

# THE POST-COMMUNIST REVOLUTION IN RUSSIA AND THE GENESIS OF REPRESENTATIVE DEMOCRACY

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## Introduction

While many notions in contemporary politics stem from the early modern period or even from the Middle Ages and antiquity, the compound phrase “representative democracy” was born at the end of the eighteenth century, during the course of the American Revolution. The system of representative democracy was then theorized and instituted during the French Revolution. Interestingly, in North America, it was Alexander Hamilton who first advanced the notion in 1777 (Podlech 1984, 525)—the same Hamilton who later, in *The Federalist Papers*, advocated limiting the new republic’s democratic element. In France, Emmanuel Sieyès modified Rousseau’s teaching and transferred the “general will” to the nation’s representatives, thus making it workable and tangible. Representative institutions had existed in the old regime: the king himself convoked the Estates-General, after all. Thus, Sieyès’s main task was to supply them with a democratic, unitary, “national” interpretation.

“Representative democracy” was an oxymoron at the moment of its emergence. Representation (especially representation by election) had always been considered an aristocratic institution. Rousseau saw it as a “modern”—that is, a medieval, feudal—form of government, linked to the institution of estates (Rousseau 1988, 95). Even for Locke,

representation referred to the estates; for Hobbes and Bossuet, it referred to the incorporation of both God and society in the figure of the monarch. The model of Sieyès merged the two (contradictory) senses of representation: the representatives of the estates were to become a constituent power, representing the sovereign nation. Both terms in this oxymoronic formula point toward something else altogether — namely, to the contradiction in the phrase itself. Far from being “sublated” since the term’s initial appearance, the contradiction has been perpetuated and may at any time display either its restorationist-conservative or radical utopian side. Furthermore, this formulaic tension is in fact a sign of an *event* that exceeds the concept. Simultaneously, the event opens up this internal contradiction, thus determining the tendency that will prevail for some time to come.

In general, one may argue that representative democracy as such is the creation of *revolution*. Revolution is an event in which society turns against itself, a moment of internal conflict. It is also, however, an internal fold in which society aspires to constitute itself from within. The *re-* in representation is of the same nature as the *re-* in revolution: both words refer to the internal *fold* in modern society, which, in its political structure, *turns* toward and against itself (Nancy 2002, 148). In this context, “representative” democracy implies an ambivalent attitude to (direct) democracy: democratic politics proves wary of democracy as such. Representative democracy may mean a restraint on democracy, as for Hamilton; or democratization of a hitherto estates-based representation, as for Sieyès.

It has long been noted that the task of the revolution—the self-constitution of a state—is self-contradictory. By definition, revolution is ambivalent, allowing opposite interpretations. If any form of legitimacy comes into being only as a result of this self-constitution, who is entitled to constitute a new state? Who is the “self”—the people, the nation—that has to constitute itself before it even exists at all?<sup>1</sup> Will the old people constitute the new one, or will the new people retrospectively recreate its own origins? In *Qu’est-ce que le Tiers Etat*, written just before the French Revolution, during the elections to the Estates-General, Sieyès suggests solving this problem by distinguishing between the *constituent* power and the *constituted* power. The former does not have a legal status or form, but depends on a *fact*. This fact, however, is that of *representation*. If the deputies of the Third Estate have come to Paris from all over France, the rule by which they

were elected or the legitimacy of their status is not that important. Therefore,

Whatever is the manner in which they are delegated, in which they assemble, and in which they deliberate—if one cannot ignore (and how could the nation that commissions them, ignore them?) that they act in virtue of an extraordinary commission of people, their common will shall mean (*vaudra*) the will of the nation itself (Sieyès 1970, 180–1; the translation is mine).<sup>2</sup>

