society but also the cleavage between politics and society. While recognizing that "there is ever greater involvement and participation of civil society in political life" (p. 254), he also contends that unlike the old labor movement, such collective agents believe that "their primary purpose is not to defend the interest of their members" but "to identify issues and exert pressure on governments" (p. 65). They fit well in an age in which politics is oriented to deal with situations, more than to produce stable organizations. If until the 1970s, according to the author, the political nature of social struggle remained central, "this is no longer the case" (p. 66).

Rosanvallon, however, fails to take into account a practice of continuous interaction between institutions and social movements, where social movement organizations not only are considered as negotiators for some interests (or identities) but also actively take part in various forums and at various levels in the complex mechanisms of public governance. Even though the relationships between parties and movements are indeed characterized by reciprocal mistrust, social movement organizations, far from concentrating only on the role of surveillance, interact in complex ways with political institutions. Their participation in democracy is therefore not limited to "countering" the decisions made from above but also involves the promotion of public policies, the construction of new political institutions, and the prefiguration of an alternative form of politics "from below."

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The developed democracies today would seem to be enveloped in paradox. On the one hand, democratic constitutionalism is now hegemonic: It faces no credible ideological challengers, and none appear likely. Broad public support for democratic values is wide and deep. Political battles are, for the most part, fought with reference to democratic norms. Rights discourses are entrenched, public spheres are lively, associational life is vibrant, advocacy groups oversee the margins, and public demand for, and oversight of, government performance has never been higher.

On the other hand, in most of the developed democracies, we are seeing shifts in the nature and form of political engagement that generate broad dysfunctions. Rates of participation in the formal institutions of democracy such as voting are low and stagnant, while citizen distrust of politics, politicians, and political institutions is higher than it was half a century ago. Popular disaffection and anger is more evident. Elections fail to form governments with clear, legitimate mandates; they increasingly serve not to focus the future, but as referendums on the past. Decision makers are left to manufacture legitimacy, policy by policy, typically in response to advocacy groups, and often contrary to election platforms. Of course, government in response to pressure groups is not new—certainly not in the United States. What is new is the intense organization of public advocacy in response to virtually any positive initiative or plan by government, even in response to broadly conceded crises. Government responsiveness to public pressure too often produces gridlock, and governments have difficulty governing at all. Under these circumstances, "democracy" enables obstruction to such an extent that government of the people, by the people, and for the people is continually and constantly undermined.

Pierre Rosanvallon's remarkable achievement is that he shows that these current dysfunctions of democracy are *problems,* but they are not *paradoxes.* They are neither deeply challenging to democratic norms nor historically unprecedented. Rather, they are a consequence of a distrust of power that is, in itself, both deeply liberal and deeply democratic (p. 24). The project of the book is to rehabilitate distrust of power as an essential dimension of democracy, and to frame the question as to how distrust should be organized so that its democratic potentials might be captured. The term *counter-democracy* names the phenomenon and summarizes the ways in which distrust of power is—and has been—expressed and organized within democracies. In short, according to Rosanvallon there is nothing

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deeply wrong with our democracies. But there is something wrong with our understandings of how democracies work, which in turn limits our capacities to transform contemporary problems into opportunities.

Rosanvallon's approach is based on a simple and compelling functional conception of what "democracy" is. Democracy rests on three "pillars" (pp. 313–14). The first is the familiar territory of most democratic theory, and comprises the institutions and practices of citizen participation, expression, and representation. The second is the topic of this book, the organization of distrust, or "counter-democracy." The third is "theoretical political practice" aimed at "elaborating the rules that define a shared world" (p. 291). These three dimensions correspond, roughly, to the means of inclusion of all affected in collective power, the checking and constraining of common power, and the making of common decisions. From a functional perspective, these dimensions are sufficient and exhaustive of democracy: Any system that carries out all three functions will work democratically. As Rosanvallon frames the problematic, politics in contemporary democracies has become so diffuse and opaque that the first two functions fail to issue in the third: the making of common decisions. The breakdown is occurring because the complexity of contemporary democracies results in organizations and decisions that are neither visible nor comprehensible to citizens. He coins the term "unpolitical democracy" (pp. 22–24) to refer to systems that have the institutional attributes of democracy, but which fail to transform the dimensions of inclusion and distrust into "reflective and deliberative activity aimed at elaborating the rules that define a shared world" (p. 291). Under these circumstances, distrust becomes, as it were, institutionally unbound—producing, at worst, populist politics of accusation and denunciation without vision.

