

## Counter-Democracy

Democracy is established as a generally uncontested ideal, while regimes inspired by this form of government fall under constant criticism - hence the steady erosion of confidence in representatives that has become one of the major political issues of our time. Amidst these challenges, the paradox remains that, while citizens are less likely to make the trip to the ballot box, the world is far from entering a phase of general political apathy. Demonstrations and activism abound in the streets, in cities across the globe, and on the internet. Pierre Rosanvallon analyzes the mechanisms used to register a citizen's expression of confidence or distrust, and then focuses on the role that distrust plays in democracy from both a historical and theoretical perspective. This radical shift in perspective uncovers a series of practices - surveillance, prevention, and judgment - through which society corrects and exerts pressure. The Seeley Lectures are established as a unique forum to promote the finest political thought of our time, and Counter-Democracy is a powerful and provocative addition to this distinguished series.

PIERRE ROSANVALLON is Professor and Chair of Modern and Contemporary Political History at the Collège de France. He is also professor at the École des Hautes Études en Sciences Sociales as well as the President of the international intellectual workshop "La République des idées."

ARTHUR GOLDHAMMER, a translator specializing in French history, literature, philosophy, and social science, has translated more than a hundred works by many of France's most noted authors. He is on the editorial board of the journal *French Politics, Culture and Society*, and in 1996 was named Chevalier de l'Ordre des Arts et des Lettres by the French Minister of Culture.



The John Robert Seeley Lectures have been established by the University of Cambridge as a biennial lecture series in social and political studies, sponsored jointly by the Faculty of History and the University Press. The Seeley Lectures provide a unique forum for distinguished scholars of international reputation to address, in an accessible manner, themes of broad and topical interest in social and political studies. Subsequent to their public delivery in Cambridge the University Press publishes suitably modified versions of each set of lectures. Professor James Tully delivered the inaugural series of Seeley Lectures in 1994 on the theme of *Constitutionalism in an Age of Diversity*.

## The Seeley Lectures include

- (1) Strange Multiplicity: Constitutionalism in an Age of Diversity
  JAMES TULLY
  ISBN 978 0 521 47694 2 (paperback)
  Published 1995
- (2) The Dignity of Legislation
  JEREMY WALDRON
  ISBN 978 0 521 65092 2 (hardback) 978 0 521 65883 6 (paperback)
  Published 1999
- (3) Woman and Human Development: The Capabilities Approach
  MARTHA NUSSBAUM
  ISBN 978 0 521 66086 0 (hardback) 978 0 521 00385 8 (paperback)
  Published 2000
- (4) Value, Respect and Attachment
  JOSEPH RAZ
  ISBN 978 0 521 80180 5 (hardback) 978 0 521 00022 2 (paperback)
  Published 2001



- (5) The Rights of Others: Aliens, Residents, and Citizens
  SEYLA BENHABIB
  ISBN 978 0 521 83134 5 (hardback) 978 0 521 53860 2 (paperback)
  Published 2004
- (6) Laws of Fear: Beyond the Precautionary Principle
  CASS R. SUNSTEIN
  ISBN 978 0 521 84823 7 (hardback) 978 0 521 61512 9 (paperback)
  Published 2005
- (7) Counter-Democracy: Politics in an Age of Distrust
  PIERRE ROSANVALLON
  ISBN 978 0 521 88622 2 (hardback) 978 0 521 71383 2 (paperback)



# COUNTER-DEMOCRACY

Politics in an Age of Distrust

PIERRE ROSANVALLON Collège de France

Translated by
ARTHUR GOLDHAMMER
Harvard University





CAMBRIDGE UNIVERSITY PRESS

Cambridge, New York, Melbourne, Madrid, Cape Town, Singapore, São Paulo, Delhi

Cambridge University Press

The Edinburgh Building, Cambridge CB2 8RU, UK

Published in the United States of America by Cambridge University Press, New York

www.cambridge.org

Information on this title: www.cambridge.org/9780521713832

Originally published in French as *La contre-démocratie* by Éditions du Seuil 2006 and © Éditions du Seuil, Paris. First published in English by Cambridge University Press 2008 as *Counter-Democracy*. English version © Cambridge University Press 2008.

This publication is in copyright. Subject to statutory exception and to the provisions of relevant collective licensing agreements, no reproduction of any part may take place without the written permission of Cambridge University Press.

First published 2008

Printed in the United Kingdom at the University Press, Cambridge

A catalogue record for this publication is available from the British Library

Library of Congress Cataloguing in Publication data

Rosanvallon, Pierre, 1948-

[Contre-dimocratie. English]

Counter-democracy: politics in the age of distrust / Pierre Rosanvallon; translated by Arthur Goldhammer.

p. cm. – (The Seeley lectures; 7)

Includes bibliographical references.

ISBN 978-0-521-88622-2 (hbk.) - ISBN 978-0-521-71383-2 (pbk.)

1. Democracy. 2. Legitimacy of governments. 3. Political participation.

I. Title.

JC423.R616813 2008

321.8-dc22

2008036970

ISBN 978-0-521-88622-2 hardback ISBN 978-0-521-71383-2 paperback

Cambridge University Press has no responsibility for the persistence or accuracy of URLs for external or third-party internet websites referred to in this book, and does not guarantee that any content on such websites is, or will remain, accurate or appropriate.



