral standards, procedural principles, or necessary historical goals as central features of their democratic theorizing. Surprisingly, however, it was Lefort's broadly influential essay "The Question of Democracy"[26] that came closer than anything written before or since to what could be described as political phenomenology's democratic manifesto. In this 1983 text, Lefort methodically moved from one dimension of a democratic theory's program to the next one, concluding the text with an enigmatic and generous remark in which he signals the direction from where his thought was coming and the *sense* toward where it was to continue to move. Asking whether modern philosophy's attempt "to break with the illusions of both theology and eighteenth- and nineteenth-century rationalism does not carry with it, in turn, quasi-religious faith, a nostalgia for the image of a society which is at one with itself and which has mastered its history," he answered: "It appears to me that the question is worth asking, and that we might be able to shed some light on it by following the evolution of the thought of Merleau-Ponty. A similar necessity led him to move from the idea of the body to the idea of the flesh and dispelled the attractions of the Communist model by allowing him to discover the indeterminacy of history and of the being of the social."[27] The essay, as I suggested, reads as a manifesto, the concluding lines unambiguously pointing in the direction of a fundamental affinity between a form of theorizing and a form of acting, between a style of thought and a style of being, between a philosophy that embraces indeterminacy—phenomenology—and a form of society that makes room for its institutionalization—democracy.

Starting with a defense of political philosophy against major philosophical and social sciences' currents of the time, "The Question of Democracy" criticizes those currents' almost perceptual inability to recognize the advent of a novel political form—totalitarianism—and thus to react to the event with a vocation toward investigating its origins and ramifications, toward questioning its meaning, toward interrogating its foundations and potential unfolding. On the one hand, it is philosophers—Heideggerians, Lacanians, post-structuralists—who seem unable to transpose the ontological subtleties of their theorizing to the reflection on the emergence of a radical form of oppression yet unknown. On the other hand, it is social and political scientists whose empiricism turns their very understanding of their object of knowledge—politics—hopelessly oblivious to the social space, the form of society—the political—that gave their object existence in the first place. After having briefly summarized the central features of the totalitarian form of society—features imperceptible from the perspectives just criticized—he finally states: "When seen against the background of totalitarianism, [democracy] acquires a new depth and cannot be reduced to a system of institutions. In its turn, democracy too is seen as a form of society; and our task is to understand what constitutes its uniqueness, and what is it about it that leads to its overthrow and to the advent of totalitarianism."[28] To which he then added:

> Anyone who undertakes such a project can learn a great deal from Tocqueville. The thing that marks him out from his contemporaries is in fact his realization that democracy is a form of society, and he arrives at that conclusion because, in his view, democracy stands out against a background: the society from which it emerges and which he calls aristocratic society. [Tocqueville] helps us to decipher the experience of modern democracy by encouraging us to look back at what came before it and, at the same time, to look ahead to what is emerging, or may emerge, in its wake.[29]

In this concluding section, I want to claim that it is this encouragement that is in an urgent need of a revival. The last observation is the crucial one: What is it that is emerging in democracy's wake? Is there in germ a new form of society, its features slowly rendered perceptible against the background of the one theorized and interpreted by Tocqueville and Lefort? In particular, is today's America—with its war on terror and its antigovernment radicalism, with its plutocratic political system and its anti-immigrant xenophobia—slowly drawing the contours of a political form no longer compatible with Lefort's affinity between a style of thought and a style of being, between a philosophy that embraces indeterminacy and a regime that makes room for its institutionalization?[30] As Lefort famously proposed in "The Question of Democracy," in such a regime "the exercise of power is subject to procedures of periodical redistributions. It represents the outcome of a controlled contest with permanent rules. The phenomenon implies an institutionalization of conflict. The locus of power is an empty place, it cannot be occupied—it is such that no individual and no group can be consubstantial with it."[31] All that leading to Lefort's famous definition: "democracy is instituted and sustained by the *dissolution of the markers of certainty*."[32] The question is: Does today's hegemonic regime in America still embrace—or is rather reacting against—this dissolution of the markers of certainty? Can we still unambiguously claim that, in America, no social group is consubstantial with power? Does today's American society still welcome the institutionalization of conflict or is it,

rather, reacting against an understanding of power that demands its periodical redistribution and relegitimization by open, democratic political struggle?

As I have already observed earlier in this work, Lefort used to attribute to Tocqueville having mastered the art of the game of contrasts as a way of investigating the multiple dimensions involved in what he called the democratic revolution. In Tocqueville, the game of contrasts was played across both spatial and temporal chiasms. On the one hand, he never stopped putting America and Europe side by side or, more specifically, America and France. On the other hand, however, he structured his entire historical analysis of the advent of modern democracy using the temporal transformations occurred, in the *longue durée*, particularly during French absolutism, and, in the more recent past, as a consequence of the revolution in France. Lefort, for his part, applied this method to his own analysis of the symbolic mutation that led, first, to the advent of modern democracy out of the theologico-political, premodern regime; and, second, to the appearance of a second novel form of society, totalitarianism, this time as a reaction against the democratic dissolution of the markers of certainty. What I will thus do now is to extend this game of contrasts to the interrogation of contemporary America. This outline cannot fully replicate Lefort's putting of figure against background between forms of society, since what I will attempt is precisely to consider the possibility that a new political configuration might be slowly rendering itself perceptible—therefore I do not claim, nor do I think it is possible to claim, that an entirely new political form could be found in the United States today. The questions that guide these final reflections thus are the following: How does the American regime fare when viewed through Lefort and Rancière's aesthetic understandings of democracy? What is the new form, the contrast being generated between the inscriptions of equality in America's documents and monuments, as the latter would put it, and the actual functioning of the current regime? In this vision of *je ne sais quoi*—to paraphrase Merleau-Ponty in his description of the experience of identifying a figure, a form, that one nonetheless cannot yet say what is—what kind of generative principle can we identify in the central features of current America?

Rancière calls postdemocracy the regime in which the possibility for a dissensual emergence of the demos gets disabled. "The term" he says, "will simply be used to denote the paradox that, in the name of democracy, emphasizes the consensual practice of effacing the forms of democratic action. Postdemocracy is the government practice and conceptual legitimization of a democracy *after* the demos and is therefore reducible to the sole interplay of state mechanisms

and combinations of social energies and interests."[33] But the concept of postdemocracy seemed useful at the time of *Disagreement*. More recently, however, America, acquired, for Rancière, a new, more precise name: "evangelist plutocracy."[34] Let me thus conclude this investigation with the enumeration and brief interpretation of the four regions of the current dominant regime in America that show the most conflicting features vis-à-vis Lefort and Rancière's democratic theories.

Avoiding dissensus in consensual times

"For politics," says Rancière, "the fact that the people are internally divided is not, actually, a scandal to be deplored. It is the primary condition for the exercise of politics. There is politics from the moment there exists the sphere of appearance of a subject, the people, whose particular attribute is to be different from itself, internally divided."[35] For Lefort, a form of society should be regarded as "a certain way of shaping human existence,"[36] and the crucial dimension of this experience in democracy is the experience of division. It was this central experience of division that, as Lefort himself told us,[37] first attracted him to Machiavelli—an author that Rancière hardly mentions but with whom he shares more than one intuition. In Lefort's reading of the Italian, all societies are structured around a central division between those who want to oppress and those who do not want to be oppressed, between those who want to possess and those who want to be free, between those who want to have and those who just want to be. But the second aspect of Machiavelli's thought that fascinated Lefort is even more important here. For Lefort, all that Machiavelli says of the forms of political action showed to be fascinating because he was one of the few thinkers whose reflection was exercised from the same two poles privileged by Lefort and Rancière: the nature of the city—the distinction of forms of society—and the agency of aesthetico-political actors in a context of irreducible conflict and division.

Division and dissent are thus constitutive of the aesthetico-political regime.[38] What can we say of this in America today? This is the paradox both major American political parties present to us. On the one hand, there is no doubt that a long-term victory of the core views of the Republican Party would deepen the already generalized dismantling of the democratic dimensions of the regime—the consolidation of a state of national security, the either hijacking or sheer disregarding of international institutions, the expansion of the plutocratic

ideology of the minimal state, and so on. On the other hand, the unwillingness shown by the Democratic Party to stage conflict and struggle further weakens the vitality of the regime. For Lefort, "modern democracy invites us to replace the notion of a regime governed by laws, of a legitimate power, by the notion of a regime founded upon *the legitimacy of a debate as to what is legitimate and what is illegitimate*—a debate that is necessarily without any guarantor and without any end."[39] And this debate is precisely the one the Democratic Party has proven unwilling or unable to stage. To put it in a way that may sound way too modest in view of the current state of affairs, we could say, with Lefort, that "when parties and Parliament no longer assume their responsibilities [in staging dissent and division,] it is to be feared that, in the absence of a . form of representation capable of responding to society's expectations, the democratic regime may lose its credibility."[40] The two parties that dominate American politics force us to wonder: What is this party, the Republican Party, that while in power, threatens the state from within? What is this party, the Democratic Party, that while in power cannot defend the principles of the democracy it claims to express?

In contemporary America, many whose visions are close to those represented by the Democratic Party are mesmerized by the fact that most in the Tea Party movement, and the Republican Party at large, seem completely delusional, asserting facts that are not so and assuming ideological positions that distort reality almost as a matter of sport. The problem is not, however, one of simple dichotomies between reason and unreason, and of truth and fiction, the problem resides in the dynamic that is staging a conflict of regimes in the heart of American society: a conflict between the theological and epistemological regimes on the one hand, and the aesthetic regime of politics on the other. As we have already discussed in the first chapter, Merleau-Ponty helped us understand something like this dynamic in the epilogue to his *Adventures of the Dialectic*. At two different moments in that text he uses two phrases in an almost indistinguishable way. At one point, he says, in condemning the Soviet dictatorship, that a different regime is needed, one that makes room for opposition and *freedom*. Later on, almost as if he were saying the same thing—and he was, in the context of his philosophy—he calls for a regime that welcomes opposition and *truth*. For Merleau-Ponty, truth is *opening*, or hyper-reflection and hyperdialectics, which means, as we saw, opening to both other perspectives and the unfolding of time. Again, hyper-reflection means that even reason needs to understand that it has its own blind spots. Therefore, it needs to be opened

to contestation. And, as we have seen, hyperdialectics means that whatever is the case today may not be the case tomorrow. Therefore, present circumstances should never be expected to remain unchallenged. In this context, the problem with Republican illusions, and lies that are mostly self-delusions, is not simply that they are wrong and untrue. The problem is that they find no opposition, that Democrats are afraid of confronting them openly and on principle, with positions that would have the potential of revealing other, alternative sides of the phenomena at stake. Republican illusions and self-delusions almost never have to face the clear opposition of those who would render visible, to them and to everybody else, the blind spots of their perspectives. This lack of opposition, thus of truth in Merleau-Ponty's sense, allows Republican theological and epistemological positions to become true-because-unopposed in the context of a de-aestheticized horizon for the configuration of collective life.

Rancière tells us that the "speech that causes politics to exist is the same that gauges the very gap between speech and the account of it. And the *aisthêsis* that shows itself in this speech is the very quarrel over the constitution of the *aisthêsis*, over the partition of the perceptible through which bodies find themselves in community. This division/partition should be understood here in the double sense of the term: as community and as separation."[41] As we have discussed earlier, there are two things Rancière recurrently insists upon that I consider to be neither fundamental to his contribution to the understanding of the aesthetic regime of politics nor even consistent with some of the implications of his work: on the one hand, the strict separation between politics and police, the former being the disruption of the latter, which in its turn is the distribution of the perceptible in functions, roles, visibilities, and invisibilities; and on the other hand, the rejection of any proper inscription of the former in the latter—that is, the denial of any kind of *instituting* capabilities of the politics that disrupts. The problem with these claims is multidimensional. One of its central characteristics resides in the rigidity implied in the politics/police distinction—although, as we saw, Rancière himself often states that the police and politics are always in relation to each other. This is relevant here again in that even if we were right in showing that politics in his sense of the word is indeed the instituting dimension of the institution of the political—of which police would be the instituted one—the fact remains that equality is sadly not the only instituting presupposition involved in political life. As he puts it elsewhere, there "is the passion for equality and the passion for inequality,"[42] which means that there are other, constant instituting dynamics in the police

as well—as we could clearly see with the Tea and Republican parties in today's America, those that go uncontested as a consequence of the Democratic Party's kitsch unwillingness to stage conflict, to actively participate in the distribution and redistribution of the visible and the invisible.

Plutocracy (evangelist or constitutional:) The reincarnation of power

The reaction to those sociologists, philosophers, and historians that make indistinguishable the political forms of democracy and totalitarianism has been a major concern for both Rancière and Lefort. It is true that Rancière is not a theorist of totalitarianism a la Lefort, but he indeed is as much as the latter a democratic theorist hostile to the conservative insistence on the supposed smooth continuity between these forms of society. The common target of both Lefort and Rancière's reaction to this insistence has often been François Furet, the victim of Lefort's massive critique in his book *Complications* and of Rancière's response to those contemporary critics of the "insatiable" democratic individual—and other victims of this critique have been those who insist on a biopolitical association of the camps with democratic life.[43] On this Lefort says:

> In our day we often heard it said that the only difference between democracy and the totalitarian system is the degree of oppression. *This is a palpable absurdity*. We do of course have good reason to believe that the evolution of democracy has made possible the appearance of a new system of domination whose features were previously inconceivable. But we must at least recognize that the formation of that system implies the ruin of democracy. It does not represent the culmination of the historic adventure inaugurated by democracy; it inverts its meaning. [The] state apparatus itself is dismantled for the benefit of the party apparatus, and the aim of the party is certainly not to ensure the well-being of citizens.[44]

But if today's (post)democratic societies are not totalitarian—and, of course, they are not—what are they?[45] Or, more specifically, what is America today? If "power becomes and remains democratic when it proves to belong to no one,"[46] as Lefort states, could we say that this applies to contemporary America? Does power prove to belong to no one? Does power remain directly associated with those contingently victorious in the political conflict? The case of Barack Obama probably proved two apparently contradictory facts. On the one hand, with his triumphal emergence on the political stage he showed that the American electoral process is still able to make room for unexpected victories, for political actors defying both political machineries and early, significant financial disadvantages. On the other hand, however, his inability or even unwillingness to introduce any significant change during his two consecutive administrations—that is, closing Guantanamo, ending the "war on terror" (drones having become the substitute for the probably abandoned practice of abduction/torture/indefinite detention and/or death,) truly reforming the health-care system, stopping rather than escalating deportations, and so on—indicated that neither decision-making nor legislative processes are closely related to the democratic struggle any longer.

