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What Happens is Unimaginable! About the „Yellow Vests“

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What Happens is Unimaginable!

About the „Yellow Vests“

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Abstract

The French ‘yellow vests’ movement is anything but an episodic protest movement. It questions both the liberal and the republican conception of political representation. The reason for this radicalism is that it shakes the foundations of a neo-capitalist order, for which short-term financial sales have become more important than the long-term maintenance of the system itself. From the financial crisis of 2008, neoliberalism only seems to have learned that, despite everything, the model on which it is based holds up. This creates a profound crisis of legitimacy that reveals a break in political culture that no policy of consensus or even recognition can remedy. This essay examines the theoretical approaches that can take this phenomenon into account.

Key words: political representation, legitimacy, consensus, recognition.

1. What happens is unimaginable

This exclamation means something that is unimaginable from the outset, primarily. Kant would have said that the faculty of imagination fails to establish a link between the intuition and a concept. Indeed, the unimaginable forms a zone of the political and the social, which cannot be grasped by any political concept. And yet, it is nothing else than the node of the connection between society and state, or rather between the “system” (that is the managing rationality, the established state form with its constitutional principles) and the life-world.

In which sense and how can it be represented? In whatever form it is usually shown (in newspapers, in television reports, etc.). But it must also be represented in the modern parliamentary sense (in the sense of popular representation), it must be linked to a representative body: the Parliament, from which sovereignty emerges as the will of the people – so that, once established, it can assert itself as pure sovereignty, as if it were transcendent and without regard to empirical quarrels.

The grey zone that results is a challenge not only for democracy, but also and above all for the republic – which represents a higher principle and refuses the confusion with direct democracy. I am therefore interested in just this question: how can the grey zone be handled? How can it be mastered not only from a pragmatic standpoint (this would be the question: how does the state manage to assert a unifying will – sovereignty or the idea of sovereignty – against the multiplicity of individual wills?), but also theoretically: which tools and theories do exist, which build a bridge between the heights of transcendental sovereignty and the lowlands of desires, rebellions, protestations? Here, the representation no longer runs through the usual channels of the parties or the trade unions. We have to deal with movements that emerge from the feeling that they represent (in a sense to be outlined) people who are not represented. With crocodile tears, the political and journalistic establishment complains that the movement is not able to structure itself, that it has no official speakers, etc. One of the most influential opinion makers on the French web, the journalist Laurent Joffrin hit the spot when he noted in his daily blog of December 10, 2018 that the announcement of claims happens essentially through individual interviews on television channels that track events in real time. With the social networks and the news media, a democracy in real time seems to prevail more and more, a direct democracy XXL.

However, if one looks more closely, it becomes clear that (apart from some very naive “conspirators” who dream of a military dictatorship) nobody seriously thinks about taking power. But that should not reassure the politicians, because at the same time the dissatisfaction with the political gestures of the government is so high that it goes up to the demand of the dissolution of the parliament or even the resignation of the president. Of course, the act of handing over the people’s will to representatives (members of parliament) creates necessarily a separation between state and society as well as between economy and politics. This goes hand

in hand with the tendency to restrict democratic participation to formal political and juridical rights. But the connection between the dismantling of the welfare state into a precarious system on the one hand, the growing loss of trust in political representation, and the crisis of participation on the other hand is empirically obvious. Here civilian forms play a crucial mediating role. This is why, if you want to go beyond the endless debate on “populism” and to make it productive, then you have to pay attention to the behavior and manners of the “yellow vests”, to what distinguishes and even radically separates their habitus from the way in which the once established “representative” rule responds rhetorically and technically-pragmatically to it. It is a new field of sociological research as well as for social and cultural philosophy, prefigured by the Nuit Debout movement against the reform of French labor law in 2016, and previously by Occupy Wall Street and by scattered but characteristically very similar square occupations in several countries such as Greece or Egypt.

