

# Current Problems of European Democracy

Pierre Manent

It is a privilege to introduce the work of Pierre Manent to the readers of *Modern Age*. Manent is one of the outstanding political philosophers writing in Europe today. Born in 1949, he was educated at the École Normale Supérieure and for several years was an assistant to Raymond Aron at the Collège de France. In 1978, together with Aron and Jean-Claude Casanova, he helped found the quarterly *Commentaire*, a journal that has played a decisive role in challenging the Left's domination of French intellectual life. Manent is presently a professor at the Centre de recherches politiques Raymond Aron at the École des Hautes Études en Sciences Sociales in Paris.

In such books as *The Births of Modern Politics* (1977), *Tocqueville and the Nature of Democracy* (1982, English trans., 1996), and *An Intellectual History of Liberalism* (1986, 1994), Manent explored the permutations of the European liberal tradition, the place of religion in modern life, and the enduring tensions between modern conceptions of freedom and a "substantial" affirmation of the human good. His magisterial *The City of Man* (1994, 1998) combines an incisive critique of the historicism, economism, and sociologism characteristic of modern thought with a searching exploration of the tensions between nature and grace, reason and revelation, at the heart of modern life.

The following article was originally delivered as a lecture in Warsaw in March 2002, and was published in the summer 2002 issue of *Commentaire*. It provocatively develops the critique of European "depoliticization" at the center of Manent's most recent work, especially his *Cours familier de philosophie politique* (2001). This article was translated for *Modern Age* by Daniel J. Mahoney and Paul Seaton. —M.C.H.

IN ORDER TO ENTER INTO the large topic of contemporary European democracy, in order to give ourselves some way calmly to evaluate it at the moment of its triumph—a triumph too complete not to raise some anxiety in anyone familiar with the ordinary course of human affairs—I

propose, as an initial orientation, to consider the *history* of democracy. More precisely, I propose to consider the chronology of its interrogations of itself, the history not of "dominant ideologies," but of "dominant questionings," if I may put it that way.

But what chronology? Does not the choice of dates presuppose an interpretation of democracy, a conception of what it is, or ought to be? That is no doubt what

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a rigorous epistemologist would say. I, however, will not pretend to practice a virtue that would have the inconvenience, in addition to the difficulty, of being useless and therefore prejudicial. No, let us have some confidence in the density, the weighty force, of the social atmosphere—that is, let us have confidence in the dates that *the public*, without receiving marching orders from anyone, has retained as significant. When they begin, the philosophers and the learned who imitate them pretend not to know anything. I propose to begin our reflection with what we all know.

### 1848 and 1968

It seems to me that the two dates most generally acknowledged to punctuate the development of modern European democracy are separated by more than a century: 1848 and 1968.

1848 was the year of the *Communist Manifesto* and of those bloody June days when the National Guard crushed the Paris workers' uprising which had been provoked by the closing of the national workshops. In short, 1848 is the inaugural explosion of the social question, the declaration of class warfare, the establishment of class struggle.

In 1968 we recall (and we can recall, because we observed—and many among us participated in) the last burst of the fire lit in 1848. Recall the Marxist consensus, the bourgeoisie once again up against the wall, their hands once again white at the factory doors, their hats doffed before the workers' caps, on their knees before them, Sartre on his barrel...and Raymond Aron cuffing the ears of the "elusive Revolution," holding before it the mirror of Flaubert's *Sentimental Education*.<sup>1</sup>

From 1848 to 1968. It seems to me that we have here the axial core of our modern history, when *the* problem of democracy was called *the* social question. And to be sure it was Marx who posed this question in the most ample and most radical manner.

