

market society and previous societies, just because they all share some form of market!

In conclusion, what is needed to open the way for new forms of social organisation is the development of a similar mass consciousness about the failure of 'actually existing capitalism' to the one that led to the collapse of 'actually existing socialism'. Today, there is a pressing need to transcend both neoliberal capitalism and socialist statism in order to put an end to economic misery, which oppresses the majority of the world's population, and to arrest the ecological destruction, which threatens us all. Failure to create alternative democratic forms of social organisation means that, as the present crisis intensifies, the 'solutions' to the social and ecological problems that will be given by 'actually existing capitalism' in the future, are, inevitably, going to be increasingly authoritarian in character.

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## The Relationship of Realism and Utopianism in the Theories on Democracy of Jürgen Habermas and Cornelius Castoriadis\*\*

A few preliminary explanations concerning the article's title: primarily, one should note that although Habermas and Castoriadis have initiated the debate concerning their theories on a philosophical level,<sup>1</sup> they have not done so on the levels of political theory and the theory of democracy. In other words, there has been no exchange of views between them on these issues; this juxtaposition is my own construction and derives from my thoughts regarding the potentialities for radical-democratic action today. My interest focuses on the paradoxes created by the relationship of utopianism and realism in each one's theory. It is also worth adding that I do not employ the terms 'realism' and 'utopianism' in any particular, philosophically charged sense, but with the meaning they actually carry in everyday use. Thus, realism is but an attitude, as far as possible devoid of illusions, an attitude—as it is said—of the 'sober estimation of reality and the potentialities it har-

1. See Jürgen Habermas, "Excurs zu Castoriadis: 'Die imaginaere Institution'," in his *Der philosophische Diskurs der Moderne* (Frankfurt am Main: Suhrkamp, 1989), pp. 380–89; and Cornelius Castoriadis, "Individual, Society, Rationality, History," in his *The Fragmented World* (Athens: Ipsilon Books, 1992), pp. 43–78, esp. pp. 74–78.

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bours', while I consider to be 'utopian' those elements of political and theoretical discourse which, transcending the empirically ascertainable or pragmatically attainable, array opposite to actual reality a normative project, according to which social and political practice should be oriented. It stands to reason that—given the historical awareness granted to modernity—the term 'utopia' should carry the political meaning of a 'specific utopia' without implying the (metaphysical) fantasy regarding a prospective 'reconciled' and entirely 'transparent' society expected to exist at a mythical end of history.

From this point of view, the political theory of Habermas, as that of Castoriadis, assuredly contains realistic, as well as undeniably 'utopian', elements. Furthermore, speaking in very broad terms, if we made an attempt to divide the theorists of our era into camps, Habermas and Castoriadis would undoubtedly be placed within the tradition of Enlightenment and critical thought, a tradition they both venture to transcend and, hence, to renew. However, beyond that general similarity, there lies a wide field of differences, which acquire a particular sharpness on the level of political thought, since they are directly concerned with the possibilities open to social and political praxis.<sup>2</sup> The paradox which constitutes the starting point of my thinking is located in the fact that the relationship of realism and utopianism in the political thought of Habermas is reversed—roughly speaking—in that of Castoriadis. To be more specific, I would argue that Habermas, being more realistic regarding the present possibilities for a radical overthrow of the regimes of Western 'mass democracies', merely asks for a perfecting of their functioning, in accordance with their ideals—a demand, however, which could easily be considered unrealistic in the light of the structural conditions in the present Western 'representative democracies'. Castoriadis, on the other hand, retaining distinctly fewer illusions regarding the actual coexistence of advanced capitalism and democracy, has come to the conclusion that the only alternative, in view of the 'collapse of

2. The general affinity between the two thinkers should not lead to an intentional or unintentional misinterpretation: Habermas does not belong to the autonomist, direct democracy tradition, within which Castoriadis is placed. Such a view would be manifestly wrong since, as we shall see further, Habermas accepts the institutional framework of indirect democracy and, more or less, the necessity for a free market and for a capitalist-bureaucratic organization of production.

the West',<sup>3</sup> is a radical renewal of democracy through a democratic movement which would eventually create new forms of political, social and economic organization.

Thus, Habermas, in order to offer a realistic proposition regarding the possibilities for the activation of citizens and the forms this activation would take, has been compelled to turn a blind eye to the structural restrictions on liberty and on the mechanisms which neutralize existing democratic institutions in contemporary societies; Castoriadis, however, guided by a sober analysis of mass democracy, has been forced to demand its radical—he continues to call it 'revolutionary'<sup>4</sup>—change. In this sense, Castoriadis remains true to the May 1968 dictum: We are realists; we demand the impossible!

Let us, though, examine the subject a little closer. In this presentation, I will follow three basic steps. First, I will give an outline of Habermas' concept of politics and democracy in contemporary societies. I will then proceed to present the criticism that could be directed towards this concept. This criticism is based on a realistic consideration of the intertwinement of the 'democratic rule of law' (*demokratischer rechtsstaat*) with an inflated bureaucracy and a rampant capitalism (or 'market economy' if you prefer). This analysis corresponds, in broad terms, with the views of Cornelius Castoriadis, which I will examine in the third and final section of this essay.<sup>5</sup>

3. See Cornelius Castoriadis, "The Collapse of the West," interview published in *Leviathan* (Greek ed.), No. 12, 2nd period (1992).

4. See Cornelius Castoriadis, "World Imbalance and the Revolutionary Force of Ecology," interview published in *Society and Nature*, Vol. 2, No. 2, pp. 81–90.

5. The shorter length of my reference to Castoriadis has, naturally, nothing to do with the relative importance that I ascribe to the two theorists' work, but concerns the article's basic objective, which is not the commendation of the autonomist-republicanist view, but rather a criticism of the pseudo-realist illusions of Habermasian social democracy. Besides, the critical comments included throughout the text are obviously inspired by the work of Cornelius Castoriadis.

### Rule of Law and Utopian Realism

It would be very useful to provide an introduction to all the fundamental philosophical and sociological concepts of Habermas. However, such an undertaking is impossible within the limits of this article; I will therefore restrict myself to elements absolutely necessary to a presentation of the Habermasian grounding of politics and democracy.

According to Habermas, the history of humanity entered, with modernity, a superior evolutionary phase. Marx was, in principle, correct in realising the liberating potential harboured by the new society that applied itself, even from its outset, to the rapid development of its productive forces. However, historico-philosophical objectivism, economism and the fundamental philosophical presuppositions, adopted by Marx in his later period, did not permit the conception of social progress in its entirety.<sup>6</sup> On the other hand, Horkheimer and Adorno, major exponents of the Frankfurt School, by adopting the same anthropological and philosophical presuppositions, and applying the work of Lukacs on reification as well as that of Max Weber on bureaucratization (followed by the loss of meaning and liberty within the iron casing that it creates), were led to a pessimistic philosophy of history; according to the latter, modernity appears trapped in the negative dialectic of Enlightenment, which, instead of liberating, leads to the eclipse of Reason and the predominance of the instrumental and calculative intellect, submitting the ideas of liberty to the myth of rational domination.<sup>7</sup>

6. Habermas particularly favours this critique of Marx, which makes its appearance in his *Technik und Wissenschaft als "Ideologie"* (Frankfurt am Main: Suhrkamp, 1969). See pp. 92–100 and esp. 114–15, where he points out the inadequate distinction between instrumental-theoretical and moral-practical knowledge in Marx's theoretical work. The same critique, more refined and analytical, resurfaces in *Zur Rekonstruktion des historischen Materialismus* (Frankfurt am Main: Suhrkamp 1976), pp. 11 and 144–63, in particular. On the basis of this criticism, the motif of human species social evolution is developed on two levels: the level of nature's technical manipulation and that of accumulating moral-practical knowledge.

