

Democracy as a Tragic Regime

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Greek tragedy makes the undecidable bearable

Steiner, *Antigones*

I. Enigma of democracy

Democracy stubbornly resists the huge amounts of literature that are written about it – it remains an enigma. I do not purport to solve the enigma, but I propose to look at it through an angle that might make clearer some of the reasons why democracy is so resistant to its inquisitors' gaze. That angle is borrowed from Cornelius Castoriadis, who saw 'democracy as a tragic regime'. What did Castoriadis understand by this expression? In two words, he saw in democracy the epitome of the indeterminacy that, according to him, characterises the political – that is, he saw democracy as something that has no grounding outside itself; as a consequence, Castoriadis pointed at the risk inherent in democracy, the risk that always accompanies a situation in which not everything is under control but, to the contrary, in which everything can be put in question. Pushed at its limit, this interpretation extends to the risk that democracy runs of revoking itself, of cancelling itself.

Why look at democracy through that prism? First, because, although democracy remains an enigma, we tend to treat it as an evidence that is characterisable through election systems and procedures – saying that it is a tragic regime renders democracy enigmatic anew. Second, and closely related, because democracy can be usefully viewed as an ethos (J.Peter Euben) or as a political culture (Josiah Ober): as a working definition in that direction, we will take democracy to be a tension between the social and the political, which produces change. Third, because the idea of the tragic in democracy point at the difficulties it traverses and the question of democracy's end – an issue rarely treated and which, in fact, gives us rare insights into democracy's life.

Has democracy's end not been treated before? Arguments as to the possible mortal perils that democracy faces, or related questions, abound. Briefly, we can distinguish three strands of such argumentation. The first strand is along the lines: 'democracy is not good enough'. This is an argument that can be found both on the Right and on the

Left: on the Right, it will tend to take on the colours of lack of freedom; whilst on the Left, it will tend to bemoan inequalities. In more complex versions, like Castoriadis', it will tend to regret lack of both collective and individual autonomy, by resorting to the topoi of generalised conformism, populism etc. The second strand argues: 'democracy is not effective enough'. This is a straightforwardly conservative argument, even if it comes from people who consider themselves to be social-democrats such as Majone or Scharpf. This argumentation tends to prefer efficiency, technicality and quickness of decision over debate. The third strand is also straightforwardly conservative: it aims at braking change. Albert Hirschman has distinguished three topoi of the argumentation against democratic change: perversity, futility, jeopardy: 'According to the perversity thesis, any purportive action to improve some feature of the political, social or economic order only serves to exacerbate the condition one wishes to remedy. The futility thesis holds that attempts at social transformation will be unavailing, that they will simply fail to "make a dent"'. Finally, the jeopardy thesis argues that the cost of the proposed change or reform is too high as it endangers some previous, precious accomplishment'. These are highly different ways of aiming at the same thing: impeding change.

All three strands of argumentation implicitly address democracy's end. The first two say: we need change, otherwise democracy will perish. The last one effectively argues for the end of democracy by arguing against that which is inherent in it: change.

My purpose today is to recuperate the idea of democracy's end (the end of form), render it explicit and turn it positive. In order to do so, I want to distinguish democracy from situations that are usually assumed to be part of the exceptional extremes of democracy, in other words, I want to distinguish between what is and what is not democracy. My ultimate aim is to articulate an understanding of democracy as a partial, protracted failure and show that this is felicitous for democracy's success.

Why am I interested in doing this? For two kinds of reason:

- the first is what I could call strategic-political: seeing democracy as a partial, protracted failure allows to play both on the denunciatory and on the emancipatory mode. If I say: we don't live under democracy but under oligarchy (as Castoriadis did), this leaves me little room for emancipatory politics, I am basically denouncing. If I say, democracy is a full success because I want it to be a full success, like Rancière does, then I am in emancipatory mode but I forget that, though I may have a voice that emancipates me, others may not – and this situation needs to be denounced.
- the second reason bridges the epistemological and the ontological: seeing democracy as a partial, protracted failure explains and actualises the idea that democracy is nothing without the thought on democracy. This does not, of course, mean that democracy depends on philosophy – but it means that the practice of thinking on democracy is constitutive of the democratic political culture, even though it is not all that culture, as Hellenists keep on reminding us: Aristotle's thought on democracy is not the Athenian democracy. If democracy were fully successful, we would not be trying to solve its enigma. If democracy were a total failure, we wouldn't be allowed to solve it. Yet we also have to understand that democracy is bound to remain an enigma, also because we try to think it – that is, we participate in democratic change.