What is at the forefront here is the experience of collaborative experimentation – indeed across the political fronts, as is often emphasized – by (as Paolo Virno says) “forms of non-representative democracy, non-state customs, and habits”.¹ In other words, it is broken with established rituals that perpetuate the established political rule. Unlike the usual lamentations about “the heterogenous precarious [that] cannot be unified or easily represented, [because] their interests are disparate”², Virno points out that the many, as he calls them after Hardt and Negri, are linked together by shared collective experiences, negative and positive. The negative bond is the experience of economic and social insecurity. And it is the strongest. The positive bond can only be realized in practice, the moment one acts together because of the precariousness. After neoliberalism has shifted the burden from the welfare state to individuals, it is almost a Foucault's revenge to see that the forced neo-liberal individualization, which requires networked and self-regulated individuals, is turning against neoliberal exploitation through networks.

Representation presupposes two things: a sovereignty, which goes beyond the empirical differences, and at the same time a homogeneity of the represented, which on closer inspection results itself from this symbolical process. As Hobbes' view of the social contract has shown, the plurality of existing individuals must be grouped together into an identifiable whole, such as a people, to be represented (just as only identified individuals can be legally recognized and represented).

¹ Paolo Virno, *Exodus. Die Grammatik der Multitude. Die Engel und der General Intellect*, Wien (u.a.): Turia + Kant, 2005, p. 55.

² Isabell Lorey, “The 2011 Occupy Movements: Rancière and the Crisis of Democracy”, *Theory, Culture & Society* 31/2014, p. 47

Yet this postulated unity is as much a fiction as the common will that represents it. More precisely, representation is necessary both to establish the common will and to constitute the people as a whole. Both form a circle – a virtuous one.

For this reason, Hobbes' rational construction is only one of the two great lines that compete with each other in political history of ideas and in liberalism. It is the one that has prevailed in the aftereffects of the civil wars in England and that today justifies our conviction that political representation is about the common good and not the representation of particular interests. At least this is the official doctrine that we are encouraged to believe by the prevailing economic-political liberalism. The other line is the opposed and repressed reading that comes from Spinoza: the social contract is unifying the many together with their multiple and incompatible interests to a common voice. Thereby – and this is my reading – the difference is less the conflict between the common good and private interests, but the way how consensus is achieved. These two lines are also fundamental in the history of sociology: on the one hand Durkheim, on the other hand Gabriel Tarde, to which Deleuze and Guattari – and through them Harth and Negri – build on.

Why is this recognition important? It has been said over and over again in recent weeks that the Yellow vests movement is inconsistent, unable to act with clearly defined demands and identifiable representatives. The journalists and politicians, unfortunately also a considerable part of the political scientists, are wrong to see this as a deficiency rather than seeing in it the specificity of the movement. The fact that the Yellow vests have great difficulties in becoming representative, and that some of them symptomatically claim the non-representativity, should not be surprising. Paolo Virno describes the many (or the “multitude” if one wants to give them the name that Harth and Negri have reintroduced into the debate), as a social entity which uses the political form of the “Exodus”, that is to say the flight or the exit from difficult conditions in order to create and to constitute new forms of life and existence as well as new social relationships under changed conditions.³

The many are therefore interesting for our question because of their non-representability and because of the forms by which they break through the crust of homogeneous liberal representation. These include – here completely neutral registered as phenomena, not at all justified – violent actions, which must be interpreted as an extreme form of recognition requirement involving people from different social and political horizons (radicals from the right and from the left, but also people who would otherwise never spit on the floor) who meet

³ Cf. Virno, *Exodus*, p. 23sq. In addition to Virno, the studies of Tsianos, Papadopoulos and Stephenson on resistance practices as "non-representative politics" can also be consulted: Vassilis S. Tsianos / Dimitris Papadopoulos / Niamh Stephenson, „This is class war from above and they are winning it. What is to be done“, *Rethinking Marxism* 24(3), July 2012 ;
Online:https://www.researchgate.net/publication/263760077_This_Is_Class_War_from_Above_and_They_Are_Winning_It_What_Is_to_Be_Done

each other and rebel together.

One can speak of a primacy of practice, whereby embodied action beyond language and cognitive acts should be given special consideration. One can speak (in my terminology) of expressivity or, in the sense of Judith Butler, of performativity. The performative aspect arises from the fact that practices, even physical acts, always tend to ritualization and thereby achieve effects in reality. Following Butler's suggestion, the rituals and deviations from the rituals should be considered.