7. The views of Horkheimer and Adorno are analytically discussed in Jürgen Habermas, *Theorie des kommunikativen Handelns* [*Theory of Communicative Action*], Vol. I (Frankfurt am Main: Suhrkamp, 1981), pp. 455–533. The questions of former critical theory, which proved unable to account for its own

Habermas counters this pessimism with a concept according to which the process of rationalization and modernization is conducted on two levels:

1) The level of accumulating instrumental knowledge, the consequent development of productive forces and the rational organization of production—it is the level of forming 'systems', constituting spheres free from moral commitments, in which the action of individuals is coordinated by the so-called 'steering media' (money/economy, power/bureaucratic administration); and

2) The level—ignored by many great theorists—of the moral regulation of social behaviour. Progress, in the realm of ethics, consists in the gradual lessening in influence of the major metaphysical moral systems and in the increasing dependence of our moral beliefs on an agreement reached through the means of non-coercive communication. Thus, beside the 'instrumental rationalization' of the systems, we have a 'communicative rationalization' of the so-called 'life-world' (*Lebenswelt*), that is, the world-images (*Weltbilder*), the moral beliefs, the fundamental institutions that govern social life. This concept of social evolution is related to the sociological bisection of society into:

a) the system (which attends to the material reproduction of society), and

b) the life-world (in which this symbolic reproduction occurs).<sup>8</sup>

normative criteria, caused Habermas to abandon the philosophy of conscience and to adopt the paradigm of the philosophy of language. This 'turn' is exhibited in the second volume of *Theorie des kommunikativen Handelns*.

8. The same conclusions are reached by the 'reconstruction of historic materialism', which rests on the idea of a two-fold rationalization on the one hand, and, on the other, on the distinction between the issues of *evolutionary dynamics* (*Entwicklungsdynamik*)—that are related to 'systemic challenges' of the species' material reproduction—and the problems of *evolutionary logic* (*Entwicklungslogik*)—connected to the logic of the deployment of the communicative structures of the life-world. See Jürgen Habermas, *Zur Rekonstruktion des historischen Materialismus*, and, in particular, the chapter under the same title, pp. 144–99. The same fundamental standpoints reappear in *Theory of Communicative Action*, elaborated along the lines of communicative theory and enriched by both a sociological theory that conceives society simultaneously as life-world (symbolic-communicative structures) and system (mecha-

Marx's error, and that of other optimistic theorists of social evolution, lies in the presumption that progress on the system's level would automatically entail an improvement on the level of moral-practical conscience. In fact, it is not only that the rationalization of the life-world follows a particular logic, irrelevant to the deployment of productive forces, but—even more—it is the system's differentiation and development process that endangers the fragile communicational structures of society. The pathologies of modernity—*anomy*, alienation, the dissolution of the social structure, and so on—are interpreted by Habermas as signs of a gradual "colonization of the life-world on the part of the system." The inordinate development of the system in modernity tends to subject the 'life-world' to the commands and criteria of instrumental rationality. This invasion of the life-world by the criteria and the means of the system has destructive effects on the structures of moral-practical conscience and social solidarity, which can be reproduced only through communication (and not through the general equivalents of money and power).<sup>9</sup>

A critique of Habermas' evolutionism would probably require a lengthy treatise. In this article, I must necessarily confine myself to aphoristic statements. To begin with, the entire Habermasian concept of social evolution rests on the notion that history advances in a specific direction, in the sense of hierarchically ordered evolutionary stages, the final and highest of which is modernity. Modern societies, however imperfect, have reached these given evolutionary limits. This could mean that a radical social change is no longer possible, except perhaps the amelioration of existing reality.

Apart from its criticism of 'one-sided rationalization' and references to the 'incomplete project of modernity', Habermasian evolutionism is, in essence, ahistorical and abstract. The distinction between systemic and communicative rationalization superimposes (an interpre-

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nisms of the material reproduction of society), and by the idea that during social evolution, the life-world and the system are gradually disengaged. See Jürgen Habermas, *Theorie des kommunikativen Handelns* [Theory of Communicative Action], Vol. II, esp. pp. 229–93.

9. The explanation of the 'pathologies of modernity' on the basis of the 'colonization of the life-world' by the system is presented in Jürgen Habermas, *Theorie des kommunikativen Handelns*, Vol. II, pp. 449–547.

tation of) the realities of contemporary societies on all of human history, which, significantly, is abstractly regarded as the 'history of the human species'. The abstract distinction between life-world and system ostensibly serves to demonstrate the ability of an adequately rationalized life-world to control the system. In fact, though, it does not challenge the system (in other words, the capitalist company, the market and the bureaucratic administration), the 'rationality' of which is indiscriminately justified. In other words, in Habermas' analysis, we neither perceive criticism of the irrational character of the capitalist bureaucratic organization of production, nor do we come across a serious philosophical examination of the *aporias of modern science*. If I see clearly, this shortcoming lies in the fact that he adopts—on an epistemological level—a communicatively interpreted version of Popperian falsificationism and in that he proposes—on a historico-evolutionary level—the notion of a universal project of nature's domination by the human species.<sup>10</sup> If Habermas actually accepts, as I claim he does, the imaginary significance of the rational control of nature, it should not surprise us that—apart from briefly mentioning the 'ecological movement' or the 'ecological limits to development'—he does not take into serious consideration the ecological critique of development and scientific rationality. He is thus unable to see that the neutrality of instrumental rationality (which he has been defending against Marcuse since 1968<sup>11</sup>) is abstract, and that its social development and materialization—the only issue we should be discussing and thinking about—cannot be separated from the practical projects of a specific society. Thus, the project of the 'rational domination of nature', inherent in modernity, does not ensue from the necessity for a society's 'material reproduction'. (Obviously, the ancient Greeks had serious reasons for not proceeding to an imprudent 'systemic rationalization', although they may have possessed the necessary 'instrumental knowledge').

To diagnose the evolutionary logic of the social life-world on the basis of the 'mechanisms of the species' symbolic reproduction' seems

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10. In his book *Erkenntnis und Interesse* (Frankfurt am Main: Suhrkamp 1973), Habermas referred to the anthropologically given "theoretical-technical interest."

