

## DIVISION AND DEMOCRACY

## On Claude Lefort's Post-foundational Political Philosophy

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»My purpose here is to encourage and to contribute to a revival of political philosophy«. These words stand at the beginning of one of Claude Lefort's most prominent articles (Lefort 1988: 9). And indeed, there can be no doubt as to the significance of Lefort's work for contemporary political philosophy and, in particular, democracy theory. What Lefort – sometimes in collaboration with Marcel Gauchet – has elaborated is one of the most powerful theorizations of the political, democracy and totalitarianism. Unfortunately it has fallen victim to what seems to be the fate of all successful theories: *sloganization*. There are two Lefortian phrases or *topoi* which can be encountered in numerous articles and books: The first portrays our current condition as being governed by the 'the dissolution of the markers of certainty'. The second announces that in democracy 'the place of power is empty'. Most accounts of Lefort stop here. No further details are given; no theoretical context or background is established. These 'slogans' – and isn't this what defines a slogan? – are supposed to speak for themselves. Well, they don't.

It is possible to give an utterly banal reading to these two claims – and I suspect that it is not clear to many of those who quote them that they fulfill a more profound role in Lefort's theory which is to point towards the dimension of the social which I will call its *ontological* dimension. If this is overlooked, as is often the case, these claims will be taken as statements about *ontic* facts of life – that is, facts *within* society. Thus, the claim as to the 'dissolution of the markers of certainty' would be reduced to the trivial insight that many a thing is uncertain in our modern times (a banality which has been elevated to the level of 'science' by so-called risk-theorists). In a similar fashion, 'the emptiness of the place of power' in democracy could simply be reduced to the claim that in democracy there is no arbitrary power exercised anymore. Put into the context of Lefort's theory, however, something about society's ontological condition is said: In the case of the empty place of power,

it is obvious that power does not disappear – it remains there as something which is emptied: as a dimension, that is, whose factual (or ontic) content may disappear while the dimension as such stays operative. In the case of ‘the dissolution of the markers of certainty’ this is not only a particular phenomenon but defines the universal, that is ontological *horizon* of our condition.

Understood in the strong sense – as claims about the ontological condition of society – these claims tell us something important about Lefort’s theory. First, he is what one could call a *contingency* theorist. I contend that our very certainty about the dissolution of certainty already indicates that the roots of the latter phenomenon lie on a deeper ontological level than a commonsensical reading would expect. Therefore, we should not confuse a weak notion of *uncertainty* with the ontologically strong notion of *contingency* appertaining to every social identity. And in a second and not unrelated sense, Lefort is a *post-foundationalist*. Both contingency and the emptiness of the place of power indicate that society is not built on a stable ground: they designate the absence of social or historical necessity, the absence of a positive foundation of society. What they also designate, though, is that the *dimension* of ground does not simply disappear since it remains present *as absent*. This is the point where democracy enters the stage. Our interpretation of Lefort’s work will substantiate the following claim: Democracy must be understood as the *ontic* recognition of society’s *ontological* condition. By this we understand the *institutional recognition* and *discursive actualization* of the absence of a positive ground of society. By actualizing the absent ground within the particular institutional, cultural and discursive dispositive of democracy, a place, or rather: a ‘non-place’ is symbolically allocated to it. It is obvious, we must add immediately, that this can only be a paradoxical enterprise. Hence, democracy itself is founded upon an irresolvable paradox which we will define at the end of this paper.

### *The first axis of division: self-externalization*

Before returning to the question of democratic society, let us start by asking what lies at the origin of *any* society. Lefort’s answer is: division. His concept of *originary division* is explicitly directed against Marxist determinism and economism. In particular, the argument runs against the Marxist idea that social division – class struggle – can be traced back to economic reasons alone. Division cannot be deduced from the empirical or factual positions of social agents. This is what makes division originary. In our terms: the ontological conditions of society cannot be deduced from the ontic. But then we

have to draw radical consequences: Both Lefort and Gauchet deny that antagonism – which they also describe as the division in society between ruler and ruled, exploiter and exploited – can be causally derived from any ground other than antagonism itself. As Gauchet formulates it: A radical interpretative leap – ‘[u]n *saut interprétatif* radical’ – is required. This ‘interpretative leap’ is radical in its wholehearted acceptance of the *impossibility* of founding antagonism and its renunciation of any other foundation: »Il faut prendre acte de l’impossibilité de déduire l’antagonisme politique central et retourner complètement les termes dont nous partions avec Marx : *la division n’est ni dérivable ni réductible*« (Gauchet 1976: 17). Social division is originary because it cannot be related to any foundation prior to itself. Rather, society is ‘founded’ by way of an originary division which is the division between society and itself *as its other*.

»Il y a division originaire de la société en ceci qu’on ne peut rapporter à aucun fondement préalablement constitué dans la société l’antagonisme de la société avec elle-même, et qu’à l’invers, c’est l’antagonisme de la société avec elle-même qui la fonde en tant que société, qui lui permet d’exister, qui la fait tenir ensemble. La société est par essence contre elle-même, elle ne se pose qu’en se posant contre elle-même, qu’en se faisant l’Autre d’elle-même. Division originaire : parce que l’existence de la société est inconcevable sans la division politique. La possibilité d’une société est suspendue au fait de sa division. La division est l’origine de la société.« (18)

At the origin of society there is division.<sup>1</sup> Lefort and Gauchet’s claim that the very possibility of society is conditioned by its division, amounts to a *tran-*

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<sup>1</sup> Gauchet subverts the foundationalist paradigm by positioning the Freudian model against the Marxian model. While in the latter conflict is supposed to disappear after a classless society has been erected, that is to say, after an ultimate ground has been both found and founded, in the former model the ‘unresolvability’ of (psychic) conflict is accepted. Thus, Gauchet proclaims: ‘Freud against Marx’. The whole passage reads as follows: »Freud met au jour, sinon *la nature contradictoire de l’être psychique*? Qu’est-ce d’autre ainsi qu’il s’emploie à fonder au travers du dualisme toujours plus affirmé des pulsions, jusqu’au partage que l’on sait entre pulsion de vie et pulsion de mort? Si Marx montre que la société s’organise au plus profond dans un conflit, Freud révèle, lui, que le conflit est au centre de l’organisation subjective. Cela dit, si pour Marx le conflit social fait évidemment signe vers une société au-delà du conflit, pour Freud le conflit psychique, organisateur ultime de l’âme, est tout aussi évidemment irréductible. Par ce trait, la pensée de Freud est peut-être une pensée à portée politique éminente, en tant que pensée de l’irréductible du conflit constituant la psyché humaine. La pratique analytique se proposera pour fin de permettre au sujet d’accéder à la vérité de sa contradiction; elle ne saurait se donner pour but d’éliminer l’antagonisme intérieur, forme indépassable du rapport du sujet à lui-même. L’individu qui réconcilierait en lui pulsions de vie et pulsions

*scendental* argument: Division is the condition of possibility of society.<sup>2</sup> But why is this a post-foundational argument? What makes their account of society's grounding post-foundational is the fact that it is not a positive principle which founds society and lies at the origin of everything social but an irresolvable negativity with respect to society's self-identity. This negativity – antagonism – is prior to any identity and cannot be deduced from empirical, 'positive' facts. Thus, social identity cannot be grounded in anything other than the separation of that identity from itself: its self-externalization. Only through division and by turning itself into its Other can society establish *some* identity. This argument is an abstract and general one with implications for any form of identity. While in Lefort it is formulated from within the radius of Merleau-Ponty's thinking – with its emphasis on the irresolvable chiasm or intertwining between inside and outside –, in deconstruction it would be termed the 'constitutive outside' of any identity as Staten interpreted Derrida. Identity can only be constituted on the basis of that which it is not: »X is constituted by non-X« (1984: 17), where X describes the identity, and 'non-X', by limiting the identity and by prohibiting its full constitution as absolute, points at the condition of possibility of X – its constitutive outside.<sup>3</sup> Lefort and Gauchet's argument bears clear resemblance to the deconstructive argument even as it stems from a different tradition and applies Merleau-Ponty's idea of chiasm to the field of political thought. In both cases (and we could add the third case of Lacanianism), it is assumed that there can be no identity without being differentiated from its very outside: and yet, the latter does not have an independent life of its own but – as condition of possibility of the former – is present on the inside ('contaminating' the inside, as Derrida would have it) thereby again hybridizing the

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de mort n'est ni en vue ni au programme. Si le rapprochement entre Marx et Freud paraît pleinement justifié, par conséquent, c'est à la condition de l'entendre: Freud contre Marx.» (Gauchet 1976: 6-7) We will return to the question of Lefort's relation to psychoanalysis later in this paper.

<sup>2</sup> This implies, by the way, that a quasi-transcendental condition of society *as such* – by which only the very commonality of a common space is constituted – does not determine the *particular* form of society. The possibility for future differentiation into particular institutional systems is opened in the first place but no particular form of society is predestined.