Using Lefort's words again, "Liberal democracy was born from the collectively shared discovery that power does not belong to anyone, that those who exercise it do not incarnate it, that they are only temporary trustees of public authority."[47] Democracy "requires that the site of power remain empty."[48] It is an open question if in today's America the site of power remains empty. Moreover, it is indeed a strong possibility that the site of power has already been considerably reoccupied by the force of wealth in such a way that the lesson of Obama's presidency could very well be that the regime should, in fact, be defined using Rancière's recent formulation—evangelist plutocracy. Just to add a caveat to this assertion, I would rather suggest that both major American parties do not manifest identical conceptions of the way in which parts and roles, identities and functions, procedures and positions should be assigned and distributed. Because of that, I would be inclined to say that although both parties are responsible—albeit for very different reasons—for the consolidation of the plutocratic turn in America, what does indeed change with their alternation in the exercise of political authority is the qualifier we should use to describe the kind of plutocracy at stake—that is, plutocracy, in America, has become either evangelist, when the Republicans are in power, or constitutional, as I would call it, when the milder, kitsch Democrats are in power.

The community of fear (or the fantasy of certain security)

Insecurity, in today's America, has become "a mode of management of collective life."[49] Regarding the major reconfiguration introduced in what he calls America's "community of fear," Rancière says that reducing the spaces of politics,

> effacing the intolerable and indispensable foundation of the political in the "government of anybody and everybody," means opening up another battlefield, it means witnessing the resurgence of a new, radicalized figure of the power of

> birth and kinship. No longer the power of former monarchies and aristocrats, but that of the peoples of God. This power may openly assert itself in the terror practiced by a radical Islam against democracy identified with States of oligarchic law. It may also bolster the oligarchic State at war with this terror in the name of a democracy assimilated, by American evangelists, to the liberty of fathers obeying the commandments of the Bible and armed for the protection of their property.[50]

Certitude regarding personal and collective security is one of the Lefortian markers of certainty that is dissolved in modern societies. If there is something that there can nowhere be taken for granted in modern democracy, it is the certainty that there are no risks and no threats to be confronted in social life. When the basis of power, law, and knowledge get disentangled, as Lefort says of the democratic experience, the Leviathan can no longer offer total protection in exchange of complete obedience. Post-9/11 America clearly reacted against this dimension of the modern dissolution of the markers of certainty. Democracy cannot guarantee total security. When the rule of law strictly limits what political authorities can and cannot do in the name of protecting its citizens from others and from each other, there will always be risks involved in everyday life. After 9/11, however, America got caught in the illusion of the fantasy of certain security and its associated horizon of the People-as-One. In the current and by definition permanent war on terror, there is a convergence of the exercise of power, the claim to knowledge, and the generation of ad hoc law. Regarding the sphere or power, the usual system of checks and balances has accepted the situation of war declared by the president after 9/11 and therefore withdrew to those spheres of social life that are discretionarily left untouched by the executive. This withdrawal of the legislative and judiciary branches from all matters executively determined to be related to the war on terror, generated a void of knowledge and law that has been filled by the security forces and the president as commander-in-chief. I say the president-as-commander-in-chief because the system of checks and balances is indeed a system, therefore relational, in which the executive branch defines its functions and roles in an intermingling of areas of competence with the judiciary and legislative branches. When the interplay of this system gets suspended, the presidency, having no essence of its own, mutates into a significantly different institution—one defined, precisely, by its self-proclaimed, but also openly recognized, status of unbounded by normal law and unchecked in its claim to knowledge on the nature of friends and enemies. I thus say the president-as-commander-in-chief because I choose

to use the expression already in use by American political culture to refer to this phenomenon. If we pay attention for a second to the discourse on the presidency articulated by most in the Republican Party, it is clear that, from their point of view, this institutional mutation should be regarded, and ought to be desired, as permanent. However, if we examine the timidity with which the Democratic Party deals with the problem and the actual way in which Obama exercised his authority, it is also clear that those supposedly more predisposed to oppose this institutional mutation are unable or unwilling to find a position from where to do so.

Both Lefort and Rancière's theoretical approaches are sensitive to the texture of discourse—that tissue, that lighter form of flesh of which the social is made. The central way in which Obama's record on his administration's relationship to the past of lies justifying aggressive warfare, violation of international law, abductions, and torture, was not his decision to stand in the way of any investigation or prosecution—although this was also a tragedy—but his unwillingness to openly and unambiguously condemn and reject that past. This lack of condemnation in terms of principles, this inability to ask for forgiveness—as Arendt would have put it—therefore failed to put a stop to the otherwise irreversible effects of those actions. And this tragic failing continued during his administration, most notably in his early words justifying the escalation of the war in Afghanistan and those used to mark the withdrawal of combat troops from Iraq—in both cases adopting the "American exceptionalist" position of defending a "mission" that was originally defined in terms of preventive warfare and the so-called Bush doctrine. We know that, for Lefort, the very logic of human rights is constitutive of democracy as a form of society—and we also know that "totalitarianism is built on the ruin of the rights of man."[51] How does this notion fare, we must ask though, when we are dealing with the violation of the human rights of those who are not the country's citizens, when we are dealing with the rights of those who have been declared the enemies of the state? One clue on Lefort's position on this regard can come from another interpretive observation he made regarding the question of the violation of human rights: "It is in my view impossible to investigate the meaning of human rights if, at the same time, we ignore the spectacle provided by certain dictatorial regimes that have been established in some of the great countries of the modern world, notably in Latin America."[52] Pointing our attention in this direction, Lefort wanted to show that the move toward obliterating in practice the exercise of rights—since he often pointed out that neither the communist regimes in the East nor the state-terrorist

regimes of the Latin American Southern Cone needed to explicitly denounce the "idea" of rights—goes straight to the heart of the regime. "[Human] rights are one of the generative principles of democracy,"[53] he states. And they are one of its generative principles because they institute an unbreachable gap between the exercise of political authority and a claim to rights that remains effectively beyond its reach. When a society engages in a self-declared global war on terror, unbounded geographically and legally as a matter of principle—and aggravated by the fact that its enemy is not a positive entity but a portable label that could be potentially attached to any global individual or collective actor—this society can no longer claim to have remained unaffected.

A claim hardly ever made, by the way, by those who established the original foundations of the war on terror, as is testified by Dick Cheney's repeated assertion that 9/11 had "changed everything," unambiguously referring to America's novel relationship to the questions of rights and war. This is how Rancière describes the radicality of the Bush/Chenney change:

> "Infinite Justice": this was the initial name given to the Pentagon's offensive against that fuzzy-contoured enemy denoted by the name "terrorism." [Infinite] justice is a justice without limits: a justice that ignores all the categories by which the exercise of justice is traditionally circumscribed. From this point of view, there was no excess of language. The term "infinite justice" says precisely what is at stake: the assertion of a right identical with the omnipotence hitherto reserved for the avenging God. The traditional distinctions, in fact, all wind up being abolished at the same time as the forms of international law are effaced. Of course, this effacing is already the principle of terrorist action, which is equally indifferent to political forms and the norms of law.[54]

However, says Lefort, "[I]n a democracy, the presumption of innocence; the right of the accused to a defense; proceedings to establish facts and the veracity of testimony; and the authority granted the judge as a third party above parties "[55] are defining features. These rights were, of course, openly and aggressively ignored during the Bush years, and this makes us come back to the issue of Obama's decision to stand in the way of any investigation and prosecution of the human rights violations during the Bush administration. On this issue, Lefort, following Solzhenitsyn, once said that the idea of prosecuting those who committed human right violations in the Soviet old regime was motivated not only by moral indignation but also by a political concern—that revision of the immediate past would have had a symbolic function, it "could have brought before the eyes of all the break between past and present. Now, what is a democracy," Lefort insisted, "if not a regime in which each person and, in the first place, those who hold authority are duty bound to account for their acts?"[56]

America seems to have indeed moved on from the Bush administration and the original discourse of the war on terror. Sadly, however, the lack of a clear break with the past, together with the perpetuation of the general premises of the war on terror and the Bush doctrine, has made America move on in the worst possible direction, one that has both forgotten and inscribed—that is, that has sedimented in the phenomenological sense—the legacy of the war on terror.

Purging the part of those without part

"Where the social principle of division, the war between rich and poor, is pronounced dead and buried, we see the rise of the passion for the excluding One. Politics then finds itself facing an even more radical split, born neither of differences in wealth nor of the struggle for office, but rather for a particular passion for unity, a passion fed by the rallying power of hatred."[57] This passion for the excluding One, this passion for unity, for an undivided and secure People-as-One, imaginarily associated with a supposed fight for freedom, such as it was shown in the amalgamation of anti-immigrant xenophobia and hatred for the democratic state in the Tea Party movement, does indeed offer a perception of *je ne sais quoi* against the American horizon. "Whoever dreams of an abolition of power," says Lefort, "secretly cherishes the reference to the One and the reference to the Same: he imagines a society which would accord spontaneously with itself."[58] Lefort is here critically engaging the revolutionary left. The concept, however, throws light on a phenomenon usually passed unnoticed: that of the fundamentally antidemocratic nature of movements that present themselves as anarchic or libertarian, regardless of their political inscription in the left-right spectrum. In the United States, a society historically much more receptive to the philosophy of the minimal state than other Western nations, right- wing populism usually acquires the shape of an anti-federal government, antitax, and also identitarian (white supremacist) movement obsessed with questions that go way beyond the strictly economic or policy concerns most obviously associated with their philosophical claims. The founding struggle that most explicitly intertwined these identitarian and antigovernment positions was, of course, the Southern fight for "state rights" against the democratic expansion of egalitarian practices, institutions, and social relationships. This expansion of rights was

perceived by the hierarchical South as a slow but persistent dissolution of those markers of certainty that were characteristic of pre-democratic forms of society such as the ones the Confederacy fought to preserve. Without pretending to establish a link of complete continuity between that experience and today's radical right, it is nonetheless undeniable that there is a historical link between that then and this now. And this is one of the reasons why today's "strange" association of identitarian nativism and economic and political antigovernment radicalism should not be such a surprise.

"The totalitarian adventure," says Lefort, attempts "in a way or another, to give power a substantial reality, to bring the principles of Law and Knowledge within its orbit, to deny social division in all its forms, and to give society a *body* once more."[59] In democracy, however, because of its dissolution of the markers of certainty,

> a process of questioning is implicit in social practice, [so] that no one has the answer to the questions that arise, and [the] work of ideology, which is always dedicated to the task of restoring certainty, cannot put an end to this practice. And that in turn leads me to at least identify, if not to explain, the conditions for the formation of totalitarianism. There is always a possibility that the logic of democracy will be disrupted in a society in which the foundations of the political order and the social order vanish, in which that which has been established never bears the seal of full legitimacy and in which the exercise of power depends upon conflict. When individuals are increasingly insecure as a result of an economic crisis or of the ravages of war . . and when, at the same time society appears to be fragmented, then we see the development of the fantasy of the People-as-One, the beginnings of a quest for a substantial identity. .[60]

The "work of ideology," and the party that claims to be its incarnation, always seek to present themselves and their positions as the very emanation of the people's essence and, at the same time, as their agents of depuration.[61] In that way, ideology politics becomes obsessed with the task of purging the nation of parasites and foreigners in order to re-create a healthy social body such as the one mythically associated with a glorious past. In America today, it is "illegal aliens," that part without a part, that supplement of the uncounted—and the only ones who tend to speak in the name of equality and in the name of all—that have become the target of the purging hysteria of the theological and epistemological impulses of antidemocratic Americans. It is in no way an exaggeration to affirm

that the waves of anti-immigrant sentiment are reactions against the democratic dissolution of the markers of certainty in a context in which uncertainty regarding economic stability, combined with uncertainty regarding national security and the global standing of America at large, have created the conditions for these developments. There is no doubt also that any ideology that promises to permanently resolve the enigma of the political, the enigma of the shape of the social is—theologically, epistemologically, or both—antidemocratic.[62] And there is no doubt that the parallel radical hatred for the Other and for the democratic state while fantasizing with its near-elimination, does promise to permanently resolve the enigma of the political by simply extending the supposedly essentially American principle of unregulated economic exchange to the totality of the social tissue, and by associating this extension to the need to purge the social body of its foreign elements.

Recapitulation

In these concluding, interpretive reflections I have attempted to offer some snapshots of a perception, a sort of discursive articulation of a vision of *je ne sais quoi.* I have tried to interrogate the present, wondering if a new experience of the institution of the social is not taking shape in America today. Lefort himself could have added to these snapshots his idea that free-market ideology is no doubt "the generator of practices that, if they had evolved freely, would have been devastating."[63] The truth is that America has been for the past few decades more tempted than ever to experimenting with the articulation of a regime in which the practices generated by radical free-market ideology are allowed to "evolve freely." In the final observation of a lecture delivered in 2000, Lefort insisted on identifying the direction from where a threat to what I have called the aesthetico-political regime could come in our times. In that context, and after once again associating the place of power with the contingent outcome of the electoral struggle; after underlining the need for strong institutionalized conflict staged in the legislative assemblies; after reminding us that when power remains an empty place no conflation of power, law, and knowledge is permissible; after restating that democracy is predicated on the persistence of an indeterminate debate on the legitimate and the illegitimate, the just and the unjust, the truthful and the false—or the outright lie—in short, a debate on domination and freedom;

and, finally, after signaling that democracy is the regime in which the ultimate references of certainty get dissolved; after offering us a fairly complete picture of his democratic theory, he concluded: "In the present it is the planetary expansion of the market, that claims to be self-regulated, that defies democratic power."[64] To which I would simply add that American society, more than any other one today, seems to be experiencing the potentially devastating consequences of such defiance.

Notes

Preface

1 Merleau-Ponty, Maurice. *Adventures of the Dialectic*. Evanston: Northwestern University Press, 1974, p. 207.

2 Rancière, Jacques. "Ten Thesis on Politics?" In *Dissensus. On Politics and Aesthetics*, edited by Rancière, Jacques. London: Continuum, 2010, p. 35.

