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# Protest Democracy: The Foundation of Freedom

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## *Protest and Democracy: Hannah Arendt and the Foundation of Freedom<sup>1</sup>*

### Abstract

The great political achievement of the modern era, stable representative democracies that legitimate power, are everywhere under attack. No thinker can better help understand our present democratic disillusionment than Hannah Arendt. Arendt argues that as bureaucracies and governments grow, individual action is evermore attenuated in its ability to make a difference in the world. The result is frustration that can lead to indignation and anger of citizens on both the left and the right. And a consequence of this increasing anger and frustration is the glorification of protest as a space of freedom in modern politics. In this paper I explore the works of a number of political theorists who have been writing in the last twenty to thirty years and who are all arguing that the place to look for freedom is not in government, but in protest. And I'm going to contrast them with Arendt's argument that freedom must be instituted and founded

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in political institutions. The three theorists of protest I have in mind are Simon Critchley, David Graeber, and Jacques Rancière.

**Keywords**

Hannah Arendt, Jacques Rancière, Simon Critchley, David Graeber, protest

We are witness to a worldwide democratic rebellion against representative liberal democracy. In Hungary, Russia, and Turkey, elected leaders are instituting democratically sanctioned illiberal rule. Across much of Western Europe, right- and left-wing populist parties condemn the weakness of democratic regimes. In the United States, Donald Trump as president is a demagogue who proclaims himself to be the leader of a movement that will replace a corrupt politics and make America great again. These movements feed upon a truth, that democratic governments are weak, corrupt, and undemocratic. The wobbling of liberal democracies is a result of the disintegration of power and participatory avenues for self-government that has hollowed out the virtuous core of western democracies. As happened also in the 1920s and 1930s, the great political achievement of the modern era, stable representative democracies that legitimate power, are everywhere under attack.

No thinker can better help understand our present democratic disillusionment than Hannah Arendt. “Representative government,” Arendt wrote in 1970, “is in crisis today, partly because it has lost in the course of time all institutions that permitted citizens actual participation, and partly because it is now gravely affected by the disease from which the party system suffers: bureaucratization and the two parties’ tendency to represent nobody except the party machines” (Arendt 1972a: 89). There are, she argues, two grave dangers that have put the representative democratic system, the system that many of us think is the way to govern a popular sovereignty in the twentieth and twenty-first centuries, in crisis. The first is that the institutions for participation in a representative democratic system, whether a parliament, congress, town hall, or voluntary association, are increasingly weakened or disappearing altogether; and the second related idea is that these representative governments are suffering from the disease of bureaucratization. The corruption of self-government and the rise of impersonal governing bureaucracies combine to hollow out the basic achievement of representative democracy, the experience of participation, autonomy, and legitimacy.

During the democratic crises and mass protests of the 1960s, Arendt argued that “much of the present glorification of violence is caused by

severe frustration of the faculty of action in the modern world” (1972b: 180). Her argument is quite simple. As bureaucracies and governments grow, individual action is ever-more attenuated in its ability to make a difference in the world. The result is frustration that can lead to indignation and anger of citizens on both the left and the right. In thinking about political frustration, Arendt distinguishes apathy from indignation.<sup>2</sup> You can be apathetic and not involve yourself in politics because you’re pretty satisfied. But if you’re indignant, you object to everything in the political world and you become passive because you don’t think you have the power to change it until some demagogue emerges whom you follow down the path, as she would have it, to tyranny or even totalitarian domination.

In the 1960s, Arendt saw that the indignation fueling the student protests around the West was a response to the bureaucratization of public life. Bureaucracy is the rule of nobody because in government by bureaus and offices, there is no one person who makes decisions. You have different bureaus making decisions, and if you want to protest, or if you want to argue against a decision, you don’t know who to go to. You go to one window, and they close, and they open the next window. In this rule of nobody, the result is frustration and disempowerment and resentment, and citizens are everywhere disempowered by party machines and by bureaucracies. Even in countries that claim to have free speech, free thought, freedom of association, and free government there is a strong sense that there is simply no way to change the system. The system has become too big, too entrenched, too powerful to be changed. And Arendt calls this *praxis Entzug*, using a mixed Greek and German phrase meaning the withdrawal of action (1972b: 178).

Indignation is one result of such frustration; indignation leads politics to become increasingly a politics of protest. If you look at the last sixty years of politics, we see protests everywhere. I am thinking of the worldwide unrest of the 1960s, the protests of 1989 in Russia and throughout Eastern Europe, the democracy protests in Tiananmen Square, the Arab Spring, the Tea Party, and of course Occupy Wall Street—just to name some of the most prominent protest movements of recent times. Each one of these protests succeeded in generating a lot of excitement; Occupy is likely one of largest and most sustained global protests in history. But these protests generated little change. They energized a populist base, but the protests faded.

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<sup>2</sup> See Hannah Arendt’s Letter to David Riesman, May 21, 1948 where she writes that there are “the indignant persons who object ‘totally to everything and therefore [are] totally passive until he accepts totalitarian domination,’” and her letter of March 9, 1949, where she argues that the apathetic are those who don’t participate in politics because they feel they are “sufficiently well represented by the politicians” (Arendt n.d.).

