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Contents

Pli 17 (2006), 1-21

Biological Sovereignty

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Whatever Life

One of the hallmarks of contemporary U.S. biodefense policies has been the implosion of emerging infectious disease and bioterrorism, a strategic collapsing of a distinction in favour of a unanimity in effect. This is nowhere more evident than in the conceptual – even ontological – articulations of the language of biodefense. For instance, the U.S. 2002 Bioterrorism Act contains at numerous points a refrain, one that can also be heard in other national and homeland security documents: "bioterrorism *and* emerging infectious disease." The opening sections of the Bioterrorism Act give public health administrators the ability to develop strategies "for carrying out health-related activities to prepare for and respond effectively to bioterrorism and other public health emergencies, including the preparation of a plan under this section."[1] Here, the conjunctive "and" plays a central role in the document as a whole, implying a certain quality of *whatever* (the notion of "bioterrorism and emerging infectious disease, it makes no difference which," which is also a simultaneous with: "whichever it is, it matters a great deal").[2]

The same year that the Bioterrorism Act was approved, the National Strategy for Homeland Security stated the following: "Biological weapons are especially dangerous because we may not know immediately that we have been attacked, allowing an infectious agent

1 Title XVIII, Subtitle A, Section 2801. The full title is "Public Health Security & Bioterrorism Preparedness & Response Act of 2002."

2 Giorgio Agamben, *The Coming Community*, trans. Michael Hardt (Minneapolis: University of Minnesota Press, 2003), p. 1.

time to spread. Moreover, biological agents can serve as a means of attack against humans as well as livestock and crops, inflicting casualties as well as economic damage."[3] While this document also contains the conjunctive "and," it goes a step further, giving a premise for the implosion of bioterrorism and emerging infectious disease. The distinctions are effaced by the biological latency of the disease-causing agent, a latency that is also social, political, and economic – precisely because it is biological. Indeed, it is this notion – *that biology is more-than-biological because it is biological* – that can be said to be the conceptual impetus for the flurry of biodefense legislation in the U.S. since 9/11: The Bioterrorism Act, Project BioShield, the Biosurveillance Project, the BioWatch Project, the National Electronic Disease Surveillance System (NEDSS), the National Pharmaceutical Stockpile, the National Disaster Medical System, as well as a host of shadowy, classified projects that have been in operation since the late 1990s (Project ClearVision, Project Bacchus). Each of these fold bioterrorism into emerging infectious disease, and in so doing they implicate war in "nature," terror in biology.

However, the most remarkable consequence of this implosion is what the "and" enables in the way of public health practices. As part of a broad endeavour to facilitate biodefense research, the U.S. Project BioShield has, since its announcement in 2002, allocated funding for the development of "next-generation medical countermeasures", such as drugs, vaccines and diagnostics. In 2003 the U.S. National Institute of Allergy and Infectious Disease (NIAID), a department within the National Institute of Health (NIH), received a multi-million dollar award for research into "human immunity and biodefense." Later that same year, NIAID officials released a progress report outlining their research goals. The report states that the "increased breadth and depth of biodefense research not only is helping us become better prepared to protect citizens against a deliberately introduced pathogen, it also is helping us tackle the continuous tide of naturally occurring emerging infections..."[4] Such sentiments have been repeated numerous times by U.S. public health representatives. At a 2004 press conference outlining

3 *National Strategy for Homeland Security*, Office of Homeland Security (July 2002), p. 9.

4 U.S. National Institute of Allergies and Infectious Disease (NIAID), "NIAID Biodefense Research Agenda for CDC Category A Agents – Progress Report" (29 September 2003).

the newly inaugurated Biosurveillance Project, Health and Human Services, Secretary Thompson noted that such endeavours "will not only better prepare our nation for, and protect us from, a bioterrorism attack, they will also better prepare us for any public health emergency. In fact, we've already seen our investments pay off last year in CDC's leadership in fighting the SARS outbreak, and a coordinated public health response to the West Nile Virus."[5]

We have, thus, an implosion of bioterror and emerging infectious disease ("war or epidemic, it does not matter which"), itself grounded by a view of the biological as at once reductively biological and yet more-than-biological (e.g. economic impacts of epidemics). This opens onto a unique relation between the health of the population and the wealth (and security) of the nation: the primary lens through which the problems of public health are approached is that of the ongoing "state of exception" that the current war on terror represents. The more cynical view of this development would be that medical research is only made possible through a militarised imperative (the NIAID's "human immunity and biodefense") – or rather, that the logic of the "state of exception" becomes the dominant mode of legitimation for medical research and public health practice.

However, we can note a more fundamental issue at stake in these developments, and this surrounds the problematic of biological "life itself." By this phrase I mean the ways in which the domain of the biological – a shifting and discontinuous domain, to be sure – is articulated as a problem of control, regulation, and modulation, a condition that Michel Foucault has described as "biopolitical."[6] The problematic of biological "life itself" also denotes the ways in which the domain of the biological is rendered technically specific (in viruses, bacteria, genomes, vaccines) and pervasively general, amounting even to an existential condition (the facticity or givenness of "life itself"). The

5 "Bio-Surveillance Program Initiative Remarks by Secretary of Homeland Security Tom Ridge and Secretary of Health and Human Services Tommy Thompson," Department of Homeland Security website (29 January 2004): http://www.dhs.gov/dhspublic/display?content=3093

6 The phrase "life itself" refers to a concept employed by molecular biology researchers in the 1950s and 1960s (foremost among them Francis Crick), as well as its more critical use in science studies by Richard Doyle, Sarah Franklin, Nicholas Rose, and Donna Haraway.

problematic of "life itself" – a term which will remain permanently in scare quotes – is not a problem for the philosophy of biology, a problem of defining an essence of life (be it animism, mechanism, or vitalism). Rather, the problematic of "life itself" is how to articulate, within the domain of the living, that which is threatening versus that which is threatened – how to articulate a confrontation between two types of microbial, biological "life itself," how to demarcate the boundary between the biological life that is threatened (be it a cell, an immune system, a population) and the biological life that is the threat (be it a virus, bacterium, or gene sequence).

In the ontology of contemporary U.S. biodefense, we are witnessing this problematising of the biological as at once reductive (the "bottom line" of security concerns), as well as implicitly more-than-biological, a condition in which military and medical practices often cross-over. This is one of the hallmarks of the problematic of biological "life itself" – the immanence of the biological.

Apparatus of Security

How do we comprehend such politico-ontological developments – the implosion of bioterror and emerging infectious disease, the more-than-biological, and the military legitimation of medicine – as more fundamental than simply an increase in a military mindset? I would suggest that the conceptual shifts witnessed in U.S. biodefense programs be taken as indicative of a novel attitude towards the relation between sovereignty and biology. While the relation between sovereign power and "life" is itself certainly not new, I think that the example of biodefense in the U.S. provides us with a literal instance of what underlies sovereignty generally today, in an era of "networks and netwars." Central to this is the way in which a notion of biological "life itself" underlies the shift from "defense" to "security."

In his 1977-78 course at the Collège de France, Foucault devoted his first three lectures to what he called the "apparatus of security" (*dispositif de sécurité*). While his later lectures that year would eventually turn to the thematic of political economy and the

"population," the positioning of these first lectures is noteworthy. Previously, as part of his 1975-76 course devoted to "biopolitics" (there was no course in 1976-77), Foucault had closed by emphasising the role that war had played in the emerging biopolitical era. The two main aspects of biopolitics – the naturalistic articulation of a new entity of governance, the "population," and the development of mathematical and statistical means for managing the population – are stitched together by an emerging "race war," a binary division within society between the threat and those that are threatened: "Wars are no longer waged in the name of a sovereign who must be defended; they are waged on behalf of the existence of everyone; entire populations are mobilised for the purpose of wholesale slaughter in the name of the necessity of life."[7] In such an instance, "the existence in question is no longer the juridical existence of sovereignty; at stake is the biological existence of a population."[8] It is this biologisation of war that completes the tripartite character of biopolitics (along with the object of population and statistical regulation); the "bottom line" of the biology of the population, or the threat to "life itself" becomes the motor behind the war of biopolitics.

However, Foucault's shift in the 1977-78 lectures towards "security" marks a not insignificant discontinuity in his approach to the question of biopolitics. Foremost among Foucault's concerns is how, in the 18th century management of epidemics and public health, "one sees the irruption of the problem of the 'naturalness' (naturalité) of the human species within an artificial milieu."[9] While, historically speaking, this is not an explicit concern with "biology" per se (as it predates the first usages of the term by Lamarck and Treviranus), what is being articulated is a new type of body, and therefore a new type of power relation to that body. This shift can be described as a shift from Foucault's earlier concern with "war" and defense, to his new concern with the "security"

7 M. Foucault, *"Society Must Be Defended": Lectures at the Collège de France, 1975-76*, trans. D. Macey, ed. M. Bertani and A. Fontana (New York: Picador, 2003), p. 137

8 Ibid.

9 "...on voit l'irruption du problème de la <<naturalité>> de l'espèce humaine à l'intérieur d'un milieu artificiel." M. Foucault, *Sécurité, Territoire, Population. Cours au Collège de France, 1977-1978* (Paris: Seuil/Gallimard, 2004), p. 23. Translation mine.

of the population. We can summarise a few of Foucault's points here.[10] If defense identifies an event, or a singularilty that delineates a set of actions, then security articulates a condition, a "virtual" time in which no particular action is pre-ordained. If defense works towards preparedness as a mode of reaction, then security arranges for prevention as a more pro-active mode (we might even be tempted to use the term "preemptive medicine" in this regard). Lastly, if defense serves to deter that for which it is preparing, then security would not just identify a threat, but in its preventive modality, it would also produce the very thing it is preventing.

An instructive example given by Foucault is the historical response to epidemics. Foucault mentions three instances of epidemics in the West – leprosy in the Middle Ages, plague in the early modern period, and smallpox in the 18th century – to further describe the apparatus of security.[11] Whereas leprosy elicited the response of dividing lepers from non-lepers, excluding the sick through rituals of banishment, the emergence of the plague was met by measures of quarantine and the inclusion and partitioning of the sick in hospitals or pesthouses. Both of these cases differ, for Foucault, from the case of smallpox treatments (inoculation, variolation, and eventually vaccination). If leprosy responses divided and excluded, and plague responses partitioned and included, then smallpox responses are characterised by their intervention and normalisation practices. Foucault's point here is not just about medical practice, but about the varied techniques that evolved for "taking account" of the population, and, moreover, for intervening in the event. Furthermore, the case of public health responses to smallpox demonstrates a shift from treatment to the preventive approach of mass vaccinations. It is this characteristic – the practices of intervention and prevention – that is the signature of the apparatus of security. Thus, neither the concept of "population" nor the practices of statistics are new to the case of smallpox (arguably, a notion of "population" developed as early as the Black Death with the organisation of the first public health boards in Italy, while the development of statistics and demographics flourished during times of plague, as evidenced by the Great Plague of 1665 in London). What is new, as Foucault suggests, is the way in which

10 Ibid., pp. 12-14, 46-48.
11 Ibid., pp. 11-12.

population (or "biology") and statistics (or "information") are mobilised towards the creation of a set of practices for intervention and prevention.

The apparatus of security is an essential part of understanding the biopolitical underpinnings of any state of exception, and it is perhaps for this reason that Foucault modified his 1975-76 thesis concerning the "race war" to his later emphasis on the security of the population. In addition, the notion of the apparatus of security also provides an answer to a question posed in the 1975-76 lectures: if biopolitics is a productive, generative power, if it produces norms, defines types, and optimises life, then how do we account for the death-function of biopolitics, its equal capacity to designate threats that are "life itself," to weaponise biology, and to authorise genocides? In short, how do we account for the specific relation between biopolitics and sovereignty? This is the question posed by Giorgio Agamben in his reading of Foucault. Before turning to Agamben, however, it is important to note that Foucault's notion of the apparatus of security is a reply to this question. The case of epidemics is exemplary in this regard, for actual diseases provide the pretext for an intervention into the threats or "diseases" of the body politic. In such instances, "top-down" sovereignty is fully commensurate with the more "bottom-up" aspects of the apparatus of security, and their common term is what we can (somewhat anachronistically) describe as the problematic of biological "life itself":

> You see, in this case, one rediscovers the problem of the sovereign, but this time the sovereign is no longer he who exercises his power over a territory starting from a geographic localisation of his political sovereignty, the sovereign is something that has to do with a nature, or better an interference, a perpetual imbrication in a geographical, climactic, physical milieu with the human species, to the extent that it has a body and a soul, a physical and moral existence; and the sovereign will be that which will exercise its power at this point of articulation where nature, in the sense of physical elements, will come to interfere with nature in the sense of the nature of the human species... where the milieu becomes determinant of nature.[12]

12 Ibid., p. 24. Translation mine.

In a sense, sovereignty here is more biological than political – or rather *it is political precisely because it is biological.*

Sovereignty, Exception, Bare Life

Giorgio Agamben's engagement with the relation between sovereignty and biological "life itself" owes as much to Carl Schmitt's definition of the sovereign as it does to Foucault's notion of biopolitics. As Agamben notes in Homo Sacer, Schmitt's definition of the sovereign as "he who decides on the state of exception" serves as the basis for a critique of the externality of life in relation to sovereignty. Central to Agamben's analysis are three terms – sovereignty, exception, and bare life – that serve to constellate the contemporary paradigm of biopolitics. One of Agamben's over-arching theses is that modern politics is founded not on any mythical social contract, but on the capacity of sovereign power to exist at once inside and outside the law. Drawing out the implications of Schmitt's definition, the sovereign is described as a sort of living aporia, at once within the political order (the "head" of state) and also outside of it (the ability to decide when the law no longer applies). It is this latter function – the decision concerning when the normal functioning of the law no longer applies – that points to the aporetic condition of sovereignty as the law that states that nothing is outside the law. Thus, sovereignty is not the assertion of a will or a command, nor is it the execution of a law or the simple punishment of its transgression; the sovereign power is not the assertion of law, but the ability to juridically decide when the law no longer holds.

As Agamben makes clear in *State of Exception*, the sovereign's simultaneous existence inside and outside the political order is occasioned by a condition which serves as a pretext for the sovereign injunction. This condition is a "state of exception," a term which goes by other names in different national traditions ("state of siege," "state of necessity," "martial law," "state of emergency").[13] Extending Agamben's

13 G. Agamben, *State of Exception*, trans. K. Attell (Chicago: University of Chicago Press, 2005), pp. 4-6.

comments, we might add that the state of exception most often refers to three types of events: war between nation-states, civil strife (civil unrest, civil war, insurgency), and so-called natural disasters (epidemics, famine, earthquakes, floods). The sovereign's capacity to decide when the law no longer holds is thus his/her capacity to articulate those events that define a state of exception. The sovereign "decision" is an identification or even a production of "threat" and "security" as variables that are constituted by sovereign power. The sovereign's task – a decision that is an identification, a production – therefore opens up a nebulous, fuzzy, grey zone, a "zone of indistinction" that is at once lawless and encompassed by law. The norms of law no longer hold in the state of exception, and as such they open onto an ambiguous space in which sovereignty encounters life, the "originary inclusion of the living in the sphere of law."[14] Thus, "if the law employs the exception...as its original means of referring to and encompassing life, then a theory of the state of exception is the preliminary condition for any definition of the relation that binds and, at the same time, abandons the living to law."[15]

But something must be at stake, both in the sovereign decision and in the resulting state of exception. This something is what Agamben refers to as "bare life" or *homo sacer*, the "life that can be killed but not sacrificed." For Agamben, bare life is, like the sovereign, at once inside and outside the political order. Life is outside the law, in that it serves as the naturalistic base upon which law is constructed; but life is also internal to law, in that the most basic laws protect the very naturalistic life that is the foundation of social and political life. Bare life is also, in an even more literal way, a living aporia: that which serves as the foundation for political life, and that which must always be surpassed by political life. This dual existence generally mirrors the aporia of sovereignty; however, the difference lies in the way in which bare life is inscribed by the state of exception. Bare life is at once that "bottom line" which must be protected and also, by implication, that which must be combated as a threat. Life, in this case, is both the threat and that which is threatened. Thus, "the decisive fact is that, together with the process by which the exception becomes the rule, the realm of bare life – which is originally situated at the margins of the political order – gradually begins

14 G. Agamben, *Homo Sacer: Sovereign Power and Bare Life*, trans. D. Heller-Roazen (Stanford: Stanford University Press, 1998), p. 26.

15 G. Agamben, *State of Exception*, p. 1.

to coincide with the political realm, and exclusion and inclusion, outside and inside, bios and zoe, right and fact, enter into a zone of irreducible indistinction."[16] It is in this sense that, for Agamben, life is controlled at the moment of its abandonment. For Agamben, the "figures" of the refugee, the euthanised life, the *Muselmann*, the comatose patient, the Nazi *Versuchspersonen* (or "human guinea pig"), and the eugenic notion of "population" are all instances of this irremediable zone of indistinction that is bare life.

However, while Agamben's analyses have done much to articulate the structure of the relationship between sovereignty and "bare life," something additional – or perhaps excessive – appears when we consider the contemporary context of bioterrorism and emerging infectious disease. We can begin by asking a simple, even banal question: how is "bare life" increasingly constituted by its specific, biomedical, microbial, molecular formulations? While Agamben often discusses the political aspects of biomedicine, there is also a sense in which, for him, "bare life" remains only a confused "biological" life. We can ask a more specific question then: to what extent is "bare life" isomorphic with biological "life itself"?

The confused status of bare life is illustrated by a series of tensions within Agamben's analysis. To begin with, "bare life" is a universal term, the bearer of all specific instances of bare life (e.g. the refugee, the bandit, the comatose patient, etc.), while in other instances bare life is understood to be thoroughly "biological" in the modern sense (e.g. the analysis of Nazi eugenics). Second, "bare life" appears as simultaneously positive and negative in its effects, at once "biopolitical" in the Foucauldian sense, producing the population, and also a life defined through the negation of death, in *homo sacer*, life that can be legitimately killed. Third, the confused nature of "bare life" appears to be at once an epistemological issue (in which the task of sovereignty is "capturing" a pre-existing bare life), but also an ontological issue (in that sovereignty actually produces bare life in the exception). Finally, "bare life" seems both to condition the stakes of biopolitics (in the figures of the refugee, the human guinea pig, the comatose patient), and also to be conditioned by the sovereign decision that defines bare life in its abandonment. At once universal and specific, positive and negative, epistemological and

16 G. Agamben, *Homo Sacer*, p. 9.

ontological, determining and determined, "bare life" seems to exist indistinctly within the "zone of indistinction" that the state of exception represents.

In the most general sense, bare life for Agamben is simply whatever is defined in the sovereign exception. But, while bare life may exist in a zone of indistinction, *this does not necessarily mean that bare life itself is indistinct*. Is "bare life" really a confused "life itself" – the biological and medical inscription of bare life? In the state of exception brought forth by emerging infectious diseases, biological warfare, bioterrorism, biosurveillance, pharmaceutical stockpiling, genetically-engineered germs and even computer viruses – are these exceptions really another instance of bare life in the general sense of the term? On one level, what these phenomena all have in common is that they identify a threat that is also the motive for a set of exceptional responses, programs, and agendas. They are also all united in that the threat they define is, in many cases, an indeterminate threat – a threat that can never be eliminated totally. Finally, they are united by the fact that the nature of the threat has to do not just with bare life, but with a life that is cellular, enzymatic, and even genetic, a "life itself" that is at once the most general and the most specific. Is it not important to ask how the contingent, constructed specificity of this life, in its biomedical, biological and molecular forms, is actually *constitutive* of the state of exception? In other words, is not this "specific life" a way of articulating the "general life" in the permanent state of exception represented by the initiatives of biodefense, biosurveillance, and preventative public health?

These are examples which, it must be admitted, will seem to be taking things too literally, reducing the complexity of things to a matter of medicine and biology, and in doing so cutting out the social construction of knowledge that makes such fields possible. But the opposite viewpoint can also be put forth. Perhaps this reductionistic "life itself" is itself not only conditioned but also proliferates cultural, social, and political effects. Perhaps it is exactly that which is the most reductive that is really the most proliferative, an ambivalent kind of biological or molecular vitalism that permeates the entire social and political fabric, that cordons itself off in specialised discourses (e.g. epidemiology, virology) while at the same time spreading itself out into the most general decisions (e.g. public health, preventive medicine, neoliberal

health care, lifestyle medicine, individualised prescription drugs, "medicalisation"). For this reason, the "reductive" question concerning biological life becomes more interesting; it posits a generality ("life itself") that is also a specificity (e.g. the genetic "code of life").

Thus, we can take another approach to the reductionism of biological "life itself" by asking a series of questions, which do not take at face value the fuzziness of bare life, a life whose form is characterised in Agamben's analysis as determinately blurred and indistinct.

* First set of questions: Is bare life *one*? Or is bare life one precisely because it is multiple? In the relation between sovereignty and bare life put forth by Agamben, is life always identical to itself, always the same? Is bare life not a universal or general life, but a life of multiplicity? And is sovereignty not precisely the challenge of fashioning this living multiplicity within the state of exception? Such questions open onto the ways in which "life itself" is today inscribed by both genetics and informatics, by a genetic code that exists in plants, animals, humans, and even databases, and a "life itself" that is both homogeneous ("the" human genome) and heterogeneous (population genomes, pharmacogenomics, personalised medicine).

* Second set of questions: Is bare life *indistinct*? If bare life is defined by a "zone of indistinction," does this also mean that bare life itself is indistinct? Can bare life exist in a zone of indistinction and yet itself remain highly distinct and specified? Is it perhaps the very specificity of bare life that enables it to inhabit the indistinction of the state of exception? Such questions, like the first set, also lead us to consider modern biomedicine and in particular the pervasive character of microbial or molecular life: viruses and bacteria, DNA and RNA, enzymes and protein receptors. Emerging infectious diseases such as SARS, Mad Cow, or bird flu are understood by epidemiology as potentially widespread, global phenomena – everywhere in general and nowhere in particular. The militarised U.S. initiatives into "biodefense and human immunity" can be understood in this light as forms of a highly distinct life that are also pervasive, immanent, and indistinct.

* Third set of questions: Is bare life *indeterminate*? Is it not the specific determination of life – statistical determinations of a population's growth and mortality – that enables it to occupy a site that is itself indeterminate? Is it not this statistical indeterminateness of life that constitutes its determination, and thus its ongoing existence in the exception? Does not this statistical determination and temporal indetermination of the population guarantee the permanence of the state of exception? Questions such as these lead to a consideration of the specific temporalities of epidemiology and public health, a "microbial time" of mutation, infection, replication, latency, endemicity-epidemicity and so forth. Biodefense programs and pharmaceutical stockpiling – as programs of infinite preparedness – can be understood as responses to this determinate indeterminateness of microbial time.

We have, then, three sets of questions that have emerged from our questioning of Agamben's notion of "bare life" in which the notion of bare life as one, indistinct and indeterminate has been interrogated. The point here is not to reject Agamben's theses but rather to further qualify and perhaps reformat them. As Agamben notes, "the novelty of modern biopolitics lies in the fact that the biological given is as such immediately political, and the political is as such immediately the biological given."[17] While "bare life" may exist in a zone of indistinction, this in no way means that the manifold ways in which bare life is articulated are themselves indistinct. Bare life is perhaps a confused "life itself," life that is, as we have noted, more-than-biological because it is "reductively" biological. *If anything, "life itself" is one because it is multiple, it is indistinct because it is highly distinct and specified, and it is indeterminate precisely because of its temporal determinateness*. The challenges thrown up by an ontological consideration of biodefense, bioterror, and emerging infectious disease point to the possibility that bare life is itself enframed by the problematic of biological "life itself." It is not bare life but rather biological "life itself" that is at issue, the most reductive and the most proliferating of concepts, the most general and the most specific, the universality of "life itself" and the specificity of

17 Ibid., p. 148, italics removed.

microbial DNA, that which is nothing but biological givenness and that which is always more-than-biological precisely because of its givenness.

Biological Sovereignty

If we are to understand Agamben's notion of bare life as always already encircled by the problematic of biological "life itself," and if this problematic has, as one of its defining characteristics, a simultaneous tendency towards generality and specificity, then we must return to the question of sovereignty. As we have noted, Agamben extends and expands the notion that the sovereign is defined by the ability to decide on the state of exception, the capacity to juridically decide when the law no longer applies. While Foucault consistently worked against a juridical notion of power, his lectures from the mid-1970s at the Collège de France also demonstrate an awareness of the imbrication of sovereignty within the modes of "bio-power." In fact, Agamben's notion of the sovereign exception can be found in a more discrete fashion in Foucault's elaboration of "the apparatus of security." We can briefly return to Foucault's lectures, after which we shall consider how the problematic of biological "life itself" impacts on the structure of the sovereign exception.

Foucault begins his course "Security, Territory, Population" by offering a rough periodisation of the ways in which power relates to life: a traditional form of sovereignty (or the "codes of law") that exercises its power over a territory, a form of discipline (or "disciplinary mechanisms") that exercises itself on the individual body of the subject, and finally a more modern form of security (the "apparatus of security") that is concerned with the ensemble of the population.[18] Three forms of power, and three types of bodies: sovereignty and territory, discipline and the body of the individual subject, security and the ensemble of the population. However, just as Foucault presents his analysis he also undoes this linear periodisation by suggesting that all three forms of power co-exist in some respects, and that which conditions their co-existence is what Foucault, in a rare turn of phrase, calls "the problem of

18 Foucault, *Sécurité, Territoire, Population*, pp. 7-8.

multiplicities (*le problème des multiplicités*)."[19] The problem of multiplicities is the problem of the governance of the living, of the relation between power and life, sovereign exception and biological "life itself." Multiplicities are a problem, not simply in a numerical sense, but rather in the sense of a set of variables – land, resources, disease, war, trade, climate – that constantly threaten or undermine the singularity formed by the sovereign injunction, the institutions of discipline, or the regulatory practices of security. The problem of multiplicities thus revolves around managing relations and controlling circulations (circulation of people, of food, of merchandise, of air, etc.). In other words, each form of power is, in a sense, conditioned by its singular relation to life-forms that are understood as multiplicities. Foucault suggests, in a way, that the analysis of power can be reformulated as an issue of the sovereignty of circulations and networks.

In this way, traditional sovereignty delimits life-as-multiplicity through a geopolitical boundary, a mediation between the life of political subjects and the sovereign, in which territory is the middle term. In a similar fashion, discipline must also confront the problem of multiplicity, but in a radically different manner. Discipline, through its practices of bodily training, habit, and norms, is a technology in which "the individual is much more a certain manner of carving up the multiplicity..."[20] If sovereignty delimits multiplicities through a territorial mediation and discipline carves up multiplicity into individuated subjects, the apparatus of security is, for Foucault, noteworthy for the way in which it produces the conditions in which multiplicities themselves emerge. As we have seen, the apparatus of security is unique in that it is defined by its mode of intervention and prevention; but such modes are made possible only through the production of multiplicities, a condition in which the "naturalness" of the living multiplicity that is the "population" can bear itself forth (*cette naturalité de la population*).[21] If sovereignty delimits and discipline carves up, the apparatus of security creates the conditions in which it simply "let[s] things be" (*laissez-faire*):

19 Ibid., p. 13. I
20 Ibid., p. 14. Translation mine.
21 Ibid., p. 72.

> In the apparatus of security...it seems to me that what is precisely at issue, is to take neither the point of view of interdiction, nor the point of view of obligation, but to sufficiently step back in order for one to be able to know the point where things will show themselves forth, be they desirable or not.[22]

Whereas Foucault aligns sovereignty with a juridical mode of interdiction (that which is allowed and that which is forbidden) and discipline with modes of coercion or obligation, the apparatus of security produces a condition in which multiplicities are managed as multiplicities. This involves the development of a range of practices – such as statistical and demographic methods – that work towards "the emergence of technologies of security at the interior" of life.[23]

Working at the interstices of the naturalness of the population, regulating the circulation of people or goods or air, creating conditions in which the multiplicity of factors that is the population may emerge – these are the techniques of the apparatus of security. Such techniques imply a view of life that is at once a naturalistic, biological "life itself" and also a notion of the more-than-natural, the more-than-biological – a notion of life-as-multiplicity. The novelty of the apparatus of security is to have configured the relationship between power and life, sovereignty and biology, as a generative relationship. Power does not simply come upon a pre-existing, "natural" life, which it must then harness or capture; rather, power creates the conditions in which "life itself" is impelled to emerge, to self-organise, and to self-regulate. It is precisely this generation that provides the legitimation for modes of intervention and the practices of prevention (or preemption) that characterise the apparatus of security.

If this is the case, then Agamben's thesis regarding sovereignty would have to be modified. Here, bare life – for Agamben, a confused biological life – is defined by the juridical no-man's-land of the state of exception. In this grey zone, or zone of indistinction, anything can happen, since the law is both suspended and in force. But the fact that anything can happen is not the result of the indistinctness or blurriness of bare life, for there is still a distinct form of life within this grey zone. As

22 Ibid., p. 48. Translation mine.
23 Ibid., p. 12. Translation mine.

I have suggested, bare life is universal because of its biological specificity, indistinct because of its distinctiveness, and indeterminate because of its temporal determinations. Bare life is not whatever is "caught" in the exception, but a biological "life itself" that articulates, within the exception, both a generality and a specificity. The sovereign exception is not, then, a way of capturing bare life or of producing a new object of power; *rather, the sovereign exception is this particular relation between the capacity to legitimately intervene and the "problem of multiplicities" that biological "life itself" presents*. This type of sovereignty is not universal, but conditioned by the political, economic, social, and biological concerns of the "naturalness of the population" described by Foucault – what we might call a biological sovereignty. The sovereign exception is, in a way, a response to a challenge – a challenge articulated by sovereignty, to be sure – but the challenge of biological multiplicities (epidemics or war, emerging infectious diseases or bioterrorism).

We can further describe this biological sovereignty by attempting to delineate the form of life that exists within the state of exception – a site that remains, for Agamben, indistinct. To begin with, we can suggest that, in the context of biodefense, the problematic of biological "life itself" is bifurcated between a "specific life" and a "general life." Specific life is the bioscientific inscription of "life itself"; life defined by its having a certain self-presence, essence, necessity. But this self-presence only comes through when life offers itself forth in a way that is indissociable from its being more-than-biological (social, economic, political life); this specific life is both biological and more-than-biological. Specific life is the bioscientific inscription of biological "life itself" that is more-than-biological precisely because it is essentially biological; specific life that is specified at the same time that such specification enables a universal applicability.

Specific life is not a single, unified notion, but, in the context of biodefense, is split in three ways. First, specific life articulates biological "life itself" as a threat, not just "terrorism" but a biological threat too (anthrax in an envelope, microbes on an airplane) and, because of this, it is immediately more-than-biological (impacting on travel, work, the economy, the media). Specific life also articulates that which is threatened, the very biological existence of the population-species. The

threatened population is both above and below the level of the individual, posing what Foucault calls the "problem of multiplicity"; it is biomass and biomolecular at the same time. What is threatened is thus not only a nation or population, but the control of circulations – processes of infection, replication, transmission, endemicity and epidemicity (the problem of emerging infectious diseases). Lastly, specific life, indicative of the threat and of that which is threatened, also delineates a range of responses – responses which also take on a biological form. If the threat is biological, and if that which is threatened is biological, then it follows that the most adequate response will be a biological response (e.g. Project BioShield, pharmaceutical stockpiling). Response – or rather the virtuality of response – must proceed not at the level of the individual but at the level at which the threat is defined, a level that is at once macro (the population) and micro (microbes).

Specific life identified in this way – "life itself" as the threat, the threatened, and the response – is different from a "general life." General life is life in its general givenness; life as either an existential or phenomenological given – but always, at root, biological. General life is always at stake in any instance of specific life: "The population is a given that totally depends on a series of variables that are not transparent to sovereign decisions."[24] If general life enframes specific life (and its relation to the extra-biological), then specific life can determine the political valence of general life (in terms of security, threat, or necessity). General life is the elevation of the biological to the level of social and political life, a kind of existential life that is always mediated by biology. The primary characteristic of general life is akin to what Heidegger calls *Angst* (anguish, anxiety).[25] For Heidegger, one of the ways in which Dasein or Being reveals itself is in the Angst associated with the very fact of existence. This *Angst* is to be differentiated from the fear of particular things and the particular threat they represent; thus *Angst* is not fear. "That about which one has Angst is being-in-the-world as such... What *Angst* is about is not an innerwordly being...The threat does not have the character of a definite detrimentality which concerns what is

24 Ibid., p. 73. Translation mine.
25 The 1996 English translation by Stambaugh maintains the German term *Angst* in the text.

threatened with a definite regard to a particular factical potentiality for being. What *Angst* is about is completely indefinite."[26]

Except – and this is the crucial difference – that Heidegger's distinction revolves around the question of Dasein, of Being, and not the question of biological "life itself." In fact, for Heidegger, the question of "life" was not a question at all, for the sciences of biology and psychology, in asking the question "what is life?", presume to have already answered the more fundamental question "what is Being?"[27] For Heidegger, the question of Being precedes the question about "life." However, while Heidegger dismisses the question of biological "life itself," what we are witnessing in the ontology of biodefense is a certain conceptual displacement. Whereas Heidegger contrasted the question of Being (in terms of *Angst*) with the question of life (as "fear"), today we have a reformulation of the latter in terms of the former – an *Angst* that is about biological "life itself." In biodefense, *Angst* is correlated to biological "life itself." *That about which one has Angst is the pervasiveness of the biological as threat, as what is threatened, and as response*. "The fact that what is threatening is nowhere characterises what *Angst* is about."[28] The logic of biodefense – that "life itself" is an indefinite and indeterminate threat – culminates in a social, cultural, and political *Angst*, a biological *Angst*, an *Angst* of "life itself." It is for this reason that we can describe general life (and not specific life) as a peculiar type of existential biology.

These are, admittedly, abstract terms – "life itself," specific life, general life – but perhaps we can provisionally accept them, if only to diagram a relation between them, a relation that is at the core of this biological sovereignty. If sovereignty is not simply the negative definition of bare life (the "capturing" in the zone of indistinction), but a way of articulating the distinction between specific life in its bioscientific inscriptions and a general life in its existential biological *Angst*, then what is the relation between specific life and general life? As we have seen, the ontology of biodefense (as illustrated by recent U.S. initiatives) is that the biological is more-than-biological precisely

26 M. Heidegger, *Being and Time (Sein und Zeit)*, trans. J. Stambaugh (Albany: State University of New York Press, 1996), §40, p. 174 [186].
27 Ibid., §10.
28 Ibid., p. 174.

because it is always reductively biological. In such a context, "life" is at once the threat, the threatened, and the response – in effect, biological "life itself" in perpetual conflict with itself, life fighting life, a semi-autonomous biological war taking place at both the macro-level (global pandemics) and the micro-level (viral mutations, antibiotic resistance). In this biological war, specific life always has as its aim a relation to general life. But this relation is not simply one of foundation (e.g. the biological as the foundation for the social). Rather, *specific life relates to general life by rendering the specificity of the biological as a general condition*, by rendering the biological as social, political, economic, and even existential. In this sense, *the relation between specific life and general life is that the former is mobilised against the latter*, in a surreal war against biology. Forms of specific life (microbes, new vaccines and drugs, genomic diagnostics, medical surveillance systems) are thus positioned not only against particular emergencies but also against the pervasive, virtual threat of biological "life itself."

If we accept this relation, then our notion of sovereignty would have to be contextualised in relation to this problematic of biological "life itself" as a kind of biological sovereignty. Biological sovereignty is the relation between sovereignty and life, understood as a relation between specific life and general life. Sovereignty does not define a single bare life; rather, the dynamic between specific and general life (in which the former is mobilised against the latter) conditions the sovereign exception in its form. In our current context, we can note that no other state of exception is quite as exceptional as war – except perhaps epidemics. In fact, the most powerful state of exception is one that is not recognised as such. The sovereign exception obtains its most intense level of legitimation in an environment in which the exception is the rule – that is, a situation in which "exception" is directly correlated to a "threat" that is, by definition, indeterminate. In this regard, *nothing is more exceptional than the inability to distinguish between epidemic and war, between emerging infectious disease and bioterrorism*. Although wars have the benefit of being waged by individual and collective human agents, humans fighting humans, epidemics ignite public fears with great ease, in part because the "enemy" is often undetected, and therefore potentially everywhere. But more than this, it is the alien, nonhuman character of epidemics that incites public anxiety – there is no intentionality, no rationale, no aim except the repetition of what we

understand to be simple rules (infect, replicate, infect, replicate...). In this sense, the central challenge posed to sovereignty is not the totalisation of rule, nor the pervasiveness of the command of death. Rather, sovereignty's central challenge is the problematising of biological "life itself," a life that is understood to exist as a multiplicity, to pose problems of circulation, and to resist its normalisation as a static, stable "threat."

