Keeping the Republic

Reading Arendt’s On Revolution
after the Fall of the Berlin Wall

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Democracy won the Cold War by default. The Berlin Wall seemed simply to
collapse, its authority broken, its power shriveled. There was no revolutionary
act; the conflicts of the past just faded away, almost before anyone was aware
that they had gone. The once-dominant ruling communist parties and their
ideologies shriveled overnight. But a revolution without revolutionaries left a
political space without participants. As a result, triumphant democracy has
become a threat to itself. It acts before it thinks. Alone on the political stage,
it runs the classical risk of pleonaxia, overreaching. The Bush administration’s
attempt to impose democracy worldwide threatened to destroy its foundations
at home; but many of the liberal critics of what they saw as “imperialist”
adventurism fail to take seriously the very real evils that the American crus-
sade seeks to eradicate. The democratic warriors have a valid point when they
oppose tyrants like Saddam Hussein, but they cannot claim that their liberal
critics are therefore antidemocratic. If democracy “won” the Cold War, what
does its victory mean? This question provides the background for a reread-
ing of Hannah Arendt’s On Revolution, a book that tried to understand the
uniqueness of the American form of democracy, the revolution that was at its
origin, and the spirit that it bequeathed to contemporary Americans.

The 1962 introduction to On Revolution calls attention to the unique rela-
tion of war and revolution in the years after World War II. Because war has
become impossible in the nuclear age, “those who still put their faith in power
politics in the traditional sense . . . and, therefore, in war,” will have mastered
what is now an “obsolete trade.” The only remaining justification for war, she
adds knowingly, is a revolution that claims to defend “the cause of free-
dom.” But like war, such a revolution would make use of violence, which is the
“anti-political” province of technicians, whose use threatens the freedom that
it professes. This dilemma had been seen already in the seventeenth century –
which, as Arendt notes, had seen its share of violence. Philosophers invented
the fiction of a prepolitical state of nature in order to show that the political
realm – which is the locus of freedom – does not emerge simply from the fact...
of people living together. The political is *created*; it has a beginning that separates it from prepolitical life just as the modern notion of revolution claims to inaugurate a rupture with what preceded it. But this act involves a paradox. The need to break with the past in order to found the new means that the new order has itself no proper legitimacy; its only foundation is the violent revolutionary “crime” that destroyed the old order. This was the rock against which the French revolutionary hopes crashed again and again.

Jonathan Schell’s introduction to the 2006 revised edition of *On Revolution* makes a provocative proposal that avoids the oft-repeated cliché opposing a bad French revolution to a good American version. He begins from Arendt’s account of the role of the workers’ councils in the 1956 revolution in Hungary, which was published as an “epilogue” to the 1958 revised edition of *The Origins of Totalitarianism*. He suggests that she never republished this essay in subsequent versions because it reflected a transition from the bleak pessimism of her account of *The Origins of Totalitarianism* toward the optimism articulated in *On Revolution*. Schell defends the contemporary relevance of that new vision by pointing to “the wave of democratic revolutions” that he claims was inspired by the echoes of 1956 (rather than the more constitutionalist Greek, Portuguese, and Spanish transitions of the 1970s). The Hungarian experience thus represents first expression of a subterranean fissure that began to resurface with Polish Solidarnosc, passing to the overthrow of military dictatorship in Argentina and Brazil and then on to the Philippines and South Korea, before returning to the former Soviet Union and South Africa to culminate (provisionally) with the fall of Milošević, the Georgian Rose Revolution, and the Ukrainian Orange Revolution. Schell insists on the fact that “most” of these cases looked to the American Revolution rather than to the French model; they “aimed at establishing conditions of freedom rather than solving social questions.” Further, “[a]ll were largely nonviolent,” and “most interesting and important, they repeatedly vindicated Arendt’s new conception of power and its relationship to violence.”¹ As a result of this chain of “opposition to regimes as disparate as the military rule of southern Europe, the right-wing dictatorships of South America, and the apartheid regimes of South Africa,” Schell argues that “Arendt was right” to claim that the “signers of the Mayflower Compact had discovered the very ‘grammar’ and ‘syntax’ of any action whatsoever.”²

This sweeping generalization, whose author may be said to take his wishes for reality, will be doubted by the historian, but its theoretical premise is typically Arendtian: wide-ranging and deeply philosophical. Schell cites a lapidary remark in which she makes clear the reach of her theoretical claims. One cannot say, she insists, that totalitarianism is the problem and that workers’ councils

¹ Cf. Jonathan Schell, “Introduction,” to Hannah Arendt, *On Revolution* (New York: Penguin Classics, 2006), p. xxi. From this perspective, the transitions of 1989 were indeed revolutions; their model was the American experience. As will be seen in this chapter, this claim can be maintained only by concentrating on the activity of the dissidents as a form of civil disobedience.