One of the questions Arendt leads us to ask is: Are these prerevolutionary or revolutionary movements? Are they the beginnings of something new? Is there a chance that a new form of government and new ideals will emerge; or, as she worries, are we seeing instead the death pangs of a faculty that mankind is about to lose? (Arendt 1972b: 180–81). And that faculty would be freedom, or action. Are we witnessing in the upsurge of protests the death of freedom?

By freedom I don't mean the freedom of the will, for example, that I can raise my hand or climb a tree; and I don't mean simply that I can think what I want. Examples of inner freedom are not of the essence of freedom understood as a political experience; "Freedom," as Arendt writes, "as related to politics is not to phenomenon of the will" (2006a: 150). This means that freedom is guided neither by intellect (as Plato had it) nor by the dictates of the will (as the Christian tradition imagines). Instead, freedom has its root in what Arendt, following Montesquieu, calls principles. "Principles do not operate from within the self as motives do [...] but inspire, as it were, from without" (Arendt 2006a: 150–51). Freedom appears as the actualization of such a principle when a free and spontaneous action is manifested. Freedom is thus not something one *has* but something one *enacts*. "Men are free—as distinguished from their possessing the gift of freedom—as long as they act, neither before nor after; for to *be* free and to act are the same" (Arendt 2006a: 151).

My inquiry here concerns the freedom to act meaningfully in politics. I want to explore the works of a number of political theorists who have been writing in the last twenty to thirty years and who are all arguing that the place to look for freedom is not in government, but in protest. And I'm going to contrast them with Arendt's argument that freedom must be instituted and founded in political institutions. The three theorists of protest I have in mind are Simon Critchley, David Graeber, and Jacques Rancière.

## I.

Simon Critchley begins his book *Infinitely Demanding* with the insight that we are living through a time of massive political disappointment. The massive political disappointment of the present, he says, is essentially a political disappointment. It is a response to a conviction about the injustices in the world that demands not a political response—because there's nothing we can do—but an ethical response. In abandoning the political for the ethical, Critchley argues we must confront what he calls a motivational deficit in secular liberal democracy. We need to ask why should we try and engage in politics? If engagement is not going to change anything, what is the point?

If politics doesn't motivate citizens to work for some common good, he writes, it is in part because of a loss of political faith and a rejection of

all grand political narratives. Communism is dead; capitalism is largely a welfare state; democracy is experiencing a loss of support around the world; and progressivism is largely in question. The one ideal left us, as Samuel Moyn incisively argues in his book *The Last Utopia* (2012), is human rights, the idea that man is like an animal, to be kept alive and well fed; but such a biological politics of life is hardly a vibrant political idea. It is, as Moyn says, the lowest common denominator that has survived the nihilist project, whereby all higher political ideals have been devalued and thus lost.

Given this depoliticizing motivational deficit, Critchley argues that we must turn from politics to ethics. “What is lacking at the present time of massive political disappointment is a motivating, empowering conception of ethics that can face and face down the drift of the present, an ethics that is able to respond to and resist the political situation in which we find ourselves” (Critchley 2012: 8). Critchley then renames his ethics a radical politics and calls it a meta-politics.

Critchley’s renaming of ethics as politics should not deflect from the truth that he advocates a retreat from politics into an ethics. We can see this retreat in Critchley’s critique of Marx. He argues against Marxism, that capitalism does not lead to the emergence of a political subject, namely the proletariat; as is known, Marx believed that in the dialectical move from capitalism to communism goes through the politicization of the proletariat. But Critchley writes that “the multiplication of social actors, defined in terms of locality, language, ethnicity, sexuality, or whatever” that characterizes modern politics leads not to a Marxist politics but to identity politics (2012: 91).

The political task for Critchley is the “reactivation of politics through the articulation of new political subjectivities” (2012: 91). We need, he says, to create a “new political subject [that] arises in a situation against the repressive activity of the state through, the articulation of a new universal name, *the indigenous*” (2012: 91). In short, Marxist politics is over. The proletariat is not going to become a political subject. And the place to resist the capitalist state is through new subject positions that take on the name of the indigenous, new anti-state identities. Capitalism leads not to a politics of class struggle but to identity politics.

Critchley offers an anti-institutional politics that, in his words, “should be conceived at a distance from the state, taking up a distance in a specific situation” (2012: 92). His aim is to develop a non-state-centered politics that exists outside the traditional politics of government: “I claim that the task of radical political articulations is the creation of *interstitial* distance within the state territory” (2012: 92). And Critchley finds such radical non-state politics has its examples in anti-state protests like the “mobilization against the meeting of the WTO in Seattle in 1999” (2012: 107). His is a politics of anti-state resistance. In the face of massive political disappointment, he argues that politics must abandon the effort to

engage in governing institutions. Instead, the new politics emerges as a criticism of the state and sets itself up on the outside as a politics of protest against the unmovable injustice of the state. That is what I mean by a politics of protest.

## II.

A second advocate for a politics of protest is David Graeber, an anthropologist by training and one of the leaders of the Occupy Wall Street movement. On July 13, 2011, Graeber published an essay in the Canadian journal *Adbusters* called “Awaiting the Magical Spark,” an essay asking what it would take to set off a revolution in the West similar to those in the Middle East. It was the same day *Adbusters* put out its now infamous call for a movement occupying Wall Street. On August 2nd, Graeber attended what was advertised as a General Assembly meeting on Bowling Green. A veteran of anarchist protests, Graeber became angry that the General Assembly was actually a traditional protest meeting not interested in hearing ideas from the protesters. With two friends, he organized a splinter group that gathered on the other side of Bowling Green Park. It was this alternate General Assembly that, over the next six weeks, organized the Occupy Wall Street movement.