Pli 17 (2006), 22-37

The Task of Thinking in the State of Exception- Agamben, Benjamin and the Question of Messianism

CHRISTIAN NILSSON

Introduction

Since September 11th 2001, the writings of the Italian philosopher Giorgio Agamben on "the state of exception" have reached international fame. In a number of areas throughout the world, we have seen emergency-measures being taken. In many cases, the call for "security" has been used to evoke acceptance for a use of force and violence outside the normal rule of law.

The "war against terrorism" is a strategy that has released the force of the military machine, while avoiding the constraints of the laws of war. Often starting from the juridical non-status of the prisoners in the camps in Guantánamo Bay, many political journalists have underlined the relevance of Agamben's description of the state of exception as a zone of indistinction between law and violence. Drawing on Agamben, it is often stated with much pathos that the groundwork of democracy – the constitution, the declaration of human rights – is being dissolved.

However, in this political discourse, neither the radicalism of Agamben's analysis, nor its philosophical background is given due credit. Most importantly, it should be noted that when Agamben points to the state of exception as a breakdown of the rule of law, what he is

calling for is not a "return to normality". This is a point explicitly made towards the end of his book *State of Emergency*: "Of course", Agamben writes, "the task at hand is not to bring the state of exception back within its spatially and temporally defined boundaries (...) From the real state of exception in which we live, it is not possible to return to a state of law."[1]

In Agamben's view, there is nothing surprising about the speed at which it was possible to put these emergency measures into practice. For many years now, he has argued that the state of exception is increasingly becoming the rule on a planetary scale. The state of exception is, according to Agamben, rooted in a basic structure of our philosophical inheritance, a structure he names the "inclusive exclusion" of naked life.[2] This is a structure that Agamben again and again tries to expose and to question, but also a structure he seeks to break.

In this essay, I will focus on how such a break should be understood, in thought and in political practice, according to Agamben. As we shall see, the formulation "in thought and in political practice" is part of the problem itself. For Agamben, metaphysics and politics coincide already in the classical determination of man as *zoon logon echon* (or as it was translated into latin: *animal rationale*).[3] "Politics", he writes in *Homo Sacer*, "appears as the truly fundamental structure of Western Metaphysics insofar as it occupies the threshold on which the relation between the living being and the logos is realised. (...) There is politics because man is the living being who, in language, separates and opposes himself to his own bare life and, at the same time, maintains himself in relation to that bare life in an inclusive exclusion."[4]

1 Versions of this text has been presented at two conferences: *Living Phenomenology: Responsibilities and Limits*, at the University of Helsinki, Finland (October 2004), and *RESISTANCE: Critical Legal Conference*, at the University of Kent, UK (September, 2005). G. Agamben, *State of Exception*, trans. K. Attell (Chicago: University of Chicago Press, 2005), p. 87, hereafter *SE*.

2 G. Agamben, *Homo Sacer. Sovereign Power and Bare Life*, trans. D. Heller-Roazen (Stanford: Stanford University Press, 1998), p. 21, and passim. Hereafter *HS*.

3 In Aristotle's *Politics* (1253a) the actual phrase is *logon monon anthropos echei to zoon*.

4 *HS*, p. 8.

In his texts, Agamben points to a few, as he says "rare but significant", attempts to think beyond this structure of inclusive exclusion. He names Schelling's Philosophy of Revelation, the later Nietzsche, Heidegger's ideas of abandonment and *Ereignis* and finally, Herman Melville's short text on Bartleby, the Scrivener.[5] These attempts, Agamben claims, have pushed the aporia of the inclusive exclusion to the limit, but have not succeeded in completely freeing themselves from its ban. The lesson Agamben wants to draw from these attempts is above all one thing: "They show that the dissolution of this aporia, like the cutting of the Gordian knot, resembles less the solution of a logical or mathematical problem than the solution to an enigma."[6]

It is clear that Agamben's intention is to show a way of solving this enigma. Again and again, he makes a distinction between his own way of thought and that of deconstruction, by claiming that deconstruction (which to him above all refers to Derrida and Nancy) restricts itself to a repetition of the basic ambivalence of the structure in question.[7]

This means that Agamben claims to do something *more* than deconstruction, and I guess that this *more* is that which attracts a lot of people to his thinking. Still, it is quite difficult to follow that sudden movement which is characteristic of Agamben's attempt to break with

5 Cf. C. Nilsson, "Letting the Animal Be: Agamben, Heidegger and the Anthropological Machine" (in Swedish), in *Res Publica* 62–63 (Stockholm: Symposion, 2004), p. 21–48; and C. Nilsson, "Agamben with his Wings Clipped" (in Swedish), in *Res Publica* 62–63 (Stockholm: Symposion, 2004), p. 146–159.

6 *HS*, p. 48. In a recent text, A. Negri characterises Agamben as an "artist of paradoxes". See "The Political Subject and Absolute Immanence", in C. Davis et. al. (Ed.) *Theology and the Political: The New Debate* (Durham and London. Duke University Press, 2005), p. 234. It would be interesting to further examine the "paradoxical" trait in Agamben's writing – in a non-pejorative sense – starting from Agamben's discussion of the "enigma" as a non-oedipal discourse. Cf. Agamben's comments on Aristotle's definition of the enigma as *adynata synapsai* (*Poetics* 1458), in *Stanzas: Word and Phantasm in Western Culture*, trans. R. L. Martinez (Minneapolis: University of Michigan Press, 1993), p. 135ff.

7 Agamben developed this critique of Derrida at least as early as 1979, see *Language and Death*, trans. K. E. Pinkus (Minneapolis: University of Minnesota Press), p. 38–40 and passim. See further *HS*, p. 49–62, as well as "The Messiah and the Sovereign" and "Pardes: The Writing of Potentiality", trans. D. Heller-Roazen, in *Potentialities* (Stanford: Stanford University Press, 1999). In *Idea of Prose*, trans. M. Sullivan & S. Whitsitt (New York: SUNY, 1995), Agamben dedicates one of the miniatures to Derrida, see p. 103f.

the structure of inclusive exclusion. This sudden movement could perhaps, as Agamben himself hints, best be described as the change of perspective that is typical for the solution of an enigma.

As a consequence of this, most critics have on the one hand praised Agamben for his critical analysis – and pointed to it as something to ponder for every citizen of a liberal-democratic state – but on the other hand, they have rejected (or not even discussed) the "constructive" aspects of Agamben's argument. Other critics have adopted a more positive stance and expressed their hopes that the parts of the *Homo Sacer*-project not yet published may contain something like a normative groundwork for Agamben's theory. As I hope to make clear, I think that such hopes are somewhat misguided. Instead, I would like to underline that the "coming" politics that Agamben talks about is not a politics that will be developed next year or so, when his next book is released: The "coming" politics of Agamben is eminently a politics of the present moment.

Many critics have rejected the picture Agamben paints of the present situation as being far too solemn. From time to time, we see headlines like "Italian Philosopher claims: The Extermination Camp is the Telos of World History". Thus, we may ask: What possibilities for political thought – and action – does Agamben's analysis of the totalitarian biopower of today leave us? How are we to understand Agamben's contention that even the movements trying to defend people's human rights are only feeding the machine of sovereignty? Indeed, Agamben claims that they contribute to the *reproduction* of this sovereign structure.[8]

The pathos in Agamben's texts grows out of a combination of these drastically negative statements with an argument that there is also today a possibility of radical change, a possibility of a break with the structure of sovereignty. In contradistinction to deconstruction, which according to Agamben just repeats the aporias of tradition, the attempt here is to transform the aporias into "eu-porias".[9]

8 Cf. *HS*, p. 133: "humanitarian organisations (...) maintain a secret solidarity with the very powers they ought to fight".

9 Cf. G. Agamben, "Pardes: The Writing of Potentiality", trans. D. Heller-Roazen, in *Potentialities* (Stanford: Stanford University Press, 1999), p. 217. The transition from "aporia" to "euporia" is noted also by Heller-Roazen in his introduction to

As we shall see, Agamben's main inspiration for this line of thought is the early works of Walter Benjamin.[10] Here, Agamben finds inspiration for a certain kind of non-apocalyptic "messianism" that focuses on a small – but radical – displacement that would "set the world aright".[11]

The Logic of Sovereign Power: Exception and Separation

In his little book *Means without Ends*, Agamben writes: "Political power as we know it (...) always founds itself – in the last instance – on the *separation* of a sphere of naked life from the context of the forms of life".[12] To conceptualise this separating function of sovereign power, Agamben in his more recent texts has used the term "exception". In this context, he draws on the German scholar of law – and well-known Nazi official – Carl Schmitt, and his analysis of the state of exception. Still, and this is an important point, Agamben does not stay with Schmitt. Instead, he develops a strong interpretation of Benjamin, which he claims is capable of transgressing Schmitt's position.

Potentialities, p.5 and by L. Deladurantaye in his brilliant essay "Agamben's Potential", *diacritics* 30.2, 2000, p. 8.

10 In this context, one may note that Agamben participated in Heidegger's seminars in Provence in the late 1960s and edited the collected works of Benjamin in Italian in the 1980s. In an interview in *Libération* (1 April, 1999), Agamben says: "All great works have a shady and poisonous side, for which they do not contain a counter-poison. Benjamin was for me this counter-poison, that helped me survive Heidegger." The intended pun is on the double meaning of *pharmakon*, cf. J. Derrida, *Plato's Pharmacy,* trans. Barbara Johnson, in *Dissemination* (London: Athlone Press, 1981), p. 61–171.

11 See Agamben, *The Coming Community*, trans. M. Hardt (Minneapolis: University of Minnesota Press, 1993), p. 53f. This understanding, both Benjamin and Bloch ascribes to "a great Rabbi" – now know to be none other than their mutual friend Gershom Scholem. See letter 57 (9th of July, 1934) in *The Correspondence of Walter Benjamin and Gershom Scholem*, trans. G. Smith & A. Lefevere (New York: Schocken, 1989). In Agamben's view, the Messiah is "the figure through which religion confronts the problem of the Law". Thus, the Jewish messianic tradition can provide resources for the understanding of the contemporary political situation. See "The Messiah and the Sovereign" trans. D. Heller-Roazen, in *Potentialities* (Stanford: Stanford University Press, 1999), p. 163.

12 G. Agamben, *Means without End: Notes on Politics*, trans. V. Binetti & C. Casarino (Minneapolis: University of Minnesota Press, 2000), p. 4 (emphasis mine), hereafter *MwE*.

It should be noted that Benjamin's political theory has often been rejected as being "affected" by Schmitt or "too close" to fascism.[13] Agamben tries to answer this accusation by showing in detail how Benjamin already in his essay "Critique of Violence" from 1921 developed an argument that seriously threatened Schmitt's way of thinking. This interpretative manœuvre starts off by noting that Benjamin's essay was published in a journal that we know that Schmitt read regularly and contributed to himself. It is thus a reasonable hypothesis that Schmitt read Benjamin's text at the date of its publication. Agamben's suggestion is then that we interpret Schmitt's works after 1921 (not least *Politische Theologie* from 1923) as an attempt to neutralise the disturbing possibilities set forth by Benjamin.

Schmitt defines as sovereign the one "who decides on the exception". The exception, he writes, is more interesting than the normal case. The exception not only secures the rule, but the rule is effective only because of the exception.[14] Agamben makes use of this analysis to describe how the state of exception is written into law itself, ensuring that even the suspension of the law is put under the rule of law – as an exception. In this way, the law can continue to be in force, even when suspended. This is what Agamben refers to as the structure of inclusive exclusion.

Now, the inscription of the state of exception into law itself seems to mean that there is nothing that transcends the law in any radical way. This is the paradox of sovereignty that Agamben tries to "solve" as a kind of enigma. "The rule", Agamben writes, "applies to the exception in no longer applying, in withdrawing from it".[15] This "withdrawal" or "abandonment" Agamben points to as the figure through which life is inscribed in the order of sovereign power.[16] The question for the politics

13 This problematic figures in Derrida's "Force of Law: The 'Mystical Foundation of Authority'", trans. M. Quaintance, in *Acts of Religion* (New York: Routledge, 2002). In Derrida's later texts, the interpretation of Benjamin is not as violent, cf. *Specters of Marx*, trans. P. Kamuf (New York: Routledge), p. 181 and "Marx & Sons", trans. G.M. Goshgarian, in *Ghostly Demarcations* (London: Verso, 1999), p. 249–262.

14 C. Schmitt *Political Theology*, trans. G. Schwab (Cambridge: MIT, 1985).

15 *HS*, p. 18.

16 Agamben takes up the concept of "abandonment" from Nancy, but points to the task of thinking abandonment "beyond every idea of law", *HS* p. 59.

to come would thus be to develop an effective counter-move to such a withdrawal.

The paradoxical status of the exception, its oscillation between inside and outside, its capacity to stay in force even when suspended, is something Agamben returns to again and again in his texts. How then, should this paradox be handled in political praxis? Agamben's position here is a radical one. His view is basically that our desperation has not gone far enough. Thus, his suggestion is that we must go further in our despair. In a characteristic move, Agamben argues that the way out of the oscillation between rule and exception is to realise that there is nothing exceptional to exception at all. If sovereign power always has the possibility of evoking the state of exception, the separation between "normality" and "exception" is nothing but a "fiction", an illusion, a virtuality. An illusion with very concrete effects, however.

Perhaps it is now clearer why Agamben, in the quote above, claimed that political power as we know it, is based on *separation*. This separation, we can now add, should be understood as an *effective, but fictional* separation between rule and exception. Agamben's view thus seems to be that the fiction of the potential impotence of the law serves as an integral part of its reproduction.[17] This, Agamben says, is a kind of double construction, founded on the dialectics between two heterogeneous and, in a way, antithetical elements: the rule of law and the state of exception, nomos and anomia. As long as these elements remain separated, the dialectic between them is kept intact.

Pure Violence and the Production of a Real State of Exception

In his essay "Critique of Violence", Benjamin analyses the oscillation between law and exception I have tried to sketch above. In interpreting this essay, it may be helpful to know that it was meant to be a part of a larger work on politics.[18] Thus, in his letters, Benjamin mentions three other parts: One that he actually completed had the title "*Gewalt und*

17 *SE*, p. 87.

18 Cf. the editorial note in W. Benjamin *Gesammelte Schriften* II: 3 (Frankfurt am Main: Suhrkamp, 1991), p. 943–946.

Leben" (Violence and life). No copy of it has as yet been found. A second part, possibly never written, was to be called "*Abbau der Gewalt*" (Deconstruction of violence). The third part Benjamin in his letters to Scholem calls "*Teleologie ohne Endzweck*" (Teleology without goal), a text that some scholars identify as what today is known as the "Theologico-Political Fragment". In what follows, I will first give a short presentation of Agamben's reading of Benjamin's "Critique of Violence". I will then suggest an interpretation of Benjamin's "Theologico-Political Fragment" that hopefully will help us answer some of the questions I have raised on how to understand Agamben's idea of politics.

In his "Critique of Violence", Benjamin talks about the exception in terms of a "lawmaking" violence. "All violence as a means", he writes, "is either lawmaking or law-preserving (...) It follows, however, that all violence as a means, even in the most favourable case, is implicated in the problematic nature of law itself."[19] What Benjamin here calls "the problematic nature of law itself", is exactly its structure of inclusive exclusion as highlighted by Agamben. Thus, what Benjamin says is that if violence is understood as a means to an end, it is always implicated in this problematic structure. In contrast to this, Benjamin, further on in the essay, introduces the concept of "pure" violence; a violence that is not understood a means to an end. This "pure violence" is what Benjamin points to as what has the capacity to break the oscillation between rule and exception.

To make the stakes clear before going into this, it should be noted that some critics, notably Derrida,[20] have argued that this "pure" violence can

19 W. Benjamin, *Critique of Violence,* trans. E. Jephcott, in *Selected Writings*, Vol. 1 (Cambridge, Mass.: Belknap Press, 2004), p. 243, hereafter *CV*.

20 J. Derrida *Force of Law: The "Mystical Foundation of Authority"*, trans. M. Quaintance, in *Acts of Religion* (New York: Routledge, 2002).

not be effectively distinguished from sovereign violence.[21] Agamben's interpretation seeks to displace this critique.

Interestingly, Agamben in the same move manages to shed new light on the contemporary relevance of Benjamin's famous eighth "thesis" on the concept of history. Benjamin writes: "The tradition of the oppressed teaches us that the 'state of exception' in which we live is the rule. We must arrive at a concept of history that corresponds to this fact. Then we will have the production of a real state of exception before us as a task."[22]

How should we then, according to Agamben, understand the distinction between "the state of exception" in which we live and a real state of exception? And what function would a new concept of history have in this project? Finally: What would it mean to produce a real state of exception?

As I understand Agamben, the idea is that when we realise that the exception has become the rule – indeed, this in a sense was "always already" the case – it is possible to dissolve the fiction of the exceptionality of the exception and act in a way not defined by it. Through a certain critical practice the link between law and violence can be obliterated and the "real" indistinction made visible. In *Means without Ends*, Agamben writes: "it is by starting from this uncertain terrain and from this opaque zone of indistinction that today we must once again find the path of another politics, of another body, of another world. I would not feel up to foregoing this indistinction of public and private, of biological body and body politic, of zoe and bios, for any reason whatsoever. It is here that I must find my space once again – here or nowhere else. Only a politics that starts from such an awareness can interest me."[23]

21 It should be noted that in the English translation by E. Jephcott, first printed in W. Benjamin *Reflections* (New York: Schocken 1986), and (alas!) reprinted without alterations in *Selected Writings*, Vol. 1 (Cambridge, Mass.: Belknap Press, 2004), Benjamin's word "waltende" in the last sentence of the text (referring to "pure violence") is mistranslated as "sovereign". Using this as a reference, some critics find it all too easy to side with Derrida's dismissal of Benjamin's attempted distinction.

22 W. Benjamin, "Über den Begriff der Geschichte", *Gesammelte Schriften* I: 2 (Frankfurt am Main: Suhrkamp, 1991), p. 697.

23 *MwE*, p. 139.

According to Agamben, when the state of exception is exposed as having become the rule it can no longer perform the function that Schmitt gave it. The function of the exception was to enforce the rule by temporarily suspending it. If this is no longer possible, because no distinction between rule and exception is accepted, the oscillation comes to a messianic standstill.[24] As I understand Agamben, this is a state that we in a way "always already" were in. But as the fiction of the exceptionality of the exception is upheld, the activity of separation keeps having very real effects.

In the introduction to *Homo Sacer*, Agamben states that his intention is to "return thought to its practical calling".[25] As we have seen, the sovereign concept of politics has been built upon our separation from and "inclusive exclusion" from our own bare life. Thus, the discussion of the "fictitious" separation has important consequences also for the relation between theory and practice. According to Agamben, the exposure of the fiction cannot only lead to a theoretical "insight", it must be seen as involving a new praxis: "Thought is form-of-life, life that cannot be segregated from its form; and everywhere the intimacy of this inseparable life appears, in the corporeal processes and of habitual ways of life no less than in theory, there and only there is there thought. And it is this thought that (...) must become the guiding concept and the unitary centre of the coming politics."[26]

At this point, let me add a remark on the concept of "mere life". As Agamben himself notes, already Benjamin in his "Critique of Violence" points to "mere life" not only as the object of power, but as the point where "the rule of law over the living ceases".[27] As far as I have been able to establish, this term was first used by Benjamin in his essay "Fate and Character", written in the fall of 1919 (that is, about a year before "Critique of Violence" and the "Theologico-Political Fragment"). In

24 *SE*, p. 58. See also G. Agamben, *The Open: Man and Animal*, trans. K. Attell (Stanford: Stanford University Press, 2004), p. 38.

25 *HS*, p. 5.

26 *MwE*, p. 11f. On this concept of *praxis*, see Agamben, *Infancy and History*, trans. L. Heron (London: Verso, 1993), p. 119f, hereafter *IC*. See also C. Nilsson, "Dwelling with Things: Notes on the Collector in Benjamin's Writings" (in Swedish), in *Res Publica*, 65 (Stockholm: Symposion, 2004), p. 89–100.

27 *CV*, p. 250.

"Fate and Character", Benjamin tries to show that the concept of "fate" is not a religious one, but has its origin in the ambivalent discourse of Law.[28] A further clarification in this area, Benjamin notes, is dependent on the working through of an analysis of the specific *temporality* of fate. This is also Agamben's view: an analysis of temporality provides a tool for the "halting" of the activity of separation.

The Political Temporality of Messianism

. As we have seen, Agamben's "politics to come" is based on some sort of change of perspective of the very life that we are already living. My suggestion is that this change of perspective could be understood as the passage from one way of being in time to another. The "coming" politics has to do with our experience of the present. In terms of Benjamin's thesis that is so central to Agamben's endeavour, we could ask: What "concept of history" could grow out of the insight that the exceptionality of the state of exception is a fiction?

Already in his first book *The Man without Content* from 1970, Agamben writes: "For man it is always already the day of the last Judgement: the day of the Last Judgement is his normal historical condition, and only his fear of facing it creates the illusion that it is still to come. (---) the goal is already present and thus no path exists that could lead there".[29] Thus, "the meaning of revolution", Agamben writes

28 "Fate is the guilt context of the living. It corresponds to the natural condition of the living – that semblance [*Schein*], not yet wholly dispelled, from which man is so far removed that, under its rule, he was never wholly immersed in it but only invisible in his best part. It is not therefore really man who has a fate; rather, the subject of fate is indeterminable. The judge can perceive fate wherever he pleases; with every judgement he must blindly dictate fate. It is never man but only the mere life [*das blosse Leben*] in him that it strikes – the part involved in natural guilt and misfortune by virtue of semblance." W. Benjamin, *Fate and Character*, trans. E. Jephcott, in *Selected Writings*, Vol. 1 (Cambridge, Mass.: Belknap Press, 2004), p. 204. Translation amended from the German text in *Gesammelte Schriften* II:1 (Frankfurt am Main: Suhrkamp, 1991), p. 175. See also "So viel heidnische Religionen" (a fragment from 1918), in *Gesammelte Schriften* VI (Frankfurt am Main: Suhrkamp, 1991), p. 56, and, even earlier, a passage in "On Language as such and on the Language of Man" (1916), *Selected Writings*, Vol. 1, p. 71ff.

in another place, is never only to change the world, it is also – and especially –to change time.[30]

Already in an early essay, from 1915, Benjamin starts to develop his peculiar critique of a philosophy of history that sees time as a line, and only seeks to judge if we are making a slow or speedy progress on this line. In opposition to such a view of history, Benjamin tries to develop an understanding of the present as "a condition in which history appears to be concentrated in a single focal point". Benjamin writes: "The elements of the ultimate condition do not manifest themselves as formless progressive tendencies, but are deeply rooted in every present, in the form of the most endangered, excoriated, and ridiculed ideas and products of the creative mind. The historical task is to disclose this immanent state of perfection and make it absolute, to make it visible and dominant in the present."[31]

As I see it, this is a programme that Agamben has inherited. Thus, his texts try both to evoke and to practice a "messianic" transformation in the sense developed by Benjamin: "The messianic world is a world of comprehensive, integral actuality (...) Its language is integral prose. (...) The idea of prose coincides with the messianic idea of universal history."[32]

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Coming to the end now, I will present an interpretation of the messianism of Benjamin and Agamben by taking a close look at Benjamin's "Theologico-Political Fragment". My interpretation of this text is meant to throw some light on the specific way Agamben tries to break the generalised state of exception.

29 G. Agamben, *The Man without Content*, trans. G. Albert (Stanford: Stanford University Press, 1999), p. 113f.

30 *IC*, p. 91. See also G. Agamben, "The Time that is Left", in *Epoché*, vol 7, nr 1, 2002. Avaliable at <www.pdcnet.org/pdf/agamben.pdf>.

31 W. Benjamin, *The Life of Students*, trans. R. Livingstone, in *Selected Writings*, Vol. 1 (Cambridge, Mass.: Belknap Press, 2004), p. 37.

32 W. Benjamin, "Das dialektische Bild", in *Gesammelte Schriften* I:3 (Frankfurt am Main: Suhrkamp, 1991), p. 1238.

A basic thesis in Benjamin's fragment is that there is no historical, profane, dynamic that leads to the Messianic Kingdom. The historical, profane, events – wars, revolutions, suffering – none of this should be seen as a means to reach the Messianic Kingdom as an end. Thus, theocracy has no political meaning.

It is a much-debated question as to whether this should be understood as a radical separation between the realms of the profane and the Messianic. At first sight, it seems that in the first section of the fragment, every link between the profane and the Messianic Kingdom is cut. But let us here remind ourselves of the analysis Agamben made of the inclusive exclusion as a way of separation that has the peculiar effect of maintaining a fictional link between law and violence. Could this throw new light on the question of the relation between the profane and the Messianic Kingdom in Benjamin's fragment?

The profane events of the historical sphere are never a "means" to reach the Messianic Kingdom, Benjamin writes. In what follows, I will draw on his "Critique of Violence" (as we saw, this was probably written in close connection to the fragment), and interpret the profane, historical world in its totality as a "pure" means, a means without an end.

Benjamin's perhaps most famous example of "pure violence" picks up Sorel's distinction between a political strike that is a means to reach a certain political aim, and the proletarian general strike, that does not have any aim, but "freezes" society in its entirety. For Agamben, the sphere of pure means is the sphere of the "politics to come". As I see it, this means that the politics to come for Agamben is involved with the profane world *as such*, that is, *not* as a means to reach the Messianic Kingdom. What Agamben attempts is to evoke a transformation that robs the profane from its tensional, "longing", relation to the Messianic Kingdom as something transcendent. This is what Benjamin in his text from 1915, quoted above, called "to disclose the immanent state of perfection and make it absolute". It is in the light of this ambition that we should read expressions like "absolute immanence" or "the absolutely profane" in Agamben's texts.[33]

33 Cf. G. Agamben, "Absolute immanence", trans. D. Heller-Roazen, in *Potentialities* (Stanford: Stanford University Press, 1999).

The interpretation I have proposed of politics as the sphere of "the absolutely profane" might throw some light on an otherwise enigmatic point in Benjamin's fragment. In the middle section, Benjamin seems to repeat the word "profane" in a strangely redundant way: "If one arrow points to the goal toward which the profane dynamic acts, and another marks the direction of Messianic intensity, then certainly the quest of a free humanity for happiness runs counter to the Messianic direction; but just as one force can, through acting, increase another, that is acting in the opposite direction, so the profane order of the profane [*die profane Ordnung des Profanen*] assists the coming of the Messianic Kingdom".[34]

Now, why this doubling of the "profane"? My interpretation is that the "profane order of the profane" that Benjamin is trying to evoke here is the profane understood, not in its tension with a Messianic Kingdom that would be transcendent, but as the absolutely profane, as the profane in its own right. Making the profane really profane is thus what Benjamin points to as a dynamic that "assists" the coming of the Messianic Kingdom.

In further support of such an interpretation, we might note what Benjamin writes about the *restitutio in integrum* in his fragment. There is not only a spiritual but also a *worldly* restitution, Benjamin writes. In this *worldly* restitution the profane is to be restituted in its integrity, as such, without exceptions. This "absolutely" profane sphere, Benjamin writes, "corresponds" to the spiritual *restitutio in integrum*.

Thus, much like the Gnostics, Benjamin stresses that there is no link from the profane to the Messianic Kingdom. But in opposition at least to the common understanding of the Gnostics, there is in Benjamin no degradation of the profane, and ultimately no separation of it from the divine. Quite the opposite: When the profane has been liberated from its tensional relation to something transcendent, when the profane has been made absolutely profane, when its finitude, its "passing away", is accepted as such, then the profane (or "nature" as Benjamin writes in the fragment) is made "messianic".

34 W. Benjamin, *Theologico-Political Fragment*, trans. E. Jephcott, in *Reflections* (New York: Schocken 1986), p. 312. Translation amended from the German text in *Gesammelte Schriften* II:1 (Frankfurt am Main: Suhrkamp, 1991), p.204.

Capitalism as Religion

For Agamben, the messianic is thus the paradigm for politics. This idea of the messianic, however, Agamben says, is "always profane, never religious".[35] This view is given a further twist in a recent essay where Agamben writes of political praxis in terms of "profanation".[36] The genealogy of the sovereign structure of separation is here described in terms of the separation between a profane and a holy sphere. Today, Agamben claims, capitalism has developed into a structure of "pure" separation. Drawing on yet another fragment of Benjamin, Agamben thus declares that capitalism not only *springs* from a protestant ethic, it *maintains* the fundamental structure of religion.[37] The basic gesture of religious function is to declare certain things, persons and places "holy", thus putting the use of them under strict regulation. Today, Agamben claims, all things appear to us as exhibited commodities, not available for free use. This concept of "free use" is Agamben's most recent addition to his many concrete models for the "politics to come".[38] As "secularisation" is more and more becoming a master signifier in the discourse of power, working as a "common value" and criterion separating "the West" from the "terrorists", Agamben's critical analysis of the religious traits of capitalism may become increasingly important.

To sum up, pure violence is not a transcendental or a sovereign violence. It is only "a cipher for human praxis".[39] The politics to come

35 G. Agamben, *"I am sure you are more pessimistic than I am..." An interview with Giorgio Agamben,* Vacarme, in *Rethinking Marxism*, 16:2, April 2004, p. 119 and 120.

36 G. Agamben, "Lob der Profanierung", in *Profanierungen*, trans. M. Schneider (Frankfurt am Main: Suhrkamp, 2005), 70–91.

37 See W. Benjamin, "Capitalism as Religion" (1921), in *Selected Writings*, Vol. 1, trans. R. Livingstone (Cambridge, Mass.: Belknap Press, 2004), p. 288–291. In an essay presented as preparatory work for *Homo Sacer* II, Agamben has further analysed the dialectics between religion and economics. See "Theos, Polis, Oikos: Das Problem der Ökonomie auf der politisch-christlichen Bühne", trans. U. Müller-Schöll, in *Lettre International*, No 69, 2005, p. 60–62.

38 The most developed ones are perhaps "singolaritá qualunque" and "form-of-life" in, respectively, *The Coming Community* and *MwE*.

39 *SE*, p. 72.

that Agamben is trying to develop seeks to break the dynamics of inclusive exclusion through a change of perspective, a transformation of the way we are in time. There is no transcendence, but there is a possible transformation of our way of being profane, a possible transformation of our lives that exposes our own praxis as the pure means that it has always already been: "To expose in law its non-relation to life and to expose in life its non-relation to law, means opening a room for human praxis that could make a claim for the name 'politics'".[40]

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In the summer of 1924, Benjamin went on a trip to Italy. He spent a couple of months on Capri to do some writing on his thesis on the origin of the German tragic drama. At Capri he met the Lithuanian director Asja Lacis, a person that was very important for his growing interest in Marxism. In collaboration with Lacis, Benjamin wrote an essay on Naples that could perhaps serve as a way of making more palpable the idea of a messianic "indistinction". The central concept in the Naples-essay is the "porosity" of the city. "Irresistibly", Benjamin and Lacis write, "the festival penetrates each and every working day. Porosity is the inexhaustible law of the life of this city, reappearing everywhere. A grain of Sunday is hidden in each week-day, and how much week-day in this Sunday!"[41]

This porosity of the city Benjamin and Lacis claim results, above all, from the "passion for improvisation". Maybe this can serve as a reminder of just how close the messianic practice of the politics to come may be.

40 *SE*, p. 103.

41 W. Benjamin and A. Lacis, *Naples*, trans.Edmund Jephcott, in *Reflections* (New York: Schocken 1986), p. 168. Cf. Agamben's discussion of the Sabbath in "The Time that is Left", *Epoché*, vol 7, nr 1, 2002, p. 7f. Avaliable at <www.pdcnet.org/pdf/agamben.pdf>.

Pli 17 (2006), 38-60

The Obscene Voice: Terrorism, Politics and the End of Representation in the Works of Baudrillard, Žižek and Sloterdijk

SJOERD VAN TUINEN

Proleten aller Länder, vereinigt Euch!
Vladimir Putin, erroneously translated by his interpreter
at the opening of the Hannover trade fair of 2005

Continental media-theorists as diverse as Baudrillard, Žižek and Sloterdijk have detected many obscenities in contemporary politics. To all of them, terrorism as a present-day 'political' act is obscene, comparable to pornography or an excess of intimacy. Obscenity, like terrorism, is not a problem of too little communication, but rather of too much of a certain kind. It is the absolute vicinity of what is beheld, a presence without any representation. By giving the concept of the obscene the broader meaning of the demise of different kinds of scene, instead of its traditional narrow sexual meaning, I shall use the word to describe certain symptomatic phenomena in contemporary politics.[1]

Although I have chosen the topic of terrorism, I also could have selected statistics, cloning or even reality TV, for they are the ever-returning themes that connect the political analyses of these three philosophers. Nonetheless, there are specific reasons for using this particular theme: firstly, because all three authors wrote about these

1 With special thanks to Henk Oosterling for his comments.

themes in the political aftermath of 9-11, thus making comparison easier, and secondly, because this article was born as a philosophical commentary on Dutch political culture and its discontents, which seems to have reacted more strongly to this event than most of its European counterparts. The scope of this article has become slightly more encompassing, since it asks how the political machinery, in order to function, must rely on the obscene voice. The concept of the pornographic in this paper therefore doesn't apply to an analysis of the pornographic industry and its media, but rather to a certain kind of communication that pornography shares with contemporary political discourse. The two occasions for this question are the murders of the populist politician Pim Fortuyn and the film director and political writer Theo van Gogh. These Dutch masters of obscenity have left us two infamous remarks, upon which this article is a philosophical reflection: Pim Fortuyn's supposedly 'disarming' multiculturalist statement "I have nothing against Moroccans; I have them in my bed all the time", and Theo van Gogh's use of the word 'goat fucker' (*geiteneuker*) to denote Muslim fundamentalists, but often used in an extended sense to refer to the worldwide Muslim community.

These remarks are exemplary of the growing convergence of the political and sexual, the public and the private, and combined with the 'irrational' and violent murders of their inventors – by many, including most Dutch politicians, generally perceived as acts of terrorism – they illustrate a case for the application of the combined theoretical frameworks of Baudrillard, Žižek and Sloterdijk. First of all, by stressing important connections between their shared philosophical influences and diagnoses, I will compare the similarities in the analyses of what I call obscene politics, and what they respectively term transpolitics, postpolitics and hyperpolitics. Then, after summarising their views and contrasting their conclusions, I shall argue that Sloterdijk, in his recent work, offers the most affirmative, or least apocalyptic, position.

Postpolitics: the Radical Middle and the Obscene Object of Postmodernity

Postpolitics

In "The Future of Politics"[2], Žižek argues that we have a new public or collective space in which the standard opposition between private and public is no longer valid: it is the paradoxical space of 'shared, collective privacy'. What we now call privacy has nothing to do with a small and well-protected sphere of authenticity. Traditional Critical Theory teaches that the more we claim our right to privacy, the less there remains of it. And indeed, today the ultimate withdrawal into privacy is a public confession of intimate secrets on a television program.[3] 'Be yourself!', 'Express yourself!' There is hardly a more obscene cultural imperative. Foucault's lesson that the experience of subjective freedom is the appearance of subjection to disciplinary mechanisms is ultimately the obscene fantasmatic underside of the official 'public' ideology of freedom and autonomy.[4] This is precisely what Žižek refers to with his notion of interpassivity, which he substitutes for the far more common and politically legitimating notion of interactivity.[5] Self-expression becomes self-repression.[6] We also recognise this first definition of the obscene in Giorgio Agamben's description of the camp as the pure, absolute and unequalled biopolitical space, where the naked life of *homo sacer* – his biological life, sexual life etc. – has become the ultimate referent of contemporary politics, and where the private sphere and public function completely coincide.[7]

2 S. Žižek, *The Future of Politics*, in *Die Gazette*, August 2001, http://www.gazette.de/Archiv/Gazette-August2001/Žižek1.html.

