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CLAUDE LEFORT AND THE ILLEGITIMACY OF MODERNITY

T he French historian, Jean-Claude Monod, claims that there are three waves of political theology in the twentieth century. This includes the "general democratic reorientation of French intellectuals in the 1980 [to question's of political theology] . . . the German secularization debate in the Weimar period and Latin American liberation theology of the 1960s and 1970s."[1] Only quite recently have American scholars directed their attention toward the fascinating and curious appearance of political theology that emerged on the intellectual scene in France as far back as the 1970s.[2] The theologico-political question in France arose from many French intellectuals disillusionment with Marxism and their new found appreciation for democracy and republicanism. With the rise of the anti-totalitarian movement in France in the 1970s, many former Marxists and radicals suggested that the political hubris and associated with Marxist regimes was inseparable from its totalizing and determinate understanding of history.[3]

In their varying ways, philosophers such as Claude Lefort, Régis Debray, Marcel Gauchet and others suggest that the solution to the perils of attempting to embody or incarnate the dialectic into a determinate class involves realizing collectivities inability to account for their own identity internally. Instead collective identities define themselves against symbolic references points that are irreducible to reality. The political (*le politique*) became the popular term to describe the notion of a symbolic form that institutes society but is yet not equivalent with society itself. It is at this juncture that the question of the theologico-political begins to emerge when an alternative is desired to rethink collective identity absent of a determinant base, whether economic, epistemic, or based on a conception of human nature. As such, both the religious and the

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1 Cited in: Warren Breckman, "Democracy Between Disenchantment and Political Theology: French Post-Marxism and the Return of Religion," *New German Critique* 94, 1 (Winter 2005), 74.
2 Cf.: Michael Behrent, "Religion, Republicanism, and Depoliticization: Two Intellectual Itineraries – Regis Debray and Marcel Gauchet," in *After the Deluge: New Perspectives on the Intellectual and Cultural History of Postwar France* ed. Julian Bourg (New York: Lexington Books, 2004), 325-349;Warren Breckman, *Adventures of the Symbolic: French Post-Marxism and Democratic Theory* (forthcoming): Samuel Moyn, *A New Theory of Politics: Claude Lefort and Company in Contemporary France* (forthcoming).
3 Cf.: Michael Scott Christofferson, *French Intellectuals Against the Left: The Antitotalitarian Movement of the 1970s* (Oxford: Berghahn Books, 2004).

political constitute symbolic forms that govern access to the world and through their internal articulations determining the manner of being in society. If the pre-modern theologico-political matrix and political modernity are symbolic systems irreducible to any base, what specifically distinguishes them?

Published in 1981, Claude Lefort's now famous essay "On the Permanence of the Theologico-Political?" attempts to answer this very question. The following interaction with Lefort's essay consist in part of an overview of Lefort's attempt to make a significant, albeit ambiguous, distinction between the religious and the political. What is of chief importance here is how significant Maurice Merleau-Ponty's ontological notion of the flesh is to understanding how Lefort approaches the idea of a symbolic form of society. The second part of this essay is critical of Lefort's argument for the seemingly novel form of political modernity. An argument is first made that the permanence of the theologico-political Lefort identifies in modernity is the consequence of making too much of a connection between the emergence of modernity and the demise of the king's two bodies. What is argued for is that the permanence of the theologico-political Lefort suggests is not necessary if the advent of modern democracy is separable from the theater of sacrifice. It is, then, suggested, that Lefort's conception of the political—the very place where he locates the novelty of modernity—contains much by way of theological precedent.

In "On the Permanence of the Theologico-Political?" Claude Lefort sets himself to the labyrinthine and speculative task of exploring what constitutes the genesis and uniqueness of political modernity. At the outset it is imperative to recognize that the question mark that accompanies the title of Lefort's essay suggests that he understands the theologico-political problematic to be often ill-conceived. To interpret how the debate is askew is also to suggest that Lefort wishes to approach the topic in quite a different manner. In particular, he is critical towards any explanations of the novelty of political modernity that simply emphasize the disentwining of religious institutions from political institutions and the privatization of religious belief. Granting that this is the case, Lefort remarks that reference to such facts are, nevertheless, question begging: "Can we say that religion has simply disappeared in the face of politics without asking ourselves what its investment in the political realm once meant?"[4]

It is clear that Lefort's criticism is aimed at the fundamental concepts of political science, which he views as making ontological distinctions between politics and economics and ignoring the political *form* of society that makes such analytical classifications possible. He comments that anytime such distinctions take on the status of reality "we forget that social division can only be defined insofar as it represents a division within a single milieu, within one flesh."[5] Lefort is suggesting that the question of the theologico-political emerges from the political form or, to use his Merleau-Pontyian terminology, the "flesh" of modernity, and

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4 Claude Lefort, *Democracy and Political Theory*, (Minnesota, Minneapolis: University of Minnesota Press, 1989).150.
5 Ibid., 152-153.

as such is unique to it. The attempt to analyze the form of society necessarily precedes any discussion on the permanence of the theologico-political.