The ideas behind Occupy Wall Street were formulated in 2009 when Graeber published *Direct Action: An Ethnography*, a nearly 600-page book that he calls a work of ethnography with “no particular argument” (Graeber 2009: viii). In the best ethnographic tradition, *Direct Action* offers rich narratives, suggestive details, and minute observations that, even though they overwhelm systematic analysis, tell a story; the story has a point. The story Graeber tells has four levels.

First, in the latter half of the twentieth century, international capitalism transformed itself into a revolutionary force, a rightwing utopian radical free-market politics that saw welfare states as a threat to the march of freedom. Second, globalization gave birth to the first genuinely planetary bureaucratic system in human history; this worldwide bureaucracy is administered by multinational corporate boards and a host of NGOs from the EU and UN to the WTO, IMF, World Bank, NAFTA, and others. This worldwide bureaucracy, Graeber marvels, was “achieved through an ideology of radical individualism,” and the result was the defeat of the social democratic left (2009: xii). Democratic governments around the world were disempowered by international administrative rule in the name of global economic growth.

In the face of such impersonal and disempowering anti-democratic governments, a new politics emerged that found a new locus for participatory freedom in anti-governmental protest. The turning point in Graeber’s developmental tale is the Zapatista rebellion in the Mexican state of

Chiapas. The Zapatistas rejected the old-fashioned guerilla strategy of seizing control of the state. It used to be that if you were a revolutionary you seized control of the state; you wanted to win, you wanted sovereignty. Not so with the Zapatistas. Instead, the Zapatistas called for “the creation of autonomous, democratic, self-governing, communities, in alliance with a global network of like-minded democratic revolutionaries” (Graeber 2009: xii). As a new kind of anti-sovereign revolutionaries embracing values that were set “both more locally” and also globally on “a planetary scale” the Zapatistas gave birth to a globalized anti-globalization protest movement (Graeber 2009: xiii). The fourth and final phase is the rise in the capitalist democracies in the West of anarchist groups who embrace what Graeber calls “the effacement of all international borders” and reject the “participation of political parties or any group whose purpose was to become a government.” Above all, the anarchists seek to put “nonviolent direct action back on the world stage as a force for global revolution” (Graeber 2009: xiii).

Graeber’s story has appeal because it celebrates new kinds of direct action that allows individuals to act and live amidst what he calls “the experience of freedom” (2009: 211). At the core of his understanding of direct action is the way that protest builds community. For anyone who participated in Occupy Wall Street or other similar movements it is easy to recognize the joy in Graeber’s description of protest.

My students at Bard College were involved at length in Occupy and they all came back energized and transformed. They loved the experience because they were feeling the power of having created something. As we know from Arendt, there is an incredible freedom in the ability to act together with others and build a community together. Graeber is right that “anyone who takes part in a direct action is likely to be permanently transformed by the experience, and want more” (2009: 211). Compared with the dehumanizing efforts to participate in government, the experience of freedom in protest is life affirming. It is no wonder, therefore, that Graeber finds that the locus of political freedom has moved from politics to protest.

The point of direct action for Graeber, as for Critchley, is not to take control of the state or win political power. As Graeber writes in *Direct Action* in 2009: “Even those who labor to create the conditions for insurrection do not see them as making fundamental breaks in reality, but more as something almost along the lines of momentary advertisements—or better, foretastes, experiences of visionary inspiration—for a much slower, painstaking effort to create alternatives” (2009: 532). Against those who see protest as a means to influence politics, Graeber celebrates protest as both a means and an end. Protest creates what Graeber calls “temporary bubbles of autonomy that must gradually turn into permanent, free communities” (2009: 210). The end of Graeber’s story is that as we are seeing the disappearance of political freedom in Western representative democ-



racies through the loss of political participation, direct action gives people the joy and the fun and the experience of acting freely.

Graeber and the advocates of protest he describes want, at least in part, to give up on states and give up on sovereignty. Instead, they want to create temporary bubbles and create situations of dual power, the opposite of sovereignty, spaces of freedom from the state. The effort in the end is to “institutionalize this experience, this giddy realignment of imaginative powers [...] through the experience of direct action” (2009: 532). Freedom, Graeber argues, is to be found in the activity of protest, not in the foundation of political institutions.

In a later book, *The Democracy Project* (2013), Graeber responds to criticism that his anarchism is apolitical; he works to rethink direct action into a form of democratic politics. “From an anarchist perspective,” he writes, “direct democracy and direct action are—or ought to be—two aspects of the same thing: the idea that the form of our action should itself offer a model, or at the very least, a glimpse of how free people might organize themselves, and therefore, what a free society could be like” (2013: 232–33). Graeber’s protest politics is no longer simply an attempt to build a free space outside of political institutions; it is, instead, an effort to build “the new society in the shell of the old.” By modeling democratic action the hope is that such “action itself becomes a prophecy.” Direct action is thus a “prefigurative politics” (2013: 233).

