

SYMPOSIUM  
LE BON GOUVERNEMENT



ABOUT THE COMMENTS ON  
*GOOD GOVERNMENT*

BY  
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## About the comments on *Good Government*

Pierre Rosanvallon

**M**y warmest thanks go to the four contributors for their comments on *Good Government*. This book is but one stage in my cogitations regarding contemporary democracies, and therefore naturally presents some shortcomings. Thus, Salvatore Muscolino has a point when he states that I have not analysed in depth the role of the media, nor have I addressed the effects of economic globalisation. The comments made by Emmanuel Picavet also stress this last point. Furthermore, as rightly pointed out by Natascia Villani, my analysis of the transparency issue merely scratches the surface. This is attributable to the limited purpose of the book- to compare the democratic ideal with the unprecedented primacy of the executive. Future volumes I intend to write on democracy will to some extent answer the questions that have been raised. The next volume will deal with populism, the one after that with the relevant territory for democracy, and the third will discuss the long term in democracy. I believe they will go some way towards answering several of the questions that have been raised. Indeed, I view my work on democracy as an integrated whole, which is still only partway through. And that is precisely the point that I would like to make here- recognising first and foremost the partial nature of the documentation I rely upon in *Good Government* as in the other books, but at the same time demonstrating the methodological continuity that runs

throughout my work, creating its unity whilst at the same time setting its limits.

If it is to be totally meaningful, no conceptual history of democracy can be limited to the history of modern revolutions in the West, as is mine. The Greek *polis* and republican Rome should clearly also find their place therein. The two examples were widely analysed and discussed on both sides of the Atlantic in the 18th century. One need only read the constitutions of the two countries to grasp the strength of their attachment to Antiquity. It was central to education in their times, and one should not forget how much ink Montesquieu and Rousseau dedicated to the ephors and the tribunes. Recent works on politics in Rome and Greece have, moreover, considerably deepened the scope of conceptualisation of the history of democracy (regarding control by the magistrates in Greece or the role of the censors in Rome, to name but two examples). But it is not enough to simply establish this link with western Antiquity. Amartya Sen's «other people's democracies» should also be included, as should the experience of the Italian cities in the Middle Ages! I have carefully avoided commenting on Lorenzetti's frescoes in Sienna, despite their huge bearing on my subject (my colleague Patrick Boucheron has written an excellent book about them).

The history of democracy can neither be limited to the history of the institutions with which we are familiar today, nor to that of the conditions under which the people as a body were required to take decisions or appoint governments or representatives. The scope must necessarily be broadened. There is no doubt that our contemporary democracies have a formal prehistory (take, for example, the majority principle first tried out in the medieval Church, or the drawing of lots and recruitment of professional governments in the Italian cities). But they must also be set against the vast diversity of mankind's experience with collective

deliberation or the expression of the common sentiment as in the struggle for emancipation, protection against the misguided ways of the authorities, and for equality. It is for this reason that I enthusiastically took part in the radical comparativism project launched to this end by the Hellenist, Marcel Detienne, and prefaced the ensuing book<sup>1</sup>. Expanding the field in this way could, I believe, be highly fruitful in respect of the executive power.

In *Good Government*, as in my other books, my arguments are proposed and structured by my chosen principles of method. I have been known to speak of “problem history» to describe what for me was inextricably a historic investigation and a theoretical project. This approach is linked to what I have called democratic indeterminacy, a point to which I have consistently returned since *Le Sacre du citoyen*. This notion, on which my entire approach hinges, probably requires clarification. This publication provides me with the appropriate opportunity thereto.

Let us start from the indeterminate nature of the very definition itself. Bertrand de Jouvenel affirmed that “All discussions of democracy, all arguments whether for or against it, are stricken with intellectual futility, because the thing itself is indefinite”<sup>2</sup>. “As many definitions as authors”, he went on. And that must be our underlying premise- the cacophony of definitions of democracy. Nowadays, democracy would appear to

<sup>1</sup> See *Qui veut prendre la parole?*, published under his guidance (*Le Genre humain*, n° 40-41, Paris, Seuil, 2003). It includes texts that talk of contemporary deliberative practices amongst the Ochollo in Ethiopia as well as 17th century Cossacks, Japanese monks in the Middle Ages, or Pacific island societies. Marcel Detienne had earlier published a stimulating *Comparer l'incomparable* (Seuil, 2000).