“The focus falls on how life takes shape and gains expression in shared experiences, everyday routines, fleeting encounters, embodied movements, precognitive triggers, practical skills, affective intensities, enduring urges, unexceptional interactions and sensuous dispositions. Attention to these kinds of expression, it is contended, offers an escape from the established academic habit of striving to uncover meanings and values that apparently await our discovery, interpretation, judgment, ultimate representation.”⁴

Much is happening at the level of the precognitive and the embodiment of affects. It is these affects which, in accordance with the line of thought from Spinoza to Gabriel Tarde and Gilles Deleuze, weld together the collective subject. Deleuze and Guattari define affects as not-yet-feelings, as a-subjective intensities flowing unconsciously through bodies, below the threshold of description or naming. Another approach is that of Judith Butler in her book *Notes Toward a Performative Theory of Assembly* (2016), in which she deals with space occupations: she emphasizes the strong physical involvement in democratic performativity. One can not avoid thinking of Rousseau, for whom the festival is at the same time the ideal and the substitute for politically unattainable direct democracy.

For her part, Butler emphasizes that they are bodies that expose themselves in their vulnerability to manifest precarious conditions. This can apply directly to the movement of the yellow vests, which physically occupy roundabouts, highway ramps or toll stations for weeks and set up tents – the opposite of a solid and secure housing. It is not a harmless form of protest: When I wrote these lines, a seventh demonstrator had been accidentally killed during the night. In that sense, for Butler, the assembly outside Parliament is per se always the demonstration of injustice and a “call for justice”.⁵ Its political message is performative, it is a performance that seeks to demonstrate that there are ethical, social, and practical alternatives to loneliness in precariousness and to the individualization of responsibility (whoever wants to work, only needs to cross the street, as President Macron said).

⁴ Hayden Lorimer, „Cultural geography: the busyness of being ‚more-than-representational‘“, *Progress in Human Geography*, 29 (1)/2005, p. 84.

⁵ Judith Butler, *Notes Toward a Performative Theory of Assembly*, Cambridge: Harvard University Press, 2016, p. 8-22.

The precarization society, i.e the increasing dissolution of fixed employment in post-Fordism and the simultaneous glorification of flexibility and individualized productive resources are

triggering precarious protests.⁶ It is therefore essential to include the expressive component of the body in the concept of performativity, if one wants to understand the “language” of such movements at all.

In a lecture titled “Bodies in Alliance and The Politics on the Street”, Butler summarizes her views by examining Hannah Arendt’s conception of the polis. “Bodies congregate, they move and speak together, and they lay claim to a certain space as public space.”⁷ So bodies lift the barrier between the private and the public sphere and create a *space of appearance*. In doing so, they expose themselves to one another – “who we are, bodily, is already a way of being for the other” – and only then does a political space emerge: “For politics to take place, the body must appear.”⁸ Of course, it also means that space becomes an object of confrontation, and this in a twofold sense. Once because the demonstrators are fighting for the mastery of the “space of appearance”: What it is about is „a hegemonic struggle over what we are calling the space of appearance [...] which includes the allocation and restriction of spatial locations in which and by which any population may appear, which means that there is a spatial restriction on when and how the ‘popular will’ may appear“.⁹ The conquest of the Champs Elysées is the exact symbolic counterpart to the stubborn and peaceful occupation of the most desolate places, such as traffic circles or highway ramps, which form the sharpest contrast to the symbolic places of political power. And the public space is secondly an object of confrontation because one has to participate in the space of appearance if one will to count (this is the node of Butler's critique of Hannah Arendt's view of the polis in *The Human Condition*).

Modifying the approach of Rancière¹⁰, one could also say that here the bodies are put in equation with the numbers and that they must be put in such an equation in order to be taken into account. For Rancière, the “unrepresentable” or “unrepresented” are those that are not counted or not countable in the categories of institutions. It is well known how important it is for the public authorities to decide from which income, pension, number of working hours, etc. one is entitled to social support or not – whether one is “counted” or not.

⁶ Oliver Marchart, *Die Prekarisierungsgesellschaft. Prekäre Proteste. Politik und Ökonomie im Zeichen der Prekarisierung*, Bielefeld: transcript, 2013.