In prefigurative protest politics, one lives as if one is already free, as Graeber had already intimated in *Direct Action*. But now, the freedom of direct action is not only aimed at spaces of freedom, it seeks to call into being new political worlds “direct experimental actualization of a social and political alternative should be considered as an inherent part of activist practice itself” (Van de Sande 2015: 188). Graeber’s prefigurative politics aspires to be more than simply a form of anarchist protest. As Luke Yates argues, a prefigurative politics “refers to the attempted construction of alternative or utopian social relations in the present, either in parallel with, or in the course of, adversarial social movement protest” (2015: 1). An essential aspect of prefigurative politics is that the means meaningfully reflect the ends of the action. Yates offers an example by citing Graeber’s description of the anti-globalization protests in Seattle:

When protesters in Seattle chanted “this is what democracy looks like,” they meant to be taken literally. In the best tradition of direct action, they not only confronted a certain form of power, exposing its mechanisms and attempting literally to stop it in its tracks: they did it in a way which demonstrated why the kind of social relations on which it is based were unnecessary (Graeber 2002: 84).

Similarly, Marianne Maeckelbergh argues that anarchist protest movements are dedicated to an ideal of “process” and to the “active building of



another world *and* to the political structures needed to govern that other world. Hence, the reason ‘process’ stirs such deep emotion and so much discussion” (Maeckelbergh 2011: 2). Graeber, Yates, and Maeckelbergh seek in the process of prefiguration not only a politics of negation, but also the building political structures amenable to resistance and freedom.

As much as Graeber tries to actualize anarchism as a prefigurative democratic politics, the politics of protest aims fundamentally at “momentary advertisements,” at “temporary bubbles of autonomy,” and at “a process of purification” (Graeber 2009: 216). It is not only the state that such a politics makes impossible. Not only the state, but also federations, villages, and authorities of all types are rejected. And in their place modern anarchism elevates the experience of direct action, the purification of radical individuality, and the momentary appearance of apparent liberation. “It’s one thing to say, ‘Another world is possible’” as Graeber writes. But, what does it mean when that other world is only to be experienced momentarily, as he adds? (cited in Maeckelbergh 2011: 3). As a global movement aiming at momentary advertisements of purified individualism and rebellion, anarchist protest politics risks becoming a rejection of any and all political institutions.

### III.

Jacques Rancière also thinks of democracy as a revolutionary expression of freedom that is incompatible with consensual political institutions; specifically, Rancière argues that democracy is opposed to the practice and reality of citizenship. Since citizenship creates a privileged group that excludes others, it is opposed to the fundamental democratic demand for equality and inclusiveness. Democracy must always reject hierarchies of inclusion and exclusion, and democracy is the demand to break down all such barriers. Truly democratic politics, for Rancière, is on the side of the messy, radically egalitarian, and disruptive aspect of democracy; and he calls this democratic politics a politics of dissensus. Thus, Rancière identifies the democratic paradox, that democracy, understood as freedom, mobilizes the people who always threaten to destabilize and revolutionize existing democratic government (Rancière 2010a: 50).

If democracy aims at dissensus, it must always frustrate any politics of consensus: “democracy implies a practice of dissensus, one that it keeps re-opening and that the practice of ruling relentlessly plugs” (Rancière 2010a: 54). Democracy, in other words, is the practice of disrupting all statist orders, even democratic state orders. Rancière counts as a thinker of freedom through protest because he argues that all consensual political institutions are prejudicial and oppressive. Freedom, he writes, can only exist in marginal and oppositional activity.

In “Does Democracy Mean Something?” Rancière makes clear his

view that “democracy cannot consist in a set of institutions” (Rancière 2010a: 54). Political institutions unjustly occupy the field of politics with a claim to legitimacy and thus delimit and shrink “the political stage.” By establishing what is constitutional and legal, by deciding what a peaceful protest is and who can protest, and by policing the question of who is even a citizen, the institutions of politics limit politics in “a biased way.” They police the boundaries and access to politics “in the name of the purity of the political” (Rancière 2010a: 54). Political institutions are anti-political in the ways that they establish and thus regulate politics.

In his suspicion of institutions, Rancière argues against the “sense of the ‘common’” that is embodied in the practice of national citizenship (Rancière 2010a: 54). In any political entity there are shared truths, shared institutions, and a shared world. One institution of a common truth is citizenship. The right of citizenship is thus one of those senses of the common, a commonality that binds citizens and provides them a space of appearance. Citizenship, therefore, carries with a sense of common belonging to an institutional political world.

But even as citizenship grants rights, it also excludes others from those rights. “Citizenship means, on the one hand, the rule of equality among people who are inferior or superior as men, that is as private individuals subordinate to the power of ownership and social domination” (Rancière 2010a: 56). It is inherently biased and divides those living in a state between the privileged and the disempowered. For Rancière, the exclusionary nature of citizenship “from whose scope many categories of people are excluded” is a rejection of the democratic logic of equality (Rancière 2010a: 56). The practice of democratic citizenship denies the universality of human rights and the equal rights of all persons. Thus, all political institutions are suspect as soon as they seek to build a common consensus that supports and is supported by a political identity. This means that the activity of democratic politics is always from the outside, a protest against the stable identity and structures of any political state.