In democratic theory, it has always been clear that, for it to become more than an abstraction, "the people" requires positive constitution through political institutions of participation and representation. Rosanvallon's analysis suggests that well-functioning democracies must also organize distrust by constituting the people as an entity that can oversee, check, and judge power. Much of the book is given over to a history—a genealogy, really—of the organization of distrust, or counter-democracy. The analytic core of the genealogy is comprised of a typology of three classes of counter-democracy, distinguished by their functional roles in a democracy.

The first of these involves "overseeing democracy," and is comprised of "counter-powers" through which a society checks power—including the tendencies of representative government to become corrupt, distant, elitist—and through which democracies can "correct their course and enhance their stability" (p. 13). The activities of oversight include vigilant attentiveness to politicians and government—a classical republican virtue—which compensates for the "arrhythmia of the ballot box" (p. 33). Denunciation, another form of oversight, serves to uncover scandals, induce transparency and accountability, and focus public officials on their reputations for trustworthiness. Finally, oversight can also function more positively, taking the form of benchmarking, comparison, and evaluation of government service providers, of representatives, and, indeed, of democracy itself. From an historical perspective, oversight predates modern democracy: Rosanvallon notes ancient Greek and Roman precedents, as well as medieval forms of communal oversight. In modern times, oversight was primarily a liberal innovation, designed to avoid tyranny by limiting power. Britain perfected three kinds of liberal control: oversight by the opposition, parliamentary investigation, and the influence of public opinion organized by a free press. The United States added a further mechanism, judicial review and oversight of the constitutionality of legislation and administration (p. 103).

Since the 1970s, however, these liberal "internal" forms of oversight now compete with oversight that has migrated into society, and whose agents are the media, nongovernmental organizations, and other activists claiming to represent the people against government power. Rosanvallon welcomes these developments: They "exhibit an *ethos of democratic oversight,* which results from the mutual interaction of public agencies, independent monitoring organizations, and political activists" (p. 74; emphsis in original). But the ethos has developed together with a weakening legitimacy of electoral majorities. The challenge is to translate oversight into responsiveness from government, in such a way that this new ethos can contribute to democratic legitimacy (pp. 117–18).

A second class of counter-democratic functions Rosanvallon terms "prevention": the capacities of a society to resist the "positive sovereignty" of elections and legal institutions with the "negative sovereignty" of civil society (p. 14). Ideally, the reservoir of mistrust within society can be organized as a "critical sovereignty" that provides the capacities for a society to carry out two important democratic functions. A democratic society needs the capacity to enforce through veto, structurally speaking, the democratic norm first found in the Justinian code: *Quod omnes tangit ab omnibus approbatur*—"What touches all should be decided by all" (p. 125). And a democratic society needs a capacity for self-criticism. Ideally, organization of critical sovereignty enables a "reflective democracy," in which the peoples' potential powers of veto evoke public justification of decisions as well as corrections of course between elections.

Rosanvallon's genealogy is particularly interesting here: Throughout the Middle Ages, rights of resistance were primarily moral in nature, aimed at instructing rulers that they ought to avoid tyranny. The early modern period up through the French Revolution, however, witnessed

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arguments for combinations of prevention and oversight that would positively empower "negative sovereignty." In 1791, Louis-Charles de Lavicomterie suggested modern tribunes with powers of popular veto and sanction (p. 137), and Fichte suggested an "ephorate" with the similar functions (pp. 142–47). But experiments with institutionalized prevention faded after the late eighteenth century. The concept of an institutionalized "negative power" was lost, replaced by the "simplistic alternatives of representative and direct democracy" (pp. 147–48). The nineteenth century saw committed rebels and principled dissents, such as Thoreau and Emerson. But today, these principled sources of critical sovereignty have collapsed as well: "[C]ritical sovereignty survives only in a relatively impoverished form; it has become narrowly negative and even at times regressive. As democracy is weakened, politics has come to be dominated by negativism and intransigence" (p. 172), which often seems to function as "a substitute for direct democracy, a kind of *regressive direct democracy*" (p. 186; emphasis in original).

The final class of counter-democratic practices consists of "judgments": demands for specific forms of accountability which have grown more intense as the apparent responsiveness of political systems declines. Rosanvallon's take on the oft-noted judicialization of politics is optimistic: The popular demand for "judgment" today "reflects more than mere disenchantment with 'electoral politics.' It has to do with the fact that a judgment is a special kind of decision" (p. 230), a kind focused on specific performances, and which produces specific forms of accountability and evokes very specific reasoning processes. In contrast to general electoral mandates, judgments can be shaded, intermediate, targeted. Owing to these characteristics, citizens may see court decisions as more precise, mature, justified than those of the ballot box—a possibility that may account for the fact that in the United States, citizens consistently judge the "undemocratic" Supreme Court as the most legitimate, trusted, and respected of political institutions.