### A New Inequality of Conditions

Democracy, however, did not come to be in 1848. It was already "at the point of overflowing its banks" (as Tocqueville put it) at least from the 1820s. The greatest book ever written on democracy was published in 1835 and 1840. One axis of *Democracy in America* is constituted by the comparison between French democracy and American democracy, or between the French Revolution and the American Revolution. The other axis is constituted by a comparison between democracy in general and what Tocqueville calls aristocracy. With discernment, we can see this "Tocquevillean" period beginning with the American Revolution, let us say in 1776, the date of the Declaration of Independence. How can we define this period synthetically? The problem for this Tocquevillean period is not the social question but rather the actualization, the institutionalization, of the new principle of legitimacy, that of the sovereignty of the people. (And it is in the different modalities of this institutionalization that the great difference between France and the United States resides, according to Tocqueville.)

How do these two great periods connect with one another? The period that opens in 1848 appears as a refutation of Tocqueville's perspective. For Tocqueville, democracy means what he calls "the equality of conditions." Now, the emergence of the social question contains the observation that at the heart of the new society it is not equality of conditions that reigns, but a new *inequality* of conditions. Such is, in Tocquevillean language, the anti-Tocquevillean meaning of 1848. And Tocqueville the political actor became a government minister just when Tocqueville the political thinker seemed decisively refuted.

### Tocqueville's Revenge

1968 represents Tocqueville's revenge. In

an irony the reverse of that of 1848 and under the guise of the greatest Marxist consensus, it was the *end* of the social question that manifested itself in that year, along with the return of the Tocquevillean interrogation of democracy.

This return to Tocqueville came via a critique less of Marx himself—although that was not absent—than of the regimes that based themselves on Marxist thought: a critique, therefore, of “totalitarianism.” It was the totalitarian experience that required the re-posing of the Tocquevillean question, that of the power of the people and the modalities of its actualization, but with an even greater apprehensiveness. The question elaborated by Tocqueville according to the United States/France polarity was re-elaborated according to the democracy/totalitarianism polarity. The French political philosopher Claude Lefort’s work has most fully combined the critique of totalitarianism with a reconsideration of the Tocquevillean question.<sup>2</sup>

Can one therefore interpret “the events of ’68” in Tocquevillean terms? It seems to me that we can. In Tocquevillean terms, “1968” was an “explosion of gentleness,” an explosion of democratic “softness,” an effervescence of the sentiment of *resemblance*—the sentiment in which Tocqueville saw the active core of all the transformations brought about by democratic life. Political and social distances were reduced: those between the governors and the governed (it was the end of Gaullist *hauteur*), between teachers and students (it was the end, in the *lycées*, of “Napoleonic” discipline), and so on. Perhaps even the distance between the sexes was abruptly, and arbitrarily, effaced.

If these observations have some validity, then one must say that the Marxist axial core, that of the social question, was preceded and followed, and is enveloped, by a large and powerful Tocquevillean foundation, in such a way that after 1968 democracy recovered its full legitimacy—

or, rather, attained an unprecedented degree of legitimacy. Shortly after 1968 the reign of democratic unanimity began, a unanimity so widely and deeply shared that communism itself, speaking through Mikhail Gorbachev’s mouth, declared that it no longer existed.

Do we still live in the Tocquevillean period? It is here that I finally meet the question I was asked to treat. And in order to make up for lost time, I will respond a bit brutally: No! We are in the process of leaving the Tocquevillean period. It opened in 1776. We can mark its closure with a date that first and foremost concerns the United States: September 11, 2001.

What defines this new period? More and more clearly there appears what was prepared under the veil and by the means of the democratic unanimity of the end of the twentieth century. I am speaking of the calling into question by democracy itself, or as the result of democracy pushed to its extreme limits, of the very conditions of the possibility of democracy: on the one hand the sovereign *state*, and on the other a distinctively constituted people, better known as the *nation*. Tocqueville saw democracy overturning everything, homogenizing everything *within* the nation-state, but leaving the framework of the nation-state essentially intact. It seems today that democracy puts into question this framework itself. Tocqueville retains all of his pertinence as an analyst of democratic life, but we have without doubt entered into a period at once both pre- and post-Tocquevillean.