<sup>3</sup> It is important to realize that the constitutive outside, even as its limiting function is precisely to destroy any essentialism, is itself *essential* for identity. So Staten insists on the post-metaphysical »necessity or essential character« of the constitutive outside which contaminates the metaphysical 'essence' of the identity. We have to see that identities are »impure always and in principle« and so we have to »pursue the implications of this essential law of purity« (1984: 19). On the terrain of essentialism this argument runs parallel to what I have described as the post-foundational logic – also to be found in Lefort – which keeps the empty function of the foundation as a *necessary* condition for any identity while at the same time emptying it from any positive or natural content.

border between inside and outside. Every identity, hence, is precarious to some degree for it relies on something which necessarily escapes it.

Now we see that the originary division – which, as it will become clear soon, operates as much at the ‘outer border’ of society as it runs through the inner ‘flesh’ of society – is a necessary condition for society to acquire some shape and self-understanding. In order to be socially effective, though, the outside has to be incorporated. And the name given by Lefort to the incorporated outside is *power*. In taking up this concept he radically reformulates what he sees as the traditional sociological theory of power. For sociology, power is characterized by a set of functions: its control over force and violence, its administration of matters of common interest, its definition of social goals and development through legislation. Power regulates, unifies and universalises social diversity for it is, literally, ‘in a position’ to do so: it occupies the centre of society. Lefort seeks to invert now the sociological approach, which sees in power the centre of society: The centrality of power, he argues, has to be replaced by the *exteriority* (*exteriorité*) of power. This means, to be precise, that power is not identical with society’s outside but stands in opposition to society by way of the symbolic representation of the latter’s outside: it constitutes the symbolic pole of representation with reference to which the social constitutes itself. These two aspects of externality and representation have been systematically ignored by sociology: first, power opposes itself to society in relying on the division between inside and outside; and second, through *representing* this opposition (i.e. externality) power operates as the *symbolically instituting instance* of society. The first aspect again underlines the difference between sociology and political science on the one hand and political philosophy on the other. While sociology is concerned ‘to circumscribe an order of particular facts *within* the social’, the task of the latter is to ‘conceptualize the principle of the institution of the social’, as Lefort stresses. Yet any political philosophy and any political science worthy of that name must reflect on power – since it is the shaping-function of the latter that ‘designates the political’. Instead of dealing with specifics one must start with ‘a primal division which is constitutive’ of social space, with what Lefort calls the ‘enigma’ of the relation between inside and outside:

»And the fact is that this space is organized as *one* despite (or because of) its multiple divisions and that it is organized as *the same* in all its multiple dimensions implies a reference to a place from which it can be seen, read and named. Even before we examine it in its empirical determinations, this symbolic pole proves to be power; it manifests society’s self-externality, and ensures that society can achieve a quasi-representation of itself. We must of course be careful not to project this externality on to the real; if we

did so it would no longer have any meaning for society. It would be more accurate to say that power makes a gesture towards something *outside*, and that it defines itself in terms of this outside. Whatever its form, it always refers to the same enigma: that of an internal-external articulation, of a division which institutes a common space, of a break which establishes relations, of a movement of externalization of the social which goes hand in hand with its internalization. « (1988: 225)

The 'enigma' of the chiasm between inside and outside is shown in the symbolic gestures power makes towards the outside. So the role of power is to institute society by *signifying* social identity – and only by relating to this representation/signification of identity can people relate to the space in which they live as a coherent ensemble (which implies that, in turn, a social space entirely devoid of power would not allow for any orientation – it would not even be a space). Power works within the symbolic order. In a sense, this has always been a well-known fact: Isn't power permanently exhibiting itself? Doesn't it incessantly demonstrate its own importance through costumes and uniforms, ceremonies and festivities, pomp and circumstance? Yet traditionally this has been seen as a distortion of its real functioning, as the 'weak point' of power which has to rely on appearance in order to secure its own survival. Lefort and Gauchet, while accepting the importance of representation, do not follow the second step in that scenario. The representational symbolic function of power – its appearance – is in no way hiding a true essence. The opposite is the case. It is appearance which is the *essence* of power. Or, put differently, power *is* what it appears; the actual function of power is not hidden in secret networks, conspiracies, or 'real' (yet 'distorted') interests, it lies precisely in its appearance. For if the institution/foundation of society is occurring on the symbolic level alone, then it necessarily has to be *staged*: this is what Lefort calls *mise-en-scène*. It might be staged in different ways: the »fabrication of Louis XIV« (Burke 1992), for instance, differs from the ways in which power is staged in democracy as that place which cannot be institutionally occupied once and for all. In the latter case, one might venture to say, an open-ended play is enacted on an empty stage – and yet the theatre of power is not abandoned. As much as there cannot be a society without power there cannot be power without representation – *ergo*: no society without the staging of a 'quasi-representation of itself'.

### *The second axis: society's internal division*

Before returning to this aspect of the staging and institutionalization of the democratic dispositive (and of other dispositives), we have to discuss a

second dimension of division. Lefort argues that the main feature of the democratic dispositive consists in the acceptance of social division. But it is not only the division between society and its outside which has to be accepted, more than that it is the *inner* divisions of society, the inner conflicts between different interests and classes, between ruler and ruled, oppressors and oppressed, exploiters and exploited – and eventually between political competitors. Thus, Lefort and Gauchet discern a further axis on which social negativity and conflict operate, so that the social is finally constituted on *two* axes of the political. The first axis has just been described as society's self-alienation: In establishing its self-identity society divides itself and erects an outside vis-à-vis itself which will be incarnated by the instance of power. An antagonism emerges between society and its outside. Now we learn that a second separation or division takes place on the inside of society: Here it is the irresolvable tension and opposition between its members which constitutes the antagonism. Together these two axes, these two primordial dimensions, make up the very kernel of the political being of society: »Division au-dedans de la collectivité, division de la communauté d'avec un dehors: en l'articulation de ces deux dimensions premières se ramasse le noyau d'être politique de la société" (Gauchet 1976: 18).

After having examined the first axis of the originary institution – the self-externalization of society – we now turn to second axis: the *internal* division of society. This aspect illustrates the extent to which Lefort and Gauchet's theory is, indeed, a conflict theory. Class antagonism (this is Lefort and Gauchet's main point against Marx) is nothing which could be resolved in the future when the means of production will be socialized and when the state will wither away. Yet this conflict is not only irresolvable it also is necessary for society to institute itself. It is one of the main sources of social cohesion. This might sound counter-intuitive and paradoxical. How can conflict – the irresolvable struggle between men – be one of the main sources of social cohesion? The answer can be found in the fact that it is through conflict that individuals and groups posit themselves within a common world: »Si la lutte des classes sépare, elle installe aussi un même entre les parties antagonistes« (25). Through their antagonism – in which the organisation, the *raison d'être* and the goals of society are under debate – the antagonists affirm themselves as members of the *same* community. Conflict establishes a common bond. To paraphrase that point within the language of traditional political philosophy: It is not through a pregiven substantial common good nor through submission under a consensually or otherwise derived common good that a bond between the members of a given community is established, but it is the very struggle over the common good which, in actual fact, *is that bond*. Society can

be instituted only as far as there exists a founding antagonism internal to it which cannot be resolved completely.

Far from destroying society as a whole, division in fact implicates a dimension of totality. And totality is implicated precisely by the figure of absence – ‘une *figure de l’absence*’ – that is revealed at the heart of social division: »Dire qu’il y a division dans la société, c’est dire qu’il y a dimension de totalité introduite par une absence« (25). That absence emerges from the incapacity of any social actor to master the meaning of society as a whole since the indefinite play of social division will always prevent single actors from monopolizing it once and for all. So through antagonism a dimension of totality *does* emerge – even as it is not, as some might think, the outcome of the positive *presence* of a social ground. Rather, the dimension of totality emerges from the *absence* of any such ground. For if the dimension of radical antagonism guarantees that nobody can incarnate the meaning of the whole, that any such pretension can and will be *debated*, this leads to the conclusion that the truth of the social totality cannot but lie in the *debate* as such. The dimension of totality is in no way discarded; rather, it is invoked as an effect of a never-ending debate which makes it impossible for any group to master the meaning of the social whole.<sup>4</sup> Society as a totality is the effect of an absence or negativity residing exactly in the irresolvable antagonism *between* competing attempts at mastering the meaning of the social. The meaning of the social whole, thus, emerges *in between* the debating parties (the ‘interlocutors’ as Gauchet and Lefort sometimes call the antagonists in a more phenomenological terminology).<sup>5</sup>