² Ibid., p. xxvi.
are the solution. Rather, she argues, both totalitarianism and the councils are a response to “the age’s problems.” But Schell goes on to reduce her philosophical argument to what he calls a practical and contemporary “debate” that asks whether “the wave of Arendtian democratization [has] run its course.” What worries him, rightly as a citizen, is the current American policy of “democratizing other countries by armed force.” But while it is true that, in The Origins of Totalitarianism, Arendt claimed that imperialism is one of the problems to which totalitarianism is a “fantastical attempted solution,” it would be a leap to think that the same logic explained her opposition to the American war in Vietnam, as if she thought that America was on its way to totalitarianism. Jonathan Schell’s hope that the “wave of democratic revolutions” could foreshadow a more general reversal of relations between small and great powers forgets that Arendt rejected the idea of the simple replacement of a bad condition (totalitarianism) by a good alternative (workers’ councils). Her concern with “the age’s problems” was both philosophical and political. Although Jonathan Schell argues that “the United States, in pursuit of its war on terror, is losing track of its founding ideals,” he does not explain what these are, and how they could manifest themselves two centuries after the foundation.

### 12.1 Human Rights and “America’s Ideals”

Jonathan Schell’s “wave of democratic revolutions” has coincided with what some have called a “revolution of human rights.” The reason that actions of a growing but small number of dissidents within the former Soviet bloc acquired a political weight was not simply the formal juridical framework provided by the “Third Basket” of the Helsinki Accords of 1975 (which the Soviets thought of as a victory for the Realpolitik affirmed by the Brezhnev Doctrine that had been invoked to justify crushing the Prague Spring in 1968). Although Hannah Arendt was no longer alive, the arguments she had proposed in her essay on “Civil Disobedience,” written at the height of the protests against the American war in Vietnam, offer a more political explanation of how and why the assertion of individual rights came to acquire political significance. She first clears away the usual (mis)interpretation according to which the civil disobedient is not a criminal because he acts in the light of day and because he

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3 Ibid., p. xviii.
4 Ibid., p. xxvi.
5 Ibid., p. xxvii.
6 Ibid., p. xxviii (for these last citations).
7 Ibid., p. xxvii.
8 My reading of Arendt’s argument is influenced by the seminal essay by Claude Lefort, “Droits de l’homme et politique,” in L’invention démocratique (Paris: Fayard, 1981); it has been translated to English in Claude Lefort, The Political Forms of Modern Society (Cambridge, MA: MIT Press, 1986). Cf. also Lefort’s essays on Arendt in order to appreciate the coincidence (and difference) of their independently developed arguments. I have discussed these issues raised by Lefort in Dick Howard, The Specter of Democracy (New York: Columbia University Press, 2002).
accepts the consequences of his act, as in the paradigmatic cases of Thoreau or Gandhi. She points instead to the political implication of the fact that protesting publicly means that the disobedient is appealing to others, even if the motive for the action may lie deep in the privacy of individual conscience. Action that seeks to speak to others presupposes the existence of a basis for mutual understanding that, when awakened, can result in collective action. While this might explain in part Jonathan Schell’s “wave of democratic revolutions” and, more broadly, the emergence of an autonomous civil society, it is important to recognize that the success of the dissidents depended also on the fact that the weakened authority of the rulers made them incapable of crushing violently the new politics before it spread (as they did in the Polish coup d’état of December 1981). It is necessary to take into account the interplay of thought and event, authority and action, which form an indissoluble, and political, pair.