<sup>2</sup> Bertrand de Jouvenel, *Du pouvoir : histoire naturelle de sa croissance*, Geneva, 1945, p. 411.

be an asset as universally desirable as it is elusive. The word democracy may well be universally celebrated, embodying the most highly regarded political system in the eyes of our contemporaries, yet its definition is far from achieving the same consensus. At least if one does not stop at the usual set phrases and paraphrases along the lines of “democracy is the power of the people”, or its minimalist procedural definition. There can be few other words in political parlance open to so many variations, hence the persistent tendency to shore it up with an adjective, democracy only taking on any real shape when it is qualified—liberal, popular, real, radical, socialist, procedural, etc. Hence also the constant difficulty with drawing a clear line of demarcation between democracy and its pathologies, call them demagoguery or populism as in modern-day parlance, or Caesarism and totalitarianism as in days of yore. Thus, the word democracy appears to be both solution and problem, in which both the good and the vague coexist. This coexistence is not mainly to be ascribed to the fact that democracy is a distant, utopic ideal about which everyone would agree, the discrepancies regarding its definition referring purely to the type of means required to achieve it. Far from simply corresponding to uncertainty about how it should be implemented, the meaning of the word democracy pertains rather to its history and its essence.

Hence the problem: is it possible to theorise about an indeterminate object, when the definitions supposed to characterise it diverge so enormously? The answer to this question is obviously no. A theory must be universal in scope and apply across the board. It must also allow for a unified reinterpretation of the historic steps preceding consideration of the phenomenon in question. The aim of my work is to overcome this impossibility by formulating a *theory of democratic indeterminacy*, in other words the elements that constitute its

piecemeal nature. This is the conceptual switch I am aiming to achieve.

The premise underlying this project to formulate a theory of democratic indeterminacy is that the definition of democracy was always open and contentious; that democracy was presented as being a regime always marked by incompleteness and non-accomplishment, which could never be boiled down to an easily decipherable and straightforward formula<sup>3</sup>. Thus, the conceptual history of politics that I have developed has meant permanently monitoring the labour of the constituent shortcomings of our experiments with democracy. It was about picking up the historic thread of perplexity and questioning, of trial and error, in order to grasp history in the making as the continuation of an experiment. This has led to me writing a history that could be described as comprehensive, with intellection regarding the past and questioning of the present both having fed into the process<sup>4</sup>.

It is with the same methodological concern that I will very briefly attempt to set out this theory of democratic indeterminacy<sup>5</sup>. Let me start by saying that my understanding of this notion differs from that of Claude Lefort and Hans Kelsen. “Democracy, wrote Claude Lefort, is instituted and inaugurated by the *dissolution of the markers of certainty*. It inaugurates a history in

<sup>3</sup> Claude Lefort noted in this respect: “Democracy, it is a dream to suppose that we already know what it is [...]. It is simply a play of open possibilities, inaugurated in a past still close to us, and we have barely begun to explore it» (*Éléments d'une critique de la bureaucratie*, Geneva, Droz, 1971, p.28).

<sup>4</sup> Thus I have also embarked upon a history of resonance between our experience and that of men and women from the past, this way of envisaging the job of historian prompting a rethink of links between scholarly work and civic and political concerns.

<sup>5</sup> Here I am picking up on certain aspects presented during my course at the Collège de France in 2012.

which people experience a fundamental indeterminacy as to the basis of Power, Law and Knowledge, and as to the basis of relations between *self* and *other* at every level of social life”<sup>6</sup>. He is making reference here to a very broad definition of indeterminacy, which in fact in this quotation refers to a world in which social order is no longer deemed to be based in nature or governed by supernatural powers. All indeterminacy does in this case is to characterise modernity in general, in other words the advent of a world deemed secular and artificial<sup>7</sup>. Thus his understanding of democracy is not in the narrow sense of a type of political regime. It denotes in broader terms the social state of a world forced to establish itself, in which humankind can no longer fall back on beliefs, traditions or the vision of a global order that pre-existed them in order to determine the rules of justice and the conditions governing community life. Indeterminacy that is almost metaphysical in nature and brings with it consequences verging on the psychological. Thus he talks of “vertigo”, the “feeling of disintegration», of the “fear” gripping the modern individual “destined to remain racked with uncertainty” as regards his identity, his own ends and those of society<sup>8</sup>. In other words, democracy is fragile, unstable and likely to see its path thwarted, disrupted or even reversed.