As with other dimensions of counter-democracy, the democratic challenge is to institutionalize judgment in politics as it is institutionalized in law so that it is precisely calibrated and focused on particular policies and performances, rather than on generalized accusation and denunciation. Again, much of the strength of Rosanvallon's analysis stems from his historical perspective: Institutionalized popular judgment has deep precedents, including Athenian juries, impeachment proceedings, "trials" of policies in the "court of public opinion," and—last but not least—elections, insofar as they function as judgments of the performance of incumbents. Thus, instead of "positing a simplistic opposition between law and politics, we would . . . do better to explain the various types of coordination that regulate the relationship between two forms of action that are both political. . . . What is really distinctive about the powers of judgment has to do with the type of dialogue they elicit and help to institutionalize" (p. 247).

The most difficult and important task of every good work of political theory is the diagnosis of a broadly recognized problem, framed in such a way that solutions come into focus. In this respect, Rosanvallon's book is brilliant: He gathers together a myriad of troubling, well-known evidence about political complexity, opaqueness, and congestion and fits it together with equally well-known facts about citizen disaffection and anger. He names the pathology: He calls it "unpolitical democracy," a term he uses to identify not the lack of either politics or formal democratic institutions but, rather, a condition in which actions cannot be related to common problems, narratives, and rules, such that the people might be said to rule themselves (p. 22).

Given this diagnosis, the general recommendations are quite clear. The first follows from the notion of counter-democracy itself. Counter-democracy is part of the problem insofar as it identifies the fusion of "positive elements of growth in social power with populist-reactive temptations" (p. 23). But it is necessarily part of the solution insofar as it names the modes of oversight, resistance, and judgment that are, and always have been, essential for constituting the power of the people. What we must do is find ways of channelling counter-democracy into effective venues and institutions, the forms of which already exist in the press and other media, institutionalized opposition and oversight, nongovernmental organization watchdogs, government performance measures, and the like. Such channelling, however, must be linked to "politics": "The whole problem of democratic politics lies here: it cannot substantively exist without effort to make the organizing mechanisms of social life *visible*" (p. 310; emphasis in original).

This is no small order, and Rosanvallon is merely suggestive. Fortunately, his suggestions dovetail nicely with much recent innovative democratic theory and practice of the kind that seeks democratic supplements to electoral democracy. He mentions, for example, the practices of participatory budgeting first devised in Porto Allegre, Brazil (p. 294), and alludes to what now amounts to a contemporary renaissance in institutional imagination and practice, including citizen forums, citizen juries, consensus conferences, and citizen assemblies. There are probably over a hundred distinct kinds of participatory processes, with tens of thousands of such occasions. These processes represent the participatory side of "governance": the devolution of decisions to their stakeholders and affected. Ideally, they capture the political potentials of societies that, Rosanvallon rightly notes, are now more capable than ever of "horizontal coordination, of organizing themselves without recourse to supervisory authorities" (p. 262).

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While the author's framework supports these developments, his theoretical innovation is to link them to counter-democracy: the ways, means, and conduits of citizen oversight, surveillance, productive resistance, and judgment. Productively channelled, counter-democracy should function to endow governance-based participation with democratic credentials, not least because they guard against co-optation, merely apparent participation, and participation without power. Under the best of all possible outcomes, the resulting democracy will be highly pluralistic, horizontal, differentiated by issue and function, and complex.

Given how good this book is, any criticisms will seem nitpicky, and, mostly, beside the point. I shall register just one, though it is not one that challenges the argumentative framework of the book. The term *counter-democracy,* though it catches attention, is misleading. The phenomena Rosanvallon groups under the term are, mostly, quite essential to democracy itself. Only under certain conditions do oversight, prevention and resistance, and judgment produce consequences that actually run counter to democracy. Mostly, they are about organizing polities in such a way that those affected by decisions are included by way of inducing responsiveness from those who hold power. "Counter-democracy," as it turns out, is democracy. But whatever these democratic functions are called, this book is a rare combination of clear-eyed realism and democratic optimism. And it provides a simple and elegant view of democracy that both diagnoses its current pathologies and indicates the way forward.

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