In the King's Shadow

The Political Anatomy of Democratic Representation

Philip Manow

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Philip Manow

Translated by Patrick Camiller

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1
Does the Republic Have a Body?

Rex est populus: this is how Thomas Hobbes summed up his theory of political representation during the years of the English Civil War. This conception of king as people, 'because the people manifests itself as a unit through the single royal will' (Duso 2006: 24), was directed against the Parliamentarians, who, in their polemical writings, ascribed the function of 'representing the kingdom as a whole' to parliament rather than the king (Skinner 2005: 163). The English Revolution ended in a constitutional compromise, which left the king – and the House of Lords – with their eminent function of representation. In the French Revolution, however, the idea of an exclusively parliamentary representation of the new sovereign, the people, triumphed over the principle of (full or partial) monarchical representation of the nation. Now 'the Convention is the People' (quoted from Heurtin 2005: 768): that is, the people manifests (and constitutes) itself as a political unit through the popular will expressed by parliament (see section 3.2 in chapter 3 of this volume). Although not completely undisputed, this idea of parliamentary representation of the sovereign people still dominates our democratic imaginary. In 1962, in a speech in the French Assemblée Nationale, Paul Reynaud explained: 'In all civilized countries, parliament is seen as the representative of the nation. When the elected deputies debate and vote, they have this special quality of representing the nation. For us republicans, France exists here and nowhere else.' This did not go without contradiction in the Assembly. Deputy Roulland protested: 'It [France] is not only on your side', while Guillon declared

that ‘France exists in the people’ (all quotes from Mopin 1998: 159).

According to the mainstream self-image of democratic societies, the sovereignty shift from monarch to people and its parliamentary expression largely put an end to the ceremonial, spectacular or theatrical side of rule that was so characteristic of the *Ancien Régime*. The spell of monarchical imagery appears to have given way to democratic rationality and sobriety. Modern democracy is essentially ‘post-metaphysical’ (Habermas 1992a), an inheritance of non-figurative rational law, and it is therefore fundamentally iconoclastic. The clearest evidence of this is supposedly the fate of the premodern theory of the king's two bodies – a mortal physical body and an eternal political body – which was central to the constitutional order of the *Ancien Régime* and was frequently depicted in lavish scenographies of royal rule. This two-body theory, it is argued, now strikes us as alien and outlandish; it evidently lacks a modern democratic equivalent. Even Foucault, a resolute critic of the Enlightenment and more sensitive than anyone to the social-political role of the body, comes to the conclusion: ‘There is no body of the Republic […]. It [the Republic] never operated in the same manner as the King's body under the monarchy’ (Foucault 1978: 28; 1980: 55).

The republic consists of individuals who become numbers in the democratic ballot (Rosanvallon 2006; Gueniffey 1993; Crook 2002) – but does it have a body? The abandonment of the idea of a body politic is often said to mark the transition from personal rule to modern representative democracy. Democracy ostensibly begins ‘with the end of all “mechanisms of embodiment” ’ (Charim 2006: 16), or goes together with a ‘disembodiment of power’ (Lefort 1988: 17), or ‘is instituted as a society without a body’ (ibid.: 18).

The following chapters will attempt to show that the body politic, though so often pronounced dead, remains alive in democracy, or at least has an afterlife. In many respects, the idea of popular sovereignty is an intellectual replica of the idea of monarchical sovereignty (cf. Kielmansegg 1977) and therefore by no means escapes its influence. Bertrand de Jouvenel put this well when he wrote that the king did not at all disappear as a result of the French Revolution (cf. Schmitt 1969: 195, fn. 119; Schmitt 1971). According to the *Ancien Régime*'s constitutional doctrine, the ruler had the task of *representatio in toto*: he 'symbolizes the unity of society and embodies the state's capacity for action' (Schmitt 1969: 189–90). Parliament, on the other hand, had the function of representing the particular interests of the estates (*representatio singulariter*) vis-à-vis the king. With the Revolution, then, the king disappeared as an institution but not as a function, since parliament took over the *representatio in toto*. 'The king did not disappear: the legislator is his successor as representative of the national interest. What did disappear, however, was the representation of individual social interests' (Schmitt 1969: 195, fn. 119). But this has consequences for the possible symbolic forms of parliamentary representation *in toto*, which, as we shall see, imitates many of the forms of royal representation. The following chapters will thus deal mainly with the memory traces that monarchy has left behind in the practices of democracy, and hence with the survival of pre-democratic conceptions within democracy. This survival is especially apparent in the idea of the body politic and its semantic re-casting within the democratic polity.

In general, popular sovereignty is first of all understood negatively, in the sense of a critical counterposition to absolutist sovereignty (cf. Raynaud 2001: 869). But this means that the concept is bound up with what it criticizes,

including at the level of public ceremony and the forms in which the concept of the people is represented as the new sovereign in democracy. These forms often express the idea of rule by a political body of the people. Strictly speaking, this image of the people as a single political actor is no less a phantasm than that of the king's dual body, but its confirmation and reinforcement through continual stage management have the effect that it is seen not as a product of ritual ceremony but as a natural, self-evident part of the practice of democratic rule – just as the royal *lit de justice* was seen in the *Ancien Régime* not mainly as a ceremony but as part and parcel of the monarchical system of rule.