11. See Jürgen Habermas, *Technik und Wissenschaft als "Ideologie,"* pp. 48–103.

to me equally problematic. The project of autonomy and freedom appears to be 'built into the lingual mechanisms of individuals' socialization' and thus runs as an omni-present undercurrent throughout history. An attitude challenging the given values and rules cannot, however, ensue 'logically' from a 'learning process'. The *break* with tradition cannot be due to the 'accumulation of knowledge'. Furthermore, while the evolutionary logic that Habermas diagnoses is founded on the potential harboured by the formal structures of communication, the 'rationalization of the life-world' cannot be procedural (*prozedural*), but must also regard the contents. Indeed, whereas Habermas describes contemporary 'post-conventional moral conscience' in procedural terms (as the dependence of the validity of moral judgments and rules from a consensus achieved through dialogue—that is, under ideal communicative conditions), he cannot but claim a material rationalization as well, especially when considering the social 'implementation' of his ethics of discourse (*Diskursethik*).<sup>12</sup> A rationalized life-world, however, is a strange entity which, again, refers us to the questions of what a 'rational social meaning' is and of how one perceives the gradual and strenuous course towards (material) rationality. This Popperian ethical-practical piecemeal engineering, which I believe is latent in Habermas' analyses of the ethics of discourse, presupposes the notion of a gradual approach towards the normative right (moral truth), which, as I have tried to show elsewhere, repeats the errors of former metaphysics.<sup>13</sup>

Let us approach now the issue of politics. Regarding the 'life-world', modernity poses a crucial question: since we naturally would not wish for a widespread resort to violence, the question arises of how is coordination—the linking of separate individual actions—possible when the common normative framework, until now imposed by relig-

12. See the comments in Jürgen Habermas, *Moralbewusstsein und kommunikatives Handeln* (Frankfurt am Main: Suhrkamp, 1983), pp. 115, 119.

13. See Konstantinos Kavoulakos, "Signification, Validity, Truth. Habermas's Theory on Signification and its Relationship to the Theory of Truth," to be published in *Leviathan* (Greek ed.). It is certain that the evaluation of values, rules, etc., cannot be made through formal criteria of rationality, but requires, at the very least, the participation of our judgment (*Urteilstkraft*). See also A. Wellmer, *Ethik und Dialog* (Frankfurt am Main: Suhrkamp, 1986), pp. 69–81.

ion, has been undermined. Habermas answers as follows: modernity has witnessed the formation of an autonomous morality, which is founded on an ideal form of a non-coercive, collective, discursive examination of the validity of moral rules. Such a morality is constituted on the basis of an—in a way—'democratic discussion' and its implementation must depend on the self-control of the individuals. It rests on what we usually call the 'inner voice of our moral conscience'.<sup>14</sup> Therefore, the acute need arises for it to be complemented by the rules of compulsive law (*Zwangsrecht*), that is, a law enforced, if need be, through the imposition of sanctions.

A 'Godless society', in other words, a society that must guide itself, practically 'on its own', has only one criterion to fall back on: the rational consensus of all participants, reached through non-coercive discussion, in which only the best argument reigns. Thus, in order to establish the validity of our practical rules, an ideal speech situation is required, entirely open to everyone concerned and devoid of internal and external constraints and imbalances of power. It goes without saying that such a speech situation, in reality, could at best only be approximated. But even if such a thing was easy, a solely communicative solution to all possible practical conflicts is inconceivable. Social integration requires the existence of a general framework; it demands the regulation of the most crucial practical matters on a more solid foundation. This foundation is—according to Habermas—provided by positive law. Positive law is the institution that relieves the participants' communicative action of the heavy burden of regulating all the issues of social life. On the other hand, it disengages the problem of maintaining social order from the intentions and motives of each individual. Individuals can regard the law as they wish: either as an external barrier to their arbitrariness, or as a general rule that provides the means for individual and collective freedom.<sup>15</sup> (Alternatively—in the words of Kant—within the law, there is a "combination of general mutual coercion, and each one's freedom"). Thus, the law is not subject to

14. On the grounding of the ethics of discourse that reflect the moral conscience of modernity, see Jürgen Habermas, *Moralbewusstsein und kommunikatives Handeln*.

15. See Jürgen Habermas, *Faktizität und Geltung* (Frankfurt am Main: Suhrkamp, 1993), p. 57.

morality but should be regarded as its useful functional complement. The law does not tell us what to do when facing moral dilemmas, but determines the general framework, within which, in principle, whatever is not explicitly prohibited is permitted. Moreover, the law functions as an intermediary between the 'life-world', the world of communicative practice, and the 'system', raising barriers to the latter's uncontrolled expansion. It is thus, in a way, the medium through which society controls the economy and the administration.<sup>16</sup> Lastly, it is the means for the attainment of individual and collective autonomy, since positive law is at any moment revisable and inasmuch as it derives its legitimation from the fact that it embodies—as at least it is supposed to—the rational will of the participants or of their greatest number.<sup>17</sup>

In this sense, the mode in which positive law is legitimized is related to the mode in which moral rules are justified. It is, thus, necessary that positive law be instituted on the basis of a procedure that would control its validity discursively: a procedure that is, on the one hand, firmly established on the notion of a discursive grounding of morality while, on the other, it should also be legislated in order to fulfil its important political task. Therefore, the demand for the rational grounding of the law through a procedure that guarantees free expression to all existing arguments and counter-arguments leads us directly to the problem of democracy and its internal relationship to the fundamental principles of the rule of law.<sup>18</sup>

In his lectures in Greece, as in his recent book *Faktizitaet und Geltung* in particular, Habermas presented a justification for the 'democratic rule of law' from the standpoint of his own communicative or discursive theory. In the book, we have a thorough presentation of his views on democratic politics. From Habermas' perspective, the formation of the democratic rule of law coherently answers the question of how it is possible to attain autonomy and freedom within the framework

16. Jürgen Habermas, *Faktizitaet und Geltung*, pp. 77–78 and 108.

17. Jürgen Habermas, *Faktizitaet und Geltung*, p. 50.

18. See Jürgen Habermas, "On the Internal Relationship Between Rule of Law and Democracy," mimeographed speech delivered on the occasion of his receiving an honorary doctoral degree in Athens, 18 Oct. 1993.

of contemporary 'complex' and 'functionally differentiated' societies.<sup>19</sup>

Contemporary civil societies have from the outset been formed as associations of subjects of law (*Rechtssubjekte*), who mutually acknowledge fundamental rights and wish to regulate their coexistence with the means of positive law. Since positive law derives its legitimacy from the fact that the participants can view it as a product of their own political activation, the possibility for all to participate in the instituting of laws should be secured. Thus, the law should be in a position to safeguard public autonomy; still, this cannot occur without the simultaneous consolidation of private autonomy, since, ideally, those who lay the law are also subject to it. Thus the "private freedom of individuals and the public autonomy of citizens constitute respectively the terms for the attainment of one another. The subjects of law can be autonomous only to the extent that, in exercising their political rights, they are entitled to perceive themselves as authors of precisely those regulations with which, as recipients, they must comply."<sup>20</sup>