The deputies do *represent* the *nation*, albeit imperfectly, and there are no formal criteria that apply in this case. The nation is by definition constituent and sovereign. It can give a constitution to a new republic, even through the few people who claim to represent it. Here, representation does not mean substitution or identity. Rather, it means the *fact* of the mere presence of the deputies, and the *event*, in which these delegates to the king become sovereign legislators. Any such emphasis on fact indicates a desire to suppress history, forget the past, and deal with the datum. There is then, paradoxically, something deeply revolutionary in the appeal to the fact. This kind of appeal should be distinguished from any notion of “positivism,” since here “fact” means an eventful change of perspective, the possibility of what had been previously deemed impossible. (Hence, also, the oxymorons and paradoxes in revolutionary discourse, which thus conveys surprise.) Indeed, it has been shown that the very term “revolution” in reference to a political turmoil was censored, in the eighteenth century, because it connoted a *fait accompli* (Rachum 1999). The moment that Louis XVI admitted, in his well-known exchange with the Duke de Liancourt, that the events of 14 July were a revolution, he actually admitted that they had *happened*.

Let me now turn to the facts of the anti-communist revolution in Russia. Russia’s representative democracy was established not simply as a copy of the western model but as the result of a revolutionary development. One can argue, as I have elsewhere (Magun 2003: 1; Magun 2003: 2; Magun 2006) that the post-communist transformation in Russia was a *revolution* not only in name but also in essence.<sup>3</sup> Thus, its anthropological consequences—stagnation, melancholia, apathy, and internal struggle—closely resemble the situation in French society during the French Revolution (1789–1799). These consequences

follow from the primarily negative thrust of any revolution—the *negative* thrust that survives what it negates and turns the society against itself after its victory over a transcendent absolutist authority. The recent events in Russia draw our attention to revolution's negativity, particularly because in the Russian case the revolution was almost purely negative, almost entirely non-productive. They even allow us to redefine the concept of revolution, retrospectively, as something that is focused not on the utopian breakthrough, but on the fundamental process of destroying and dissolving the old regime. This entirely negative process has its own substance and result because the negative energy remains even after its work is done. Thus, if Claude Lefort (Lefort 1988) has suggested that we view the results of the French Revolution as the void in the place of power that delegitimizes anyone who holds it, we can add that, in the case of post-communist Russia, the delegitimation of power went even further, leading to the abandonment and disavowal of its "place."

I will now discuss the strange moment of this revolution—the transformation of Soviet representative bodies. In the eighties and nineties, the revival of the revolutionary democratic institution—the soviets (councils)—at first played the role of the constituent power that would create the new regime. This revival ended in a disaster, however: the soviets buried themselves along with the new Russian revolutionary democracy. The revived soviets became a representation of *protest* against the communist regime, an institutionalization of the negative energy of the society. As such, they were truly democratic, but after their victory over the Party and a short period of political creativity, they reverted to the expression of protest and resistance, now against the politics of the Russian president and his government. An analysis of their short history is instructive, especially given the attention that the revolutionary councils or soviets often receive as an alternative form of democratic representation (Arendt 1965, 232–75).

### **A Brief History of Soviets in Russia**

The Soviet Union, as is widely known, maintained the institution of revolutionary councils or soviets (which, however, had lost all real power to the Communist Party in the early twenties).<sup>4</sup> Soviets of workers' deputies first emerged in 1905, during the first Russian

revolution, on the basis of strike committees, and they often took on the task of local self-government. Although the soviets certainly had some roots in the communal culture of the Russian peasantry, no less important was the revolutionary reversal of a form that was created purposefully by the Moscow police.<sup>5</sup> In *Scenarios of Power*, Richard Wortman recounts how the Russian tsarist state created the workers councils as part of its project to unite the tsar with the people and thus solve the social question from above. As Wortman writes:

Finally, the police began to organize unions in the industries of Moscow. They arranged for elective district assemblies, and a workers council (*soviet*) for the entire city of Moscow. In the first years of the twentieth century the experiment of the police spread to other cities. Thus the tsarist administration, in resisting the appeal of revolutionary groups among proletariat, sanctioned workers' grievances and gave them their first lessons in political participation. (Wortman 2000, 370)

Obviously, this policy was based upon a corporate understanding of society, as ultimately embodied in the tsar—a model similar to the one that stimulated the medieval concept of representation.