I therefore will take up, in order, these two points: the state and the nation. Since the developments that I am going to consider principally concern the European countries, and much less or not at all the United States of America, I will devote a short third part to a comparison of the two sides of the Atlantic. There will be a conclusion with a Tocquevillean form for a thesis contrary to Tocqueville’s own. He saw democracy bringing together these

two continents, bringing together two different species under the power of the *genus* he so powerfully characterized. In Tocqueville's eyes, the democratic movement both united and brought about the *resemblance* of Europe and the United States. Before our very eyes, however, the democratic movement causes Europe and America to grow distant and to become ever more different from one another.

### **The Question of the Sovereign State**

There is an important point judiciously and forcefully underlined by the French political theorist Philippe Raynaud: The original conception, the founding conception, of the modern state closely tied the thought of individual rights to that of power or public authority. In the present situation, however, rights have invaded the entire field of reflection and of consciousness; they have broken their alliance with power and they have even become its implacable enemies. From the alliance between rights and power, one has moved to a demand for the power of rights. The "power of judges"—a Spanish judge requesting British authorities to extradite General Pinochet is but one example—is only the empirical or "phenomenal" manifestation of this. Here, we surely encounter one of the principal problems of contemporary democracy.

Conceptually and politically, the protection and above all the recognition of equal human rights is closely connected with the construction of the sovereign state—connected as the moral end to its political means. Or to put it another way, the sovereign state is the necessary condition for the equality of conditions. "Sovereign" here means that its legitimacy is qualitatively, intrinsically, or unconditionally superior to any and all legitimacy that appears within the social whole. It is essentially superior to all the social superiorities, whether these are founded on birth, wealth, intellectual or spiritual competence, and so forth. In short, the

sovereign state causes this *plane of equality*—the equality implicit in *the* human condition—to emerge, without which none of us could even conceive a decent common life.

The question then becomes: Why, for about the past half-generation, have we turned against this precious safeguard? Among the reasons, I will discuss three.

First, from the beginning of the conceptual and political elaboration of the modern state, it appeared that this irreplaceable instrument of our equal liberty could turn against liberty with even greater force, given that one had concentrated in it all legitimacy. It was therefore necessary to protect us from our protector. This was done by the elaboration of properly "liberal" arrangements, at the top of which was the separation of powers. The current development can thus appear as a radicalization of the "liberal" distrust which happily accompanied the sovereign state from its birth.

Second, I just suggested that the sovereign state was the instrument of our equal liberty. But one can, and finally ought, to do away with an instrument once it has fulfilled its purpose—like scaffolding once a building is complete. The sovereign state constrained and forced us to acquire the mores and manners of democratic equality. These have now been assimilated and interiorized for several generations. They have become like a second nature in our countries. Being "governed by *mores*" (Montesquieu's phrase to characterize politically the Europe of his day), we no longer believe we have need of the disproportionate instrument which is the sovereign state.

The third reason is the most pertinent to us today. It is not only that democracy leaves behind its previously favored instrument or *turns away from* the state with ingratitude and disdain, it is also that it now aggressively *turns against* the state. Here, one can generalize the observation that I made regarding Gaullist *hauteur*,

and about the effacement or the reduction of distances in 1968. Democracy as the sentiment—and now an increasingly aggressive sentiment—of human *resemblance* turns against the last Difference (which is also the first, since this difference is the condition of equality and of *resemblance*). A certain critique, put forward by both liberals and conservatives, saw in the modern state the instrument of democratic “leveling.” Well, now comes the moment when the leveler is in turn leveled! No eminence, except perhaps the most modest, ought to disturb the gentle monotony of this flat country of ours.

This destitution of the state presents numerous political, juridical, moral, and other aspects. Here, I want to consider it from a very specific perspective, but in my eyes a very important one—although my purpose at first runs the risk of appearing bizarre, if not perverse. The most decisive indication of the destitution of the state—of its loss of “transcendence,” if you will—is without doubt the abolition of the death penalty.