According to Habermas, to one who realises that private and collective autonomy are two sides of the same coin, the classic conflict between republicanism and liberalism, between the 'freedom of the ancients' and the 'freedom of the modern' appears as a meaningless quarrel, because the safeguarding of private autonomy presupposes the unimpeded exercise of public rights. Without participation in politics, private autonomy becomes a fraud; it is left exposed—as it is—to the machinations of financial and administrative powers. Moreover, it is unable to lend itself a content. Private autonomy without public participation is transformed into 'negative freedom', a freedom without exterior constraints but, nevertheless, a freedom without content, since the definition of the content of freedom requires public discussion with the other free and equal participants.<sup>21</sup>

Habermas' attempt to reconcile 'negative' (individual) to 'positive' (communal-collective) freedom on the basis of communicative ration-

19. See Jürgen Habermas, *Faktizitaet und Geltung*, p. 361 ff.

20. See Jürgen Habermas, "On the Internal Relationship," p. 6.

21. Jürgen Habermas, "On the Internal Relationship," pp. 8–9.

ality has, with some justification, attracted criticism even from critical social theorists. In a seminal article,<sup>22</sup> A. Wellmer underlines the fact that it is not possible to extract individual rights from the presuppositions of communicative rationality, since the sphere of 'negative freedom' must occasionally include the right to act irrationally. He also points out that collective-positive freedom does not ensue from communicative procedural Reason, but from the formation of a 'democratic *Sittlichkeit*' (*Sittlichkeit*, in the Hegelian sense). In other words, the project of individual and collective freedom precedes the principles of communicative Reason, even if the intuition is correct that the embodiment of the former in social praxis requires the procedures and principles of the latter. Hence, in the field of political and social praxis, the tension between 'negative' and 'positive' freedom remains undiminished throughout modern history.

Apart from this, both republicanism and liberalism, which are ostensibly reconciled in Habermas' view, are rather ideal and extreme constructions. Several liberals would not hesitate to make a few 'republican' concessions, acknowledging, for instance, the necessity of 'democratic participation', etcetera. On the other hand, republicanism does not necessarily oppose a certain safeguarding of 'individual rights'; rather, it calls for the true participation of citizens, not only in the processes of opinion formation, but also in decision making regarding public affairs.<sup>23</sup>

Thus, the argument that individual and public autonomy are prerequisite to one another does not resolve the conflict between the 'freedom of the ancients' and the 'freedom of the modern', because in the context of politics, the essential issue is how we perceive the exercise of public autonomy. In regard to this, Habermas is closer to the liberal tradition, since he accepts the need for parliamentary representation and confines collective rights to the sphere of public communication. In other words,

22. See A. Wellmer, "Freiheitsmodelle in der modernen Welt," mimeographed, revised translation of "Models of Freedom in the Modern World," in *The Philosophical Forum*, Vol. XXI, Nos. 1-2 (Fall-Winter 1989-90), pp. 227-52.

23. See the introduction by Shlomo Avineri and Avner de-Shalit, eds., in *Communitarianism and Individualism* (New York: Oxford University Press, 1992), pp. 1-11.

public autonomy signifies a few more associations, unions, organizations, committees and newspapers, etcetera.<sup>24</sup>

Be that as it may, Habermas establishes, on the basis of the discursive theory of law (*Diskurstheorie des Rechts*), the constitutional guarantee of political as well as human rights, which determine the meaning of a legal person, a notion indispensable to the formation of a 'community of free and equal participants in a legal order' (*Rechtsgenossen*). From this central notion, moreover, ensues the justification of the fundamental principles of a democratic rule of law: This is a summary of the justification of the basic principles of the rule of law's function that Habermas presents in *Faktizität und Geltung*, pp. 208-17.

1) Since the latter's objective is to provide the means for individual and collective autonomy, the first principle is popular sovereignty. The principle of popular sovereignty entails that every administrative power of the state should emanate from the citizens' communicative power. The latter must be channelled into democratic procedures that establish the particular conditions of dialogue and communication, that can guarantee the rationality and validity of the legal regulations that result. Since few citizens can participate in such a demanding discussion, the need for representation naturally arises.<sup>25</sup> The institution of parliamen-

24. Nevertheless, on the level of abstract philosophic justification, Habermas' basic intuition that in the contemporary world freedom is inconceivable if people do not mutually acknowledge the existence and interconnection of both 'individual' and 'collective' rights is correct. I leave aside the issue of the form and meaning these 'rights' could have in a direct democracy—such as the one Castoriadis calls for—in which, together with the state's dissolution, the sanctioning of laws by the state would also cease to exist.

25. One cannot but point out that the justification for representation is not rational but empirical. Thus, there is no serious questioning on whether representation is even possible or whether it may constitute the surrender of the freedom of the represented to their representatives. From the fact that not all citizens of a nation-state can participate in a general assembly meeting ensues neither the necessity for a *specific* form of representation nor for a *specific* organization of politics in general (which—coincidentally(?)—tallies with the existing institutions). Possibly, the posing of such questions would go beyond Habermas' narrowly procedural tastes and would force him to deal with issues of 'content' which fall outside the province of a 'philoso-

tary representation and the internal regulations of discussions and decision making reflect precisely the effort to create the appropriate conditions for discussions based on the prevalence of the best arguments.<sup>26</sup> These are supplemented by the principles of political pluralism of the powers represented in parliament and the ventilation of parliamentary proceedings, which allows their scrutiny on the part of a critical public opinion, the existence of which is in its turn established by the constitution.

2) Now whereas the parliament engages in and is responsible for the justification of laws, their specific implementation is, on the other hand, essential. This division of the tasks of justifying and implementing the laws is reflected in the institution of an independent justice. This is linked with the principle of ensuring the individual legal protection of each legal person, who can file individual legal claims. Finally, since the judicial power can demand the administration's mobilization (for example, for the imposition of sanctions), the principle of its commitment to the law is essential.

pher-reconstructor'. This (impossible) separation of 'procedure' and 'content' leads finally to the idealization of parliamentary and party institutions that are presented as guarantors of the decision-making procedure's 'neutrality' and 'impartiality'. Even though the idealization refers to the level of philosophical justification of an instituted model, the fact that this model corresponds with remarkable accuracy to the existing institutions of 'Western democracies' raises well-founded suspicions concerning the true nature of 'rational reconstructions'. For, what to the mind of the philosopher appears as deliberation and collective pursuit of normative rightness on the basis of the best arguments is rather, in its social realization, a procedure that (can) produce only *specific* (class) contents, and is therefore a procedure that in itself, in a way, does not lack content. In regard to this, the procedural view can provide the means for, at most, a weak charge against the deviation of reality from the normative ideals. If, in reality, the function of the parliament is not as neutral as it appears, this should be ascribed to contingent factors and conjunctures, since, *it must in principle*, be (able to be) such.

26. We come across this view in Jürgen Habermas, *Moralbewusstsein und kommunikatives Handeln*, p. 112, in which the rules that regulate parliamentary discussions are interpreted, in the light of the ethics of discourse, as institutional measures of protection aimed at creating ideal conditions for rational argumentation!