In February 1917, when the second Russian revolution began, its leaders decided to reproduce these councils or soviets. The newly founded soviets of workers' and soldiers' deputies became an alternative center of power to that formed by the former State Duma (the so-called Provisional Government). After a period of diarchy, the Bolshevik Party carried out a coup against the government in order to give "All Power to the Soviets!" (*Vsia vlast' Sovetam!*), as the slogan of the time encapsulated their aims. For a while, it seemed to many people, including the Bolsheviks themselves, that the soviets were a viable form of democracy that could become the basis for a new workers' state. The soviets were in many ways different from the regular "parliamentary" type of representation. Unlike the parliaments, the soviets were thought of as bearers of *all* power (in Russian, *vsevolastie*). In technical terms (that were not employed), this meant that they were *sovereign*. At the same time, only the deputies to local soviets were directly elected. These soviets sent their delegates to Congresses of Soviets. The system was built as a continuous chain of delegation whose foundation was based on direct democracy. The Congresses of Soviets did not work permanently but gathered several times a year. The rest

of the time a permanent organ formed from their ranks (the *ispolkom*, or executive committee) assumed the supreme (not just executive) power. All voting was open. Except for *ispolkom* members, deputies served in the soviets on a non-professional, non-permanent basis.

Such an institution is clearly attractive not only because it emerges spontaneously and relies on the active segment of the people, but also because it provides a diffuse continuity – not a hierarchy – in the relations between deputies and their electorates. Arendt suggests that the reason the soviets failed was their involvement in actual management (Arendt 1965, 273). What doomed the soviets more directly, however, was their organizational weakness. The irregularity of their meetings, the non-professional character of the members, and open voting made the soviets easy to control and manipulate, particularly through their small but permanent *ispolkomy* (which were subordinate both to the soviets and to the central government of the Russian Republic). The “all-power” (*vsia vlast'*) accumulated in the soviets was used by the Bolsheviks to gradually establish the total, supreme power of their own party; they subsumed the soviets to the Party's dictate. The “Stalinist” constitution of 1936 introduced the secret ballot and direct elections to the so-called Supreme Soviet of the USSR. Soviets were now called “soviets of the working people” (*Sovety trudiashchikhsia*) – not soviets of workers', peasants', and soldiers' deputies, as they had been before. The Congresses of the Soviets were abolished. But this step in the direction of “parliamentarianism” simply meant that the soviets had lost all their meaning as organs of power. In 1977, the new constitution renamed the Soviets once more: this time, as the *Sovety narodnykh deputatov* (Soviets of People's Deputies). This meant that the Soviet state went even further in absorbing the ideology of parliamentarianism – although, of course, nothing changed in the actual (decorative) functioning of the institution itself.

In 1988, as a part of his more general program of democratizing the socialist regime, Mikhail Gorbachev, the new general secretary of the CPSU, decided to revive this institution. He made elections competitive, with all votes honestly counted. He forced the true power holders, the Party secretaries, to run in these elections, and he revived the Congress of People's Deputies (Shablinskiy 1997). Gorbachev and his liberal supporters also revived the slogan of 1917: “All Power to the Soviets!” They strove, first, to revive the mobilizational energy of the October Revolution, and second, to bring the system closer to the

Western political system, with its “rule of law” (*pravovoe gosudarstvo*). The same slogan was then taken up as a weapon by the pro-western deputies of the new congress, this time to challenge the rule of the Communist Party itself.

The new system was clearly an attempt to create a Soviet analogue of the western parliament. However, it preserved many features of the revolutionary (later powerless) soviets: a huge, rarely convoked, unprofessional congress; a mixed system of elections to the congress (a portion of the deputies were chosen by “social organizations”); the indirect election of a Supreme Soviet that met in permanent session; an imperative mandate with the right to recall deputies (*otzyv*); and, most importantly, an aspiration to the plenitude of power (Gorbachev’s revival of the Leninist motto “All Power to the Soviets!”). All of these features made the new congress a classic example of a *constituent power*, although hardly a stable parliamentary body. As subsequent events showed, this constituent organ would not give up its sovereign power easily.