Lastly, I need to make a note on my use of ‘Greek’ material, despite not being a Hellenist. There are many arguments against establishing parallels between current situations and that which a bunch of dead white males thought and did years ago – the size of the polis, which allowed ‘direct’ democracy, the inequalities, the discriminations etc: these arguments can be answered, but I will not do so now. Instead, I would like to say that it is possible to view Athens differently than it has often been received. My own view of it, and the use I make of it today, is largely inspired by the work of people like Josiah Ober or J.Peter Euben or Arlene Saxonhouse or Nicole Loraux, who, though they may actually disagree among them, share a view of Athens as containing diversity *and* coherence, tendencies to expansion *and* re-centring, like-mindedness *and* individuality, philosophical homonoia *and* practical acknowledgement of diversity (however ‘feared’ it may be).

II. Democracy – tragedy

In order to be able to recuperate the ‘end of democracy’ and, in particular, the idea of ‘democracy-in-failing’, I use Castoriadis and the relation he draws between democracy and tragedy. I will ask you to keep three pairs of concepts in mind, while I look at the relation between these two genres: hubris – displacement; mortality – end of form: hamartia – failing.

Our exploration of democracy as a tragic regime is made much easier if we first take a look, vice-versa, at the question of tragedy as democratic. Tragedy has, since quite a few decades, been treated as an eminently political genre. This view has been based on the three following elements: conflict, alternatives, death. According to these, tragic drama in ancient Athens brought to the stage, respectively, the conflicts of which the political is made; alternatives to the dominant ideology; and the idea of the democratic limit.

First, that all tragedies show conflict is a statement that we can hardly question. Any random example will confirm this, from Antigone’s struggle with Kreon, to Oedipus’ trial in Athens. Two questions are more difficult to answer: Are these conflicts always political? The answer here is: it depends. It depends on the interpretation of the play. As George Steiner has famously shown with regard to *Antigone*, there are as many impressive interpretations of tragedy as there are impressive thinkers – one of them, Hegel, saw *Antigone* as an eminently political play; but not all of them agreed. Yet – second question - even agreeing that a tragedy shows political conflict - why does this make it democratic? This is easier to answer counterfactually: would an oligarchy or, a fortiori, a monarchy allow representations of the king who ‘monos phronei’ and, in so doing, acts wrongly and, even devastatingly?

Second, it can be advanced that tragedy performs ‘alternative’ aspects of the Athenian ideology – that which Athenian ideology abhors or fears: that which it wants to escape. Again the examples of the stubbornness of the tragic protagonists and, in particular, the tyrants such as Kreon seem to confirm such an interpretation.

However, the possibility that these two elements: political conflicts, political alternatives, might also be presented by comedy introduces uncertainty. Tragedy cannot be democratic exclusively for these reasons, if the latter apply to comedy too. Here, we must say: it is drama on the whole that is democratic.

The third element which accounts for the democratic character of tragedy, elaborated by Castoriadis, is most compelling. Castoriadis' viewpoint is that tragedy is political and specifically democratic because it presents the limits – and first of all, the limits of 'monos phronein', that is: reasoning, arriving to an opinion and a decision on one's own. Tragedy, Castoriadis argues, 'shows' its audience, by default, that the best decisions are those that are arrived at together. 'Monos phronein' is a mistake, and possibly an hamartia, which can cause hubris to come about, and, as a consequence, death, the ultimate limit.

The ethical and ontological aspects of hubris are at the centre of the relation between tragedy and the political-democracy established by C. [...]In Castoriadis' version, that which is central is that humans do not *know* where the borders that should not be transgressed are. It is in this sense that hubris is different from sin: it is an area in which suddenly one finds oneself.

Hubris' and tragedy's *ethical* horizon is mortality. Humans, says Castoriadis, know very well that which makes them different from gods. It is their mortality, which resides in their very name: *thnetoi, vrotoi* – mortals. Mortality is equivalent to lack of hope: this distinguishes it radically from other ethics, Christian ethics for instance, because it opens up the space of freedom, on which the creation of philosophy and the creation of politics is based. [...]

The *ontological* basis of tragedy is closely linked to its ethical aspect: it insists on Chaos and catastrophe for and in humans. [...]

The link between tragedy and its *political* dimension builds on the ethical and the ontological aspects of tragedy. Tragedy springs from democracy, that is, tragedy is political and – therefore - democratic because it constantly reminds humans, first, of the need to limit themselves and, second, more specifically, of this need's radical or necessary expression: mortality.