Introduction

1 "The flesh is not matter . . . it is not a fact or a sum of facts 'material' or 'spiritual.' . . . To designate it, we should need the old term 'element,' in the sense it was used to speak of water, air, earth, and fire, that is, in the sense of a *general thing*, midway between the spatio-temporal individual and the idea, a sort of incarnate principle that brings a style of being wherever there is a fragment of being. The flesh is in this sense an 'element' of Being." Merleau-Ponty, Maurice. *The Visible and the Invisible*. Evanston: Northwestern University Press, 1997, p. 139.

2 For a volume in which several of the essays in the collection address the relationship between Merleau-Ponty and Lefort's thought, see Plot, Martín (ed.). *Claude Lefort: Thinker of the Political*. London: Palgrave Macmillan, 2013.

3 Merleau-Ponty, Maurice. *Phenomenology of Perception*. New York: Routledge, 2002.

4 Here I present a slightly modified version of an example often used by Merleau-Ponty, following Husserl.

5 As I just suggested, in order to understand this mutation and the advent of modern democracy, it is necessary to uncover the implicit dimensions—and explore the political potentialities—of Merleau-Ponty's concept of flesh and its influence on Lefort's understanding of democracy and the political. In praising Tocqueville's intellectual style, for example, Claude Lefort says: "Tocqueville's art of writing seems to me . . . to be placed in the service of an exploration of democracy that is simultaneously an exploration of the 'flesh of the social'. We advance this latter term—which we borrow from Maurice Merleau-Ponty—to designate a differentiated setting [*milieu*] that develops as it is put to the test of its internal division and is sensitive to itself in all its parts. . . . Tocqueville lets himself be guided by the exigency of his investigation. He explores the social fabric [*tissu*]

in its detail, fearing not that he might discover therein contrary properties. I would dare say that he performs 'cuts' in its tissue and seeks in each of its parts the potentialities that lie hidden within—this, while knowing that, in reality, 'everything holds together'. In this sense, Tocqueville's design is not alien to the inspiration behind phenomenology. Tocqueville tries to discover some generative principle of social life, but he does not allow one to believe that one might be able to dissipate the opacity of social life itself. What he sets down is the exigency of an interminable deciphering of the *genesis of meaning*." Lefort, Claude. *Writing. The Political Test*. Durham: Duke University Press, 2000, pp. 48–9. The emphasis is Lefort's.

6 Kantorowicz, Ernst. *The King's Two Bodies: A Study in Medieval Political Theology*. Princeton: Princeton University Press, 1957. For the permanence of the "two bodies" in the modern "people" see Santer, Eric L. *The Royal Remains. The People's Two Bodies and the Endgames of Sovereignty*. Chicago: University of Chicago Press, 2011.

7 Lefort, Claude. *Democracy and Political Theory*. Minneapolis: University of Minnesota Press, 1988, p. 245.

8 The reference to the "gaze of God" as "objectivizing" should be seen along the lines of Merleau-Ponty's criticism of Sartre's philosophy of negativity in *The Visible and the Invisible*. In Sartre, "Being" was presented as the flattened, disincarnated opposite of the radical subject. The two-dimensionality of being was thus split in the radical distinction between a Being that is sheer positivity on the one hand and a nothingness that is sheer negativity on the other. What I want to imply rightaway is that, for Lefort, modern democracy embraces the carnal, two-dimensional being of the social. Dealing with a somewhat similar question, Stefanos Geroulanos describes the theologico-political regime in the following way: "To be forever seen without seeing back is to succumb to a mercy and grace in religious force, to walk in fear and faith of a tremendous power one cannot face. It is to live a paranoid existence of nakedness before a God who is all-seeing, hence omniscient and omnipotent. . . . I will name this condition *theoscopy* . theoscopy involves the establishment of a site of perfect vision in the political, a site endowed with transcendental, theological power, which then turns into the sovereign structuring principle of the theologico-political." Geroulanos, Stefanos. "Theoscopy, Transparency, Omnipotence, and Modernity." In *Political Theologies*, edited by de Vries, Hent and Sullivan, Lawrence E. New York: Fordham University Press, 2006, p. 633.

9 Lefort. *Democracy and Political Theory*, p. 245.

10 Jean-Luc Nancy claims that this split between the theological and the political or, between church and state, is not a product of modernity but the very Western origin of politics tout-court: "The separation of church and state is not one political possibility among others, but a constitutive element of politics as such. . Though the *polis*, the city, has its own religion, celebrates its own rites, and also makes room for other less public or less 'civic [*citoyens*]' forms of worship [*cultes*], it nonetheless presupposes, in its principle, its very being as *polis*, a fundamental rupture with any kind of theocracy, whether direct or indirect . politics encompasses any kind of 'cracy' except theocracy. Reciprocally, theocracy encompasses any kind of societal organization that rests on a religious principle, except for politics—even where the latter seems to call for a religious dimension. The separation of church and state should be considered as the one true birth of politics." Nancy, Jean-Luc. "Church, State, Resistance." In *Political Theologies*, edited by de Vries, Hent and Sullivan, Lawrence E. New York: Fordham University Press, 2006, pp. 102–3.

11 Lefort. *Democracy and Political Theory*, p. 255.

12 Actually, this is a quality Lefort attributes to Tocqueville, but it is obvious that it is in both style and content that Tocqueville could be counted as one of Lefort's great teachers—together, of course, with Machiavelli, Marx, and Merleau-Ponty. See Lefort. *Writing*, p. 37.

13 Lefort. *Democracy and Political Theory*, p. 213.

14 Ibid., p. 236 and subs. "Michelet elevates Buffon, Montesquieu, Voltaire and Rousseau to the status of the founding fathers of the new humanity (he even calls them 'the great doctors of the new Church'). We see here the workings of the transference [of the religious to the political.] 'Until then, unity had been based upon the idea of a religious or political incarnation. A human God, a God-made flesh was required to unite Church and State. Humanity was still weak, and placed its union under the sign, the visible sign, of a man, an individual. From now on, unity will be purer, and will be freed from this material condition.'" Lefort. *Democracy and Political Theory*, p. 241.

15 Ibid., p. 249.

16 Ibid., p. 251.

17 For the idea of totalitarianism as a society without a body see Lefort. "The Image of the Body and Totalitarianism." In *The Political Forms of Modern Society*, edited by Lefort, Claude. Cambridge: The MIT Press, 1986, pp. 292–306.

18 Ibid., p. 284.

19 Ibid., p. 305.

20 The word is Solzhenitsyn's. Solzhenitsyn, Aleksandr. *The Gulag Archipelago*. New York: Harper, 1974.

21 Lefort puts it: "An impossible swallowing up of the body in the head begins to take place." Lefort. *The Political Forms*, p. 304.

22 Lefort. "Permanence of the Theologico-Political?" In *Democracy and Political Theory*.

23 The notion of "generative principles," broadly used by Tocqueville and Lefort, is also used by Rancière: "The scenario depicted by the aesthetic revolution is one

that proposes to transform aesthetics' suspension of the relations of domination into the *generative principle* for a world without domination." See Rancière, Jacques. *Aesthetics and Its Discontents*. London: Polity, 2009, pp. 36–7. My emphasis.

24 In order to illustrate what I have in mind, let me quote Rancière, who in *The Politics of Aesthetics*, says the following: "I would say that my approach is a bit similar to Foucault's. It retains the principle from the Kantian transcendental that replaces the dogmatism of truth with the search of conditions of possibility. At the same time, these conditions are not conditions for thought in general, but rather conditions immanent in a particular system of thought, a particular system of expression. I differ from Foucault insofar as his archeology seems to me to follow a schema of historical necessity according to which, beyond a certain chasm, something is no longer thinkable, can no longer be formulated. The visibility of a form of expression as an artistic form depends on a historically constituted *regime* of perception and intelligibility. This does not mean that it becomes invisible with the emergence of a new regime. Statements or forms of expression undoubtedly depend on historically constituted systems of possibilities that determine forms of visibility or criteria of evaluation, but this does not mean that we jump from one system to another in such a way that the possibility of the new system coincides with the impossibility of the former system, in this way, the aesthetic regime of art, for example, is a system of possibilities that is historically constituted but that does not abolish the representative regime, which was previously dominant. At a given point in time, several regimes coexist and intermingle in the works themselves." Rancière, Jacques. *The Politics of Aesthetics*. New York: Continuum, 2006, p. 50. My emphasis.

25 Carl Schmitt also established a certain correlation between the metaphysical discourse of an epoch and its political organization. His position, however, is very different to that of the historical relativism of Foucaultian *epistemes*. For Schmitt, in the end, there is only one acceptable metaphysical discourse: Catholicism—and therefore only one acceptable form of political organization—a theologico-political one. See Schmitt, Carl. *Political Theology II. The Myth of the Closure of Any Political Theology*. Malden: Polity Press, 2008.

26 Lefort argues that it is in this way that, for example, the democratic form of society institutes politics itself as a realm *specific* and *un-localizable* at the same time. Proving the shared assumptions in both Lefort and Rancière's positions while talking about what he elsewhere calls the aesthetic regime of art, Rancière says the following: "The aesthetic regime of the arts is the regime that strictly identifies art in the singular and frees it from any specific rule, from any hierarchy of the arts, subject matter, and genres. Yet it does so by destroying the mimetic barrier that distinguished ways of doing and making affiliated with art from other ways of doing and making, a barrier that separated its rules from the order of social occupations. The aesthetic regime asserts the absolute singularity of art and, at the same time, destroys any pragmatic criterion for isolating this singularity. It simultaneously establishes the autonomy of art and the identity of its forms with the forms that life uses to shape itself." Rancière, Jacques. *The Politics of Aesthetics*, p. 23.

27 Merleau-Ponty's words for understanding a successful expression. See Merleau-Ponty, Maurice. "Indirect Language and the Voices of Silence." In *Signs*, edited by Merleau-Ponty, Maurice. Evanston: Northwestern University Press, 1998.

28 Laclau, Ernesto and Mouffe, Chantal. *Hegemony and Socialist Strategy*. London: Verso, 2001.

29 Rancière. *The Politics of Aesthetics*, p. 24. Or, as he puts it in *The Future of the Image*: "[What] some call modernity . . in order to avoid the teleologies inherent in temporal markers, I prefer to call the aesthetic regime of art." Rancière, Jacques. *The Future of the Image*. London: Verso, 2007, p. 38.

30 Rancière. *The Politics of Aesthetics*, pp. 13–14. Gabriel Rockhill, in his introduction to the volume, also uses the notion of the "aesthetico-political," defining the distribution of the sensible as a "system of divisions and boundaries that define, among other things, what is visible and audible within a particular aesthetico-political regime." Ibid., p. 1.

31 Rancière. *Aesthetics and Its Discontents* and *The Politics of Aesthetics*.

32 Lefort. *The Political Forms*, pp. 307–19.

33 Schmitt. *Political Theology II*, p. 91.

34 Arendt, Hannah. *The Life of the Mind*. New York: Harcourt Brace, 1978, pp. 23–30.

35 Schmitt, Carl. *Dictatorship*. Cambridge: Polity, 2014. See also Arato, Andrew. "Conceptual History of Dictatorship (And Its Rivals.)" In *Critical Theory and Democracy*, edited by Peruzzotti, Enrique and Plot, Martín. New York: Routledge, 2013, pp. 208–80.

36 Rancière, Jacques. *Disagreement: Politics and Philosophy*. Minneapolis: The University of Minnesota Press, 1999, p. 34.

37 This is how Rancière puts it: what ". . the empty freedom of the Athenians presents philosophy with is the effect of another kind of equality, one that suspends simple arithmetic without setting up any kind of geometry. This equality is simply the equality of anyone at all with anyone else: in other words, in the final analysis, the absence or *arkhê*, the sheer contingency of any social order." Rancière. *Disagreement*, p. 15.

38 This is the central articulation between the Rancièrian contribution to democratic theory and the Lefortian reconstruction of the Tocquevillian narrative of the all disrupting advent of modernity. In the words of Rancière: "As is well known,

aesthetics was born at the time of the French Revolution, and it was bound up with equality from the very beginning. On the one hand, aesthetics meant the collapse of the system of constrains and hierarchies that constituted the representational regime of art. [It] meant that kind of equality that went along with the beheading of the King of France and the sovereignty of the people. On the other hand, aesthetics meant that works of art were grasped, as such, in a specific sphere of experience where—in Kantian terms—they were free from the forms of sensory connection proper either to the objects of knowledge or to the objects of desire." Rancière, Jacques. "Contemporary Art and the Politics of Aesthetics." In *Communities of Sense. Rethinking Aesthetics and Politics*, edited by Hinderliter, Beth and Others. Durham: Duke University Press, 2009, pp. 36–7.

39 Koselleck, Reinhart. *Critique and Crisis. Enlightenment and the Pathogenesis of Modern Society*. Cambridge: The MIT Press, 1988, and Schmitt, Carl. *Crisis in Parliamentary Democracy*. Cambridge: The MIT Press, 1988.

40 Schmitt, Carl. *Political Theology*. Chicago: The University of Chicago Press, 2006.

41 Ibid., p. 35.

42 This same exasperation shows in his early work on political Romanticism. In a work that also defends an aesthetic understanding of politics—although associating the aesthetic to the question of representation, something that is not at the center of my concerns—F. R. Ankersmit offers an excellent summary of Schmitt anti-aesthetic position: "What Schmitt found utterly objectionable in both Romanticism and democracy was the fact that both seem to have strikingly little respect for [the] Cartesian indubitable certainties, for definite and calculable results, nor for axiomatic starting points or clearly defined aims. It is with utter distaste for Romanticism's vagueness that Schmitt quotes Novalis: 'Everything is the beginning of a never-ending novel.' Contrary to the consistent rationalism of Hobbes' political theory, which was founded on clear and well-defined fixed principles, the Romantic rejected any political foundation for politics." Ankersmit, F. R. *Aesthetic Politics. Political Philosophy Beyond Fact and Value*. Stanford: Stanford University Press, 1996, p. 128. For a different perspective on the relationship between Romanticism and aesthetics see Kaiser, David Aram. *Romanticism, Aesthetics, and Nationalism*. Cambridge: Cambridge University Press, 1999. See also Schmitt, Carl. *Political Romanticism*. Cambridge: The MIT Press, 2001.