3 S. Žižek, *Welcome to the Desert of the Real* (London: Verso, 2002), p. 85.

4 Ibid., p. 96.

5 Žižek distinguishes between two kinds of interactivity and contrasts only one of them with interpassivity. More than about passivity, the notion describes the lack of subjective distance that is essential to any position in-between. S. Žižek, *The Plague of Fantasies* (London: Verso, 1997), p. 112.

6 Foucault's lesson is confirmed by Deleuze: "The sorriest couples are those where the woman can't be preoccupied or tired without the man saying 'What's wrong? Say something...,' or the man, without the woman saying... , and so on. Radio and television have spread this spirit everywhere, and we're riddled with pointless talk, insane quantities of words and images. Repressive forces don't stop people expressing themselves but rather force them to express themselves." Gilles Deleuze, *Negotiations*, trans. M. Joughin (New York: Columbia University Press, 1997), p. 129.

7 G. Agamben, *Homo Sacer: Sovereign Power and Bare Life*, trans. D. Heller-Roazen (Stanford: Stanford University Press), pp. 130-3. Indeed, even academics cannot withdraw from this obscenity, for they, too, have experienced personally what it is like to be a true *homo sacer*: publish or perish!

This new, collective privacy is not old-fashioned exhibitionism. Rather, are we sliding more and more towards what uncannily resembles Leibniz' ontological vision of monadology, that which Baudrillard names 'the end of the social' and which Sloterdijk calls a world of 'foam', where every bubble is an egocentric and asocial monad within an aggregate condensed by mass media and I.T. Any direct encounter with the Other has been supplanted by what Žižek, along with Rancière, terms postpolitics: a depoliticised politics based completely on pragmatic negotiations and singular strategic compromises that neglect real and ideological antagonisms, and which simply excludes the Other from its own expanding obscenity. A second definition of obscene politics is, therefore, the wide-spread 'zombification' of European social democracy.[8] It is the price the Left pays for renouncing any radical political project and for accepting market capitalism as 'the only game in town'. If politics is the art of the impossible, as Žižek claims, post-politics is a negation of the political. What remains then are rather 'exotic' and violent methods for making politics. A real or authentic act, which according to Žižek can be terrorism in some cases, could now only be understood as an abolition of the principle of sufficient reason.[9] Hooliganism and terrorism are brought together as phenomena which lack of 'rational' antagonism. But this is exactly what occurs when the public sphere of the rational and the private sphere of the irrational intertwine.

Our technocracies discern only between the rational and irrational. All are involved in an 'obscene mathematics of guilt', which ignores the 9-11 victims in America and patronises Third World countries.[10] Nor has national politics been left cold by this rationalisation. Rather, "the line of

8 S. Žižek, "Why we all love to hate Haider", in *New Left Review*, March/April 2000, http://www.newleftreview.com/PDFarticles/NLR23603.pdf.

9 S. Žižek, *Pleidooi voor intolerantie*, trans. J. W. Reitsma (Amsterdam: Boom, 1998), p. 83 & p. 132. This text is a drastically reworked version of the original essay "Multiculturalism, Or, the Cultural Logic of Multinational Capitalism", published in *New Left Review*, September/October 1997, and has appeared only in Dutch.

10 Žižek, 2002, p. 52.

division is no longer between Right and Left, but between the global field of 'moderate' post-politics and extreme Rightist repoliticisation."[11] The renewed interest in civil society is delusive as well. For Žižek, civil society is not some nice neutralised social movement, but once again a legitimating network of moral majority, neoconservatives and nationalist pressure groups, who are against abortion and euthanasia whilst being in favour of religious education in schools. He criticises the reaction of transparency in politics, of taking a firm ideological stance: "precisely in such moments of clarity of choice, mystification is total"[12]. While Neocons and Rightists engage in obscene politics, Leftists and Critical Theorists, Feminists and Anti-Globalists are hardly different when they plead for more open and rational communication in artificial environments devoid of power relations. Thus, Žižek wonders if the opposition between Rightist populism and liberal tolerance actually exists, whether we are dealing with 'two sides of the same coin'. And indeed, in current European politics there seems to be very little difference. Fortuyn embodied the intersection of the two: the obscenity of liberal democracy, where tolerance means, in fact, nothing but the numbing proliferation of all kinds of private and public political, sexual and juridical discourse, and the obscenity of Rightist populism with its 'transparent' and firm ideological stance.

The Obscene Object of Postmodernity

Democracy is today's main political fetish, the 'Master-Signifier' which renders harmless all real social antagonisms in a new, radical mediocrity.[13] Jörg Haider is only the obscene double of Blair, his obscene sneer mirroring the famous, big smile that symbolises the Third Way. The latter displays an obscene permissivism and indifference, in which the superego has closer links with the id than the ego does. Certainly, Fortuyn could play up his homosexuality to an almost preposterous level of camp, but what appears to be carnivalesque subversion, this eruption of obscene freedom, really serves the *status quo*. So, for Žižek there

11 Žižek, 1998, p. 135.
12 Žižek , 2002, p. 54.
13 To borrow the title of an essay by H. Oosterling, *Radikale Mediokrität oder revolutionäre Akte? Über fundamentals Inter-esse* in E. Vogt & H. Silverman, *Über Žižek – Perspektiven und Kritiken* (Vienna: Verlag Turia + Kant, 2004), pp. 162-190.

exists an obscene underside of language, law, and politics that cannot be repressed and which continually surfaces.[14] "The very core of the 'passion for the Real' is this identification with – this heroic gesture of fully assuming – the dirty obscene underside of Power: the heroic attitude of 'Somebody has to do the dirty work, so let's do it!', a kind of mirror-reversal of the Beautiful Soul which refuses to recognise itself in its results."[15] Between McWorld and Jihad we find the 'embarrassing third term': Arab regimes such as those of the Saudis or Kuwaitis. They represent the vanishing mediator, 'the obscene object of postmodernity', which we are forced to deny explicitly in order to acknowledge the primacy of economy over democracy.[16] We cannot call this a 'banality of evil' in Hannah Arendt's sense (bureaucrats simply doing what is asked of them without even discussing it). Rather, obscenity means that the dark underside is in no way kept secret.[17] Instead, terrorism, like sexual privacy, is everywhere. One of the great insights of Žižek's Lacanian dialectics is that terrorism is the great Counter-Signifier of democracy, and thus, in a dialectical sense, its own negative constituent.

Transpolitics: the End of Representation

End of Representation

Žižek subscribes to Badiou's thesis when he states that the mark of the Twentieth Century was its 'passion for the Real', its longing for an undeniably true experience. He suggests that we cannot simply assert the absence of the Real, as Baudrillard does, nor can we take the attacks on the World Trade Centre as unambiguously real. If the modern passion for the Real ends up with the pure semblance of the political theatre, then, in an exact inversion, the 'postmodern' passion of the semblance of Friedrich Nietzsche's Last Man ends up in a kind of Real. This is also how Baudrillard understands our 'passion for the Real'. Because the

14 Žižek, 2002, p. 27.
15 Ibid., p. 28.
16 Ibid., pp. 42-3. The notion of the vanishing mediator is taken from S. Žižek, *Tarrying with the negative: Kant, Hegel, and the Critique of Ideology (Post-Contemporary Interventions)* (Durham: Duke University Press, 1993).
17 Ibid., 136.

even if it is only its own bad conscience reflected in the images. Abu Ghraib demonstrates for Baudrillard the obscene way in which democracy, by publicising its own vices, restores its virtue. It is a 'parody of violence'.[24]

As we already learned from Žižek, terrorism is understood as one of the only political acts after the 'implosion of representation', precisely because it is completely non-representative. Baudrillard observes: "there isn't even a need for 'embedded journalists' any more; it's the military itself that is embedded in the image"[25]. Therefore, he asks: "When there is such a formidable condensation of all functions in the technocratic machinery, and when no alternative form of thinking is allowed, what other way is there but a terrorist situational transfer?"[26] Terrorism is transpolitical because it is irrational and fatal, and because it represents no one.[27] Far beyond ideology and politics, terrorist acts have deconstructed the world situation. "It is the tactic of the terrorist model to bring about an excess of reality, and have the system collapse beneath that excess of reality. The whole derisory nature of the situation, together with the violence mobilised by the system, turns back against it, for terrorists are both the exorbitant mirror of their own violence and the model of a symbolic violence forbidden to them, the only violence they cannot exert – that of their own death."[28] The hegemonic response to the impossibility of acting politically, the so-called 'war on terror', is one of political impotence, of 'democrazy' as Žižek sometimes calls it. Baudrillard therefore rephrases Clausewitz: "War (Afghanistan, Iraq) as continuation of the absence of politics by other means."[29]

Terrorism, for the impotent hegemonic system, is a gift that cannot be denied. All that was political is now contaminated with terror. Terrorism is everything: political, criminal and religious; it is everywhere: public and private. Drawing parallels between 9-11 and the murders of Pim

24 J. Baudrillard, 2005, "Pornography of War" in *Cultural Politics*, 01/01, pp. 23-5.
25 Ibid., p. 24.
26 J. Baudrillard, *The Spirit of Terrorism*, trans. R. Bloul (London: Verso, 2002), p. 9.
27 Baudrillard, 1983, p. 52; 2002, p. 100.
28 Baudrillard, 2002, p. 18.
29 Ibid., p. 34.

Fortuyn and Theo Van Gogh is, of course, in itself a first class obscenity, a lack of distance or a grave indifference. Nevertheless, numerous serial writers and neoconservatives, especially those from America who put substantial energy in informing "them in Europe" of their shared imperfection, have made this link. And certainly, without 9-11, most of the sad events in current Dutch politics would be unthinkable. Terrorism has become so ubiquitous that Dutch parliamentarian Ayaan Hirsi Ali, who wrote the screenplay of *Submission*, for which Theo van Gogh was murdered, can now demand that conducting an 'honour feud' be viewed as an act of terrorism, leading to absurd parliamentary debates. Everything characteristically Muslim is now a potential target for anti-terrorist action. Terrorism is obscene precisely because it puts an end to the scene of prohibition and its violation and thus transcends the criminal act. It also risks shifting the discussion from an interpersonal level to the gender-political, one that might even turn wife-beaters into terrorists. The same can be said, though by way of an inverted logic, of the remarks cited at the beginning of this essay. So, the Dutch examples demonstrate how the political has become fatally contaminated with terrorism and how the sexual risks the same fate.

When Baudrillard writes that terrorism is a gift that we cannot refuse, he means that terrorism is not an old-fashioned power of force – and therefore, he tries to 'forget' the Foucaultian perspective[30] – but rather, it is a symbolic challenge and outbidding. In the hyperreal, the politics of force have given way to a transpolitics of obscene images. But after 9-11 he seems to have revised his earlier view that symbolic exchange is impossible. "Whereas we were dealing before with an uninterrupted profusion of banal images and seamless flow of sham events, the terrorist act in New York has resuscitated both images and events."[31] In fact, for Baudrillard, all reaction is fatal: "he who stakes his all on the spectacle will die by the spectacle".[32] Nevertheless, it was inevitable that an entire terrorism industry would arise. An obscene amount of money has been spent on branding the War on Terror. We are all expected to feel traumatised, though the act of terror itself is of little importance. What

30 See also Jean Baudrillard, *Forget Foucault*, trans. N. Dufresne (New York: Semiotext(e), 1988).
31 Baudrillard, 2002, p. 27. Compare Baudrillard, *Symbolic Exchange and Death*, trans. I. H. Grant (London: Sage Publishers, 1994).
32 Baudrillard, 2005, pp. 24-25.

matters is what is done with it – this is, first and foremost, a question of money. Not only because nothing sells so well as bad news, but even more so because, with the revival of the event-making potential of mass-media, global terrorism seems to have created a new political economy of symbols, images and fear. It is both the result and the stuff of contemporary mass-media. The universal attraction to the news media as well as to the countless disaster movies is on par with pornography and terrorism and shows that acting out, the impulse to indifferently reject any system growing stronger as it approaches perfection or omnipotence, is never far away. This is no longer a 'theatre of cruelty',[33] for the stage has evaporated. Rather, we are dealing with what Virilio calls 'the exhibitionism of a total terrorist war'.[34] Contemporary international politics has therefore become "like an 'automatic writing' of terrorism, constantly refuelled by the involuntary terrorism of news and information."[35] Indeed, from his early work onwards, Baudrillard has held that "there is no good use of the media; the media are part of the event, they are part of the terror, and they work in both directions".[36]

Hyperpolitics: The Last Man and the Search for the Right Distance

Cynicism and Contempt

Both Žižek's analysis of our cultural indifference and Baudrillard's analysis of mass-medial indifference bear strong resemblances to Sloterdijk's early analysis of cynicism. Baudrillard's claim that the media are always part of the terror event leads us to conclude that our time can still be called cynical. According to Žižek, "the idea of an 'honest democracy' is an illusion, as is the notion of a Law without its obscene superego supplement". In his *Critique of Cynical Reason* (1983), Sloterdijk speaks of a similar lack of distance which renders us indifferent, or with Žižek: interpassive.[37] Pragmatic paradoxes are the

33 Baudrillard, 2002, p. 30.
34 P. Virilio, *Ground Zero*, trans. Chris Turner (London: Verso, 2002), p. 25.
35 Ibid., p. 33.
36 Baudrillard., p. 31.
37 P. Sloterdijk, *Critique of Cynical Reason*, trans. M. Eldred (University of Minnesota Press, 1987), p. 510.

modus operandi of our politicians and of many critical theorists. The explicit message is subverted by the implicit. Lies and aporias, who can tell the difference? This understanding of obscenity reminds us of the structural discrepancy between political competences and the demands of reality that Sloterdijk, in his *Critique of Cynical Reason*, called cynicism: 'enlightened false consciousness'. In this book, he traces the fall of modern consciousness into a pervasive cynicism, understood as participation in a 'collective, realistically attuned way of seeing things' that follows after 'naive ideologies and their enlightenment'. Our passion for the Real has led us to a premature resignation in front of an overwhelming, pragmatic cynicism. Ironically, Sloterdijk argues that the success of enlightening and consciousness-raising critical interventions has been in making it clear to everyone that they are miserable, whilst not providing them with the resources to remedy their situation.[38]

A second example of cynical or obscene politics comes from Žižek. For him, today's racism no longer proclaims: "I am more than you." It says: "I want my culture, you can have yours." We are dealing with a neo-fascist right that says: "yes, the lesson of deconstructionism against universalism is that there are only particular identities. So, if blacks can have their culture, why should we not have ours?"[39] It is this pseudo-egalitarianism that Sloterdijk criticises in a highly polemical critique of postmodern mass culture, *Die Verachtung der Massen* (2000, in English: 'The Contempt of the Masses' -my translation). First, he shows us how the notion of the masses has developed historically. For Hobbes, on the one hand, what mattered was the subjection of the individual and his self-esteem to an omnipotent sovereign and the silencing of his pride and

38 Ibid, pp. 3-5. To parry this enlightened false consciousness, the early Sloterdijk attempts to reanimate or rather to re-embody Critical Theory through a positive mode of *kynicism*, taken from Diogenes, in order to phrase new and resilient modes of enlightenment. One of the main characteristics of this positive mode of cynicism is its emphasis on strategic, satirical provocations and, as such, forms a Leitmotiv of his whole oeuvre. I quote from one of his more recent works, P. Sloterdijk, *Die Verachtung der Massen* (Engl. trans. The Contempt of the Masses, Frankfurt a.M.: Suhrkamp Verlag, 2000), pp. 62-63: "Philosophers have only differently flattered society, it is now a matter of provoking it." This is, of course, a paraphrase of Marx' famous eleventh thesis on Feuerbach.
39 Žižek, *The One Measure of True Love Is: You Can Insult the Other*, Interview with Slavoj Žižek by Sabine Reul and Thomas Deichmann, 2004, http://info.interactivist.net/article.pl?sid=01/12/04/0549244&mode=nested&tid=9.

compulsion to confess to whomever is willing to listen. Subjection, a becoming subject, according to Hobbes means becoming a private person while leaving the making of history to others. Modernity, on the other hand, has shown the becoming subject of the masses as the subject of history. This emancipation of the masses has led us in the opposite direction. Essentially, everything has become public in our mass culture.

It is this modern mass-mediatised subject that now simply absorbs its surroundings into its opaque immanence, as in Baudrillard's obesity, and remains completely indifferent to history. In order to criticise this suffocating indifference Sloterdijk distinguishes between two versions of contempt: one subjective, formulated by Spinoza, the other objective, formulated by Nietzsche.

1. Sloterdijk paraphrases a passage from Spinoza's *Ethics*: "Contempt is the imagining (*imaginatio*) of some mass that makes so little impact on the mind that the presence of the mass motivates the mind to think of what is not in the mass rather than of what is in the mass."[40] The masses embody everything that is not particular, everything which it is not worth taking note of. Therefore, what we call mass culture will always be obliged to develop the uninteresting as the most interesting. From this perspective, the contempt of the masses concerns everything that is special, everything that is not indifferent.

2. The other important theorist of contempt is, of course, Nietzsche, who was the first to show that contemptibility is not something subjective, something that disappears when our subjective contempt ceases, but rather that it is something objective. Indeed, the objectively contemptible is exactly the obscene satisfaction of Last Man with himself and his insignificant desires. Thus, Nietzsche's own contempt has as its object the contempt of the masses for everything that transcends their horizon.

40 Sloterdijk, *Die Verachtung der Massen* (Frankfurt a.M.: Suhrkamp Verlag, 1998), p. 45. See also Spinoza's *Ethics*, part III, 5th definition of the emotions.

The masses oblige and any criticism must come as untimely. Their indifference or mediocrity has strong totalitarian traits and their media, such as the new free daily newspapers in public transport,[41] reflect this. This explains the obscene simplicity of Michael Moore's documentaries, for example: the emancipation of the masses means the convergence of liberty with banality. The mass media are, in fact, so mediocre that, with regards to terrorism, they function completely ambiguously. What the media reflect is the obscene truth, indifference and permissivism of multinational and multicultural capitalism. Everything that can be said on terrorism amplifies its effect, and at the same time it is impossible to keep silent. Because of the primacy of mass media it has become almost impossible to discern between the offenders and the victims, terrorists and hostages, sympathisers and critics. Just like in Baudrillard's analysis of the obscene presence of terrorism, a lack of distance is a fundamental aspect of this indiscernibility.

Hyperpolitics: the First Politics for the Last Men

Sloterdijk gives us two strongly-related versions of the obscene: cynicism and the contempt of the masses, both of which characterise the modes of thinking of the Last Men. We are not condemned to freedom, as Sartre claimed, but rather to frivolity. Žižek describes how we have reduced ourselves from *homo sacer* to the nihilist 'homo sucker', who is only interested in his own right to happiness. The failure of the international community merely reflects the obscene consequences of the absence of *große Politik*. Politicians live in a semantic brothel; not only do they have to listen to and speak the twaddle of their own caste, a twaddle carried by the sterilised discourse of sociologists and political scientists, they also have to deal positively with the unmistakable presence of the lie. And what appears to be a clownish subversion, Fortuyn's remark about Muslims in his bed, whilst thought to be an eruption of obscene multiculturalism, really serves the status quo with its meaninglessness. But the political consequences of the absence of grand politics are also constantly reflected in the failure of the international community to end wars that remain politically significant. In Sloterdijk's earlier work, the task of contemporary hyperpolitics was to forge out of the self-centred Last Man someone who is still interested in the Other, a 'between-man' (*Zwischenmensch*) who can function both spatially and

41 For example in The Netherlands: *Metro* and *Spits*.

timely as a mediator or 'distantiator' between different coexisting parties and between ancestors and future generations.[42]

What we do not need is even more transparent communication. That is why, in his most recent works, Sloterdijk draws even more radical consequences from the preceding analysis. (Tele)Communication in a strong sense, as any *actio in distans*[43] in a world thoroughly mediated, is not simply the sending of a signal but the continuous and direct interaction and -passion or intercourse (*Verkehr*) that makes every action reciprocal.[44] Because of this new global intimacy, we are dealing with a principle of reciprocal feedback that does not allow for one-sided actions, such as terrorism.[45] Terrorism is a violation of the new restraining rules of mutuality.[46] The political challenge of politics now is to determine and maintain the right distance. An example of this alternative attitude is the Spanish reaction to the Madrid bombings. In contrast with the aftermath seen in the Netherlands following the murders of Fortyun and van Gogh, there were no school burnings, no long weekends full of ridiculous parliamentary debate, and no grave setbacks for solidarity and social relations between the natives and Muslim immigrants. Apart from being a revealing case of how the number of deaths and material damage hardly count when compared to the impact of symbolic imagery, this measured or distanced reaction gives us hope that there actually is an alternative to the obscenity of Dutch politics.

Post-obscene Politics

42 P. Sloterdijk, *Selbstversuch. Ein Gespräch mit Carlos Oliveira* (München: Carl Hanser Verlag, 1996), p. 32. See also: P. Sloterdijk, *Im selben Boot. Versuch über die Hyperpolitik* (Frankfurt a.M.: Suhrkamp Verlag, 1993), p. 80 and P. Sloterdijk, *Eurotaoismus. Zur Kritik der politischen Kinetik* (Frankfurt. A.M.: Suhrkamp Verlag, 1989), pp. 277-293.

43 P. Sloterdijk, *Im Weltinnenraum des Kapitals* (Frankfurt a.M.: Suhrkamp Verlag, 2005), p. 277.

44 P. Sloterdijk, *Sphären II: Globen* (Frankfurt a.M.: Suhrkamp Verlag, 1999), p. 835.

45 Sloterdijk, 2005, pp. 24-5

46 Ibid., p. 285.

Now that we have examined three similar accounts of how terrorism, contemporary politics and the end of representation intersect, we can answer the question of how the political machinery and its discourse, in order to function, must rely on the obscene voice. Why would someone purposely use the word 'goat fucker' to reduce the substantial differences between himself and Muslim fundamentalists to a politically accidental difference of sexual preference? The answer can be found if we define contemporary politics as obscene, as characterised by a lack of distance which entails an excessive presence. Žižek recognises this absence of distance in a threefold disappearance: of real political antagonisms, of the distinction between the public and the private, and of the demarcation between the superego and the id. In Baudrillard's analysis of the demise of the scene, the lack of distance between a subject and its object has resulted in a hyperreal which knows no representation and in which all has become political, just as everything has become sexual. For both authors, terrorism naturally follows when traditional representative democracy becomes impotent. Sloterdijk finds a lack of distance between the political and what it represents in the cynical self-contempt of Last Man. For him, as for Baudrillard, terrorism is defined by an excess of intimacy or communication through our own mass media. All three see this mass-mediatised lack of distance as a cause of our totalitarian mediocrity, the indifference of the mass media in which terrorism, pornography (which is, of course, by far the most harmless) and politics all speak the same obscene language.

This lack of distance does not refer to an absence of God, nor to an empty but presupposed interiority as a modernist analysis would claim, but rather to a promiscuous presence, a presence that is too near, that constantly affects us without leaving space to oppose it. Ubiquitous sexualisation is but one of its expressions, terrorism another. Therefore, Baudrillard might be correct when he simply dismisses any future for contemporary politics. Terrorism (as the ultimate event), pornography and post-representative politics all operate primarily through mass-medial seduction. And since Westerners have been completely domesticated, it is now the turn of other cultures' wives – or husbands or maybe even their goats – to be seduced. "In our eclectic culture, which embraces the debris of all others in a promiscuous confusion, nothing is

unacceptable."[47] In a time when everyone must take everyone's ideas and texts seriously ("let's collectively reread the Koran and see what it says!"), it is hard to find criteria that distinguish between emotions, opinions, irony and truly argumentative ideas. As for the Dutch situation, exactly this mentality constituted the kernel of the now rather infamous Dutch climate of tolerance, dating back to the Dutch Golden Age, and Dutch politics still seems to distinguish itself as having fewer scruples in self-expression. Everyone says exactly what he thinks – no matter how confrontational, un-reflected, stupid or ignorant an opinion it may be – and communication is thus the victim of its own success. In Dutch politics, every Right-wing populist can now seriously ask for reinstating the death-penalty or a *status aparte* for the Netherlands within the EU. This suggests that a political scene no longer exists, enforcing Baudrillard's melancholy.

Does this leave us empty-handed? At best, the political insight into its own impotence leads to a transformation of fatal into banal strategies.[48] Therefore, Sloterdijk can qualify Baudrillard as an artist who acts beyond any political subversion. He is beyond the revolutionary because he is stuck in sheer denial of the political.[49] According to Baudrillard: "It is useless to expect a positive opinion or a critical will from the masses, for they have none: all they have is an undifferentiated power, the power to *reject*."[50] Ironically, it is this position in the shadow of the indifferent majorities that Baudrillard himself self-consciously occupies. Žižek, on

47 Baudrillard, 2002, p. 73.

48 Baudrillard, 2002, p. 87. Sloterdijk mentions Rorty as an example of this new pragmatic smugness (1998, p. 58). Rorty bluntly situates himself among the Last Men, of course on the condition that they are American liberal democrats, and thus sincerely embarks on a journey into banality. An especially revealing case of Rorty's 'democracy before philosophy' constitutes the ethical commissions that have arisen everywhere. For a thoroughly untimely critique of this practice and of its connection with the mediocrity of representative democracy, see Alain Badiou's *Ethics*: "Parliamentary politics as practised today does not in any way consist of setting objectives inspired by principles and of inventing the means to attain them. It consists of turning the spectacle of the economy into the object of an apathetic (though obviously unstable) public consensus. ... The very idea of a consensual 'ethics' ... is a powerful contributor to subjective resignation and acceptance of the *status quo*." A. Badiou, *Ethics. An Essay on the Understanding of Evil*, trans. P. Hallward (London: Verso, 2002), pp. 31-32.

49 Sloterdijk, 1996, p. 53.

50 Baudrillard, 2002, p. 72.

the other hand, in *Welcome to the Desert of the Real*, is happy to trade in the all too human fascist Fortuyn for 'the freedom fighter with an inhuman face'.[51] As the sole truly political thinker of the three philosophers discussed here, he pleads for a Leninist-inspired repoliticisation of the economy,[52] a return to 'real antagonisms' to overcome our 'repressive tolerance'. This does not necessarily mean having recourse to a military model, as in extreme-right 'ultra-politics',[53] but is at least a plea for a renewed interest in symbolic conflicts. Yet Baudrillard has shown exactly how this recourse is fatal. But this leaves us with two rather apocalyptic interpretations of contemporary politics. Therefore, we need a third position, possibly not a position of political actionism, but a position which at least gives us the analytical perspective to affirm the present situation. I contend that it is this third position, a position offered by Sloterdijk, who, like Baudrillard, is not really a political thinker in the strictest sense – he has no clearly defined enemies and does not acknowledge theoretical analysis as a kind of briefing before battle – but nonetheless, or maybe precisely for this reason, offers us a refreshingly positive perspective.[54]

People who claim that we can do nothing against terrorism and would rather resign themselves stoically to all the bad news have understood that there is no big difference. But we should keep in mind Nietzsche's lesson that resignation and indifference are opposed to affirmation, and thus cannot lead to any positive political stance. Sloterdijk, drawing from his Nietzschean background, seems to affirm both Žižek's obscene object of postmodernity and Baudrillard's fatality as an *amor fati*, when he seeks to reassess intimacy as a necessary anthropological constant.[55] This

51 Žižek, 2002, p. 82.

52 Žižek, 1998, p. 100.

53 Idem, p. 23.

54 "I myself am interested neither in war nor in politics as the waging of war with the means of peace. In this sense I'm not a political writer ... Political writers are those who have an enemy, who array themselves in some kind of intellectual battle ... and for them there is no true theory, but only encampment discourse. Every morning marks the issuing of an order, a briefing and the observation of hostile operations." Sjoerd van Tuinen, "Terrorisme is een bewijs van te veel communicatie" in *Filosofie*, 06/07-2004, pp. 27-30.

55 There can be found a Lacanian inspiration in all three authors. Žižek's 'obscene object of postmodernity' is based on Lacan's 'Thing' (*chose*), the lack of which is constitutive for our growing-up. Sloterdijk replaces the 'Thing' with Thomas

also means a renewal of Nietzsche's 'pathos of distance' in a 'theory of immersion', which must come after the opposition between active and passive has been deconstructed.[56] In his famous playful style: "Whereto one has no distance, therewith one should play." ("*Wovon es aber keine Distanz gibt, damit muss man spielen.*")[57] And: "Where there was inconsolability, there mediaperformance shall come to be." ("*Wo untröstlichkeit war, soll Medienperformance werden.*")[58] One could say that Sloterdijk's two latest books – *Sphären III: Schäume* ("Spheres III: Foams") and *Im Weltinnenraum des Kapitals* ("In the Inner-world-space of Capital") (2005) – substitute the relations of the intimate and the distant in terms of telecommunication for the more traditional relations of the local and the global. *Im Weltinnenraum des Kapitals* breathes a clear discomfort about the overly communicative constitution of our world. Mass hysteria is the most fatal of all mass-mediatised communications in a world in which everything is mutual, designated by Sloterdijk's topological term 'density'. The world of foam, comparable to Žižek's shared, collective privacy, is only possible if it also marks the increasing priority of checks and restraints on action over initiatives. Primarily against the romantics of intimacy propagated by third generation Frankfurt School communication theorists, but also as an alternative to the melancholy of Baudrillard and the militant Leninism of Žižek, it is of utmost political importance to take Sloterdijk's plea for a new 'Reason of density' seriously.[59] If a space remains in which politics can continue, it will not be a place where everyone can just link up with tsunamis of emotions, hysteria and violence. It will be a place that still has its own reason; a mediating 'sphere' that is not transparent, that cannot be denied and that, instead of indifferently absorbing the expressions of its inhabitants, makes a difference itself. What is needed is a new structural transformation of the public sphere, one which is

Macho's 'nobject' and one can also recognize the Lacanian 'chose' in Baudrillard's 'pure object' [For this comparison, see H. Oosterling, "Wie gaan we klonen? Sloterdijk over het telen van mensen" in *Humanist* (vol. 57, 2003, nr. 3), p. 47-52]. Both are incestuous maternal objects, brought into horrible proximity, though in different ways. Ultimately, only for Sloterdijk is there not necessarily something obscene about it.

56 Sloterdijk, 2005, p. 16.

57 P. Sloterdijk, *Der Denker auf der Bühne. Nietzsches Materialismus*, (Frankfurt a.M.: Suhrkamp Verlag, 1986), p. 166.

58 Sloterdijk, 1998, p. 478.

59 Sloterdijk, 2005, p. 27.

adequate to the age of complete medialisation and whose conductive qualities allow it to function as a relay as much as a place for confrontation.

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Pli 17 (2006), 61-83

"The Sovereign Disappears in the Election Box": Carl Schmitt and Martin Heidegger on Sovereignty and (Perhaps) Governmentality

THOMAS CROMBEZ

There is no text that stands in greater contrast to the exalted and intoxicating declarations of support by German philosophers to the National Socialist revolution during the early 1930s, than Bertolt Brecht's play from 1941, *Der aufhaltsame Aufstieg des Arturo Ui (The Resistible Rise of Arturo Ui)*. Still, Brecht's blunt portrayal of the leading Nazi personalities as gangsters and "super-clowns" makes it possible to point out a distinctive loophole in the philosophers' eulogies. It concerns their use of the concept of sovereignty, exemplified by the Führer and the unified will of the German people. When the ghost of Ernesto Roma (Ernst Röhm) appears to his murderer, Arturo Ui (Adolf Hitler), he tells him that, while he may "trample the city with a hundred feet", he should be careful to "trample not the feet".[1] As it had become clear after the 'Night of the Long Knives', or so-called Röhm putsch (30 June to 2 July 1934), the National Socialist regime conceived of itself as fully self-sufficient, able to deploy its supporters at will but also to withdraw and even exterminate them. Absolute sovereignty is not a giant with feet of clay, but a giant that claims to stand without feet.

The aim of this paper is to show how sovereignty and its self-referential paradox are at work not only in National Socialist politics, but also in the philosophising of some of its major proponents. The concept

1 B. Brecht, *The Resistible Rise of Arturo Ui*, transl. by R. Manheim (London: Methuen, 2002), p. 92 (Scene 14).

of sovereignty is strongly embedded in the early modern context that gives rise to it (e.g., in Machiavelli, Jean Bodin, or Thomas Hobbes). During this period, according to Quentin Skinner, the modern idea of the state emerges. It is an abstract form of public power, "separate from both the ruler and the ruled".[2] However, the great increase in centralised power could still be perceived as flowing towards a single personified instance of rulership, the monarch. Christopher Pye and Louis Montrose have therefore drawn attention to the peculiarity of sovereignty to the early modern epoch: "At this historical juncture, the body politic inhered in the body of the prince."[3] Later thinkers such as Jean-Jacques Rousseau or John Austin had great difficulties changing the concept into the (inherently problematic) notion of 'popular sovereignty'. It is striking that, faced with the development of Fascism, a number of philosophers tried to retrieve the early modern notion of sovereignty. Although this paper will chiefly deal with German philosophers supporting the National Socialist government, or at least feeling strongly related to the Nazi revolution of 1933, it should be pointed out that Georges Bataille, for example, first developed his notions of sovereignty and sovereign man in the 1933 essay 'La structure psychologique du fascisme' ('The Psychological Structure of Fascism').

In order to reveal and analyse sovereignty, Michel Foucault's distinction between the logic of sovereignty and the logic of governmentality will be used. His definition of sovereignty is strongly present in Carl Schmitt's writings, but also makes a surprising appearance in Martin Heidegger's texts of the early 1930s, where we may distinguish three figures of sovereignty. They will serve as evidence when checking if Slavoj Žižek's notion of ultra-politics, which is so relevant to Schmitt's conception of sovereignty and 'politics' in general, also applies to Heidegger's perspective. Once it is established that the radicalisation of the logic of sovereignty is typical for Schmitt, Heidegger, and other philosophers and ideologues of the same epoch, it will be suggested that this radicalisation might stem from a failure to recognise the workings of governmentality.

2 *The Foundations of Modern Political Thought* (Cambridge, MA: Cambridge University Press, 1978), vol. 2, p. 353.

3 L. Montrose, 'The Elizabethan Subject and the Spenserian Text', in *Literary Theory/Renaissance Texts,* eds. P. Parker and D. Quint (Baltimore: John Hopkins University Press, 1986), p. 307. Quoted in C. Pye, *The Regal Phantasm: Shakespeare and the Politics of Spectacle* (Londen: Routledge, 1990), p. 3.

Part 1: the Logic of Sovereignty under National Socialism

In his speech to the Reichstag of 13 July 1934, Hitler himself elaborately illustrated how the self-referential paradox of sovereignty suffuses the mechanics of the National Socialist revolution. The murderous campaign against the alleged Röhm putsch is defended on the grounds of a budding conspiracy by the SA top, supported by two generals of the Reichswehr, that was to result in a new coup d'état. Hitler carefully has to distinguish these renegade 'revolutionaries', his former brothers in arms, from the true National Socialist 'revolutionaries' who have seized power just one and a half years before. His rhetorical strategy is based on the Fallen Angel narrative. Ernst Röhm and his co-conspirators "have become Revolutionaries who worship Revolution as Revolution and wish to see in it a permanent condition". They are restless, violent fanatics who do not understand that the revolutionary state of emergency is valid no longer, and hence "have lost all inner relation to the human order of society".[4]

By turning Röhm into some kind of Lucifer, the Chancellor implicitly paints a picture of himself as a divine angel of retribution. As was already clear to his contemporaries, this meant a radical departure from modern political thought, since the executive power was made to coincide seamlessly with the judicial power: "In this hour, I was responsible for the fate of the German nation, and therefore I became the supreme judge of the German people!"[5] What was left unsaid, however, is that this concept of leadership unifying all state powers implied a reactivation of the feudal notion of sovereignty. Only in the early modern period would it be fully developed by Jean Bodin (*Les Six Livres de la République* [*Six Books of the Commonwealth*], 1576) and Thomas

4 M. Domarus, *Hitler: Reden und Proklamationen 1932-1945* (Wiesbaden: Löwit, 1973), vol. 1, pp. 411-412. Transl. in J. Fest, *The Face of the Third Reich,* transl. by M. Bullock (London: Weidenfeld & Nicholson, 1970), Chapter 2.6 ('Ernst Röhm and the Lost Generation').

5 "In dieser Stunde war ich verantwortlich für das Schicksal der deutschen Nation und damit des deutschen Volkes oberster Gerichtsherr!". Domarus, *Hitler,* vol. 1, p. 421.