It seems that in East Central Europe the civil disobedience that Arendt understood as the renewal of the particular “spirit of American law” took the form of a demand for “human rights” that acquired a power that transcended national boundaries. Although it appealed to international law, it cannot be reduced solely to a legal matter. The action of the dissidents became unavoidably political at the same time that the Soviet bloc – and what remained of its ideology – lost its legitimacy. But – again! – the simple opposition of good and evil dissolves the political problems that would emerge. After the fall of the Berlin Wall, when neither geopolitics nor leftist hopes for a “third way” that would save the “good” aspects of communism could justify the denial of rights, the question that rightly worries Jonathan Schell emerged in full force: Can rights be imposed at the point of a bayonet? Arendt had rejected the imposition of democracy by force. But in spite of the dissidents’ challenge to the residual (“Westphalian”) notion of national sovereignty on which the old power politics depended, no new political theory emerged to explain why some pleas for international intervention in the name of human rights are audible (Bosnia, Kosovo) while others fall on deaf ears (Rwanda) or mobilize international protests but only weak commitments (Darfur, Mynmar). This inconsistency is at least in part the result of a misunderstanding that Arendt had criticized in “Civil Disobedience”: Liberal individualism’s appeal to rights ignores their political foundation. It is necessary but not sufficient to punish violations of rights; the intervention must also (re)establish a political framework within which the preservation of human rights no longer depends on outside support but becomes, rather, the spirit that animates civil society.

12.2 The Politics of Civil Disobedience

In this context, Arendt’s essay “Civil Disobedience” has a political significance that goes beyond any similarities between the American war in Vietnam (which

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was her referent) and the dilemma facing Americans opposed to the Iraq invasion. The spirit animating her text recalls Benjamin Franklin’s famous reply to a bystander who called out a sharp question to the departing delegates to the Philadelphia Convention: What have you made? “A republic, if you can keep it,” was Franklin’s lapidary reply, anticipating two major themes in American history: the difficulty of maintaining a republic, and the fact that there are no passive observers in its political life.

Civil disobedience, insists Arendt, becomes necessary only when the challenge to the authority of government results in “a constitutional crisis of the first order.”10 What constitutes a crisis of authority is both the government’s overreaching its constitutional powers and a popular refusal “to recognize the consensus universalis” that founds the tacit agreement holding together the plural threads of the political republic. Arendt had denounced the excess of government elsewhere11; here she stresses the weakening of those voluntary associations whose foundational role in a democracy had been underlined already by Tocqueville. Civil disobedience is only “the latest form of voluntary association”; it is a mode of action “in tune with the oldest traditions of the country.”12 Those traditions are at the basis of a shared moral consensus; and as such, they are not merely subjective but profoundly political. While the law obviously cannot provide a place for the violation of the law, Arendt argued that the fact that the actions of the disobedients were changing majority opinion “to an astounding degree” suggested that their actions expressed the “spirit” of American law. But how could the spirit become letter? The Supreme Court refused to intervene in the conduct of the Vietnam War on the grounds that such a “political question” belonged to the other branches of government. This left Arendt only one option: to propose a constitutional amendment transcending the merely liberal guarantees of the First Amendment in order to actualize the practical republican politics of civil disobedience whose spirit she had described.13

The reader of On Revolution will recognize in this proposed constitutional revision some themes that led Jefferson to his idea of a participatory “ward system” that could preserve the spirit of “public happiness” experienced in the American Revolution.14 Although she insisted that civil disobedience is “for the most part” an American tradition, Arendt added that its necessity stems from a

10 Ibid., p. 89.
11 Cf., for example, her reflections on the Pentagon Papers, “Lying in Politics,” which is reprinted as the first essay in Arendt, Crises of the Republic, which also contains “Civil Disobedience.”
12 Ibid., p. 96.
13 “The establishment of civil disobedience among our political institutions might be the best possible remedy for this ultimate failure of judicial review.” Ibid., p. 101. The argument developed here is foreshadowed at p. 83 ff.
14 Arendt was far from being a constitutional engineer; she was far more concerned with the spiritual aspect of politics. For example, writing about the May ’68 movement in “Thoughts on Politics and Revolution” (1970), she suggested that “[t]his generation discovered what the eighteenth century had called public happiness.” As she then weighted the chances for success,
danger imposed by a government that, because it refuses to admit its own limits, “has changed voluntary association into civil disobedience and transformed dissent into resistance.... [This threat] prevails at present – and, indeed, has prevailed for some time – in large parts of the world....”\textsuperscript{15} Although these “large parts of the world” may not share in the experience that produced the American “spirit” on which her analysis of civil disobedience was based, her argument is at once ontological, historical, and based on political theory. The philosopher of \textit{The Human Condition} stresses the ontological human ability to make promises; the political thinker of \textit{On Revolution} recalls the historical experience dating from the Mayflower Compact and practiced in the New England townships; the political theorist underlines the Lockean idea that society is bound together by compacts even before it then creates a government. These assumptions are the primary justification of civil disobedience because they imply that it is the government that violates the compact; and therefore it is the covenanted society (\textit{not} an individual disobedient \textit{but rather} the political power of individuals acting together) that must reassert itself in the face of this abuse. This elegant argument is, however, only normative; it sacrifices the dynamic element of democracy – which was not, after all the concern of Locke, who was a liberal rather than a political republican.