This is an answer that cannot be given for comedy, it concerns tragedy alone. It is, I think, a very interesting stance for the double reason that it takes tragedy as a whole, both content and form, and looks on what assumptions this whole is able to operate, on the one hand, and that it brings together the qualities of the human and the citizen.

To the question put the other way around: 'Is democracy tragic?', Castoriadis' answer is a resounding and repeated yes. Let us see how his reasoning functions. For Castoriadis, democracy is the explicit political form of the autonomous polity. The first tragic feature of democracy is thus autonomy: exactly in the same way as tragedy, [...], there is no grounding of democracy outside itself. Giving oneself one's own laws - the fulfilment, as it were, of this indeterminacy – represents a risk, since nothing else than democracy itself – nobody else than the demos – can decide of what it is to become of it. There is no other law, no higher law than the one that originates

in the subject of law. At the limit, thus, this means that democracy may decide to cancel itself.

Democratic autonomy is both individual and collective. Collective autonomy, that is participation in making the polis' law and in defining the common good, is that which makes democracy a regime, rather than just a sum of procedures. This is the direct answer against the 'monos phronein' that we saw earlier. In a similar way, Ober reminds us that: 'the Athenian democratic ideology construed the threat to public order, the prime suspect of 'paranomic' activity, as the hubristic individual...the powerful hubristic individual was imagined as seeking to establish hierarchical relations within the polis on his own terms by demonstrating his capacity to humiliate, by outrageously insulting weaker persons by speech or deed ...and by seeking to do so with impunity. And if he (or the class of powerful persons he represented) were successful in establishing a secure 'personal' hierarchy within the polis, a social space free from the legal authority of the democratic state, it would clearly mean the end of the effective rule of the demos; this is why a successfully perpetrated, unchastised act of hubris would be characterised as signifying 'the overthrow of democracy'.

Qualifying autonomy, a second tragic feature of democracy is its explicitness. The element of explicitness is significant because it points to the acknowledged self-institution: there is self-reflexivity in the instituting process, we are, therefore, again in a situation where the subject of the political gives herself her own law and, in addition, she *knows* that she is doing this and *expresses* this (through logos): the element of explicitness is then evidently closely related to *doxa*, opinion. It is this interpretation of the political as democracy that leads to an understanding of politics as not an *episteme* or a *techne* but a *doxa*. Consequently, the knowing and the expressing leave open the space for debate (even though Castoriadis does not articulate this). It clearly follows, that any law thus taken can be cancelled – and transposing this at the very general level of democracy itself, the regime itself can be cancelled.

On the whole, Castoriadis's vision of democracy as a tragic regime puts the accent on democracy's limits, on its possible end. Castoriadis himself never explored the 'end of forms', despite acknowledging that it is an extremely significant question: I think, nevertheless that his thought on the democratic limit in the tragic guise is an extremely useful start to thinking democracy anew: we can see this lecture as attempting to explore that which Castoriadis did not. [...] Until expiation has taken place, the tragic hero is in hamartia or in failing.

III. Democracy's risk of self-cancellation

From among the possible ends of democracy, I want to look in particular at the risk of self-revocation, which is particularly well highlighted by the tragic elements at which we have just looked. The reason why I am interested in this is that these cases of democratic self-revocation or self-cancellation have been usually treated as belonging to democracy whereas I want to show that they effect a displacement or, better, are due to a displacement, which is akin to the hubristic displacement.

I take two such cases, the state of exception and totalitarianism: one, I take to be the temporary self-cancellation of democracy and the other, the permanent self-

cancellation. My main argument will be that, contrary to what is commonly assumed, both these situations are outside a linear continuation with the democratic phenomenon.

a) Are we in a permanent state of exception?

Castoriadis' reflections on democracy as a tragic regime never chanced on the state of exception, probably because the issue did not seem such a burning one when he wrote. However, the accent he puts on the questions of autonomy, including collective autonomy, and explicitness and on the risk democracy willingly takes point, I think, at similar situations. According to Castoriadis, as we have seen, democracy knows no norm outside itself – is the state of exception an exception to this rule?

Democracy's temporary self-cancellation obliges us to confront again the democratic paradox, that is, the idea that none other than the demos decides who the demos is. You will have noticed the obvious circularity here, which is theoretically useful in that it prevents us from taking for granted any starting assumption on the democratic origins. The reason why the democratic paradox has a significance for today's discussion is that it shows that not only is there a moment where democracy is not democratic, as it were, and that is the moment of origins, but also that this original arbitrariness will keep on leaving an imprint on the decision of membership and citizenship.

[...]