But the notion of democratic indeterminacy also has a second meaning for him. It characterises the fact that the place of democratic power is empty. Is, or rather should be. Because in this case the notion of indeterminacy is used in a prescriptive

<sup>6</sup> Claude Lefort, *Essais sur le politique, XIX<sup>e</sup> –XX<sup>e</sup> siècle*, Paris, Seuil, 1986, p. 29. See also his article entitled “L’incertitude démocratique”, *Revue européenne des sciences sociales*, n°97, 1993.

<sup>7</sup> Hence the importance of Lefort’s work on theological-political issues.

<sup>8</sup> *Ibid.*, p.214.



manner to support a definition of totalitarianism as the internal subversion of this democratic ideal, a perverse outcome, a forced resolution of the ambiguity and uncertainty that underlies it. Indeed, totalitarian regimes again claim to perfectly align Power and Law, to establish a power that fully embodies society, to suitably superimpose the symbolic and the real and to have re-established a One-Society. They thus restore the representation of the old in the new, causing the theologico-political to re-emerge<sup>9</sup>. Indeterminacy in this case is therefore a *quality* that cannot be separated from the workings of a free world, which must be carefully guarded.

In *The Essence and Value of Democracy*, written in 1920, Kelsen also saw indeterminacy as a democratic quality, but in a more limited, epistemological sense. For him it was about stressing that the democratic regime cannot be separated from a degree of relativism as concerns political convictions, which implies distancing oneself from any claim to possess or achieve a form of truth. For him, therefore, indeterminacy constituted the expression of philosophical scepticism. Democracy, according to Kelsen, was the regime that renounces the absolute, which led him to reject the idea that could really be defined as the “general will.” In this context, he viewed democracy as a simple “method for creating the social order» that endowed the majority vote with a power to guide that should not be confused with any claim to embody the good and the fair.

I would take a different approach to this definition of democratic indeterminacy, adopting a different angle to these two authors. What I mean by that is the fact that the subject of

<sup>9</sup> An analysis of totalitarianism that Claude Lefort shares on this point with Louis Dumont (see his *Essais sur l'individualisme. Une perspective anthropologique sur l'idéologie moderne*, Paris, Seuil, 1983).

democracy, its object and its procedures, are structurally linked to tensions, ambiguity, paradox, shortcomings, asymmetry and overlaps, that make it difficult to define and design, and which consequently give rise to myriad forms of disillusionment. I will distinguish six types of indeterminacy.

1. *Core tensions.* Created when diverging objectives are simultaneously pursued. Let us take two examples. During the vote, two qualities are sought in the representative: ability and proximity, which constitute two ideal types. Proximity relates to the representation-figuration category: the representative as the double, the faithful expression and the voice of the represented, familiar with his problems and expectations in order to experience them too. Ability, on the other hand, relates to the representation-delegation category: the representative chosen for his capacity to implement a programme, to govern in the interests of the represented. The problem lies in the fact that these two qualities are often mutually exclusive, difficult to encounter in one and the same representative; and also that very often they relate to two separate moments in politics: the electoral campaign and the period of government action. Another example of core tension could also be that of number versus reason: democracy being both the effective power of numbers, seat of passion, and the pursuit of rational action.
2. *Constituent ambiguities.* These are formed by the lack of overlap between two constituent definitions of the same object. The populus is thus both a civic body relating to an idea of unity, a type of totality (the general *will*, to use Rousseau's expression) and a *social form*, implying diversity, plurality, even division. Each of these two types is linked to different representations of legitimacy. Thus it is difficult to match the political and sociological principles

of democracy: the majority is but a distant, purely conventional approximation of the civic body-populus (itself linked to an idea of unanimity), whilst on the contrary being a form of arithmetic expression of the social-populus.

3. *The effects of complexity/confusion.* They result from the non-distinction of different elements. Here, indeterminacy is the effect of confusion. Locke described this in his *Essay Concerning Human Understanding*<sup>10</sup>. “A confused idea, he explains in this text, is not sufficiently distinguishable from another, from which it should be different”<sup>11</sup>. Locke stresses that several defaults may occasion this confusion. He focuses on three. I will quote him at some length<sup>12</sup>:

First, when any complex idea (for it is complex ideas that are most liable to confusion) is made up of too small a number of simple ideas, and such only as are common to other things, whereby the differences that make it deserve a different name are left out. Thus he that has an idea of barely the simple ones of a beast with spots, has but a confused idea of a *leopard*: it not being thereby sufficiently distinguished from a *lynx*, and several other sorts of beasts that are spotted. So that such an idea, though it hath the peculiar name *leopard*, is not distinguishable from those designed by the names *lynx* or *panther*, and may as well come under the name *lynx* as leopard. How much the custom of defining of words by general terms contributes to make the ideas we would express them by confused and undetermined, I leave others to consider. This is evident, that confused ideas are such as render the use of words uncertain, and take away the benefit of distinct names. When the ideas, for which we use different terms, have not a difference answerable to their distinct names, and so cannot be distinguished by them, there it is that they are truly confused [...].