### **The Death Penalty & Political Justice**

Here, I will not consider the question of the death penalty under its moral aspect, nor its religious one. Does “society” in general never have the moral right to put to death one of its members? And does our society in particular, which claims to be in some manner the heir of the Christian or Judeo-Christian “Thou shalt not kill,” have this right? I will leave these questions aside. Even less will I consider the death penalty under the social and penal aspect of its “effectiveness.” Is the death penalty a “deterrent”? I will leave this question aside as well. Here, I will consider the death penalty solely as a constitutive element of our political arrangements. I will consider it solely under the aspect of political justice—that is, by that conception of “the just” which undergirds our political order.

Let us return to the beginning (and even to what preceded all beginnings): let us return to the state of nature as it was conceived by the architects of the modern state, first of all by Thomas Hobbes and John Locke. Locke underscores that in the state of nature each one is the *executor* of the law of nature. This more precisely means: in the state of nature, where there is no legitimate superior and no state, each has the right to inflict the death penalty. Of course, man in the state of nature does not have this right except in cases of legitimate defense, but in these conditions he is the sole judge, the “sovereign” judge, of legitimate defense. Such is the original situation that must always be kept in mind.

In such a situation, where each is judge of his legitimate defense, one arrives very quickly at “the war of all against all.” The state of nature issues necessarily in a state of war, if it is not simply equivalent to it. In order to get out of this state of war, which is certainly intolerable, it suffices that each one of us confers or leaves to a legitimate superior—in the end, to the sovereign state, which becomes legitimate by this very act—the exclusive right to be the executor of the law of nature. Max Weber’s endlessly cited formulation—the modern state is characterized by a “monopoly of legitimate violence”—echoes this analysis and these propositions of Hobbes and Locke. In the state of nature, which is essentially a state of war, the death penalty is omnipresent. (It suffices for us to think today of those approximations to the state of nature which are Lebanon between 1975 and 1990, Colombia, Sierra Leone, and so on.) In the civil state the death penalty, reserved to the state, has become “homeopathic”—to employ an expression of that great reader of Hobbes, Michael Oakeshott. One heals the mortal malady by a very small dose of the same evil. Such was our political justice.

Now, in these past few years, all Euro-

pean countries have abolished the death penalty. Why? I will again leave aside all moral, religious, social, and penal considerations. I will restrict myself to the political terms of the problem as I have just presented them. The argument—in truth, the sole argument involving political justice—against the death penalty can be formulated as follows: The putting to death of a human being is only justified in the case of legitimate defense. Now, this justification can hardly be valid for the state, especially the modern sovereign state, the enormous collective institution whose life is not endangered by the crimes and offenses that it must judge and punish. Consequently, the state does not have the right to put to death any member of society, no matter how criminal he may be.

The argument is strong. It seems logically and empirically irrefutable. However it contains to my mind a profound difficulty: I mean to say a difficulty profoundly located in the vital and moral center where the social contract derives its validity and its energy. The state normally does not find itself in the situation of legitimate defense in the strict sense of the term; so be it. At the same time it asks me, it demands of me, not only that I do not execute justice myself, but even that I renounce legitimate self-defense, except in very narrowly circumscribed cases. It asks me to accept a risk of death that I would not accept in the state of nature. It asks each of us to abstain from a certain number of acts of self-defense that would come naturally and legitimately to us in the state of nature. Its repressive and punitive action aims to substitute for all of our abstentions—or rather, to compensate for them.

By renouncing the death penalty, the state has in a certain way betrayed us: the state betrays the social contract in what is its own that is most intimately and closely connected to life. It had asked us—actually, required us—to yield our

natural right to defend ourselves, to be the executors of the law of nature. It had promised to substitute itself for us and to exercise that right in our place and on our behalf. And now it defaults. It does not fulfill its part of the contract because it declines to put to work “homeopathically” this death penalty which in the state of nature is the sanction of the law of nature, which each of us in the state of nature has the right to inflict in the case of legitimate defense. The risk of death is the greatest natural risk of social life, which each member of society incurs as soon as he comes into the world. And this is why the state, which claims to represent the members of society, as a matter of principle may put to death those members—and only those members—who have broken the social contract in the cruelest way: by themselves having killed other citizens.