The state of exception is the illustration of this liminality. In the state of exception, all legality – all legal normality – is withdrawn in favour of a para-legal situation, a situation that is managed outside the law. The state of exception itself, however, is decreed legally – even though the mere call for something outside the law can never entirely fall under the law. Like the question that the American declaration of independence poses (see Honnig and Derrida), a question that centres around the sentence - 'We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness' - , the state of exception is both in and out of the law.

Giorgio Agamben's writings on biopolitics and the state of exception have, rightly, been very much and frequently commented: they do an original work of highlighting unusual aspects of current political life. Agamben's definition of politics is that which makes the distinction between what is bare life and what is political life (in contradistinction to Schmitt who famously saw the political as that which distinguishes between friend and enemy). Agamben's aim is, among others, to put an accent on the marginality of this and other distinctions, such as inclusion/exclusion, exception/norm etc. His interest in limits and in situation of limits turns him naturally towards the state of exception. Rather than siding with those who believe nation-state necessity to be above the law and who, thus, argue that, in situations of emergency, there is a lack of law that the 'state of exception' fills, Agamben claims that the state of exception itself creates the lack that it fills and that, by doing so, it consolidates the position of the norm.

Agamben writes against the background of two famous writings about the state of exception, Carl Schmitt's and Walter Benjamin's. Schmitt's original formulation of the state of exception justifies it in terms of the exceptionality of the situations it addresses: according to Schmitt, it is because there is a gap in the law, which can therefore not address this exceptional situation, that the state of exception intervenes.

And here is the much commented text by Benjamin: [...]

Like Benjamin, Agamben claims that we are in a permanent state of exception and that the norm has become the state of exception. Unlike the messianic, revolutionary promise of Benjamin, however, Agamben does not advocate a 'real' state of exception or the future.

What is mostly disturbing for our own purposes, however, is the fact that all thought and texts around 'the state of exception' seem to not focus on democracy but on the political. If, however, we try for a moment to substitute 'democracy' to the political or to the nation, the thinking of the supposedly permanent 'state of exception' becomes much more thorny. Are we living in democracies? If the answer is no – no, we live under oligarchic regimes - then the state of exception poses no particular problem: the oligarchs decree the state of exception, that is, they decree that the norm is not any more applicable to the subject of law. The relation between the oligarch and the former subject of law becomes one of unmediated power (Agamben's 'bare life' perhaps) and the former subject of law loses its discursive specificity, that is, it loses any possibility of being articulate.

Things are more complicated if the answer is yes: then the sovereign who decides the state of exception is the demos; but can the demos decide a state of exception, that is, decide that democratic norms are not applicable to the demos? Contrary to what happens in other regimes, the maker and the subject of law coincide in democracy – the consequence is that if the demos as maker of the law decided the state of exception, the law would stop being applicable to the demos as subject of the law: exactly this would transform the demos into a non-democratic sovereign, that is, it would transform the demos into what the sovereign is under any other regime, an autocratic figure, that is, the demos would vanish. Demos as subject of law would cease to exist too. Here, the mechanism is the same as under oligarchies – there is no subject of law anymore but something inarticulate that is at the mercy of raw power. In this sense, each time the state of exception is decreed under democracies, the latter cease to be democracies and become autocracies. This is what can be called democracy's temporary self-cancellation.

Castoriadis' reflections on the tragic and hubris must now be recalled. Castoriadis says that the tragic heroin suddenly finds herself in the space of hubris – there is no visible way into it and no visible way out of it - : democracy's temporary self-cancellation in the form of the state of exception resembles exactly this in the sense that there is no stringent path between the assumptions that make a democracy and its cancellation. [...]

It is wrong to say that we live in a permanent state of exception, for one simple ethical and political reason that if Guantanamo is under the state of exception, nobody here can claim that their situation is analogous to that of the prisoners of Guantanamo.

From a theoretical-political viewpoint, to say that we live in a permanent state of exception – unless it adopts the messianic vision of the revolution - is bound to lead nowhere: whose voice can be raised, or heard, against the permanent state of exception if all democracy has vanished?