Lefort's notion of the political form of society transgresses typical Anglo-American conceptions of the political. In order to clarify his understanding of it, Lefort refers to the classic distinction in political philosophy between the political [*le politique*] and politics [*la politique*].[6] Lefort's idea of *le politique* instituting *la politique* is directly linked to Merleau-Ponty's paradoxical notion that the invisible, which institutes the visible, makes itself invisible at the same time as the act of institution. Recall that in *The Visible and the Invisible*, Merleau-Ponty's ontology rejects any absolute distinction between the self and the world. What ontologically indistinguishes the subject from the object is primordial being or ground, which Merleau-Ponty famously describes as the flesh of the world. Flesh as an element is invisible. What makes visibility arise from the invisibility of being is a differentiation within being. Perception emerges from the differentiation between the thing seen and what it is seen against. That is, seeing is contingent upon the unperceived background in which it rests. As Lefort states, "the *écart* (distance) is the invisible itself, that difference between figure and background which is not what we happen to miss in perception, but which escapes from it in principle, and produces it."[7] In short, the distinction between *la politique* and *le politique* can be understood as Lefort's transfer of the *visible* and the *invisible* into political terms.

Relating this to the question of the permanence theologico-political, Lefort argues that the method of politics is incapable of putting forward a satisfying answer. Why is this? As is apparent, Lefort associates "politics" with such disciplines as political science or political sociology. The problem with such disciplines, and here the influence of Merleau-Ponty becomes apparent, is their "desire to be objective."[8] Lefort sees in the social sciences a sharp separation between subject and object; "the positioning of a subject capable of performing intellectual operations which owe nothing to its involvement in social life."[9] The exteriorization of the subject from the object leads to the illusion of circumscribed spheres of knowledge whereby the economic, social, aesthetic or religious are viewed as distinct objects of analysis. An erroneous conception of politics does not recognize that it is a simulacra of the political form that engenders it. As this implies, Lefort is by no means rejecting what he considers to be the necessary pragmatic distinctions between subject and object. He is instead calling for a

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6 Concerning this distinction see: Dick Howard, *Defining the Political* (Minnesota, Minneapolis: University of Minnesota Press, 1989); *Reinterpreting the Political: Continental Philosophy and Political Theory*, ed. Lenore Langsdorf and Stephen H. Watson, with Karen A. Smith (New York, Albany: SUNY, 1998); *The Political*, ed. David Ingram (Oxford: Blackwell, 2002).

7 Cited in Seigel, "A Unique Way of Existing: Merleau Ponty and the Subject," *Journal of the History of Philosophy* 29, 3 (July 1991), 475.

8 Lefort, *Democracy*, 12.

9 Ibid.

certain mindfulness which recognizes that such distinctions should not take on an ontological status.

Lefort affirms that the distinction between subject and object leads social scientists to forget that they are a part of the flesh of the world, as are the distinctions they extract from it. He remarks:

> Political science emerges from a desire to objectify, and forgets that no elements, no elementary structures, no entities (classes or segments of classes), no economic or technical determinations, and no dimensions of social space exist until they have been given a form.[10]

Lefort is arguing that social scientific classifications are derived from an erroneous abstraction of being and therefore can only emerge because "we already have a subjective idea of the primal dimensionality of the social."[11] What is important here is Lefort's assertion that *la politique* cannot reach beyond itself to the form that inspires it. Therefore, *la politique* is incapable of answering the theologico-political question due to its very nature. In particular, he appears to be suggesting that approaching the question from an institutional perspective is myopic. By focusing simply on such modern phenomena as the separation of political and religious institutions, the social sciences ignore "a hidden part of social life, namely, the processes that make people consent to a given regime."[12] That is, both the religious and the political govern symbolic access to the world and through their internal articulations determine the manner of being in society. Lefort's essay sets itself the task of exploring the theologico-political question at the symbolic level. Furthermore, it particularly inquires as to what in modernity, if anything, is unrecognizably invested in the religious.