43 In *Roman Catholicism and Political Form*, Schmitt presents the modern state as having distanced itself—aesthetico-politically, I would say—from his model of theologico-political authority. This view brings him closer to the position I am outlining here, only that in a pessimistic, melancholy way. See Schmitt, Carl. *Roman Catholicism and Political Form*. Westport: Praeger, 1996.

44 Arato, Andrew. *Civil Society, Constitution, and Legitimacy*. Lanham: Rowman & Littlefield, 2000; Arato, Andrew. *Constitution Making Under Occupation*. New York: Columbia University Press, 2009; and Arato "Conceptual History of Dictatorship."

45 See Merleau-Ponty, Maurice. *Institution and Passivity*. Evanston: Northwestern University Press, 2010.

46 Arato, Andrew. "Dictatorship Before and After Totalitarianism." In *Social Research*, vol. 69, no. 2 (2002), pp. 473–503.

47 Arendt, Hannah. "Ideology and Terror." In *The Origins of Totalitarianism*. Cleveland: Meridian, 1963.

48 Lefort. *The Political Forms*.

49 Merleau-Ponty, Maurice. *Adventures of the Dialectic*, pp. 95–201.

50 Lefort. *Writing. The Political Test*, p. 48.

51 In the "Working Notes," Merleau-Ponty puts it this way: "In fact I do not entirely succeed in touching myself touching, in seeing myself seeing, the experience I have of myself perceiving does not go beyond a sort of imminence, it terminates in the invisible, simply this invisible is its invisible . " Merleau-Ponty. *The Visible and the Invisible*, p. 249. On the other hand, there still is "immersion of the being-touched in the touching being and of the touching being in the being-touched." Ibid., p. 260.

52 Flynn explains Merleau-Ponty's concept of the chiasm in this way: "The seeing body is not simply a piece of the perceived world, as in materialism; nor does it dominate the visible as the subject for-whom it exists, as in idealism. There is rather an intertwining—a chiasm—of the vision and the visible. . . Vision and visibility, coupled as such, are reciprocally implicated." Flynn, Bernard. *Political Philosophy at the Closure of Metaphysics*. Amherst: Humanity Books, 1992, p. 149.

53 Merleau-Ponty. *The Visible and the Invisible*, p. 249.

54 Schmitt. *Political Theology II*, p. 65. Even more striking is the way in which Schmitt concludes the idea: "That means: it is located and opens up a space; and space here means impermeability, visibility and the public sphere."

55 Merleau-Ponty. *The Visible and the Invisible*, p. 9.

Chapter 1

1 Merleau-Ponty, *Adventures of the Dialectic*, p. 207.

2 In a wonderful summary of Tocqueville's aesthetico-political, phenomenological sensibility, Sheldon Wolin says: "By 'following' the author's journey, the reader is enticed into repeating the author's experience of difference, which works to

unsettle familiar conceptions of time and space by picturing a better form of life in which truth is enclosed by a different organization of social space, a different distribution of human energies, and a different ordering of time." Wolin, Sheldon S. *Tocqueville Between Two Worlds. The Making of a Political and Theoretical Life.* Princeton: Princeton University Press, 2001, p. 38.

3 Ulrich Preuss refers to this process in these terms: "The idea that the law was founded on the self-interest and the will of rational individuals was first developed and proven in the social contract theories of Hobbes, Locke, and Rousseau. These theorists reacted—admittedly, in extremely different ways—to the problem of finding a collective basis in a world which had lost its common religious fundaments and the economic basis of feudal communal life. The European world of the seventeenth century had fallen apart. The universalism of the catholic world had been replaced by a plurality of subjective worldviews championed by individuals, groups, sects, and new social entities. How could one conceive of a collective basis for society, one that would be able to prevent outbreaks of civil war, without imposing a common social and cultural form of life that had lost its cohesive force?" Preuss, Ulrich. "Communicative Power and the Concept of Law." In *Habermas on Law and Democracy: Critical Exchanges*, edited by Michel Rosenfeld and Arato, Andrew. Berkeley: University of California Press, 1998.

4 Lefort's words. And it was of course his merit to identify in Tocqueville's thought a way of exploring the nature of democracy that revealed several dimensions of the aesthetic regime of politics. "His investigations are important to us in several respects. He posits the idea that a great historical mutation is taking place, even though its premises had long been established, and he puts forward the idea of an irreversible dynamic. Although he attempts to locate the fundamental principle of democracy in a social state—equality of condition—he explores change in every direction, takes an interest in social bonds and political institutions, in the individual, in the mechanisms of public opinion, in forms of sensibility and forms of knowledge, in religion, law, language, literature, history, etc. His explorations lead him to detect the ambiguities of the *democratic revolution* in every domain, to make, as it were, an exploratory incision into the *flesh* of the social." Lefort. *Democracy and Political Theory*, p. 14. Lefort's emphasis.

5 Schmitt. *Political Theology*, p. 10.

6 See, for example, Hoelzl, Michael and Ward, Graham. "Editors' Introduction." In *Political Theology II*, p. 13.

7 See, in particular, Schmitt, Carl. *The Leviathan in the State Theory of Thomas Hobbes*. Chicago: The University of Chicago Press, 2008.

8 Schmitt. *Political Theology*, p. 17.

9 See Schmitt, Carl. *Crisis in Parliamentary Democracy*.

10 Schmitt. *Political Theology II*, p. 72.

11 Schmitt. *Political Theology*, p. 48.

12 Here are these outstanding lines in full: "For seeing life is but a motion of Limbs, the begining whereof is in some principall part within; why may we not say, that all *Automata* (Engines that move themselves by springs and wheels as doth a watch) have an artificiall life? For what is the *Heart*, but a *Spring*; and the *Nerves*, but so many *Strings*; and the *Joynts*, but so many *Wheeles*, giving motion to the whole Body, such as was intended by the Artificer? *Art* goes yet further, imitating that Rationall and most excellent worke of Nature, *Man*. For by Art is created that great LEVIATHAN called a COMMON-WEALTH, or STATE (in latine Civitas) which is but an Artificiall Man; though of greater stature and strength than the Naturall, for whose protection and defense it was intended; and in which, the *Soveraignty* is an Artificiall *Soul*, as giving life and motion to the whole body; The *Magistrates*, and the *Officers* of Judicature and Execution, artificial *Joynts*; *Reward* and *Punishment* (by which fastned to the seate of the Soveraignty, every joynt and member is moved to perform his duty) are the *Nerves*, that do the same in the Body Naturall; The *Wealth* and *Riches* of all the particular members, are the *Strength*; *Salus Populi* (the *peoples safety*) its *Businesse*; *Counsellors*, by whom all things needful for it to know, are suggested unto it, are the *Memory*; *Equity* and *Lawes*, an artificiall *Reason* and *Will*; *Concord*, *Health*; *Sedition*, *Sickness*; and *Civill war*, *Death*. Lastly, the *Pacts* and *Covenants*, by which the parts of this Body Politique were at first made, set together, and united, resemble that *Fiat*, or *Let us make man*, pronounced by God in the Creation." Hobbes, Thomas. *Leviathan*. New York: Norton, 1997, p. 9. All the quotes in the following analysis are from here.

13 Ibid., p. 93.

14 "The only way to erect . a Common Power, as may be able to defend them from the invasion of Forraigners, and the injuries of one another . . is, to conferre all their power and strength upon one Man, or upon one Assembly of men, that may reduce all their Wills, by plurality of voices, unto one Will . as if every man should say to every man, *I Authorise and give up my Right of Governing my selfe, to this Man, or to this Assembly of men, on this condition, that thou give up the Right to him, and Authorise all his Actions in like manner.* This done, the Multitude so united in one Person, is called a Common-Wealth, in latine Civitas. This is the Generation of that great Leviathan, or rather (to speak more reverently) of that *Mortall God*, to which wee owe under the *Immortall God*, our peace and defence." Ibid., p. 95.

15 Ibid., pp. 59–60.

16 Merelau-Ponty's first incorporation of the Gestalt theory could be traced back to his early *The Structure of Behavior*. See Merleau-Ponty, Maurice. *The Structure of Behavior*. Boston: The Beacon Press, 1967.

17 Tocqueville, Alexis de. *Democracy in America.* Volume I. New York: Vintage Books, 1990, p. 323.
18 Ibid., p. 325.
19 Ibid., p. 54.
20 Ibid., p. 58.
21 Schmitt. *Political Theology*, p. 49.
22 Tocqueville. *Democracy in America.* Volume I, p. 175.
23 "[The] choice of the President, though of small importance to each individual citizen, concerns the citizens collectively; and however trifling an interest may be, it assumes a great degree of importance as soon as it becomes general. [For this reason] parties are strongly interested in winning the election, not so much with a view to the triumph of their principles under the auspices of the President elect as to show by his election that the supporters of those principles now form the majority. For a long while before the appointed time has come, the election becomes the important and, so to speak, the all-engrossing topic of discussion. Factional ardor is redoubled, and all the artificial passions which the imagination can create in a happy and peaceful land are agitated and brought to light. . . As the election draws near . . the citizens are divided into hostile camps, each of which assumes the name of its favorite candidate; the whole nation glows with feverish excitement; the election is the daily theme of the press, the subject of private conversation, the end of every thought and every action, the sole interest of the present. It is true that as soon as the choice is determined, this ardor is dispelled, calm returns, and the river, which had nearly broken its banks, sinks to its usual level; but who can refrain from astonishment that such a storm should have arisen?" Ibid., pp. 135–6.
24 In brief, the complexity of Tocqueville's approach could be condensed in a phrase, here quoted and commented by Lefort, in which he describes how it is "'by the enjoyment of a dangerous freedom that the Americans learn the art of rendering the dangers of freedom less formidable.' One could not hope for a better description of the unique character of the democratic adventure. Tocqueville rejects the hypothesis that this adventure can be mastered thanks to the emergence of a power which, because it represents the will of all, can subordinate the rights of each individual to its idea of the public good. . Nor does he base his judgment on the principle of the natural self-regulation of interests. The fiction that harmony can arise out of a combination of individual passions is quite alien to him." Lefort. *Democracy and Political Theory*, p. 169.
25 Ibid., p. 176.
26 Lefort, Claude. "Editor's Foreword." In *The Visible and the Invisible*, p. xxii.
27 Merleau-Ponty. *The Visible and the Invisible*, p. 139.

28 Ibid., p. 84.
29 Merleau-Ponty. *Signs*, p. 17. In the concluding chapter of his subtle book on the sense of touch, Daniel Heller-Roazen fully engages Merleau-Ponty's work and says: "Our being is the common element to which both perception and intellection ultimately lead. Element, but not object: for neither the faculty of sensation nor that of thought could grasp the fact 'that we are' (*nos esse*) as one thing among others. That fact is untouchable, although, 'not something transcendent,' it continues to be grazed by those who touch within the terrain of 'sensation or thought' that it enables." Heller-Roazen. *The Inner Touch. Archaeology of a Sensation.* Brooklyn: Zone books, 2009, p. 299.
30 For a discussion of intercorporality and intersubjectivity see Maclaren, Kym. "Intercorporeality and Intersubjectivity and the Problem of 'Letting Others Be.'" In *Merleau-Ponty. Figures et fonds de la chair*, edited by Chiasmi International 4. Memphis: University of Memphis, 2002.
31 Merleau-Ponty, Maurice. *The Merleau-Ponty Reader*, edited by Ted Toadvine, and Lawlor, Leonard. Evanston: Northwestern University Press, 2007, p. 334.
32 In his statement for his candidacy to the Collège de France, Merleau-Ponty presented his research plans for what turned out to be the last decade of his work in the following way: "Communication arouses. The writer's thought does not control his language from without; the writer is himself a kind of new idiom, constructing itself, inventing ways of expression, and diversifying itself according to its own meaning. Great prose is the art of capturing a meaning which until then had never been objectified and of rendering it accessible to everyone who speaks the same language. Hegel said that the Roman state was the prose of the world. I shall entitle my book *Introduction à la prose du monde*. In this work I shall elaborate the category of prose beyond the confines of literature to give it a sociological meaning." Merleau-Ponty, Maurice. *The Primacy of Perception.* Evanston: Northwestern University Press, 2000, pp. 8–9.
33 A centrality that springs from the fact that, as Diana Coole has recently put it, according to Merleau-Ponty, a "democratic style of politics might be progressive as a new ethos of coexistence." Coole, Diana. *Merleau-Ponty and Modern Politics After Anti-Humanism.* Plymouth: Rowman and Littlefield Publishers, 2007, p. 149. This ethos, however, should not be confused with a moralizing politics. On this, Coole, in distinguishing Merleau-Ponty from post-structuralists, says that it was the latter's "ethical turn" that rendered it unable to "come to grips with politics and intersubjectivity, the fleshy interworld which, as Machiavelli and Weber insisted, is a domain distinct from the moral realm. In any case, Merlau-Ponty's focus was not ultimately on epistemology or ethics, but on ontology, and here, it is the choreography of intermundane (co)existence that he tries to describe." Ibid., p. 221.

34 Merleau-Ponty. *The Visible and the Invisible*, p. 23.
35 Ibid., pp. 23–4.
36 Ibid., p. 29.
37 Ibid., p. 31.
38 Merleau-Ponty. *The Visible and the Invisible*, pp. 32–3. Lefort criticizes the same philosophical attitude and its inability to understand modern democracy in this way: "One wonders about the benefits of sophistication when it results in a restoration of rationalism combined with liberal humanism. One also wonders what good can come of a return to a Kantian or post-Kantian ethics – divorced, one might add, from the theory of knowledge with which it was articulated when it becomes a means of avoiding any reflection on the insertion of the subject into the world. . . Attempts to force us to choose between historicism and a philosophy of human nature on the one hand and a traditional philosophy of transcendence on the other appear to signal the presence of a mode of thought which knows nothing of its own workings." Lefort. *Democracy and Political Theory*, pp. 4–5.
39 Merleau-Ponty. *The Visible and the Invisible*, p. 13.
40 Ibid., p. 32.
41 Ibid., p. 38.
42 Ibid., pp. 173 and 185.
43 Merleau-Ponty. *Adventures of the Dialectic*.
44 Ibid., p. 94.
45 Merleau-Ponty. *Signs*, p. 20.
46 Merleau-Ponty. *Adventures of the Dialectic*, p. 207.
47 Merleau-Ponty. *Signs*, p. 118.
48 Merleau-Ponty. *The Visible and the Invisible*, p. 259.
49 In the Foreword to the English edition to Merleau-Ponty's *Course Notes: Husserl at the Limits of Phenomenology*, one of the last courses taught by him before his unexpected death, Leonard Lawlor insists that this vocabulary, originally introduced in *Phenomenology of Perception*, remains central to Merleau-Ponty's understanding of speech and language in his late work: "In the Course Notes, Merleau-Ponty indeed defines speech in terms of the dative, as 'speaking to'. He defines speech in this way because he is trying to understand language that is not 'ready-made' but language 'in the making.' Here, of course, Merleau-Ponty, is utilizing a distinction that he developed in earlier works: the well-known distinction between 'speaking speech' and 'spoken speech.'" Lawlor, Leonard. "*Verflechtung*. The triple significance of Merleau-Ponty's course notes on Husserl's 'the origin of geometry'" In *Maurice Merleau-Ponty: Husserl and the Limits of Phenomenology*, edited by Lawlor, Leonard and Bergo, Bettina. Evanston: Northwestern University Press, 2002, p. xxviii.