Ironically, Gorbachev’s plan worked better, in a sense, than he could ever have imagined. The revived system of Soviets became a channel for expressing popular *anger*. This anger united the deputies—most of whom otherwise tended to focus on the problems of their home regions, in the good old tradition of estates representation. The congress, then, became truly democratic and truly representative of society: it not only represented its different groups but also aspired to constitute its political unity. TV coverage of the congress provoked mass rallies in the downtowns of big cities and nationwide political mobilization at all levels. Using the system of soviets in the Russian Republic (reformed after the Soviet model), Boris Yeltsin, Gorbachev’s reformist opponent, ultimately succeeded in rising to power and, after the failed August 1991 coup, in dissolving the Soviet Union and unseating Gorbachev. However, soon after this victory, there developed a conflict between Yeltsin and the Russian Supreme Soviet. The latter had broad authority under the constitution (“All Power!”). It used this authority to consolidate its power against the president and the economic and political reforms he advocated, trying instead to build a parliamentary republic and unseat the president. In 1993, the country faced a situation of diarchy similar to the one that had developed between the Russian soviets and the Provisional Government in 1917. The Supreme Soviet of the newly “independent” Russia, and particu-

larly its leader, Ruslan Khasbulatov, sometimes called themselves a "parliament." Sometimes, however, they emphasized that they were a "soviet." They thus tried to show the deeply national Russian roots of this institution (Khasbulatov 1993). However, the general line of the congress and the Supreme Soviet was their reactive opposition to the reformist policies of the president and his government.

Yeltsin and his advisors blamed the conflict on the imperfect structure of the soviets: inherited from the USSR, this structure did not fully correspond to the western model of democracy. The pro-western liberal media called for "desovietization," for a turn toward the "normal" parliamentary system, and for the separation of powers: they thus interpreted the new democratic soviets as the last trench of the "old regime." After a major clash between Yeltsin and the Congress of Soviets in 1993, which ended in the armed dissolution of the latter, a new constitution was approved by referendum on 12 December 1993. The system of soviets was destroyed and a contemporary western-type parliamentary system with very limited authority was erected in its place. Ironically, the lower house of the new parliament was called the State Duma, after the powerless government-controlled "parliament" of the post-1905 period, which had been overthrown by the revolutionary soviets. In the 1993 Russian constitution, many features of the Soviet system were suppressed: the very institution of the congress itself; the non-professional status of most deputies; and the relative ease in revoking the mandate of a deputy who did not fulfil his promises. The new constitution created a professional parliament that was perhaps more efficient at making laws but much easier for the presidential administration and the government to control and bribe. Soon after the Duma began to meet, in 1994, the Yeltsin administration started a war in Chechnya, whose militarized separatist regime had originally stemmed from the revolutionary democratic mobilization of the perestroika era. As the new Russia evolved, the Duma was successfully subordinated to the president and transformed into a bureaucratic, lobbyist organ.

### **The Question of "Spontaneity"**

In *On Revolution*, Hannah Arendt criticized the classic concept of political representation for alienating and demobilizing the subject.

Instead, she pointed to the phenomenon of revolutionary councils, which “spontaneously” emerged in all large European revolutions, particularly during the French Revolution of 1789–1799 (the so-called Parisian sections), the Paris Commune of 1871, the Russian revolutions of 1905 and 1917, and the Hungarian Uprising of 1956. According to Arendt, the councils provide an opportunity for self-government that is not direct democracy but that preserves continuity among the levels of representation, or delegation, and thus stimulates active political participation.

In the Russian post-communist revolution, the democratic institutions emerged out of the Soviet communist regime’s frozen, relict forms of representation. In the same way, the soviets themselves emerged in 1905 out of artificial, police-inspired organs for achieving social consensus. Likewise, the actors of the French Revolution came to power via the Estates-General, a medieval form of representation. This paradoxical development allowed a diffuse, network-like, mobilizational form of representation. The effect of this representation was largely *negative* and at times even paralyzing rather than constructive; this only means, however, that its primary function was to represent society’s internal rupture. The *temporal knot* formed by this revolution of representatives indicates that we are dealing with a fold in which the society turns towards and against itself. As events developed, this form of representation was suppressed and replaced by parliamentary representation, which created an abrupt divide between representatives and represented. After this critical watershed in the nineties, political democracy in Russia has been limited and even minimal, since the balance between too much and too little democracy has not been attained (at least at present). One might claim, however, that revolutionary representation’s potential for diffuse resistance remains (as may be shown) a hidden ground of legitimacy for the regime.