At Guantanamo, there is a state of exception. The conditions under which we live are something else: Castoriadis claimed we live under oligarchic rule. According to this reasoning, the makers of law are the oligoi, the few, and the demos is only subject not Subject or maker of law, and thus, is no longer a demos. In this case, the confusion would lie in the fact that, under oligarchic conditions, the passage to the state of exception is, as we have shown above, much easier – it raises much fewer questions. From the perspective I want to adopt here, saying that we live under oligarchic rule is strategically weak: it is much more useful to say that we live in democracies-in-failing, that is democracies that contain risks at self-cancellation, such as that of the state of exception but democracies that nevertheless remain democracies, and this means, democracies which denounce anti- or un-democratic situations, such as the state of exception. A democracy-in-failing to which a state of exception has happened, so to speak, is not a permanent state of exception, not a perfectly successful democracy and not an oligarchy: it is a democracy that has entirely lost a part of itself (that to which the state of exception applies) but which can draw on other parts to denounce it.

b) Permanent self-cancellation

The state of exception has historical links to totalitarianism, which we will take here to represent democracy's full or permanent self-cancellation. How can we briefly define totalitarianism? [...] Lefort says: under totalitarianism, there is on the one hand, the collapse of the State into society (in other words, the State violence is imposed on all society in detail and everywhere) and, on the other hand, the collapse of the various divisions within society into one another. This double mouvement occurs under the aegis of radical novelty, of the creation of an absolutely novel society and of the the new human being, all of which are completely transparent to themselves, about both of whom perfect knowledge is there [...]. For Lefort, these symbolic aspects of totalitarianism: the fixed history, the absolute novelty, the creation of the new man, erupt [...] find their direct source in democracy.

Totalitarianism is the regime that abolishes the democratic tension between the social and the political, which is a tension that produces change. If state power, or the political, is collapsed into society, if all plurality vanishes, then all possibility of tension is erased and there is no dialogue between the instituting and the instituted, to use Castoriadis' terms. Additionally, accepting to follow Lefort means accepting to see totalitarianism not only as the negation of democracy but also as a possible consequence of the latter. Speaking, instead about democracy's tendency towards self-cancellation and its permanent self-cancellation or its degeneration into totalitarianism, which is another way of saying it is a tragic regime, may more usefully point at the risk and at the potentially hubristic character of the unstable and unpredictable equilibrium of the social and the political that produces change. As with the state of exception, it is perhaps more useful to assume, that though there is inherent in democracy the risk of its end (precisely because it lacks the authoritarian instruments of total control), the transformation of the regime into something else

nevertheless always comes about on a different plane, as it were, where democracy has ceased to be the space in which the relation between the social and the political deploys itself (even though, in parallel, other democratic spaces may not have ceased to be alive for a certain period).

Above I have already tried to suggest that there is no linearity between democracy and its self-cancellation. That means that there is no legitimacy to be found in democracy for undemocratic procedures – the temporary or permanent self-cancellation of democracy is not something that is a natural continuation of democracy, even though democracy contains the tendency towards this self-cancellation. The self-cancellation of democracy is something which is not democratic anymore. This is more than a paradox: practically, it means, first, that the level on which the self-cancellation takes place is a level that is unreachable for democracy – you can imagine it like a parallel space that has no common points with democracy; at that level, the democratic procedure, the democratic rule and decision are not effective. There is nothing to be done. It is the level of the Castoriadian hubristic displacement. This is a situation that bears resemblances to the question of the democratic origins, but it is more aporetic [...]

Second, the hubristic displacement also means that, at some other, ‘regular’ level, democracy (the symbolism and effectivity of a law, a knowledge, a power, which are separate from each other) does not cease to exist. We can call this the democratic surplus or excess, and it is what ensures resistance to anti-democratic rule, even under totalitarianism. In some sense, one may say that, once democracy has existed, this surplus can never be eradicated – it will always emerge as that which counters raw power.

In his latest book, Josiah Ober accompanies the Athenian citizen Theogenes along a fictional tour of democratic Athens. At some point, just before climbing the hill of Ares, Theogenes reads an inscription according to which ‘Aeropagites were forbidden by Eukrates’s nomos from ascending the hill [of Ares] if and when ‘the demos and the democracy were overthrown’....The law explicitly acknowledges the possibility of political conflict in the community, conflict that could lead to the revolutionary overthrow of the democracy and thus the suspension of the political authority of the demos. One might suppose that if the democracy were overthrown, its laws would be nullified and that they would thereby lose (inter alia) their capacity to allow or forbid Theogenes to climb the hill...democratic Athenian law [however] claims a persistent moral authority that transcends the institutional authority of the demos itself’. Ober adds that if Aeropagites happened to respect the law under non democratic regimes, then those regimes would lack the legitimacy needed to perdure and would therefore prove ephemeral. Thus, he concludes, if ‘Theogenes...chooses to obey the law, *democracy will survive – even if overthrown* (italics NK).’ This, I think, is a perfect illustration of the possibility of resistance, a possibility which is inscribed so strongly in democracy that even when democracy is cancelled, the possibility remains.