50 In his *Themes from the Lectures*, for example, he states: "What we understand by the concept of institution are those events in experience which endow it with durable dimensions, in relation to which a whole series of other experiences will acquire meaning, will form an intelligible series or history—or again, those events which sediment in me a meaning, not just as survivals or residues, but as the invitation to a sequel . . ." Merleau-Ponty, Maurice. *Themes from the lectures at the Collège de France 1952–1960*. Evanston: Northwestern University Press, 1970, pp. 40–1.
51 Lefort. "Preface." In *Institution and Passivity*, pp. x–xi.
52 Low, Douglas. *Merleau-Ponty's Last Vision*. Evanston: Northwestern University Press, 2000, p. 101.
53 Ricoeur, Paul. "Homage to Merleau-Ponty." In *Merleau-Ponty and the Possibilities of Philosophy*, edited by Flynn, Bernard, Froman, Wayne J., and Vallier, Robert. New York: SUNY Press, 2009, p. 19.
54 In tacit agreement with Merleau-Ponty (and Weber,) Rancière says on this: "Distance is not an evil to be abolished, but the normal condition of any communication. Human animals are distant animals who communicate through the forest of signs." Rancière, Jacques. *The Emancipated Spectator*. New York: Verso, 2011, p. 10. And being a spectator is "the capacity of anonymous people, the capacity that makes everyone equal to everyone else. This capacity is exercised through irreducible distances; it is exercised by an unpredictable interplay of associations and dissociations. . . Being a spectator is not some passive condition that we should transform into activity. It is our normal situation." Ibid., p. 17.
55 Dastur, Francoise. "The body of speech." In *Merleau-Ponty and the Possibilities of Philosophy*, edited by Flynn, Froman, and Vallier, p. 263.
56 This phenomenon is suggestively portrayed in Merleau-Ponty's analysis of Stendhal's use of language: "I get closer and closer to him, until in the end I read his words with the very same intention that he gave to them. . . I create Stendhal; I am Stendhal while reading him. But that is because first he knew how to bring me to dwell within him. The reader's sovereignty is only imaginary, since he draws all his force from the infernal machine called the book, the apparatus for making significations. . The expressive moment occurs where the relationship reverses itself, where the book takes possession of the reader." Merleau-Ponty, Maurice. *The Prose of the World*. Evanston: Northwestern University Press, 1973, pp. 12–13.
57 Ibid., p. 14.
58 Ibid., p. 142.
59 Merleau-Ponty. *The Visible and the Invisible*, p. 52.
60 Ibid., p. 65.
61 Ibid., p. 62.

62 See Merleau-Ponty. *Adventures of the Dialectic*. Alternatively, this is of course also the position of Schmitt's that, according to Tracy B. Strong, could be regarded as a "right-wing Leninism, where the Party is replaced by the Volk and the sovereign becomes the Party-in-action. The sovereign is the action of 'us' against 'them'—friends versus enemies. [In Schmitt,] this confrontation, however, must take place at the metaphysical level—that of one faith against another. For this reason the confrontation is one of 'political theology'." Strong, Tracy B. "Foreword" to Schmitt's *Political Theology*, p. xxviii. Further showing the parallelism between Sartre's "ultrabolshevism" and Schmitt's decisionism, Schmitt's himself claims that "the decision emanates from nothingness." Schmitt. *Political Theology*, p. 32.

63 And in his *Adventures of the Dialectic*, Merleau-Ponty directly moves from his critique of the revolutionary paradigm characteristic of Lenin's dialectics—understood as a sort of secularized political theology—to his defense of parliamentary democracy understood as a regime that makes room for plurality, opposition, and freedom. A move that led to an opposition of political models that is confirmed by Schmitt's recognition of the isomorphism of his political theology with the revolutionary claim to "absolute certainty". In the latter's words: " . given the changing friend-enemy constellations throughout history, theology can become a political tool of the revolution as well as of the counter-revolution." Schmitt. *Political Theology II*, p. 42. Capturing today's political debate in the left, and denouncing this same logic, Rancière offers the following sweeping statement: "The philosophico-politico-aesthetic scene thereby becomes that of the conflicts of superpowers: superpower of the multitudes comprising the core of the Empire and the force destined to break it (Negri); of the infinite truth which transits political collectives and artworks (Badiou); of the state of exception determining bare life (Agamben); of the Thing and the Law (Lyotard); of the abyssal liberty experienced in the encounter with the horror of the Thing (Zizek). These forms of superpower-in-competition are all ways of capitalizing on one and the same superpower: the superpower of truth that, once upon a time, was wagered in the notion of the superpower of 'productive forces', which in turn was wagered in Lenin's famous expression: 'Marx's theory is all-powerful because it is true.'" Rancière. *Dissensus*, p. 215.

64 Merleau-Ponty. *The Visible and the Invisible*, p. 82. Emphasis added.

65 For an attempt to introduce Merleau-Ponty's philosophy of language in the context of the Habermas-Gadamer debate, see Gallagher, Shaun. "Language and Imperfect Consensus: Merleau-Ponty's Contribution to the Habermas-Gadamer debate." In *Merleau-Ponty: Hermeneutics and Posmodernism*, edited by Busch, Thomas W. and Gallagher, Shaun. Albany: State University of New York Press, 1992.

66 Merleau-Ponty. *The Visible and the Invisible*, p. 215.

67 Ibid., p. 68.

68 Arendt, Hannah. *The Human Condition*. Chicago: The University of Chicago Press, 1998.

69 Merleau-Ponty. *The Visible and the Invisible*, p. 77.

70 Ibid., p. 90.

71 Ibid., p. 92.

72 Merleau-Ponty, Maurice. *In Praise of Philosophy*. Evanston: Northwestern University Press, 1988, pp. 124–8.

73 Merleau-Ponty. *The Visible and the Invisible*, p. 146.

74 The distinction I make between constitution and institution is parallel to the vocabulary developed by modern democracy itself, in which the word "constitution" has consistently been preserved to the polity's inaugurating document and event, while the word "institution" remains internal to the regular renovation and recreation of the already constituted polity.

75 Ibid., p. 135.

76 "When we speak of the flesh of the visible, we do not mean to do anthropology, to describe a world covered over with all our own projections. . Rather, we mean that carnal being, as a being of depths, of several leaves or several faces, a being in latency . is a prototype of Being, of which our body, the sensible sentient, is a very remarkable variant, but whose constitutive paradox already lies in every visible. [It] is indeed a paradox of Being, not a paradox of man, that we are dealing with here. [We] say therefore that our body is a being of two leaves, from one side a thing among things and otherwise what sees them and touches them; we say, because it is evident, that it unites these two properties within itself, and its double belongingness to the order of the 'object' and to the order of the 'subject' reveals to us quite unexpected relations between the two orders." Ibid., pp. 136–7. In the "Working Notes," he also says that "the problems of knowing what is the subject of the State, of war, etc. are exactly of the same type as the problem of knowing what is the subject of perception." Ibid., p. 196.

77 Ibid., pp. 138–9.

78 Although Merleau-Ponty's essays and interpretations of actual artworks and artists are many, his position as an aesthetic theorist is fundamentally related to the general inspiration put forward in this book—that is, the relationship between a phenomenological form of interrogation and a concern for the perceived and coperceived world. His references to "the beautiful," however, are minimal. For a persuasive assessment of the place for a thought of the beautiful in Merleau-Ponty, see Johnson, Galen A. *The Retrieval of the Beautiful. Thinking Through Merleau-Ponty's Aesthetics*. Evanston: Northwestern University Press, 2010.

79 It is of course impossible to circumscribe Merelau-Ponty's philosophical oeuvre to a single work. For an excellent volume gathering otherwise dispersed interviews, dialogues, and short texts addressing the issue of philosophy as such, including

an interesting debate on the concept of "mind" and the relationship between phenomenology and analytic philosophy with Gilbert Ryle, see Merleau-Ponty, Maurice. *Texts and Dialogues. On Philosophy, Politics, and Culture*. Atlantic Highlands: Humanities Press, 1992.

80 His fascination for Marx as a thinker, however, never disappeared. Even his last lecture course at the Collège de France devoted a significant part to his work. See Merelau-Ponty, Maurce. "Philosophy and non-philosophy since Hegel." In *Philosophy and Non-Philosophy since Merleau-Ponty*, edited by Silverman, Hugh J. Evanston: Northwestern University Press, 1988.

81 His first political notions found their main expression in *Humanism and Terror*. Merleau-Ponty, Maurice. *Humanism and Terror*. New Brunswick: Transactions, 2000. For his explicit rejection of some of the assumptions driving this text, see *Adventures of the Dialectic*, "Epilogue."

82 Merleau-Ponty, *Adventures of the Dialectic* and *Signs*.

83 See, for example, Whiteside, Kerry H. *Merleau-Ponty and the Foundation of an Existential Politics*. Princeton: Princeton University Press, 1988. On the somehow indirect and enigmatic but nonetheless widespread influence on other Continental philosophers such as Derrida and Foucault, Allan Megill, for example, says the following: "One suspects that Derrida was in some measure 'influenced' by Merleau-Ponty, though the evidence for any such influence is slight (Foucault's work of the 1960's, especially *The Order of Things*, also shows some intriguing parallels with Merleau-Ponty)." Megill, Allan. *Prophets of Extremity. Nietzche, Heidegger, Foucault, Derrida*. Berkeley: University of California Press, 1985, p. 279.

84 See "The Question of Democracy" in Lefort. *Democracy and Political Theory* and his prefaces to *The Prose of the World* and *The Visible and the Invisible*. See also Lefort, Claude. "Thinking Politics." In *The Cambridge Companion to Merleau-Ponty*, edited by Taylor, Carman and Hansen, Mark B. N. Cambridge: Cambridge University Press, 2005.

85 And although I am in agreement with Diana Coole when she says that Merleau-Ponty did not "advocate any universally desirable set of institutional arrangements or political principles," I want to nonetheless suggest that in the works I am about to discuss, political action and parliamentary democracy did become the center of the dynamic of self-institution characteristic of the flesh of the social—the "auto-schematizing", as Merleau-Ponty also puts it, central to the institution of society. See Coole. *Merleau-Ponty and Modern Politics*, p. 14.

86 Merleau-Ponty. *Signs*, pp. 211–23. As Coole puts it, despite his "recognition of radical contingency, accidents, and violence in history, Merleau-Ponty does not then emphasize singularity and the aleatory to the same degree as Foucault (or Deleuze) and his project is not only deconstructive. He inclines rather to the Machiavellian formula whereby *fortuna* governs half our lives and remains susceptible to interpretive and practical virtuosity." Coole. *Merleau-Ponty and Modern Politics*, 2007, p. 116.

87 Merleau-Ponty. *Signs*, pp. 216–18. Merleau-Ponty's emphasis. Translation modified.

88 In his *Merleau-Ponty Vivant*, Jean Paul Sartre, referring to Merleau-Ponty's essay *Eye and Mind*, says that it "says it all, provided one can decipher it." I make the same claim for this fragment of "A Note on Machiavelli" regarding Merleau-Ponty's political thought. See Sartre, Jean-Paul. "Merleau-Ponty Vivant." In *The debate between Sartre and Merleau-Ponty*, edited by Steward, Jon. Evanston: Northwestern University Press, 1998, pp. 565–626.

89 Along similar lines, Rancière says that politics "bears on what there is, . . lays claim to one present against another and affirms that the visible, thinkable and possible can be described in many ways." Rancière, Jacques. *Chronicles of Consensual Times*. London: Continuum, 2010, p. x. Or: "[Dissensus] means that every situation can be cracked open from the inside, reconfigured in a different regime of perception and signification. To reconfigure the landscape of what can be seen and what can be thought is to alter the field of the possible and the distribution of capacities and incapacities." Rancière. *The Emancipated Spectator*, 2011, p. 49.

90 Merleau-Ponty. *Signs*, p. 212.

91 Ibid., p. 214.

92 Ibid., p. 39.

93 It is on this point that Merleau-Ponty criticizes even Lefort, who in those years went further than Trotsky in his belief in the ineluctability of the proletarian's fate. To Merleau-Ponty, Lefort became Trotsky's Trotsky—Lefort himself would later recognize his inability to relinquish his trust in the proletarian's role in history in his early writings.

94 Merleau-Ponty, *Adventures of the Dialectic*, pp. 97–8. In the words of Rancière: "[The] two extreme poles [of metapolitics] strictly define two extremisms: an infrapolitical extremism of class, that is, of the social embodiment of political classes [i.e. the objectivism of teleological Marxism,] and an ultrapolitical extremism of non class [i.e. Sartre's ultrabolchevism]—opposing extremisms whose homonyms, class and nonclass, allow them to come together in the single figure of the terrorist." Rancière. *Disagreement*, p. 85.

95 Ibid., pp. 109–10. In a footnote included in the same page, Sartre is quoted as saying: "It is true that the C.P. is nothing outside of the class; but let it disappear, and the working class falls back into dust particles."

96 Ibid., pp. 116–18. Sartre never offers any alternative to this other than "'concessions, accommodations, compromises,' or perhaps, when they are not possible, pure action, which is to say, force." Ibid., p. 122.