For Arendt, the councils, or soviets, were the truly revolutionary mode of government, an alternative to representation or a better species of it.<sup>6</sup> Arendt’s councils are an analogue to what Sieyès called “constituent power” – the formless, pre-legal sovereign democratic authority that precedes the constitution and the government and operates to create them. Arendt chooses the soviets because they provide a mode of signification based on contiguity – metonymy – rather than on metaphoric substitution. Similarly, Sieyès insists that the constituent representatives of the nation represent it simply by making

its part, a part that just happened to be in the right place at the right time. Thus, neither the superior qualities of the representatives nor the procedures of the nation's "reproduction" have any meaning. In French, this kind of "partial" representation could be expressed by the partitive form: *Il y a de la nation*. Clearly, partial representation is more democratic and more tightly linked to the specific situation (the event) that requires representation than is the procedure-bound election that aspires to reproduce society correctly.

In Arendt's account, the soviets emerge "spontaneously" (she repeats this word many times) through the "organizational impulses of people themselves," in a climate of the "swift disintegration of the old power" (Arendt 1965, 257).<sup>7</sup> For her, this means that in spite of the existing tradition of such councils, which dates to the Middle Ages, their emergence has never been planned in advance. But "spontaneity" also has the meaning of unconditional freedom, creation *ex nihilo*; and this meaning seems to be important for Arendt as well, since she speaks of the "miraculous" emergence of the soviets. However, this accent on "spontaneity" seems problematic in view of the critique of political subjectivity that Arendt powerfully develops in *The Human Condition* (Arendt 1958) and *On Revolution*. In *The Human Condition*, she argues against a view of the subject as author and owner of his actions, proposing instead the concept of action as *irruption* into the pre-existing chain of events. In *On Revolution*, she shows that revolutionaries face the paradoxical double task of (negative) destruction and (positive) foundation: this allows them to create a fleeting space of freedom that is difficult to preserve permanently. In many ways, deriving the revolutionary power from "spontaneity" means begging this paradoxical question and presenting the task of auto-constitution as a simple positive fact.

Arendt's apology of the soviets has found a more recent follower in Antonio Negri, particularly as he develops his argument in *Insurgencies* (Negri 1999). For Negri, the soviets are the only truly immanent political institutions: they synthesize political creativity with economic creativity (i.e., productive work) and destroy the juridical divide between state and civil society. Soviets are the constituent power in Sieyès's sense of the term, but a power that lasts continuously and does not disappear with the act of constitution. They are part of an alternative history of modernity, which is divided between emancipatory (immanent) and repressive (transcendent) currents that do

not allow for any mediation between them. For Negri, as for Arendt, the soviets are sites of true “spontaneity,” “invention,” and “activity.” According to him, the working class “invents” the soviets in the course of the class struggle. Both Arendt and Negri thus transpose the fiction of an absolute beginning from the formal constituted power to the formless constituent power. History shows, however, that the organs of constituent power do not emerge from a void. They usually build, in one way or another, upon the already existing institutions of the old regime. It is simply that the meaning and function of those institutions are radically reversed.

The constituent power often emerges not out of nothing, then, but rather out of the representative institution of an autocratic regime subsequently overthrown by it. This was the case with the Estates-General in France, the Russian soviets of 1905, and the degraded soviets in the USSR. The turn to these institutions often appears to be a restorationist, archaic gesture, since they are clearly outmoded, no longer corresponding either to the absolutist state or to the bureaucratic communist regime, respectively.