Hobbes (Leviathan, 1651). Michel Foucault, in his 1976 lectures at the Collège de France entitled *"Il faut défendre la société"* (*"Society must be defended"*), defined sovereignty as relating to territory. Its chief objective is how to maintain and expand this territory, in relation to which it occupies a position that may be marked as singular, external and transcendent.[6] Another kind of poer that power that is not primarily interested in the land itself or the people inhabiting it. This other kind of power, which Foucault terms 'governmental', develops only during the early modern period. The logic of governmentality is concerned with the governance of the bodies of those who inhabit the territory. Foucault identified this as the rise of biopolitics.

To clarify the difference between the workings of sovereignty and governmentality, consider the case of an epidemic.[7] The appropriate reaction for a ruler under the logic of sovereignty (for example, the medieval remedy against the plague) is to determine which individuals are diseased and which ones are healthy, and then to expel the diseased. Under the logic of governmentality, on the other hand, the diseased are not excluded by the governing instance, but included. During the modern period, the medieval remedy was gradually abandoned. An inflicted city was instead partitioned into districts that were placed under the authority of certain supervisors, who became responsible for the control of every person living in it. Disease was no longer expelled, but controlled and contained. At first, governmentality takes on the form of disciplinary logic (surveillance and control), but later on its scope vastly widened. During the eighteenth and nineteenth centuries, it is no longer just particular bodies that are checked, but a series of statistic variables describing all bodies and what they produce: mortality and natality, disease rates, fertility, productivity, etc. If bodies may be said to be disciplined during the first stage of governmentality's development, it is the aim of its second stage to regulate the variables defining a

6 M. Foucault, 'La "gouvernementalité" ' (1978), in *Dits et écrits 1954-1988,* eds. D. Defert, F. Ewald and J. Lagrange (Paris: Gallimard, 1994), vol. 3, p. 638-639.

7 Foucault gave this example in his lectures entitled *Les Anormaux: Cours au Collège de France 1974-1975* (Paris: Gallimard/Le Seuil, 1999), p. 41ff, and subsequently in *Surveillir et punir: Naissance de la prison* (Paris: Gallimard, 1975), Chapter 3.

population.[8] Both stages together produce a thorough normalisation of the social body.

During the last lecture of the 1976 course, Foucault gave a rough sketch of how totalitarian regimes could be described in terms of sovereignty and governmentality. "[Nazi society] has generalised biopower in an absolute sense, but [it] has also generalised the sovereign right to kill." Nazism makes the logics of both sovereignty and governmentality coincide. However, Foucault only focused on the 'thanatopolitics' of both the Final Solution and Hitler's last order for the destruction of the German people's living conditions. He described the appearance of "an absolutely racist State, an absolutely murderous State, and an absolutely suicidal State".[9] He does not apply his distinction to the genesis of the Nazi state from the 1933 revolution onwards, nor to its peculiar organisational structure, its definition of leadership, or its ideology.

Is it possible to describe Hitler as a sovereign agent? Although from 1933 onwards, he is consequently referred to as the German people's supreme and most able leader, this does not make him a particular 'sovereign' figure. As has been argued by thinkers such as Claude Lefort and Alvin Gouldner, the typically monarchic notion of rulership disappeared gradually from the democratic revolutions of the 18th century onwards.[10] It was not replaced. Democracy indeed led to the emergence of leadership, but this was a wholly new and different concept. Hitler, as a modern leader, is not at all like the external and transcendent monarchs. On the contrary, he embodies the German nation. He lived their experiences (the trench warfare of 1914-'18, the uncertainties of the post-war crisis), he shares their hopes and desires,

8 M. Foucault, *"Il faut défendre la société": Cours au Collège de France 1976,* eds. M. Bertani and A. Fontana (Paris: Gallimard, Seuil, 1997), p. 219; *"Society Must Be Defended"*, transl. by D. Macey (London: Allen Lane, 2003), pp. 246-247 (17 March).

9 *"Il faut défendre la société"*, p. 232; *"Society Must Be Defended"*, p. 260 (17 March)

10 C. Lefort, *Democracy and Political Theory,* trans. D. Macey (Minneapolis: University of Minnesota Press, and Cambridge, England: Polity Press, 1988); A. Gouldner, *Studies in Leadership* (New York: Harper & Brothers, 1950). For an overview of leadership studies, see M. Trachman, *Rethinking Leadership: Presidential Leadership and the 'Spirit of the Game' of Democracy,* PhD thesis (York University (Canada), 2000).

and he is the upholder of their culture. He is certainly not an absolutely heterogeneous figure vis-à-vis the German nation, but, on the contrary, its ideal citizen, a *primus inter pares*.

Although sovereignty is definitely not reanimated by Hitler's Chancellorship, it is impossible to ignore how the concept is partially reactivated. Some important aspects of Nazi Germany's organisation and propaganda may only be properly understood within the framework of sovereignty made absolute. When Hitler declares judiciary power to coincide with executive power, he is providing a textbook example of what Foucault designated as the circularity of sovereignty.[11] In the 16th century, jurists and philosophers had argued that the sovereign aimed for the common good. Therefore, the common good is equated with obedience to his laws. The philosophical elaboration of sovereignty boils down to a hidden tautology. The very word 'sovereignty' expresses being superior to others (from Middle French *suverain*, deriving from Latin super). There is little intellectual achievement in defining the superiority of one as the inferiority of the others. The only gain is that one has identified the particular form that domination by a sovereign instance takes. Sovereignty conceives governance as giving law, from an external position, to the inhabitants of its territory. Governmentality, on the other hand, governs by means of (mainly internalised) norms. In the conventional doctrines, the circularity of sovereignty may be said to appear under the form of its logical limitlessness. Both Jean Bodin and Thomas Hobbes had insisted that the sovereign's power be absolute and indivisible, because otherwise his decisions could always be contested. Hence, the sovereign power would not be sovereign at all. By declaring sovereignty to be absolute, however, Bodin and Hobbes had constructed a form of power that could no longer be legitimised, since in that case, it would again depend on something external to itself. Both did try to find a remedy to sovereignty's limitlessness, as will be discussed in the third part of this essay.

Applying Foucault's distinction between governmentality and sovereignty to the Nazi state, we may provisionally conclude that it intensified both political technologies and their rhetorical registers, at the same time. The regime recognised normalisation as a central tool and goal of governance. It pursued the governmental aim of population

11 Foucault, 'La "gouvernementalité" ', pp. 645-646.

control up to the extremes of eugenetics and murderous thanatopolitics. It redefined the democratic leader as being totally immanent to the people he commanded, and merely bringing to perfection its innate abilities. Simultaneously, however, it appealed strongly to the logic of sovereignty. Nazi propaganda stressed the German territory or soil, and the restoration of the Reich to its 'original' size. The 'governmental Führer', or the first among equals of the German people, coexisted with a 'sovereign Führer' who called upon his singular nature to attribute all legislative, executive and judiciary power to himself.

What expression do the paradigms of sovereignty and governmentality find in the philosophical writing that emanated from, or was at least strongly related to the National Socialist revolution? Although the field of philosophy and, wider still, the social sciences under Nazism is large and differentiated, just two of its major players will be studied here, in order to gauge what results may be expected from an exhaustive assessment.

Part 2: Carl Schmitt

The crucial paradox of Schmitt's work is the attempt to legitimise an authority that is defined as illegitimisable. He clearly seems to have been aware of this paradox and to have cultivated it, by means of a lucid style that relentlessly repeats and mutually redefines the same terms (state of emergency, sovereignty, decision, and the primacy of the 'political', i.e., of existential conflict based on a true distinction between friend and foe). In order to construct this paradox, we should follow Schmitt's train of thought, starting from his critique of liberalism and parliamentary democracy.

Schmitt criticised the liberal postulate of law as a deducible system of norms that spans the totality of human experience. In liberalism, according to Schmitt, the law has no final ground, except for the state and the constitution, which are themselves part of the law. The universality of law is a false presumption, because the idea of law is in need of an authority to implement it. The alleged 'groundlessness' of the liberal tradition was a central argument to many conservative

intellectuals of the 1920s and 30s. Schmitt's problem was one of authorisation. He believed he had found the false circularity in legal positivism, by pointing out that law cannot be its own authority. We should not heed the call of legal positivists such as Hans Kelsen when they demand an impersonal and checkable instance of sovereignty (such as the state, or the League of Nations on an even higher level). On the contrary, it must be fully acknowledged that the sovereign instance enforcing the law must have a face.

Sovereignty was defined as a function of the state of emergency, in *Politische Theologie* (*Political Theology*, 1922). The emergency is totally heterogeneous as compared to the normal situation. The "homogeneous medium" that all norms require in order to be applicable, can only be installed by a fully self-sufficient, sovereign agent.[12] In Schmitt's definition of the modern state, the executive power comes first. It guarantees a zone of "peace, security and order" that is the very condition for the legislative and judicial powers to come into existence at all.[13] According to Foucault, this would be a typically sovereignist definition. It is based on the notion of legitimacy, or a "law of laws" that makes law possible.[14]

Schmitt, in order to escape the self-referential paradox he discerned in liberalism, namely the groundlessness of law, conceived an authority that implied an even more naive version of the self-referential paradox. In his 1934 essay '*Der Führer schützt das Recht*' ('The Führer Protects the Law'), Schmitt endeavored to legitimise the repression of the Röhm putsch. No civil court of law can react quickly enough to grave political danger. Only the Party or the SA is up to this task and in such matters "totally stands alone". In the German original, the self-referential nature

12 C. Schmitt, *Politische Theologie: Vier Kapitel zur Lehre von der Souveränität* (1922), 2nd ed. (München: Dunker und Humblot, 1934), pp. 19-20 (Chapter 1).

13 C. Schmitt, *Der Begriff des Politischen* (1927), 2nd ed. (Hamburg: Hanseatische Verlagsanstalt, 1934), pp. 28-29 (Chapter 5); 'Die Wendung zum totalen Staat' (1931), in *Positionen und Begriffe im Kampf mit Weimar—Genf—Versailles: 1923-1939* (Hamburg: Hanseatische Verlagsanstalt, 1940), p. 148.

14 "[T]he theory of sovereignty [. . .] attempts to show, how a power can be constituted, not exactly in accordance with the law, but in accordance with a certain basic legitimacy that is more basic than any law and that allows laws to function as such." "*Il faut défendre la société*", p. 38; "*Society Must Be Defended*", p. 44 (21 January).

of this claim is fully acknowledged and even intensified: "*Hier steht sie ganz auf sich selbst*".[15] It is only when his own authority as a National Socialist intellectual was undermined by *Das Schwarze Korps*, a periodical related to the SS, that he must have realised how the entirely 'free-standing' instance of sovereignty that he had erected did not have any need for his legitimations, either. By 1937, he would be stripped of all of his offices, except for his chair at the University of Berlin.

Sovereignty functions in a circular way. The legitimacy that it may endow its laws with, ultimately flows from no other source than itself. This legitimacy is theoretically non-existent, because if it would exist theoretically, this would imply that sovereignty would be in need of theory. The perfectly self-referential nature of sovereignty is best illustrated by another attempt of Schmitt to describe the sovereign political unity: "a community that struggles, and maintains itself". Any true 'political' community succeeds in "preserving its own being" or "persisting in its own being". In the end, all of his attempts at defining sovereignty boil down to obvious and rudimentary self-assertion. Schmitt criticises liberalism for doing away with the sovereign, i.e. the "unitary people", in favor of formal democracy's "addition sum of secret and private individual wills, meaning in truth the uncontrollable desires and resentments of the masses". As a result, "the sovereign disappears in the election box". But the bottom-line of his sovereignism cannot be anything else than nationalism pure and simple. Schmitt must stake all he has left on "the heroical attempt to persist in and maintain the dignity of the state and the national unity against the plurality of economical interests".[16] There is little difference between this position and the way in which Hitler employs the term of "national self-assertion" in *Mein Kampf*.[17] As Hans Sluga has shown, the "discourse of nationhood" in general, and of German primordialness in particular, was widespread during the First World War and the Weimar Republic, and found numerous expressions in philosophical writing, too. Mainstream

15 C. Schmitt, 'Der Führer schützt das Recht' (1934), in *Positionen und Begriffe*, p. 202. Schmitt is quoting from his own book *Staat, Bewegung, Volk: Die Dreigliederung der politischen Einheit* (Hamburg: Hanseatische Verlagsanstalt, 1933).

16 'Wesen und Werden des faschistischen Staates' (1929), in *Positionen und Begriffe,* pp. 110-111.

17 *Mein Kampf* (München: Franz Eher Nachfolger, 1925-27), vol. 1, par. 233, 358; vol. 2, par. 714

philosophical conservatives, such as Felix Krueger, reveled just like Schmitt in tautological definitions: "This nation [. . .] wants to find itself, so that it becomes what it has always been in essence."[18]

The illusion of the homogeneous medium wherein norms can take effect, and which is guaranteed by the heterogeneous sovereign agency, is then dispelled as a properly 'ultra-political' illusion (Slavoj Žižek).[19] Schmitt, focusing on the distinction between (internal) friend and (external) foe, deliberately smoothed out all conflicts traversing the 'friendly' social body. His disdain for the liberal "primacy of internal politics" amounts to a disavowal of these politics as not being political at all, because they cannot be motivated by an "existential conflict" grounded in a true distinction between friend and foe. The 'truth' of this distinction is, again in an insubstantial manner, inferred to be a function of the sheer intensity of the conflict to which it leads, or, alternatively, a function of the force with which a people asserts "the essence of its political existence" [20] At the end of Schmitt's writings of the 1920s and 30s, one is left with an empty battlefield full of national 'essences', struggling against each other in order to — assert their national essences.

Finally, however, it should be indicated that Schmitt, in spite of his strong sovereignist tendency, did have an intuition that sovereignty was no longer the only paradigm needed for social and political theory. In his report from January 1933 on the 'Further Development of the Total State in Germany', there is an incisive sketch to be found of the 'liberal total state'. The Weimar Republic has become a complex welfare state that must provide for all of the diverse and contradictory desires of its many citizens. It is a total state, but merely in a weak and quantitative sense. The unity of the people's will is fragmented and can only be restored through a state that is total in a strong and qualitative sense, as it is developing at this very moment in Germany. Schmitt's piece succeeds simultaneously in acknowledging the modern state's intricate (governmental) grip on human life, blaming the liberal tradition for its

18 H. Sluga, *Heidegger's Crisis: Philosophy and Politics in Nazi Germany* (Cambridge, MA: Harvard University Press, 1993), pp. 121-122, p. 157. Sluga is quoting Krueger from the *Blätter für deutsche Philosophie*, 7 (1933), p. 465.

19 S. Žižek, *The Ticklish Subject: The Absent Centre of Political Ontology* (London: Verso, 1999), p. 241.

20 *Der Begriff des Politischen,* p. 14 (Chapter 2), p. 21 (Chapter 4), and p. 32 (Chapter 6).

contradictions, and projecting into the future an image of a 'true' total or governmental state resolving those problems.

> [T]oday we have in Germany [. . .] merely a plurality of total parties [. . .] that look after people from the cradle to the grave, from the nursery class over the gymnastic club and the bowling club, up to the interment and cremation society. They provide their followers on behalf of the party with the right world view, the right state form, the right economical system, and the right kind of sociability. They totally politicise the entire life of the people and they parcel out the political unity of the German people.[21]

The critical flaw of this article is that earlier, when the National Socialist revolution was acclaimed for the strong total state it was going to establish, the very same expression of a 'politicisation of the entire life of the people' was used, not in a derogatory, but in a laudatory sense.

On yet another occasion, there is evidence of Schmitt's insight into governmental realities, that is again drowned out by his fundamentally sovereignist outlook. In *The Concept of the Political* (1927), he shows a great concern for normalcy, which is quite exceptional within a traditional sovereignist discourse. However, normalcy is only understood as the empty space wherein norms may function, a space of which the integrity is warranted by the heterogeneous, sovereign guardian. 'Normalcy' is merely another link of Schmitt's tautological chain. He does not get much further in elucidating the nature of modern normalcy, than the quite pointless deduction that "the achievement of a normal state consists chiefly in [. . .] establishing the normal situation [. . .] because every norm presupposes a *normal* situation, and no norm may apply to a situation that is wholly abnormal in relation to it."[22] Despite Schmitt's flashes of insight into the workings of governmentality, it is the ultra-political logic of radicalised sovereignism that shapes his work. Surely governmentality and sovereignty rub against each other at times, but it is the peculiarly archaic notions of the latter paradigm that prevail. In *Der Begriff des Politischen*, Schmitt still conceives modern states in a

21 *Positionen und Begriffe,* p. 187.

22 *Der Begriff des Politischen,* p. 28-29 (Chapter 5).

territorial sense. Furthermore, they are sovereign states because in some way, they succeed in installing an (impersonal or personified) instance of sovereignty that is heterogeneously guaranteeing the homogeneous medium of law. Last but not least, a sovereign state may only be called sovereign when it has the power of life and death over its subjects (*jus vitae ac necis*).[23] On this decisive point, an unflawed awareness of governmentality should have acknowledged the shift, in modern political history, of the sovereign power "to take life or to let live", towards the governmental power "to 'make' live and 'let' die".[24] (Only at the end of the Second World War would it become clear, to what extent the Nazi state had been evolving into an extremely potent 'sovereignist-governmental' conglomerate that exercised the double power to take life and make live.)

Part 3: Martin Heidegger

Schmitt had been working on the concept of absolute sovereignty for years before he applied it to the National Socialist party and its leader. Martin Heidegger's publications and courses, on the contrary, had mainly dealt with phenomenology, metaphysics, and the history of philosophy, in particular the Presocratics and Plato. Before his treatment of sovereignty ("*Herrschaft*") in the section 'The Leap' from his *Beiträge zur Philosophie*, written during the late 1930s when he had already resigned from the rectorship at the University of Freiburg, the concept is seldom encountered in his writings.[25] However, sovereignty and its self-referential paradox, which is so conspicuous in Schmitt, do appear in Heidegger's work from the early 30s, albeit under three different guises.

Before we overview these three figures of sovereignty, it must be remarked that this is not an attempt to 'reveal' the 'proto-fascist' or 'crypto-fascist' tendencies of Heidegger's thought during the interbellum period. The most recent and thorough, but unfortunately also quite

23 *Der Begriff des Politischen*, p. 28 (Chapter 5).

24 Foucault, "*Il faut défendre la société*", p. 214; "*Society Must Be Defended*", p. 241 (17 March).

25 W. Brogan, 'The Community of Those Who Are Going to Die', in *Heidegger and Practical Philosophy*, eds. F. Raffoul and D. Pettigrew (New York: SUNY Press, 2002), pp. 245-246.

tasteless exercice in this domain is Emmanuel Faye's *Heidegger: The Introduction of Nazism into Philosophy*, (2005). Its weighty 567 pages confirm Sluga's assessment that "moral judgment on historical facts and persons is an exceedingly cheap commodity".[26] Heidegger's post-war justifications (or the lack thereof) may very well be criticised, but still it should be granted that his engagement in Nazi 'politics' was a contingent event in the history of philosophy.

1. Heidegger's support for National Socialism was always overarched by a broader concern for western civilisation, and for a renewal of the ontological questioning that began the history of philosophy and science. This did not prevent him from voicing his support for Hitler in a fashion directly reminiscent of Schmitt's panegyric definitions. The appeal to German students of 3rd November 1933, for example, concluded that "The Führer himself and alone is the present and future German reality and its law."[27] This conflation of reality and law (Sein and Sollen) into a single incarnation was nothing less than a leap ahead into the entanglements of the ontic dimension.

Heidegger's 'political' and philosophical enthusiasm seemed to carry him back to a point where his interrogation of the openness of being had not yet began. Being as such, in particular the being of a whole people, was read as coinciding with one leader and his policy. As Claude Lefort has demonstrated, this is the pre-eminently totalitarian illusion. A seamless union of state (or Party) and civil society is believed to be possible, smoothing out all internal conflicts.[28] This insight is repeated by Slavoj Žižek through his notion of ultra-politics. Heidegger hazily recognised the Nazi regime to be simultaneously governmental ("the Führer [. . .] *is* the present and future German reality") and sovereignist

26 Sluga, *Heidegger's Crisis*, p. 5. See also S. Žižek, 'Learning to Love Leni Riefenstahl', *In These Times*, 10 September 2003 http://www.inthesetimes.com/site/main/article/learning_to_love_leni_riefenstahl [accessed 11 August 2005].

27 'Zum Semesterbeginn', in *Reden und andere Zeugnisse eines Lebensweges 1910-1976*, ed. by H. Heidegger, *Gesamtausgabe*, vol. 16 (Frankfurt a.M.: Klostermann, 2000), p. 184, hereafter GA 16. Quoted and transl. in R. Safranski, *Martin Heidegger: Between Good and Evil*, transl. by E. Osers (Cambridge, MA: Harvard University Press, 1998), p. 232, hereafter MH.

28 C. Lefort, 'The Logic of Totalitarianism', in *The Political Forms of Modern Society: Bureaucracy, Democracy, Totalitarianism*, ed. by J.B. Thompson (Cambridge: Polity Press, 1986), pp. 273-291.

("and its law"). However, his attempt to legitimise it gave precedence to the framework of sovereignty, making all of "German reality" converge in one sovereign figure. The discourse of law and its singular, external source, be it an embodied sovereign or popular sovereignty, constitutes the conventional logic of political philosophy. As such, it must have come quite natural to him, even taking into account that he had not paid much attention to political theory during his philosophical career. The result, however, was an obvious paradox. The law given by the Führer is always-already fully realised by himself. The governmental Führer, namely, the ideal citizen who embodies normality, always-already knows what law his counterpart, the sovereignist Führer, is going to declare in order to establish that normality. In his turn, Heidegger got caught up in the circularity of sovereignty.

2. Not only the Führer, but the German people too is a figure of sovereignty. This became particularly clear in Heidegger's rectoral address of 27 May 1933, on "The Self-Assertion of the German University". This figure of thought already stood in a much closer and more subtle relationship to his reflections and courses from 1930 onwards. But the vocabulary of this speech was in tune with contemporary National Socialist rhetoric, straining the central issue of ontological questioning up to a degree that paradox was unavoidable. When Heidegger concluded with a call to self-assertion, not only of the university but of the people as such - "We do will ourselves" - the paradoxical conflation of reality and law rose again.[29]

The specific ambition of the rectoral address was to reinterpret the established concept of 'self-assertion'. The first familiar meaning, that of national self-assertion, was only treated within the scope of the

29 GA 16, p. 117. 'The Self-Assertion of the German University', transl. by K. Harries, *Review of Metaphysics* 38 (1985), 467-502, p. 480, hereafter SGU. [31] F. Edler, 'Philosophy, Language, and Politics: Heidegger's Attempt to Steal the Language of the Revolution in 1933-34', *Social Research* 57 (1990), 197-238; B. Allemann, 'Martin Heidegger und die Politik', in *Heidegger*, ed. by O. Pöggeler (Cologne: Kiepenheuer und Witsch, 1969), pp. 246-260; R. Minder, 'Heidegger, Hebel und die Sprache von Messkirch', *Die Monat* 114 (1966), p. 13; G. Nicholson, 'The Politics of Heidegger's Rectorial Address', *Man and World* 20 (1987), pp. 174, 185; O. Pöggeler, 'Den Führer führen? Heidegger und kein Ende', *Philosophische Rundschau* 32 (1985), 26-67 (repr. in O. Pöggeler, *Neue Wege mit Heidegger* (Freiburg i. Br.: Alber, 1992), pp. 203-254).

university's self-assertion. But this second and, in academic circles, also much debated understanding of self-assertion, namely, if and how the university should defend itself against National Socialist 'politicisation', was also ingeniously sidestepped by Heidegger. Already in the fifth paragraph, the "self-governance" of the German university ("*Selbstverwaltung*") was boldly redefined as "self-examination" ("*Selbstbesinnung*") (GA 16, 108; SGU 471). This is a prime example of what has been termed Heidegger's attempt to "steal the language" of the National Socialist revolution, in an effort to revolutionise the revolution from the inside. Karl Jaspers is reputed to have said that his thoughts of a philosophical coup d'état went so far as to dream of "leading the leader" ("*den Führer zu führen*"). The philosophical coup backfired. Not the Nazi revolution was made philosophical, but Heidegger's revolution nazified.[30]

Self-examination seemed to be the best way to reorient the university's self-assertion, and that of the German people, towards the process of ontological questioning that Heidegger saw as the 'mass philosophical' mission of the highest importance. His appeal was primarily addressed to the university teachers and students, but its purport clearly ranged beyond the auditorium. He demanded that German teachers and students should be the first to place themselves again "under the power of the *beginning* of our spiritual-historical being". This beginning is the "setting out", or "breaking up" ("*Aufbruch*") of Greek philosophy, where man for the first time engaged in the ontological difference. He "stands up to the *totality of what is*, which he questions and conceives as the being that it is" (GA 16, 108-109; SGU 471). At this particular moment, the Greeks became aware that it is possible for "that which is" ("*das Seiende*") to be only within the openness of Being.

30 His rectoral address tried to recycle a number of terms that had become part and parcel of Nazi language: "Gefolgschaft" (a following, but also the specifically Nazi designation for personnel), "deutsche Studentenschaft" (a seemingly abstract label for all German students, that had become the name for the Nazi students' association), "Aufbruch" (setting out, breaking up, but more specifically the 1933 revolution), "Kampf", "Entscheidung", etc. He did not succeed in re-signifying Nazi discourse, but instead his discourse blended in with the rhetoric and performative context of his utterances. On "Studentenschaft", see Faye, *Heidegger*, pp. 92-96; on "Aufbruch", see Edler, 'Philosophy, Language, and Politics'; on the rhetoric and performative context, see Sluga, *Heidegger's Crisis*, p. 8.

Again, the commitment to the ontological question was conceived, just as in the inaugural lecture on 'What is Metaphysics?', 1929 and in other texts, as an experience that is not without its dangers, and subsequently not without heroism. It implies the "completely unguarded exposure to the hidden and uncertain, i.e., the questionable" (GA 16, 111; SGU 474). The crucial fault of Heidegger's lecture was that he made a direct connection from this self-examination to the dynamics of the human will. When the university examines itself, this was taken to imply that it delimits its essence, and subsequently wills its essence, in this way asserting itself. Heidegger quickly achieved success when he personally tried to 'bring his philosophy into line' with the National Socialist revolution. It had merely required a reinterpretation, albeit forced, of the ontological questioning process of western civilisation within the rhetorical framework of national strength, self-assertion, will, people, and state.

> The will to the essence of the German university is the will to science as will to the historical mission of the German people as a people that knows itself in its state. (GA 16, 108; SGU 471)

Just as in the case of Schmitt, it should be noted how Heidegger's philosophical effort was thoroughly unoriginal in a country rife with talk of nationhood.

Knowledge of the German university's essence is construed as the will to its essence. During his rectorate, at the Demonstration of German Science for Adolf Hitler in Leipzig on 11 November 1933, Heidegger expounded on his dynamics of the (human) will applied to institutions and nations. Just as all being must answer to the "primal demand [. . .] that it should retain and save its own essence", so too the German nation must "retain and save its own essence" (GA 16, 188; MH 265-266). Even in the summer of 1934, when he had already resigned from the rectorship because of the increasingly precise Nazi demands, he answered the question "who 'we' are" during his lectures on *Logik als die Frage nach dem Wesen der Sprache* by way of a hardline decisionist approach. 'We' are the people solely by our being here, at this very moment in history, in this very classroom attending Heidegger's lecture. This is no accidental

fact. It is only so because of our conscious decisions: "Thus, we exist through a series of decisions"[31] Transported from "the small and narrow we of the moment of the lecture" into the people, our existence as a people is just as little accidental. We may *fail* at being a people. As a result, "Decision belongs to the people's nature" (GA 38, 70). In his turn, Heidegger lost himself in the electrifying twists of tautology: "we do will the will of a state, that does not will itself to be anything else but the will to dominion and the form that a people's dominion over itself takes" (GA 38, 57).

The escape into decisionism and the adoration of the will did not make the fundamental problem of Heidegger's attempt at "*Gleichschaltung*", or 'bringing himself into line', disappear. As was well known from both *Being and Time* (1927) and '*Was ist Metaphysik?*', the experience of the ontological difference was only to be reached through certain 'moods' that, as Heidegger described them, were highly individual in nature. They found expression in such terms as angst, boredom, "completely unguarded exposure" (GA 16, 111), "forsakenness" ("*Verlassenheit*") (GA 16, 111), and "self-oblivion" ("*Selbstverlorenheit und Selbstvergessenheit*") (GA 38, 49). How was this register of experiences to be merged with the language of people and state? In order to overcome this difficulty, Heidegger introduced a highly dissonant connection. It was at this precise point that his reinterpretation of self-assertion backfired.

While he was talking about self-examination and ontological questioning, every listener could relate to Heidegger's discourse as an individual. At specific points during the speech, however, this individual understanding was jerked into the sphere of a collective understanding. The process of "questioning" was then suddenly made from a personal experience into a national dynamic. This happened most explicitly when Heidegger described how 'science's' questioning would expose it, once again, "to the fertility and the blessing bestowed by all the world-shaping powers of human-historical being, such as: nature, history, language; people, custom, state; poetry, thought, faith; disease, madness, death; law, economy, technology" (GA 16, 111; SGU 474).

31 *Logik als die Frage nach dem Wesen der Sprache,* ed. by G. Seubold, *Gesamtausgabe,* vol. 38 (Frankfurt a.M.: Klostermann, 1998), p. 57, hereafter GA 38.

Heidegger's appeal to 'higher powers' distorted his existentialist perspective. It also realigned him with a specific aspect of the traditional sovereignist discourse. In the foundation texts of sovereignty, both Jean Bodin and Thomas Hobbes thought it necessary simultaneously to declare that the sovereign's power be absolute and indivisible, and to install a kind of emergency brake into their theories. In Bodin, it is the "laws of God, and nature, and the human laws common to all nations" that curb the sovereign's power (which does not, however, detract from its absoluteness).[32] Sovereignty, it seems, may only be conceived as absolute as long as it remains within the horizon of certain 'higher powers' that are presumed to supercede even absoluteness. However, the theorists of sovereignty find it impossible, or unnecessary, to describe how these 'powers' exactly govern human reality and its sovereign agent(s). They are merely stationed at the limits of sovereignist theory as its transcendent guarantors.

By placing the German people's will-to-itself under the patronage of the "world-shaping powers of human-historical being", Heidegger underlined its sovereign nature. The will of such a sovereign people coincides exactly with the law it gives to itself. After all, who may speak up to the workings of "world-shaping powers"? In '*Die Selbstbehauptung der deutschen Universität*', too, Heidegger gets entangled in the circularity of sovereignty. He would continue to do so for a long time. Even in his work of the late 1930s on Nietzsche, which he has later presented as a tacit criticism of National Socialism's unbridled will to power, we may find a sovereignist statement such as: "the community as an order of being is grounded in itself and does not receive its standards from another order".[33]

3. A third sovereign figure of thought is fully native to Heidegger's reading of the allegory of the cave in Plato's *Politeia* (*The Republic*). From the 1930 essay "*On the Essence of Truth*"" onwards, he conceived a "truth happening" ("*Wahrheitsgeschehen*") which he developed through his lecture courses of the early 1930s and which culminated in

32 J. Bodin, *Les six livres de la République* (Paris: Iacques du Puys, 1577), p. 95 (Book 1, Chapter 8). See J.D. Ford, 'Sovereignty', in *Routledge Encyclopedia of Philosophy,* version 1.0 (London: Routledge, 1998).

33 *Nietzsche* (Tübingen: Niemeyer, 1961), vol. 1, p. 196. Quoted and translated by Sluga, *Heidegger's Crisis*, p. 172.

the publication of Plato's Doctrine of Truth' in 1942 (MH 214-224) This figure was not directly linked to contemporary political vocabulary 'brought into line' with his own philosophy. It was still structurally in tune with the Nazi revolution, since it provided the outline of a philosopher-leader who was, in radical sovereignist fashion, incommensurable with those he lead.

In a letter to Karl Jaspers from 20 December 1931, Heidegger described the task of the philosopher as being a "knowing leader and guardian" in the "true public dimension".[34] In the lectures on Plato from the winter of 1931-'32, the expression was elaborated.

> [T]he actual guardians of the being-together of people in the unity of the polis must be philosophising people. It is not as if professors of philosophy should become Chancellors of the Reich, but philosophers should be phulakes, guardians. The dominion and the order of dominion in the state must be predominated through and through by philosophising people, who, out of the deepest and most distant knowing that questions freely, determine measure and rule, [and] unlock paths of decision.[35]

The philosopher-leader was based on the liberated prisoner from what Heidegger distinguished as the fourth and last stadium of Plato's allegory. For the sake of brevity, we will not examine the totality of the "truth happening" as it is explained through the allegory of the cave. According to Rüdiger Safranski, Heidegger was not primarily interested in the real high point of the simile, when the liberated prisoner beholds the ideas (MH 221). Most of his attention was focused on the process of liberation leading up to it, and on the experiences of the liberated prisoner once he returns to the cave to become a liberator himself. He faces a dangerous mission. Accustomed to the visions on the walls of the cave, those who are still imprisoned will probably not believe his story and might even try to attack and kill him. Heidegger stressed Plato's

34 Quoted in MH 216. Translation modified.

35 *Vom Wesen der Wahrheit: Zu Platons Höhlengleichnis und Theätet (Freiburger Vorlesung WS 1931/32),* ed. by H. Mörchen, *Gesamtausgabe*, vol. 34 (Frankfurt a.M.: Klostermann, 1988), p. 100, hereafter GA 34.

characterisation of the event as violent. Just as being liberated was a long and painful process, the liberator will have to "violently grab" the imprisoned and "tear them loose" (GA 34, 85).

Heidegger had isolated the philosopher-leader from the context of the allegory and its interpretation by Plato. It was no longer the privileged relationship of the philosopher to the highest Idea, namely the Good (*to agathon*), that constituted the premise of his activities (governing the city-state, or else retreating into contemplation). Any such notion of absolute truth, disconnected from time, had been rejected. The idea of a "truth happening" had introduced history as the starting point of any subsequent philosophical ethics. Hence, "being free, being a liberator means participating in history" (GA 34, 85; MH 221). Then his violence, too, had to be reconsidered. Not brutal force, but rather an enlightened form of "tactfulness" is necessary to withstand the ridicule his attempt at liberation will provoke, and to select the one or two people that may be led out of the cave. Moreover, the liberator's violence is not arbitrary, but rather "tactfulness of the highest rigour, namely spiritual rigour, to which, before, the liberator has committed himself" (GA 34, 81-82, 85).

It is the light of the ideas, more specifically the "light vision" ("*Lichtblick*") he has now acquired, that the liberator has committed himself to. He is on "a sure footing on the ground of human-historical existence" (GA 34, 82). At this point it becomes clear, how the rectoral address was firmly grounded on the whole of Heidegger's work during the 1930s. Man must be on sure footing not only to liberate others, but first and foremost to "question himself", which is also a violent act. Just as in his rectoral address, "self-questioning" is taken to mean decisionist self-assertion.

> The question is only posed, when man is positioned to decide on himself, i.e., positioned under the powers that support and determine him, and when he is positioned to decide on his relationship to these powers. [. . .] We take the question "who is man?" to mean, who we are, insofar as we are. We are only that, which we have the power to demand ourselves to be. (GA 34, 76)

Again we have reached the sovereignist province of the 'higher powers' that take man, defined as a self-asserting being, under their wing. It is an open question how much protection Heidegger saw them as providing. After all, the unconcealedness (truth, *aletheia*) of being, to which the liberated prisoner is exposed, constituted "the danger zone of philosophy" ("*die Gefahrenzone der Philosophie*"), an expression that rejoined the vocabulary of exposure and forsakenness (GA 34, 77). The crux of the matter, however, is that a mechanism resurfaced that was characteristic for the logic of sovereignty.

In the same way as the monarch's laws are strictly speaking incomprehensible to his subjects, because he transcends them, the philosopher-leader is incommensurable to those he is committed to liberate. "Philosophy has its own law; its assessments are different" (GA 34, 15). The philosopher has obliged himself to "higher powers" that no longer constitute an imperishable outer reality such as in Plato, but still he relates to history in a fundamentally different way than his contemporaries, grasping it as "truth happening". To the normal situation of the prisoners in the cave, his 'violence' must seem unreasonable and heterogeneous. To legitimise himself would be inappropriate and impossible, except by forcefully leading them up to the light.