97 Ibid., p. 151.
98 Ibid., pp. 129–30.
99 Ibid., p. 3.
100 Ibid., p. 204.
101 Ibid., p. 9.
102 Merleau-Ponty. *The Primacy of Perception*, pp. 27–42.
103 Merleau-Ponty. *Adventures of the Dialectic*, p. 22.
104 Ibid., p. 16.
105 Ibid., p. 17.
106 Ibid., p. 25.
107 Ibid., p. 120.
108 In the words of Rancière: "The rationality of dialogue is [in Habermas theory] identified with the relationship between speakers addressing each other in the grammatical mode of the first and second persons in order to oppose each other's interests and value systems and to put the validity of these to the test. It is a bit too readily assumed that this constitutes an exact description of the forms of rational political logos and that it is thus, as a result, that justice forces its way into social relationships: through the meeting of partners who hear an utterance, immediately understand the act that caused it to be uttered, and take on board the intersubjective relationship that supports this understanding. Accordingly, linguistic pragmatics in general (the conditions required for an utterance to make sense and have an effect for the person uttering it) would provide the telos of reasonable and just exchange." Rancière. *Disagreement*, p. 44. And he follows up asking: "But is it really how the logos circulates within social relationships and makes an impact on them—through the identity between understanding and mutual understanding?" Ibid.
109 In contrast, Habermas does underline that it is only the "pressure to decide"—as opposed to Merleau-Ponty's historico-ontological condition of plurality—that makes majority decisions acceptable. See Habermas, Jürgen. *Between Facts and Norms. Contributions to a Discourse Theory of Law and Democracy*. Cambridge: The MIT Press, 1999.
110 In *Between Facts and Norms*, for example, Habermas insists that a valid utterance "should be able to gain the rationally motivated agreement of the interpreting community *as a whole*." Habermas. *Between Facts and Norms*, p. 14. Emphasis added. Or, later in the same text, he says: "majority rule retains *an internal relation to the search for truth* inasmuch as the decision reached by the majority *only* represents a caesure in an ongoing discussion. To be sure, majority decisions on questions that have been treated discursively certainly do not draw their legitimating force from the changeability of majority proportions per se." Ibid., p. 179. Emphasis added. And Merleau-Ponty's and my point is that yes, they do

draw their legitimacy from the changeability of majority proportions per se—i.e., from their hyperdialectic character.
111 As William Rehg and James Bohman put it: "[The] fact of pluralism is what makes majority rule necessary to conclude deliberation." See Rehg, William and Bohman, James. "Discourse and democracy: The formal and informal bases of legitimacy." In *Discourse and Democracy. Essays on Habermas's Between Facts and Norms*, edited by Von Schomberg, René and Baynes, Kenneth. Albany: State University of New York Press, 2002, p. 40.
112 Diana Coole puts it clearly when she claims that "[as] a consequence of his position, Merleau-Ponty rarely focuses on the more procedural aspects of political systems or on the more formal, normative requirements of deliberation. For him it is more important to analyze the upsurge of cooperation and discontent that animates political life and to appreciate that negotiating the field of power relations requires risk, creativity, and audacity as crucial supplements to reasoned argument and reflection." Coole. *Merleau-Ponty and Modern Politics*, pp. 144–5.
113 Merleau-Ponty. *The Visible and the Invisible*, p. 176.
114 Merleau-Ponty. *The Primacy of Perception*, p. 183.
115 As it is well known, when Merleau-Ponty arrived, in his *The Visible and the Invisible*, at the question of the "invisible," he did not hesitate in presenting it as "the most difficult point" of his investigation. See Merleau-Ponty. *The Visible and the Invisible*, p. 149. For probably the best treatment of Merleau-Pont's invisible as a "hollowing" that is neither an empirical invisible that simply happens not to be visible nor an "absolute" or "metaphysical" invisible that would be of an opposite order to that of the visible, see Carbone, Mauro. *The Thinking of the Sensible. Merleau-Ponty's A-Philosophy*. Evanston: Northwestern University Press, 2004. For an idea of an essential invisible that Merleau-Ponty would have no doubt *not* subscribed, see Henry, Michel. *Seeing the Invisible*. New York: Continuum, 2009.
116 On the perceptual and ontological assumption behind this idea of "permanent labor", Renaud Barbaras says: "The being of movement, as something essentially unaccomplished, is the only possible mode of presence for an irreducible absence, the concrete form of the negativity that is peculiar to perceived transcendence. To perceive means to encroach upon the depth of the world, impelled by a motion toward (*avancée*) that never stops, never exhausts itself: self-movement is the sole possible foundation for the inexhaustible plenitude of perceived being." Barbaras, Renaud. "Perception and Movement. The End of the Metaphysical Approach." In *Chiasms. Merleau-Ponty's Notion of Flesh*. Albany: State of New York University Press, 2000, p. 86.
117 Although Habermas's first major work, *Structural Transformation of the Public Sphere*, in which most of his program—*veritas non auctoritas facit legem*—was already outlined, was published almost at the same time as the books I am now

discussing (in 1962, as opposed to 1960 for *Signs* and 1955 for *Adventures of the Dialectic*.)

118 As Arendt suggested, the idea of the revolution seems to be interesting only in its link with the foundation of polities—particularly of democratic republics. The question of the revolution in the traditional sense remains central for the western Left; a Left that continues to be *intuitively* revolutionary in a context in which this attitude constantly forces it to withdrawing from the political realm in its existing form. A theory of aesthetico-political speech and action is important because the latter becomes fundamental once the revolution institutes the regime that comes to terms with the flesh of the social. See Arendt, Hannah. *On Revolution*. New York: Penguin, 1990.

119 Jean Cohen and Andrew Arato refer to this subject in this way: "Democracy's only possible legitimation lies in a principle contrary to the revolutionary logic, namely, the lasting institutionalization of a new power accompanied by limits to even the new forms of power in terms of rights." Cohen, Jean and Arato, Andrew. *Civil Society and Political Theory*. Cambridge: The MIT Press, 1994, p. 454.

120 Merleau-Ponty. *The Merleau-Ponty Reader*, p. 349.

121 Merleau-Ponty. *Adventures of the Dialectic*, p. 207. His emphasis first, my emphasis second.

122 Ibid., p. 226. This is what Rancière has to say about parliamentary democracy: "What is referred to as 'representative democracy' and what is more accurate to call the parliamentary system, or, following Raymond Aron, the 'pluralist constitutional regime', is a mixed form: a form of State-functioning initially founded on the privilege of 'natural' elites and redirected little by little from its function by democratic struggle." Rancière, Jacques. *The Hatred of Democracy*. New York: Verso, 2006, p. 54. Redirected, in my terminology, by the expansion of the aesthetic regime of politics. To what he adds: "Universal suffrage is a mixed form, born of oligarchy, redirected by democratic combats and perpetually reconquered by oligarchy ." Ibid., p. 54. To what I would add: and perpetually redirected by democratic combats in its turn.

123 Merleau-Ponty, *Adventures of the Dialectic*, pp. 316–17.

124 To say it with Rancière: "that capital growth and investor interests have laws involving complicated mathematical equations is freely granted. That these laws enter into contradiction with the limits posed by national systems of social legislation is just as obvious. But that these laws are ineluctable historical laws that it is vain to oppose, and that they promise a prosperity for future generations that justifies sacrificing these systems of protection, is no longer a matter of science but of faith. . . The 'ignorance' that people are being reproached for is simply its lack of faith." Rancière. *The Hatred of Democracy*, p. 81.

Chapter 2

1 Koselleck, *Critique and Crisis* and Habermas, Jürgen. *The Structural Transformation of the Public Sphere*. Cambridge: The MIT Press, 1994. In "Popular Sovereignty as Procedure," for example, Habermas summarizes the transformations introduced by modernity in this way: "The historical consciousness that broke with the traditionalism of nature-like continuities; the understanding of political practice in terms of self-determination and self-realization; and the trust in rational discourse, through which all political authority was supposed to legitimate itself—each of these is specifically modern," p. 39. Koselleck's argument follows, of course, the previous analyses of Carl Schmitt in texts such as *Crisis of Parliamentary Democracy*. For a critique of Habermas's "cognitive" conceptualization of the idea of the consent of the governed see McCarthy, Thomas. "Legitimacy and Diversity." In *Habermas on Law and Democracy*, edited by Rosenfeld and Arato, p. 115 and subs.

2 Habermas. *The Structural Transformations*.

3 Ibid., p. 53.

4 Ibid., p. 234. Emphasis added.

5 Rancière, Jacques. *On the Shores of Politics*. New York: Verso, 2007, p. 103. This is the wording used by Rancière to criticize Habermas' understanding of speech and agreement: "Disagreement is not misconstruction. The concept of misconstruction supposes that one or other or both of the interlocutors do or does not know what they are saying or what the other is saying, either through the effects of simple ignorance, studied dissimulation, or inherent delusion. Nor is disagreement some kind of misunderstanding stemming from the imprecise nature of words. The arguments of misconstruction and misunderstanding thereby call for two types of language medicine. The first type of treatment constantly has to assume the ignorant misconstruction of which it is the flip side, reserved knowledge. The second imposes a rationality ban on too many areas." Rancière. *Disagreement*, pp. x–xi. The most elementary way in which Rancière's understanding of speech distances itself from that of Habermas' is regarding the latter's rigid notion of pre-constituted subjects of interlocution as opposed to the former—as well as Merleau-Ponty and Arendt's—explicitly performative view of speakers and actors. In the words of Joseph Tanke: "[Rancière's] theory of politics as dissensus undercuts the Habermasian models of communicative action that aim at consensus. In contrast with this perspective, Rancière contends that the objects of politics and the status of its actors are never pre-constituted. It is precisely the nature, standing, and relationship between these elements that politics puts into question. This means that at the heart of any community there

is conflict over what constitutes reason, what is a legitimate object of political discussion, and what it means to be a political subject." Tanke, Joseph J. *Jacques Rancière: An Introduction*. New York: Bloomsbury Academic, 2011, p. 64. Or, in the words of Todd May: "For Habermas, the recognition of consensus is the starting point for normative discussion. For a democratic politics, by contrast, while the endorsement of equality may be contained in a given police order, the *recognition* of that equality by those who have a part lies at the end rather than at the beginning " May, Todd. *The Political Thought of Jacques Rancière*. University Park: Penn State University Press, 2008, p. 138.

6 Habermas, *The Structural Transformations*, p. 83. Emphasis added.

7 As Cohen and Arato put it, "the apparently objective vantage point he postulates for social science seems to correspond to the old Leninist or Lukácsian point of view for distinguishing between 'real' 'universal' vs. 'false' 'empirical' particular interests. One way to avoid this charge would be to argue that the model of generalizable interests is not as central to discourse ethics as some interpreters, including Habermas himself, have maintained." Cohen and Arato. *Civil Society and Political Theory*, p. 363. This criticism is accurate, but it is not easy to agree with Cohen and Arato's potential solution, since the model of generalizable interests is not only central to Habermas's intellectual project but even possesses the status of those un-thematized assumptions that remain fixed in "the naïve trust" of the lifeworld. See Habermas, Jürgen. *The Theory of Communicative Action*. Two Volumes. Boston: Beacon Press, 1985, p. 132. On this, Hans Joas says: "It holds good also for the human being Jürgen Habermas that the lifeworld environing him, which forms the horizon of his conviction, cannot, in principle, be fully thematized or completely and clearly grasped." Joas, Hans. "The Unhappy Marriage of Hermeneutics and Functionalism." In *Communicative Action. Essays on Habermas's Theory of Communicative Action*, edited by Honneth, Alex and Joas, Hans. Cambridge: The MIT Press, 1991, p. 116.

8 However, when he appears to achieve this success it is because he is avoiding the problems that his theory of communicative action presents to the understanding of democratic politics. As William Rehg and James Bohman put it: "Even if Habermas's model makes considerable concessions to the complexity and plurality of actual, situated deliberation, at the ideal level it concedes nothing. The rational character of decentered, 'subjectless' public deliberation still depends on the same discursive idealizations that stand in tension with the facts of pluralism and complexity." Bohman, James and Rehg, William. "Discourse and Democracy." In *Discourse and Democracy. Essays on Habermas's Between Facts and Norms*, edited by Von Schomberg, René and Kenneth, Baynes. Albany: State university of New York Press, 2002, p. 42.

9 Habermas, Jürgen. "Popular Sovereignty as Procedure." In *Deliberative Democracy*, edited by Bohman, James and Rehg, William. Cambridge: The MIT Press, 1999, p. 55.

10 Habermas. *Between Facts and Norms*, pp. 147–8. Emphasis in the original (*common will*) and added (*that is*).

11 Habermas: *Between Facts and Norms*, pp. 147–8.

12 Arendt. *The Human Condition*, p. 189.

13 Ibid.

14 In the words of Austin: "It seemed expedient [to] consider how many senses there may be in which to say something is to do something, or in saying something we do something, or even by saying something we do something. We first distinguished a group of things we do in saying something, which together we summed up by saying we perform a locutionary act, which is roughly equivalent to uttering a certain sentence with a certain sense and reference, which again is roughly equivalent to 'meaning' in the traditional sense. Second, we said that we also perform illocutionary acts such as informing, ordering, warning, undertaking, &c., i.e. utterances which have a certain (conventional) force. Thirdly, we may also perform perlocutionary acts: what we bring about or achieve by saying something, such as convincing, persuading, deterring, and even, say, surprising or misleading." Austin, John. *How to do Things With Words*. London: Harvard University Press, 1975, p. 109.

15 In an account of this, Jeffrey Alexander says: "Habermas equates illocutionary with communicative and perlocutionary with strategic, suggesting that Austin's dichotomy parallels, explains and supports his own. Two questions immediately present themselves. First, does Habermas's dichotomy fairly capture what Austin meant to do? Second, is Austin's original intention relevant anyway? I would like to suggest that the answer to the first question is no, but to the second, yes." Alexander, Jeffrey. "Habermas and Critical Theory: Beyond the Marxian Dilemma?" In *Communicative Action*, pp. 66–7.

16 Habermas. *The Theory of Communicative Action*, Volume I, p. 292.

17 Merleau-Ponty. *The Prose of the World*, pp. 4–5. As late as in *Between Facts and Norms* Habermas still presents an idea of language in which speakers "ascribe identical meanings to expressions" or "that linguistic expressions have identical meanings for different users." Habermas. *Between Facts and Norms*, pp. 4 and 11 respectively. Emphasis added.

18 Habermas. *Between Facts and Norms*, p. 148.

19 I am going to come back to Arendt's interpretation of Kant's aesthetics later. See especially "Crisis in Culture: its Social and Political Significance" in Arendt, Hannah. *Between Past and Future*. New York: Penguin, 2006; *Lectures on Kant's Political Philosophy*. Sussex: The University of Chicago Press, 1989; and *The Life of the Mind*.