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<sup>4</sup> It must be added that, for Gauchet, the functioning of this mutual implication of conflict and social bond does not depend on its conscious realization or knowledge. The bond is created through signification and at the level of the social *unconscious*: »Les agents engagés dans la remise en cause de leur société ne se rendent assurément pas compte de ce que leur antagonisme conspire à la création d’un même espace entre eux. Ils sont même rigoureusement persuadés du contraire. La production symbolique d’un univers commun n’a rien à voir à l’évidence ici avec un contenu de conscience. Pas davantage n’a-t-elle à voir avec la constitution d’une attache effective et manifeste entre les individus. Elle est production d’un lien dans l’élément de la signification et au niveau de l’inconscient.« (Gauchet 1976: 25)

<sup>5</sup> Yet one has to stress the implications of that argument, and this is how an ‘antagonism-theorist’ like Ernesto Laclau (1990) will put it: Not only is a dimension of totality introduced by such absence at the heart of social division but totality – in turn – becomes an absence. Laclau claims that in situations of dislocation – in moments of heightened conflict and division – political signifiers like ‘order’ point at an absent totality which, however, remains present as a horizon. Since dislocation is an ontological condition of any system or society there will always be a dimension of totality, full presence, or plenitude *as absent*. We can conclude that a totality introduced by absence – the irresolvability of social conflict – can always only be an *absent totality* which nonetheless remains operative (or

It is necessary, if we want to understand where Lefort's positive evaluation of conflict stems from, to turn to his earlier studies on Machiavelli – for it was his thought which allowed Lefort to break with the Marxian 'postulate of the secondary nature' of conflict.<sup>6</sup>

### *Machiavelli against Marx*

Between 1956 and 1972 Lefort works on his *thèse d'état* which should become an 800 page strong book entitled *Le travail de l'œuvre Machiavel* (1986b). He devotes the first half to a discussion of previous interpretations – among them those of Gramsci and Leo Strauss – while denying the possibility of a *definite* interpretation. This does not, however, keep Lefort from pursuing his own 'interrogation' of the Machiavellian *œuvre*. For Lefort, and this is not yet an original claim, Machiavelli is the inventor of political thought proper. But Lefort builds his interpretation around a more radical claim. Machiavelli's discovery – which allowed him to found modern political thought – is the discovery that an irreducible conflict exists at the centre of every polity. In the ninth chapter of the *Prince* he declares that the nobles on one side and the people on the other are engaged in an irresolvable struggle due to their opposing *umori*. While the 'humour' or desire of the nobles is to command and to oppress, the desire of the people, on the other hand, is not to be commanded and not to be oppressed. Lefort comments:

«C'est bien d'une opposition constitutive du politique qu'il faut parler, et irréductible à première vue, non d'une distinction de fait, car ce qui fait que les Grands sont les Grands et que le peuple est le peuple ce n'est pas qu'ils aient par leur fortune, par leurs mœurs, ou leur fonction un statut distinct associé à des intérêts spécifiques et divergents ; c'est, Machiavel le dit sans ambages, que les uns désirent commander et opprimer et les autres ne l'être pas. Leur existence ne se détermine que dans cette relation essentielle, dans le heurt de deux « appétits », par principe également « insatiable ». Ainsi, à l'origine du pouvoir princier, et sous-jacent à celui-ci une fois qu'il s'est établi se trouve le conflit de classe.» (1986b: 382)

present) in form of an always receding horizon. We encounter exactly the same logic here as previously in Lefort and Gauchet's account of the origin of society which oscillates between presence and absence.

<sup>6</sup> The opposition already set up between 'Freud against Marx' can now be supplemented and reintroduced to the political field as the opposition: Machiavelli against Marx. It should be mentioned, however, that Lefort's approach is not anti-Marxist but consists in interrogating Marx's works. In this sense, Lefort thinks with Marx against Marx.

That constitutive and irreducible opposition between the people and the nobles *precedes* the particular social circumstances or traditions in which they are situated. The phrase 'Machiavelli against Marx' by which one could characterize this aspect of Lefort's enterprise therefore means: Class conflict – which in its essence is a *political* and not an economic conflict – is prior to the positioning of the social actors in the relations of production. We might say that conflict, as negative ground of society, precedes any *factual* reasons for conflicts in the plural. And if conflict is to fulfill its role as negative foundation of society then it follows for us that the difference between conflict as ground and factual conflicts in the plural must be radical by nature: conflict as ground cannot be just one more of many factual conflicts. It must be located on a radically different level. If we allow ourselves to take up philosophical terminology, the matter can be stated once more in terms of the ontological difference: The 'ontological' condition of antagonism is prior to the 'ontical' circumstances under which it is expressed. Wherever there is society – no matter how it is ontically structured – there is internal antagonism on the ontological level. We are employing Heidegger's quasi-concept of ontological difference not only for heuristic reasons. His influence can indeed be traced within Lefort's own texts – even as he only occasionally mentions Heidegger's name. Hence it should not be a surprise that parallels between Lefort and Heidegger on this account have also been perceived by the foremost Lefort-scholar Hugues Poltier<sup>7</sup>:

»[N]otons brièvement que la démarche de Lefort présente une homologie frappante avec celle suivie par Heidegger dans son

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<sup>7</sup> In slight contrast to the following quote by Poltier, for us, the way in which the ontological difference is reformulated and radicalized towards *Ereignis* and difference-as-difference by the *later* Heidegger is more relevant than the Heidegger of *Sein und Zeit*. We would side in this respect with Bernard Flynn, for whom Lefort's text on 'The Permanence of the Theologico-Political?' in particular evokes the later writings of Heidegger. When Lefort, for instance, asks »whether the religious might not be grafted onto a more profound experience« (Lefort 1988: 233), Flynn suspects that what could be meant is »the experience of difference – the Advent« (Flynn 1996: 182). The fact that Lefort does not cite Heidegger is explained by Flynn as sign of a certain suspicion on Lefort's part concerning Heidegger's »systematic denegation of the emergence of the political as such« (183). One should also note that Lefort, when once comparing Heidegger to Merleau-Ponty, was tentatively conceding a certain similarity with respect to their intention: »celle de dévoiler la difference de l'Être et de l'étant« (Lefort 1978: 110). However he insists that Merleau-Ponty's concept of *flesh* (*la chair*) does not have an equivalent in Heidegger, and – even as, for both of them, it is only possible to indirectly approach Being *via* beings – Merleau-Ponty's interests does not so much lie in naming the difference than in thinking the plane of the *flesh* (as it appertains to the visible, to the world and to history) which does not have, according to Merleau-Ponty, any counterpart in traditional philosophical discourse.

questionnement vers l'être. Dans les deux cas, on part de ce qui se montre – respectivement des objets de notre monde quotidien, des événements politiques dont nous faisons couramment l'expérience. Dans les deux cas également, le monde phénoménal paraît ne pas pouvoir être expliqué à partir de lui-même. Sans doute, il est possible d'en donner une description et une explication assez satisfaisantes, ainsi que le montre l'existence de sciences. Leur travail est loin d'être dépourvu de toute valeur. Pourtant, leur point de vue leur interdit d'interroger l'être de l'étant, respectivement l'être du social. Leur limitation provient de ce qu'elles bornent leur examen à »l'étant-là-devant«. L'être n'est en effet pas un »objet«. Pour le découvrir, il faut interroger le sens qui sous-tend la donation de l'objet ou le rapport politique. En retrait, ne se montrant pas, ce sens est l'être de la chose, respectivement l'être du social. Il en constitue, dit encore Heidegger, »le sens et le fond«. À la lumière de ce parallèle que nous venons d'établir, on perçoit mieux tout ce que la démarche herméneutique de Lefort emprunte à la fameuse différence ontologique de l'auteur de *Sein und Zeit*.« (1998: 147)

By insisting – against the viewpoint of science – on the ontological level of the 'being' of the social, one must not forget about the ontic dimension. The latter is absolutely indispensable since pure ('ontological') originary conflict – which is the ultimate *core* of the 'being' of the social – has to find a symbolic outlet if it is not to destroy society. Here, power enters the stage once more. Also on the second axis of antagonization, the internal one, power results from antagonism as that which regulates it. Within the quasi-model of the ontological difference one can say that power, as a *dimension*, is an ontological category, while the specific manifestations of power which determine the particular symbolic dispositive of given society are ontical by nature: On the one hand, the dimension of power belongs to every society – without any symbolic mediation conflict would escalate into meaningless violence. At the most extreme point, a society of *pure* antagonism, a society without the symbolically regulating dimension of power in the Lefortian sense, would amount to a Hobbesian state of nature and, hence, could not be called society at all. If Lefort constantly stresses that the 'evacuation' of the place of power does not eliminate power as such then he does so because of the absolutely necessary symbolic role played by the *dimension* of power (not by its specific content). On the other hand, the specific ways in which antagonism is symbolically regulated by particular 'power-arrangements' are clearly ontical. It is at this ontic level that we have to 'come to terms' with our ontological conditions.