In this context, the similarities of the Vietnam and Iraq experiences do need to be considered. Arendt’s list of misdeeds by the Vietnam-era U.S. government ring familiar: an illegal and immoral war accompanied by executive overreach, chronic deception of the public, restrictions on First Amendment freedoms, and a government that forgets that the translation of the slogan \textit{e pluribus unam} that figures on every dollar bill is not \textit{union sacrée}.\textsuperscript{16} But why did the kind of disobedient action that she supported not appear in the context of opposition to the Iraq invasion? At one point, she seems to suggest that the American commitment to liberal pluralism had become an ideological commitment that replaces political action by ideological certainty.\textsuperscript{17} But elsewhere, after admitting, a bit reluctantly, that not everyone needs to participate in or even be concerned with public affairs, she hopes that a self-selection process that draws out a “true political elite in a country” will produce “a new concept of the state. A council-state....”\textsuperscript{18} And her ever-renewed hope for a renewal of the political spirit only seems to fade (although it doesn’t really) in her last public presentation, “Home to Roost” (1975), when she describes a series of disasters in foreign and domestic politics culminating in a “swift decline in political power....[that] is almost unprecedented.”\textsuperscript{19} The institutions of

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\item her bittersweet opinion was: “[v]ery slight, if at all. And yet perhaps after all – in the wake of the next revolution.” Arendt, \textit{Crises of the Republic}, pp. 203, 233.
\item Ibid., p. 102.
\item Arendt, “Civil Disobedience,” p. 94.
\item Ibid., p. 98.
\item Arendt, “Thoughts on Politics and Revolution,” p. 233.
\end{itemize}
liberty that have sustained the American spirit may be exhausted after surviving “longer than any comparable glories in history.” Refusing to appeal to the truths of philosophy, she refuses to abandon the spirit of freedom. “[W]hile we now slowly emerge from under the rubble of the events of the past few years,” she concludes, “let us not forget these years of aberration lest we become wholly unworthy of the glorious beginnings two hundred years ago. When the facts come home to roost, let us try at least to make them welcome. Let us try not to escape into some utopias – images, theories, or sheer follies. It was the greatness of this Republic to give due account for the sake of freedom to the best in men and to the worst.”

I have italicized this last phrase for reasons that will become clear in my conclusion. Democracies can and will err; criticism is essential to their preservation.

Although she tried to avoid the traps of ontology and its historicist correlate of an “escape from politics into history,” stressing always the diversity and plurality of “the human condition,” there is something troubling about Arendt’s constant return to the “spirit” of the American founding. The “facts” on which she laid such great importance in her political essays play a subsidiary role in On Revolution. As a result, it is difficult to know why and how the Americans have, or have not, met Franklin’s challenge – “a republic if you can keep it”? Have they, as she at times suggests, fallen victim to the pragmatic antipolitics of the party politicians? Have they, as she often fears, adopted the French revolutionaries’ concern with the social question? Or is there, as I want to suggest, something about the very nature of democracy that constantly threatens it from within even as – for the same reason – it reinforces the power of a democratic polity and of its individual citizens? A closer look at the dynamic history from which Arendt distilled the revolutionary “spirit” can help to explain also why Arendt’s problems cast light on our own, and why

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20 Ibid., p. 260.
21 “If it is in the nature of appearances to hide ‘deeper’ causes, it is in the nature of speculation about such hidden causes to hide and to make us forget the stark, naked brutality of facts, of things as they are.” Ibid., p. 261.
22 Ibid., p. 275. The italics are mine.
23 Hannah Arendt, “The Concept of History,” in Between Past and Future (New York: Viking Press, 1954), p. 83. “The Concept of History” returns repeatedly to the conflict between a theory of politics and a theory of history. Arendt begins the essay’s section on “History and Politics” as follows: “[A]t the beginning of the modern age everything pointed to an elevation of political action and political life, and the sixteenth and seventeenth centuries, so rich in new political philosophies, were still quite unaware of any special emphasis on history as such. Their concern, on the contrary, was to get rid of the past rather than to rehabilitate the historical process.” Ibid., pp. 75–6. She goes on to argue that “History in its modern version . . . though it failed to save politics itself from the old disgrace, though the single deeds and acts constituting the realm of politics, properly speaking, were left in limbo, it has at least bestowed upon the record of past events that shape in earthly immortality to which the modern age necessarily aspired, but which its acting men no longer dared to claim from posterity.” See also her remarks on Hegel’s philosophy of history: “Hegel’s transformation of metaphysics into a philosophy of history was preceded by an attempt to get rid of metaphysics for the sake of a philosophy of politics.” Ibid., p. 76.
ours in turn bring out the power of her understanding of the autonomy of the political. The “age’s problems” on which she laid such stress are not defined by a specific historical conjuncture; they belong to a long epoch whose decisive characteristic is that it has repeatedly faced the challenge of maintaining a republican democracy that is constantly threatened by its own antipolitical tendencies.