One could briefly summarize the argument in these terms: How can the state, without extreme and shocking injustice, ask me to risk my life to defend it after having now posed as a constitutional principle that the worst criminal will never risk his life at the hands of the state? It is because we all have an obscure awareness of the connection between the two questions that the state which abolished the death penalty did not hesitate in abolishing conscription or obligatory military service.

### **The Death Penalty & the Catholic Church**

It is in this context that the new doctrine of the Catholic Church concerning the death penalty will find a useful clarification. The ultimate principle of the Roman Church's teaching has not changed. It resides in the unreserved obedience to the divine commandment, “Thou shalt not kill.” That is why the Church, even in the periods when she exercised her power over souls and bodies with less restraint, has always refused to herself put to death those she judged worthy of death. In-

stead, she committed them to “the secular arm”—an exquisite procedure that managed to stir Joseph de Maistre to tears of tenderness. Thus, what she forbade herself from doing—putting men to death—she recognized as legitimate in principle when its author was the legitimate political authority. This was one way of recognizing the integrity of the political order, a merely human thing, which ruled over and for bodies, and which therefore could inflict the death of the body, as the Church ruled over and for souls, and thus could inflict the death of the soul. What she bound on earth would remain bound in Heaven.

Why on this point, then, has the Church modified if not her very teaching, at least the rules of its application? Why has the Church set herself to demanding insistently, even vehemently, that states renounce a right that she has recognized for two thousand years? Reasons of “public relations strategy” are easy to find, in particular the desire to render it easier to present the condemnation of abortion—at the price, however, of throwing overboard the crucial distinction between innocent and guilty life. But I believe that a reason of high policy should also be considered.

The Church cannot completely abandon the exercise of her “indirect power” over the political order. Yet at the Second Vatican Council she accepted the principle of religious freedom. Henceforth, therefore, the means of her “indirect power” must make themselves more and more indirect. And if the Church no longer claims the right to act positively on states in the name of her divine authority, the possibility remains of diminishing the spiritual legitimacy of these political bodies—political bodies to which, over the course of centuries, men have devoted themselves to the point of preferring the salvation of the state to the salvation of their own souls. Men certainly will not devote themselves wholeheartedly to a

state that judges itself unworthy of asking of them the sacrifice of their lives, and which refuses to remove criminal members from its body. I do not want to suggest that the Church of Rome, by condemning the death penalty today, is only pursuing in new circumstances the old struggle between the papacy and the empire. Nevertheless, one would have to be very insensitive to the interplay of “spiritual forces” not to detect how markedly “secularization” changes color—and, perhaps, meaning—for the Church when secularization today affects political bodies as much or more than it does the Church herself.

### **The Death Penalty in the United States**

It is time to return to political things properly speaking. We find a striking confirmation of our political analysis of the abolition of the death penalty in the contrast—so often commented upon—between Europe and the United States on this important subject. This contrast is unintelligible in the terms of Tocquevillean analysis. Tocqueville explains the progress of “democratic mildness” by the growing sentiment of human *resemblance* within nations as well as between them. There is no “democratic” reason for the United States and Europe to be situated on points so far away on the compassion scale. How then can we explain what seems, to us, to be a halt—or even a regress—in the progress of democratic gentleness in the United States, the very birthplace of democracy?<sup>3</sup> Especially when the United States remains in the forefront of nations in everything that otherwise concerns the most vigilant democratic sensibility.