'The idea of a social body constituted by the universality of wills' – on this we can agree with Foucault – is the 'great phantasm' of democracy (Foucault 1980: 55). We shall argue in this book, however, that this phantasm of a single democratic body is to be found mainly in the staged unity, dignity and sanctity of its political representation, which in turn borrows from *Ancien Régime* imagery of political sovereignty. A number of empirical examples will substantiate the point that the body politic lives on in democracy. The main focus will be on the physical representation or imagery of democratic rule, and on what this tells us about implicit theories of democratic representation. The questions at issue may at first appear tangential. For example, why did the semi-circle become the main seating plan for parliament after the French Revolution? Why did it take so much longer in England than in France for parliamentary debates to become public? How did the principle of parliamentary immunity actually become established? What explains the idea that the relationship between parliament and *demos* should be proportional? Why do we think that parliament should mirror the diversity of society as closely as possible? How do we mark the beginning and end of a parliamentary term,

when parliament is authorized to represent the people and when this authorization is withdrawn? Why does the legislative process break off at the end of one term and start up again at the beginning of another?

However tangential these questions may appear, there is method in this choice. Certain outdated practices that fit awkwardly into the new order make it especially clear how democracy has developed out of the form of rule that preceded it. Human beings are seldom more inventive than when they attribute *a posteriori* new reasons to an old practice, new meaning to something that has become meaningless. But, precisely because stagnant practices on the fringes of parliamentary democracy have been only incompletely transformed, they are especially amenable to our 'hermeneutics of suspicion'.

The following chapters, however, examine not only the new double body in the democratic polity (that is, the people and its parliamentary image) but also the bodies of contemporary politicians and their media stagecraft. Many qualities of the representative parliamentary body – for example, the claim to a special dignity and inviolability – are in evidence here too. Political charisma still seems to convey images of a political gift of grace, an 'electness' that is only subsequently confirmed in the democratic ritual of election.

In short, the central thesis of this book is that modern democracy is not *post*-metaphysical but, so to speak, *neo*-metaphysical. All political power – and therefore also democracy – requires and produces its own political mythology: 'A completely disenchanted world is a completely depoliticized world' (Geertz 1985: 30). Every kind of political rule operates in the context of a symbolic order that legitimates it ('No power that is not ostentatious', Lefort and Gauchet 1971: 98[1]) and sanctifies

it. At all times, ‘domination and salvation (*Herrschaft* and *Heil*)’ (Assmann 2002) are tightly enmeshed with each other. ‘Power gains its strength as much from the real means at its disposal as from the continual effects of familiarization and fantasy; it needs rational authority and magical influence; it must operate […] with visible instruments and from an unknowable world above’ (Jacques Necker, quoted in Gablentz 1965: 193).

It is a prejudice of our ostensibly enlightened age that this truth applies only to other times and places. But the disenchantment of the old order that accompanied the democratic revolution brings a complementary enchantment of the new democratic order. Carl Schmitt thought that each age has a political order that corresponds to its mythical beliefs (Schmitt 1985a). The material below will illustrate the opposite, and to my mind more plausible, thesis that each age has mythical beliefs that correspond to its political order. If talk of political theology is relevant in this context, then it does not mean, as in Schmitt, the secularization of originally religious concepts through their political application, but rather – as in Jan Assmann (2002) or Jacob Taubes (1983) – the imparting of a religious charge to originally secular-political concepts.

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and 2006 in the German review *Leviathan*.[2] I would like to thank the *Leviathan* editors warmly for their permission to reproduce the two texts in question.

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Notes

1 For Lefort and Gauchet (1971: 98), the symbolic or 'ostentatious' elements of power include a distinctive use of language, an emotive wielding of prestige and an appeal to a legendary past. See also Rolf (2006: 46): 'Domination […] does not exist simply as a political entity beyond its self-proclamation.'

2 'Der demokratische Leviathan – eine kurze Geschichte parlamentarischer Sitzanordnungen seit der Französischen Revolution', *Leviathan* 32(2) (2004): 319–47; 'Die politische Anatomie demokratischer Repräsentation', *Leviathan* 34(2) (2004): 149–81.