12.3 Rethinking the American Revolution

Despite her rejection of philosophy, Arendt’s stress on the uniquely human ability to covenant, to make promises, and to exchange opinions among a plurality of participants in public life is based on deep-rooted premises that are constantly present in what she called “the human condition.” Granted, she is not describing the world from the perspective of a monadic subject; plurality, publicity, and the fundamental concept of action guarantee a dynamic that makes humans capable of coming together to create a type of power that is distinct from the brute force of dumb nature or the antipolitical violence of war. But how does this potential to produce the singular events that are the matter for political thought acquire its historical uniqueness? In the American case, an originary moment, the Mayflower Compact, is said to define the “condition” from which emerged the “spirit” that, in its turn, reappeared in the New England townships, in the Revolution, in the nineteenth-century form of associative life described by Tocqueville, and then in the twentieth-century political action of the civil disobedients. Plus ça change, plus c’est la même chose. But: tant mieux! I like this vision. But I am not sure how it helps to understand either the political achievements of the American revolution or, more generally, the way that historical experience illuminates contemporary political problems.

The foundation of Arendt’s analysis of the American revolutionary spirit is her claim that “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.” This question of sovereignty, which was crucial to the movement that led to each new phase of the Revolution, suggests the need to think today about the implications of an event that marked the culmination of the revolutionary wave: “the revolution of 1800,” which

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brought the republicans of Thomas Jefferson to power. Reflection on that event, in turn, will suggest an interpretation of what Arendt may have meant by “the age’s problems.” Although she did make this distinction, the nature of sovereignty in a republican democracy such as the one that was created in the United States differs from the kind of popular sovereignty sought by a democratic republic such as the one that ultimately failed during the French Revolution. The basis of the one is judgment, which accepts the existence of a plurality of perspectives, whereas the other is founded on will, which is unitary. The difference is important, although it is often difficult to maintain in practice.

The American Revolution passed through three phases before its initial impetus was realized, and the classical unitary theory of sovereignty was rejected in favor of a republican-democratic practice. The first period, from 1763 to 1776, posed the challenge of sovereignty. After the British victory in the Seven Years’ War, the colonists no longer needed the protection of the mother country; but Britain now needed to reorganize relations among the parts of its enlarged empire and to pay the debts it had incurred in the process. This led to a series of measures that, from the point of view of the colonists, seemed an impingement on their rights and liberties. Often summed up in the lapidary phrase, “No taxation without representation,” the stream of pamphlets produced during these years began with attempts at conciliation only to be drawn, inexorably it seems, to articulate what Tom Paine expressed in 1776 as simply “Common Sense.”

In retrospect, one theoretical argument brought to a head the conflict, making the rupture seem inevitable. John Dickinson, in his Letters from a Farmer in Pennsylvania, showed that the local self-government demanded by the colonists implied an imperium in imperio, which was a contradiction in political terms. This logical argument carried practical weight because of the experiences of self-management, such as the refusal of the Stamp Act or the nonimportation boycotts on the part of the colonies proved that political legitimacy from Britain was not needed for the Americans to run their own lives. Thus was born in practice and theory the revolutionary spirit of republican self-government. This was, however, but a first step; the new spirit had to find an institutional incarnation.