Conclusion

Taking an overview of the three figures of sovereignty that run through Heidegger's thinking of the 1930s, we may conclude that he echoes the strong nationalism, decisionism, and sovereignism of Schmitt. Although Schmitt may have been aware of the workings of governmentality, his doctrine was strictly sovereignist. Equating legitimacy with force, he got caught up in what Paul Tillich, as soon as 1932, dubbed "political romanticism". The adoration of sovereignty wanted to deduce 'political' legitimacy from nothing but intensity of will, that is to say, "to create the mother from the son and to summon the father from nothingness".[36] The self-referential paradox of absolute sovereignty ensnares Heidegger, too. In constrained accordance with his

36 P. Tillich, *The Socialist Decision*, trans. F. Sherman (New York: 1977), p. 22. Quoted in MH 175.

philosophy of authenticity, his writings of the 1930s developed a nationalist decisionism that could be grounded on nothing but its own self-assertion.

The main difference between the accounts of Schmitt and Heidegger, is that the latter's writings show only the faintest awareness of governmentality. There is an intriguing report on "machination" ("*Machenschaft*") to be found in the *Beiträge zur Philosophie*.[37] By the same token, both his inaugural lecture from 1929 as well as the rectoral address contained a stringent critique of science's specialisation and its orientation to professional training, which may well be read as symptoms of the normalising power that pervades modern science according to Foucault.[38]

As in Schmitt's case, we may conclude Heidegger's work to be ultra-political because of its exclusively nationalist decisionism. In his justifications from 1945 and later, he would explicitly point to his critique of modern science in order to indicate how he had vainly tried to combat the intensifying 'politicisation' of the university (GA 16, 373-378; SGU 483-488). He failed to realise that Nazism only asserted the 'political' nature of the 1933 revolution and the future Reich in order to obscure its increasingly strong disavowal of the true political moment. In National Socialist discourse, 'political' was the prime signifier not of a power structure that could be situated in, and legitimised by, modern politics and political philosophy. Nazism merely took the shape of some institutions and titles during the early stages of its development, such as Hitler's 'Chancellorship'. The 'total state' or the total 'politicisation' that it prided itself on was nothing but a folkloristic use of the word 'political'. The very obsession with the political denoted the appearance of an ultra-political and extremely potent 'sovereignist-governmental' conglomerate. Consequently, the "political science" that Heidegger feared was not political at all.

Hannah Arendt has argued that Adolf Eichmann was wrongly considered as 'normal' and therefore accountable at his trial in 1961, on

37 *Beiträge zur Philosophie (Vom Ereignis)*, ed. by F.-W. von Herrmann, *Gesamtausgabe*, vol. 65 (Frankfurt a.M.: 1989), Part 2, § 61.

38 GA 16, 108, 113-115, 372-373. Foucault, "*Il faut défendre*", pp. 22-23; "*Society Must Be Defended*", pp. 24-25.

the grounds that "under the conditions of the Third Reich only 'exceptions' could be expected to react 'normally'."[39] In the same way, 'science' or 'philosophy' could not be made 'political' under Nazism, precisely because its aberrant homogeneity had already flawlessly brought it all 'into line', and thus weathered the very sense of those words. German philosophers blindly strove to legitimise as 'political' a revolution that was actually playing on a much more abstract level, maybe to be termed organisational. One part of the National Socialist revolution was governmental in the extreme and aimed at excessive normalisation. Schmitt, Heidegger and others lacked the philosophical acumen to perceive this fundamental shift in social dynamics. Looking down to the "homogeneous medium" that the new 'sovereign' regime was supposed to bring about, as Schmitt did, or looking up to the 'higher powers' that were guiding it, as Heidegger did, both resulted in the installation of illegitimisable instances of sovereignty. The sovereign had reappeared from the election box.

39 *Eichmann in Jerusalem* (London: Penguin, 1994), pp. 26-27.

Pli 17 (2006), 84-97

Freedom Ablaze: Ernst Jünger and Michel Foucault's Concept of Force

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Abstract

This essay compares the philosophy of Ernst Jünger and Michel Foucault. Specifically, it is claimed that both philosophers inherit from Nietzsche the ontology of a world comprised of force, and that the world's scaffolding of knowledge may only be successfully traversed by the critical observer who recognises the vital instrumentality of the 'self' specific to its own cultural, socio-political, and historical surfaces of emergence. It is argued that the intersection between these two philosophers rests on their critique of modernity; especially how each opts to archaeologically and genealogically uncover systems of knowledge within fields of force, and how each claims these systems are to be navigated. By offering a reconceptualisation of value and a self-acknowledged susceptibility to critique, both Jünger and Foucault successfully establish a concept of freedom which is compatible with the identification of historical limits within zones of force.

1. Jünger and Foucault

By appropriating the writings of Friedrich Nietzsche, both Ernst Jünger (1895-1998) and Michel Foucault (1926-1984) were able to develop an updated and comprehensive overview of many of Nietzsche's key philosophical concerns: the nature of values, truth, aesthetics, power and scientific knowledge, along with the key insight that the world is comprised of force– thoughts that have continued to gain currency in

various contemporary philosophical movements.[1] Despite having seemingly distant political positions at the time of reading the works of Nietzsche, both the conservative revolutionary Jünger and the leftist Foucault achieved a similar understanding of the contemporary world in that they identified a power structure which they saw as developing from the Enlightenment and which has become ubiquitous. It is this insight which Jünger, remarkably, shares not only with Foucault but with much of contemporary French philosophy.[2]

That brand of French philosophy inherited much from German phenomenology and the post-war Ernst Jünger, similarly, thought that it was essential to phenomenologically distance oneself from value if one is to more accurately describe how values work. Yet understanding the context of such an attempt is to realise normative judgment is always inevitably tied to historical episodes. Thus, Jünger seeks a 'second consciousness' which is characterised as capable of seeing itself as 'object' while remaining enmeshed in given historical, social, and political surfaces of emergence.[3] Jünger collapses the empirical and transcendental and, like Husserl, seeks a consciousness which becomes embodied and carries out investigations which yield constitutive life structures outside of the self that are, simultaneously, part of the self. Whilst some, including Foucault, would reject this transcendental formalism, there is no doubt the transcendental feature of Husserlian phenomenology adopted by Jünger could be developed in similar fashion

1 We are discussing Nietzsche's concept of force in the context of "will," "interest" or "desire" which ultimately influenced Foucault's geneaological method and view of history. It is our view when reading Nietzsche, that power, force, and will go hand-in-hand. Although there is a slight difference in definition, equivalent results usually remain. See for example, fragments 619, 638, 641, and 642 in Friedrich Nietzsche, *The Will to Power*, trans. Walter Kaufmann (New York: Vantage, 1967).

2 Ernst Jünger, "The Paris Diaries", trans. Hilary Barr in *German Writings Before and After 1945*, ed. Jürgen Peters, (New York: Continuum, 2002). Jünger's reception in France is discussed in detail in Elliot Neaman, "Warrior or Esthete? Reflections on the Jünger Reception in France and Germany", in *New German Critique*. Cornell, Number 59 (Special Issue on Ernst Jünger), Spring/Summer 1993.

3Ernst Jünger, "Über den Schmerz" in *Blätter und Steine* (Hamburg: Hanseatische Verlagsanstalt, 1934), also from "Photography and the Second Consciousness: an excerpt from 'On Pain'" in *Photography in the Modern Era: European Documents and Critical Writings 1913-1940* (New York: Aperture, 1989), p. 207.

to Foucault's analysis of the 'local' formative features of human experience, anchored in contexts sensitive to power relations.

Jünger also prepares the way as an archaeologist of knowledge; excavating, cataloging and charting the nature of objects and artifacts, letters, reports, and documents. He claims that whilst universal truths exist, their necessity is filtered through the discursive formations which have made their cognition and use possible. Jünger employs Nietzschean genealogical and archaeological methods by developing a view of consciousness in history that sees itself as post-historical and beyond the modern, attending to the various fragmented layers of knowledge and history in a way that would 'regard time with the eyes of an archaeologist.'[4] Jünger remarks that time is mediated through 'elementals'; one being power, which, after Nietzsche, he sees as the foremost structure of any experience.[5] Thus, systems of knowledge claiming universality for knowledge and its objects do not comprehend the tainted nature of analysis where objects rest and capture the sediment of the period of their formation. The peculiarity of Jüngerian and Foucauldian thought is the idea that the identification of these conditions is itself a diagnosis whereby the observation contains judgment and identifies the base conditions through which fields of force give rise to fragmented contexts.

In contemporary debates concerning the legacy of modernity these observations are nothing new: consider the debate between Habermas and Foucault, where universal necessity is pitted against truth conditioned by power.[6] However, between Jünger and Foucault we can find points of agreement which draw our attention to a critique of hegemonic orders and periods of history. This is significant because it then becomes clear that, for both Jünger and Foucault, part of the search for new concepts in the post-historical and post-foundationalist age is the retrieval of concepts which pays attention to their philosophical deployment. At the same time we must not allow those contexts of deployment or even the historical experiences which led to their formulation to completely determine our understanding of them. One of

4 Ernst Jünger, *Werk* Vol. 6, (Stuttgart: Klett-Cotta, 1960), p. 216.
5 Ibid., p. 216.
6 See for example *Critique and Power: Recasting the Foucault/Habermas Debate*, ed. Michael Kelly, (Cambridge: MIT Press, 1994).

these retrievals without over-determination is the reconceptualisation of normativity which informs both Jünger's and Foucault's critique of modernity.

2. Reconceptualising Normativity (Power and Freedom)

Jünger's archaeology of knowledge grew from an existential task: to face what he saw as a growing nihilism of the modern age and to identify its symptoms. His response was akin to Foucault's: archaeological and genealogical analysis understands things are simply as they are, however, the excavating of historical contexts and episodes grants one the opportunity to affirm the freedom and autonomy uncovered in that process of excavation, and even allows one to aesthetically capitalise upon that uncovered freedom which could in fact be taken as a self-fashioning project. Mirroring Foucault's care for the self and aesthetic self-creativity, Jünger saw himself as *homo ludens*, a 'man for whom life is play.'[7] While being aware and critical of the sedimentation found in epistemological evaluations, this would not prevent the individual—formerly the modern subject or 'man'—from engaging in self-fashioning activity enabled by the falling away of universal modernist suppositions in a value vertigo. Furthermore, the falling away of those securities meant, for Jünger, a renewed, more vital and healthy sense of life lived honestly as aesthetic experience, '[O]nly if life is understood as an end in itself can it be lived truly and fully.'[8]

The vitalism enabled by the freeing of fettered aesthetic self-creativity was most significantly espoused in Jünger's 1936 *Afrikanishe Spiele*, translated as 'African Diversions' by Stewart O. Hood. However, *Spiele* literally means 'games': the lived character of life as play needs an uncertainty present so as to produce the dangers and tribulations necessary for the self to lose itself as a previously known identity. In such a way the self is 'to be touched by freedom.'[9] As for Foucault, the losing of self is actually the dismantling of the concept of 'man'; releasing human endeavour from a previous state of immaturity—seen as being in

7 Gerhard Loose, *Ernst Jünger*, (New York: Twayne, 1974), p. 42.
8 Ibid., p. 42.
9 Ibid., p. 43.

alignment with the Kantian-critical project of the Enlightenment—is not necessarily modern in the usual sense. For Jünger and Foucault, aesthetic self-creativity is allowed when the, 'preexisting link between will, authority, and the use of reason' is exploded.[10] In 'What is Enlightenment?' (1984), Foucault likewise sets out to achieve the task of radicalising the critique of modernity so as to be touched by freedom (which is also at once the freeing of autonomy in radical critique of presupposed universal givens) but all the while reforming that critique and pushing it to its limit. It is Foucault's claim that a more fully realised autonomy is offered when it is 'set ablaze' in the most radical notions of critique which would also submit the supposed givens about the nature of freedom to further critique; acknowledging both the limitations of universal and formalised ideas about what freedom could mean, but also that any claims to autonomy would be further bolstered and enhanced by revision. Therefore critique, for Foucault, is at its most liberating when it is completely thorough, establishing the necessary limits of a concept so as to affirm its meaning in the critique of its own genesis.

Does this rejection of foundationalist claims in favor of liberating concepts of autonomy mean that Foucault and Jünger, building on the basis of modernity, fall into anti-modernism? What is the political significance of this radicalised critique? In a discussion of the legacy of modernity, some, Habermas among them, have concluded that the likes of Foucault and Jünger as politically suspect in their 'rejection of modernity.'[11] Others who fall under the same charge are Martin Heidegger, Carl Schmitt, Hans Freyer, and Jacques Derrida.[12] The suspicion arises for Habermas, because this alleged reactionary or anti-modernist critique aims less at dialectical resolutions to the problems of modernity than at an appeal to force; this critique is then prone to the wholesale rejection of modernity. Moreover, these philosophers are charged with appealing to principles of force when dealing with the modern subject—a task which requires decentering the subject in favor of an instrumental pragmatism or 'poetically evocative' aesthetics and existential political decisionism. Thus Jünger and Foucault, amongst

10 Michel Foucault, "What is Enlightenment?" in *The Foucault Reader*, ed. Paul Rabinow, (New York: Pantheon, 1984), pps. 34-35.

11 Nancy Fraser, "Michel Foucault: A Young Conservative?" in *Critique and Power: Recasting the Foucault/Habermas Debate*, ed. Michael Kelly, (Cambridge: MIT Press, 1994), p. 185.

12 Ibid., p. 185.

others, are said to "step outside" the modern experience yet retain its premises.[13]

In contrast to Habermas' claims, Jünger and Foucault (as do arguably Freyer, Schmitt, Heidegger, Derrida, *et al*) want to preserve and extend the emancipatory impulses found in the radical power of critique in the name of a life-philosophy that was responsive to nihilism as they understood it. Habermas's criticism of Foucault presupposes his own understanding of critique, so much so that it turns against itself in a rejection of all humanist grounds, ironically in the name of humanism (such a notion is comparable to Žižek's identification of the absolute rule of everyone over everyone in 'absolute democracy').[14] Yet Jünger and Foucault alike diagnose the structures of nihilism in its ontologically formative features without an appeal to modern value whilst maintaining that responses are possible and necessary. To say that this positions them either as anti-modern or anti-humanist would be a fallacy of false dilemma, or what Foucault called the 'blackmail' of the Enlightenment: one does not necessarily have to be 'for' or 'against' the Enlightenment and the modernism which surrounds it (and associated ideals of humanism and so forth). That claim of an either/or itself would be a dominating and authoritarian alternative presented within zones of power controlled by those advancing certain agendas, attesting to the ontologically power laden character of existence.[15] Moreover, permanent critique, if anything, would provide freedom from any totalising modes of normative valuation. As such we are forced, without intending it, to adopt the autonomy freed in the critique of elements of social, political, historical, and epistemological transformations continually rather than accepting them as face value as givens.

The critique employed by both Jünger and Foucault honestly recognises the fact that 'we have to give up hope of ever acceding to a point of view that could give us access to any complete and definitive knowledge of what may constitute our historical limits,' while, 'that does

13 Jürgen Habermas, "Modernity versus Postmodernity", trans. Seyla Ben-Habib in *New German Critique*, Cornell, No. 22, Winter 1981, p. 14.

14 See Slavoj Zizek "*Objet a* as Inherent Limit to Capitalism: On Michael Hardt and Antonio Negri", Zizek Bibliography, for example.

15 Foucault, "What is Enlightenment?", p. 43.

not mean that no work can be done except in disorder and contingency.'[16] We are to acknowledge our limited perspectives in fragmented historical courses; that regions of history, including the modernism of the Enlightenment, are episodes in greater fragmented courses of local histories. As Jünger put it, 'The two hundred years that have been governed by Enlightenment thinking represent only a very tiny section, and maybe only an interruption, compared with times in which one worshiped gods and demons.'[17] The Cartesian and Kantian certainties of the modern knowing subject, with access to universal truth and in contact with the totalising and absolute is now freshly de-centered and deconstructed so as to open the historically contingent and interpretable nature of each individual account of experience specific to each socio-historical, cultural, religious, or aesthetic perspective. Thus even prior ontological regions of the 'unthought' (Deleuze/Guatarri), the between meaning différance (Derrida) or the senseless abyss and lack of meaning (Nietzsche) are free as autonomous and liberating forces in their own right, identifying in their shadows the material epochs and bodies of determined practices and discourses which have led to hegemonic modern formulations.

It may be objected, since both Jünger and Foucault attempt to justify non-foundationalist critiques, that this would leave no standards by which to judge the value of any claim, including their own. What is rendered explicit in Jünger and Foucault, however, is that justifications are not things to which appeal is made independently of thought, but rather that justifications; laws of thought; or the features which make up social epistemologies are given to inquirers within arenas of force, and this includes their own.[18]

Jünger and Foucault's diagnostics rest on the reconceptualisation of the normative: critique is itself an attitude or position which is considered as and *acknowledges itself* to be susceptible to further analysis. Yet even this attitude is open to critique and it must preserve the freedom or autonomy of the movement of critique itself that is never stabilised. This preserves the autonomy of the human individual to

16 Ibid., p. 47.

17 Ernst Jünger, "Gestaltwandel" in *Sämtliche Werke* (Stuttgart: Klett-Cotta, 1999), vol. 19, p. 609.

18 Nancy Fraser has noted comparison between conditioned social epistemology and Carl Schmitt's idea that "law" is a conditioned primary means of social control.

choose well and ill fates alike on the premise that those choices lack ultimate grounds. Thus, one, without any objective anchor as a modern would see it, may analyse and coherently critique forms of discourse which are embedded in power relations without assuming any one defensible or desirable position absolutely, if and only if those critiques are acknowledged as mere possibilities in themselves; a cultural diagnosis which is continually open to modification from its other. Thus, in this critique there is an even greater sense of freedom enabled as the totalising tendencies of modernity are relinquished and the release of other tendencies results in a new mode of analysis.

By reconceptualising normativity these two thinkers are able to navigate the zones of force and control of power by diagnosing and 'neutralising' totalised subjectivities, by excavating the actual lack of neutrality in context sensitive zones of force, thus actually freeing normativity and subjectivity in the process. The objective is to realise and unflinchingly acknowledge one's position in this field of force. With this examination of the zones of force and its effects, one can establish a sense of freedom, and it is in their dealing with hegemonic modernity both Jünger and Foucault accomplish such a task and meet at a point beyond their apparent political differences. Moreover, both do so in a manner that identifies the limits of zones of control with the aim of going beyond them. Foucault writes, 'The critical ontology of ourselves has to be considered not, certainly as a theory, a doctrine, nor even as a permanent body of knowledge that is accumulating; it has to be conceived as an attitude, an ethos, a philosophical life in which the critique of what we are is at one and the same time the historical analysis of the limits that are imposed on us and an experiment with the possibility of going beyond them.'[19]

3. Gazes, Objects and Autonomy: Traversing Fields of Force

That Jünger and Foucault inherited from Nietzsche an idea about the nature of truth as conditioned by power is not surprising, as much of the philosophy which considers the legacy of modernism also stems from Nietzsche's ideas about truth and power. Yet, Jünger and Foucault both take Nietzsche's ideas about historical discourse and, through genealogy,

19Foucault, "What is Enlightenment?", p. 47.

suspend any unities of discourse, arguing that the world is comprised of force, and as such, whilst subjects contribute to the coherent contextualisation of the world about them, the world responds through the presentation of its objects in matrices of force which condition those dialogues. Attending to the irregularities found within such discourses including the origins, ruptures, and nature of those events, reveals the disparate relations of knowledge and the interplay of those relations that not only comprise the rules of discursive formation, but also that which has shaped the surfaces of emergence and made them possible. The systems, conceptual codes, and degrees of rationalisation as such were discovered to be ontologically hierarchical, catalogued, and labeled according to the flows of power that model them in fields of force. What is novel is the idea that both Jünger and Foucault treat systems of knowledge as enmeshed in fields of force where the autonomous subject (i.e. 'self") occupies a position in localised regional points within the matrices of power relations. This ontological 'grid' or 'scaffolding' is to be traversed successfully only by realising that the historically situated fields of knowledge and discursive formations can be manipulated or totally mobilised so as to instrumentally manipulate objects (including the self) into freer relations among practices of subjection. In other words, whilst both Jünger and Foucault uncover an ontological category of force which makes discursive formations possible, they also both offer avenues, strategies and blueprints for navigating these fields of force which have all too often been seen as structurally determined and unnavigable, resigning one to merely listening to the cultural conversation rather than actually participating in it.[20] Having argued for the importance of this radicalised critique, we can now turn to see how Jünger builds upon his Nietzschean inheritance to claim these fields of force are to be navigated and successfully traversed within the dangers presented by various gazes, systems of control and knowledge, existing as challenges to the autonomy of the subject.

Jünger sets out to mark these pathways of power navigation in most of his later works, such as *Der Waldgang* (1951). There, one gains knowledge of a new type of technological figure, which is actually anti-technological to some degree. This figure is called the Forest Fleer

20 Richard Rorty, *Consequences of Pragmatism* (Minneapolis: University of Minnesota, 1982).

(*Waldgänger*).[21] The Forest Fleer is a figure, who after transformations similar to Zarathustra climbing the greatest heights, flees to the security of the forests to escape the omnivorous nature of technology. In his science-fiction work *Eumeswil* (1977), Jünger clearly presents how the Forest Fleer is to philosophically live and function in a world that exists under the zones of control monitored by forces greater than oneself. The Forest Fleer secretly retreats to the forest to escape the ever-present technological gaze of the Condor, who is the master overlord of the city in which the Forest Fleer lives. There, in the forest, the Forest Fleer stockpiles weapons and survival gear in a makeshift bird-watching station, waiting for the time of the revolution, when he can ride the bandwagon of forces seeking to overthrow the Domo and his technocracy. In this 'Flight to the Forest,' the Forest Fleer abandons all previous norms and comforts to flee and seeks refuge in nature.

In the *Waldgang* essay, Jünger mentions the instrumental character of the force of the ship that is dangerously out of control (the ship in that essay is a symbol of temporal existence.) Essentially, he writes, if one tries to jump ship the 'sharks' will consume one; or the dangers of the society, which does not allow individuals to live outside of the matrices of power, will inevitably consume those who attempt to go 'outside' or 'beyond' its limits.[22] This idea is similar to Foucault's notions about the systems of normalisation which are designed to, with 'normalising judgment,' 'transform' and 'improve' the individual relative to the disciplinary settings or grid of power in which she or he is reared.[23] Once established, that grid permits the sure organisation and distribution of individuals in space to be disciplined, supervised, and to facilitate productivity; from which 'escape' is not truly possible, for that would be antithetical to the permeation of the mechanisms which keep the matrix in place. The reconstructing of spaces and organisation of time in which individuals (now understood as units or formations) function dangerously enlarges so as to not only permit movement, but also calculates and maps movement under surveillance for purposes of efficiency. Foucault argues that there is no one person responsible for this activity, as does Jünger; it is the nature of reality as such due to the

21 Ernst Jünger, "Der Waldgang", in *Sämtliche Werke*. (Stuttgart: Klett-Cotta, 1999).

22 Ernst Jünger, "Retreat into the Forest", *Confluence*, Harvard. Vol. 3. No. 2, June 1954, p. 127.

23 See Michel Foucault, *Discipline and Punish*, trans. Alan Sheridan (New York: Vintage, 1977), part three "Discipline" pps. 135-195.

overarching schema of the ontological category of power and its epistemological affects.

Navigating this scaffolding requires not that the ship be abandoned, for that would entail an ontological challenge which would never succeed. Rather, navigation requires terms of acceptance and instrumental mobilisation and manipulation of available resources. As Jünger puts it:

> In general we are not concerned with specific political and technological configurations. Their fleeting images pass, but the menace returns with even greater speed and with increased impact. The appearances come to resemble one another to such an extent that it is easy to recognise them as disguises of the very same power. Our task then is not to master the external phenomenon here, but to subdue the age.

And Foucault suggests in a similar vein:

> The overthrow of these 'micro-powers' does not, then, obey the law of all or nothing; it [power] is not acquired once and for all by a new control of the apparatuses nor by a new functioning or a destruction of the institutions...we should abandon a whole tradition that allows us to imagine that knowledge can exist only where the power relations are suspended and that knowledge can develop only outside its injunctions, its demands and its interests.[24]

'*On Pain*' (1934), Jünger's essay concerning the nature of technology and nihilism as it relates to the dangers of force inherent in the nature of the world, argues that the currents of these zones of control are the product of inevitable changes in the world, especially where technology dominates. Danger lurks at every turn marking changes in value that conflict with other precedent values. While not advancing any one table of values, Jünger remarks that as a diagnostician, he can only observe

24 Jünger, "Retreat into the Forest", p. 133 and Foucault, *Discipline and Punish*, p. 27.

these processes claiming the nature of reality is permeated by power. He is not able to judge or justify the outcome of any one conflict; one only gazes upon conflict as such.[25] The archaeological distance remains, although in the diagnosis, blueprints of navigations become apparent in the lack of order and mobilisation that was found within previous tables, Jünger writes, 'People are starting to understand that great organisational skill and total absence of value judgments can coexist, belief without content, discipline without legitimation...'[26] Therefore, valuations and their mobilisation become synonymous with power and the technologies through which power is exercised. Upon the realisation of this secret nature of reality, one is drawn into the invisible spheres and matrices of a previously unknown grid of systematic organisation and control and delivered through 'danger' and 'misfortune' into 'the superior sphere of a higher order.'[27]

Jünger, and Foucault alike, require the dangerous presentation of power within the interstices of lived experience among the grid of control, emphasising the ontological discontinuity in discourse trajectories, 'The dangerous reveals itself in the light of reason to be senseless and relinquishes its claim on reality...it appears in the mirror of reason as an error.'[28] Foucault sees reason as, 'a thing of this world,' juxtaposing it with the necessary and productive struggle of forces which is unavoidable entangled in history and tradition, society and power, body and desire. He writes, 'I believe one's point of reference should not be to the great model of language and signs, but to that of war and battle. The history of which bears and determines us has the form of war rather than that of language; relations of power, not relations of meaning.'[29] So the practical standards by which rationality forms judgments hold no validity outside of the context of power. 'The world creating capacity of

25 Roger Woods, The Conservative Revolution in the Weimar Republic (St. Martins: New York, 1996), p. 120.

26Ibid., p. 121, Jünger quoted by Woods from "On Pain" and Ernst Jünger, "Über den Schmerz" in *Blätter und Steine* (Hamburg: Hanseatische Verlagsanstalt, 1934), translated in "Photography and the Second Consciousness: an excerpt from 'On Pain'" in *Photography in the Modern Era: European Documents and Critical Writings 1913-1940* (New York: Aperture, 1989), p. 207.

27 Ernst Jünger, "On Danger", in *New German Critique*. Cornell, Number 59 (Special Issue on Ernst Jünger), Spring/Summer 1993, p. 28.

28 Ibid., p. 28.

29 Michel Foucault, "Truth and Power" in *The Foucault Reader*, ed. Paul Rabinow, (New York: Pantheon, 1984), p. 65.

language' (picked up by both Heidegger and Derrida) is best enhanced by the fictional, the narrative, of even the quasi religious truth-occurrence (Heidegger's destiny of Being) which one can only submit to with an attitude of expectancy, for the outlines of this discourse are predominated by a play of illocutionary forces in everyday speech mirroring the subtextual power structures which determine their formation. Whilst language is important for both Jünger and Foucault, their analyses extend well beyond the linguistic consequences of this ontology. The guiding idea is now the Nietzschean will-to-power, that reality is comprised of force: 'the aim of critique is, then, to strip away the veil of reason and to reveal the naked power of force.'[30]

While the navigation of this revealed world is intermittently outlined in subsequent texts by Jünger, it is his 1930 essay 'Total Mobilisation' which established an essential blueprint for the ontology which informed the notions of radicalised critique that has been our concern in this paper. It presented the framework of the modern world as a 'monster of energy' as Nietzsche would claim: that modernity exists for the aspiration of increased motion, amplified power and control that would find its realisation in the nation-state totally mobilised.[31] In effect, it was will-to-power put to practice: 'the extensively branched and densely veined power supply of modern life.'[32] Despite the fact that 'Total Mobilisation' was originally intended to advance the subjugation of the individual among zones of control as well as enhance the totality of technological development, in today's global social order Jünger's thesis may be construed as what is now referred to as a biopolitical authority: to advance the idea that every facet of life is controlled, produced, enacted, and played upon as objects magnified in force relations.[33] The concept of 'total mobilisation,' presented as a Foucauldian cultural diagnostic, points to the modern world as a zone of power, and through this power the ontological character of the world in terms of 'force' is often manipulated for all kinds of ends in the cultural spectrum. To endure this, it was in fact Jünger who would later contest his own theory with the

30 Jürgen Habermas, *The Philosophical Discourse of Modernity*, trans. Frederick Lawrence, introduction by Thomas McCarthey (Cambridge: MIT, 1987), p. xiii.

31 Ernst Jünger, "Total Mobilization", in *The Heidegger Controversy*, translated and edited by Richard Wolin (Massachusetts: MIT, 1992), p.126.

32 Ibid., p. 127.

33 Michael Hardt and Antionio Negri, *Multitude: War and Democracy in the Age of Empire* (New York: The Penguin Press, 2004), p. 78.

aforementioned Forest Fleer. In effect, total mobilisation would now serve as an awareness which allows survival in the existing socio-political state. And whilst there is not a direct solution to the consummation of this culturally diagnosed nihilism, one must 'manage' or 'deal' with it whilst keeping autonomy intact. Both Jünger and Foucault diagnose a culturally permeated zone of control whose shape is determined by force relations. Individual autonomy is best secured in the recognition of such matrices and the affected context sensitive surfaces which led to their emergence.

4. Conclusion

Despite apparent political differences, Ernst Jünger and Michel Foucault advance similar philosophical theories and analyses, especially those informed by their readings of Nietzsche and these two philosophers can be put into dialogue on this more fundamental level. Specifically, they share the view that the world and the scaffolding of power which makes up that world, from which 'escape' is not achievable, may be aesthetically capitalised upon and even critiqued, establishing and freeing the autonomy of the individual in the process. Inspired by this Nietzschean ontology, both philosophers unflinchingly recognised the necessity of reconceptualising normativity in an attempt to provide blueprints which allow one to move within, or retreat to, one's own freedom and subjectivity. By offering a reconceptualisation of value and by acknowledging their own susceptibility to the critique they develop, both Jünger and Foucault successfully establish, at the very least, a concept of freedom which is compatible with the identification of historical limits within zones of force.

Pli 17 (2006), 98-120

Deleuze, Leibniz and the Jurisprudence of Being

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This essay proposes to determine Gilles Deleuze's concept of "jurisprudence" such as it appears in the *Abécédaire* and *Negotiations* interviews and with particular reference to the "conceptual persona" of Leibniz.[1] What we shall do, firstly, following in large part some of the recent work of the Leibniz scholar Christiane Frémont, is identify three of the major concept-components of Leibniz's "universal jurisprudence": "case", "singularity" and what will be called a reconstruction of the "passage from the possible to the real". In the light of Deleuze's readings and critiques of Leibniz and his several remarks on contemporary jurisprudence, we shall then move on to show how these notions of case, singularity and passage can also be understood as the components of a Deleuzian concept of jurisprudence. There is, however, one important modification concerning the notion of "passage" which we shall examine: it is no longer a passage from the possible to the real in Deleuze but from the "virtual" to the "actual".

Before entering into the details of what is at stake here, let us first of all justify our method of approaching Deleuze's concept of jurisprudence through a reading of Leibniz. To this end, we will need to say a few words about the role and importance of "conceptual personae" in general in Deleuze's work.

Following Deleuze and Guattari's *What is Philosophy?* an immanent philosophy necessarily has need of "conceptual personae" who, as the

1G. Deleuze, *l'Abécédaire*, (Paris: Édition Montparnasse, 2004). Charles Stivale's summaries of the interviews can be found at <http://www.langlab.wayne.edu/CStivale/D-G/ABC1.html>. G. Deleuze, *Negotiations 1972-1990*, trans. M. Joughin (Columbia: University of Columbia Press, 1995).

true "subjects of enunciation" of this philosophy, express between themselves, according to their diverse "points of view", the particular family of concepts that is being created.[2] If it can be said that a group of interrelated philosophical concepts "marks out the intensive ordinates" of a pre-philosophical "plane [*plan*] of immanence", the conceptual personae are in turn said to "actualise" this plane according to the diverse concepts they come to express in this or that conceptually sympathetic or antipathetic manner.[3] They are, it is argued, an indispensable condition of a given philosophy, inasmuch as a single philosopher cannot, by right, think immanence, without also demanding to be thought within it.[4] Thought, for Deleuze and Guattari, understood here as the thought of immanence, intrinsically requires that it be divided up and shared as a condition of its real exercise.[5] A thinker always requires *other* thinkers, insofar as each can only ever form a finite and relative point of view on the infinite and absolute movement implied by a plane of immanence. A particular philosopher can then, in principle, effectively accede to the plane of immanence *through* these other thinkers, through these other points of view or personae, that is, *insofar as he or she is capable of immanently determining each persona's conceptual relationship to the plane that he or she is instituting*. This determination is what would make of a philosophy something "actual", a "Fiat" as Deleuze and

2 See generally, G. Deleuze and F. Guattari, *What is Philosophy?* trans. G. Burchell and H. Tomlinson (London and New York: Verso, 1994), ch.3. Elsewhere, Deleuze describes these personae as "not only historical but topological and logical" figures which, through their different "points of view", bring certain series of philosophical problems and their corresponding conceptual solutions into relation. See G. Deleuze, *The Logic of Sense*, trans. M. Lester with C. Stivale, C.V. Boundas, ed., (New York: Columbia University Press, 1990), p.xiv.

3 Deleuze and Guattari, *What is Philosophy?*, pp.42; 63. Let us also note here that the French "*plan*", which is translated as "plane" in *What is Philosophy?*, also has the sense of the English "plan", "blueprint", "project", "idea", "outline", etc. It is also used in expressions to refer to different "levels" of a structure or scale such as "*au plan international*" or "at the international level"; and to different "points of view" in painting and photography: as in "*premier plan*" or "foreground", "*dernier plan*" or "background", etc.

4 "[T]he relative horizon recedes when the subject advances, but on the plane of immanence we are always and already on the absolute horizon ... It is in this sense that thinking and being are said to be one and the same ... Every movement passes through the whole of the plane by immediately turning back on and folding itself and also by folding other movements or allowing itself to be folded by them." See: Deleuze and Guattari, *What is Philosophy?*, pp.38-39.

5 Deleuze and Guattari, *What is Philosophy?*, p.69.

Guattari say, sanctioned or authorised in this or that manner, to this or that extent, by the personae which give to it its particular existence.[6]

If this understanding of Deleuze's use of conceptual personae is defensible, then it appears that any detailed study of Deleuze's philosophy would require a particularly serious examination of the persona of Leibniz. Leibniz figures prominently as a more or less sympathetic "subject of enunciation", not only in the conceptual developments in *Difference and Repetition*, *The Logic of Sense* and *The Fold*, but also in a text as early as "The Method of Dramatisation", which was a kind of early résumé of the major themes of *Difference and Repetition*.[7] Our task here is not, however, to give a comprehensive account of Deleuze's Leibniz. Rather, as we have already indicated, we would like to consider the role that the persona of Leibniz plays in the construction of one of Deleuze's concepts that has received little or no serious attention: that of "jurisprudence". We will thus examine three of the concept-components of Leibniz's celebrated "universal jurisprudence": case, singularity and passage. We will then show, following the general line of Deleuze's readings and critiques of Leibniz and some of his further philosophical concerns, how these concept-components are subtly transformed and redeployed as elements of Deleuze's own concept of jurisprudence.

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In his *Theodicy* as well as a work such as the *Discourse on Metaphysics* Leibniz, as we know, undertakes a defence of God's choice of the best of all possible worlds. Or rather, he tries to resolve the apparent contradiction between the infinite perfections attributed to the individual substance of God and the existence of evil in the world that

6 Deleuze and Guattari, *What is Philosophy?*, p.75. Of course, given the immanent criteria of their determination, conceptual personae can always be re-determined with reference to other planes of immanence and their corresponding families of concepts. It is in this sense that Deleuze and Guattari write that the personae are the "unknowns" of a philosophy, of a philosophical "problem". See p.81.