Why this sole exception—the exception between democratic countries on either side of the Atlantic and the exception within American democratic life? Why this sole exception of the death penalty and, more generally, of America’s punitive quickness, even eagerness, con-

cerning it? One can certainly invoke various historical, sociological, and “cultural” arguments. The principal reason sends us back to a pre-Tocquevillean geological foundation, however: to a Lockean or Rousseauan source. In the United States, the social contract has not been broken as it has been by the nations of Europe. The United States has not yet rejected the political justice which combines rights and duties, the power of the state with the natural rights of individuals.<sup>4</sup> Thus, as recent events have recalled, the United States is still a nation, a nation-state (albeit a federal union), which is what the European nation-states are less and less.

### The Question of the

#### Established People: The Nation

The political nation today is held in pincers between the two communities which alone seem legitimate to us, because they alone seem natural to us (we have not fully foresworn natural right after all!).

On the one hand, there is the “tribe” or the “ethnicity” in which one has one’s “roots,” and which confers “identity.” In European countries today, this is often the “region.” It is, moreover, the nation in the etymological sense of the term: the community of birth (*natus, nasci, natio*). Of course, the etymological nations can also attempt to become political nations, as one sees in Corsica and among the Basques.

On the other hand, there is the human race, humanity, whose political expression is established by international institutions: the United Nations, the International Court of Justice, and so on.

But why does this pressure on the nation-state from above and below occur now? Two main reasons are currently offered, one negative, the other positive. The negative reason is the profound discredit of the nation-state as a result of the wars of the twentieth century. The positive reason can be formulated as follows: The political nation has fulfilled its task,

the formation in fact of the democratic nation, the framework for the progress of equality and democratic *resemblance*. It was as Poles, or Italians, or Frenchmen, that our fathers became equal. But now that we have become equal, we need no longer be Poles, or Italians, or Frenchmen.

It therefore seems that today democracy detaches itself from the nation, abandons the nation like a snake does its skin, and pursues its path on its own. Thus, the recent triumph of the idea of a human association that needs neither the state nor the nation in order to exist—the idea of a global civil society *already there* under the entanglement of states and the motley patchwork of nations. In this idea are joined a certain extreme or unilateral liberalism and a certain socialism that has returned to its original meaning, to a total confidence in the capacity of society to exist without having to be constituted by the political order.

But in such circumstances, “Europe” is no less uncomfortably situated than the political nation. Like the political nation, “Europe” is caught in pincers between the native region and the human race. The sole suitable framework for this “civil society” (which is so popular today) is the world or the globe. Its sole logic is globalization. (One encounters those who adore civil society who at the same time are fierce enemies of globalization. One can respectfully ask them to get their ideas in order.) The sole vital principle in whose name one “constructs Europe” today—“civil society”—rules out the construction of Europe, since left to itself this principle excludes all political construction. The illusion of “construction”—now in the process of dissipating—comes from the fact that what one calls “the construction of Europe” has consisted more and more in the deconstruction of the European political nations. A political deconstruction, suitably packaged, can resemble a political construction. Some-

times, when one looks at the workers on a scaffold, you can hardly tell if they are building or tearing down.

We must, therefore, first of all become aware that not only has nothing been done in the direction of a political Europe, but even less than nothing, since the European Union today weighs less in the world politically than the main European nations taken together weighed thirty years ago. Once we have recognized the giant illusion—or deception—which has been the European construction in its most recent phase, the problem we face is that of developing the intellectual means to conceive, and the political means to realize, a truly *political* Europe.

“No longer are peoples made,” said Jean-Jacques Rousseau, an expert in the area of people-formation, more than two centuries ago. I do not believe that we are observing the creation of a European people. One could summarize our situation with the assistance of a phrase from Sophocles. In the famous *stasimon* of *Antigone* the chorus says that man has taught himself the *astunomous orgas* (vv. 354-355). Cornelius Castoriadis translates the expression in a very suggestive manner as *passions instituanes*, “formative passions.” I do not have the impression that passions of that sort are very present among us. And I do not know how one makes them.