The self-understanding won in the first period had first to be defended once independence was proclaimed. The war began poorly; in the bitter winter of 1776, at Valley Forge, General Washington ordered that Tom Paine’s new pamphlet, The American Crisis, be read to the troops. “These are the times that try men’s souls,” wrote Paine, as he denounced “[t]he summer soldier

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27 This was the name given it by its contemporaries and repeated by Jefferson himself in 1819. Curiously, historians have neglected its implication. To my knowledge, there exists a single book on the topic, Daniel Sisson, The American Revolution of 1800 (New York: Knopf, 1974). A collection of essays, James P. P. Horn, Jan Ellen Lewis, and Peter S. Onuf, eds., The Revolution of 1800: Democracy, Race, and the New Republic (Charlottesville: University of Virginia Press, 2002), does not pay sufficient attention to its theoretical implications.

28 Paine’s best-selling pamphlet appeared in early 1776; for his part, Jefferson denied any originality in his declaration, which he saw as expressing a shared sense of the colonists.
and the sunshine patriot....” Political events do not just happen; individuals participate when they exercise their judgment, which is neither theoretical nor abstract. Finally, the army held; French help began to arrive. It remained for the Americans to give themselves the institutions for self-government.

As in the first political phase of the revolution, theoretical reflection joined with practical experience. The theory was condensed in the efforts of John Adams, whom Arendt invokes frequently. But while she rightly stresses his debt to the constitutional schemes of Montesquieu, it is Adams’ insistence that government must be a “representation in miniature” of the people whom they represent that became crucial to the development of American political self-understanding. The implication of Adams’ proposition for the development of a representative republican democracy was made clear by the practical experience of direct democracy in the State of Pennsylvania. For circumstantial reasons, its constitution provided for frequent elections, a weak executive, periodic review of all laws by a “council of censors,” among other popular measures. This directly democratic constitution proved to be a recipe for instability that served as a warning that became clear when peace was finally made in 1783. The sovereignty that had been won could not be maintained in the face of postwar economic problems made worse by interstate rivalries that blocked the functioning of the loosely knitted confederal government. The conception of sovereign self-rule for which they fought needed to be modified if the thirteen newly independent states were to remain a “United States.”

A new stage in American political thought and practice was reached not only with the creation of the new national Constitution in 1787 but also with its popular ratification. As Arendt recognized, the letter of the institution has to be structured in such a way that the spirit that presided at its origin can be maintained (or renewed). The new understanding that emerged in this third phase is presented in the *Federalist Papers*, which were at once a political act (affecting the ratification process) and a theoretical self-reflection (that retains its actuality). In the present context, two crucial arguments, and their relation, must be properly understood. The first is *Federalist 10*, which defends the possibility of a large republic by recourse to the idea that its safety and vitality will be guaranteed by the presence of competing factions. The second is elaborated in *Federalist 51*, which insists that the safety and vitality of the republic will be guaranteed by the checks and balances among the branches of the new

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29 Pennsylvania was a proprietary colony ruled by the Penn family. Those leaders who, in the other colonies, had directed the struggle with Britain had been attempting to give it greater independence by making it a crown colony. As a result, when independence came, they were discredited. An artisan class replaced them in the crucial period of constitution making.

government. It would seem that if one of these claims is valid, the other is not necessary – or if both are indeed valid, the resulting constitution may limit itself too greatly, making swift and decisive action impossible. However, when put in the context of the debate over sovereignty, the two claims can be seen as saying one and the same thing: Federalist 10 explains that “the” sovereign people as such does not exist, while Federalist 51 draws the conclusion that any branch of government that claims to incarnate the vox populi is exceeding the power accorded it by the Constitution. However, because the Constitution provides both checks and balances, the power of a democratic people will always produce the dynamic that, already in the first phase of the revolution, seeks to realize a democratic self-government at the same time that the separation of powers prevents its complete achievement. The inherent paradox of the American republic is that it solicits popular sovereignty even while making its complete realization impossible, thereby reinforcing each of the competing political institutions.

This historical dynamic reached a temporary resolution with the “revolution of 1800,” which marked the first peaceful passage of political power from one party to another. After a bitter campaign foreshadowed by the repressive Alien and Sedition Laws (1798) and heated by reciprocal accusations of “monarchism” and “Jacobinism,” Jefferson assumed the presidency and Adams returned quietly home to Massachusetts. Jefferson’s inaugural address alluded to the campaign, but insisted significantly that “every difference of opinion is not a difference of principle. We have called by different names brethren of the same principle. We are all Republicans, we are all Federalists.” This did not imply that party differences would – or could, or should – be abolished (although the temptation noted by Arendt to replace e pluribus unam by a union sacrée would appear from time to time). The unity that binds together the republic is what Jefferson calls here a “unity of principle.” The nature of that principle was demonstrated in the second moment of the revolution of 1800, the Supreme Court’s decision in Marbury v. Madison (1803). The court’s ruling can be interpreted as arguing that although Jefferson’s Republicans were now the majority, their power remained limited; it is the principles of the Constitution that constitute the always present but never fully realized,

31 A third argument, that of Federalist 63, could be added to reaffirm the point being made here while raising also the question of representative democracy. That argument concerns the legitimacy of a senate in a society that has no constituted aristocracy. The justification offered in Federalist 63, which freely admits that American democracy is not direct but representative, depends also on the symbolic nature of the sovereignty that is to be represented by that upper branch of the legislature. For details, cf. Les origines de la pensée politique américaine.