2
Parliament as Body Politic – House Seating Plans

2.1 Does democracy have no imagery?

A number of recent works testify to a growing interest in parliamentary architecture.[1] What strikes one most about this literature, however, is that it makes scant if any reference to one central formal element: the parliamentary seating plan. As far as I am aware, the only academic contributions that specifically focus on it are those by Goodsell (1988) and Döring (1995a).[2] Both of these authors hold the view that parliamentary seating arrangements cannot be explained on purely functional grounds – for example, to make it easier for speakers to be heard or seen – but are also, or even mainly, the expression of a political culture that they themselves partly help to shape. Thus, the fact that the government and opposition benches in the British House of Commons face each other is thought to reflect an adversarial conception of democratic political debate (cf. Interparliamentary Union 1976: 258), whereas in systems more geared to concordance the semi-circle is seen as a more appropriate expression of the proportional representation of all political forces (cf. Döring 1995a). To some extent, the opposite of the 'form follows culture' argument applies here too; architectonic form is said to have itself influenced parliamentary and political culture. However convincing the arguments of Goodsell, Döring and others may or may not be, it is truly surprising that the central locus of political rule in modern Western societies –

the ‘most prominent institution in the democratic separation of powers’ (Beyme 1992: 33) – should scarcely have been considered in respect of its symbolic-representational shape. It is true that, alongside the growing literature on parliamentary architecture in general, there have also been contributions on parliamentary symbolism (Patzelt 2001) and iconology (Reiche 1988), rituals and ceremonies (Müller 2003; Mergel 2002). But the shape of the plenary chamber itself, and especially its seating plan, have until now been rather shabbily treated.

This observation also largely applies to approaches that are rooted in the history of art or iconology. Such work considers whether the extensive programme to legitimate and represent political rule by means of pictures, gardens, castles or fireworks, as well as other public spectacles such as theatrical performances and ceremonies, changed in the transition from monarchical absolutism to democratic society (Burke 1993). What took over from the exuberant displays of the past? Which pictorial imagery is associated with ‘pomp and politics’ (Paulmann 2000) in modern democracies? When the king and his court no longer literally embody political power (Kantorowicz 1957 [1998]), what appears in their place? Or does nothing appear in their place?

The usual answer to these questions is simply that democracy has no imagery. After the break with the ‘traditional ways of representing unity and community in the society’ of late absolutism, modern democratic systems found themselves on the horns of a dilemma, caught between ‘the impossibility and the indispensability of symbolic representation’ (Klinger 2002: 224); they faced the insoluble problem of the ‘visualization of popular authority’ (Falkenhausen 1993: 1019). In democracy the ‘locus of power […] cannot be represented’ (Lefort 1988:

17); it proves to be an ‘empty place’ (cf. de Mazza 2003). This preclusion of figurative representation is held to be a ‘characteristic feature of democracy’ (Koschorke et al. 2007: 251); democratic rule clusters around an empty centre, an ‘imaginative vacuum’, a ‘space without images’ (ibid.). So the mainly sceptical judgements conclude that democracies ‘find it difficult to become visible’ (Arndt 1992: 58): indeed, it is thought to be an expression of the pluralism of modern democratic societies that they are unable to agree on a unified image programme (Beyme 1996: 31), with the result that their ‘self-image’ is inevitably ‘modest’ (Beyme 1992: 45). The renunciation of ‘pithy, aesthetic depictions’ is a curious ‘shortcoming’ and an ‘embarrassing weakness’ of democracy (Grasskamp 1992: 7, 9). These sweeping negative statements make it all the more surprising that a more careful image analysis has not been made of the central locus of modern political rule, the democratically elected chamber of deputies.

On closer examination of parliamentary seating arrangements, we shall see that it is overhasty to judge modern democratic rule as devoid of imagery. Our main argument will be that such arrangements precisely manifest the ‘afterlife’ of a political theory and theology in which the (sacred) body politic is the central element. If this is true, it has implications for our understanding of the functional prerequisites of modern democracies, as well as for their cultural roots, which will be briefly discussed at the end of this chapter.

This chapter is structured as follows. To begin, an inventory of the diverse parliamentary seating plans in developed democracies shows that there are two basic forms (and two elementary variations). The first is familiar from the House of Commons, with its facing government and opposition benches and its Speaker's rostrum in the middle of the end wall. This plan contains features that remind us of the

representation of medieval estates, which were dominant in classical European parliaments before the French Revolution (cf. Myers 1975), even though such a direct pedigree is absent in the British case. The second, 'modern', form is that of the French semi-circle, which came to be accepted in most Western democracies after 1789.

A third section then examines the various hypotheses used until now to explain why a particular nation opted for one or the other form. A fourth section addresses the long-ignored continuities of imagery and symbolism in the hemispherical form, which suggest a new explanation for the actual variations. Finally, a brief look at the main implications of my argument for the theory of democracy brings the chapter to a close.

2.2 Basic parliamentary seating plans and how they came about

In order to clarify the empirical phenomenon about which we are speaking, we should first present the spectrum of parliamentary seating plans and identify how they differ from one another. This will also require us to reconstruct the chronological development of these forms as precisely as possible.

Let us begin with a general point. Before 1789, the dominant model for parliament involved a rectangle, with the monarch seated at one end (as the 'focal point of attention', Goodsell 1988: 293), and the first and second estates (clergy, nobility) seated on benches along the sides to his left and right. In some cases, representatives of the third estate (mostly city dignitaries, sometimes big landowners) sat opposite him.[3] After the French Revolution, the dominant schema changed to that of the