To recapitulate my argument regarding democracy’s self-cancellation, I argued that, contrary to what is commonly assumed, both temporary and permanent self-cancellation of democracy these situations are outside a linear continuation with the democratic phenomenon. This argument was based on a double assumption:

- that most discussions of these phenomena are based on politics, or the nation-state (necessity) NOT on democracy
- that these situations are contained in democracy as risk of self-cancellation but cannot be part of that which makes democracy a regime, that is, its orientation towards autonomy and towards a collective good.

There follow two consequences:

- we cannot argue that we are in a permanent state of exception (contra Benjamin and Agamben) or in a / despotic democracy (contra Tocqueville)
- we cannot found the legitimacy of these situations within democracy.

However, we concluded that, once democracy has existed, it creates the possibility of invoking democratic resistance against the end of democracy. As J. Peter Euben puts it, ‘a democratic ethos assumes that democracy is as much a politics of disturbance as a form of government’.

IV. Equality and the outside: the constitutive limits of democracy

Now that we have looked at the end of democracy as hubristic displacement, that is, as something which is no longer democratic, I would like to look at what is still democratic but unsuccessfully or disappointingly so. To do so, I borrow the tragic notion of hamartia or mistake/failing, which is the starting cause of tragedy and which always demands expiation, and I look at that which is constitutive of democracy understood as democracy-in-failing.

What does democracy-in-failing mean? The idea is that democracy is as much what it does as what it doesn't do; it is as much that to which it aspires as that which it fails to achieve. It is tragic not because it is doomed or certain to fail, but because, like the actions of tragic heroes, it contains failure where it aims at success – because, as we will now see, it is unequal whereas it aims for equality and it excludes whereas it aims at inclusion. This ambivalence is not just a coincidence, it is a constitutive feature of democracy, which also translates into the dualism ‘thought of – instantiations’ of democracy. [...]

a) equality

Let me, first of all, quote a famous passage by Aristotle and eliminate any doubts we may have about the relation between equality and freedom in democracy: ‘The basis of the democratic state is liberty; which, according to the common opinion of men can only be enjoyed in such a state; - this, they affirm to be the great end of every democracy. One principle of liberty is for all to rule and be ruled in turn, and indeed democratic justice is the application of numerical not proportionate equality; whence it follows that the majority must be supreme, and that whatever the majority approve must be the end and the just. Every citizen, it is said, must have equality, and therefore in democracy the poor have more power than the rich, because there are more of them, and the will of the majority is supreme. This, then, is one note of liberty which all democrats affirm to be the principle of their state. Another is that a man should live as he likes. This, they say, is the privilege of a freeman, since, on the one hand, not to live as a man likes is the mark of a slave. This is the second characteristic of democracy, whence has arisen the claim of men to be ruled and be ruled by none, if possible, or, if this is impossible, to rule and be ruled in turns; and so it contributes to the freedom based upon equality.’

Liberal thinkers have traditionally insisted that Aristotle's definition of democracy clearly subordinates equality to liberty. Others, who have insisted on Aristotle's relative dislike of democracy, have argued that this dislike is based on the fundamental position of equality in the democratic regime. The span of interpretations is an intimation of the nonsensical pursuit of a democratic definition in this direction. As Castoriadis says: '[...]'. Meier points at the same thing when he observes that: 'In the isonomies and democracies, equality was a safeguard against tyranny and arbitrary rule, and hence a guarantee of freedom. Once the equality of the citizens was established, an entirely new kind of freedom arose – the freedom to participate in politics, and in particular to vote; to this was later added the freedom to live as once chose.' [...]

Before going on, allow me two caveats: the first is that you must accept that equality is intrinsically valuable – again, as Castoriadis says, social and political equality is an imaginary signification, it is neither a philosophical nor a scientific thesis. To try and find it outside of itself, that is, outside the social, is antinomical. Therefore, equality is only foundable through itself. Second, you will have noticed that Castoriadis refers to social and political equality. It must be kept in mind that social equality is exclusively modern.

Indeed, Hellenists and historians generally agree¹ that isonomia is the fundamental characteristic of Athenian democracy. As you know, iso-nomia designates equality before the law and it therefore pertains to political equality: it is the equality that Aristotle describes above, the equality of all male Athenians to rule and be ruled, to decide and execute the decisions. Christian Meier tells us that '[...]'