20 Habermas. *Between Facts and Norms*, p. 148.

21 See, for example, "Truth and Politics" in Arendt. *Between Past and Future*.

22 Arendt, Hannah. *Crises of the Republic*. New York: Harvest, 1972.

23 This is even true in one of Habermas' quotations from Arendt's work: "'[What holds a political body together is its current power potential.] What first undermines and then kills political communities is loss of power and final impotence; and power cannot be stored up and kept in reserve for emergencies, like the instruments of violence, but exists only in its actualization. Power is actualized only where word and deed have not parted company, where words are not empty and deeds not brutal.'" Habermas. *Between Facts and Norms*, pp. 149–50. The quotation is from Arendt. *The Human Condition*, p. 200.

24 Habermas. *Between Facts and Norms*, p. 149.

25 Ibid., p. 150.

26 It is true that Habermas introduces a variety of distinctions into his main dichotomy. However, those distinctions never fully change the fundamental organizing role of the dichotomy. See his reply to Thomas McCarthy in Habermas, Jürgen. "Remarks on Discourse Ethics." In *Justification and Application. Remarks on Discourse Ethics*, edited by Jürgen Habermas. Cambridge: The MIT Press, 1995.

27 Johannes Berger phrases the problem in this way: "Whoever . . acts strategically only wishes to have an impact on others; whoever acts communicatively seeks to achieve linguistic understanding. This form of differentiating between two types of action is problematic, not only because it creates an inflexible dichotomy of concrete actions such that an action can fall under only one of the two specified types and cannot involve a mixture of the two, but also because the boundary between the two shifts. For example, the non-communicative type of action is labeled alternatively with terms such as teleological action, instrumental command, strategic action, purposive-rational action, etc. Sometimes purposiveness is contrasted with communication, then strategic action with communicative action, purposive rationality with communicative rationality. Are all these contrasts equivalent?" Berger, Johannes. "The Linguistification of the Sacred and the Delinguistification of the Economy." In *Communicative Action*, edited by Honneth and Joas, p. 173.

28 Habermas. *Theory of Communicative Action*, Volume I, p. 286.

29 Hans Joas rejects Habermas's position in this way: "The distinction proposed by Habermas is defensible only as an analytical one. In every social activity, aspects of both types of action can be found." Joas, Hans. "The Unhappy Marriage of Hermeneutics and Functionalism." In *Communicative Action*, p. 99.

30 "Actions, Speech Acts, Linguistically Mediated Interactions, and Lifeworld." In Habermas, Jürguen. *On the Pragmatics of Communication*. Cambridge: The MIT Press, 1998, p. 200.

31 Habermas. *Theory of Communicative Action*, Volume I, p. 280.

32 For an account of Arendt's aesthetic understanding of politics and its relationship to a Merleau-Pontyan sensibility, see Curtis, Kimberley. *Our Sense of the Real. Aesthetic Experience and Arendtian Politics*. Ithaca: Cornell University Press, 1999.

33 Although frequently for what I call deliberative scenes. On Arendt's interpretation of electoral campaigns, see Elisabeth Young-Bruehl's references to Arendt's interest in the primary campaigns of Eugene McCarthy or Robert Kennedy, and the senatorial campaigns for George McGovern or Frank Church in the late sixties. Young-Bruehl, Elisabeth. *Hannah Arendt. For Love of the World*. New Haven: Yale University Press, 1982, p. 448 and subs.

34 Arendt. *The Human Condition*, p. 181 and subs. For Arendt action is not exclusively associated with Habermas's illocutionary-only speech acts. This attempt to make his dichotomy coincide with that of Arendt is in fact one of the central moments in Habermas' argumentation in *Between Facts and Norms*, since, as we anticipated, it is at the origin of his claim that law is the "medium through which communicative power is translated into administrative power." Habermas. *Between Facts and Norms*, p. 150. William Scheuerman sustains that although Habermas hoped "to show that communicative power can be 'transcribed' into administrative power" he never seemed "altogether sure exactly how weak publics, strong publics, and administrative bodies should interact in order to bring about this translation." Scheuerman, William. "Between radicalism and Resignation." In *Discourse and Democracy*, edited by Schomberg and Baynes, p. 76.

35 Arendt describes this as "a parliamentary system based on councils instead of parties" and attributes its invention to the labor movement's political and institution-building initiatives during most revolutionary processes since 1848—all of them defeated by the political form of the ideological party. Arendt. *The Human Condition*, p. 219.

36 Cohen and Arato. *Civil Society and Political Theory*, pp. 177–200.

37 Arendt. *The Human Condition*, p. 215.

38 As Weber put it almost one century ago, it is clear that although "the existence of parties is acknowledged by no constitution they are nowadays by far the most important bearers of the political will of the . . . 'citizens of the state . ' [Parties] are essentially voluntarily created organizations directed at free recruitment. The law may regulate . . the 'rules of combat' on the electoral battlefield. But it is not possible to eliminate party conflict as such without thereby destroying the existence of an active popular assembly" and therefore of the aesthetic regime of politics at large. Weber, Max. *Political Writings*. New York: Cambridge University Press, 2002, p. 149.

39 Habermas. *The Theory of Communicative Action*, Volume I, p. 335.

40 On this topic, he says that "only the context directly spoken to in a given occasion can fall into the whirl of problematization associated with communicative action; by contrast, the lifeworld always remains in the background." Ibid., p. 131.

41 Ibid., pp. 131–2. My emphasis.

42 Merleau-Ponty. *The Prose of the World*, p. 60.

43 Ibid., p. 100.

44 See Arendt. *The Life of the Mind*, pp. 19–65. She never engaged the early Merleau-Ponty of the body, however. Still, a similar understanding in both authors' conceptions could be extracted—although I think that there are some caveats to be introduced there—from the excellent essay by Zerrilli, Linda M. G. "The Arendtian Body." In *Feminist Interpretations of Hannah Arendt*, edited by Honig, Bonnie. University Park: The Pennsylvania University Press, 1995, pp. 167–93.

45 Luc Ferry summarizes in this way the shared birth of phenomenology and aesthetic thought: "From 1750 to 1764, only fourteen years separate the emergence of two notions whose importance has not stopped being confirmed since. About Baumgarten's *Aesthetics* and Lambert's *Phenomenology* it could be said that, in so far as they both represent specific theories of sensibility—of the sensible or phenomenal world—they are the surest sign of the arrival within philosophy of the Enlightenment humanism. No doubt for the first time, the point of view of finite knowledge—strictly human, therefore sense-based—is taken into account for its own sake." Ferry, Luc. *Homo Aestheticus. The Invention of Taste in the Democrsatic Age*. Chicago: The University of Chicago Press, 1993, p. 62.

46 Young-Bruehl, Elisabeth. *Why Arendt Matters*. New Heaven: Yale University Press, 2006.

47 Arendt. *The Origins of Totalitarianism*, p. viii.

48 Op. cit., p. ix. My emphasis.

49 For a recent defense of the co-perceived, aesthetic character of the world, see Berleant, Arnold. *Sensibility and Sense. The Aesthetic Transformation of the World*. Charlottesville: Exeter, 2010.

50 In the words of Rancière: "[Viewing] is also an action that confirms or transforms this distribution of positions. The spectator also acts She observes, selects, compares, interprets. She links what she sees to a host of other things that she has seen on other stages, in other kinds of places." Rancière. *The Emancipated Spectator*, p. 13.

51 The idea of plurality as the needed new law of the earth reappeared in *The Human Condition*'s first chapter, in which Arendt tells us that: "Action, the only activity that goes on directly between men without the intermediary of things or matter, corresponds to the human condition of plurality, to the fact that men, not Man, live on the earth and inhabit the world. While all aspects of the human condition are somehow related to politics, this plurality is specifically *the* condition—not only the *conditio sine qua non*, but the *conditio per quam*—of all political life." Arendt. *The Human Condition*. Chicago: University of Chicago Press, 1998, p. 7. In *The Life of the Mind*, she simply states: "Plurality is the law of the earth." Arendt. *The Life of the mind*, p. 19.

52 Arendt. *Between Past and Future*.

53 Arendt. *On Revolution*.

54 For a critical reconsideration of the question of sovereignty in Arendt, see Arato, Andrew and Cohen, Jean L. "Banishing the Sovereign? Internal and External Sovereignty in Arendt." In *Politics in Dark Times. Encounters with Hannah* Arendt, edited by Benhabib, Seyla. Cambridge: Cambridge University Press, 2010, pp. 137–71.

55 See Bernstein, Richard. "Did Hannah Arendt Change Her Mind? From Radical Evil to the Banality of Evil." In *Hannah Arendt. Twenty Years Later*, edited by May, Larry and Kohn, Jerome. Cambridge: The MIT Press, 1997.

56 Arendt. *Between Past and Future*.

57 Kant, Immanuel. *Critique of Judgment*. New York: Hafner Press, 1951.

58 See Arendt, Hannah. *Responsibility and Judgment*. New York: Schoken, 2003.

59 See Arendt. *Lectures on Kant's Political Philosophy*.

60 Kant, Immanuel. *The Conflict of the Faculties*. Lincoln: University of Nebraska Press, 1992, pp. 141–70.

61 Arendt, Hannah. *Eichmann in Jerusalem*. New York: Penguin, 1994.

62 Arendt. *The Human Condition*, p. 185.

63 Ibid., p. 197.

64 Constant, Benjamin. "The Liberty of the Ancients Compared with That of the Moderns." In *Political Writings*. New York: Cambridge University Press, 1988.

65 As Rancière puts it: "[The] demos [and] its freedom and the places and times it is excercised." See *Disagreement*, p. 66.

66 Arendt, *The Human Condition*, p. 199.

67 In Schmitt, as in Arendt, the exception is analogous to the miracle. On the other hand, it is important to underline that Habermas's opposition to Schmitt carried all the problems "reversals" bring with them. Deliberation also takes place in the exception, but this is something that "the enemy" of Schmitt could not see—neither the enemy created by Schmitt himself (government by permanent discussion) nor the one that actually opposed him (government by communicative reason.) On parliamentary democracy, for example, Weber saw a training camp for political leadership thanks to the experience in struggle, while Schmitt saw unending deliberation and inability to decide ("everlasting conversation"). The perspective I am elaborating here is, needless to say, neither Schmittean nor

Habermasian. For a treatment of Weber, Schmitt, and Arendt as thinkers of the exception, see Kalyvas, Andreas. *Democracy and the Politics of the Extraordinary. Max Weber, Carl Schmitt, and Hannah Arendt.* Cambridge: Cambridge University Press, 2008.

68 In Arendt, Plato's political philosophy appears unambiguously as a historical reaction to Athenian democracy.

69 Arendt. *The Human Condition*, p. 199. Emphasis added.

70 See Fraser, Nancy. "Rethinking the Public Sphere." In *Habermas and the Public Sphere*, edited by Calhoun, Craig. Cambridge: The MIT Press, 1997.

71 Institutionalized deliberative exceptions and deliberative scenes are institutions proper in Merleau-Ponty's sense. Merleau-Ponty. *In Praise of Philosophy*, pp. 108–9.

72 Schmitt. *Political Theology*, p. 48.

73 Merleau-Ponty. *The Visible and the Invisible*, p. 121.

74 As Merleau-Ponty put it, "it is because of depth that the things have a flesh: that is, oppose to my inspection obstacles, a resistance which is precisely their reality, their 'openness.'" *The Visible and the Invisible*, p. 219.

75 In Arendt. *Between Past and Future.*

76 Arendt. *The Human Condition*, pp. 178–80.

77 Ibid., p. 186.

78 Merleau-Ponty. *Adventures of the Dialectic*, p. 4.

79 Ibid.

80 Merleau-Ponty. *Phenomenology of Perception*, p. 196.

81 Broch, Hermann. "Notes on the Problem of Kitsch." In *Kitsch: The World of Bad Taste*, edited by Dorfles, Gillo. New York: Universe Books, 1969, p. 63. It is necessary to add here that in this context kitsch should be considered as a *form* and not having a necessary relationship to any particular content. It is a "way of being" that can be embodied in almost any kind of social practice. Colloquially, kitsch is often defined simply as bad taste, but many authors have developed a much more elaborated definition—Kundera, Eco, Moles, Broch, Greenberg. As Matei Calinesco defines it, kitsch can be seen as the product of the intention to address "a well-defined audience of average consumers, apply definitive sets of rules and communicative varieties of highly predictable messages in stereotyped 'aesthetic' packages" Calinescu, Matei. *Five Faces of Modernity.* Durham: Duke University Press, 1987, p. 249. "Stylistically," he adds, "kitsch can also be defined in terms of predictability. Kitsch is, as Harold Rosenberg puts it: (a) art that has established rules; (b) art that has a predictable audience, predictable effects, predictable rewards." Ibid., p. 253.

82 Eco, Umberto. *Apocalípticos e integrados.* México: Tusquets, 1995, p. 84.

83 "Why judging between right and wrong"—Arendt's formulation of the question in moral terms—" should be based on the private sense of taste?" Answer: because imagination—reflective judgment and enlarged mentality—makes the absent present thus allowing to recreate the "objective" things—events, works of art, and so on—in the form of representation before a *discriminating* faculty: that of taste. See Arendt. *Lectures on Kant's Political Philosophy*, p. 65 Taste relates to the particular qua particular, it pleases in representation not in perception—which would be only gratifying. Thus taste becomes judgment. Moreover, as Arendt puts it, "[judgment] presupposes the presence of others," p. 74. In short, "the less idiosyncratic one's taste is, the better it can be communicated," p. 73.

84 Ibid., p. 108.

85 Merleau-Ponty. "Indirect Language and the Voices of Silence." In *The Merleau-Ponty Aesthetics Reader*, edited by Johnson, Galen. Evanston: Northwestern University Press, 1993, p. 112.

86 Merleau-Ponty. "Cezanne's Doubt." In *The Merleau-Ponty Aesthetics Reader*, p. 69.

87 Ibid., p. 69.

88 Omnipotence is a fiction derived from the theologico-political regime's hegemony during monotheistic absolutist monarchies. Omnipotence—which should be associated with the idea of sovereignty in Schmitt—always implies the destruction or negation of plurality.