The political for Lefort is the form and means of societal institution. Put differently, the political is the flesh of the world that simultaneously appears and is occulted. What is evident here is that Lefort is not rejecting the classifications that are endemic to *la politique*. Instead he levels his criticism at social science which is forgetful of the distinction between politics as a secondary discourse and the political as society's grounding dimension. The political is concerned with how the appearances behind the classifications of politics come to appear. Following Merleau-Ponty, the distinction between the political and politics speaks of the relationship between figure and ground. Politics arise from a differentiation within the political form of society. As Marcel Gauchet, a former student of Lefort's, explains, "the political constitutes the most encompassing level of the organization [of society], not a subterranean level, but veiled in the visible."[13] What is veiled in the visible is the very condition that gives rise to its possibility, namely the invisible or political form that generates it. This means

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10 Ibid., 11.
11 Ibid., 218.
12 Ibid., 215-216.
13 Cited in: Breckman, "Political Theology", 87.

that politics and the political are not two separate realms but rather they are chiasmatically intertwined. The profusion of the political over politics denotes a fundamental differentiation that inheres in their intertwining. According to Lefort, this differentiation or distance is what remains obscured "in the sense that the locus of politics becomes defined as particular, while the principle which generates the overall configuration is concealed."[14] Referencing Heidegger, it can be said that the political signifies an excess of being over appearance. What appears as politics is an extraction and therefore quasi-representation of the political. In Lefort's thought there is a moment of alterity apparent here, whereby a fundamental difference between figure and ground takes place. Notice that, though, politics is inseparable from the political, the two are, nevertheless, ever so slightly estranged.

The idea of a double movement, whereby the political both appears and is occulted, perhaps can best be explained by recognizing that *le politique* appears to be exchangeable with the symbolic for Lefort. From this vantage point, the symbolic function of the political is to institute what a society takes as real. As Lefort remarks:

> When we speak of symbolic organization, symbolic constitution, we seek to disclose beyond practices beyond relations, beyond institutions which arise from factual givens, either natural or historical, an ensemble of articulations which are not deducible from nature or from history, but which order the apprehension of that which presents itself as real.[15]

At this juncture the relevance of the theologico-political question for Lefort starts to emerge, specifically in his analysis of the symbolic form of representation. Remember that for Lefort a particular element that both religion and the political share is that both "make people consent to a given regime—or, to put it more forcefully, [they] determine *their manner of being in society*."[16] Lefort understands the symbolic form of pre-modernity and modernity as the *power* to institute by signifying social identity. In particular, Lefort states that the symbolic "proves to be power, even before we examine it in its empirical determinations . . . power makes a gesture towards an *outside*, whence [society] defines itself."[17] Lefort uses the terminology of a relationship between an 'outside' and an 'inside' to denote the irreducible intertwining by which social identity is staged. Accordingly, power makes a reference to an outside, by which society defines itself. The sociologist Oliver Marchart comments that "the role of power is precisely to institute society by signifying social identity—and only by relating to this representation of identity can people relate to the space in which they live as a

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14 Lefort, *Democracy*, 11.

15 Cited in Flynn, *The Philosophy of Claude Lefort: Interpreting the Political* (Illinois, Evanston: Northwestern University Press, 2005), 118.

16 Lefort, *Democracy*, 215-216.

17 Ibid., 225.

coherent ensemble."[18]   However, social identity cannot be grounded in anything other than its self-extraction from what Lefort describes as the "originary dimensionality" from which it emerges.   What is of significance here is the relation between the ontological condition of primordial division and the perpetual historical forms of its staging.

There is an element of alterity that characterizes the staging of society. Specifically, it is impossible to ground social identity on anything other than its self-extraction from the political form that generates it.   That is, though chiasmatically bound, there is an irreducible difference between the political and its social representations.   They are intertwined in that Lefort suggest that the flesh of social gives rise to social divisions that are made possible because of their inscription in an originary dimensionality, namely the flesh.   However, as Bernard Flynn notes:

> As the immanence of the body with itself is, in the thought of Merleau-Ponty, perpetually deferred, likewise the immanence of the body politic, according to Lefort, also deferred and submitted to a non-identity with itself, a difference from itself, an irreducible alterity.[19]

It is at this moment that the theologico-political question arises since Lefort views pre-modern Christian Europe as uniquely emphasizing the non-identity of society with itself through the notion of the king's two bodies.   As such, *The Permanence of the Theologico-Political* affirms that religion reveals something intrinsic about the political.   Lefort expresses this fundamental similarity as an experience of a difference which goes beyond differences of opinion: "Every religion states in its own way that human society can only open on to itself by being held in an opening it did not create."[20] In sum, religion and the political attest to the non-identity of society with itself.   This means that religion and the political, as the political philosopher Fred Dallmayr observes, "are united in their attempt to articulate a space-time schema overrarching and exceeding the empirical space-time coordinates a in which concrete activities and events occur."[21]   Notice, that this means Lefort's conception of history is inherently alteritic in that it refuses the possibility of closing human history in on itself. This is why Lefort can maintain that "philosophy discovers in religion a mode of portraying or dramatizing the relations that human beings establish with something that goes beyond empirical time and the space within which they establish relations with one another."[22] In other words, religion and the political bring philosophical thought face to face with the symbolic in that they both