7 G. Deleuze, *Difference and Repetition*, trans. P. Patton (London: Athlone, 1994); *The Fold: Leibniz and the Baroque*, trans. T. Conley (London, The Athlone Press, 1993); "The Method of Dramatization" in *Desert Islands and Other Texts*, trans. M. Taormina (Los Angeles and New York: Semiotext(e), 2002).

God has chosen. What interests us here is how Leibniz, in his role as "God's attorney", carries out this defence.[8]

In a remarkable study entitled, *Singularités, individus et relations dans le système de Leibniz*, Christiane Frémont brings together what appears to us to be the three key elements.[9] As has already been indicated, we can call these elements "case", "singularity", and "passage": a reconstruction of the passage of the world from the possible to the real. We should note here that we have chosen to examine Frémont's work on Leibniz in this context, even if certain important aspects of her overall project must be left to one side, for several reasons. Firstly, in line with our method here, the recognised quality of her scholarship allows us to compare Leibniz's and Deleuze's respective philosophical systems with confidence. Frémont is not only a serious commentator on Leibniz, she is also a translator and editor of several French editions of his work. Furthermore, Frémont has a conceptual relationship to Deleuze which facilitates our project. In *The Fold*, Deleuze cites some of her early work on the use of "allegory" in Leibniz with approval,[10] and the text *Singularities, individus et relations* is itself conceptually inspired, not only by Deleuze, but also by Michel Serres who exerted an undoubted influence on some of the developments in *The Fold*. Finally, Frémont gives a particularly clear and concise account of the three elements of Leibniz's jurisprudence which interest us here, much more so than does Deleuze himself (even if we would have to argue that these elements are present, at least implicitly, in Deleuze's Leibniz). Let's examine then, briefly, each of these three elements in turn.

First of all: the notion of case. Following the juridical writings of the young Leibniz a case of jurisprudence describes a more or less complex configuration between an act or event (an effect), a subject taken as cause, and the surrounding circumstances.[11] Or more precisely, the case is the subject for which one demands the reason for the inclusion in its

8 On "God's attorney", see Jacques Brunschwig's introduction to Leibniz's *Essais de Théodicée* (Paris: GF Flammarion, 1969), pp.17-18.

9 C. Frémont, *Singularités, individus et relations dans le système de Leibniz* (Paris: Vrin, 2003).

10 See p.127; p.161, n.12.

11 Frémont, *Singularités*, p.42. See also André Robinet, *Justice et terreur – Leibniz et le principe de raison* (Paris: Vrin, 2001), p.41.

notion of the acts or predicate-events that are proper to it. What is more, given that there are always surrounding circumstances which to a certain extent determine the relation between the subject and the act, the resolution of a given case will also require the attribution of a series of events to a series of subjects and, indeed, a series of events to the same subject, as in the way in which we speak of somebody's notoriety or character.[12]

At this point, however, following Frémont, we must distinguish between ordinary and singular cases or singularities. An *ordinary* case is one where the reason for the inclusion of a predicate-event in the notion of a subject presents no problem given what we already know of the subject and of the surrounding circumstances. A singular case or *singularity*, on the other hand, presents us with a situation where there are two contradictory predicates which can be attributed, equally reasonably, to the same subject. God, of course, is for Leibniz the singularity *par excellence*, for if God is all good, all powerful, all wise, etc., why does evil exist in the world which he has chosen? How, from a cause which is all good, can there follow an effect, the world, which is sullied with evil and suffering?[13]

Leibniz's universal jurisprudence is an attempt to disentangle this singular situation by showing that the evils in the world are only so many cases of the best of all possible worlds freely chosen by God – chosen, that is, not by a metaphysical necessity but from among an infinity of other equally possible worlds, populated by other possible individuals or cases.[14] What makes a world the best possible world for Leibniz? The best possible world is one with the greatest variety and perfection.[15] Or, to use the formula that Deleuze takes up, the best possible world is the

12 On "notoriety", see Leibniz: *Nouveaux essais sur l'entendement humain* (Paris: GF Flammarion, 1990), IV, XVI, §§8-9; *Théodicée*, §§103-105.

13 Frémont, *Singularités*, pp.46-48. On the distinction between singular and ordinary cases, see also Frémont's "review" of *The Fold*: "Complication et Singularité", in *Revue de métaphysique et de moral*, no.1, jan-mar 1991, pp.105-120. See also Robinet, who describes the singular case as akin to "a square circle", in *Justice et terreur*, p.41.

14 See, for example, Leibniz's "On Freedom" in *Leibniz – Philosophical Writings*, trans. M. Morris and G.H.R. Parkinson, G.H.R. Parkinson, ed. (London and Toronto: J.M. Dent & Sons, 1973), pp.106-111.

15 See, for example, Leibniz, *Monadology*, §§53-58.

one which presents a maximum of continuity in a maximum number of compossible cases.[16] Cases are "compossible", let us recall, when the predicative differences between them tend to disappear, that is, when a first case is given, a second "extrinsic" case can be considered from a certain point of view as "included in" or "expressed by" the case first defined. Thus, for example, the Adam who sins, the Christ who suffers, the Eve who tempts, the Judas who betrays, etc., are compossible, that is, insofar as their constitutive differences are determined and expressed in a continuous manner from one to the other's "point of view" on the same world-series which they collectively compose and "fill".[17]

So how can the existence of an evil be justified in a world as described in this way, that is, in a world which must present a maximum of continuity in a maximum number of cases? In short, it will be to the extent that there follows from the existence of this evil more connections among the ordinary cases of the world than if it had not been admitted to existence. In this sense, therefore, the evils of the world will themselves be so many singular cases to be decided upon, falling under the singular case of God. It must be shown that, while they appear locally to be out of order from the point of view of the Good, they are, globally, the absolutely indispensable condition of the Best, of the richest possible connection of all the ordinary cases of the world.[18] The defence of God's choice will therefore proceed by prolonging, as it were, the singularity-evils over the ordinary cases of the world in such a way that these singularities appear as the ideal or sufficient reason for the connection and inclusion of predicates in the series of ordinary cases. This then completes our definition of singularity for Leibniz's jurisprudence: a singularity is a case which appears, from a local point of view, to be out of order, but which, insofar as it is prolonged over a series of ordinary cases up to the vicinity of another such singularity, will appear as the ideal reason of this local point of view.[19]

16 Deleuze, *Difference and Repetition*, p.48. See also Leibniz's "Lettre à Bourguet" from December 1714, in *Leibniz – Principes de la Nature et de la Grâce, Monadologie et autres textes 1703-1716*, C. Frémont, ed. (Paris: GF Flammarion, 1996), p.274.

17 See G. Deleuze, "Cours sur Leibniz – 22/04/80" at <http://webdeleuze.com/php/sommaire.html>. "Incompossible" cases then, in contrast to compossible cases, belong to discontinuous series or different "worlds".

18 See Frémont, *Singularités*, pp.80; 86-87.

A question, however, remains: how do we prolong these singularities? How can we show that this or that singularity, this or that evil is decisive for and justified in the best of all possible worlds? In effect, Leibniz will have to show how this singularity produces more harmony, more connections, than another possible case. And in order to do so, following Frémont, it will be necessary to make a kind of excursion outside of God's chosen series. It will be necessary, in other words, to reconstruct the passage from the possibles to the real such as would have occurred in the moment of creation in order to examine the uncreated possibles and see what they lacked, comparatively, preventing them from being admitted to existence.[20]

So now that we have our three elements of Leibniz's universal jurisprudence – case, singularity and passage – let us examine, very briefly, how he puts them to work in two texts: the *Discourse on Metaphysics* and the *Theodicy*. Firstly, the *Discourse on Metaphysics*. According to Frémont, what we have to understand about the *Discourse* is that, while it is Leibniz's first complete meditation on the metaphysical notion of individual substance, it is no less a historical and theological treatise since, as we know, the individual or monad includes in its notion the entire world from a certain point of view, determined with respect to other individuals, and since, furthermore, the individual is morally responsible for the predicate-events that are proper to it. Every individual is a case, as it were, of the best of all possible worlds. We thus see in the *Discourse* a number of historical and theological figures – Alexander the Great, Caesar, Judas and Christ – who are summoned by Leibniz in order to provide a historically, metaphysically and theologically adequate account of inclusion and determinism, contingency and freedom, moral responsibility and, finally, the redemption of the world as such.[21] And, in effect, all of these concrete cases of the world, all of these cases of God's choice, represent evils in their deeds or in their sufferings. They are all *singularities* which seem out of order from the point of view of the Good but which, prolonged into one another over all the ordinary cases of the

19 For the resonance of this definition with Deleuze's own definition of singularity, see: *The Logic of Sense*, Series 15 and 16.

20 Frémont, *Singularités*, p.113.

21 Even if we cannot examine the correlation here, we see clearly how these figures function as "conceptual personae" in Deleuze and Guattari's terms. Indeed, in *What is Philosophy?*, conceptual personae are said to have "*juridical features*": see p.72.

world, give us the reason for the world which God has chosen, the best of all possible worlds, evils and all. How does this work? In effect, from one to the other, the resolution of these singular cases brings about – historically, metaphysically and theologically – a type of conceptual growth which allows us to see the optimal relationship between the monad and the world. Or again, as we shall examine below, these cases allow us to understand that the problem of evil is resolved insofar as each mind or spirit assumes it each for the other and reorients it towards the best possible totality, "the city of God", which alone could make sense of all suffering and all action.[22]

Let us first examine the case of Alexander the Great. In article VIII of the *Discourse* he is called upon as the historical example *par excellence* of the manner in which the subject, or rather, the complete notion of the subject, is the sufficient reason of all the events which occur around it and are included in its notion. However, as Leibniz also writes, the notion of the subject only expresses confusedly, by "traces" as it were, all the events in the rest of the universe.[23] It would be necessary to say, therefore, that the series of predicates or worldly events that Alexander includes, and for which he appears as the ideal cause, only approach his notion asymptotically. And this is why, in a beautiful historical example, despite the warnings – based on obscure omens – not to enter Babylon, the great Alexander, firm in his opinions and sure of himself, will carry on regardless and see his destiny turn against him, dying of poisoning or disease not long after. Following the argument of Frémont, then, what we have here is a singularity, a singular evil in the broadest sense of the term, a suffering and a death, unforeseeable insofar as it happens to the great Alexander. And it makes us pass – in history as well as in metaphysics – from the question of the subject and of determinism to the question of contingency.

Thus, in article XIII of the *Discourse*, the case of Caesar is invoked, a Caesar hesitating on the bank of the Rubicon surrounded by the kind of possibilities to which Alexander was blind. Will he cross the Rubicon? Will he win the battle of Pharsalus? Will Rome fall under the yoke of

22 Frémont, *Singularités*, pp.184-187; on what follows see generally ch.7 "Alexandre, César, Judas", pp.157-187. On the "city of God", see Leibniz, *Monadology*, §§85-90 and *Discourse on Metaphysics*, §XXXVII.

23 See *Leibniz*, Parkinson, ed., pp.18-19.

tyranny? As in the case of Alexander, the crossing of the Rubicon will be an historical event only insofar as it has *this* individual for subject, this Caesar also connected to the victory at Pharsalus, the dictatorship of Rome, etc. There is determinism: "*alea jacta est*" ("the die is cast"), as Caesar announces. However, with Caesar as opposed to Alexander, Leibniz poses the question: how exactly is the subject connected to all the events that belong to it? And he answers: there is no necessary connection, there is only a contingent one. There is only a contingent connection through an event such as "to cross the Rubicon", an event which, as a moment of choice or a point of possible bifurcation susceptible to other connections, ties Caesar and his predicates to the world series of events and individuals.[24] Yet, once more, there is the singularity of an evil: the tyrant dies assassinated. What is the reason? Who or what is responsible?

From his metaphysics then, we move to Leibniz's theology. In article XXX of the *Discourse* Leibniz calls upon the singularity of Judas Iscariot in order to unite the logic of inclusion and irreducible contingency in the idea of personal responsibility.[25] Why, however, do we need to pass to theology? It is because, for Leibniz, only theology can resolve the problem of evil. Evil, in effect, must no longer be understood as a disorder in history or as the deeds of larger than life characters, but as sin, sin against God and God's order, sin, therefore, also against oneself, *precisely at that point where the global touches the local*. It is Judas who represents this point where God's contingent order is effectuated by the individual who is the cause of his own events. In other words, insofar as Judas by his treason appears as the condition of our salvation by Christ, he gives an assignable content to the best of all possible worlds chosen by God (Christ being of course, for Leibniz, the very reason of the best of all possible worlds).[26] However, at the same time, Judas declares God to be innocent of this evil because he acknowledges, according to the gospel of Matthew, that he is freely responsible for his treason, and recognises it as a sin.[27] Furthermore, by his suicide, Judas ignores the salvation offered by Christ and in his own notion thus assumes the full responsibility for the evil which founds the

24 See *Leibniz*, Parkinson, ed., pp.23-25.
25 See *Leibniz*, Parkinson, ed., pp.38-41.
26 See on this: Leibniz, "La cause de Dieu plaidée par sa justice", in *Théodicée*, §49.
27 Matthew, 27: 3-10.

best of all possible worlds. It is not without reason that Deleuze says that the best of all possible worlds is also the cruellest.[28]

Finally then, what of the evil that Christ suffers? In effect, unlike the self-sufficient subject, Christ declares himself innocent of the crimes that are attributed to him: he is pure contingency. At the same time however, he is also pure responsibility: he knows that the evil he suffers is if not metaphysically then at least morally necessary and that *it has no other purpose than the effectuation of harmony*, this being the very essence of salvation. It is in this precise sense that Christ is the reason itself of the best of all possible worlds because it is through him, or rather, through what he expresses clearly in his notion, as Leibniz would say, that each and every creature can be delivered from corruption and come to be oriented toward the best, toward what Leibniz calls "the city of God".[29]

What we have just seen, in brief, is Leibniz's defence of God such as it is undertaken in the *Discourse on Metaphysics*: a resolution of the singularity which is the case of God. And as we initially indicated, it has taken the form of, firstly, an assignation of responsibility for worldly events to (or by means of) exemplary cases: to existing individuals such as Alexander, Caesar, Judas and Christ who are tied to the world according to the manner in which they include or express it in their notions. What is more, we have seen how these cases constitute, by the evils that they have committed and suffered, singularities: singularities which on the one hand seem out of order from the point of view of the Good and yet which also, insofar as they are prolonged into one another, appear as the reason itself of the best of all possible worlds. They allow us to see how the optimal relationship between the monad and the world can be achieved. They allow us to understand, in other words, that the problem of evil is resolved to the extent that each mind or spirit assumes it for the other by being oriented toward the best possible totality, the city of God, which makes sense of all worldly events. We have not yet seen, however, the third element of Leibniz's universal jurisprudence: the passage from the possible to the real. Why is this extra step necessary? The question still remains: why is Christ such rather than otherwise?

28 See "The Method of Dramatization", pp.107-108.
29 See Leibniz, *Discourse*, §§XXXV-XXXVII. It is perhaps unfortunate that Parkinson's *Leibniz* does not include the "theological articles" with which the *Discourse*, significantly, opens and closes. See also Frémont, "Complication et Singularité", p.120.

Why the Passion? Why does this singularity produce more harmony than another? The *Discourse* does not answer these questions but the *Theodicy* does, or rather, the Baroque narrative with which the *Theodicy* finishes does. It invents a subject which comprehends the law of creation: Theodorus.[30] So let us now examine this famous narrative, since it is a very compact and poignant illustration of Leibniz's system, and since Deleuze, as we know, makes a lot of this particular text.[31]

At the end of the *Theodicy*, Leibniz presents us with a story of the historical figure, Sextus Tarquin. Sextus goes one day to find the god, Jupiter, whom he beseeches to change his fate. Jupiter replies that were he to renounce the then kingdom of Rome, he would be given other destinies. Sextus, however, not being able to reconcile himself to the sacrifice of the crown, leaves Jupiter's temple in a rage and abandons himself to his destiny such as we know it: to the rape of Lucrecia which will bring about the collapse of the kingdom of Rome. Theodorus, the high sacrificer, who has been watching this scene, asks Jupiter why he has not given Tarquin another will, to which the god replies that Theodorus should go and see his daughter Pallas, who will show him what he, Jupiter, was obliged to do in order to create the world. Theodorus then finds himself transported with the goddess to the palace of destinies where he sees representations not only of the real world but of all other possible worlds. What he sees in effect is a series of apartments organised in the form of a pyramid. In each apartment there is a possible world filled with all of the cases or individuals of that world including, each time, a different possible Sextus: a Sextus happy but mediocre in Corinth, a Sextus king of Thrace, etc. As Theodorus climbs the pyramid, these worlds, with their various Sextuses, become more and more beautiful, indeed, they become "better", until finally at the summit he sees a representation of the real world, the most perfect of all, where Sextus leaves the temple, goes to Rome, rapes Lucrecia, and so on. Frémont invites us to consider this pyramid as a global system which is not yet determined and susceptible to several different orders or states. She then asks: by means of what operator does this system come to be determined? We have of course already guessed the answer: it is

30 See Frémont, *Singularités*, p.183.

31 For what follows, see Leibniz, *Théodicée*, §§413-417. For Deleuze's references to the narrative see, *The Logic of Sense*, pp.113-115; *The Fold*, ch.5 "Incompossibility, Individuality, Liberty", pp.59-75.

determined by a singular evil: the singularity of Sextus. This is because, insofar as there is a different Sextus in each possible world, or rather, insofar as different but poorer worlds always appear according to the different predicates that Sextus can take, the Sextus that we know must appear as the reason itself of the real world. In other words, while another possible Sextus with different predicates implies a world with less variety and relative continuity between cases, the Sextus that rapes Lucrecia and brings about the downfall of the kingdom of Rome is the condition of the continuity of all the cases of the best possible world. The figure of Theodorus teaches us, in effect, that we must consider the series of possibles in order to see the reason for God's choice, in order to see why such a Sextus implies such a world, why such a world requires such a Sextus, and finally why God at the moment of creation, oriented towards the best, could not not have wanted this singular case, this evil or singularity.[32]

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So finally we see how Leibniz undertakes the defence of God against the charge that his world is less than the best possible according to the three elements that Christiane Frémont uncovers in his jurisprudence: case, singularity, and the passage from the possible to the real. By means of these elements we have the means of becoming morally certain that God has created the best possible world. Or again, we come to see the reason for God's choice by showing how singularity-evils can be prolonged over all the ordinary cases of the world, integrating them thereby into the comparatively best possible totality. What, however, would Deleuze think of this defence?

For Deleuze, it seems, this defence would only be justified if one ignored the fact that all the cases of the world are here subordinated to the singular case of God, already given as such, replete with his divine predicates. This is because, by right, in a generalisation of Leibniz's logic, we would still have to search for a sufficient reason for determining the case of God itself (as we shall see, Leibniz's "ontological proof" is *insufficient* for Deleuze). Indeed, this is, effectively, the critique that Deleuze has always made of Leibniz. In *Difference and Repetition*, Deleuze criticises Leibniz for subordinating a

32 Frémont, *Singularités*, pp.89; 98-101.

differential sufficient reason to the identical by means of a principle of converging differences under the hypothesis of a God that calculates and chooses the best among the different possible worlds.[33] The implication is of course that – given Deleuze's own description of the element of a sufficient reason in terms of a differential multiplicity with its formless and functionless elements, their variable relations and corresponding singularities – the immanent reason for the determination of the individual substance of God must remain an entirely open question. Similarly, in *The Logic of Sense*, Deleuze criticises Leibniz for not being able to seize what is required for thinking the pure event. Leibniz makes the communication of events depend on a certain divine calculation, despite the fact that, from the point of view of the pure event, the "identity" of God itself presupposes the determination of certain events. As Deleuze suggests, Leibniz's God perhaps responds to a demand of theology, or again to an economic principle for the determination of causes and effects, means and ends.[34]

Finally, Deleuze argues in *The Fold*, his most subtle formulation of the problem, that because the attributes of God are absolutely simple (infinite and perfect) – this being why they are not incompatible according to Leibniz's own "ontological proof" of the existence of God[35] – there cannot be any relation between them. This would destroy the simplicity of God if these attributes did not however *acquire relations* by becoming the condition of the possibility of creation, or again, *of every possible relation*. Now, individuals or monads are defined by predicate-events which are, precisely, relations to existence and to time.[36] But this means in turn that, in a sort of double antecedence, the individuals that make up the existing world, which is here the best, must become the sufficient reason for God. The best of all possible worlds is the condition of the real inherence of the divine attributes in God. But then, furthermore, as Deleuze writes, a *Theodicy*, a justification of the God of this world – the world such as it is given with a certain Judas, a certain

33 See pp.46-51.

34 See pp.171-174; 59-60. Frémont also discusses this "principle of economy" in "Complication et Singularité", n.10.

35 See Leibniz, "Que l'être tout parfait existe" (1676) and "Lettre à Élisabeth" (1678) in C. Frémont, *Discours de métaphysique et autres textes* (Paris : GF Flamarion, 2001), pp.91-98; 149-162.

36 See Leibniz, "Remarks on M. Arnauld's Letter" (May 13, 1686) in *Leibniz*, Parkinson, ed., pp.52-53.

Christ, and so on – makes sense only at a particular historical moment, after the defeat of the Good and at the point of collapse of theological reason. It makes sense, in other words, only insofar as it is supplemented by this historical event. It follows then that if the notion of God is itself to be determined in the element of a generalised or immanent sufficient reason then nothing could here, by right, prevent other distributions of cases within the "same" world, or, as Deleuze says, other foldings and unfoldings of the type that we have witnessed after Nietzsche and Mallarmé, Whitehead, Borges, Stockhausen and Dubuffet, and so on.[37]

Despite these criticisms, it is nevertheless clear that Deleuze wants to conserve a version of Leibniz's differential sufficient reason albeit in a world without God: in a chaosmos, as he calls it, no longer included in the monad without windows or doors but actualised or differenciated by open individuating factors or contingent captures.[38] Indeed, for Deleuze, "no one has gone further than Leibniz in the exploration of sufficient reason ... [and] the element of difference".[39] The coupling of difference to a principle of convergence or the identical was his "only error".[40] What interests us here, moreover, is that, no less than Leibniz's sufficient reason, it also appears that Deleuze approves of a certain form of jurisprudence that parallels what we have analysed above with respect to Leibniz. It is the task of what remains of this paper to examine this parallel. What we shall do, in effect, is determine the concept of jurisprudence in Deleuze's philosophy in its proximity, as it were, to Leibniz's, and also to Deleuze's remarks on its contemporary practice. As we shall see, even after the collapse of the Best, Deleuze's jurisprudence still proceeds according to the elements of case, singularity and passage: passage from the "virtual" to the "actual" if not from the possible to the real.

Deleuze makes two remarks on jurisprudence that interest us greatly. In the first, taken from the series of interviews in *l'Abécédaire*, while speaking of the then current situation in Armenia and the ineffectual application of human rights to that situation, Deleuze explains that, "All

37 The relevant pages for following the thread of this highly condensed argument are: ch4. "Sufficient Reason", pp.41-58; 66-69; 81-82; 136-137.

38 On this, see Deleuze, "What Is An Event?" in *The Fold*, ch.6, pp.76-82; *The Logic of Sense*, Series 24.

39 Deleuze, *Difference and Repetition*, p.213.

40 Deleuze, *Difference and Repetition*, p.51.

the abominations that human beings undergo are cases ... situations for jurisprudence ... There are no rights of man, there is life, there are rights of life. Only life, this is case by case".[41] We will argue here that the notion of "case" for Deleuze, in a similar way to Leibniz, designates a subject – an individual or a situation – for which one demands the reason for attributing this or that predicate to it: a subject for which, in other words, one demands *the right* to determine it in this or that manner. Furthermore, as with Leibniz, seeing that there are always various surrounding circumstances – "life" in general as it were – it will be necessary for each case or subject to assign a series of predicate-events to a series of subjects, or a series of events to the same subject. As opposed to Leibniz, however, given the absence of any transcendent unifying instance in his work, we can understand Deleuze's statement that "life is case by case" as the affirmation that each case could only ever be a case of a case, a point of view, not on the same and given world as in Leibniz, but only on another point of view, as Deleuze says in *The Logic of Sense*.[42] In other words, the life of an individual, the being of a case, is by right determinable only immanently, from case to case.

The second remark with respect to jurisprudence that interests us is taken from the interviews in *Negotiations*. Here, Deleuze explains that jurisprudence creates right "by the prolongation of singularities".[43] As with Leibniz then, for Deleuze, we will argue that the term singularity can be understood, juridically at least, as a "perplexed case" which seems out of order from the local point of view to which it belongs. Yet it is one which will also appear as the "reason" itself of this local point of view insofar as it is prolonged over a series of ordinary cases right up to the vicinity of another such singularity, integrating thereby the two local points of view, or all the ordinary cases determined with respect to them, into a more complex global order.

Let us now examine the concrete example of jurisprudence that Deleuze offers in order to see how these two concept-elements such as we have defined them – case and singularity – are put to work. This is the example, in "G comme Gauche" from *l'Abécédaire*, of the problematic legal relationship in France between the taxi-cab and the smoker. The

41 Deleuze, *l'Abécédaire*, "G comme Gauche".
42 See pp.173-174.
43 Deleuze, *Negotiations*, p.153.

situation is explained as follows: it comes to pass that one no longer has the right to smoke in taxis. One day, however, a smoker who does not want to be forbidden to smoke as they please takes a cab company to court. It was held that the taxi company was at fault under the rationale that when someone takes a taxi they are like a tenant and a tenant has the right to smoke at home. The taxi, in brief, was defined as an apartment on wheels and the passenger as a tenant. Ten years later, however, it once more became forbidden to smoke in taxis under a new rationale. The taxi was no longer defined as an apartment but as a public service, and one, of course, has the right to forbid smoking in a public space. What has happened here in terms of "cases" and "singularities"?

We can say first of all that this situation is a singular case insofar as it is the problematic conjunction of two different local points of view. On the one hand, we have the private person with their "properties": their rights, their habits, their economic power, and so on. On the other hand, we have the taxi which circumscribes a semi-public space that includes in its situation a great number of different persons. What happens, then, when a smoker takes a taxi? To the extent that the smoker is taken as a private person and insofar as they pay for the use of the taxi, the taxi is a case determined with respect to their point of view. However, from the point of view of the space defined by the taxi, this smoker is only one case among others and all these cases are determined, ideally at least, in an equal manner. If, then, the taxi forbids smoking, it seems out of order from the point of view of the smoker even though it belongs "entirely" to the situation that the smoker defines. However, at the same time, if the smoker affirms their particularity as a private person, they seem out of order from the point of view of the taxi even as they belong "entirely" to the taxi situation.

So here we have a singular case, a singularity. Or, provided we can deploy these philosophical-mathematical terms in another context, this perplexed situation is for both points of view a "pole" or a singular limit where the series of cases and predicates falling under each point of view *diverges* from that of the other. In effect, then, we have two poles, two singularities, insofar as this singular limit differs from each point of view. How do we resolve this discontinuity? We can say that the resolution will take place by the creation of a third "essential singularity" which, according to the manner in which it is determined, will surmount

the discontinuity represented by the two poles by integrating them into a more complex order which will prolong the two poles, and their respective series, into one another in a "continuous" manner. As we shall see, essential singularities represent, in effect, the differenciation or (re)actualisation of the virtual differences which "constitute" the discontinuous poles.[44]

So we have seen in our example the creation of two solutions, two essential singularities. In the first solution, the situation was assimilated to the relationship between an apartment and a tenant; in the second, to the relationship between a public service and a public person. At first sight, it seems that each solution has fallen entirely on one of the two sides: on the side of the private person for the first solution and on the side of the taxi for the second. However, as Frémont has done for Leibniz, we shall argue that one has to see each time the global nature of the integration, and in order to do so, we shall have to examine or invent the third element of Deleuze's jurisprudence which we shall here call "the passage from the virtual to the actual".[45] This will of course differ from the "passage from the possible to the real" in Leibniz. For Leibniz the "source" of existing things is the series of possibles in God's understanding, among which he will pick the best compossible combination.[46] For Deleuze on the other hand, the "source" of each determination as such is, as we have indicated, what can be described as a virtual multiplicity made up of differential elements without sensible form or function, and of singularities corresponding to the variable relations between these elements. This virtual multiplicity will then be actualised by "individuating factors", what we have here been calling cases, according to the diverse determinations that they can come to receive, the ones in immanent relation to the others.[47] In the wake of the

44 For a detailed study of the notions of "pole" and "essential singularity", and their relation to Deleuze's work, see S. Duffy, "Schizo-Math: The Logic of Different/ciation and the Philosophy of Difference", *Angelaki*, 9.3 (December 2004), 199-215.

45 In speaking of the "passage from virtual to actual", Deleuze writes that, "four terms are synonymous: actualize, differenciate, integrate and solve... Each differenciation is a local integration or a local solution which then connects with others in the overall solution or the global integration". See, *Difference and Repetition*, p.211.

46 See Leibniz, *Théodicée*, §417.

47 See very generally Deleuze, *Difference and Repetition*, ch.4 and ch.5.

collapse of Leibniz's Best, therefore, into Deleuze's chaosmos, we no longer orient ourselves towards God in order to scroll through the possibles and arrive at a moral certainty about the determination of this and that case. Rather, we must orient ourselves towards an instance where each difference, compossible or incompossible, can be communicated to each other difference insofar as each is only ever a difference of difference. We no longer orient ourselves towards an *eminent* instance but towards an *immanent* one. And this instance, the virtual differential multiplicity, seems to us to be juridically necessary, if not also metaphysically and mathematically, at least insofar as the idea itself of the just integration of the various elements of a case could only proceed by the differenciation of differences, and not, strictly speaking, by their inclusion and exclusion.

How then do we arrive at this instance of pure difference in jurisprudence? Unfortunately Deleuze gives us no indication, but we can perhaps formulate a response. Deleuze tells us that the differential multiplicity responds to "imperative questions" such as *who? how much? how? where and when? in what cases?* and so on. This is because, while the "ontological question" *what is?* wrongly prejudges the simplicity of an essence, these other questions only carry out a differentiation of difference.[48] Thus it is arguable that, juridically, instead of posing the question *what is the best solution?*, we must ask questions such as *for who is this a solution or problem? in what cases? where and when? how?* and so on, in order to arrive at pure difference. And, arguably, it is precisely in this way that we can understand certain questions of "right" posed here and there by Deleuze. For example, in speaking of the "prison solution", Deleuze demands, "*for whom* and *for which* problem is prison a "solution"?"[49] Or again, in analysing the relationship between "instincts and institutions", Deleuze writes:

> If needs find in the institution only a very indirect satisfaction, an "oblique" satisfaction, it is not enough to say "the institution is useful," one must still ask the question: useful *for whom*? For *all* those who have needs? Or just for *a few* (the privileged

48 See Deleuze, "The Method of Dramatization", pp.94-96; *Difference and Repetition*, 187-188.

49 See G. Deleuze, "H.M.'s Letters", in *Desert Islands*, p.244 (my italics).

class)? Or only for those who control the institution (the bureaucracy)?[50]

In any case, it appears that it is through these kinds of questions that jurisprudence can bring out the differential conditions that any integral solution to a singular problem would require. This is because the repetition of such questions at the poles, as it were, of a situation, carries out the determination of the complete conditions of the situation, that is, insofar as this can only be understood as *a problem of the distribution of all of the differences virtually implicated in it.* The solution to a singular situation will thus emerge with the local integrations – the differenciation or actualisation – of the virtual content that our imperative questions uncover. And it will find its concrete unity in the way in which it is progressively determined in relation to other such integrations, at other points of discontinuity, in an increasingly complex order.[51]

To return now to our taxi-smoker example, we can perhaps generate some of Deleuze's "imperative questions" in order to illustrate how our two solutions or essential singularities must bring global considerations into play, or again, how they must respond to their inexhaustible differential conditions. For example, moving from the first solution (tenant/apartment) to the second (public space/public individual) and beyond, could we not pose such questions as: insofar as the passenger is defined as a tenant, up to what point are they responsible for the well being of the vehicle's driver? Could a future cancer, for example, suffered by the driver, be assigned retrospectively to the tenant as cause? Up to what point in time? How do we divide and assign the responsibility for this harm, given that a taxi will not only have multiple tenants but also an owner, and that the driver will have no doubt spent time in other harmful environments? Can legislation be passed that will determine the guidelines for deciding such a case? Who would benefit and suffer from such a solution? Would the cost of personal injury insurance skyrocket? Or, from another point of view, would the private person be prepared to renounce a private right like smoking in favour of a less complicated legal system, a less overstrained health system, and a

50 See G. Deleuze, "Instincts and Institutions" in *Desert Islands*, p.20 (my italics).

51 On the two aspects of different/ciation, and on the four aspects of sufficient reason as "determinability, reciprocal determination, complete determination and progressive determination", see Deleuze, *Difference and Repetition*, pp.209-211.

less expensive insurance system? Would the renunciation of such a private right entail the renunciation of others? How would such a solution be policed? What are the adverse consequences of such policing? And so on. Even if these questions are obviously artificial, they hopefully illustrate the point that our two solutions or essential singularities will have an efficacy proportional to their capacity to integrate into a higher and increasingly complex order the sort of differentiations that such questions carry out at the singularity-poles of the given perplexed situation. Proportional, in other words, to the way in which they can be prolonged over all of the implicated differential cases of the situation, right up to the vicinity of another such singularity, with its implicated cases, and so on, carrying out thereby an ongoing actualisation of virtual differences: what we have called, in other words, *an ongoing passage from the virtual to the actual.*

There are perhaps several problems with this way of understanding jurisprudence, two of which we will attempt to deal with here before coming to our concluding remarks. The first problem concerns conceiving of jurisprudence in terms of discontinuity, that is, insofar as it is normally *consistency* in a body of law and the corresponding continuity of this law's application from case to case that is held to be indispensable. However, if we were forced to acknowledge, along the lines of the Deleuzian critique of Leibniz, the indeterminacy of any transcendent instance which would guarantee the convergence of differences for deciding a given case, then we would only be left with relative or provisional continuities with respect to the determination of different cases. Relative, that is, to a certain local point of view for which discontinuities with other local points of view cannot be excluded. In this sense, then, continuity in the application of law, important as it may be, becomes simply another consideration, or more precisely, another situation or case (or series of cases) to be determined, each time, along with the case at hand.

The second problem that we need to deal with here is that of using apparently mathematical terms such as "case", "singularity", "pole", etc., to understand the philosophical problem of the determination of law and right. What has been suggested, however, is neither a direct application of these terms to jurisprudence, nor an analogy between mathematical and legal calculation. Rather, it is the philosophical *concepts* of "case",

"singularity", etc., which have been in play. As Deleuze writes, although these terms belong to mathematics and the differential calculus, they only find their sense in "a dialectic which points beyond mathematics".[52] We cannot here follow the argument in detail. But we can say that Deleuze wants to show that in every domain there must be a prior problematic field which conditions the emergence of determined "solutions" – entities or terms endowed with sense – within this domain. This "field" can be described in the mathematical terms we have examined above, that is, in terms of a "virtual multiplicity" made up of "differential elements" without sensible form or function, and of "singularities" corresponding to the variable relations between these elements, which individuating factors or "cases" will integrate or "actualise" according to the diverse determinations that they can come to receive. The reason why all these terms are extra-mathematical is that they, provided we accept Deleuze's argument, presuppose the very "field" they describe. After all, as determined terms endowed with sense, they could only have emerged as solutions to a mathematico-historical (and perhaps philosophical) problem. This is why Deleuze says that:

> [T]here are always processes of determinability, of reciprocal determination and complete determination; always distributions of distinctive and ordinary points; always adjunct fields which form the synthetic progression of a sufficient reason... It is not mathematics which is applied to other domains but the dialectic which establishes for its problems ... the direct differential calculus corresponding or appropriate to the domain under consideration.[53]

We take this, then, as a justification for the use of certain of our terms here, even if further work would need to be done in order to spell out the precise nature of the differential calculus at work in the domain of right and law.

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52 In *Difference and Repetition*, p.179.
53 *Difference and Repetition*, p.181.