3) The principle of the administrative and executive powers' obligation to comply with the laws brings to completion Habermas' justification of the division of powers. This principle has the purpose of affixing the administrative and executive powers to the citizens' communicative power, which is intermediated by the parliament's legislative power. Moreover, the possibility must exist to check the arbitrariness of both the administration and the executive power, a task undertaken by constitutional courts and administrative investigations.

4) To these should finally be added the principle of the state's separation from society. This principle does not have the liberal sense of separating the state—guarantor of public order and security from a society of financially competitive individuals or interest groups. What Habermas has in mind is the formation of an autonomous 'civil society', in which pluralism and free associations, combined with a liberal political culture, would form an informal public sphere, which would control the state institutions.

To summarize the grounding of the democratic rule of law, in the words of Habermas:

...the organization of the rule of law intends, ultimately, to serve the politically autonomous self-organization of a community, which has been constituted on a system of rights, as an association of free and equal participants in a legal order. The institutions of the rule of law intend to secure the effective exercise of political autonomy on the part of socially autonomous citizens, in such a way as, on the one hand, to allow the communicative power of a rationally formed will to be created and to find its binding expression in legal programmes, and on the other, to allow this communicative power to circulate in the entire society via its rational application and administrative implementation, and to develop the power to integrate society—by the stabilization of expectations, as well as the realization of collective aims. With the organization of the rule of law, the system of rights is differentiated into a constitutional order, in which the law can function as a transformer that reinforces the weak socio-integrative electrical impulses of a communicatively structured life-world.<sup>27</sup>



The conception of politics contained in all these analyses has perhaps begun to emerge. In principle, the essential objective of politics is to institute laws, since all powers—judicial, executive and administrative—depend on them. Habermas advances a notion of politics that simultaneously unfolds on two levels:

1) The level of legislated politics, regulated through procedures—the various parliaments belong to this sphere.

2) The level of an informal formation of a public opinion in a public sphere of free discussion.

These two levels constitute the concept of deliberative politics (deliberative *Politik*) that depends on the legal institution of procedures and communicative presuppositions, as well as on the correct combination of instituted deliberations and informal public opinion. Hence, popular sovereignty appears as a continuous procedure, in which the informal network of political deliberation controls and provides the instituted political system with material; in its turn, the political system molds the raw material of the citizens' communicative power and transforms it into law. To this idea corresponds the image of a decentralized, pluralistic society, which no longer revolves exclusively around the state. Deliberative politics would be impossible without one of the two levels that constitute it: without the filter of instituted deliberations, the anarchy of unchecked communication would reign; the latter, is, moreover, more exposed to the real inequalities of power between the participants. Without the informal network of public spheres of communication, legislative power would weaken. Lack of a sensitive public sphere would lead to the inability to ascertain, recognize and deal with the social problems.<sup>27</sup>

It is obvious that Habermas follows the classic Hegelian distinction between the state and bourgeois society (*bürgerliche Gesellschaft*), interposing between them a dubious 'civil society' (*Zivilgesellschaft*). The notion of 'civil society' is but a transfer of the notion of public sphere (*Öffentlichkeit*)—which has always been the basis of the Habermasian grounding of democracy—to the contemporary discussion on

27. Jürgen Habermas, *Faktizität und Geltung*, p. 217.

28. Jürgen Habermas, *Faktizität und Geltung*, pp. 372–74.

democracy.<sup>29</sup> In this usage, civil society is this 'weak public' which forms spheres of public communication, the vehicle of an unstructured 'public opinion'. Its communicative activity is uncontrolled and anarchic, composing a 'savage netting' that continually besieges the bastions of instituted politics. The 'weak public' itself is therefore 'set free' from the burden of decision making, and the only thing it can and must do is to communicate informally.<sup>30</sup>

Habermas presents his view as the only realistic one for contemporary complex societies. And this is because, whereas he takes into account—contrary to liberalism—the fact that private autonomy is impossible without the political participation of citizens in public affairs, he does not require—contrary to republicanism—the direct and continual engagement of the participants in the exercise of popular sovereignty.<sup>31</sup> In this way, he takes into consideration the difficulties that arise from the growing complexity of contemporary societies, which, at times, unbearably encumber the communicative regulation of social life and lead to what Sartre called 'inertia' (*Inerte*). These 'elements of inertia in society' also regard the limits of knowledge and intelligence of the public, the time pressures and the scarcity of material resources, as well as attitudes and motives, such as egocentricity, lack of willpower, irrationality and delusions, in which reality abounds.<sup>32</sup> Even though it would be difficult to deny the existence of 'inertia', one cannot fail to point out the fact that Habermas appears to have elevated

29. See Jürgen Habermas, *Strukturwandel der Öffentlichkeit* (Neuwied, 1962).

30. See Jürgen Habermas, *Faktizität und Geltung*, p. 373. The term 'civil society' was first introduced by Andrew Arato with reference to the analysis of the dissidents' movements in socialist countries. See, e.g., Andrew Arato, "Civil Society Against the State: Poland 1980–81," in *Telos*, No. 47 (Spring 1981). Later, after the collapse of the Eastern European regimes and the rise in the demand for theories on democracy, it took by storm the relevant discussion, lending a republican colouring to various social-democratic concoctions. Habermas himself dedicates an entire chapter of his latest book to the *Zivilgesellschaft*. See *Faktizität und Geltung*, pp. 399–467. For a critique enlightening the confusions thus arising between the republican and liberal tradition, see John Ely, "The Politics of 'Civil Society'," *Telos*, No. 93 (Fall 1992).

31. See Jürgen Habermas, *Faktizität und Geltung*, pp. 364–65.

32. Jürgen Habermas, *Faktizität und Geltung*, p. 395.

it to an anthropological fact, avoiding pondering the social conditions that generate, favour and intensify it. If his analyses contained such a questioning, he would perhaps be forced to admit that his normative model appears more realistic than the republican 'excesses', not so much because it is better attuned to human nature, but because it can function as an idealized self-image for a fragmented society of individualists; it does not require, moreover, a radical if not potentially hazardous overthrow of market economy and bureaucracy, but only their communicative harnessing. In other words, it is more realistic because it corresponds to today's reality. Of course, if one regards existing representative democracy and the structure of the public sphere, not as a counterbalance to 'inertia' but as the particular factors that discourage active participation, distance citizens from public affairs and ultimately produce an anthropological type totally unfit for autonomy and true democracy, one wonders whether the immersion of societies in the realistic myth of existing democracy might lead to the final elimination of those individuals that would demand and undertake a radical democratization, such as the one called for by the republican standpoints.