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18 Oliver Marchart, *Post-Foundational Political Thought: Political Difference in Nancy, Lefort,Badiou and Laclau* (Edinburgh: Edinburgh University Press, 2007), 93.
19 Flynn, *Philosophy of Lefort*, 114-115.
20 Lefort, *Democracy*, 222.
21 Fred Dallymary, "Postmetaphysics and Democracy," *Political Theory* 21, 1 (Feb. 1993), 112.
22 Ibid.

govern access to the world.   To quote Flynn again, "one might say that the political and the religious are the internal articulations of the symbolic, which simultaneously mark our finitude and open us to the world."[23] If for Lefort, the political and the religious both bring philosophy in contact with the symbolic how or can they be distinguished at all?   Strangely, Lefort's answer to the theologico-political question brings him to a very similar position as the social sciences which he is critical of.

Lefort suggests that what unites religion with the political modern, their attestation of an excess of being over appearance, in turn constitutes their difference. That is to say for Lefort the non-identity of society with itself, the symbolic relation that human beings establish with something that goes beyond empirical time, is represented in an entirely different manner in modernity than in pre-modernity. What marks the contrast between philosophy and religion for Lefort, and hence modernity's novelty, is the locative discrepancy of the alterity that generates their disparate forms. To illustrate this, recall that for Lefort both religion and the political are united in their attempt to articulate an overarching space-time scheme through which empirical events occur.   Lefort argues that the pre-modern need for a stable social identity is made possible by intertwining the imaginative, namely religion, with humanity's fundamental experience of its non-coincidence with itself. Lefort speaks of this as pre-modernity's inability to decipher "beneath the appearance of the divine, the excess of being over appearance."[24] The excess of being over appearance is the overarching space-time scheme that is irreducible to the concrete events given in empirical reality.

What philosophy discovers in pre-modern western society is the dramatization of the symbolic through the religious imagination. As Lefort asks, "do we not have to ask whether the religious might not be grafted onto a more profound experience as a result of some *determinate* representation or origins, community, and identity?"[25] The "more profound experience" is clearly the non-identity between form and background, the visible made available by the invisible in which pre-modern social identity is staged through the occultation of this interminable gap.   Therefore, pre-modern society represents its unity to itself through an imaginary/religious interpretation of the symbolic that sanctions a concealment of reality by pre-interpreting it. It is apparent that what separates the political modern from the theologico-political is that the overarching symbolic form which is irreducible to "real" events can no longer be represented imaginatively as being in another place. This means that the representation of the symbolic that signifies social identity still remains but its representation is not in another place. As Flynn nicely formulates it, "modernity is the condition in which the figure, but not the place of the Other, is effaced."[26] What is the nature of this conception of representation if the alterity that facilitates it takes place

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23 Flynn, 123.
24 Lefort, *Democracy*, 223.
25 Ibid., 230.
26 Ibid., 126.

laterally? Moreover, what explains the profound rupture within the pre-modern west that would allow for such a radical mutation of the symbolic to take place?

Lefort suggests that power can only operate as represented; therefore political power and its representation are inseparable. Furthermore, the pre-modern theologico-political could not function without a representation of unity. Such societies anchor their unity through a mediation of the visible world with the invisible which secures their stability. In pre-modernity, once Christianity became the established religion of Europe, a felt need in the Church presented itself to establish a mediation between the visible and the invisible so as to legitimate political order. Lefort, relying significantly on Ernst Kantorowicz's *The King's Two Bodies*, argues that through the image of the king's doubled body European societies represented themselves to themselves.

Within the body of the king there is an intertwining of the secular and the divine, the finite and the infinite, the individual and the collective. This body enables the monarch to mediate between the visible (earth, society, the empirical) and the invisible (the divine or other worldly). What is of significance here is the representation of social unity as bodily. As Charles Taylor notes, "Within this outlook, what constitutes a society as such is the metaphysical order it embodies. People act within a framework which is there prior to and independent of their action."[27] Specifically, the body of the king establishes a form of representation by which society institutes itself. Through the doubled nature of the king's body, society is represented and therefore social identity is secured. As such, the body of the king is not simply an empirical concept, but is the means by which society institutes itself.

Lefort is affirming that an empirical analysis is incapable of elucidating the contours of the symbolic form of pre-modernity. The mystical body of the king intertwines the visible with the invisible, and embodies the identity of society's members. As such, society must be represented by a body which is infused with the power to institute society. To destroy this symbol is to dis-incorporate or disembody society's unity; it leads to the appearance of individuals and to disconnecting power from a specific body that represents the social whole. This leads to Lefort's famous assessment of modernity:

> Power [now] appears as an empty place and those who exercise it as mere mortals who occupy it only temporary or who could install themselves in it only by force or cunning. There is no law that can be fixed, whose articles cannot be contested, whose foundations are not susceptible of being called into question. Lastly there is not representation of a centre and of the contours of society; unity cannot now efface social division.[28]

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27 Taylor, *A Secular Age* (Massachusetts: Cambridge, 2007), 192.
28 Lefort, *Democracy*, 304.