<sup>10</sup> See chapter XXIX, “Clear and obscure, distinct and confused ideas”.

<sup>11</sup> *Op.cit.*, p.289.

<sup>12</sup> *Op.cit.*, p.289 ff.

Another fault which makes our ideas confused, is when though the particulars that make up any idea are in number enough, yet they are so jumbled together, that it is not easily discernible whether it more belongs to the name that is given it, than to any other [...].” He then quotes the example of those pictures where everything seems indistinct, the clear image only appearing once it is reconstituted by a cylindrical mirror.

Thirdly, a third defect that frequently gives the name of confused to our ideas, is when any one of them is uncertain and undetermined. Thus we may observe men, who not forbearing to use the ordinary words of their language, ‘til they have learned their precise signification, change the idea they make this or that term stand for, almost as often as they use it.

In line with these comments, the notion of *populus* belongs to this category of confused ideas, given the range of configurations to which it refers. Besides the previously mentioned fact that the civic body-*populus* and the social form-*populus* do not overlap, the arithmetic *populus* (electoral), the event-*populus*, the history-*populus* and the principle-*populus* should, at least, be singled out; various notions that are “stifled” by the use of the single word “*populus*.” These differences are important to the extent that it may take specific procedures or institutions to express or represent them.

4. *Functional asymmetries*. These arise from the contradiction between the implementing means for parallel functions. Considering that the dual definition of democracy is to legitimise those that govern and to protect the governed, it has to be noted that these two roles are not parallel. Legitimation is based on the development of a bond of trust between governors and the governed, whereas protecting the governed calls, on the contrary, for the organisation of defiance. This asymmetry is often assimilated to that of liberalism and of democracy (in impoverished fashion, since the issue does not stop at simply limiting power, but also involves the mismatch

between an authorisation-focused approach that creates power, and one based on permanent protection). Thus democracy has sometimes appeared to risk giving rise to a tyranny of the majority, when those in power deemed themselves authorised to govern in unbridled fashion. Conversely, the aim of protecting the individual has appeared to render meaningless the idea of a collective project, the society of individuals undermining all thought of political community. 19<sup>th</sup> and 20<sup>th</sup> century political history was to a great extent shaped by this contradiction, which helps us understand the typically French oscillation between times of *illiberal democracy* (Bonapartism) and periods of *non-democratic liberalism* (the Restoration and the July monarchy, for example).

5. *Variables*. Time and space. The fact is that each element constituting democracy is not only determined socially, institutionally or procedurally, but also varies considerably according to the timescale or the types of space into which it fits. This question has tended only to be addressed from the point of view of dimension (democracy originally having been perceived as necessarily linked to a small scale *politie*).
6. *Finally, plurality of form and domain*. Democracy is clearly a type of political regime, but it also defines other forms of civic activity besides simply taking part in elections- forms of deliberation, speaking, information, participation and involvement. It also refers to a specific mode of government, the features of which I defined in the last volume of my tetralogy, *Good Government*, which is being published at the same time as this volume. Finally, it is also a form of society, based on the project to establish a world of equals. Since specific instruments are required for it to be implemented in each domain, the democratic idea can

only be imagined by specifying the dimension or dimensions to which one is referring. Therefore one cannot talk about it with reference to only one of its four dimensions.

These various forms of democratic indeterminacy explain how democracy can be an “essentially contested”<sup>13</sup> concept, source of constant quibbling over its definition. This indeterminacy is rendered all the more active through being constantly maintained, reconstructed even, by the conflicts of interest, ideological clashes, fears and expectations of groups and individuals. The democratic experience has thus been inseparable from permanent conflict and debate over its definition and the shape of its development. In this perspective, democratic accomplishment cannot be seen as a model open to definitive characterisation. It can only be understood through reasoned exploration of its various modes and dimensions, as well as their activation or institutionalisation. Contrary to Tocqueville’s belief<sup>14</sup>, “democratic progress», implies as such a *complication* of democracy, its pathologies on the contrary always consisting of a problematic simplification or a reduction. Schumpeter’s minimal democracy limits it, for example, to the competitive election of leaders, populism sees the people only as a homogeneous whole defined by what is external to it, whilst totalitarianism claims to

<sup>13</sup> See W. B. Gallie, “Essentially Contested Concepts”, *Proceedings of the Aristotelian Society*, New Series, vol. 56 (1955-1956), p.167-198.