There is much in common between the revolutionary workers councils and the estates-based representation of the *ancien régime*: semi-imperative mandates; the non-professional character of representatives; an indirect, chain-like structure of delegation; and the right of recall. While the French *Constituante* emerged directly from the Estates-General, the “municipal revolution” that gave birth, among other things, to the Paris Commune also relied to a large extent on the *electors* to the Estates-General, a chain in the indirect mechanism of medieval representation (Furet and Richet 1973, 80–1). The soviets of 1905 had their roots partly in the attempts of the police to incorporate and regulate the workers. Even in 1917–18, the soviets were conceived as vehicles of estates- or class-based representation. The city soviet was a council of “soldiers and workers” since its members were elected proportionally only from these groups, in factories and army barracks. The All-Russia Congress of Soviets was also a congress of soldiers and workers, and the soviets of the peasants formed their own congress. Only after the Bolshevik victory, and not without a struggle against the Socialist Revolutionary Party that had prevailed in most peasant soviets, the Soviet congresses began to reunite the deputies of workers, soldiers, peasants, and Cossacks. Some ideologues of the 1993 Yeltsin constitution even call the soviets an “estates institution”

(Shablinskiy 1997, 19), ignoring the constituent democratic function of these bodies. The institution of soviets in the communist Soviet Union partly played the role of a king's court since it was a regular reunion of the country's elite, but it also gave deputies a real chance to address local, regional or professional problems that the country's leaders could be expected to resolve. In this latter sense it was not all that different from estates-based institutions or other representative bodies in autocratic countries.

History shows that the estates and the councils can be transformed into each other. Both of them are alternatives to parliamentary representation with its mask-like substitution of representative for represented. Instead of this logic of substitution, estates and councils are based on a loose contiguity of delegation. However, the medieval estates are manifestations of complaint and protest, while the councils are organs of *rule*. The transformation of estates (or even ritualized communist soviets) into revolutionary councils means that a negative and passive stance is converted into a positive, active one. This conversion is, however, easily reversed. What is important here is the very link between representation and the revolutionary *event* that changes (converts) its meaning to its opposite: a descendant model of power is turned into an ascendant model; an analytic representation of social groups, into a "synthetic" representation of unity; the passive representation of complaint and interest, into the active representation of constitution and foundation.

The prefix *re-* in "representation" designates opposition, repetition, and temporal reversal. Where there used to be an absolute, transcendent authority, now there is a *fold* or a *knot*, a site where self-government (or subjectivity) arrives at a temporalized paradox or aporia. Revolution — this is well demonstrated by Arendt (Arendt 1965, 45) — essentially implies a turn to the past, a will to "restoration" that aspires to self-constitution but cannot help stopping and subverting the present by this very turn. Moreover, revolutionary representation generates a topsy-turvy world, a world stood on its head (this is Hegel's figure for the French Revolution; Hegel 1956, 447). This sense of a topsy-turvy world symbolizes the resistance to representation or symbolization implied by the revolutionary moment.

## Conclusions

We thus need a historical concept of representative democracy, instead of a formalist, legalist concept. Democratic legitimacy is derived from revolution; it is therefore finite and historically concrete.<sup>8</sup> The formalist concept of representative democracy does not work because it is a logical contradiction, the site of an aporia (like many other modern political concepts such as natural law and popular sovereignty). Democratic legitimacy is based on the *event* of liberation, on a negation and, even, inversion of the past.

We cannot fully separate the positive, constructive side of representation from its negative, passive aspect. On the contrary, political power is acquired only through protest and resistance, which may (or may not) gradually crystallize into the structures of rule. The negative side of revolution precedes its positive side, and it therefore should not be disavowed or rejected. Thus, the “spontaneity” that Arendt detects in the councils is intimately linked to the “swift disintegration of the old power” (Arendt 1965, 257) — a link she shrewdly mentions but does not develop. In the earlier chapters of *On Revolution*, Arendt persuasively shows the clash of violent, destructive tendencies in the French Revolution with its creative, foundational aspects. The same was true of the soviets. Thus, Oscar Anweiler speaks of their “double function”: self-government *and* continuous political work aimed at overthrowing the existing powers. Soviets were organs both of self-organization and of political dissolution (Anweiler 1972, 68). After their victory, the Bolsheviks did not manage to undo the insurrectional essence of the soviets, which led to the 1921 Kronstadt Rebellion and the suppression of the soviets’ independence.