⁷ Judith Butler, “Bodies in Alliance and the Politics of the Street”, online: <https://transversal.at/transversal/1011/butler/en>, p. 1.

⁸ *Ibid.*, p. 2.

⁹ *Ibid.*, p. 5.

¹⁰ Jacques Rancière, *Le partage du sensible*, Paris : La Fabrique, 2000.

In my opinion, the argument takes on full meaning if it is not absolute – counted / vs. not counted or not countable – but if it is used relatively, in relation to the social policies in different

areas (also towards migrants as lately in Austria: how much more those who are able to work can get, etc.). To put it simply and without being pathetic: how should one meet the migrants who fall through the meshes of counting, who do not want to play, or cannot play at all.

2. “Communication” problems

In a second attempt, I want to leave this very emotional level and make use of more familiar references, without forgetting how much we miss when we limit ourselves to the latter. In retrospect, it has become clear that the core of Habermas’ bitter crusade against French theory at the beginning of the 1980s was how to deal with the differences and conflict. While by a strange reversal of the fronts, the French were so stunned by the immensity of the National Socialist evil that they found it hard to think in historical terms (Lyotard’s rather inflationary usage of the unimaginable, unrepresentable, insoluble, etc. just expresses that), Communicative Reason seemed to be able to overcome the trauma with almost as little effort as did social history, after it had once and for all attributed the disaster to the German Sonderweg. With its communicative ethics and its procedural and normative basis, Habermas’s approach seemed fundamentally well armed. But in the eyes of Lyotard and, if I am correct, of Derrida, his weakness was precisely in this strength.

For the question is: where does the normative content come from? For the procedural way of thinking, this question of origin does not arise. It refers to a mythical, primitive, or barbaric dimension that has no significant “logos” existence unless it is translated and rationalized by reflection. It behaves here as with the political representation of the will of the people: it does not exist before it is represented.

The clear weakness of the procedural way of thinking, however, is that it cannot, or only with great difficulty, exhaustively translate the reservoir of democratic demands. The price for the political translation of the life-world is its disappearance or its survival only as a society against the state. This is all the more true for “innovative” processes that deviate from the well-worn rituals. Therefore, in the Deleuze and Guattari line, authors who put the accent on the affects consider that rational formulation is inappropriate to catch “the heterogeneous, the ephemeral, the eventualities, and all fluid occurrences”, as well as the “emergent and processual movements and intensities”.¹¹

¹¹ Marianne Pieper / Carolin Wiedemann, „In den Ruinen der Repräsentation? Affekt, Agencement und das Okkurrentheit“, in: New Politics of Looking. Affekt und Repräsentation, FKV Zeitschrift Geschlechterforschung für und visuelle Kultur 55/2014, p. 66.

Because non-representability – intentional or suffered – outweighs, it seems imperative to give preference to non-representational theories. No matter what else you think of Deleuze and Guattari, or of Hardt and Negri (I have at least tried to suggest that they are inscribing themselves into an important alternative tradition of political thought), the non-representational theories at least have the merit, on the one hand, of consolidating on the theoretical level the conception of post-democracy and of combatting the frequent compromise of neoliberalism with the so-called illiberalism. While democratic institutions still exist formally, citizen participation is minimized apart from the constitutionally-intended holding of elections, and behind this staging, politics is done behind closed doors.¹² Even if a referendum is organized, its results are ignored. It is no longer just façade democracy, but an increasing tendency to *ignore* democracy. These two trends are the Janus face of a single diagnosis, which also describes the connection between populism and the crisis of political representation. The simultaneity of sinking confidence in democratic procedures and institutions on the one hand and increasing democratic demands on the other hand¹³ suggests that there is a causal connection between the post-democratic demolition of democratic forms (for which the Macron regime is characteristic because of its original claim to supremacy) and the explosion of democratic claims and new forms of popular struggle. What we have witnessed with the yellow vests is the consequence of this classic problem of domination. Macron's Bonapartist approach to it has failed.

3. What follows?

Direct democracy can only be a protest against established violence. A disciplined form is the plebiscite, as it was incorporated into various constitutions – Weimar Republic, French 5th Republic. But as soon as it establishes itself, direct democracy requires a sufficient degree of *symbolism*. That is why its ultimate form is the acclamative rule.