On the basis of similar assumptions it has been proposed by theorists like Bobbio, Connolly, and Mouffe to differentiate between the two levels of an-

tagonism and agonism, between enemy and adversary. While, for Chantal Mouffe, in the case of antagonism the opponent is conceived as enemy to be annihilated, in the case of agonism s/he is understood as an adversary within a shared political language-game.<sup>8</sup> For Mouffe, agonism (and 'politics' in general) becomes our democratic way of 'coming to terms' with the irresolvable, that is to say, ontological condition of antagonism (what she calls 'the political').

It is obvious that those theories are located within the 'Machiavellian moment'. For Machiavelli it is the symbolic dispositive of the republic – as the regime of freedom built on the sovereign rule of law – which allows for recognition of conflict as well as for regulation of the opposition between people and nobles, which makes it impossible for any party to entirely dominate/oppress the other. This makes Machiavelli not only the first 'antagonism theorist', insisting on an irresolvable conflict as the core of every possible society, but also the first to develop a theory of 'agonism' as the symbolically regulated form of antagonism (regulated, for instance, through the arrangement of a mixed constitution). It is important, however, to stress once again that 'regulation' does in no way entail the 'sublation' of the opposition between nobles and the people into a harmonious or even homogenous community. Radical antagonism never disappears. It has to be accepted as the condition of possibility of society; and this acceptance, for reasons that will be elaborated later, is provided by the democratic dispositive. Yet, deconstructively speaking, this condition of possibility (like the constitutive outside referred to above) simultaneously acts for society as its condition of impossibility. From the viewpoint of conceptual history this has been perceived by Gisela Bock in her essay on 'civil discord' in Machiavelli: »[I]t is only in the republican order that the discords among the various human *umori* can and must be expressed; on the other hand, it is these very discords that continually threaten it. They are both the life and the death of the republic« (1990: 201).

### *The umori and the subject of lack*

Given the prominent role the *umori* play in Machiavelli, some further investigations as to their nature are imperative. For it could seem that Machiavelli relied on anthropological assumptions concerning so-called hu-

<sup>8</sup> »Agonistic pluralism«, as Mouffe puts it, »is based on a distinction between 'enemy' and 'adversary'. It requires that, within the context of the political community, the opponent should be considered not as an enemy to be destroyed, but as an adversary whose existence is legitimate and must be tolerated« (1993: 4).

man nature. Most readers of Machiavelli understood his theory in precisely that way: For them, his dark view of human nature constitutes the basis of his pessimism with regard to the possibility of ever reaching a society without conflict. Yet if these interpretations were correct we would be left with a *positive* ground – certain assumptions about factual human nature – *prior* to originary conflict. A positive ground, though, is exactly what has been ruled out by Lefort and Gauchet in the first place and which cannot be tolerated within a post-foundational framework. Therefore, Lefort's interpretation departs from the doxa and propounds a highly original and convincing reading. For Machiavelli, we recount, the irresolvable conflict in society is based on two *umori* – the desire to oppress and the desire not to obey – located within the two classes of the nobles and the people respectively. In that model, the *umori* acquire the status of existentials.

Lefort now denies that Machiavelli's theory relies on fundamental assumptions concerning human nature. Even if he did rely on those assumptions, their positive 'content' would not affect his argument about the originary division since the latter is construed in merely 'negative' fashion: Lefort observes that the nature of the two humours, and, as a consequence, of the two classes is entirely *relational*: »elles n'existent que dans leur affrontement autour de cet enjeu que constitue pour les uns l'oppression, pour les autres le refus de l'oppression« (1986b: 385). Their very existence – their identity – is based on their confrontation. Resolve this originary confrontation and together with society the identity of the two classes will disappear since they exist only by virtue of their mutual confrontation. If we look at the matter from this angle, their relation does not appear to necessitate any positive substance behind their identity: their identity is the effect of their confrontation only. But does not the desire to oppress constitute such a positive substance while, on the other hand, it is only the desire *not* to be oppressed which is purely negative? Isn't there a positive desire – something like a will to oppression – at the bottom of the whole confrontation? And isn't, as a consequence, the relation between the negative desire of the people and the positive desire of the nobles *asymmetri*? At first sight it seems asymmetric indeed: While only the desire of the people seems to be constructed as purely negative the nobles appear to be driven by the positive desire to oppress and command others. Yet a closer look will reveal that the identity of the nobles is as much marked by a void as the identity of the people. And it is with respect to this void that there is no asymmetry. We can substantiate this claim by supplementing Lefort's account with a more Laclauian or even Foucauldian argument: If the nobles are *in need* to oppress, then because they are not in *full* control, not in *total* command themselves. There would be no need for domination without resist-

ance and vice versa. Or, to put it in Lacanian terms: Their very need to oppress attests to their own lack: the nobles, no less than the people, are subject to the experience of a void.

So it is safe to conclude that the purely negative relation of the *umori* points to a lack that *precedes their positive content*. In this sense Lefort can claim that 'une classe n'existe que par le manque qui la constitue en face de l'autre'. And on the axis of internal division there is a relation of mutual implication between the void instantiated by conflict and the emergence of the social bond. Thus, Lefort assumes: »La recherche nécessaire d'une attache passe par l'expérience du vide qu'aucune politique ne comblera jamais" (1986b: 382). Any social bond must pass through the experience of this void, through the experience of a constitutive absence at the very heart of society. From a Lacanian viewpoint it is tempting to see in this void the place of the subject. This would be, for instance, the reading Slavoj Žižek gave to Laclau and Mouffe's political theory: it is not enough to stop at the notion of 'factual' subject positions, that is to say: identities, for in order to explain both the radical antagonism of society and the need for identification in the first place one has to introduce the Lacanian concept of the subject as lack: »the Lacanian notion of the subject aims precisely at the experience of »pure« antagonism as self-hindering, self-blockage, this internal limit preventing the symbolic field from realizing its full identity.« (1990: 253). A critique later accepted and further developed in Laclau (1990) and Laclau/Zack (1994).

A similar quasi-Lacanian interpretation can be given to Lefort. The assumption that the 'manque' at the heart of the relation between the two classes can be identified with the place of the subject is in fact supported by Poltier. His argument hinges on the category of 'desire'. Rather than being independent, the two *umori* constitute 'two poles' of a single desire. And since the two poles cannot be unified (since they are originary) it follows that the 'subject' of that desire is internally divided between these two poles; it can never attain full identity. Such is the way in which Poltier interprets Lefort's 'Machiavellianism':

»En clair: il n'y a qu'un seul désir se scindant en deux pôles. Étant opposés, il est impossible au sujet de se situer dans l'un et l'autre en même temps. (...) Dit autrement, le désir du sujet humain se brise dans deux pôles incompatibles. Si l'un d'eux est concrétisé dans le sujet, l'autre ne peut être ni rélâsé ni éliminé totalement.«

So Poltier arrives at the conclusion:

»L'incomplétude du sujet est insurmontable. L'opposition des désirs respectifs du peuple et des Grands trouve ainsi sa source dans la brisure

du sujet. Le fondement de la division social et, partant, le fondement du pouvoir, résident dans la division du désir. Telle est, en définitive, la thèse soutenue par Lefort dans son *Machiavel*.» (1998: 146)

The introduction of such a Lacanian theory of the divided subject allows us to redefine 'human nature' in a non-essentialist way and to retrace the void behind all positive anthropological assumptions.<sup>9</sup> The subject is marked by a void as much as society – and, for that matter, as every identity.

### *The real as disturbance and absent ground*

But does a Lacanian reading do violence to Lefort's theory? A superficial reading would not find too many traces of psychoanalysis in his work. Joan Copjec remembers the following anecdote which appears to be symptomatic: After Lefort had delivered his essay 'The Image of the Body and Totalitarianism' (published in Lefort 1986) at a conference hosted by the *Center for the Study of Psychoanalysis and Culture* at the University of Buffalo, a member of the audience stood up and complained that he had come to hear a psychoanalytic presentation and now was puzzled not to encounter any talk about the ego, the id, repression, etc. He simply missed the psychoanalysis in Lefort's presentation. And indeed, Lefort's language is not analytic in the strict sense. Yet that audience member made the common mistake, as Copjec remarks, to confuse concepts with vocabulary: »for although Lefort never spoke the words this man was waiting to hear, it is clear that the concepts of psychoanalysis have defined the very field which Lefort's work inhabits«. Lefort does actually concede the influence psychoanalysis had on himself at the end of his paper<sup>10</sup>, yet he also insists that psychoanalysis could only evolve within the

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<sup>9</sup> I leave aside the question whether the subject of lack should actually be described – as Poltner does – as the 'foundation' of social division given that social division has been defined as originary. This question, however, whether the subject of lack is the 'foundation' of social division or whether it is merely complementary to social division (which seems to be implied in Žižek's model) is of entirely secondary nature if we realize that even as a foundation it is entirely negative. So even in that case we would not reach a positive foundation behind social division but rather would look into one more abyss which is the subject.