What is important to notice is that power still remains, but its reference is to an empty place that no representation can occupy. This means that society's unity can no longer be represented since, to use another famous passage by Lefort, the beheading of the king signifies "the dissolution of the markers of certainty."[29] In modernity no figure can embody society's unity and symbolically link it with a supersensible world. Lefort suggests that the disembodied society ushers in the moment of the political in which a fundamental indeterminacy governs the shaping of society. The political speaks of a gap that exists between the symbolic and the real, between a representation of reality, which is always in a legitimation crisis, and reality itself. Lefort understands democracy to constitute a modern society *par excellence* in that it involves various individuals and factions jockeying and competing for power, but only temporarily. Modern democracy is inherently indeterminate since power is perpetually contested. As Lefort comments:

> Democracy inaugurates the experience of an ungraspable, uncontrollable society in which the people will be said to be sovereign, of course, but whose identity will constantly be open to question, whose identity will remain latent.[30]

Society in modernity unlike the pre-modern subsists upon an irresolvable divisibility. Therefore, what distinguishes them, according to Lefort, is a conception of alterity that works itself out in two very different ways. The latter appeals to a conception of alterity rooted in another place so as to stabilize social identity. Paradoxically, alterity plays the exact opposite role with the former in that with the political form of modernity there emerges the recognition of the contingency of the social. That is, the irreducible division of the social "undermines the representation of an organic totality."[31] Lefort is not suggesting that society cannot be represented, but rather that all representations of society are imaginative and hence disputable. In fact, Lefort readily admits that society cannot function without some type of representation of unity, otherwise atomism would result. However, the democratic form of representation that persists in modernity constitutes an institution of interrogation which forever calls the law and figures of authority into question.

Now it is exactly at this point that the question of the theologico-political in modernity raises itself for Lefort. Recall that Lefort asserts that the mutation of the symbolic form that ushered in modernity involves society being represented by an empty place, and more specifically the absence of a body. What allowed for pre-modern European society to establish its unity was a representation of power embodied in the king, which made it possible to understand society as ordered and stable. Modernity is marked by the absence of a body that can unify and secure society. However, the jettisoning of the body does not entail that power can no longer be represented, but rather that this representation leaves the

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29 Ibid., 19.

30 Ibid., 304.

31 Ibid., 18.

site of power empty. This means that all representations of unity in modern society project an imaginary community within which social divisions are articulated and portrayed as natural. Democracy, however, always calls into question this occultation and reveals the natural as the ideological. For Lefort, the democratic revolution is an irreversible event by which, as Julian Bourg notes, "the throne is empty, and Humpty Dumpty, having fallen, cannot be put back together again."[32] Democracy signifies an institutionalization of groundlessness in which power is perpetually in search of its legitimation since law and authority are no longer incarnated in the body of the king. As Lefort states, democracy is "founded upon the legitimacy of a debate as to what is legitimate and what is illegitimate—a debate which is necessarily without any guarantor and without end."[33] This means that the institutions of society are in a constant legitimation crisis and that any representation of society forever begs justification. This leads Paul Ricoeur to comment regarding how society could live with such an understanding of itself:

> This fundamental indeterminacy cannot be the last word: for men and women have *reasons* to prefer to a system as uncertain as this one regarding the foundations of legitimacy. These are the very reasons that are constitutive of wanting to live together.[34]

It is a notion such as this by which Lefort attempts to understand the question on the permanence of the theologico-political. The disunity that ruptures forth due to the disembodied society that is modernity leaves those who are disillusioned by it with a nostalgia for the unity of the body. The danger lying at the heart of modernity is the temptation to fill in the empty space created by democracy with a new type of embodied unity. In this sense, for Lefort the persistence of religion in modernity is a permanent feature of it, especially in times of political instability:

> Can we not admit that, despite all the changes that have occurred, the religious survives in the guise of new beliefs and new representations, and that it can therefore return to the surface, in either traditional or novel forms, when conflicts become so acute as to produce cracks in the edifice of the state?[35]

It appears in this instance that Lefort is rejecting the secularization thesis that sees the eventual end of religion with the emergence of industrialization. His concern in *On the Permanence of the Theologico-Political*, though, is not substantially directed at this inquiry, but rather at articulating the novel feature of modernity that constitutes a break with the religious. Hence, although Lefort

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32 Trans. forward in: Claude Lefort, *Complications: Communism and the Dilemmas of Democracy* (New York: Columbia University Press, 2007), 14.