#### IV.

The language of freedom and political protest embraced by Critchley, Graeber, and Rancière resonates, at least superficially, with Hannah Arendt’s thinking about action and freedom. In her books *The Human Condition* (1958) and *On Revolution* (2006b), and in her essays “What Is Freedom?” (2006a) and “Civil Disobedience” (1972a), Arendt articulates a vision of political freedom grounded in the human capacity to speak and act in public. Freedom for Arendt is not simply a function of free will or the ability to think or say or do what one wants; instead, political freedom is the ability and the right to appear in public spaces in ways that matter (2006a: 145). It is in speaking and acting that “human beings appear to

each other, not indeed as physical objects, but *qua* men” (Arendt 1958: 176). By appearing, men and women are rescued from the crippling consequences of obscurity, by which they would otherwise be rendered invisible and meaningless (Arendt 2006: 59). To act freely is to be recognized as a public actor and to be meaningful.

Because she ties freedom to the human need to appear, Arendt celebrates the meaningfulness of civil disobedience and collective action. It is through collective action in public that individual men and women appear in the world as meaningful persons with opinions that must be counted. The civil disobedient does not act alone but is, Arendt argues, part of an “organized minority” that is “bound together by common opinion” (1972a: 56). Civil disobedience is collective political action and “springs from an agreement with each other” (1972a: 56). She argues that public agreement gives credibility, gravitas, and significance to each member of the voluntary association who engages in civil disobedience. The civil disobedient thus finds in public action and public protest the experience of political freedom in ways that prefigure the protest theorists such as Critchley, Graeber, and Rancière.

Also in line with the theorists of protest, Arendt argues that in our modern world of bureaucratized politics, we may have to satisfy ourselves with preserving isolated “spaces of freedom” (2006b: 267). These spaces are limited, and freedom, “wherever it existed as a tangible reality, has always been spatially limited” (2006b: 268). Since freedom is possible “only among equals” and since “equality itself is by no means a universally valid principle but, again, applicable only with limitations and even within spatial limits,” it is those engaged in politics who can and must “protect themselves against the many, or rather to protect the island of freedom they have come to inhabit against the surrounding sea of necessity” (2006b: 268). Spaces of freedom are like “spaces of appearances” that are “islands in a sea or as oases in a desert” (2006b: 268).

The primary space of freedom Arendt discusses is the council system. As with the revolutionary clubs in France, the *soviets* in Russia, and the municipal councils in Hungary, these public forums provided spaces for the experience of public and political freedom. The councils, town-hall meetings, and *soviets* were “spaces of freedom” (Arendt 2006b: 264); as such, they were crucial institutions of the new American republic. The life of the free man, Arendt writes, needs “a place where people could come together—the agora, the market-place, or the *polis*, the political space proper” (2006b: 24). The possibility of public freedom necessitates institutionally recognized forums for free action in which the free citizen manifests himself or herself to others (2006b: 19).

Arendt’s interest in these councils and town-hall meetings—and also Thomas Jefferson’s stillborn proposal for the “ward system” that would divide the nation into “elementary republics”—is not a nostalgic call for direct decision making. Nor is it a desire for radical unruliness. Freedom

means for Arendt something very different from either individual liberty or anarchic protest. And yet, freedom, for Arendt, is necessarily revolutionary insofar as the “idea of freedom and the experience of a new beginning” are bound together (2006b: 29). Her fascination with the revolutionary councils is, as Patchen Markell has argued, as one potential space for the preservation of revolutionary freedom. The councils offer a space for freedom by nurturing political freedom and action; freedom, she argues, resides not in the ends achieved or the decisions made, but in the “charms” they [the revolutionaries] discovered in action itself” (Markell 2006: 13).

The point of these societies and councils was not necessarily to make decisions or to govern or administer a municipality. Indeed, Arendt praises one French club in particular that prohibited itself from any attempt to influence the General Assembly. The club existed only “to talk about [public affairs] and to exchange opinions without necessarily arriving at propositions, petitions, addresses, and the like” (Arendt 2006b: 243). The councils were a space for freedom, a space for people to gather and discuss the affairs of the day with others. Their importance was not in what they accomplished, but rather in what they nourished. As institutional spaces of “organized political experience,” the clubs promoted “the same kind of attunement to events that had drawn the revolutionaries into action, and along its path” (Markell 2006: 13). In other words, the councils offered the experience of freedom that “is experienced in the process of acting and nothing else” (Arendt 2006b: 166). There is, in Arendt’s celebration of public action and protest, a strong sympathy with those who find the space of freedom in activities of resistance and protest.

## V.

But Arendt means something very different than Critchley, Graeber, and Ranci ere when it comes to preserving spaces of political freedom. For Arendt, freedom extends beyond rebellion and protest; she argues that human freedom is not only the fleeting freedom to do things in opposition to the state, but also the freedom to found freedom that exists in enduring institutions.

Because humans strive for immortality, they desire to build things and public worlds that last. The striving for institutions that grant immortality to human life is at the very essence of Arendt’s understanding of the human condition (1958: 18–21). In *On Revolution*, she argues that power is not enough to build free republics, but must be supplemented by the creation of authority if a revolution is to succeed in establishing a “perpetual authority.” The aim of revolutions is to institute freedom in republics within which “permanence and change were tied together” (2006b: 193–94). For Arendt, to found freedom means also to found it within

institutions that secure a lasting and authoritative public space for the continued appearance of freedom. At the heart of her political project is the power of action to found durable common worlds.