33 In fact, with the presidency of the third of the great Republican presidents, James Monroe (1816–24), America entered what was called the Era of Good Feeling, during which party competition had disappeared at the national level. The result was the “corrupt bargain” by which John Quincy Adams became president. The reaction was not long in coming: the populism that brought Andrew Jackson to power in 1828.
or realizable, sovereignty of the people. It is the Constitution that guarantees that the people are one at the same time that its institutional structure assures that the momentary expression of that unity is realized only through the constant production of difference, debate, and deliberation. The “revolution of 1800” was thus an event that is more than an event; it confirms the experience of and reflection on the American Revolution and can be taken as the expression of that “spirit” invoked by Arendt.

This interpretation of the foundation of American democracy in terms of the problem of sovereignty can be developed further. As a “principle,” sovereignty is symbolic; but there is an always-present temptation to seek its realization. Because it depends on particular judgments rather than on a unitary sovereign will, the momentary expression of popular sovereignty is always open to negotiation; it can never be incarnated once and for all, yet it is the constant presence without which neither a polity nor the individuals who compose it can subsist. More concretely, the history of American democracy can be interpreted as the constant competition among institutions that claim to represent the will of the sovereign. The actors in the resulting dynamic process are not only the legislative, executive, and judicial branches (and the federal states); new players emerge, be they legitimate, principled political parties or the nonviolent power of political disobedients. Perhaps, too, social groups will claim political power on the basis of their expertise, their specialized interests, or their shared moral values. While one or another institution may come to dominate for a time (even the “social” interests that Arendt denounced as ruining the French Revolution may acquire a dominant power at some historical moments), it is important to recognize that as long as the principle remains – as long as sovereignty remains symbolic – there will surely emerge others that will contest the legitimacy and dispute the monopoly that is asserted. Rather than a direct democracy in which the unitary sovereign will of society is expressed in its political institutions – what I have called a “democratic republic” – the Americans created what can be called a “republican democracy” whose institutional structure encourages individuals actively to judge among choices available, and to participate together in the self-determination that is needed to “keep” the republic they have inherited.

12.4 Conclusion: The Age’s Problems and Our Own

At the beginning of this rereading of Arendt, provoked by Jonathan Schell, I asked why we have seen no serious civil disobedience in the United States in the wake of the Iraq disaster. One answer is suggested by the way in which a kind of thoughtless liberalism, unthinkingly adopted by neoconservatives as well, became the scarcely contested common sense of the post–Berlin Wall era. This ideology was nicely dissected in a New York Times op-ed by Orlando

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34 I cannot pursue the theoretical foundations of this argument, which is indebted to the work of Claude Lefort here. Cf. Lefort, “Droits de l’homme et politique.”
Patterson.35 Under the title “God’s Gift?” Patterson points out that Americans generally, and the ideologues of the Bush administration in particular, assume that everyone longs for a personal kind of freedom whose realization demands only that oppression be lifted. “Once President Bush was beguiled by this argument he began to sound like a late-blooming schoolboy who had just discovered John Locke, the 17th century founder of liberalism.” In his second inaugural speech, Mr. Bush declared “complete confidence in the eventual triumph of freedom . . . because freedom is the permanent hope of mankind, the hunger in dark places, the longing of the soul.” Thus, the president told an Arab American audience, “No matter what your faith, freedom is God’s gift to every person in every nation.” He drew the implications in another speech that laid out the neoconservative agenda: “We believe that freedom can advance and change lives in the greater Middle East.” It would not be unfaithful to Arendt to suggest that this thoughtlessness – this inability to understand that politics is based on plurality and that it is the result of action by the participants – that is “the age’s problem.” The problem is not the goals of those who govern us; the problem is their and our political naiveté (which goes together with a vengeful moralism) that forgets the interconnectedness of thought and event, authority and action, politics and possibility. The result is an antipolitical politics that dares not admit that it lives as if it enjoyed an eternal present – which is one reason that the Americans were so unprepared once their victorious arms fell silent after the Berlin Wall had fallen.