This is the equality that the thought of democracy describes – from Aristotle to Arendt. Yet, as Lefort asks us to do: 'it is worth asking which conflicts – and they can only have been social – and which aims – and they can only have been military – led highly differentiated and hierarchical societies to accept that peasants, shopkeepers and artisans should be admitted to assemblies in which decisions concerning public affairs were taken. We must also ask how decisions were actually taken behind the mask of political equality, and we must ask ourselves about the nature of the means by which certain men succeeded in exercising a lasting authority over one or other section of the people. The latter question is never raised by Arendt, who is convinced, on the one hand, that speech is the sole medium of persuasion and, on the other – which is equally naive – that the exchange of words is itself egalitarian, and it cannot transmit any inequality of powers'. In other words, that which Lefort points out is that political equality can be thought not only as the achievement of struggles stemming from inequalities of another type (social or economic) but also as a screen that did not adequately reflect the ongoing inequalities among men supposedly equal in public – you may recognise the argument that recent critics have addressed to Habermas' communication theory.

As soon as we exit that political equality, which already hides inequalities, as soon as we exit the meson, the public domain, we fall into other inequalities, social or economic inequalities, of which it has been argued that they are constitutive of the

¹ there are dissenting voices – e.g. Hansen

polis (Marxists such as Ellen Meiskins Wood also on peasants; Vidal-Naquet contra Castoriadis and Ober, for instance).

[The next four paragraphs treat of the banausic aspect of life versus political equality]

How can such an understanding of political equality, co-existing with [...] inequalities that seem abhorrent to our eyes, inform our thinking of current democracy?

First, even though the development of what Ian Morris has called ‘middling ideology’ in Ancient Greece may have taken as much as three centuries, it nevertheless is true that the idea of ‘homoioi’ was a relatively static category. By contrast, our current understanding of democratic equality is constantly evolving (and expanding) and it has an intrinsically dynamic nature: that is how I think we should understand Jacques Rancière’s extremely interesting contribution to the notion. In ‘[...]’, Rancière says: emancipatory politics is really achieved not when we say, ‘we suffer from inequality; there is no equality’ but when we say, ‘we have the right to equality’ and thereby constitute ourselves as equals. This is the precise moment of equality, according to him.

However, and this is the starting point of a second observation that compares equality of the moderns with equality of the ancients, this emancipatory dynamics of nowadays equality carries responsibility also for those who, despite being less ‘equal’ than the others, cannot emancipate themselves: clearly, in Ancient Greece, this mattered next to nothing to male citizens. Yet, nowadays, the situation of the unemancipated, of those who, for this or the other reason, are in the impossibility of claiming: ‘we have the right to be equal’ still remains to be thought. Inequality does not cease to exist just because it isn’t voiced. Under democratic conditions, the constant re-thinking of the collectivity (including of what it is), should tend to minimise the existence of those who suffer inequality.

Can a democracy both depend on equality and foster inequality? Yes, it can, though, let’s be clear, it should not. The fact that it can but that we must fight so that it won’t is what makes democracy a success and a disappointment at the same time.

b) inclusion

In order to explore the issue of inclusion, we don’t have to define the political *à la* Schmitt, as that which allows the distinction between friend and foe. We can take Christian Meier’s softer version, according to which ‘the political denotes a ‘field of association and dissociation’, namely the field or ambience in which people constitute orders within which they live together among themselves and set themselves apart from others’: that which interests us now is the last part of the phrase, which helps us make sense of the democratic polis [...].

[the next five paragraphs are a description of the tiers of Ancient Greek exclusions from the polis]

These, so to speak traditional, distinctions between inside and outside make an important assumption, which we must now question: the polis, Athens in particular, is

assumed to be internally homogeneous. Under the heading of equality, however, we saw that this is not socially or economically true with regard to slaves, women and resident foreigners – metoikoi. We must now insist again on the idea that such homogeneity was also inexistent within the group of Athenian citizens: the several reforms that characterised the political life of Athens aimed principally at eliminating heterogeneity. As Arlene Saxonhouse argues, there was, in Athens, a fear of diversity. Ober mitigates this view by distinguishing between ‘an outwards-looking ‘centrifugal’ push toward social diversity and an inwards-looking ‘centripetal’ push towards political coherence’. Whatever the exact dosage may have been, it is crucial for us to know that, though internal coherence may have been aimed at, it was not entirely accomplished. Challenging our erstwhile assumption challenges the clearcut distinction between those who are within the political and those from whom they set themselves apart: if it is difficult to say with clarity who exactly is part of the polis, if, in other words, avoiding internal strife comes at great costs, then it may not be that easy to say who isn’t part of the polis, despite clear-cut rules. More generally, this diversity challenges both the idea of autochtony and that of autarky.