33 Lefort, *Democracy*, 39.

34 Paul Ricoeur, *Oneself as Another* (Chicago: The University of Chicago Press, 1991), 260-261.

35 Lefort, *Democracy*, 215.

sees religious representations as a permanent possibility in times of crisis, he states, "Far from leading us to conclude that the fabric of history is continuous, does not a reconstruction of the genealogy of democratic representations reveal the extent of the break within it."[36] What Lefort is rejecting is the notion that there is an underlying theological substrate within the concept of democracy. As such, he argues against the attempt to transfer the religious into the political and instead understands modernity as signifying their unraveling. Therefore, Lefort is rejecting the claim of German legal theorist Carl Schmitt that "all significant concepts of the modern theory of the state are secularized theological concepts."[37]

It is clear, however, that Lefort's position on the theologico-political question is quite ambiguous since earlier in his essay he states that "it is worth asking, as Merleau-Ponty used to ask, whether anything in history has ever been superseded in an absolute sense."[38] Furthermore, in his conclusion he seems to suggest that the persistence of the theologico-political testifies to the unavoidable and ontological difficulty democracy has in interpreting its own story. These comments seem to imply that for Lefort democracy's divorce from religion is perhaps impossible. So in what way does the theologico-political find its permanence in modernity? The philosopher Hent de Vries comments that for Lefort the permanence of the theological political constitutes an "irrevocable latency":

> That is to say, in the reactivation of the religious—a transcendence in immanence—but only at the "weak points of the social," whose "institution" can, in modernity, be experienced in a novel way, one that is disincorporated. The theologico-political erupts as the difficulty this novel experience has in making sense of itself, a difficulty Lefort calls both "unavoidable" and "ontological".[39]

Why is this difficulty unavoidable for Lefort? He appears to be making the suggestion that religious representations are indeed a permanent feature of modernity in spite of his claim that they can no longer claim a symbolic function that institutes society. As Arditi and Valentine remark: "The displacement of the inscription of the social body does not guarantee its eradication."[40] What precludes the religious imaginary from not representing society is Lefort's conception of democracy. It is this very feature of modernity, though, in which Lefort's argument appears to fall prey to Carl Schmitt criticism that political modernity cannot provide the conditions for its own legitimation outside of

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36 Ibid., 255.
37 Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty* (Chicago: University of Chicago Press, 2006), 36.
38 Lefort, *Democracy*, 233.
39 Hent de Vries and Lawrence E. Sullivan, *Political Theologies: Public Religions in a Post-Secular World* (New York: Fordham University Press, 2006), 41.
40 Benjamin Arditi and Jeremy Valentine, *Polemicization: The Practice of Afoundationalism* (New York: New York University Press, 1999), 21.

theological sources. Furthermore, his conception of *le politique* possesses clear affinities with what Hans Blumenberg describes as the god of theological absolutism.

It is potentially the radical and self-destructive conception of democracy that Lefort argues for in which the theological-political question arises and by which he understands the true novelty of modernity. This is because Lefort appears to be suggesting that modernity ushers in the disincarnated society in which society can no longer be embodied by the representation of the king. Notice, however, that Lefort is linking the status of modernity directly to the aftermath of the destruction of the king's doubled person. At times this gives the impression that political modernity is simply the fallout of the theologico-political order. Consider that Lefort often paints the modern political experience in gross opposites from its theo-political predecessor. Pre-modernity is embodied, incarnated, determined, and able to represent itself, whereas modernity is disembodied, disincarnated, indeterminate, and incapable of representation. In this sense, is modern society's indeterminacy the consequence of the decapitation of the king's head or does the empty place of power once occupied by the king constitute a structural principle that is non-historical?   Arditi and Valentine phrase this question as follows:

> Are the principles that institute political modernity derived from the secularization of the double inscription of society—the removal of the king's head, which nevertheless leaves intact the symbolic structure which it secured—or from the revolutionary rupture that finds its positive expression in the *revelation* of the contingency of the social order?[41]

To rephrase this, is democracy a modern invention based on the disincorporation of the king's body or does Lefort's conception of political modernity allow for a conception of democracy totally independent from this symbolic murder?