But the thoughtless liberal – and his neoconservative first-cousin – has a co-conspirator: the “liberal hawk,” who thinks too much.36 Formerly, or perhaps still, on the left side of the spectrum, this antipolitical species came to realize finally that the nightmare of totalitarianism is not just a bump in the progress of history toward smiling tomorrows and, enthusiastic as always, jumped on the bandwagon of the campaign for human rights. Having defied both the orthodox left and the pragmatic peddlers of Realpolitik, these political moralists

35 Harvard sociologist Patterson, the author of Freedom in the Making of Western Culture, published this article as a guest op-ed in the New York Times, December 19, 2006. It is ironic that the first wave of neoconservatives (those of the 1980s) denounced the same naivety, as Peter Beinart noted in the New Republic (January 1–15, 2007). Beinart quotes Jeane Kirkpatrick’s famous 1979 essay, “Dictatorships and Double Standards”: “[N]o idea holds greater sway in the mind of educated Americans than the belief that it is possible to democratize governments, anytime, anywhere, under any circumstances. This notion is belied by an enormous body of evidence . . . .” Beinart’s point is that the critics of the Bush adventurism are returning to the older “reality-based” position.

36 The liberal hawk is a modern version of the Marxist militant whom Arendt’s friend, Harold Rosenberg, defined as “an intellectual who doesn’t think.” Cf. Harold Rosenberg, “The Heroes of Marxist Science,” in The Tradition of the New (New York: McGraw-Hill, 1965), p. 184. Since he knows the necessary telos of history, he has only to fit the particular events into that pattern (neglecting the distinction between subsumptive and reflective judgment that would be important for Arendt’s later work). An example of this style of thought is found in my essay, Dick Howard, “The Use and Abuse of Democracy: Paul Berman’s Generational Bildungsroman,” Constellations, 14, 3 (September 2007): 445–53.
were not deceived by the bromides of soft-hearted American liberalism; they were certain that they could maintain their independence (and thus their influence) while supporting critically the unilateral war of the neoconservatives. They were wrong; and they cannot blame Bush or Rumsfeld or criticize faulty execution of their plans any more than fellow-traveling leftists blamed the “cult of personality” or “the bureaucracy” for the failures of the Soviet Union. However, it would be wrong to throw out the human rights baby with the liberal bath water. The “liberal hawks” do not have the answer to what Arendt called “the age’s challenges,” but they do at least challenge the thoughtless liberals. They too are seeking to renew the ideals that found democracy, despite their mistaken choice of allies.

In this context, the account of the political significance of the historical events of the American Revolution proposed a moment ago returns us to what Arendt called “the age’s problems.” Every political actor of course claims to advance policies that are the incarnation of the united will of the nation and that its platform will open the path to smiling tomorrows. But they open the door to antipolitics if they fail to recognize that the symbolic – and therefore contested and plural – nature of the sovereign people cannot be reduced to its temporary reality. That, finally, is the crucial lesson to be drawn still today from Arendt’s *Origins of Totalitarianism*, which is an attempt to think the most extreme expression of antipolitics. The extreme casts light on the everyday; and it underlines the actuality of Benjamin Franklin’s elliptic assertion: “A republic, if you can keep it.” That is why the politics of human rights – as a politics, not as simply the protection of private freedoms (as Arendt stressed in the discussion of “Civil Disobedience”) – is fundamental to a republican democracy. It is an error to think that the “democracy” that triumphed in 1989 was the solution to the “age’s problems.” The nearly two decades that have followed those events make clear – yet again – that democracy is a dangerous game that can easily lose its way when democrats forget how to think, which means to recognize the paradox that it is necessary to find the limits of a political process that is by its very nature unlimited. Just before she insisted, in the passage cited earlier, that the “greatest American innovation” was the abolition of sovereignty, Arendt reminded her reader of Montesquieu’s “famous insight that even virtue stands in need of limitation and that even an excess of reason is undesirable. . . .” If too little democracy is certainly a default, the attempt to realize it once and for all (by force, if needed) can prove to be a more grievous threat to democracy itself.

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37 Did they still remember Lenin’s ironic dictum (in “Left-Wing Communism: An Infantile Disorder”): Critical support is analogous to the rope offered to the hanged man?