<sup>10</sup> The whole quote reads: »Such, then, are a few thoughts which indicate the direction for a questioning of the political. Some readers will no doubt suspect that my reflections are nourished by psychoanalysis. That is indeed the case. But this connection is meaningful only if one asks oneself at which hearth Freud's thought was lit. For it is not true that in order to sustain the ordeal of the division of the subject, in order to dislodge the reference points of the *self* and the *other*, to depose the position of the possessor of power and knowledge, one must assume responsibility for an experience instituted

democratic dispositive. As Copjec paraphrases: »In other words, Lefort is saying, if his theorization of democracy seems to be nourished by psychoanalysis, this is only proper, since psychoanalysis was originally nourished by the experience of democracy« (Copjec 1992, n.p.). One has to conclude that the relation between the 'object matter' of Lefort's thought – the political – and psychoanalysis is *reversible*. On the one hand, his theory of democracy as the dispositive which disincorporates the 'body politic' relies, to some extent, on the conceptual apparatus of psychoanalysis. On the other hand, psychoanalysis became only possible within a 'disincorporated' dispositive, that is to say, after the democratic invention. And the same can be said about the relation between psychoanalysis (which discovered the 'originary division' of the subject) and Lefort's thinking of 'the political' – as the abstract concept for the 'regime' or form of society as well as for the originary division of society. Psychoanalysis, then, if it wants to understand its own conditions of emergence, must be premised as much on a thinking of the political as the latter is premised on a set of psychoanalytic insights.

One of the psychoanalytic insights – in Lefort's work and, more extensively elaborated, in the work of Laclau and Žižek – is, as we have seen, the 'disincorporation' or division of the subject in its relation to the disincorporation and division of society. Yet to what extent do other analytic concepts play a role in Lefort? The most obvious candidate is, of course, the concept of the 'symbolic'. It is clear for Lefort that there can be no society without the symbolic dimension. In the journal *Psychanalystes* he develops his idea of the symbolic through a critique of naturalist and realist assumptions, insisting that such an idea has a much longer history than psychoanalysis and can be found in Plato already and, of course, in Machiavelli (where, for instance, Machiavelli observes that the prince must build his authority on the *Name of the Prince*, quoted in Flynn 1992: 184 pp.). Moreover, as Bernard Flynn observes, Lacan's notion is given by Lefort a 'Merleau-Pontyan' turn: »For Lefort, the Symbolic Order is that which deploys the 'within and without'; it is what operates this distinction – the symbolic structure of society is neither within nor without« (185). One could say that for Lefort the symbolic defines the very way in which the chiasmatic, instituting dimension of society – its self-externalization – is operationalized and institutionalized. In its most basic form, as 'symbolic system' of society, this dimension is specifiable as »a configuration of the signifiers of law, power and knowledge« (Lefort 1986: 186). While in the 'monarchic' dispositive these signifiers are unified or incorporated in the single signifier of the body of the king, in the symbolic dispositive

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by democracy, the indetermination that was born from the loss of the substance of the body politic?« (Lefort 1986: 306)

of democracy they are disjointed. The relation we establish with or towards the dimension of the originary division can only be symbolic.

In like manner, this could suggest thinking about the originary division in terms of 'antagonism as real' (Žižek) although from a Lacanian viewpoint Lefort's usage of terms like 'the real' and 'reality' is not always consistent, and sometimes he employs them interchangeably.<sup>11</sup> However, in some passages he comes quite close to a Lacanian understanding of the real as that which disturbs the process of every symbolization; or, from the viewpoint of political thought: as name for antagonism, as absent foundation and as name for radical contingency. Simultaneously, a further category is required to name the complementary process of denial and concealment of the original division. For if society can only be established through a process of self-division – which both enables and disables a certain degree of social coherence – then society can never reach a state of full reconciliation with itself. There will always be attempts at 'covering up' the fact that at the place of society's ground the only thing we discover is an abyss. These 'cover-ups' (a »folding over of social discourse on to itself«, 1986: 202) Lefort calls processes of *concealment* which operate through the dimension of the 'imaginary'.<sup>12</sup>

Such concealment which indicates a profound inability to accept the instituting distance of society to itself, must always fail in the final instance – due to the ontologically *necessary* character of the disturbing cause of the real. Any attempt at the occultation of division, Lefort claims, *remains* subject to the effects of social division – effects which are revealed, as it were, »through the failures of occultation«. These 'failures' of and 'discordances' within the process of occultation allow »what we can now justly call the *real* to appear«. Lefort, in a manner not entirely dissimilar to Lacan and those who have been

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<sup>11</sup> At any rate, for Lefort, reality (what he also calls 'facts') is discursive by nature since »there is no institution which is not organized within a linguistic activity«. Thus, 'facts' are defined by Lefort as *first order language*, while the symbolic and imaginary *mise-en-forme* is defined as *second order language* (1986: 210).

<sup>12</sup> Dick Howard characterizes Lefort's notion of the imaginary – *l'imaginaire* – as follows: »the Freudian term which, in the work of Jacques Lacan, conceptualises the representational dimension of psychic functioning, the image of itself which the human needs in order to function as a social being. This self-image is articulated by Lacan in terms of the Oedipal drama where the Father represents the Law, indicating to the male child what is socially forbidden, and therewith teaching the child his place in the society. Analogously, the social *imaginaire* would represent the Law of society's structuring, telling it what is and is not legitimate, what can and cannot be changed, and ultimately defining and limiting its self-identity. The *imaginaire*, symbolically articulated, structures the scientific, religious and aesthetic discourse through which a society comes to know itself. Its function is to neutralise the conflictual *origins* of the social, to create the illusion of permanence and necessity which characterised the 'society without history'« (Howard 1988: 216).

influenced by Lacanian thought such as Laclau, thus defines the real in purely empty or negative fashion as »that which marks the impossibility of achieving concealment« (197). From the above said we must conclude that the dimension of the originary division shows itself through the failures in the processes of imaginary concealment. The real appears by disturbing all efforts to conceal the originary division. Thus, the real and the imaginary, as Lefort presents them, are locked in a (negative) 'dialectic': On the one hand, what the work of the imaginary aims at is the occultation and concealment of the founding nature of social division and historicity (of contingency within history, as we would put it). On the other hand, though, it will never achieve this task given the disturbances in the imaginary which 'mark' the *impossibility* of final concealment. Yet these marks of failure and disturbance *do* have a symbolic function even as they do not point at any positive referent. Lefort even describes them as *signs* when he emphasizes that occultation consists in »suppressing all the signs which could destroy the sense of certainty concerning the nature of the social«. These signs suppressed by imaginary occultation are, if one wanted to invert his famous dictum on the »dissolution of the markers of certainty«, the *markers of un-certainty*, or, rather, of contingency. These markers are »signs of historical creativity, of that which has no name, of what is hidden from the action of power, of what breaks apart through the dispersed effects of socialization – signs of what makes a society, or humanity as such, alien to itself« (203). Their minimal or 'negative' symbolic function is given to them by the democratic dispositive. Within the latter they do not count as mere disturbances but – being disturbances of the process of *imaginary concealment* – they are understood as pointing at a dimension beyond the symbolic: the absent ground of society.

### *Ideology as imaginary concealment of division*

To concentrate for a moment on the imaginary dimension will allow us to approach our main problem of the originary and instituting division of society once more – but this time from its 'reverse side', the side of its concealment or occultation. For this side Lefort retains the traditional term ideology. A closer look at the way in which he uses the term will show that ideology can justifiably be defined as *discursive actualization* of the imaginary dimension. This actualization might take place in different ways (Lefort theorizes at least three of them: totalitarianism, bourgeois and invisible ideology), yet the main problem of every ideology is to come to grips not only with the 'logical' impossibility of closure but also with the irreversible *historical*

event of the democratic revolution. Neither can the event of the democratic revolution be reversed nor can the paradoxes that were instantiated by it be resolved – even as ideology aims at precisely such a *de-paradoxization*, to use a term by Niklas Luhmann.

Totalitarianism, now, the most radical form of ideological concealment, is marked by the democratic revolution in particular since totalitarianism is nothing else than the mutation and prolongation of its features: totalitarianism both inverts and at the same time radicalizes the features of the democratic revolution and therefore must not be confused with pre-democratic forms of government like tyranny or despotism as Lefort, like Arendt, repeatedly insists.<sup>13</sup> Rather, it is one of the two major directions in which the democratic revolution can evolve: democracy and totalitarianism; and, since totalitarianism is rooted in the democratic revolution, it cannot be clearly and definitely separated from democracy. The reason is the following: With the democratic revolution society lost its access to a transcendent source of legitimation. From now on society must accept that it has to institute itself, draw its own boundaries and find its immanent sources of legitimation. And since society is thrown back on itself in the moment of its institution (or ‘invention’) it necessarily resorts to the fantasies of total domination of the social space, of omnipotent knowledge and all-knowing power: »A condensation takes place between the sphere of power, the sphere of law and the sphere of knowledge. Knowledge of the ultimate goals of society and of the norms which regulate social practices becomes the property of power, and at the same time power claims to be the organ of a discourse which articulates the real as such« (1988: 13).