It is Arendt's insistence on the coincidence of acting and creating durable institutions of freedom that opposes Graeber's anarchist freedom, Critchley's freedom of protest, and Rancière's democratic dissensus ignore. It is no surprise, therefore, that Rancière imagines his politics of dissensus in opposition to Arendt's politics (Rancière 2010a: 58; see also Rancière 2010b). Arendt criticizes the Rights of Man because they strip human beings of the meaningfulness of belonging to a political community; for Arendt, humans only have rights insofar as they are part of a common political world where they can act and speak in public. To Rancière, this means that Arendt endorses the exclusiveness of citizenship and thus the reality of inequality and hierarchy that limits rights only to those lucky enough to be recognized as citizens (Rancière 2010b: 63–67).

Rancière's reading of Arendt as naturalizing and justifying the exclusion of non-citizens is one-sided; as Ayten Gündoğdu has argued, it is equally possible to read Arendt as articulating a justification for excluded populations like refugees to act politically to gain entrance to political communities (Gündoğdu 2015: 144, 157–58, 160). For Arendt, the boundaries of the political community are always political and subject to being redefined through political action. Where she differs from Rancière, however, is in her insistence on the importance of focusing the political struggle around the identification of a quasi-stable and enduring consensus concerning the common world. As an act of foundation and creation, free acts for Arendt beckon others to join in the common project of beginning a new story, a new chapter in a tale. Freedom is the power to constitute new institutions and new political orders. Freedom, therefore, while it is tied to revolution, is also woven into the foundation of consensus—what Arendt calls the constitution of a common world.

## VI.

If we are to understand revolution as a foundation of freedom, we must understand freedom in both its transformative and constitutive elements. Freedom is not the same as liberation. Liberation is a negative idea, the absence of constraints or oppression. But “liberation may be the condition of freedom but by no means leads automatically to it” (Arendt 2006b: 19). The basic liberties of free people include the liberty of religion, the liberty of thought, the right to peacefully assemble, and civil rights; but these rights are all “essentially negative; they are the results of liberation but they are by no means the actual content of freedom, which, as we shall see later, is participation in public affairs, or admission to the public realm” (Arendt 2006b: 22). Against the traditional identification of

freedom with liberty, Arendt argues that freedom is a political phenomenon: to be free is to be ruled by no one and thus to govern oneself in public alongside others.

Revolution's aim not simply a liberation from oppressive governments. One can be liberated and still live under a monarchy. But revolutions always seek "both liberation and freedom" (Arendt 2006b: 23). Revolutionary freedom can exist only in a republic where the people govern themselves. "What the revolutions brought to the fore was this experience of being free, and this was a new experience" (Arendt 2006b: 24)—at least in the modern history of the West. What revolutions in the eighteenth century introduced into the world was the coincidence of political freedom as both an idea and an experience.

A central thesis of *On Revolution* is that the experience of self-government that characterized American self-government was the result of "the new American experience and the new American concept of power" (Arendt 2006b: 157–58). Only in the United States, Arendt argued, did a limited constitutional democracy exist together with the experience of public power. It was the "great good fortune of the American Revolution" that the colonies, prior to the Revolutionary War, "were organized in self-governing bodies" (Arendt 2006b: 156). The American Revolution was different from the European revolutions, and especially the French, because prior to the American Revolution the Americans had already had the experience of self-government. They all had states, and town councils, and local councils, and voluntary associations in which, for a hundred years before the Revolution, they had been governing themselves. The American concept of power originates in this practice of participatory self-government. "What was lacking in the Old World were the townships of the colonies," Arendt observed, citing Alexis de Tocqueville who wrote that "the American Revolution broke out, and the doctrine of the sovereignty of the people came out of the townships and took possession of the state" (Arendt 2006b: 157). So that when the Revolution broke out, the Americans didn't need to bring in a new government; she says the doctrine of the sovereignty of the people came out of the townships and took possession of the state from the bottom up.

When Arendt follows Tocqueville and speaks of the sovereignty of the people, she does not mean that in America there was a sovereign force. On the contrary, the federalist structure of the American Constitution meant that neither the individual states nor the national government could possess sovereignty. The premise of the Constitutional structure was the multiplication of power sources so that power would be opposed to power: as John Adams wrote, "Power must be opposed to power, force to force, strength to strength, interest to interest, as well as reason to reason, eloquence to eloquence, and passion to passion" (Arendt 2006b: 143, citing John Adams). What the diversity of power meant in America is that there were political societies that "enjoyed power and [were] entitled

to claim rights without possessing or claiming sovereignty” (Arendt 2006b: 159). This splitting of power in the federal structure of American government was the “greatest revolutionary innovation” (Arendt 2006b: 159). As Arendt writes,

...in this respect, the great and, in the long run, perhaps the greatest American innovation in politics as such was the consistent abolition of sovereignty within the body politic of the republic, the insight that in the realm of human affairs sovereignty and tyranny are the same. (Arendt 2006b: 144).

The generation and preservation of American freedom is based on the federal principle that emerged out from the spirit of freedom and self-government in the American townships. Township governance that inspires Arendt has been described brilliantly by Tocqueville. Tocqueville’s understanding of townships is that they offer a raw anti-Enlightenment kind of government. It is “in the township the force of free people resides” (Tocqueville 2000: 57). The township is comprised of farmers, businessmen, and shopkeepers who must come together to govern themselves. These local citizens are often prejudiced; they are often short-sighted. They exhibit a “desire for esteem” and pursue power and attention.