The “civilized” political habitus is exactly the opposite: it consists of negotiating. The key question of politicians is always: How much negotiating space is there? Raising the minimum wage? One hundred euros, two hundred euros? This was Macron's Christmas gift to the social movement: a special allowance of 200 Euros – no salary increase, so it's a state expense, for which those who receive it have finally to pay. This can be expressed, first, in Habermasian terms: representation and communication issues cannot be settled in the medium of money.

¹² Colin Crouch, *Postdemokratie*, Frankfurt a. M.: Suhrkamp, 2008; Joseph Vogl, *Der Souveränitätseffekt*, rich (e.a.): diaphanes, 2015.

¹³ See for instance Ingolfur Blühdorn, *Simulative Demokratie. Neue Politik nach der postdemokratischen Wende*, Berlin: Suhrkamp. 2012, p. 160.

Or, as Lyotard formulates: "There is a conflict [*différend*] when no negotiation is possible."¹⁴ This definition of conflict even seems to exclude its dissolution through a dialectic of recognition. In contrast, Lyotard's thinking is based on the antinomy and the irresolvable difference of viewpoints: "Should one be legitimate, that would not mean that the other is not."¹⁵ As we know, Kant's antinomy consists precisely in the fact that both positions are legitimate, but in different orders that cannot merge into one another. A concrete political example is the legitimacy of the French president against the legitimacy of the yellow vests. From a constitutional ("transcendental") perspective, the legitimacy of the elected head of state is inviolable, as the guardians of the constitution and the panicked ruling circles constantly chant. Empirically, however, the president is just as *illegitimate* as the yellow vests. He draws a non-empirical legitimacy from the electoral system, which filters the democratic will of all through two rounds of voting and abstracts from it a non-empirical legitimacy that is worth more than the approximately 23% of votes in the first round of voting. The metaphor of the filter belongs to the arsenal of the liberal tradition, in which it is intended to dissolve the tension existing in the French Revolution between a representative constitution (as in the constitution of 1791) and the open popular assemblies demanded by the Jacobin constitution of 1793. It is already present in 1787 in the Federalist Papers of the American founding fathers in the following form: In a republic, as Madison understands it, the delegates "both filter and refine the many demands of the people so as to prevent the type of frivolous claims that impede purely democratic governments". This is the basis for all indirect electoral models, the French as well as the American despite their differences. In the end, they both result in the same loss of legitimacy.

Therefore, more than ever, I emphasize the need to leave the constitutional level and to settle the problem more on the civilian or life-world level. If one does not do so, then the consequence is that the two orders must talk without hearing each other because they are situated in two different linguistic orders. Macron has just had this experience, which he obviously was not prepared for, because nothing prepares a banker in the service of international finance capital for that. It was like the hell out of the bottle for somebody who had won the election by launching the "marcheurs" for the conquest of power in a rather populist manner. It is nothing less than an ideological struggle again. In concrete terms, as far as the exploited workers are concerned, "it would take a different idiom from that of the labor judge to express that work is something other than the exchange of goods".

¹⁴ "Il y a différend là où il n'y a pas de négociation possible" (Gérald Sfez, Lyotard. *La partie civile*, Paris: Michalon, 2007, p. 19).

¹⁵ Jean-François Lyotard, *Le différend*, Paris: Minuit, 1983, p. 9.

The recognition theory is here at its limits, even if Honneth rightly insists that recognition and redistribution must not be confused.¹⁶ Obviously, we are faced with the challenge of inventing a theoretical model that would help justify a claim that cannot be satisfied neither economically nor purely politically.¹⁷

¹⁶ Nancy Fraser and Axel Honneth, *Redistribution or Recognition. A Political-Philosophical Exchange*, translated by Joel Golb, James Ingram and Christiane Wilke, London / New York: Verso, 2003.

¹⁷ Cf. Raulet, “Disagreement and Recognition”, in: Hauke Brunkhorst / Tanasije Marinkovic / Dragica Vujadinovic (eds.), *European Crisis and Social Movements – Democratic Theory in Time of Crisis*, The Hague: Eleven Publishing, 2017, p. 93-109.