As with all forms of imaginary concealment, the defining characteristic of totalitarianism must be seen in its occultation of the original division and the empty place of power. By merging society and power it closes and homogenizes social space. Power will be re-incarnated and its place occupied first by a party »claiming to be by its very nature different from traditional parties, to represent the aspirations of the whole people«. The latter will be identified with the proletariat which will be identified with the party, then with the politbureau and ultimately with what Lefort, taking up an expression of Solzhenitsyn's, calls the ‘Egocrat’. What is the difference between the Egocrat and the monarch? It amounts to a difference between a precarious form of

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<sup>13</sup> This implies that it is not enough simply to denounce totalitarianism as some Cold-War-ideologists as well as the French ‘new philosophers’ did of which Lefort distances himself (1986: 293). It is important to stress that Lefort started to develop his critique of totalitarianism at a time – already in the late 1940ies – in which this was not at all fashionable on the Left.

transcendence, where the body of the monarch is split between its transcendent and its earthly body, and a form of full immanence. While the monarch was not identical with itself, the Egocrat, who seeks to fully incarnate the place of power *within* society, is in possession of a single body only: *corpus mysticum* and *corpus naturale* are indistinguishable. The Egocrat coincides with himself as much as totalitarian society coincides with itself. Of course, the monarch too was unifying in his body the principles of power, law and knowledge, but still he had to obey a 'higher power'. He was both above the law and subject to the law; he was, as Lefort stresses with recourse to a medieval formula, *major et minor se ipso*, both above and below himself (1986: 306).

The main feature of totalitarianism – with respect to the founding conflict – is that any form of antagonism will be concealed, and a homogenized and self-transparent society will be postulated: »social division, in all its modes, is denied, and at the same time all signs of differences of opinion, belief or mores are condemned« (1988: 13). This means that, on the internal axis, the originary division is erased, or rather displaced. It is erased in the sense that what the Egocrat incarnates is the 'People-as-One', that is to say, society without internal division and antagonism. But since, as an ontological dimension, it can never be completely erased and will continue to surface in form of disturbances of the imaginary concealment it has to be *displaced*. And in order for the 'People-as-One' to be presented as a *totality*, as full identity, a relation to some sort of outside is inevitable. What acts as the new outside is a series of internal substitutes representing the 'enemy within'. The identity of the people is established vis-à-vis the enemy of the people (the kulaks, the bourgeoisie, the jews, spies, and saboteurs). The metaphor of the body starts tainting political discourse: the identity of the body of the people and society depends on the elimination of its *parasites*. And yet, totalitarianism is entangled in a paradox. Its goal is to get rid of internal division but in order to achieve that goal an enemy has to be produced: »division is denied (...) and, at the same time as this denial, a division is being affirmed, on the level of phantasy, between the People-as-One and the Other.« (1986: 298) Totalitarianism needs the enemy as a reference point and, thus, relies on division in the very moment in which it decries it.<sup>14</sup>

The same contradiction operates on the external axis, the division between society and its outside. In totalitarianism, power, as Lefort remarks, »makes no reference to anything beyond the social; it rules as though nothing existed outside the social, as though it had no limits'. This implies that 'it

<sup>14</sup> According to Lefort (1979), this contradiction runs through the Egocrat as well: On the one hand, he fuses with the people and the party which he is supposed to incarnate. On the other hand, he confronts them from the position of the master.

relates to a society beyond which there is nothing« (1988: 13). It is a society of total immanence where any dimension of transcendence (including an 'empty' or negative transcendence) is lost: the chiasm between inside and outside is disentangled in favour of the inside. The principle of immanence is symbolized by the Egocrat in whose body the social totality is condensed. However, since some reference point is required in order to constitute a totality, again, internal or immanent outsides (enemies) have to be found or invented. The idea of organization, upon which the totalitarian ideology is erected, needs to create the idea of disorganization as its own opposite, the imaginary threat of chaos (sabotage, subversion, etc.). Society's necessary self-externalization and division, internal and external conflict, is identified with the danger of disorganization. While this is exactly what characterizes totalitarianism it simultaneously implies that the latter carries within itself the seeds of its own failure: it means that the totalitarian idea of organization presupposes and builds upon the idea of *dis*-organisation: totalitarianism comes into being only by virtue of an irresolvable contradiction. Hence, it is doomed to failure – something Lefort predicted in the 1960ies already.

*After totalitarianism: the 'invisibilization' of division*

To summarize the Lefortian thesis on the relation between democracy and totalitarianism, one could rephrase it in the following fashion: Since both have its roots in the democratic invention, the distinction between democracy and totalitarianism is a distinction *within* democracy. Being a mutation within the democratic dispositive, totalitarianism cannot overcome the contradictions inherent in a society which, having lost any 'natural' reference point and foundation, can only establish an identity by dividing itself – both internally and externally. But we also have to see the implications of this claim: As a consequence of Lefort's thesis, democracy is not the opposite of totalitarianism but contains totalitarianism as an *internal tendency* (1979) – hence, no reason for complacency. Democratic complacency (whose locus classicus is Fukuyama) – which understands democracy as already fully realized and overlooks its common roots with totalitarianism – is *itself* a form of ideology. It is called by Lefort the 'invisible ideology'. From this currently hegemonic form of ideology he discerns another historical variant, the 'bourgeois ideology'. They all are defined *as* ideologies because of their diverse strategies to conceal the absence of any legitimacy foundation and the constitutive chiasm between inside and outside.

Bourgeois ideology, which can oscillate between conservatism and anar-

chy, experienced its peak in the second half of the nineteenth century. Its discourse is constructed around the idea of positive knowledge and denies the existence of any transcendent beyond or outside from where religious or mystical knowledge could be guaranteed. And yet bourgeois ideology does not search for new, contingent foundations *internal* to society. Rather, its discourse is founded upon the separation of *ideas* from the supposed real and by ascribing to the former a transcendent status: What is typical for bourgeois discourse, as a discourse of the universal, is that it relies on those transcendent ideas written in capital letters: Humanity, Progress, Nature, Life, Science, Art, the Republic, Property, Family, Society, Nation, and Order (Lefort 1986: 205). These ideas secure their identity by entering into a vertical dichotomy: The orderly realm of ideas – civilized society – rises above a chaotic and irrational sphere of subordinated elements threatening society: the proletarian threatens the bourgeois, the savage threatens the civilized, the madman threatens the ‘mentally sane’. The constitutive outside of society mutates into a ‘downside’, the *beyond* into a *below* of society, or of mankind even. Order (or identity) is not established anymore vis-à-vis a *trans*-social sphere of the sacred but vis-à-vis a *sub*-social sphere of chaos. But again, as Lefort writes in nearly deconstructive terminology: »the conditions which ensure the efficacy of bourgeois ideology also contain the possibility of its failure« (208). On the one hand, the strength of bourgeois ideology rests on its ability to proliferate its ideas throughout an increasing number of discourses until even the most revolutionary and subversive politics has to be formulated on its terms (just think of ‘progress’) thereby further strengthening bourgeois ideology. The instituting division is dissolved by the ‘pluralism’ of ideas and of differentiated spheres of action (economy, technology, art, politics, etc.). On the other hand, the same fact constitutes the main weakness of bourgeois ideology: the ideas cannot fulfill their promise of transcendence since the latter collides with the assumption of a differentiated social objectivity; and they cannot fulfill their promise of universality either since they are plural and often times incompatible. On this basis it becomes possible for the totalitarian ideology to liquidate its bourgeois counterpart.<sup>15</sup>

After the age of communism, what has become the prevalent answer to the irritation of society’s groundlessness is the ‘invisible ideology’.<sup>16</sup> Here, the

<sup>15</sup> In particular by obliterating the boundaries between the differentiated social systems and fusing the bourgeois oppositions (in particular the one between civil society and state), thus nourishing »a passion for tautology« (Lefort 1986: 215).

<sup>16</sup> Recently Lefort speaks about a ‘society of individuals’: the neoliberal version of the invisible ideology. The myth of the society of individuals presents the state as a nothing more than the administrator of a national enterprise or incorporation. This could have *desymbolizing* effects on social relations: »Wenn man der Vorstellung einer Gesellschaft von

imaginary dimension is actualized by the ideology of supposedly anonymous information and the ceremony of communication: social division is occulted by the bond of media communication. With the help of the overarching and endlessly multiplied transmissions of radio and television, ideology produces the illusion of a homogenized social space. Communication provides a common background in front of which all differentiated spheres of action as well as scientific, economic, cultural and political contents become interchangeable. This permanent background of the ceremony of communication is the new 'foundation, this accompaniment is the lining continuously spun from the intolerable fact of social division' (228). A social bond, a *between-us* (*entre-nous*) is created; however, this bond is not predicated on a constitutive absence. Rather, conflict is pasted over by the incantation of *familiarity*:

»it installs within mass society the limits of a »little world« where everything happens as if each person were already turned towards the other. It provokes a hallucination of *nearness* which abolishes a sense of distance, strangeness, imperceptibility, the signs of the outside, of adversity, of otherness« (228).