Considering that the rule of law has been known since the nineteenth century and that from the beginning of the twentieth has become, also, 'democratic' (at least in many countries of the so-called developed world), a question naturally arises: why have we not until now realised that the answer to the issue of how democracy is possible in the contemporary world had already been given? Habermas' attempt to philosophically justify the institutions that the twentieth century inherited from nineteenth-century liberalism, transforming them to contemporary mass democracies, is certainly heroic, but at the same time deeply melancholic. Essentially, it is an adaptation for a fragmented social reality, split into many separate powers, not transparent and without a strong opposition to counter it, a reality where the impression that nothing radically new can replace the existing political, economic and social institutions' reigns. It is significant that when Habermas tries to find the spheres of application for his philosophically grounded political construction, he resorts to contemporary theories of political pluralism, such as Dahl's;<sup>33</sup> the latter finds these political forms of the

33. See R. A. Dahl, *Democracy and its Critics* (New Haven, 1989).

democratic rule of law in the so-called 'polyarchic societies', identified as 'modern, dynamic, pluralistic' (M.D.P), numbering among them roughly 40 contemporary states.<sup>34</sup>

In these societies, the convenient social conditions (which are essentially related to economic affluence) are combined with the existence of an appropriate political culture. Of course, if the notion of the democratic rule of law can only be advanced in such societies, then instantly, serious reservations arise regarding the possibility of generalizing this model around the world—a claim that every self-respecting theory of democracy should set for itself. Beyond this truly important issue, the theory of Habermas should heed a number of other objections that do not appear to be taken into serious consideration. The model of political organization that Habermas undertakes to rescue in the 700 pages of his book has a history of nearly a century and is regarded by many of his critics as *historically played out*. If this is actually so, then a theory will not, of course, be able to resurrect it. However, such a theory can function so as to ideologically legitimize a tried and failed institutional form, an institutional form which—we can now argue on the basis of historical experience—is utterly unsuitable for the realization of a true democracy. It is perhaps significant that in Germany Habermas is held by many as *Staatsphilosoph*, or philosopher of the state (a title once conferred on Hegel).

### *Mass Democracy, Bureaucracy, Capitalism*

Let us take a brief look at the criticism concerning the historic realization of the democratic rule of law. It draws its material from a tradition rich in the analysis of bureaucracy and the role of the elite (R. Michels, G. Mosca, V. Pareto) and from the analysis of the totalitarian tendencies of the contemporary state (C. Schmitt). Such analyses, not necessarily originating from progressive circles, were already known in the period between the wars and were used after World War II by those who tried to exercise radical left-wing criticism of the post-war 'pluralist' democracies (J. Agnoli, A. Negri). In Castoriadis' theoretical work, one comes across similar criticism of the bureaucratic society

34. See Jürgen Habermas, *Faktizität und Geltung*, p. 384.

and the democratic veneer of contemporary institutions.<sup>36</sup> Here, I will outline this criticism based upon L. Ferrajoli's text: "Does a Representative Democracy Exist?"<sup>37</sup>

The idea of the classic liberal rule of law took form, in broad terms, in the industrialized countries of the nineteenth century, and in particular in England. Its function was in fact regulated by the following fundamental principles: the separation of the three powers, the representative power's supremacy over the judicial and executive powers, the close commitment of the executive power to the laws set by the legislative power and the strict separation of state and society, through which the night-watchman-state would merely undertake the preservation of order and the smooth functioning of the market. This system may certainly have been representative, but it was not democratic, since the right to vote was not universal.

With the masses entering the political scene and the institution of universal suffrage, a radical change in the character of the liberal rule of law occurred. The twentieth-century democratic rule of law retains the basic institutions and principles of the classic rule of law, although it alters its functions without admitting it. The state became interventionist, particularly after the 1930's crisis and the New Deal politics, developing an economic activity that aims to dull the edge of inter-capital conflicts and to regulate the relationship between the separate sectors of capital in order to serve the common interest of unimpeded capital accumulation. It has also developed an activity in the redistribution of social wealth and the supply of social services, aiming to boost demand and to diminish class resistance to the system. In this way, the nature of the classic liberal separation of state and society has changed and the state has become 'social', since it intervenes through its bureaucratic organizations in what Habermas calls the life-world.

36. See, among others, in Cornelius Castoriadis, *Lectures in Greece* (Athens: Ipsilon Books, 1990), the texts: "The Problem of Democracy Today," pp. 111-32; "Power, Politics, Autonomy," pp. 43-76; and in his *The Fragmented World*, the texts: "The Era of Generalized Conformism," pp. 11-25; "The Idea of Revolution," pp. 125-42; and "Politics Today," pp. 151-68.

37. L. Ferrajoli, "Does a Representative Democracy Exist?" in his *Autocratic Democracy and Critique of Politics* (Athens: Stohastis, 1985), pp. 23-77.

The character and role of the representative system has also changed. The nineteenth-century club-parties have become mass parties with a bureaucratic organization that leads to the gradual independence from the electorate and to the adoption of a popular, 'pluralistic' image, the only one capable of securing an electoral clientele large enough to win power. These developments go hand in hand with the change in the function of the parliaments, within which the existence of parliamentary majorities inevitably displaces the centre of political and legislative power from the parliament to the governmental power (still erroneously called executive). The parliament is limited to applying a veneer of democratic legitimacy to the laws and choices of both government and bureaucratic administration. Thus, while the separation of powers is maintained, the power balance between them has changed. Moreover, the gigantic proportions that state and semi-state bureaucracies have reached contribute to this, opening up limitless opportunities for circumventing the legality of the rule of law and permitting the non-transparent regulation of the most essential political issues.

So, before we succumb to the realism of defending the rule of law and representative democracy, dismissing the views on direct democracy as utopian, we should seriously ask ourselves whether representative democracy may after all be more utopian, and actually dangerously utopian, since its indiscriminate defence may contribute to the legitimization of the authoritarian and conservative tendencies it harbours. Indeed, I believe there are sufficient grounds to maintain that representative democracy is but the functional political counterpart of a rampant market economy. The reasons which induce it to serve what Castoriadis calls the "capitalist social imaginary of the limitless expansion of pseudo-rational pseudo-domination" are not contingent but structural.

What has become of the principle of popular sovereignty asserted by all constitutions which political representation professes to materialize? The organization of 'pluralistic', bureaucratic-hierarchic parties has resulted in their independence from the base, to which they increasingly convey the dictates of the party leadership. The parties that lay serious claims to power must be 'classless' and must, consequently, go along with the key option to continue economic growth, which is set axiomatically as the supreme social value. Through party discipline, members of parliament come to represent not the people but the

bureaucratic parties. Besides, the existence of governmental parliamentary majorities transforms parliamentary sessions into theatrical performances.

In contemporary democracies, representation is supplanted by mass consent to groupings of the leading elite. This consenting democracy inevitably leads, on the one hand, to the state and parties amassing power and, on the other, to the people being drained of their power and to their consequent passivity and political inertia. I believe that this reality turns Habermas' call for an active 'civil society', which may not have the power to decide but will have the power to communicate, into wishful thinking. We cannot expect people to be disposed to participate in public discussion if everything depends on the good will or the good hearing of those in office. Political participation cannot be confined to the publication of articles in newspapers or the organization of meetings and public discussions.