Actually, both interpretations are plausible, which is why Lefort's argument on the permanence of theologico-political constitutes an ambiguous position in tension. To illustrate the latter, consider Bernard Flynn's pithy formulation of Lefort's conception of alterity: "modernity is the condition in which the figure, but not the place of the Other, is effaced."[42] What philosophy discovers in non-historical societies is the dramatization of this void through the religious imagination. As Lefort asks, "do we not have to ask whether the religious might not be grafted onto a more profound experience as a result of some determinate representation or origins, community, and identity?"[43] Of course, modernity constitutes the revelation of this "more profound experience" whereby determinate representations are now recognized as imaginative (religious) occultations of the radical indeterminacy of society. The recognition of the

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41 Arditi and Valentine, 24.
42 Flynn, 126.
43 Lefort, *Democracy*, 230.

indeterminacy of society constitutes the true novelty of modernity that politically is embodied in democracy by which societal arrangements are put in constant question. This leads to Lefort's suggestion that "far from leading us to conclude that the fabric of history is continuous, does not a reconstruction of the genealogy of democratic representations reveal the extent of the break within it?"[44] What is continuous for Lefort is that a conception of alterity is present in both epochs; however, only in modern society is there the revelation of the occultation of this alterity. Even here the question remains whether the conception of alterity and power that occupies the place of God's absence is not simply the divinity of theological absolutism that Blumenberg associates with medieval Nominalism.

Notice that Lefort's conception of alterity suggests that an indeterminable alterity is *really* present, though occulted, in pre-modern society. Nevertheless, his historical account of democracy is contingent upon the original sacrifice of the king. More simply, Lefort can be understood as affirming that democracy is inseparable, and moreover impossible, without its theologico-political predecessor. Therefore, Lefort's account of the political form of modernity does not imagine a democratic form totally independent from this drama. This constitutes the philosopher Jacques Ranciere's main criticism of Lefort: "There is really no reason to identify such indetermination with a sort of catastrophe in the symbolic linked to the revolutionary disembodiment of the "double body" of the king."[45] Ranciere insists that the indeterminacy of society should not be associated with an epochal moment ushered in by the revolution of modern democracy. He instead affirms a conception of democracy that is not understood in terms of a regime or ethos but rather as a disrupting process that disturbs the injustices of the political order:

> Democracy is not a set of institutions or one kind of regime among others but a way for politics to be. Democracy is not the parliamentary system or the legitimate State. Democracy is more precisely the name of a singular disruption of the order of distribution of bodies as community that we proposed to conceptualize in the broader concept of the police.[46]

The police for Ranciere establish the general law that determines parts and roles in a community as well as forms of exclusion. From this perspective democracy consists of political acts by the demos (plebeians or the people), which attempt to disrupt the logic of their legitimate domination. Ranciere is therefore arguing that democracy speaks of a double body that precedes the doubled body of the king, which is made up of those who govern and those who have no individual title to govern. Ranciere traces this democratic impulse back to Greek antiquity: "Before the Moderns cut off the heads of kings the Ancients, and first of all the

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44 Ibid., 215.
45 Jacques Ranciere, *Dis-agreement: Politics and Philosophy* tr. Julian Rose (Minneapolis, Minnesota: University of Minnesota Press, 1999), 100.
46 Ibid., 99.

Greeks, severed links with the divine shepherd."[47] I make reference to Ranciere only to illustrate a conception of democracy that is totally independent from the sacrificial drama that plagues Lefort's conception of modernity.

The difficulty Lefort encounters in presumably making a necessary connection between the overturning of the king's two bodies and the emergence of modernity is the question over political modernity's legitimacy. Lefort understands modernity to correspond to the dissolution of the markers of all certainty, which introduces an entirely indeterminate society. Democracy thus signifies an institutionalization of groundless in which power is perpetually in search of its legitimation since law and authority are no longer incarnated in the body of the king. As Lefort states, democracy is "founded upon the legitimacy of a debate as to what is legitimate and what is illegitimate—a debate which is necessarily without any guarantor and without end."[48] This means that the institutions of society are in a constant legitimation crisis and that any representation of society forever begs justification. However, society must to some extent be collectively represented in order to function. Nevertheless, in Lefort's thought the question of legitimacy forever undermines such representations. More empirically, through voting and legislative enactments, democracy carries on a debate about the order of society that is forever altering and calling into question political arrangements. To use Arditi and Valentine's formulation: "Political modernity institutes the principle of society's undoing."[49] Cleary this speaks to a tension in Lefort conception of democracy whereby its indeterminant nature undermines the self-constitution of society. As Dallmary remarks:

> In the face of modern democracy, political thought is caught on the horns of this dilemma: either it must reinvest democracy with traditional metaphysical symbolism, thereby obscuring its novelty, or else cancel all modes of symbolization, at the risk of ignoring the political.[50]

Interestingly, it appears that democratic proceduralism only becomes problematic for Lefort when the state experiences a time of crisis and its legitimacy is in question. In particular, Lefort believes that it is only when conflicts become so acute as to produce cracks in the edifice of the state that an appeal to religious symbolism is referred to. When, though, is the legitimacy of a democratic regime on a substantial level ever questioned outside of a time of crisis? Referencing Schmitt, it could be said that parliamentary proceduralism can function quite fine outside of an exceptional case hence his suggestion that the rule proves nothing and the exception proves everything. In exceptional cases, Lefort contends that democracy experiences a difficulty in making sense of itself and therefore must fine-tune its ability to read its own story. Lefort's view,