The fear of diversity is a feature of current democracy-in-failing too, the diversity nowadays understood as coming as much from the outside as it already is inside. The great difference with archaic democracies is that, nowadays, inclusion is a democratic ideal. The acknowledgement of internal diversity goes hand-in-hand with the much greater space of the ‘polis’ and the much more intense communication with its outside: inclusion is a valued perspective against that background. Just as the inequalities of the polis are outrageous to our eyes, so its supposedly sharp distinction between inside and outside belongs to the bygone era of nationalism for the current thinker and practitioner of democracy. Despite this, it is clear that, practically, no democracy is fully inclusive, first and above all, because of democracy’s grounding in a territory. Theoretically too, if cosmopolitanism seems to offer a solution to this question, it hinges on unanswerable problems; liberal proceduralism and communitarianism cover two extremes of the same question, the first by postponing any substantive commitment to inclusion, the second by excluding it. In terms of inclusion, therefore, current democracy faces the same ambiguity as it does with equality: it pursues it and, through the practices it deploys, manages to succeed in partially achieving it – but it never fully achieves it: and this, because of the structure of democracy itself, is a feature that is constitutive of it.

Conclusion

In conclusion, I would like to make clear my answer to the following question: can democracy ultimately not solve the problems of inequality and exclusion? Let’s take a last look at the Athenians. Equality, first: given that the exigency of collective political participation is that which they held as ultimately most important, they found a coherent answer to it, by isolating political equality from among other types of inequality and by making it that which, exclusively, mattered. Nowadays, we do no longer accept this reasoning (although its practice may actually be much more widespread than we would usually admit): we no longer agree to say ‘those who are involved in productive activities will, ideally, not be allowed to vote and decide on the common matters’. Instead, we say: political equality must exist, and so must economic and social equality. The beginning of a solution would be to turn things

around and propose that those who are involved in productive activities (largely understood) and thus are characterised by at least an approximation of socio-economic equality are, as a principle, the first to participate in that which they anyway keep up: the political.

Inclusion, second. The Athenians understood the polis as, first of all, its men. However, the polis could not be conceived without its territory. We saw that there were laws regulating who was and who was not an Athenian citizen and we saw that there were clear distinctions towards the outside. Nowadays, we pose inclusion as a good and, indeed, as a democratic good. If we see democracy as tied to a territory – as I do – then inclusion can never fully be accomplished. The reasons why democracy should be seen as tied to a territory are obvious when one ceases to adopt the point of view of the ‘we’ of the community and adopts the point of view of she who wants to enter in the community. For democracy to continue existing in a way that allows it to continue being a regime rather than a set of procedures (that is, which has as an objective collective autonomy and participation in the definition of a common good), then it must ensure that its numbers remain realistic. This does not mean that fewer foreigners should enter the nation-states. It could, much more interestingly, mean that implosions of the bigger ‘constitutional’ entities or frames would allow more substantive *and* more inclusive forms of democracy.

So does the idea of a democracy constitutively in failing run the risk of endorsing inequalities and exclusion? No. As long as we are still in that which I tentatively called ‘the space of democracy’, that which is still in the linearity of the strive towards autonomy and the definition of a collective good, to say that democracy includes those things which it shouldn’t, allows, always, both denunciation and emancipation. Denunciation is not always enough and emancipation is not always possible: the two steps must be taken together. The reasons why denunciation is not enough are rather evident. The fact that emancipation may not be possible, on the other hand, poses the problem that we have mentioned earlier: quid of those who don’t have a voice? People cannot be emancipated by others – emancipation is the process of discovery of autonomy, which can, by definition, only be done by the self/selves it concerns. What if some find themselves in the impossibility to emancipate themselves? The only possible solution lies in marking the couple denunciation – emancipation. Those who can denounce, those who are emancipated or are in the process of emancipation, must be able to denounce the situation of those who aren’t.

To recapitulate my argument regarding democracy-in-failing, I argued that, contrary to the hubristic displacement that characterises democracy’s self-cancellation, inequalities and exclusions, although highly undesirable, may still belong to the democratic space.

This argument was based on the following assumptions:

- that under democratic conditions, equality has always been held to be valuable
- that under current democratic conditions, inclusion is held to be valuable
- but that they are never fully achieved

In the face of this situation, there are three options:

- to denounce the failings of democracy as failures,
- to emancipate oneself by proclaiming oneself equal and included, which may have the result of leaving those with no voice unprotected

- to both denounce and emancipate and thus insist on democracy-in-failing ro hamartia, that is, prevent the hamartia from jumping over to the space of hubris

[...]

Trento, 19.03.07