<sup>14</sup> Describing the advent of the democratic world he was witnessing, Tocqueville wrote: “The idea of government is being simplified: number alone determines what is law and what is right. All politics is reduced to a question of arithmetics” (*Considérations sur la Révolution* (material for *L’Ancien Régime et la Révolution*), in Tocqueville, *Œuvres*, Paris, Gallimard, “Bibliothèque de la Pléiade”, 2004, t. III, p. 492).

have solved the difficulties of representation-figuration by the establishment of a power-society.

Democratic indeterminacy is not only the indeterminacy of its forms, but depends also on what I call its *variables*. Particular attention should be paid to the variable of the *territory* of democracy, and that is why, as previously mentioned, I intend to write a book on the subject with, as its central question: why has modern democracy historically developed within the framework of the Nation State? *Practically* this can be understood in the sense that Nation States were built up around the principle of sovereignty, thus providing the framework already given to democratic revolutions and their emancipation campaign. *Philosophically*, however, the major democratic experiments, first and foremost the French Revolution, were built on the universalist ideal of a human rights realm, seeing humankind as the only relevant subject of emancipation. This distinction/opposition between the “philosophical territory” of democratic accomplishment and its practical realisations can only be justified if the nation is deemed in classical mode to constitute the space in which to experiment with limited universalism. This lay at the heart of its definition in the late Middle Ages, when the imperial ideal was abandoned- the king was then defined as “emperor in his kingdom», responsible in other words for activating the values of universality within a necessarily restricted scope.

The problem is that this view of limited experimentation with the universal is nowadays contested on two fronts. On the one hand by those who dream of a *democracy without “demos”*<sup>15</sup>, having acquired a cosmopolitan dimension. But this also comes at the

<sup>15</sup> This is the title of a recent work by Catherine Colliot-Thélène (PUF, 2011).

cost of a decrease in the democratic ideal to the defence of human rights and forms of regulation (economic or other), at the same time setting aside the goal of achieving a society of equals. On the other hand by those who stress the *identity aspect* of the democracy-society and thus only see it through its link with a type of ethnicisation of the social or forms of separatism intended to abolish the universalism dimension that exists in Nation States. Each time, therefore, the democratic ideal further atrophies, with negligence or criticism of Welfare States, such as they exist, almost always lying at the heart of these two approaches. To this extent, defending the framework of the Nation State remains of democratic relevance, even though it should always be linked to a broader cosmopolitan horizon<sup>16</sup>.

It has been pointed out that I have on several occasions concluded my books with certain ideas deemed “sketchy.” Such was already the case in *Utopian Capitalism*, that concluded with an annex entitled “Vers une économique de l’autonomie, *first drafts*.” More recently, the last part of *The Society of Equals* picked up the title with the rider “initial draft”, the idea being to suggest the practical and institutional consequences to be drawn from the historic analysis and the conceptualisation it set out. ‘Suggest’, because there could be no question of presenting what would have been akin to a detailed programme of reforms or some specific institutional device (this limitation is to be found in *Good Government* and explains some of the criticism that has been levelled at me here). For several reasons. Firstly, that type of approach would have risked polarising attention and leading

<sup>16</sup> Europe currently looks like a limited space for positive experimentation with this type of cosmopolitan democracy; but definitely not like the embryo of a new form of Nation State, with the redistribution or solidarity mechanisms that would imply.



readers to neglect the historic and conceptual input by limiting the comments to superficial considerations regarding the practical provisions. Secondly, and more importantly, the debate on these provisions had to be kept open, without giving the impression that the analysis leads to the imposition of a model. It is the view I hold of the link between intellectual work and political life that has made me always resist the incessant requests to provide such a model. The aim is to provide the tools for analysis, to increase the citizen's ability to become involved in city life, rather than make them subscribe to a system. Voluntarily limiting myself to sketching out a "spirit of the institutions" is what, for me, makes it possible to allow present-focused thinking with the view to bringing alive an actively deliberative democracy. Indeed, my historic and theoretical project also comprises a genuinely citizen-focused dimension.