This omnipresent ritual of communication assumes its general political significance by obliterating the gap between society and its outside and between society and politics: the political is occulted, power turns into a place like any other. Its effectiveness »lies in the fact that it is only partially manifested as political discourse – and it is precisely because of this that it acquires a general political significance« (227). Political 'round table' discussions on TV are a case in point. All relations of domination seem to disappear insofar as the invisible ideology incorporates all opposition by simulating within itself a place for the contradictor while, at the same time, equivalence is simulated between rulers and ruled – an equivalence which does not correspond to the factual antagonisms outside the studio. A »phantasmagoria of reciprocity« is established, »according to which everything is in principle sayable, visible, intelligible, for such is indeed the ultimate effect of the occultation of division: the image of an unlimited discourse in which everything would become transparent« (229). There is an illusion of transparency because the

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Individuen verfällt, ist man Opfer eines Mythos. Und man sieht nur zu gut, wie dieser Mythos partikuläre, durch den Markt beförderte Interessen zufriedenstellt. Noch einmal ist es wichtig, die Verflechtung der politischen, wirtschaftlichen, gesellschaftlichen und moralischen Tatsachen zu begreifen. Wenn sich die Träger der politischen Autorität im Namen der ökonomischen Notwendigkeit mit einem gesellschaftlichen Bruch abfinden und der Staat nur noch als Verwalter des nationalen Unternehmens – mehrfach habe ich den Ausdruck 'Unternehmen Frankreich' gehört – darstellen, dann sind sie die Hauptverantwortlichen für den Verlust des Symbolischen.« (1998: 13)

precarious, chiasmatic relation between the visible and the invisible is resolved *within the visible*. And in the moment in which everything becomes visible, what is effectively 'invisibilized' is the dimension of society's institution via conflict and division.<sup>17</sup>

To recapitulate: Every modern form of ideology (and every ideology is modern in the sense that it is a response to the democratic revolution) consists in the denial of both the instituting role of division and the emptiness of the place of power. Yet, with the democratic revolution it has become impossible to permanently occupy that place of power which has effectively been disincorporated. While in the past, this external place has been occupied by the gods, or, in a supplementary way, by the transcendent body of the monarch, such a transcendent or foundational outside – an actually existing outside with a positive content independent of society's identity – is unthinkable within the democratic dispositive: Nothing and nobody can anymore legitimately claim being a natural inhabitant of the outside and incarnating an external point of reference: The outside has long been abandoned by the gods, and power – the representational form of that outside – has been 'emptied'. Such a stance is also unthinkable, philosophically speaking, after the decline of foundationalism. Nobody can justifiably claim having unhindered epistemic access to a transcendent sphere of knowledge: Such epistemic foundationalism is simply the scientific form of *ideology*. A paradigmatic example for a foundationalist theory in the social sciences is orthodox Marxism: Here it is the economic 'base' which supplies a substantive point of reference for everything in the 'superstructure'. Yet positivism, or what Lefort calls bourgeois science (the complement to bourgeois ideology), with its belief in a factually pre-given objectivity is no less foundationalist. Ideology, thus, can emerge in both politics and science. Ideology is a foundationalist enterprise: the »enterprise of phantasy which tends to produce and to fix the ultimate foundations of knowledge in every sphere« (299).

### *Democracy as 'ontic institutionalization' of division*

After having discussed the phenomenon of original division from its reverse side – imaginary concealment –, let us recapitulate where precisely the difference between the democratic dispositive and forms of ideology is situated. In both the democratic and the non-democratic dispositive it is a fact that only with recourse to the instance of power, which represents its outside,

<sup>17</sup> As well as the ideological operation itself: the 'operation which defuses the effects of the institution of the social' (Lefort 1986: 234).

can society imagine itself as *one*. In both cases power offers to society a 'point of reference' which has to be external to the social (i.e., has to be represented as being external) in order to function as reference for the social whole, for, as it has been demonstrated, we can only establish the totality of something by referring to a point or place which is not itself part of that totality but is external to the latter. *Every* society – democratic or not – achieves its identity through such division (even when ideology denies division it simultaneously constructs it in the form of enemies). So if this logic applies to *every* society, where does the difference lie between a democratic and a non-democratic dispositive?

Here, it is important to emphasize that the post-foundational answer to this question must not be confused with the *anti*-foundationalist answer. The 'dissolution of the markers of certainty' does not lead to a dissolution of *all* markers, to the dissolution of the symbolic dimension as such. The latter assumption would, of course, characterize the standard foundationalist critique of anti-foundationalism: According to its foundationalist critiques, anti-foundationalism assumes that if we did not have any stable ground, any guiding principle (of ultimate values, rational truth, etc.), any certainty regarding our social affairs, then everything would be allowed. According to this standard critique, we would be in total confusion, without any orientation and deprived of any symbolic framework within which we could position ourselves. For Lefort, and that is what makes his theory *post*-foundational rather than anti-foundationalist, this does not constitute a stringent conclusion. It is true that what functions as the Other of society is not a positive, transcendent principle or ground but, on the other hand, the dimension of the outside – the instituting 'ground' – cannot completely disappear either if society is still to have an identity; and who would deny that it is in need of some sort of identity. Lefort makes it very clear that a point of reference is still required though democratically it has to be established in a different, a purely non-substantive way. What characterizes the democratic dispositive then is that it keeps the place of power empty and refrains from positing any ground other than its self-division. Yet the different forms of ideology have taught us that the groundlessness of the social and the emptiness of power can be denied and occulted. Hence, something more is required for democratic dispositive to be realized: The emptiness of the place of power has to be *institutionally* recognized (as much as the groundlessness of society is theoretically accepted by post-foundational political thought) and *discursively actualized*. What has to occur is the institutional recognition that the place of power has always been – and will always be – empty. The democratic dispositive, hence, provides an

*institutional framework* which guarantees for the *acceptance* of the groundlessness of the social.

How is this paradoxical goal of the institutionalization of groundlessness achieved within the democratic dispositive? The following set of 'arrangements' – which should not be understood as mere mechanical applications even as they have to be operationalized on the 'ontic' level – requires our particular attention. The first has been mentioned already: The disincorporation of the place of power is accompanied by 'the disentangling of the sphere of power, the sphere of law and the sphere of knowledge'. Power is in constant search for its own base of legitimation because the principles of justice and of knowledge are not anymore incorporated in the person of the ruler:

»Once power ceases to manifest the principle which generates and organizes a social body, once it ceases to condense within it the virtues deriving from transcendent reason and justice, law and knowledge assert themselves as separate from and irreducible to power. And just as the figure of power in its materiality and its substantiality disappears, just as the exercise of power proves to be bound up with the temporality of its reproduction and to be subordinated to the conflict of collective wills, so the autonomy of law is bound up with the impossibility of establishing its essence. The dimension of the development of right unfolds in its entirety, and it is always dependent upon a debate as to its foundations, and as to the legitimacy of what has been established and of what ought to be established. Similarly, recognition of the autonomy of knowledge goes hand in hand with a continual reshaping of the processes of acquiring knowledge and with an investigation into the foundations of truth. As power, law and knowledge become disentangled, a new relation to the real is established; to be more accurate, this relation is guaranteed within the limits of socialization and of specific domains of activity.« (1988: 17-18)

Within the democratic dispositive, therefore, the boundaries between these spheres of activity have to be recognized. What we witness is the respective *autonomization* of the spheres of law, knowledge and power – they all develop and define their own norms and principles of legitimacy, and it is totalitarianism which seeks to tear down the walls between these spheres and re-center society around a single legitimacy ground.<sup>18</sup>

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<sup>18</sup> Therefore, 'separation' of those spheres, as Lefort stresses, »does not mean a complete break; or, of the term is suitable, it is only on condition that it does not efface the mode of articulation which is instituted by the break itself« (1986: 255).

The fact that such a single ground disappears, though, does not imply the disappearance of the *questions* of social institution. Since they cannot rely on any external source of 'founding' they turn into questions of autonomous self-institution of society. And it is *within* society where all questions of autonomous self-institution are negotiated. This is made possible by the separation of civil society from the state. Furthermore, a *public space*<sup>19</sup> is carved out of civil society in which no monarch, no majority and no supreme judge can decide which particular debate is legitimate and which one is not. Democracy is »founded upon *the legitimacy of a debate as to what is legitimate and what is illegitimate* – a debate which is necessarily without any guarantor and without any end« (1988: 39).