## CONTENTS

	Foreword by Gareth Stedman Jones [ix]
	Introduction [1]
	Part 1 Overseeing democracy [29]
1	Vigilance, denunciation, evaluation [33]
2	The overseers [57]
3	The thread of history [76]
4	Legitimacy conflicts [104]
	Part 2 The sovereignty of prevention [121]
5	From the right of resistance to complex sovereignty [125]
6	Self-critical democracies [150]

9 Almost legislators [214]

8 Historical references [195]

7 Negative politics [173]

10 The preference for judgment [227]

Part 3 The people as judge [191]

vii



### CONTENTS

## Part 4 Unpolitical democracy [249]

- 11 The sense of powerlessness and symbols of depoliticization [253]
- 12 The populist temptation [265]
- 13 Lessons of unpolitical economy [274]
- 14 Conclusion: the modern mixed regime [290]

  \*Index [319]

viii



### FOREWORD

This book is based upon the Seeley Lectures delivered in Cambridge in 2006. Pierre Rosanvallon, who is a Professor, both at the Collège de France and at the Raymond Aron Centre for Political Research in Paris, has attracted much attention in France and elsewhere for his work on the intellectual history of French politics since the Revolution, on contemporary questions of social justice, and on the definition and trajectory of modern democracy. His historical studies of French politics, incorporating a fundamental and pioneering re-evaluation of French liberalism, include Le Moment Guizot (1985). His examination of contemporary problems of social justice is most powerfully represented by La Nouvelle Question sociale: Repenser L'État-providence (1995), which was translated into English in 2000 as The New Social Question: Rethinking the Welfare State. His third area of concern, work most relevant to the present volume, has focused upon the intellectual history of democracy in France. This has been published as a trilogy: Le Sacre du citoyen: Histoire du suffrage universel en France (1992); Le Peuple introuvable: Histoire de la représentation démocratique en France (1998); and La Démocratie inachevée: Histoire de la souveraineté du peuple en France (2000).

Rosanvallon believes that there are significant differences between American and European conceptions of democracy, dating back to the second half of the nineteenth century. In the United States, democracy has been viewed from a

ix



### FOREWORD

globally fundamentalist perspective and treated as a unique, universal, and intrinsically good political form, destined to spread throughout the world, once offered to its different peoples. This has been a vision not only articulated in works of political science, but also tirelessly preached by successive American presidents from Woodrow Wilson and Franklin Roosevelt to J.F. Kennedy and George W. Bush. In this utopian and quasi-religious perspective, the supposed ethos and institutional form of democracy has remained relatively constant and uniform. So has the political ambition: to ensure a concordance between political practice and this pre-formulated democratic norm, and to further its diffusion throughout the world.

But such an approach has been beset by increasing pessimism. It has found itself confronted by an intractable set of problems, creating an apparently unbridgeable gap between the democratic ideal and a discouraging political reality. Numerous studies have lamented an endemic distrust of politicians, low levels of electoral participation, the decline of political parties, and widespread political apathy or passivity.

In Europe, by contrast, conceptions of democracy and expectations of its progressive improvement have from the beginning been more realistic and low-key. 'Real democracies,' Rosanvallon notes, have always involved 'tension and conflict.' The problem with the conventional notion of democracy, he thinks, is that it elides questions of legitimacy (abiding by the procedural rules of democratic representation) with questions of trust (the assumption that politicians will act for the common good). But according to Rosanvallon, not only is any convergence between legitimacy and trust ever more than purely temporary, but durable forms of distrust have been an



### FOREWORD

inherent component of all democracies, however legitimate. Therefore his alternative conception of democracy encompasses not only the formal, legal, and constitutional practices of democratic regimes, but also all those limiting and corrective devices – whether constitutional or extra-constitutional, including those which date from pre-democratic epochs – by which the people have attempted to impose control over the political processes carried out in their name. This is what Rosanvallon calls 'counter-democracy'.

Rosanvallon believes that conventional definitions of democracy, which restrict it to the electoral process, are too narrow. A more adequate account would include the various ways in which the people are able to check or hold to account their representatives or the government, irrespective of the electoral process. In particular, he picks out for detailed discussion three ways in which distrust may be expressed: powers of oversight or 'surveillance,' forms of prevention, and the testing of judgments.

Conceived in this way, democracy, or rather the forms, which Rosanvallon assembles together as 'counter-democracy,' can be said to possess a history much longer and more multifaceted than that recognized by conventional democratic theorists. For such a history can include practices which enforce forms of popular control or veto, ancient as well as modern, extra-European as well as western. Such an approach also makes possible a more optimistic account of contemporary democracy than that found in many English-speaking accounts. For it suggests that a citizenry may be no less (or more) active than before, simply that it has chosen to exercise these 'counter-democratic' powers in different and less familiar ways.

xi



### FOREWORD

But, as Rosanvallon concedes, there are also dangers in this account. Although the modern citizen may not be as 'passive' as the conventional account maintains, Rosanvallon accepts that levels of political distrust have increased, especially in relation to scientific expertise or economic forecasting, and that there now exists a great distance between civil society and political institutions. It is a situation in which there is a heightened danger of the unwanted appearance of all sorts of populism. Furthermore, if the price of enlarging the contemporary definition of democracy is to accord to all forms of 'counter-democracy' – whether institutional or extrainstitutional – the status of 'an authentic political form,' it is difficult to see how such populism could be excluded from a recognized place in the formal political system.

How effectively Rosanvallon deals with this difficulty is for the reader to judge. Clearly, the implications of some of Rosanvallon's arguments are controversial, but that is only to be expected of an arresting and original approach to the understanding of contemporary political life and of a more positive conception of the prospects of political change.

Gareth Stedman Jones