This reinforcement of the state's omnipotence creates totalitarian temptations for the leading elite and gravely endangers the fate of individual as well as political rights, particularly the rights of 'subversive' marginal elements. Consenting democracy and the rule of law totally contradict one another—a fact apparent in the example of anti-terrorist laws. Under the veil of 'pluralism', mass democracies are thoroughly despotic and incorporating and know how to effectively eliminate those who refuse to dance to the tune of capitalist development.<sup>38</sup>

But what is the fate of even pseudo-representative institutions? I have already noted the tendency to transfer power to the government. This tendency is reinforced by the gigantic proportions of state bureaucracy that create a network of water-tight compartments and permit actions that circumvent the legality of parliaments (it is not strange that our Western democracies are continually shaken by scandals). As the state's financial and social activation creates an ocean of bureaucratic institutions that come to complement the bureaucratically organized ministries, a fragmented and diffused 'feudal' power is created, which under the cover of its technocratic neutrality is empowered to make decisions affecting also the political sphere.<sup>39</sup> Moreover, the develop-

38. L. Ferrajoli, "Does a Representative Democracy Exist?" esp. pp. 38–39.

ment of what Castoriadis calls "technoscience" is left to such decisions.<sup>40</sup> The claim that the now powerless parliament or that critical public opinion (which in its turn is effectively manipulated by the super-bureaucratic mass media) could control this collusion of executive power, administrative power and financial interests seems absurd.

Finally, what is the role of governmental and administrative power? Could its function be altered if moral and well-disposed politicians gained power? Such a thing is impossible, since the function of bureaucracy has been linked, from the outset, to the stabilizing of capitalism, a fact betrayed, for that matter, by the structural analogy between the bureaucratic institutions and the capitalist firm.<sup>41</sup> The contemporary bureaucratic state is much more profoundly subjected to the logic of the capitalist system than the nineteenth-century liberal state. Bureaucratic organizations have been specifically constructed so as to overcome the system's malfunctions and to further economic expansion. This is the reason why—as Ferrajoli notes—"the so-called 'realism' of politicians, usually considered as their most important professional merit, is nothing but their ability to harness the reality of capitalism."<sup>42</sup> Representative democracy is nothing but the illusory legalization of this reality and an effective method for the manipulation of the masses. It is not incidental that in periods of crisis, its plebiscitary character is strengthened, while the rule of law is weakened by the curtailing of individual and political freedom (the same also occurred, *mutatis mutandis*, in the period of fascism).

To this analysis, one could also add more recent views, such as those of Takis Fotopoulos, on the formation of a neoliberal consensus, which determines the general framework for the functioning of an internationalized market economy, as well as the formation of a two-thirds society, in which the solid majority of the privileged tolerates the further marginalization of 'new poverty' victims.<sup>43</sup> Bureaucratic administra-

39. L. Ferrajoli, "Does a Representative Democracy Exist?" p. 40ff.

40. See Cornelius Castoriadis, "Technoscience," in his *Lectures in Greece*, pp. 133–67.

41. See L. Ferrajoli, "Does a Representative Democracy Exist?" p. 54.

42. L. Ferrajoli, "Does a Representative Democracy Exist?" p. 57.

43. See Takis Fotopoulos, *The Neoliberal Consensus and the Crisis of the*

tion and the market economy do not create the conditions for democracy, as Habermas seems to think, but rather destroy them. Moreover, unfortunately for Habermas, politics cannot today be limited to legally safeguarding benefits for unmarried mothers or even to the legislative regulation of garbage collecting and recycling. To survive the ecological crisis requires the halting of destructive capitalist development and the quest for other models of economic organization. The third world's wretchedness cannot be solved while the preservation of the rich North's advantageous position is taken for granted. Likewise, the problem of immigration cannot be solved—as Habermas suggested—by the legal distinction between economic immigration and the right to political asylum.<sup>44</sup> Nor can the demand for an independent United Nations with its own army be considered a plausible solution to the problem of regional conflicts, as well as of others already imminent.<sup>45</sup>

### *Direct Democracy and Realistic Utopianism*

Finally, let us see how Castoriadis views a possible way out from the current situation. In Castoriadis' case we do not find a philosophical grounding of democracy, comparable to that of Habermas. This is due to what philosophers call decisionism (*Dezisionismus*). Castoriadis' perspective contains neither a specific social evolution by hierarchically ordered stages, nor an assured progress of humanity to freedom or happiness.<sup>46</sup> Human history, as well as the Time of Being in general, is concerned with the creation and destruction of forms, which on the social level consists of imaginary constituted significations and their institutional incarnations.<sup>47</sup> Castoriadis discerns two traditions that

*Growth Economy* (Athens: Gordios, 1993).

44. See Jürgen Habermas, "Gelaechmte Politik," *Der Spiegel* (12 July 1993), pp. 50–55.

45. See the interview with Habermas in *Le Monde* (14 Sept. 1993), p. 2.

46. For Habermas, on the contrary "...the utopian prospect of reconciliation and freedom rests on the conditions for a communicative socialization of the individuals, it is already built in the lingual mechanisms of the species' reproduction." Jürgen Habermas, *Theorie des kommunikativen Handelns*, Vol. I, p. 533. On this view rests the 'Hegelian type' of evolutionism that I delineated above.

appear in history: the tradition of heteronomy and the tradition of autonomy. Autonomy is a signification created within history; it does not ensue from the logic of its unfolding, neither can its option have a rational, foundational grounding since reasonable discussion and thought already presuppose its choice. Thus, the choice can only be referred to as a decision (*Dezision*) for which we can provide reasons but we cannot, ultimately, found.<sup>48</sup> The significance of autonomy is linked to the ascertainment that meanings are created by society itself and the individuals that compose it, as well as to the objective that this instituting-creative activity be, in the future, conscious, explicit and reasoned. Thus, opting for freedom, one is obliged to accept all the rest as well: that one is socially constructed (through socialization); hence, one's freedom has meaning only within the framework of collective freedom and consequently it is necessary to mutually acknowledge freedom for all and to institute forms of collective deliberation and decision on the proper and worthy laws and significations of social life.<sup>49</sup> Exactly this issue of the proper laws and institutions is the subject of true democratic politics.

In this context, there cannot be a 'rational' or historico-philosophical foundation of the project of autonomy and consequently, of democracy. What there can be is a retrospection of the creative sources of history. The project of autonomy first appears in Ancient Greece and particularly in fifth-century Athens, with the establishment of democracy and its institutions: the people's assembly, the recalling of rulers, the trials by jury, etcetera. With the decline of democracy the project of autonomy receded, to reappear in the cities of twelfth-century Europe. This reappearance led to the eighteenth-century revolutions and then to the nineteenth-century labour movements, which juxtaposed the formal bourgeois democracy of liberalism to the vision of an essential social democracy. The struggles of the labour movement

47. See Cornelius Castoriadis, *The Imaginary Institution of Society* (Athens: Rappas Editions, 1981), esp. the chapter titled "The Social-Historical," pp. 248–317, esp. pp. 284–94.

48. See "The Logic of the Revolutionary Project," in Cornelius Castoriadis, *The Imaginary Institution of Society*, pp. 141–49.