89 Merleau-Ponty. "Indirect Language and the Voices of Silence," pp. 110–11.

90 Merleau-Ponty. *Adventures of the Dialectic*, p. 6.

91 Ibid., pp. 22–3.

92 Merleau-Ponty. "Indirect Language and the Voices of Silence," p. 110.

93 Merleau-Ponty. *The Prose of the World*, p. 19.

94 This is of course one more dimension of aesthetico-political action that is hypostasied by political kitsch: "To have a body is to be looked at, it is to be *visible*," says Merleau-Ponty. *The Visible and the Invisible*, p. 189.

95 Habermas. *Between Facts and Norms*, pp. 119–20.

96 Schmitt associates this idea with both Mussolini's Fascism and the Marxist and Anarchist avant-garde. In these political movements, "dictatorship" opposes "parliamentarism," not democracy. The essence of these movements is their *absolute certainty*—and that is why they imply the educational dictatorship of the Enlightenment, Jacobinism, and what he calls "the tyranny of reason." Marxism is presented as an "absolutist rationalism" that claims the right to use force. See *Crisis in Parliamentary Democracy*, pp. 53–4. As Schmitt would have put

it, avant-garde, ideological politics appears when the dialectic "is taken seriously by active people," pp. 57–8.

97 Arendt. *The Origins of Totalitarianism*, p. 466.

98 Ibid., p. 468.

99 Ibid., p. 470.

100 Ibid., p. 472.

101 The problems with political kitsch are of course not only those it creates in cleaning the way for ideology politics. In Sheldon Wolin words, used in his massive study of Tocqueville: "The evolution that saw electoral politics become assimilated to the practice of the marketplace—candidates marketed as products, elections reduced to slogans and advertisements, voters maneuvered into the position where *caveat emptor* becomes their most reliable guide—suggests a conclusion, that postmodern despotism consists of the collapse of politics into economics and the emergence of a new form, the economic polity. The regime is, as Tocqueville suggested, benign, power transmuted into solicitude, popular sovereignty into consumerism, mutuality into mutual funds, and the democracy of citizens into shareholder democracy." Wolin, Sheldon S. *Tocqueville Between Two Worlds. The Making of a Political and Theoretical Life*, p. 571.

Chapter 3

1 Foucault, Michel. *The Order of Things*. New York: Vintage, 1970.

2 Borges, Jorge Luis. *Labyrinths*. New York: New Directions, 1964, p. 72. All Borges's quotes come from here.

3 "Politics and art, like forms of knowledge, construct 'fictions', that is to say material rearrangements of signs and images, relationships between what is seen and what is said, between what is done and what can be done. Political statements and literary locutions produce effects in reality. They define models of speech and action but also regimes of sensible intensity. They draft maps of the visible, trajectories between the visible and the sayable, relationships between modes of being, modes of saying, and modes of doing and making. They define variations of sensible intensities, perceptions, and the abilities of bodies." Rancière. *The Politics of Aesthetics*, p. 39.

4 See specially "Borges and French Disease." Rancière, Jacques. *The Politics of Literature*. Cambridge: Polity, 2011, pp. 128–46.

5 Rancière. *Chronicles of Consensual Times*, p. 4. Let me just add here that Borges' classification is far from "burlesque," as Foucault's analysis in his famous preface testifies.

6 Ibid., p. 4.

7 Ibid., pp. 6–7.

8 Rancière. *Dissensus*, p. 57.

9 For an excellent edited volume on the central debates in the Western Marxist tradition on the aestheticization of politics see Adorno, Theodor, et al. *Aesthetics and Politics*. London: Verso, 1995. For an insightful take on the need to reconsider the rejection of the aestheticization of politics in the German tradition, see Wheeler, Brett R. "Modernist Reenchantments I: From Liberalism to Aestheticized Politcs" and "Modernist Reenchantments II: From Aestheticized Politics to the Artwork." In *The German Quaterly*, vol. 74, no. 3 (Summer 2001), pp. 223–36 and vol. 75, no. 2 (Spring 2002), pp. 113–26 respectively. For an excellent survey account of the very question of autonomy of art and of aesthetics in the German and Marxist traditions, see Eagleton, Terry. *The Ideology of the Aesthetic*. Cambridge: Basil Blackwell, 1990.

10 See Rancière, Jacques. "Who is the Subject of the Rights of Man." In *Dissensus*, pp. 62–75.

11 In agreement with this reading, Gabriel Rockhill says the following: "[The] epithet 'political' would be better understood neither in terms of what Rancière earlier defined as politics qua subjectification (*la politique*) or the police order (*la police*), but according to what he sometimes calls 'the political' (*le politique*), that is the meeting ground between *la politique* and *la police*." Rockhill, Gabriel. "The Politics of Aesthetics: Political History and the Hermeneutics of Art." In *Jacques Rancière. History, Politics,* Aesthetic, edited by Rockhill, Gabriel and Watts, Philip. Durham: Duke University Press, 2009, p. 200.

12 Although he has recently used the idea of "instituting" gestures to describe the dynamics alluded to in his model: "I [propose] to call 'police' the division of the sensible that claims to recognize only real parties to the exclusion of all empty spaces and supplements. [I then propose] to call 'politics' the mode of acting that perturbs this arrangement by *instituting* within its perceptual frames the contradictory theatre of its 'appearances.' Politics is aesthetic in that it makes visible what had been excluded from a perceptual field, and in that it makes audible what used to be inaudible." Rancière, Jacques. *The Philosopher and his Poor*. Durham: Duke University Press, 2007, p. 226. My emphasis.

13 Rancière. *Dissensus*, p. 207.

14 Rancière. *Disagreement*, p. 57.

15 Ibid., p. 64.

16 Ibid, p. 99.

17 Rancière. *Dissensus*, p. 31. My emphasis.

18 Lefort. *Democracy and Political Theory*, p. 225.

19 Rancière. *Disagreement*, p. 58.

20 Ibid., p. 74.

21 Ibid., p. 100.

22 Rancière. *Dissensus*, p. 34.

23 Rancière. *On the Shores of Politics*, p. 32.

24 Against those who do not understand the political effectiveness of exploiting the paradoxes of democratic declarations and enunciation of rights, Rancière says: "Those who say on general grounds that the other cannot understand them, that there is no common language, lose any basis for rights of their own to be recognized. By contrast, those who act as though the other can always understand their arguments increase their own strength – and not merely at the level of argument. The existence of a subject in law implies that the legal words are verifiable within a sphere of shared meaning. This space is virtual, which is not to say illusory. Those who take the virtual for the illusory disarm themselves. [Equality] and liberty are forces engendered and augmented by their own actualizations." Ibid., p. 50.

25 As Rancière puts it, in quoting Arendt on the performativity of political life: " what I shall call the *vita democratica* rather as Hannah Arendt speaks of the *vita activa*. [. is that the] idea and practice of worker's emancipation established itself by virtue of a whole system of discourses and practices which completely rejected any notion of hidden truth and its demystification. It becomes a sort of testing of equality." Rancière, *On the Shores of Politics*, p. 45. And he continues: "The interesting thing about this way of reasoning is that it no longer opposes word to deed or form to reality. It opposes word to word and deed to deed. Taking what is usually thought of as something to be dismissed, as a groundless claim, it transforms it into its opposite into the grounds for a claim, into a space open to dispute. The evocation of equality is thus not *nothing*. A word has all the power originally given it. This power is in the first place the power to create a space where equality can state its own claim: equality exists somewhere; it is spoken of and written about. It must therefore be verifiable." Rancière. *On the Shores of Politics*, p. 47. "In place of the [biblical] Voice, the Moderns, Benny Lévy tells us, have put man-god or the people-king, that indeterminate humanity of human rights that the theoretician of democracy, Claude Lefort, had turned into the occupier of an empty place." Rancière. *On the Hatred of Democracy*, p. 31.

26 Included in Lefort. *Democracy and Political Theory*, pp. 9–20. For a different view on the elected affinity between phenomenology (and pragmatism) and democracy see Dallmayr, Fred. *The Promise of Democracy. Political Agency and Transformation*. Albany: State University Press, 2010.

27 Lefort. *Democracy and Political Theory*, p. 20.

28 Ibid., p. 14.

29 Ibid.

30 The tension between the United States and the democratic form of society is not new, of course. For an excellent analysis of this tension's presence in the very founding experience and documents of the republic, see Wolin, Sheldon S. *The Presence of the Past. Essays on the State and the Constitution*. Baltimore: The John Hopkins University Press, 1990. For example: "Although James Madison insisted that the Constitution posed a clear choice in favor of republicanism [against democracy,] most scholars have preferred the conciliatory view that the two were indistinguishable. The effect is to soften the antidemocratic tendencies of the Constitution as well as the ideological thrust of the *Federalist*. By this and similar maneuvers, democracy has acquired a paradoxical status in American public rhetoric: it is universally praised while dismissed in practice as irrelevant or embarrassing to a meritocratic society." Ibid., p. 5.

31 Lefort. *Democracy and Political Theory*, p. 17.

32 Ibid., p. 19.

33 Rancière. *Disagreement*, pp. 101–2.

34 Rancière. *The Hatred of Democracy*, p. 92.

35 Rancière. *Disagreement*, p. 87.

36 Lefort. "Permanence of the Theologico-Political?" In *Democracy and Political Theory*, p. 217.

37 Lefort, Claude. *Maquiavelo. Lecturas de los politico*. Madrid: Trotta, 2010, pp. 567–77.

38 "The idea of a division between the sphere of the state and the sphere of civil society that is so often invoked seems to blur rather than elucidate the features of the democratic phenomenon. It prevents us from identifying a general configuration of social relations in which diversity and opposition are made visible. It is, I believe, also noteworthy that the delineation of a specifically political activity has the effect of erecting a *stage* on which conflict is acted out for all to see and is represented as being necessary, irreducible and legitimate. That each party claims to have a vocation to defend the *general* interest and to bring about *union* is of little importance; the antagonism between them sanctions another vocation: society's vocation for division." Lefort. "Permanence of the Theologico-Political?" In *Democracy and Political Theory*, p. 227. Emphasis in the original.

39 Lefort. "Human Rights and the Welfare State." In *Democracy and Political Theory*, p. 39.

40 Ibid., p. 43.

41 Rancière. *Disagreement*, p. 26.

42 Rancière. *On the Shores of Politics*, p. 105.

43 See Rancière. *The Hatred of Democracy.*

44 Lefort. "Human Rights and the Welfare State." In *Democracy and Political Theory*, pp. 28–9.

45 A similar question is posed by Sheldon Wolin in his attempt to offer a critical view of contemporary America along similar lines to the one put forward here. His attempt does not displace the notion of totalitarianism as I do here—proposing as I do to complement it with that of the epistemologico-political regime—but offers instead the alternative concept of "inverted totalitarianism." In this context, Wolin also associates post-9/11 U.S. to a theologico-political turn: "The mythology created around September 11 was predominantly Christian in its themes. The day was converted into the political equivalent of a holy day of crucifixion, of martyrdom, that fulfilled multiple functions: as the basis of a political theology, as a communion around a mystical body of a bellicose republic, as a warning against political apostasy, as a sanctification of the nation's leader, transforming him from a powerful officeholder of questionable legitimacy into an instrument of redemption, and at the same time exhorting the congregants to a wartime militancy, demanding of them uncritical loyalty and support, summoning them as participants in a sacrament of unity and in a crusade to 'rid the world of evil.' Holly American Empire?" Wolin, Sheldon S. *Democacy Inc. Managed Democracy and the Specter of Inverted Totalitarianism.* Princeton: Princeton University Press, 2010, pp. 9–10.

46 Lefort. "Human Rights and the Welfare State," p. 27.

47 Lefort, Claude. *Complications. Communism and the Dilemmas of Democracy.* New York: Columbia University Press, 2007, p. 114.

48 Ibid., p. 143.

49 Rancière. *Chronicles of Consensual Times*, p. 113.

50 Rancière. *The Hatred of Democracy*, p. 95.

51 Lefort. *The Political Forms*, p. 246.

52 Lefort. *Democracy and Political Theory*, p. 22.

53 Ibid., p. 260.

54 Rancière. *Chronicles of Consensual Times*, pp. 82–3.

55 Lefort. *Complications*, p. 163.

56 Lefort. *Writing. The Political Test*, p. 278. In his Foreword to Lefort's English edition of *Complications*, Dick Howard stated the following: "Since September 11, 2001, the appearance of a new enemy (called, vaguely and anachronistically, Islamo-Fascism) has largely spared the remaining global superpower the trouble of thinking deeply about democracy. As a label, totalitarian has gained new currency, but its indiscriminate use is incoherent, if not biased. Contemporary Western democracy is dominated by a politics of fear and false memory that re-creates, in its own way after the downfall of the Soviet Union, a society that villanizes division. Lefort's analysis of Communism insists not only on its denial of difference but also on its inability to recognize novelty. The weakness is not unique to the Communist deformation of democracy. The politics of fear that surrounds us today is another instance of the same paralysis of judgment in the face of the new and the possibilities for real democracy—as well as for its decline." Howard, Dick. "Foreword: No Political Thought Without History—No History Without Political Thought: Communism, Modernity, and Democracy in Claude Lefort." In Lefort, *Complications*, p. ix.

57 Rancière. *On the Shores of Politics*, p. 26.

58 Quoted in Flynn, Bernard. *The Philosophy of Claude Lefort: Interpreting the Political.* Evanston: Northwestern University Press, 2005, p. 231.

59 Lefort. *Democracy and Political Theory*, p. 233.

60 Ibid., pp. 19–20.

61 Lefort, Claude. "Le refus de penser le totalitarisme." In *Le Temps présent. Écrits 1945-2005*, edited by Lefort, Claude. París: Belin, 2007, pp. 969–80.

62 In the words of Rancière: "Postdemocratic objectification of the immigration 'problem' goes hand in hand with fixation on a radical otherness, an object of absolute, prepolitical hate." Rancière. *Disagreement*, p. 119.

63 Lefort. *Complications*, p. 190.

64 Lefort, Claude. "Poder." In *La indertidumbre democrática*, edited by Lefort, Claude. Barcelona: Anthropos, 2004, p. 35.

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Index

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MARTÍN PLOT is a faculty member in the Aesthetics and Politics Program at the School of Critical Studies, California Institute of the Arts, USA. He is the author of *Indivisible* (2011) and has published in *Constellations, Theory and Event, International Journal of Communication*, and *Le monde diplomatique*.

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