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47 Jacques Ranciere, *Hatred of Democracy* (London: Verso, 1996), 33.
48 Lefort, *Democracy*, 39.
49 Arditi and Valetine, 19.
50 Dallmayr, 95.

though, of an entirely indeterminant society that is unable to represent itself without claims of illegitimacy allows for a conception of democracy that could never have a positive sense of itself. From this perspective, as Ranciere observes, "democracy [is] anarchic 'government', one based on nothing other than the absence of every title to govern."[51]   Thus Lefort embraces the enigmatic formulation that the foundation for politics is the absence of any foundation to govern. In this sense the political is simply a dead God waiting to be resurrected by the exception. This is inseparable from Lefort's link between democracy and the theologico-political, which makes itself vulnerable to Schmitt's conception of sovereignty and the problem of legitimacy. As the philosopher Miguel Vatter comments:

> For what is nowadays all the rage in post-Schmittian theories of the political, namely, the possibility that the transcendence of the law is, after all, intimately tied to the power of sovereignty (as opposed to its deposition), is a possibility that lies completely outside Lefort's horizon.[52]

Legitimacy from this perspective is inseparable from a nostalgia for the body of the king; a body that makes it possible to refer to society as orderly at all. Where this escapes Lefort is that he limits the re-embodiment of power to a totalitarian ambition, while not recognizing what Jean Luc-Nancy describes as the "new totalitarianism."[53] This leaves Lefort's conception of democracy open to being appropriated by enthusiasts of using sovereign powers in the fight for democracy against the new totalitarianism. Vatter insightfully remarks that this appropriation occurs "precisely in the very place (the 'empty place') where [democracy] thought it had escaped the long arm of sovereign power for good."[54]

Perhaps Lefort's democratic narrative can best be explained through Blumenberg's reoccupation thesis put forward in his famous *The Legitimacy of the Modern Age*. In this sense Lefort's fixation on the king's body "is drawn into the function for consciousness that had previously been performed by the

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51 Ranciere, *Democracy*, 41.

52 Miguel Vatter, "Review: Le temps present. Écrits 1945-2005," *Notre Dame Philosophical Review* 12 December 07 < http://ndpr.nd.edu/review.cfm?id=11823>.

53 "A more insidious and 'softer' form of totalitarianism . . . surreptitious reincarnations of the body politic, a relatively constant and unbroken occupation of the places of power." Jean-Luc Nancy, *Retreating the Political* ed. Simon Sparks (London: Routledge, 1997), 129. Nancy's criticism is directed specifically at Lefort. In Lefort's defense, Nancy's conception of new totalitarianism is quite similar to Lefort conception of modern ideology in his "Outline of the Genesis of Ideology in Modern Society," in *Political Forms*, 181-236. The clear difference between the two is that Lefort believes that ideology can only occult the empty place of power, whereas Nancy believes that new totalitarianism can actually embody it.

54 Vatter, 1.

framework of the salvation story." [55]   From a Blumenbergian angle, Lefort is guilty of carrying theologico-political problematics over the epochal threshold into modernity. It is the carrying over of this problematic that leads Michel Foucault to state that "what we need is a political philosophy that isn't erected around the problem of sovereignty . . . We need to cut off the King's head: in political theory this has still to be done."[56] Interestingly, Lefort recognizes this, which is why at the very end of his essay on the theologico-political he speaks of the ontological difficulties democracy has in reading its own story. As the intellectual historian Warren Breckman notes "the adventure of disintrication (between religion and politics) seems tortuous and possibly interminable."[57] Furthermore, Lefort clearly conceives of "the political as an external point or cause that institutes society on the model of a prime mover or creative God."[58] Pushing this further it could be said that the political for Lefort is the God of theological absolutism. The indeterminacy that the political ushers in is no different than the angst Hans Blumenberg describes medieval intellectuals as experiencing in the face of a wholly-other omnipotent God who could create any possible world. Whereas Blumenberg, though, sees modernity as the project that asserts itself against this indeterminacy, Lefort believes modernity is defined by it. Ironically, in the attempt to articulate the discontinuities of modernity from the pre-modern, Lefort's entire conception of democracy is predicated on the theological.

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55 Hans Blumenberg, *The Legitimacy of the Modern Age* (Massachusetts, Cambridge: MIT Press, 1983), 48-49.

56 Michel Foucault, *The History of Sexuality* Vol. 1 (London: Penguin Press, 1978), 88-89.

57 Breckman, 94.

58 Arditi and Valentine, 19.