49. See "The Social Dimension of Autonomy," in Cornelius Castoriadis, *The Imaginary Institution of Society*, pp. 158–60.

changed the character of capitalism and contributed to the democratization of political life. Concurrently, the Marxist-Leninist version of the labour party created the monstrosity of Soviet totalitarianism. The totalitarian tendency is, according to Castoriadis, inherent to the Marxian conception of society and history, so that the influence of Marxism on the labour movement, in its outset democratic, was in the end destructive. Marx himself accepted the capitalist imaginary of the centrality of production and shared the faith in the power of scientific rationality. This is the reason he attempted and believed he had discovered the laws determining the historical evolution and function of capitalism. This ideal of an absolutely true theory made possible the destructive idea of orthodoxy, that excludes any contraposition between views having to compete against each other with arguments, and hence excludes democracy. The idea of a Newtonian theory of history, in itself, leads to a mechanistic, deterministic view of progress that is bound to drown critical thought in the worship of reality.<sup>50</sup>

Since World War II in particular, we have witnessed the formation of mass democratic regimes, to which everything that I have mentioned in the second part of this essay applies.<sup>51</sup> Popular sovereignty does not exist in mass democracy, because the logic of representation leads to the expropriation of peoples' power by a liberal oligarchy. True democracy can only be a direct democracy, in which whatever committees exist would be comprised of recallable representatives. This explains Castoriadis' persistent references to the great importance of ancient *democratic institutions*, which we may not be able to consider models, but which are definitely a source of inspiration.<sup>52</sup> Ancient democracy was direct; the Greeks did not know the deceptive notion of peoples' representation, while rulers were designated by lot (the few that were

50. See "On the Critique of Marxism," in Cornelius Castoriadis, *The Imaginary Institution of Society*, pp. 19–105.

51. See the essays listed above in footnote 36. Further on, the text "Politics Today," also listed in footnote 36, is followed.

52. See Cornelius Castoriadis, *The Ancient Greek Democracy and its Significance for Us Today* (Athens: Ipsilon Books, 1986), and his "Die Griechische polis und die Schaffung der Demokratie," in *Autonome Gesellschaft und libertäre Demokratie*, Ulrich Rödel, ed. (Frankfurt am Main: Suhrkamp, 1990).

elected were accountable for their actions and recallable). Furthermore, ancient democracy was not acquainted with the concept of the *state* as a power separate from the body of citizens. In the ancient *polis*, political power was not divided, but *en messo* (amidst), in such a way that no individual or group could appropriate it. This idea of keeping the seat of power empty places Castoriadis at the exact opposite of the political conceptions that depend upon the separation of state and society. It is not by coincidence that Castoriadis criticises the modern imaginary signification of the state's necessity,<sup>53</sup> as well as the complementary meaning of 'civil society' which excludes the possibility for a genuine democratic-political society.<sup>54</sup>

In the contemporary world, on the other hand, the capitalist imaginary of unlimited development predominates. Development depends on the ceaseless creation of needs, imposed by capitalist firms, the mass media and the continual progress of science and technology that is no longer controlled. Finally, contemporary societies produce an anthropological type, that is politically apathetic, cynical, individualist and possessed only by a passion to raise consumption and to acquire material luxuries. This, besides, is the predominant meaning applied to the constitutionally secured individual rights.

There no longer exists a strong opposition that, countering this reality, would advance a cohesive vision for an alternative society. That is why Castoriadis speaks of "societies of generalized conformism."<sup>55</sup> Of course, there still exist labour unionist sectional claims as well as the social movements that sprang from the '60s, which were initiated by young people, students, various minorities and women, ecologists,

53. See, among other works, Cornelius Castoriadis, *The Fragmented World*, p. 130.

54. See, e.g., Cornelius Castoriadis, "The Revolutionary Question," in his *The Content of Socialism* (Athens: Ipsilon Books, 1986), pp. 263–64. From this point of view, the attempts of the advocates of 'civil society' to incorporate Castoriadis' thought into their own views must be seen at the very least as misappropriation. Ulrich Rödel, for instance, translates Castoriadis' "autonomous society" as "autonomous (civil) society." See Ulrich Rödel, "Einleitung," in his *Autonome Gesellschaft und libertäre Demokratie*, p. 22.

55. See Cornelius Castoriadis, "The Era of Generalized Conformism," in his *The Fragmented World*, pp. 11–25.

etcetera, and raised essential and profound political issues; these were unable though, to create an all-embracing vision and a political programme for the realization of a radical democratic society. The project of autonomy appears to be going through a period of comparative decline, intensified by the recent predominance of neoliberalism and the subsequent increase in apathy, cynicism, retirement into private life and the callous pursuit of an increasing consumption. This decline acquires dramatic proportions in view of the problems created by the domination of the imaginary signification of unlimited expansion of pseudo-rational pseudo-domination: the now visible possibility of ecological destruction or the intensifying conflict between the rich North and poverty-stricken South. Thus, the only apparent possibility for the time being is to maintain the project of freedom and to be conscious of the necessity for radical social change able to overthrow the frenzied capitalist imaginary and create a true democracy. So we can see that the evaluation of contemporary society on the part of Castoriadis is the exact opposite of Habermas'. Where the former sees the 'eclipse of the project of autonomy', the latter sees the model for the democratic function of the rule of law.

I will conclude with an observation that will take us back to the starting point of my reasoning. Recently, an attempt has been made to combine Castoriadis' views on politics and direct democracy with the ideas of Murray Bookchin on social ecology and confederal municipalism along with those of Takis Fotopoulos on economic democracy and the development of a communal economy. A vehicle for this attempt at theoretical synthesis has been the journal *Society and Nature*, which also aims to form a programme for political action. The 'utopian' and 'other-worldly' character of many of the published views has, of course, to do with the continuing political paralysis of the so-called 'civil society', within the context of which, such views should at least be discussed before being rejected. For as long as the crisis of politics continues, whatever views call for the radical change of reality will be condemned to bear the stigma of utopianism and naiveté, or to be suspect of covert jacobinism or bolshevism.<sup>56</sup> The crisis of autonomous

56. Castoriadis very aptly observes: "It is true that people today, do not believe in the possibility of a self-governed society and this results in that such a society is today impossible. They do not believe because they do not want to

politics, however, constitutes a challenge that cannot be answered through the means of theory, but only through citizens' reactivation—a fact often neglected by those who occupy themselves with theories and ideas. In this essay I have tried to show precisely that the ostensible realism of the feasible can in the end be more utopian than what appears to us today as utopian or even crazy. Moreover, realism can lead to the desiccation of critical thought and the sceptical paralysis of any autonomous revolutionary political activity. Around us realism abounds; dreams are what we lack. In a time of conformist realism, it would be perhaps more important to salvage what has always been and still is the veritable power of the critical tradition: the reasonable negation of and the passion to transcend reality.

believe and they do not want to believe because they do not believe. But if some day they begin to want, they will believe and they will be able to"; Cornelius Castoriadis, "A Faltering Society," interview published in *Leviathan*, No. 14, 2nd period (1993–94), pp. 15–16. It is precisely this lack of faith and will that Habermas attempts to transform into a political theory, while simultaneously attempting to salvage a few critical elements.