That never-ending debate – which forms public space – was secured by the declaration of human rights (Gauchet 1989). The notion of human rights points to a territory which – as a consequence of the disentanglement of power, law and knowledge – is located *beyond* the reach of power. Human rights are declared within and by civil society itself and are part of the auto-institution of the latter. It goes without saying that nothing could be more alien to Lefort than grounding human rights within the *nature* of man. This would again posit a further positive ground behind society's *absent* ground. Lefort prefers (like Arendt before and Derrida after him) inquiring into the paradoxes of the declaration of rights which resemble the paradoxes involved in the act of declaring a constitution.<sup>20</sup> Once declared, however, human rights produce an ultimate frame wherein positive law can be questioned: »From the moment when the rights of man are posited as the ultimate reference, established right is open to question« (Lefort 1986: 258). Human rights do *not* constitute a new positive ground, they do not consist of a certain set of

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<sup>19</sup> In more concrete terms defined by Lefort in an Arendtian way as »a space which is so constituted that everyone is encouraged to speak and to listen without being subject to the authority of another, that everyone is urged to *will* the power he has been given. This space, which is always indeterminate, has the virtue of belonging to no one, of being large enough to accommodate only those who recognize one another within it and who give it a meaning, and of allowing the questioning of right to spread« (Lefort 1988: 41).

<sup>20</sup> Lefort remarks for instance that »the rights of man are declared, and they are declared as rights that belong to man; but, at the same time, man appears through his representatives as the being whose essence it is to declare his rights. It is impossible to detach the statement from the utterance as soon as nobody is able to occupy the place, at a distance from all others, from which he would have authority to grant or ratify rights. Thus rights are not simply the object of a declaration, it is their essence to be declared« (1986: 256-7). The similarity to the declaration of a constitution does not only lie in the performative character of the speech act of 'declaring'; it is the same *impossible* place from which the declaration has to proceed: a place which necessarily has to presuppose what it claims to be founding.

pre-established eternal principles: they are characteristically open with respect to their content. Although human rights, *in principle*, expose all particular established rights to questioning, they guarantee however that one right cannot be questioned: *the right to have rights*, as Lefort formulates with reference to Hannah Arendt. Once acknowledged human rights enable more and more social groups to claim their right to have rights. Lefort's point is that the *extension* of human rights to more and more groups – and, since they have to openly *struggle* for their inclusion, the extension of public space – is not an arbitrary addition to the democratic dispositive but is *absolutely necessary* for democracy to exist. The constant call for inclusion of more and more groups (today, for instance, for the rights of homosexuals, jobless people, or immigrants) – the call for their inclusion in the category of those who have the right to have rights – is what generates democracy again and again. This is the meaning of the notion of *generative principle* ascribed to human rights by Lefort.<sup>21</sup>

This generative process of fighting for further inclusions into the ever-enlarging space once opened up by the declaration of human rights is, of course, conflictual in nature and thus accompanied by the *institutionalization of conflict* in democracy (Lefort/Gauchet 1971). Universal suffrage therefore belongs to the most important elements of the democratic dispositive. This might sound trivial but the ultimate meaning of universal suffrage, according to Lefort, is not to elect representatives of the people what, eventually, will permit the constitution of a government. This, in a sense, is a 'side effect' of elections. Its real meaning is, firstly, to give rules to political competition which guarantee for the periodic *evacuation* of the place of power thereby reminding of the latter's ontologically 'empty' status; and, secondly, to move social conflict (conflicts of interests and class conflict) onto the symbolic stage of politics. We witness the 'sublimation' or symbolic institutionalization of, again, both the external axis and the internal axis of society's originary institution: its self-externalization vis-à-vis an (empty) place of power and its self-identification through internal struggle. Conflict or, as we could say: antagonism as real, is not denied and disavowed in democracy: it is recognized and

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<sup>21</sup> It should be mentioned that, for Lefort, the 'institutionalization' of rights is an ambiguous enterprise since it is both a necessary condition for an awareness of rights to evolve and constant threat to rights in as far as it tends towards bureaucratization and concealment: »On the one hand, the institutionalization involves, with the development of a body of law and a caste of specialists, the possibility of concealment of the mechanisms indispensable to the effective exercise of rights by the interested parties; on the other hand, it provides the necessary support for an awareness of rights« (1986: 260). This shows that Lefort is conscious of the paradoxical nature of any *ontic* institutionalization of *ontological* conditions.

simultaneously displaced into the Symbolic. This mechanism rests on a process of *disincorporation* in the moment of elections. What occurs is that in the moment of elections, citizens which are entangled within different social contexts experience what Lefort calls the »disincorporation of the individual« (1986: 303). They are abstracted and transformed, or better: *converted* into numbers. The historic precondition for such abstraction is, of course, a process of secularization. Only after the disincorporation of the body social it became imaginable to disincorporate the individual, to break the unity of society apart into numbers in the moment of election, thus exploding social substance into fragments: »the idea of number as such is opposed to the idea of the substance of society« (*ibid.*). Or, most poignant: »Number replaces substance« (1988: 19).

The *universality* of the body social formerly incorporated by the monarch is now replaced by *universal* suffrage, whereby the *general* will can never manifest itself without mediation as it divides itself and has to be 'counted out'. What is actually symbolically represented in the moment of election, then, is not the will of the people in its unmediated emanation: quite on the contrary, it is the fragmentation, division and conflictuality of society which is staged. It follows that the will of the people is nothing unitary because the fact that it has to be counted out attests to its fragmentation. This is why 'the people' does not exist. And, in addition to that, it also disproves the critique of democracy as 'merely formal'. Such a critique usually insists that democratic elections mask and mystify the 'real' economic power relations since elections are not about distributing 'real' or factual power. What is overlooked is that elections are not, in the first place, about the distribution of 'real' power anyhow since their function is to stage and symbolize conflict and power *as real*. Their paradoxical role is to serve as institutional *markers of un-certainty*. It is in the symbolic drama of election that society returns to the dimension of its own foundation and origin: to the ultimately conflictual character of the social and to the impossibility of permanently occupying the place of power. What symbolic conflicts on the stage of politics legitimate, thus, is not so much social conflicts in all their varying forms, but, rather, the *instance* of conflict as originary: society's founding antagonism.

### Conclusion

All those aspects of the democratic dispositive contribute to the institutionalization of society's originary dimension: division. What makes division originary is the impossibility of a positive ground. It is because society's iden-

tity cannot be forged in relation to a positive ground that society has to find its ground in itself by way of self-division. Such a quasi-transcendental claim about the general condition of identity formation makes sense only if it is valid with regard to *every* form of society. The difference between democracy and totalitarianism is not that the latter has access to a positive ground while the former hasn't. What distinguishes democracy from totalitarianism and other forms of ideology is that in democracy the general condition of every possible society – the absence of a positive ground – is not occulted but *institutionally recognized* and *discursively actualized*.

This, however, can only be a paradoxical enterprise because it is impossible to fully institutionalize something purely negative and absent into a presence. If this institutionalization completely succeeded we would be left with full presence and the dimension of absence would be lost entirely. Absence *as such* cannot be institutionalized. Therefore, institutionalization or discursive actualization has to aim at something slightly different: the *recognition* of absence as absence, that is, the recognition of the impossibility of founding society once and for all. Symbolic frameworks are provided which allow for the acceptance of interrogation, debate, questioning, and conflict as that what *generates* democracy. Symbolic modes of 'reflexivity' are produced with regard to the logic of identity formation as such. There is nothing 'cognitive' to these modes: their institutionalization merely implies that groundlessness is openly *staged* in democracy and that the constitutive role of division is culturally accepted (that it enters the 'flesh of the social').<sup>22</sup> So we can summarize by saying that what characterizes democracy is not so much the logic of groundlessness and self-division but the recognition of that logic as constitutive. By accepting it as constitutive, the dimension of ground does not disappear obviously. Rather, it is emptied of any positive content and retained as something which is absent. This is what makes democracy – and Lefort's theory of democracy – post-foundational. For, unlike any other form of society, democracy is founded upon the recognition of the very absence of any definite foundation.

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<sup>22</sup> With the latter point Lefort touches at something which a Gramscian might call the necessity for democracy to assume 'cultural hegemony': »Il faut que le sentiment de la division sociale, de l'hétérogénéité, de la diversité irréductible des modes de vie et des croyances, vienne à s'imprimer dans une culture et devienne familier, que cette culture soit comme une seconde nature pour les hommes, pour que la démocratie devienne autre chose qu'un système d'institutions à défendre, qu'elle ne se résume plus au multipartisme et au parlementarisme, mais qu'elle soit comme l'*élément* dans lequel chacun se rapporte aux autres.« (1988b: 196)

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