It is important that democratic representation follows not only the *spatial* logic of gathering provincial deputies in the center, but also the *temporal* logic of referring to a past (but not entirely past) event. Time is the sphere of loose, indeterminate, internal borders, which corresponds better to the representative model of councils than to the hierarchical representation of the parliamentary type. The reference to the past, which is inscribed in the revolutionary constitution of representative democracy, introduces a creative indeterminate asynchrony into this representation. For example, Yeltsin’s clash with the Russian Supreme Soviet in 1993 was a clash of forces elected at two different moments in the development of the post-communist revolution. Un-

fortunately, the current Russian political regime has contrived to hold the legislative and presidential elections within half a year of each other, which facilitates the subordination of the Duma to a popular president.

The *form* of representation is never self-sufficient. The most wonderful institutions can reverse their meaning entirely; organs of democratic mobilization can become instruments of hierarchical rule, and vice versa. Therefore, we should always keep an eye not only on the form but also on the *fact*. When one institution ceases to be democratic or representative, there may be another institution that is representative but not democratic; or there may be yet another, which is democratic but not politicized, which does not represent the unity of the country. One has to democratize representation and to represent the democracy. Thus, today's mass media are organs of representation and therefore of political power; in this sense, they are much stronger than most parliaments. Why not democratize them? And meanwhile, why not further politicize the Internet, which is already quite democratic? A fact can thus be constituent of representative democracy without being sufficient for its realization, since it has yet to be *reoriented* through a revolutionary event.

NOTES

1. On this question, see Arendt 1965, 161–4; Derrida 1984; and Honig 1991.
2. Similarly, Martin Nilsson, in his *History of Greek Religion* (Nilsson 1964, 87), notes that the ritual of purification and expulsion of the abject things not subject to sacrifice also does not require “ideality of execution”. This act is truly constituent of the society that affirms its limits through it. As such, it cannot follow a strict procedure. Cf. Mikhail Iampolskii, *Vozvrashchenie Leviafana* (Iampolskii 2004, 698).
3. On the revolutionary essence of post-communism in Russia, see also Mau and Starodubrovskaya 2001; and Sogrin 1999.
4. On the history of the soviets during the so-called Soviet period, see Korzhikhina 1995.
5. This is Alexander Skirda’s argument in *Vol’naia Rus’: ot veche do sovetov* (Skirda 2003). This book, an anarchist apology of the soviets, is yet another attempt to construct an eventless continuity of political institutions throughout Russian history.
6. Arendt hesitates over whether to call the councils a form of representation or not. Thus, she actually speaks of the structure of councils as ultimately “representing the whole country” (Arendt 1965, 267).
7. Arendt derives her emphasis on “spontaneity” from Oscar Anweiler, her main source on the history of soviets (Anweiler, 1972).
8. Jacques Derrida rightly notes that the question of representation is essentially tied to the constitution of a historical epoch, to its “mission” and “destiny” (Derrida 1987). It is not by chance that for Sieyès, in *Qu’est-ce-que le Tiers Etat*, representation is also a matter of a particular *epoch* (Sieyès 1970, 178–9).

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## CHALLENGING THE HETERONORMATIVITY OF TOLERANCE PLURALISM. ARTICULATIONS OF NON-NORMATIVE SEXUALITIES<sup>1</sup>

**Antke Engel**

...we refuse the discourse of identity that seeks to allocate belonging through a certain articulation of difference – the type of discourse whereby difference is tolerated by the dominant order as long as it is encountered only in ethnic restaurants, incarnated in hairdressers but not sons; difference taught in its own separate class but not across the curriculum; difference eulogized in the liberal strains of ‘being’ it does not matter which’ ...‘Some of my best friends are\_\_\_’ (Probyn 1996: 29).

In late modern western societies the regulation of sexuality occurs not so much as repression and exclusion, but rather as normalization and integration. Homosexuality, for example, enjoys a certain cultural visibility and social acceptance. However, as Elspeth Probyn points out above, this is issued as an advocatory and complacent gesture from a majoritarian position. In this way, Anne Phillip explains, tolerance enforces rather than challenges inequalities and power differences between majorities and minorities. She writes: “... since majority groups rarely conceive of themselves as requiring equal doses of tolerance from the minority they may come to wear their toleration as an additional badge of superiority” (Phillips 1999: 129). According to Phillips tolerance promotes indifference in the form of the ‘live and let live’ principle that supports the avoidance of the dominant group to confront its own privileges and values or to gain an understanding for other positions.