Importantly, the township includes coarser elements that often resist action of the legislator. Which is why “a very civilized society tolerates only with difficulty the trials of freedom in a township” (Tocqueville 2000: 57). In the acting together of local townships citizens and neighbors can activate the “spirit of freedom” (Tocqueville 2000: 58); but that spirit of freedom is often short-sighted and prejudiced. Tocqueville and Arendt recognize the danger of township freedom, but both recognize also that the township spirit, the scattering of power across the cities, was the original space of American freedom.

Over time the coarse and prejudicial freedoms of the townships came to be seen as a threat by technocratic and progressive governments. This has led to the loss of the tradition of revolutionary politics and the revolutionary spirit. Faced with the civilizing force of elite rule, Arendt asks this question: What kind of institutional spaces could potentially preserve a place for the revolutionary spirit within a republic?

Arendt offers two answers: First, she bemoans that the US founders “failed to incorporate the township and the town-hall meeting into the Constitution....” (Arendt 2006b: 227). As discussed above, the town halls and councils were “spaces of freedom.” They were spaces to talk and to exchange opinions about the public world without actually governing. Their significance was to nourish a public engagement with public and political questions. As institutional spaces of organized political experience, the councils offered the experience of freedom that is experienced in the process of acting and nothing else. The failure of the American Con-



stitution to secure a continuing role for such local spaces of institutionalized freedom is, for Arendt, the great tragedy of the American Revolution.

The second space for freedom that Arendt finds in the US Constitution is the Constitution itself and its embodiment in the institution of the Supreme Court. The American Constitution could become a space for freedom within the American republic insofar as it came to be worshipped as a manifestation of the founding moment. This worship depended upon and allowed an ambiguity to persist in the sense and understanding of the Constitution, on its becoming both “an enduring objective thing” (Arendt 2006b: 148), on the one hand, and yet one that could be approached from many angles and many interpretations. It must be amendable and changeable, and yet impervious to any subjective states of mind or influences of will. Because the Supreme Court is, in Woodrow Wilson’s phrase, “a kind of Constitutional Assembly in continuous session” (Arendt 2006b: 192), the Court bases its authority on a reverence for—and a claim to be reenacting—the founding experience of the nation. It is this intimate weaving of “foundation, augmentation, and conservation,” into a single cloak of constitutional authority that Arendt understands to be “the most important single notion which the men of the Revolution adopted” (Arendt 2006b: 194). Like Roman Senators, the Court Justices must remain at all times founders who would regularly experience the revolutionary thrill of foundation and beginning. The Court was, Arendt saw, a constitutionally authorized space of revolutionary freedom.

As important as this second space of freedom in the Constitution may be, it is necessarily limited to a small group of Constitutional Justices. So too, in the end, are the councils limited to what Arendt calls a political elite. It is simply a fact, she argues, that most people will not choose to actively engage in politics on a regular basis. But the elite nature of the spaces of freedom is not necessarily a problem. Even small islands of freedom can serve as an example that keeps the idea of freedom alive. As an experience open to all, the spaces of freedom Arendt imagines are powerful examples. So long as freedom exists in public institutions, freedom remains a powerful public idea. If freedom exists somewhere, it can inspire people everywhere. It is hopeless utopianism to expect everyone, at all times, to act freely. Nevertheless, an oasis of freedom is an ever-present respite in the desert of daily life.

## VII.

The genius of the American Revolution in Arendt’s telling is that it discovered what she calls a new experience of power. She calls it a specifically American experience of power, which was embodied in all institutions of self-government throughout the country. She traces it back to the Mayflower Compact, which was signed on the ship coming over from the

UK, and she argues that from this basic experience of power, where people took for themselves the right that no one gave them to govern themselves through mutual action. They developed a whole series of institutions—town halls, constitutional conventions, local governments, counties, states, and volunteer institutions that provided an experience of power. And this diffusion of power, this dispersal of power, this messiness of power means for her the “consistent abolition of sovereignty within the body politic of the republic” (Arendt 2006b: 144). So unlike Jean Bodin, she argues that the United States is the first country in history that is fully a non-sovereign state, at least the security state and the progressive movement collaborated to transform the United States into a large, bureaucratic imperialist sovereign state.

Arendt makes a distinction between two paths of revolution, as is widely known: one is the French and one is the American. And let me just quickly sketch out these two, because they provide, I hope, a good way through understanding her idea of a non-sovereign politics. In France, Jean-Jaques Rousseau’s answer for how to create a unified state, a sovereign state, is compassion and pity. The first stage of the French Revolution for Arendt is the liberation from tyranny, the loss of privilege for the nobles, the Constituent Assembly, the abolishment of feudalism, the Declaration of the Rights of Man, and it goes up to the Constitution of 1791. At that point there has been no foundation of freedom; all the revolutionaries have achieved at this point is liberty.