We see finally the emergence of Deleuze's philosophical concept of "jurisprudence", corresponding in significant ways to the operation of Leibniz's "universal jurisprudence" with its three component concepts: "case", "singularity" and "passage" Of course, this is not the only way in which Deleuze has dealt with questions of law, right and "justice". In *Difference and Repetition*, Deleuze marks a difference between two types of "distributive justice" – fixed and nomadic – based on the distinction that he makes between "analogical" and "univocal being".[54] And the two volumes of *Capitalism and Schizophrenia*, as Paul Patton has shown, can themselves be read as works of political philosophy, dealing with questions of right and law.[55] We cannot for obvious reasons explore these writings and arguments with respect to justice here, as they are expressed in terms of other concepts and other conceptual personae. Our aim has been the more modest one of showing what an examination of Deleuze's Leibniz affords us in this regard.

In conclusion, it is perhaps worth pointing out that this way of understanding jurisprudence also seems to conform to the way in which Deleuze understands the other aspect of the construction of concepts, that is, apart from its mode of enunciation through conceptual personae. For Deleuze, recall, a concept presupposes a plane of immanence which itself does not exist outside of the concept whose construction it orients from one concept to another on the same plane.[56] Similarly, with our concept of jurisprudence, we can say that it presupposes a certain way of constructing immanence, being here, let us say, differential difference: we have immanence when every determination, every case, whether singular or ordinary, can be thought of as a difference of differences. And yet, at the same time, this way of constructing immanence exists in virtue of our concept of jurisprudence. "Jurisprudence," understood in the way we have analysed it here, makes immanence exist: it makes differential difference exist in the domain of law and right. Perhaps another way of saying this is that, if Deleuze's understanding of jurisprudence refers us back to some of the elements of his philosophy including his readings and critiques of Leibniz, must Deleuze's philosophy not become something like the very first case to be taken up

54 See pp.36-37.
55 See P. Patton, *Deleuze and the Political* (London and New York: Routledge, 2000).
56 See Deleuze and Guattari, *What is Philosophy?* pp.40-41.

by this new jurisprudence, at least insofar as the solutions attainable by this jurisprudence, in a world without God, can be said to require the sort of logic of different/ciation that Deleuze advocates? According to our analyses above, in all rigour, we could only answer: that depends on the case, on the point of view and on the singular situations in which we find ourselves.

Pli 17 (2006), 121-140

Levinas, 'Illeity' and the Persistence of Skepticism

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A consistent struggle to articulate the affective disturbance of "Ethical Sense" marks all of Emmanuel Levinas' philosophical work. Within the radicalised phenomenology of his post-war work[1] Levinas develops an increasingly sophisticated account of how an encounter with the alterity of the Other (*Autrui*) initiates an Ethics of absolute obligation and responsibility. For Levinas this is a form of Ethics more ancient than all existing forms of social identity and justice. Indeed, the encounter with an absolute Other is primordial and has *always already* occurred within the supreme passivity of a non-temporally locatable Event prior to all ontological structures of subjectivity and world. The unencompassable Event of Alterity thus serves to radically institute an ethical sense into the very fabric of Being. Such an Ethics is never a moment immanently bound within being, rather it is *otherwise than* Being, it is the very possibility of exteriority, the *Beyond*.

The ongoing struggle to philosophically articulate this 'virtual' encounter with exteriority entails a complex and ongoing dialogue with a number of the most significant thinkers of the western ontological tradition, including Hegel and Heidegger. Within his critical dialogue with the dominant ontological tradition Levinas attempts to locate the trajectory of his own philosophy upon what he considers to be an occluded thinking of transcendence. For him western philosophy has, to a large extent, been the 'refutation of transcendence', however, he repeatedly excavates a rich vein of significant moments within that

1 This radicalised phenomenology is initiated by Levinas within *Existence and Existents*, first published in France in 1947.

history where attempts to configure a notion of transcendence outside the dominant auspices of the transcendence-refuting ontology have been repeatedly formulated. Such formulations of transcendence within the history of western philosophy constitute the basis for certain 'encounters' with that history in Levinas's work, which include Plato's Idea of the 'Good Beyond Being' in the *Republic*, Descartes' conception of the prior presence of God within the established *cogito* in the *Meditations*, and Kant's conception of the Moral Law in the *2nd Critique*. However, one of the most puzzling of these moments, and one of the least known, occurs in Levinas' later philosophical work and concerns his repeated references in *Otherwise than Being, or Beyond Essence* (1974) to the necessary and persistent return of radical skeptical doubt despite its repeated *refutation* by rational philosophy.[2] Indeed, Levinas will conceive of the persistent return of skepticism as if it were an irreducible and constant companion of the philosophical tradition (a tradition dominated by the attempt to refute 'transcendence'), a pre-philosophical encounter necessary for the institution of a philosophical plane of thought.

My aim in this paper will be to argue that this particular 'encounter with the ancient' (i.e. the figure of 'ancient' Skepticism) represents perhaps one of the most significant and complex of Levinas' historical 'encounters'. I will attempt to show that the precise significance of the encounter with skepticism rests upon understanding the degree to which it represents an irreducible and persistent 'encounter' with philosophy's pre-philosophical heritage, with its 'outside'. The degree to which that encounter with skepticism figures as a persistent relation to that which is *otherwise than* or *outside* philosophy should, I believe, result in its inclusion as one of the most significant moments within Levinas' understanding of occluded transcendence within western thought. Indeed, one might go so far as to suggest that it represents the key to

2 To date very little critical understanding has been elaborated with regard to Levinas's relation to skepticism in his later philosophical work. For the little work that has been undertaken in this area see R Bernasconi, 'Skepticism in the Face of Philosophy', in R Bernasconi & S Critchley (eds.), *Re-Reading Levinas* (Bloomington: Indiana University Press, 1991) pp.149-161 P Atterton, 'Levinas's Skeptical Critique of Metaphysics and Anti-Humanism' in *Philosophy Today*, Winter 1997, pp.491-506 & J De Greef, 'Skepticism and Reason' in RA Cohen ed., *Face to Face with Levinas* (Albany: State University of New York Press, 1986), pp.159-179.

understanding the operative function of Levinasian Ethics as the persistent and quite anarchic disruption of all rationally settled systems of justice and good conscience.[3]

Levinas argues that hidden behind western philosophy's persistent efforts to refute the destabilising effects of corrosive epistemological skepticism there lies a much more serious concern, namely the ongoing refutation of transcendence through the elaboration of an absolutely totalising ontology:

> The history of Western Philosophy has not been the refutation of skepticism as much as the refutation of transcendence. The logos said has the last word dominating all meaning, the word of the end, the very possibility of the ultimate and the result. Nothing can interrupt it. Every contestation and interruption of this power of discourse is at once related and invested by discourse. It thus recommences as soon as one interrupts it.[4]

3 It should be noted at the outset of this paper that a certain resonance exists between Levinas' understanding of the necessary constitution of philosophy as being in a persistent relation to a disruptive notion of an 'outside' and the model of philosophy elaborated within Deleuze & Guattari's final collaborative work *What is Philosophy?*. In a footnote to that work Deleuze & Guattari explicitly endorse Levinas' way of initiating philosophy 'on new foundations' (i.e. Jewish) freed from 'Hegelian or Heideggerian stereotypes'. (p.223, footnote 5) For Deleuze & Guattari the crucial aspect of a genuine philosophical problematic rests with the degree to which a philosophy is able to sustain 'that which must be thought and that which cannot be thought. It is the nonthought within thought...It is the most intimate within thought and yet the absolute outside – an outside more distant than any external world because it is an inside deeper than any internal world: it is immanence...the incessant to-ing and fro-ing of the plane, infinite movement. Perhaps this is the supreme act of philosophy: not so much to think THE plane of immanence as to show that it is there, unthought in every plane, and to think it in this way as the outside and inside of thought, as the not-external outside and the not-internal inside – that which cannot be thought and yet must be thought.' (p.60) One of the aims of this paper will be to demonstrate the degree to which the operative notion of transcendence figured within Levinas' later philosophical work, in particular how a notion of transcendence as 'Illeity' configured within the account of the relation between philosophy and skepticism, resonates with Deleuze & Guattari's understanding of immanent transcendence – the notion of a virtual metamorphic trait *always already* operative within Being.

4 E. Levinas, *Otherwise than Being, or Beyond Essence*, translated by A Lingis (Pittsburgh: Duquesne University Press, 1998) [hereafter OB], p.169.

Of all the various historical instantiations of skepticism (including Humean variants, pragmatic relativism and even Derridean deconstruction) Levinas elevates one ancient form above all others – Pyrrhonian skepticism. For him the most significant element of any form of skepticism, particularly with regard to its relationship with philosophy, resides within the degree of its thoroughgoing doubt.[5] The reason for this is connected with the mode of discourse necessarily adopted by such extreme skepticism, namely the modes of *non-assertion*. As Sextus Empiricus observes:

> Non-assertion is the avoidance of assertion in the general sense in which it is said to include both affirmation and negation, so that non-assertion is a mental condition of ours because of which we refuse either to affirm or deny anything.[6]

5 In this sense there is a profound resonance between Hegel and Levinas. Hegel consistently argues for the superiority of Ancient forms of thoroughgoing skepticism. Indeed, in an early article, 'On the Relationship of Skepticism to Philosophy, Exposition of its Different Modifications and Comparison of the Latest Form with the Ancient One' in G di Giovanni & HS Harris eds., *Between Kant and Hegel: Texts in the Development of Post-Kantian Idealism*, translated, with Introductions by G di Giovanni & HS Harris (Indianapolis/Cambridge: Hackett Publishing Company, Revised Edition 2000), when discussing various modern empirical variants, Hegel argues that contemporary forms of skepticism barely deserve the name and are in and of themselves vulnerable to an older and more authentic form of negative skepticism. For Hegel Pyrrhonian skepticism was a highly developed practice of argumentative enquiry that aimed to disclose the worthlessness of all forces of dogmatism associated with the so-called indubitability of sensory appearance. What remains admirable for Hegel, and Levinas too, as we shall see, is the persistence and maintenance of such abyssal skepticism despite self-refutation through the inevitable self-reference of its own thoroughgoing doubt. Thus, by demonstrating absolute uncertainty through the negative process of equipollence (the process of bringing things into opposition whereby, owing to the equal strength of the opposed items, one is led to suspend all judgement) it must inevitably undermine its own claims for such uncertainty. Clearly, as Sextus Empiricus recognises, such skepticism does not aim to elevate itself to the point of becoming a dogmatic doctrine; rather, it aims to persist as the force of the negative, ever present to corrode and undermine all forms of dogmatic and abstract certainty by asserting their opposites via equipollence and demonstrating their equal validity. It is precisely this corrosive quality of skepticism which Levinas seeks to excavate and place into a different type of relationship with philosophy than that undertaken throughout Hegel's work.

The essential hesitancy and trepidation of non-assertion is adopted as part of the radical skeptic's efforts to reduce epistemological commitment when opposing equipollent statements as part of a broader oppositional strategy. The skeptic attempts to reduce any such commitment through adopting explicitly ambivalent and enigmatic modalities within their oppositional discourse, i.e. expressions such as '*perhaps*', '*possibly*' and '*maybe*', which, as Sextus argues, are 'indicative of non-assertion'. This non-assertive discourse strategically adopted by Pyrrhonian skeptics is understood and articulated by Levinas as the modality of a truth that *suffers*, which, he writes, 'manifests itself as if it did not dare to say its name, and thus as always about to leave.'[7] For Levinas within this hesitancy there is an idea of a *transcendence* of the transcendent residing in extreme humility, and that it allows us to glimpse an entirely new modality of truth *beyond* the triumphant truth of ontology (i.e. its triumphs with regard to the refutation of skeptical doubt, transcendence and the establishment of determined immanent ontological systems), since its presentation is *eternally* equivocal; 'it is as if it were not there.'[8] The essentially *persecuted* mode of truth, associated with Pyrrhonian skepticism, is precisely what allows for a notion of *transcendence* to emerge through the equivocal persistence of a type of original doubt. Such transcendence, he claims, remains *beyond* the grasp of the triumphant truth associated with ontology. The 'truth that suffers' thus represents a *certainty* irreducibly co-existing with absolute *uncertainty*, a truth that recognises the irreducibility of the *persistent* presence of skepticism and doubt within itself. It is precisely the persistent presence of skepticism in the 'truth that suffers' that acts so incessantly to dissemble any tendency for it to become merely a determinately negative element of rationality.

Levinas claims that the persecuted truth of 'ancient' Pyrrhonian skepticism (i.e. the 'persistence' of a corrosive type of ambivalent doubt challenging the hegemony of Being, truth, and reason) has been the persistent companion of all philosophy ('it always returns as

6 Sextus Empiricus, *Outlines of Pyrrhonism*, translated by RG Bury (London: Heinemann, 1933), I.192-3.

7 E. Levinas, 'Kierkegaard: Existence and Ethics' and 'A Propos of "Kierkegaard vivant"' in *Proper Names*, translated by M.B. Smith (London: The Athlone Press, 1996), p.77.

8 Ibid. p.78.

philosophy's illegitimate child'[9]). 'Ancient' Pyrrhonian skepticism is explicitly situated as a constant *companion* to all philosophical 'reason', including contemporary forms of philosophical 'reason' (as a type of 'ancient' pre-original wound *within* the modern); this companion persistently disrupts the stable synchrony of philosophical 'reason'.[10] Skepticism is figured either as philosophy's parasitic bastard child or as a pre-original haemophiliac wound within the flesh of philosophical 'reason', *always already* prior to the establishment philosophical 'reason' itself. However, it is crucial that we read Levinas' insistence upon the persistence of this skeptical pre-philosophical wound and the degree to which its dislocating doubt recurs again and again, as resonating closely and deliberately with an anterior notion of transcendence introduced by Levinas in his later work, namely '*Illeity*'. Thus, we must recognise that it is the strange and difficult notion of '*Illeity*' which is being most powerfully evoked through a certain 'encounter' with the persistent recurrence of 'ancient skepticism' in Levinas' later philosophy. But the question remains as to how precisely this particular notion of transcendence is supposed to work, and it is in order to address this question that we will initially turn our attention to explaining the transcendent function of *Illeity* before returning to the role skepticism plays within Levinas' philosophy.

The notion of '*Illeity*' is configured and privileged in Levinas' later work as the original antecedence of a transcendental God within the structure of subjectivity. For Levinas this strange neologism functions to signify the He (*Il*) at the root of the You (*Tu*), as the pre-original diachronous solicitation towards the Absolute Other (*God*), a presence compelling the subject towards responsibility and goodness. '*Illeity*' is that which assigns subjectivity, in another time, as a modality of response to-God (*Adieu*). '*Illeity*' thus signals an immemorial past within the fabric of Levinas' text, the iteration of an irreducibly 'ancient' Event which has never presented itself as a present moment in the past but has somehow *always already* happened and yet remains always *to-come*. The enigmatic encounter with the trace of '*Illeity*' is initially prefigured in Levinas' 1965 essay 'Enigma and Phenomenon', and during his

9 OB, p.7.

10 Recall here Kant's pejorative remark regarding skepticism in the preface to the first edition of the *Critique of Pure Reason*, where he calls skeptics 'nomads who loathe all steady cultivation of the soil', Aix, p.7.

exposition of the notion here it is explicitly linked with a distinctly Pyrrhonian mode of skeptical discourse:[11]

> The enigma comes to us from *Illeity*. The enigma is the way of the Ab-solute, foreign to cognition...because it is already too old for the game of cognition, because it does not lend itself to the contemporaneousness that constitutes the force of the time tied in the present, because it imposes a completely different version of time...In the trace of *Illeity*, in the Enigma, the synchronism falls out of tune, the totality is transcended in another time.[12]

However, this enigmatic pre-original encounter receives its most detailed and sophisticated treatment in Levinas' 1974 work *Otherwise than Being, or Beyond Essence*. In the penultimate chapter of this work Levinas devotes considerable time to exploring in depth the notion of 'ethical subjectivity' (the subject's absolute responsibility for and obligation toward the Other signalled by the trace of *Illeity*) and its relation to Being and systems of intelligibility (i.e. systems of reason, truth and justice). He begins his exposition by discussing the phenomena of the individual subject *absorbed* by Being, a situation where the individual subject (or existent) has seemingly been totally absorbed into the intelligible structures or systems of rationality (i.e. a subjectivity conceived as being rationally transparent and 'at the service of...' reason, truth, justice etc.):

> Dissolving into this intelligibility of structures, it continually sees itself to be at the service of this intelligibility, equivalent to the very appearing of being...Being's appearing cannot be separated from a certain conjunction of elements in a structure, a lining up of structures in which being carries on – from their

11 Indeed, Levinas writes of the association of the enigma of *Illeity* with 'a new modality which is expressed by that "if one likes" and that "perhaps", which one must not reduce to the possibility, reality, and necessity of a formal logic, to which skepticism itself refers.' ('Enigma and Phenomenon', p.71)

12 E. Levinas, 'Enigma and Phenomenon', in *Basic Philosophical Writings*, ed. A.T. Peperzak, S. Critchley & R. Bernasconi (Bloomington: Indiana University Press, 1996) [hereafter BPW], p.75.

> simultaneity, that is, their co-presence. The present is the privileged time of truth and being in truth; it is contemporaneousness itself, and the manifestation of being is a re-presentation.[13]

Such a transparently rational individual subject has become a form of pure 'theoretical consciousness',[14] and under such conditions signification and intelligibility themselves reside in the manifestation and contemporaneousness of Being – i.e. that which is *gathered* by this pure theoretical consciousness in the pure *synchrony* of assembled presence. As a result of such *synchrony* any non-assemblable elements (i.e. those 'diachronous' aspects that resist assemblage into the synchronous intelligibility of Being) are excluded from having any intelligible 'meaning' for such a subject.[15]

However, the 'ethical relationship' that 'marks' ethical subjectivity (the subject's *absolute* pre-original responsibility for and obligation towards the Other) is utterly irreducible to the synchronised intelligibility of Being. According to Levinas, rather than being consigned to having no intelligible and rational meaning this unique relation is to be understood as the *primary* signification, the *primary* meaning, insofar as it serves to invest all subsequent intelligible meaning with a pre-original ethical *sense*. Indeed, 'ethical subjectivity' (the 'I' involved in a *unique* ethical responsibility) is ultimately refractory to intelligible systems of reason, truth and, significantly, justice; therefore, it can never coincide with itself as a pure theoretical consciousness:

> The implication of the one in the-one-for-the-other in responsibility goes beyond the representable unity of the identical, not by a surplus or lack of presence, but by the uniqueness of the ego, my uniqueness as a respondent, a

13 OB p.133.

14 Levinas explicitly identifies this form of theoretical subjectivity as the Kantian apperceptive 'I' – 'Such a subject is a power for representation...it draws up the temporal disparity into a present, into a simultaneousness. At the service of Being, it unites the temporal phases into a present by retention and protention. It thus acts in the midst of the time that disperses.' OB, p.133.

15 See Ibid, p.135.

> hostage, for whom no one else could be substituted without transforming responsibility into a theatrical role.[16]

The asymmetrical relation whereby the subject *always already* finds itself marked as being opened up to the Absolute Other, is iterated within *Otherwise than Being* as a temporal ***diachrony*** which can never be drawn up into a simultaneity or synchronous order of Being by the subject, but which always indelibly *marks* or *wounds* the synchronous order of Being. The subject (*my* subjectivity) is thus inscribed as a form of fundamental response to a primordially diachronous solicitation by an absolute alterity Levinas terms '*Illeity*' (the trace of the He (*Il*) at the root of the You (*Tu*)). The He that *always already* orders me is only manifest through the trace of his withdrawal:

> *Illeity* lies outside the 'thou' and the thematisation of objects. A neologism formed with *il* (he) or *ille*, it indicates a way of concerning me without entering into conjunction with me. The *Illeity* in the beyond-being is the fact that its coming toward me is a departure which lets me accomplish a movement toward a neighbour. The positive element of this departure, that which makes this departure, this diachrony, be more than a term of negative theology, is my responsibility for the others.[17]

Thus '*Illeity*' is anarchic and traumatic insofar as it represents an 'event' that has never been represented within being, for it has never been presented, not even in the 'ancient' past recoverable to memory. It is an event of *another time* than that of Being; a time which has an irreducible ethical significance. '*Illeity*' is the supreme anachronism which precedes its entry into Being.[18] '*Illeity*' is the 'outside' or the 'beyond' which is paradoxically the *most* intimate, the *most* close, and forms what Levinas calls an 'obsession for the self'. This 'obsession' with the immanent

16 Ibid, p.136

17 Ibid, p.13

18 In OB Levinas explicitly terms '*Illeity*' 'the detachment of the Infinite from the thought that seeks to thematize it and the language that tries to hold it in the said... One is tempted to call this plot religious; it is not stated in terms of certainty or uncertainty, and does not rest on any positive theology.' (OB p.147)

'proximity' of the Other is a type of internal assignation or assignment that cannot be shown within the synchronous order of intelligibility. The subject's ethical response to '*Illeity*' is the basis of everything subsequently to be said (indeed this pre-original response is configured in this work as the basis to an empirics of the 'face to face' 'encounter' itself, and the subsequent establishment of social justice). Thus, from the 'first', or indeed *prior* to the first word, the subject is held in the accusative by the anarchic trace of '*Illeity*' and inscribed as Saying, '*me voici*' (here I am), as pre-original *response*. The subject (i.e. the apperceptive 'I') that establishes itself in language and the intelligible content of all it subsequently says (the 'I' absorbed into the intelligible structures or systems of reason, truth, and justice), is, Levinas claims, forever haunted, disturbed, and displaced by the approach of '*Illeity*' soliciting its pre-original ethical response. '*Illeity*' marks the immanent *persecution* of the self by the Other, and functions as a traumatic and wounding imposition that bleeds the self dry:

> The I approached in responsibility is for-the-other, is a denuding, an exposure to being affected, a pure susceptiveness. It does not posit itself, possessing itself and recognising itself; it is consumed and delivered over, dis-locates itself, loses its place, is exiled, relegates itself into itself, but as though its very skin were still a way to shelter itself in being, exposed to wounds and outrage, emptying itself in a no-grounds, to the point of substituting itself for the other, holding on to itself only as if it were in the trace of its exile.[19]

However, contrary to most readings, Levinas argues that '*Illeity*' is not simply the first 'other' or the first 'face' or even the *absolutely* other. Rather, he claims that '*Illeity*' is 'other than the other, other otherwise, and other with an alterity prior to the alterity of the Other, prior to the ethical obligation to the other and different from every neighbour, transcendent to the point of absence.'[20] My subjectivity (as apperceptive 'I') as guarantor of the unity and synchrony of Being through intelligible structures, is thus first an exposure to the absolutely diachronous anarchy of '*Illeity*', the utterly unencompassable Other *prior* to the Alterity of the

19 Ibid, p.138
20 E. Levinas, 'God and Philosophy', in *Basic Philosophical Writings*, p.141

Face. It is the extreme immanence of the trace of the Other in the subject, *under its skin*, a trace of '*Illeity*' *within* yet *older than* the subject. Indeed, the subject is nothing but its *echo*. As its echo the subject finds itself *always already* ordered, orientated and obligated. In the trace of this '*Illeity*' I am 'summoned, provoked, as irreplaceable...I am put in the passivity of an undeclinable assignation, in the accusative, a self.'[21] The subject, in the substitution marked by the trace of '*Illeity*', 'is consumed and delivered over, dislocates itself, loses its place, is exiled, relegates itself into itself...I am put in the passivity of an undeclinable assignation, in the accusative, a self...in the first person – I, unique in my genus.'[22]

The subject is compelled within the trace of '*Illeity*' towards goodness and is structured at a pre-original level as infinitely responsible for the other. I am unconditionally "for-the-other" - I am the other's substitute and hostage. This anarchic immanent solicitation and election gives, Levinas argues, humanity its ultimate meaning or *signification*:

> To be oneself, the state of being a hostage, is always to have one degree of responsibility more, the responsibility for the responsibility of the other...It is through the condition of being hostage that there can be in the world pity, compassion, pardon and proximity – even the little there is.[23]

According to Levinas the structure of subjectivity as a type of pre-original response, as a pre-original 'here I am', signifies the subject as eternally in the name of God, in the gesture of the to-God (*Adieu*). This pre-original anarchic relation of substitution marked by the trace of '*Illeity*', the pre-original *one-for-the-other*, is *signification*. Despite the fact that such pre-original and diachronous signification subsequently shows itself in the synchronous structures of Being, Levinas says it 'does so only after the event, betrayed, foreign to the said of being; it shows itself in it as contradiction.' This pre-original signification is named *Saying – Saying* is a type of 'pre-diction' prior to the 'diction' of actual words and messages, a response to '*Illeity*', the to-God (*Adieu*). For

21 E. Levinas, *OB* , p.139
22 Ibid
23 Ibid, p.117

Levinas Saying is the primordial Adieu, the response of *me voici* ("here I am") which is the initial signification or expression of the human being itself elected and invested by the exteriority and transcendence of God. Such signification always overflows anything that can actually be *said* within assembled intelligible discourse; Levinas says that 'it guides discourse beyond Being'.[24] In this pre-dictive signification or Saying to-God (as *Adieu*) I am *always already* placed into a hyperbolic and obsessive relation to an Other as response (*me voici*) that is radically anterior to my actual relations with others, with 'faces'. It is an absolute relation in that it is absolved from what either classical logic or dialectic logic calls relation; it is what Levinas, even in his earlier work *Totality and Infinity*, calls 'relation without relation' or a 'surplus of relation'.[25] This signification thus signifies prior to any world, prior to any notion of logical relativity:

> It signifies the proximity of the Same and the Other, in which the implication of the one in the other signifies the assignation of the one by the Other. This assignation is the very signifyingness of signification.[26]

We are now in a better position to recognise precisely how Levinas understands the repeated moments of Skepticism's subversive doubt to be so fundamentally akin to the diachronous force of ethical signification, i.e. this 'Saying' within the trace of '*Illeity*'. We can also see why skepticism's subsequent refutation at the hands of rational philosophy is akin to what Levinas calls the necessary betrayal of 'Saying' in the 'Said'. 'Saying' can only ever be thematised in the 'Said' through a certain abuse of language, since 'Saying' indicates the very condition of all thematisation (as what he calls *primary* signification). In order to mitigate such an abuse (i.e. this *betrayal*) it is necessary for Levinas to indicate the way in which 'Saying' involves a perpetual *self-reduction* or *self-rending* as it enters into the 'Said'. And it is here that Levinas makes explicit the precise need for retaining the modality of

24 Ibid, p.143

25 E. Levinas, *Totality and Infinity*, trans. A. Lingis (Pittsburgh: Duquesne University Press, 1969), p.172

26 Ibid, p. 137

'persecuted truth' associated with the persistent and recurrent skepticism of the 'ancient' Pyrrhonian type. This necessity of remaining with the permanent rending of doubt is, Levinas claims, crucial for remaining 'with the extreme situation of a diachronic thought'; a diachrony *beyond* and more 'ancient' than the ontological synchrony of the 'Said'. In order to conceive 'Saying' as *beyond* the 'Said' in which it becomes thematised Levinas retains a distinctly Pyrrhonian sense of the necessity of the permanent rending of ambivalence and doubt in order to signify the genuine *transcendence* of the transcendent. The recurrent rebirth of skepticism, despite its inevitable refutation, is thus utilised by Levinas as a 'model' to depict the way the 'Said' is *always already* interrupted, and its priority as self-grounding and self-determining is put into question by the diachronous and transcendent signification of the 'Saying'. The primordial signification of 'Saying' always *exceeds* its thematic statement in the 'Said', which, in turn, always bears the irreducible *traces* of 'Saying'. The recurring rebirth of skepticism in the face of its own logical refutation provides Levinas with a powerful means for understanding how the priority of ontological immanence is to be persistently challenged by a notion of transcendence *within* immanence. Skepticism represents a cellular irritant within immanent ontology, and operates there as a deliriously critical, negative and abyssal force ceaselessly transporting systems of immanence beyond themselves and *towards* transcendence.[27]

Radical skepticism (despite always seeming to lose the argument on its own grounds) returns unabashed, as if somehow deaf to the objections that its position is self-refuting or self-negating, and Levinas attempts to uncover what he calls a *forgotten* meaning within the very process of alternation between the recurrence and refutation of skepticism. What is forgotten is that the alternation of the movement of skepticism signifies the fact that the correlation of the 'Saying' and the 'Said' represents a diachrony of that which cannot be conjoined. Levinas argues that the alternation of skepticism and its refutation, when considered as a persistent and repetitive movement, necessarily signifies a 'secret diachrony' refractory to consciousness and reason:

27 Recall here Deleuze & Guattari's notion of 'the most intimate within thought and yet the absolute outside – an outside more distant than any external world because it is an inside deeper than any internal world.' (*What is Philosophy?*, p.59)

> It is the trace of a relationship with *Illeity* that no unity of apperception grasps, ordering me to responsibility. This relationship is religion...It orders me in an anarchic way, without ever becoming or being made into a presence or a disclosure of a principle.[28]

The alternation signifies a diachrony able to *repeatedly* evade and detach itself from the synchronous fabric of the 'Said'. Thus the inherent contradiction associated with the refutation and subsequent recurrence of skepticism fundamentally evades 'the "*at the same time*" of contradictories'. Such a unique form of contradiction ultimately indicates *two distinct times*, the *diachronic* and the *synchronic*, which clearly resonates with Levinas' acknowledgement of two modalities of 'truth' being played out 'on a double register' – the *triumphant* truth of ontology and *persecuted* truth of 'Illeity'. Levinas claims that the radically indeterminate and ambivalent negation introduced with the modality of a persecuted truth relies upon the fact that it is *always already* absent *at the very moment* it seemingly becomes definitive. It persistently brings with it its own *undoing*; hence, the importance for Levinas of the non-assertive modes and formulas of expression adopted by Pyrrhonian skepticism.[29] The truth that suffers, the truth that is *always already* skepticism, is able to bear witness to the 'secret diachrony' of '*Illeity*', to the primordial signification of *Saying*. Here in this strange modality of truth, certainty co-exists with absolute uncertainty, assertion co-exists with non-assertion; and it is precisely the persistent presence of skeptical indeterminacy in the 'truth that suffers' that acts so incessantly to dissemble any tendency for it to become over-determined (or what is termed *triumphant truth*):

> The idea of persecuted truth allows us, *perhaps*, to put an end to the game of disclosure, in which immanence always wins out over transcendence...Truth is played out on a double register: at the same time the essential has been said, and, if

28 OB p.168

29 Recall here Sextus Empiricus's comments regarding the modality of 'non-assertion' necessary for a thoroughgoing skepticism.

> you like, nothing has been said. This is the new situation – a permanent rending, an ending that is no ending.[30]

The persistent recurrence of the critical essence of skepticism thus provides Levinas with a potent instance of an *excessive* signification signifying an incessant permanent movement *beyond* totalising synchrony and the immanence of the Said. Through a gesture of recurrence and eternal rending, there is signified a certain truth of that which never enters into a wholly synchronous theme, i.e. the 'truth of truths' that remains *beyond* or *outside* – namely '*Illeity*'. This signification is produced 'out of time', out of essence and *beyond* Being. For Levinas it is nothing less than a radical form of questioning, inscribed pre-originally as a critical essence in Being, by the trace of '*Illeity*'.

Pyrrhonian Skepticism is itself characterised by Levinas as being both a form of immanence (i.e. as a 'Said') and a force *beyond* immanence (i.e. its *critical essence* as 'Saying'). It necessarily enters a realm reducible to immanence by being articulated as a philosophical viewpoint contesting all truth and philosophy, and once it is within that realm, it is demonstrated to be a fundamentally self-negating viewpoint:

> The truth of skepticism is put on the same level as the truths whose interruption and failure its discourse states, as though the negation of the possibility of the true were ranked in the order restored by this negation, as though every difference were incontestably reabsorbed into the same order.[31]

However, he argues that skepticism is able to signify radically *otherwise than being* precisely because of its recurrent and persistent skeptical questioning of the order of rationality and truth, i.e. 'to contest the possibility of truth is precisely to contest this uniqueness of order and level':

30 E. Levinas, 'Kierkegaard: Existence and Ethics' in *Proper Names*, p.78 (emphasis added). Note Levinas's significant use of the word 'perhaps' here.

31 OB p. 168

> Skeptical discourse, which states the rupture, failure, impotence or impossibility of disclosure, would be self-contradictory if the saying and the said were only correlative, if the signifyingness of proximity and the signification known and said could enter into a common order, if the saying reached a full contemporaneousness with the said, if the saying entered into essence without betraying the diachrony of proximity, if the saying could remain saying by showing itself to be knowledge, that is, if thematisation entered into the theme in the form of memory.[32]

Skepticism thus occurs 'in two times without entering into either of them, as an endless critique, or skepticism, which in a spiralling movement makes possible the boldness of philosophy, destroying the conjunction into which its Saying and its Said continually enter.'[33] It is clear that what skepticism actually states in its Said, i.e. in its philosophical contestation of rationality and truth, perhaps through an equipollent proposition, cannot itself avoid becoming a *philosophical* proposition. However, by virtue of its 'refusal' to abide by its inevitable self-refutation, the critical essence of skepticism seemingly demonstrates a disdain for the very philosophical logos it necessarily yet hesitantly employs. It demonstrates that it is not prepared, by becoming lodged within the immanence of philosophical reason, to submit only to the movement of immanence. Rather, it attempts to remain as a persistent contestation of the truth of that immanence through the force of its persistent recurrence. The alternation represents the way in which the subject is ultimately orientated by a 'secret diachrony', an exteriority evidenced through the trace of *Illeity*. He argues:

> The skeptical saying undone by philosophy in fact recalls the breakup of synchronisable, that is, the recallable, time. Then, the trace of saying, which has never been present, obliges me; the responsibility for the other, never assumed, binds me; a command never heard is obeyed. The trace does not belong to the assembling of essence. Philosophy underestimates the

32 Ibid.
33 OB p. 170

> extent of the negation in this 'not appearing', which exceeds the logical scope of negation and affirmation. It is the trace of a relationship with *Illeity* that no unity of apperception grasps, ordering me to responsibility.[34]

Levinas recognises that skepticism appears to exhibit an acute sensitivity to the difference between the 'Saying' and the 'Said', it is as if skepticism 'were sensitive to the difference between my exposure without reserve to the other, which is Saying, and the exposition or statement of the Said in its equilibrium and justice.'[35] Such an argument is based upon recognising the ultimate inability of skepticism to apply its absolute denial of truth to its own claims in any concrete and determinate way. It is as if the Saying (the very *sincerity* of the critical essence of skepticism) does not occur '*at the same time*' as its inevitable *articulation* as a philosophical Said. In this way skepticism is able to signify a tendency utterly divorced from the dominant trajectory of Western philosophy (i.e. the philosophical path marked by the persistent effort to refute transcendence), namely a movement *towards* transcendence. The genuine truth of all philosophy for Levinas is this movement of diachrony *within* synchrony figured by the recurrence of skeptical doubt (transcendence in immanence) whereby it puts itself into question and attempts to penetrate beneath its own condition in an effort to excavate transcendence.