### **The Reversal of the Transatlantic Dialectic**

Until recently, the transatlantic community was oriented and quickened according to the affinities and the contrasts between the old European nations which were democratic or on the way to democratization, and the young American democracy. Strangely, during these last years it seems that the arrangement has reversed. The transatlantic community is still defined by certain affinities, but increasingly now by the oppositions between the young European democracy—I mean to say the European Union on the

road to depoliticization—and the no longer quite so young American nation.

The old version of the Atlantic arrangement was the framework and the cause of a particularly rich civilizational dialectic, one very beneficial to both sides. The novels of Henry James bear classic witness to this. The new version, one can fear, will not have the fecundity of the former. It is no longer a dialectic of various civilizational virtues (for example, between American “energy” and European “refinement”), but a growing misunderstanding between an imperial nation, a political body which generally accepts its political responsibilities—the United States—and a European zone on the way to depoliticization, and first of all to demilitarization. To name things the way I see them: a European zone that drugs itself with humanitarianism in order to forget that it exists less and less politically, and thus less and less “culturally.” One has the impression today that the greatest ambition of the Europeans is to become the inspectors of American prisons.

Of course, this is an arrangement that cannot last for long. It will quickly become intolerable on both sides of the Atlantic. The old European nations, as little as there remains to them of “formative passions,” cannot allow themselves to be reduced to being nothing but a vast Red Cross, according to Jean-Claude Casanova’s<sup>5</sup> suggestive formula, or an enormous NGO such as Canada proudly claims to be. But what else do they want to be? Will they transform the moralism with which they overflow, and for which the Americans more and more foot the bill, into *political* energy and resolution? Or, taking stock of the European impasse, will they explicitly or implicitly renounce the serious construction of a political Europe in order to attach themselves in a deliberate or in a more shameful way to the sole democratic political nation that exists, accepting without any nationalist decoration or European delusion their sta-

tus as provinces of the American empire?

These last considerations, as plausible as they seem to me, bring us dangerously close to the kind of talk at a business café or a sports bar. I will stop then. I simply hope that I have provided some arguments worthy of consideration in favor of the thesis of this reflection. The development of democracy henceforth puts into question that which has been the triple condition of our democratic life, and in truth, of our civilization: the sovereign state, the political nation, and the Atlan-

tic community. It should be well understood that if this deep foundation is undermined, if these conditions of the possibility of democracy are undermined, we will have entered into a dangerous period. If the democratic *mores* which still govern us erode or are torn at some point, their reconstitution risks being very difficult, since the political mold of democracy is about to be broken in Europe. How can a democracy long be preserved that is tending to become what one might call an effect without a cause?

1. For Raymond Aron's powerful critique of the revolutionary "psychodrama" of 1968, see Aron, *The Elusive Revolution: Anatomy of a Student Revolt* (New York: 1969). [Translator's note.] 2. For a representative selection of Lefort's writings in English translation see Lefort, *The Political Forms of Modern Society: Bureaucracy, Democracy, Totalitarianism*, edited and introduced by John B. Thompson (Cambridge, Mass., 1986). [Translator's note.] 3. I here suppose that the abolition of the death penalty signifies an advance of "gentleness" and of "compassion." These sentiments, however, would require a careful analysis: they refuse the death penalty but accept without any difficulty stays of twenty years or more in prison. It seems that what is intolerable to us—the only thing we find intolerable—is the visible impairment of bodily integrity. Even in the United States

death by lethal injection allows this assault to be reduced to the minimum. 4. Another confirmation of the validity of this sort of analysis is that the general recognition of the legitimacy of the death penalty goes together in the United States with the widespread assertion of the right of each citizen to arm himself or herself in his legitimate defense. The two aspects seem contradictory because, in good Hobbesian logic, we renounce the exercise of these latter rights which we have granted to the state. At the same time, the two aspects are equally rooted in the same original experience: that of the risk of violent death at the hands of others, that of the state of nature. In contrast to Europeans, Americans think that the latter can never be completely overcome. 5. Economist, political commentator, and editor of *Commentaire*. [Translator's note.]