The second stage begins when the French Revolutionaries gave up on the idea of freedom. It was the support of the *sans-culottes*, the law of the maximum that set prices, and the takeover by the Jacobins of the Committee on Public Safety. For Arendt, the source for this is a mixture of Maximilien Robespierre and Rousseau; but it was an attempt to create solidarity of the French nation based on compassion for the poor. The immense class of the poor and the legitimacy of the revolutionary leaders starting with Robespierre came from the capacity to suffer with the people; and so compassion is elevated by the French to the rank of supreme political passion and the highest political virtue. Legitimacy is no longer based on consent, but leaders must have compassion to be legitimate. The idea is that the leaders must identify with the people. There must be a unanimous general will in which we all will the same.

Arendt calls the magic of compassion a natural bond that unites the leaders with the people in this idea of sovereign oneness through the general will. The perversion of compassion in the French Revolution was pity, pity for the poor. Pity attends to the poor and the weak. The rulers pity the poor as a sign of the rulers’ own morality; legitimacy comes from saying that one speaks for the poor. Most of the time the pity for the poor is rank hypocrisy. And when that hypocrisy is exposed, a politics predicated on pity can lead to terror. Born of pity, the general will rejects any deviation from its claims to pity the poor; it is a form of totalitarianism. The gen-

eral will, therefore, is always going to be inhospitable to plurality, difference, and messiness—the very manyness that Rancière celebrates.

Arendt's alternative to a politics based on compassion and pity is what she calls solidarity. Whereas pity creates an affective bond with the poor and downtrodden, solidarity can create a common bond among the people in its entirety. Solidarity does not appeal to the passion of compassion or the sentiment of pity. It does not unite a people around a unified love for a part of the people. Instead, solidarity establishes a community of interests deliberately and dispassionately. Solidarity is based upon thinking rather than sentiment, namely thinking in the Kantian sense of an "enlarged mentality" where your mind can go wandering and think from the perspectives of others.

As a unifying activity of thinking solidarity, Arendt argues, is a "principle that can inspire and guide action" as opposed to a passion or a sentiment (Arendt 2006b: 79). Solidarity appeals to a "community of interest," to "the grandeur of man,' or 'the honor of the human race', or the dignity of man" (Arendt 2006b: 79). As opposed to a politics based upon pity that aspires to unity only of the unfortunate and the poor, solidarity includes in its comprehension of a common world in its entirety, "the strong and rich no less than the weak and the poor" (Arendt 2006b: 79). Pity, focused solely on the sufferings of the poor, must seek to unite a people around the largest and poorest segment of the people. Pity can thus "reach out to the multitude" and it has an "interest in the existence of the unhappy as thirst for power has a vested interest in the existence of the weak" (Arendt 2006b: 79). Only solidarity, and not pity, can bind together a meaningful plurality of persons.

The American revolutionaries, including specifically Jefferson, James Madison, and Adams, rejected the idea of legitimacy based on pity. For Jefferson, the manyness (Arendt 2006b: 83) of American voices stood in opposition to any unitarian sovereign idea of public opinion. Madison, in "Federalist 10," famously says that freedom and faction go together like air to fire; to get rid of faction and bring sovereign order to a country is to destroy freedom (Madison 2001: 54–55). While Madison surely wanted to control faction, he understood that faction was itself an unavoidable constant in free government.

Arendt emphasizes the "positive accent here on faction," which, she argues, reflects the conviction that "party and faction in government correspond to the many voices and differences in opinion which must continue 'as long as the reason of man continues fallible, and he is at liberty to exercise it'" (Arendt 2006b: 84). Human beings are hardly angels and we all have dark and unpleasant thoughts that exist and persist in the dark chambers of our hearts. Arendt warns against a politics of pity driven by virtue—a virtue which, of necessity, is always in danger of being exposed for its hypocrisy. Such a politics of virtue can, when exposed, let loose the hounds of virtue who seek to impose the public demands of

moral pity on human beings; this is a recipe for terror and is dangerous to political freedom.

## VIII.

Arendt argues that the only way to found freedom in politics is to replace sovereignty with federalism. The existence of multiple institutions of power across the country in the United States at all levels of government allowed the United States of America to actualize democratic power without falling into tyranny or sovereignty. The 1787 US Constitution did not create a centralized government that overpowered state governments. Instead, by embracing a federalist spirit that empowered states, counties, and the federal government, the Constitution created a balance of powers not just of Congress and the president and the courts; but all the different power sources so that no one could be sovereign. Arendt emphasizes the Founders' fundamental conviction that only multiple sources of power can prevent one power center from overawing all the others; and thus, she argues that the great, and in the long run perhaps the greatest, American innovation in politics is the abolition of sovereignty.

The present rise of protest movements, and rebellions, which give voice to the real indignation of disenfranchised citizens, and the consequent response of authoritarianism that is appalled at the liberties of these protesters, is in part a response to the breakdown of power and authority. When power and authority fail, what emerges is what Arendt calls a revolutionary situation. But a revolutionary situation need not lead to a revolution; it can also lead to a counterrevolution and the rise of dictatorships.

We have been in a revolutionary situation in the West for now more than half a century, the result of this situation is clearly uncertain and there is no guarantee that a revolution will happen. But Arendt makes manifest that if we want to bring about a revolution that might resurrect an idea of political freedom we first need to understand our revolutionary situation and the fact that it's rooted in a radical loss of power throughout society and the crisis of representative democracy. What is needed is not simply violence or protest, and not a return to sovereign power, but an attempt to experiment with new federalist, decentralized forms of institutional power that I think would be in the spirit of Hannah Arendt.

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