Levinas clearly argues for the existence of a diachronous difference between the 'Saying' and the 'Said', a difference marked by the trace of *Illeity*, which immanent philosophical discourse often fails to mark. By drawing explicitly upon the notion of the recurrence of skepticism he is able to signify the degree to which it must refer to an irrecuperable *excess* or *outside* as the very ground for its own recurrence within the reductive immanence of philosophical discourse. Thus, in Levinas' own 'philosophy' philosophy becomes radically reconfigured as a discourse able to uncover and articulate the recurrent movement of transcendence in immanence:

34 Ibid
35 Ibid

> In reducing the said to the saying, philosophical language reduces the said to breathing opening to the other and signifying to the other its very signifyingness. This reduction is then an incessant unsaying of the said, a reduction of the saying always betrayed by the said, whose words are defined by non-defined words; it is a movement going from said to unsaid, in which the meaning shows itself, eclipses and shows itself.[36]

The genuine truth and significance of all philosophy for Levinas is the persistent excavation of a 'virtual' diachrony within its own synchronous logical fabric, of transcendence *within* immanence. This entails philosophy, as it occurs across history, repeatedly putting itself into question:

> The truth of truths lies in the Said, in the Unsaid, and in the Otherwise Said – return, resumption, reduction: the history of philosophy or its preliminary.[37]

The alternating movement between skepticism and its repeated refutation thus bears witness to reasons that reason does not know, to 'what lies before it'. Levinas suggests therefore that philosophical reason is able to hear those reasons that signify *beyond* the ontological forms that philosophical reflection reveals to it. The persistent realisation of an irreducible pre-original transcendence within reason (signalled by the persistence of skepticism *despite* refutation) allows the philosopher to recognise that 'truth is in several times':

> The meaning that philosophy lets us see with the aid of these forms frees itself from the theoretical forms which help it to see and express itself as if these forms were not precisely encrusted, in that which they allow to be seen and said. In an

36 Ibid, p. 181
37 Ibid

> inevitable alternation, thinking comes and goes between these two possibilities.[38]

To conclude, it is clear that philosophy is called upon by Levinas to conceive the radical ambivalences signalled by the eternal recurrence of its companion skepticism, and to conceive it in *several times*. Hence the eternal companionship of a non-philosophical other, namely skepticism, serves to persistently dislocate the synchronicity of philosophical discourse and propel it towards having to go on trying to think the surplus of *diachrony and transcendence* – the trace of the subject's encounter with the trace of '*Illeity*'. Indeed, Levinas re-inscribes the very task of philosophy as a necessary traversal of this alternation between the *always already* diachronic interruption of the Other, the to-God (*Adieu*) of '*Illeity*', and as a necessary reduction or betrayal of that diachrony back into the very fabric of the synchrony of the Same as the inevitable consequence of such an articulation. Such a betrayal of '*Illeity*' is necessary in order for justice, the justice of our everyday 'face-to-face' encounters. After all, the ethical must have some bearing on the ontological realm, otherwise how could it affect actual relations with Others in the world? Eventually, Levinas suggests, the move back from ethics to ontology and phenomenology will be a question of concrete justice and of the 'third' where the mediating term will be referred, not to an underlying identity between the other two terms self and other, but to the unmediatable '*Il*' or God. Thus, my reciprocal relationships of social justice always already occur within the trace of absolute exteriority and transcendence, '*Illeity*', in the name of the to-God (*Adieu*). Levinas claims that the realm of concrete justice in all our face-to-face encounters is thus born from this primary signifyingness of signification, the 'one-for-the-other' in the trace of '*Illeity*'. The need for concrete justice arises out of a complication of the primary ethical relation that invests subjectivity with ethical sense because of the demand of the third in addition to my relation with *autrui*. However, all such concrete justice is preceded by the ethical investiture of the subject, hence the need, in the order of Levinas' philosophical exposition, to characterise this 'virtual' ethical relation prior to any 'real' social relation. Justice is simply impossible without the diachronous and anarchic disruption implied by the immanent proximity of '*Illeity*'; and for Levinas this pre-originary

38 Ibid, p. 180

'virtual' significance and potential for skeptical disruption in the name of an original Ethics must be recovered at the very point that the 'actual' (in the form of the state, politics, and systems of justice) is attaining its greatest levels of self-certainty, when such 'actual' forms are, 'on the point of having their centre of gravitation in themselves, and weighing on their own account'.[39]

39 This paper is a version of a talk first delivered at IAPL Conference *Chiasmatic Encounters* in Helsinki, June 2005 as part of the panel 'Levinas Encountering the Ancients'. Thanks go to Silvia Benso, Emily Harding, Siobhan McKeown and Tom Greaves for their helpful comments and corrections.

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Heidegger and (the) Beyond: Michael Lewis'

Heidegger and the Place of Ethics

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No other age has sought to quench the need for an ethics more than our own. And not without success. Not simply because of the hegemonic juridico-economic machinery our technological age has put into its service. Our "today" does not lack an ethics at all. It is on the contrary sprawling with ethics (it has recently come to my attention that there now exists an ethics of fluoridation!). It is precisely the sporadic sprouting of multiple ethics *of*...(of the environment, of business, of tooth brushing...) in every nook and cranny of the globe that mostly bears witness to the lack of need for an ethics. "There is no longer any need for ethics", we hear in the market of new ideas, "because everything that can be appraised has been appraised". But thus our age betrays its need, it betrays that on which it depends: the need that there be no longer any need for ethics! This is perhaps what makes the question of ethics a necessary question at this moment in history. But is the question of ethics, the question concerning the need for the needlessness of ethics, itself an ethical question? "Ought" this question to be raised?

Michael Lewis' recent book, *Heidegger and the Place of Ethics Being-with in the Crossing of Heidegger's Thought*,[1] develops a reading of the place of ethics in Heidegger's philosophical itinerary from *Being and Time* to his later works in the ambit of this question. Were I under the obligation of assessing the book's merits and demerits (the perennial haughty posture of the reviewer, which always bespeaks a token of ressentiment, a desire for an imaginary revenge, as Nietzsche might have taught us), I would say that there have been few studies that have had the temerity and skill to investigate thoroughly the role of ethics and politics

1 All references with page numbers in parentheses inserted inside the text are to this book.

in Heidegger's works without adopting, here and there, an excessively *hubristic* tone by turning either into an apologetics or a condemnation of Heidegger's involvement with Nazism in 1933-34. As a re-viewer, as one who should see the idea that lies behind the work and estimate its value, as one who should oversee the transmission of this idea from author to potential reader – a highly forbidding duty! – I ought to say much more but will limit myself to this: that it is among the chief merits of the book that it affords us a vanguard point from which a critical engagement with Heidegger's more difficult thoughts of the early thirties and later can start. Now, as a student of philosophy, I shall apply myself to precisely such an engagement by pressing forward with two core themes of Lewis' book: death and ethics.

I. "*Being-with*". The central idea behind the work, "being-with", is presented in a particularly "seductive" style. The book enjoins us to listen to the polysemic tones of the concept as it plows its way from *Being and Time* (1927) to *Contributions to Philosophy* (*Vom Ereignis*) (1936-38) and beyond. All in all four senses to the concept are discerned and are distributed on two (albeit not really distinct) levels, which we can provisionally call the ontological and the ethical. On the ontological level "being-with" comprises two senses, the first of which Lewis uncovers in the period of *Being and Time* and the second of which in the period of *Contributions*. It signifies, first, the interaction between the understanding and state-of-mind (*Befindlichkeit*): an interaction that forms Dasein (p. 36), that is to say the difference between the intelligibility of things and the finitude of man as the condition on which this is founded: "being-with" connotes the "ontological difference". Post *Being and Time* Heidegger no longer identifies being with the intelligibility of things; and finitude no longer denotes the ahistorical finitude of man. Being is identified with finitude, with the force of contingency and the unforeseeable; and finitude is ascribed to the "thing", that peculiar substance in which the four corners of the world – the mortals and the gods, the sky and the earth – are reflected in a determinate way. Lewis thus shows that, in the middle and later period, "being-with" signifies the "thing" as the concrete embodiment of a double operation, for the thing bears the ineluctable force of the open future that affects an epoch with the possibility of its end (the "withdrawal of being") and the necessary elision of the open future in being represented or reflected in the world (the "giving of beings as a whole"). On the ethical level "being-with" has a different sense. It means, first, in *Being and Time*, the relation to the other person whereas in the mid and late thirties it designates the plurality of mortals bound together into a community by "awaiting for the god" (p.143). Lewis' move is as it were to collapse the ontological onto the ethical level (or vice versa), to show that and how the two ethical senses of "being-with" are intimately bound up with the two ontological senses of "being-with" – a move to which the initial premise of the study gives voice: "the place of ethics is the ontological difference" (p. 1). And while the converse is equally stated: the "ontological difference is the place of ethics" (p. 75) – a statement with a completely different bearing, or so it seems to us at any rate, to the extent that the ontological difference is the place of ethics, yes, but of thought and of production too (it is effectively the place of place, the place of the genesis of local or mini-histories) – we shall have to flag several questions in the course of this review concerning this identification of the ontological and the ethical: and thus concerning the identification, or better, co-implication of thinking and ethics, both within Heidegger and beyond. This co-implication is, to be sure, not unwarranted. Quite the reverse, as Lewis shows in Part I, the fundamental ontology deployed in *Being and Time* cannot account for what it says, in the same text, about the relation to the other person (the first ethical sense of "being-with") and is thus testimony of a failure at the ontological level.

But first let me very programmatically state the itinerary of this review. I shall start with Lewis' interpretation of finitude in *Being and Time* in relation to the first ethical sense of "being-with" and then move to his reading of its displacement in *Contributions* in the context of the god and, lastly, I shall address the theme of "ethics" in Heidegger.

II. *Death or dying.* It is chiefly because the death of the Other cannot be registered in any of the three regions of being presented in *Being and Time* ("present-at-hand", "ready-to-hand", "Dasein") that we can register a malfunction with the ontology that it intends to license, that of founding the intelligibility of these regions on the finitude of man. Heidegger writes that when we speak of "being-with" we always have in view being with one another in the same world. "The deceased has abandoned our '*world*' and left it behind. But *in terms of that world* those who remain can still *be with him*" (BT, 282). But how do they

relate to the deceased when in "mourning and commemoration" (ibid.)? Obviously they do not relate to the deceased in a theoretical way as if he or she had turned into a thing with properties ("present-at-hand"), nor in a practical way as an article of use ("ready-to-hand"), but neither in a solicitous way since the deceased is, exactly, no longer an existent being ("Dasein"). So while Heidegger insists that those who remain tarry with the deceased, this tarrying presents us with a form of being which, Lewis remarks, "the ontological difference cannot provide for", "the actual death of the other *deconstructs* the ontological difference" (p. 57). This conclusion comes after an exposition of the function of conscience in *Being and Time* and, crucially, after a significant refinement of man's finitude. Not just the sense of Lewis' argument but much that follows from it, inadvertently, hinges on this refinement. The finitude of man, Lewis writes, is given to him by:

> "the brute facts of birth and death. These are precisely not the existential responses that man makes in relating to these brute facts by 'being-towards' birth and 'being-towards' death. It is with these responses that Dasein first emerges ... what we are speaking of is the blunt fact that birth and death *happen* to us, whether we respond to them or not. We are not yet speaking of Dasein, since Dasein is a process that need not form, but birth and death are facts whether we respond to them or not. What is crucial to our reading is thus the distinction ... between *two forms* of birth and *two forms* of death. One form is the *actual fact* and belongs to man, while the other is the *existential response* ... to this fact and amounts to the process of individuation called Dasein" (p. 16).

Having set up this distinction – to which I shall return in a moment – Lewis then notes that the fact of death is revealed by man's affective core, his moods. By contrast, Dasein*'s* response to this fact is accomplished by its cognitive core, its understanding, which sketches possible ways of relating to it, authentic and inauthentic ways. While Dasein*'s* cognitive component is always accompanied by an affective one both are always articulated in discourse. Conscience, as Lewis reads it, discursively relates the affective and the cognitive ingredients of Dasein and hence brings to language the fact of death and its existential

response: conscience translates the *fact* of death disclosed in moods into authentic and inauthentic ways of *being-towards* death, projected by the understanding (p. 50-51). He thus shows, first, and against the usual reading of these terms, that authenticity (Dasein's individuation into a pure *ipseity*) and inauthenticity (Dasein's objectification with things) always form a pair, that they are always generated together as existential responses to the facts of death and birth. Second, because conscience puts man in touch with the fact of death affectively and because this fact is akin to the dead corpse of the other (and this, we have seen, can be indexed neither as a natural object, nor as a practical one, nor as Dasein), conscience puts into question the ontology to which *Being and Time* is committed: "Heidegger relegates the death of the other to an irrelevance as regards being simply because this death is actual and being is possible" (p. 54) and he thus concludes: "Heidegger is blinded to the importance of actual death, and thus the span of being-towards-death and actual death in 'demise' is allowed only to the other at whose death we *shall* be present" (p. 58). It is no doubt correct that Heidegger founds the intelligibility of the three regions of being ("nature", "history", "Dasein") on man's finitude and in doing so restricts being to the way it appears to man when what he should have done, and as he will have done after *Being and Time*, is to ascribe finitude not to man alone but to the world. We shall have to ask about the philosophical consequences of Heidegger's later attempt, as Lewis sees it, of carrying out precisely this feat with the help of "the god". But let me for now return to the distinction between the fact of death and the existential response to it.

In what sense is death a fact? What is a *fact* after all? A fact (*Tatsache*, *Faktum*: see BT, 82; 174) is a state of affairs. It is a thing with a property that is naturally devoid of sense and which, as the empiricist would have it, enters into a conceptual scheme as into something foreign. Facts are as it were "natural givens", "givens of nature" (though they are, to be sure, not "absolutely natural" in that a fact is a *thing*, a *property* and their *relation*; and relations [of inherence or causality], well relations are hard to come by in nature). Facticity (*Faktizität*), on the other hand, denotes any series of items, tasks and roles pregnant with layers upon layers of significances some of which become, little by little, more and more obscure owing to history's ceaseless reinterpretations of them; they constitute the historical given, partially obscure, partially distinct. Now death, yours or mine, is not a state of affairs. Death is not some chemical

property that can be localised in this or in that part of an organic substance, either living or dead (nor is life some such property, as Bergson and Deleuze tell us; we shall return to life below). If it were a "brute fact" in this sense it would be a *something* (i.e. a substance with accidents), and a something *present* (i.e. visible to perception or intellection), when it is precisely indicative of a future that cannot be reified and made present in any way. Nor is death, strictly speaking, an *historically* given possibility. On the contrary, death, the signal call of absolute contingency in one's historical life, is that which makes the fixed sedimentations of the historically given tremble. And, like an Epicurean god, death remains implacably indifferent to the foundations it shakes; it remains relatively independent of them because it cannot be reduced to, it cannot be given a bodily image in an historically given fact. Death is beyond any fact. But death is there beyond any fact. If it is neither a fact nor a factically given possibility we should perhaps replace the noun "death" (which always lends itself to denoting a "fact") with the intransitive verb "dying", as Heidegger does, and which, he says, stands for the *way of being* in which Dasein *is towards* its death (BT, 291). Dasein cannot stand over against death as a fact nor can moods disclose the fact of death because death is neither factual nor actual in any sense. Death, or rather, dying, as a temporal-intentional relation but as an intention that must necessarily remain empty and unfulfillable, is a future to which Dasein has always already responded, *ab initio*, in one way or another; dying, which keeps the gate of the future eternally open, as the necessarily unforeseeable, is the very reason why Dasein "has" something like a future. *Das Man*, Everyman does, indeed must, respond to it; but it does so by covering it over, by turning death into an "actual fact", as Lewis himself notes (p. 59). But surely, if he admits that Everyman turns dying into a *factum brutum*, into a "dead fact", into a fact of death; if he admits that this interpretation belongs to *das Man*, then he cannot say in the same breath that prior to *das Man* and, effectively, as the condition of *das Man*, conscience calls man affectively to the "fact of death". For would this not force us to return once more to the *quaestio facti* raised above: what distinguishes the "fact of death" posited by Everyman from the "fact of death" disclosed by conscience in a state of anxiety if death is a "fact" in the first and in the second case? We do not however disagree with Lewis. Heidegger's analysis of death in terms of "being-towards-death" is undoubtedly an insufficient account of the phenomenon to the extent that something else appears to transpire here

that escapes this formula. Which is why we shall return one last time to the distinction between the fact of death and the existential response to it in an attempt to take it in a different direction.

How should we read the following: the fact of death "belongs to *man*" (p. 16; cf. p. 59) while the existential response to it belongs to Dasein; man in this sense is prior to Dasein (but prior *de jure* or *de facto*? "We are not yet speaking of Dasein" when "we are speaking of ... the blunt fact that birth and death *happen* to us" [p. 16]; "Dasein is shaped from out of the actuality of man" [p. 41]) or, what amounts to the same, Dasein emerges "only when man comports himself explicitly towards the facts of birth and death" (p. 16)? We could, of course, disagree. We could say that this turns Heidegger notoriously into a phenomenological idealist according to which, first, there is "man", given *hic et nunc*, endowed with a set of natural qualities; then there is the socio-historical and existential web of intentional relations called "Dasein" imposed on "natural man". But if we presume this reading to be correct and that a distinction between the "natural" and the "historico-existential" can be so easily drawn in Heidegger or imposed on his text, then this would certainly minimise and limit the avenues Heidegger offers beyond idealism as concerns a philosophical concept of "man" (we shall follow one such avenue below).[2] Alternatively, as Heidegger sees it, we could say that "man" – as a *zoon logon echon* in the Greek world, as an *ens finitum* created in the image of God in the Christian world, as a *Cogito* in the modern world ... – we could say that "man" exists only as Dasein's self-interpretation, as one amongst many of Dasein's self-projections and that the name "Dasein" (which is not a name) is used to replace the objectifications inherent in these definitions of "man" (see BT, 74-75). And we can say that, beyond these historical interpretations, the essence of Dasein is finitude; and that finitude, as Heidegger came to realise in *What is Metaphysics?* (1928), steals upon man in such a way as to rob him of the personal pronoun, of his ability to say "I", of his self-identity as subject, man, person ("it is not as though 'you' or 'I' feel ill at ease [in a state of anxiety]; rather, it is this way for some 'one'" [WM, 101]); and

2 The aim should not be to begin with a distinction between Dasein and "actual man" in order to show, subsequently, what escapes the hermeneutic of Dasein. We must start rather with Dasein. But then our reading, drawing on clues here and there in the Heideggerian text, should push it to a certain limit beyond the Heideggerian text; and at which limit "Dasein" would signify something else. I believe that "dying" provides us with such a clue.

that, consequently, Dasein, if it undoes the identity of the self and the world, is *de jure* prior to any kind of identity that would keep the name of "man" intact.[3] We could say this with Heidegger and against Lewis. But we believe that Lewis is on the right track in saying that 'man' (though this name should in principle be suspended from now on; whence the use of single scare quotes in what follows) is prior to Dasein. Not because of what Heidegger says, rather because of what he cannot say with the Dasein of *Being and Time*. Dying, which affects me with the force of the utterly unforeseeable – dying remains relatively independent of me: "me" understood as a center of intentionality; and this partly because I, either as a historically situated 'man' or as a 'man' possessed of natural qualities – partly because I can simply not master the unqualified contingency of the future, neither in thoughts nor in deeds, and partly because the unadulterated future which dying evokes cannot be imaged, lacking as it does any kind of bodily presence, either in factical or in factual things.[4] But then would it be legitimate to infer that dying would affect me, were it to affect me, as – as what? perhaps as one beyond the divide between the historical and the natural, beyond what divides the historical and the natural in me? and that dying would mean to straddle, because it would mean to surpass, the divide between history and nature?

Heidegger would no doubt agree and call this place between history and nature "Dasein", as he in fact does (see HCT, 1-2). But the "Dasein" of *Being and Time* will always have slid on the side of the historico-existent being, it will always have elided that other phenomenon, *life*,

3 Parenthetically, a study is so far lacking concerning the consequences of *What is Metaphysics?* for Divisions I and II of *Being and Time*. Does it not demystify, debunk the very first sentences with which the latter text opens: Dasein is *in each case mine* (*je meines*) (BT, 67)? *What is Metaphysics?* shows us that in some cases Dasein is no longer mine, that I am no longer myself in Dasein, that there is no longer a "mine" to speak of in Dasein.

4 At this point we could say that being-towards-death remains an intentional relation. But owing to its relative autonomy, owing to the fact that it cannot be fastened, fixed or anchored to a center of intentionality – neither to a transcendental subject nor to the Dasein of *Being and Time* – being-towards-death should be described as a floating intentionality or, to use a Derridean term, as a "virtual intentionality" (cf. *Edmund Husserl's Origin of Geometry: An Introduction*). But dying remains always only *relatively* independent of 'man'. It is dependent on the empirical presence of some one individual in relation to whom the future throws the dice of chance: "being needs man", as Heidegger often writes.

that other zone beyond or between history and nature. That dying could return us to life, that dying could bring us back to life, is not a prejudice on my part. We know well of Wilhelm Dilthey's influence on Heidegger with his question of "life" (*Leben*) and "life-experiences" (*Erlebnisse*). We know too that "Dasein" is a translation of Aristotle's psyche, the essence of life in a natural body.[5] But we also know that Heidegger sought to subordinate any ontology of life to the ontology of Dasein in the context of his analysis of the phenomenon of "dying" (see BT, 291); and that, later, he fostered the gap between Dasein and animality, deemed it unbridgeable even, owing to the fact that the animal cannot "speak", has no "hand" and does not "die".[6] We shall not press this any further; we merely wished to point out that Lewis' distinction between the "actuality of man" and "Dasein", between the "fact of death" and its "existential response", could urge us towards in a critical rereading of Heidegger.

III. *Ethics or thinking*. We have not yet finished with dying... For if the fundamental ontology of the period of *Being and Time* fails it is in the main because finitude, on which the intelligibility of things is founded, is attributed to *man* alone. And this is to render "being fundamentally anthropocentric" (p. 121). Or so Lewis holds. But as ontology and ethics are inextricably intertwined the same follows for the "site of ethics in early Heidegger": this site "was man in his repetitively assumed finitude" (p. 77). By what means, then, did "the middle Heidegger" attribute finitude to the world so as to say that "beings as a whole" too are finite? In part we should turn to such texts as *What is Metaphysics?, The Fundamental Concepts of Metaphysics* (1929) or *On the Essence of Truth* (1931), each of which brings out the finitude of the world in terms of different moods. But what holds our attention is Lewis' claim that not only moods but also "the god" in Heidegger's middle period extends the reach of finitude.

Heidegger's god emerges in his readings of Hölderlin and is intimately related to the role he ascribes to poetry and to "dwelling". In a

5 As is evident, for instance, from the 1924-25 lecture course, *Plato's Sophist*, in which Heidegger analyses the five modes of truth belonging to Aristotle's *psyche* but for which he reserves the word, "Dasein" (see PS, 12-13, *et passim*).

6 See David Farrell Krell *Daimon life: Heidegger and life-philosophy*, Indiana University Press, 1992, which to my knowledge is among the best extant documents on the problem of life in Heidegger.

late essay written in 1951, "*...Poetically Man Dwells...*", poetry is assigned the task of creating "images". Not images of the kind which Plato spoke of, *eikones* as mere *phantasma*, copies that look like physical objects but which do not respect their three dimensions and their colours, but images of a different kind. The function of poetry in Heidegger (in this essay at any rate) is to fuse together into one mental image what is most familiar to man – say, the way the sky looks like as we perform our mundane tasks – and what is most estranging in man, his temporary or finite nature: "poetic images are imaginings in a distinctive sense: not mere fancies and illusions but imaginings that are visible inclusions of the alien in the sight of the familiar" (PMD, 226). A poetic image is one that portrays the estranging in the familiar, the hidden in the visible. Recall, by way of example, the image described in *The Odyssey* which augured the destruction of Penelope's suitors, a sign – "a glaring, fatal sign" – sent down by Zeus: two eagles appear in the sky, wings thrashing, their talons slashing each other, tearing cheeks and throats (*The Odyssey*, II, 165-170: 98). What is uncanny here is not the violent clash between the two eagles. Nor is it the Olympian god, Zeus, the sender of the message. What is estranging, what remains hidden in the sign, what only the soothsayer can see, is the fatal destiny that will befall the suitors: their *fated death*. Now the god in Heidegger, it seems, refers neither to man's mortality nor to the familiar scene in which it is couched. It denotes the way the surroundings about this scene sink into a mysterious, enigmatic haze; the way the outlook of things around this scene acquires an extraordinary sheen.[7] The "god surprises us" (PMD, 226) in such scenes that display the alienating finitude of man in some ordinary thing. Lewis' interpretation concerning the ontological character of the god appears consequently to be correct since it is through the introduction of the god that finitude is predicated of the whole (p. 122; cf. p.139). Our mortality can assail us no longer owing to our finite selves but because of god's association to *things* in the environment (*e.g.* animals, plants, rocks, man-made items), which amounts to saying that such things have become bearers of finitude, and not only of ours. But this is precisely what arouses our suspicion, we – "let us be *honest* with ourselves!" as Nietzsche's vaulting thunder would enjoin us – we,

7 As Heidegger writes in *Parmenides*: "We may call the *daimonion* the uncanny, or the extraordinary, because it surrounds, and insofar as it everywhere surrounds, the present ordinary state of things and presents itself in everything ordinary, though without being the ordinary" (P, 101). See p. 134-140 of the book under review for a more detailed exposition of the god.

godless postmodern men and women who have long ago thrown to the dogs the knight of faith once hidden beneath our clothes, we, atheists and anti-humanists. For if it is by means of the god that finitude is unhinged from its foundation in man and applied to the world, then the alterative philosophical positions which the early and the middle Heidegger leaves us with are at best undesirous, at worst undesirable: either being is founded only on man's finitude, in which case we end with an *anthropocentric atheism*, or being can be predicated of the finitude of the world but only by means of the god, in which case we end with an *anti-humanist theism*.

But our critic will be quick to rejoin with two pointers. We are being unjust to Heidegger, she will tell us, because of our disregard of the political motif connected to the god; for there is, and undeniably so, a political agenda attributed to the god in Heidegger. As Lewis writes: "The leading of a people beyond itself ... is performed by whoever seeks that which is beyond man: the god" (p. 155). This seeker and leader is *the poet* and his task is to deflate the unconditioned basis on which a political organisation would wish to assert itself. The poet is to call the people to their historical situatedness by leading them beyond the horizon of the *polis* to the god as the powerlessness of man, his finitude (p. 156-157). But debarring the apparent romantic atavism and cult of genius attached to the characterisation of the poet ("This leader will ... be something in the nature of a *daimon* or demi-god...one who has an inkling of *Seyn*" [p. 156]), the question still remains, and it remains a nagging question for us, whether the poet and the god are even now able to trim down the unqualified basis on which current mechanisms of domination affirm themselves – as, for instance, the juridico-economic control of global markets: the whole set of activities of production, exchange, consumption.[8] For if the poet and the god can no longer return an economically managed world to its finitude – and who can be certain of the contrary? – we shall have to ask whether Heidegger's philosophical retreat into a pre-classical "aestheticism" does not vindicate the failure of philosophy to respond to existing regimes of power.

8 See Jean-Joseph Goux, *Symbolic Economies After Marx and Freud*, trans. J. Curtiss Gage, Cornell University Press, 1990.

Resilient as she is, our critic will not fail to remind us that in any case the "theism" Heidegger propounds is unlike any current Western or Eastern mono-poly-theism insofar as it appeals to an ancient Greek tragic pathos.[9] Moreover, what Heidegger mostly insists on in relation to the god is that this technological age, in which all things great and small have turned into calculable quanta of energy, marks precisely the absence of the god or, as Lewis writes, that the *Ereignis* of today can be identified as the definitive caesura or cut between ourselves and the godly (p. 137; cf. p. 139). But it is exactly this claim concerning the "fleeing of the gods" in the technological era, or more precisely, what is apparently argued *from* this claim, that incites our suspicion. Heidegger would seem to say that, though without ostensible warrant, because the absence of the gods in man's contemporary world represents, if I am permitted to use a Scholastic distinction, a *privation* rather than a negation, the gods can constitute an essential counterpart to man. Just as we do not call "toothless" that which has no teeth but only that which can have teeth, in the same way "the absent gods" seems to mean in Heidegger not a world without gods but a world that can have gods essentially. But not all absences are privations and Heidegger gives us no evident reason why the contrary is not the case – that today's "atheism" (which is not an object of choice, a position one could adopt, but a technicised style of life permeating everyday behaviour) indicates a negation rather than a privation of the holy: that "the absent gods" is a sign not of a world without gods but of a world that cannot have gods essentially.

Heidegger's "ethics" raises no fewer difficulties. But now that we are on the subject of ethics let me say that one of Lewis' major targets is Levinas' criticism of Heidegger according to which Heidegger places ontology before ethics. This criticism is stirred by the "subordination [in Heidegger] of the relation between self and other to a relation that is named '*being-with*' and which by invoking 'being' neutralises the asymmetry of a relation that can be accessed only from within that relation itself" (p. 8). Lewis's reply to Levinas develops in two stages. He shows first that Heidegger, particularly in the *Parmenides* (1942), brings into play a relation between mortals through the mediation of the god that could only be described as asymmetrical; a relation in which the singularity of the self emerges only in encountering another singularity.

9 See Philippe Lacoue-Labarthe *Heidegger, Art and Politics*, trans. C. Turner, Oxford: Basil Blackwell, 1990, Chapter 5.

Heidegger adverts to a "being-with" of mortals in which the self's own singularity depends on that of the other (p. 136). Second, to the extent that this relation between mortals facing the god stands as a "necessary condition of being itself" (p. 8.), to the extent that it "allows the possibility that *Seyn* might open" (p. 143), the "ethical" relation man-man and man-god is prior to "ontology". But Lewis' attempt to reverse Levinas' assessment of Heidegger seems to lead to an undue emphasis of the man-god relation. At one point, for instance, Lewis writes that the man-god relation "is in some way prior to that of world and earth in terms of origination" (p. 143). This is of course understandable from the point of view of his need to reply to Levinas – in that the man-god relation is key to his reading of the "being-with" of mortals – though from Heidegger's point of view we could say that all four – man and god, sky and earth – emerge contemporaneously into one determinate world, are united together in the thing (cf. T, 173). It is true however that Heidegger's position in the *Beiträge* is significantly different and accords with Lewis' emphasis on the priority of the man-god relation. But we shall not pursue this point since it is not our main concern.

Our main concern is with an ambiguity in Heidegger that Lewis does not stress, an ambiguity Lewis in fact unwittingly erases, crosses out, in calling – perhaps too quickly – "dwelling" an "ethics": an *ethics of the thing* (p. 4, et passim). "Dwelling", it is true, is Heidegger's translation of the ancient Greek ethos and which he also terms on one occasion an "originary ethics" (*ursprüngliche Ethik*) (LH, 271). But then *this* appellation becomes more and more puzzling if we turn to what Heidegger refers to with the term "dwelling": in particular, to a non-objectifying attitude towards *language*, especially in that language, as he says, is the "house of being", in "its home human beings dwell" (LH, 239); to *thinking*, which he deems the authentic form of dwelling (as one such non-objectifying attitude); and to *poetry*, as what "first causes dwelling to be dwelling" (PMD, 215) (as another such attitude). With all this we must wonder in what *precise sense* is "dwelling" still an "ethics", an *Ethik* – even be it an "originary" one?

Lewis does distinguish between "ethics" in the ordinary sense as an imperative regarding how we ought to behave and Heidegger's "originary ethics" as the situated place from which any statement about the nature of ethics (in the ordinary sense) is made (p. 6). But what

makes the designation of "dwelling" as "originary *ethics*" ambiguous is not the fact that Heidegger refers to the same situated place – man's finite "dwelling" – whence statements about the nature of philosophy, history, the natural sciences ... are made. It is rather the fact that "dwelling" is used for the most part to refer to *philosophia* as an *ars vitae*, as Cicero called it. It is, in other words, the near indiscernability of philosophy (or thinking) and "ethics" in Heidegger that is so perplexing. But let us first turn to Heidegger's text before cutting the matter either way.

The designation of "dwelling" as "originary ethics" occurs in the *Letter on 'Humanism'* and we shall briefly note two things about it. The target of Heidegger's essay is the way Aristotle distinguished between ethics, *praxis*, and production, *poiesis*, namely on the grounds that the action to which practical wisdom leads is an end in itself (*energeia*) whereas the process of making is only a means to something else (*kinesis*); and that *praxis* is guided by a *phronetic* sight, by a rational deliberation concerning what is good and bad for human beings whereas the rational foresight of making is guided by the essence (*eidos*) of nonhuman things. Now the *Letter on 'Humanism'* opens with the statement that we are "still far from pondering the essence of action" (LH, 239) and so we would suspect that Heidegger's treatise is going to be on action, ethics, *praxis*. But as we read on it becomes clear that it is thinking, the act of thought, that the *Letter* is about and the attempt will be to define a type of thinking beyond the division between *theoria*, *praxis* and *poiesis*: a thinking that is free, Heidegger says, from "the technical interpretation of thinking" (LH, 240). By this Heidegger means that, already in Plato and Aristotle, thinking as *theoria* is defined as a process of deliberation "in service to doing and making" and is prized for its utility. And even in the effort to preserve the autonomy of *theoria*, it is set over against *praxis* and *poiesis*, and it thus lets itself be determined by them.

Heidegger returns to the kind of thinking that is otherwise than technical in the passage in which *ethos* is translated as dwelling. He first retells Aristotle's story of Heraclitus' encounter with strangers who wanted to come visit him; expectant and curious to see the thinker in profound meditation, they are disappointed at finding him warming himself by a stove; inviting the strangers in, Heraclitus tells them: "Here

too the gods are present". This story illustrates for Heidegger (among other things) the way Heraclitus' words are able to transform the situation. Heraclitus' phrase "places the abode (*ethos*) of the thinker and his deed in another light" (P, 270). While it is clear that the thinking which the story exemplifies cannot be evaluated according to its utility just because it casts an unfamiliar light on – and puts into question – the ordinary use of things; while it is also clear that Heidegger wants to promote a thinking that is firmly rooted in factical situations, a thinking attentive to the limits of the historico-political territory that supports it; a thinking, furthermore, capable of transforming man's relation to the world ("thinking changes the world", Heidegger famously says) – a question, a difficult question for us remains. If Lewis is correct that "the thinking of being that Heidegger undertakes and that dwells on being may ... be identified with 'ethics'" (p. 6) then we must ask whether the question of "ethics" as a *question of action and praxis* is not silently evaded, mutely subdued and made redundant in Heidegger; or, to put this differently, whether Heidegger can account for a kind of "ethics" or *praxis* that is not determined by a "technical interpretation" – *i.e.* measured by the effects it would produce – but which is *also not* identical with thinking (in the Heideggerian sense): a type of *praxis* that does not amount to the *praxis* of thinking, to the "thinking that is a deed" (LH, 274) – but to a *praxis* of deeds that alters thinking along with the world? For were we to forfeit posing this question to Heidegger, would we not thereby forfeit posing the question of ethics, the question concerning the need of the needlessness of ethics today?

The sense of "dwelling" in Heidegger is certainly more complex than we have been able to indicate so far. Thinking remains its prerogative form, yes, but two years after the Letter, in two essays written in 1951, *Building Dwelling Thinking* and "*...Poetically Man Dwells...*", Heidegger sets the accent on a different type of comportment, building, "*poiesis*", which now serves to circumscribe the nature of dwelling. *Praxis*, action, or "ethics" are not explicitly mentioned in either essay. Yet they are present – only in *Building Dwelling Thinking* however – and in a significant sense in that we can hear a distinct echo of Marx's revolutionary thesis in *The German Ideology*.

In this text Marx identifies *praxis* and *poiesis*, the free act in which man transforms only himself and the transformation of nature in

processes of production. This identification entails that there is no transformation of self which is not at once a material transformation registered in exteriority, just as there is no work which is not at the same time a transformation of self: to modify *nature* is to modify human *nature* and vice versa (Marx defines *theoria* as the production of "consciousness" or ideologies).[10] And just so in Heidegger. Building is distinguished into two separates activities, the cultivation of the soil and the manufacture of items such as ships or temples (BDT, 147); we could say the nurturing of natural objects (*phusei onta*) and the production of tools (*techne onta*).[11] It is in Heidegger's etymological excavation of the word "building", "*Bauen*", drawing on Old English and Old High German that the Marxian move is made:

> "Where the word *bauen* still speaks in its original sense it also says *how far* the nature of dwelling reaches. That is, *bauen, buan, bhu, beo* are our word *bin* in the versions: *ich bin*, I am, *du bist*, you are, the imperative form *bis*, be. What then does *ich bin* mean? The old word *bauen*, to which the *bin* belongs, answers: *ich bin, du bist* mean: I dwell, you dwell" (BDT, 147; cf. BT, 79-80 for a similar etymological reading).

As opposed to the distinction in *Being and Time* between practical circumspection (as an object-directed behaviour) and authentic resoluteness (as a self-directed behaviour), as opposed to the Aristotelian divorce between *poiesis* and *praxis*, Heidegger now sees the cultivation of the earth and the production of things – the two modes of building ("*poiesis*") – as being tantamount to who or what man is – to how man defines himself ("*praxis*") – at a given time and in a given place: "building is in itself a dwelling" (BDT, 148). To be sure, Heidegger qualifies the "sameness" of building and dwelling with a proviso: They are the same so long as building is reined in by an attentiveness to the finitude of man's world since in an age of unlimited production for its

10 See Etienne Balibar, *The Philosophy of Marx*, trans. Chris Turner, Verso 1995.

11 Note that of the two types of activities distinguished under "building" – cultivation of nature and production – Heidegger focuses only on the latter in *Building Dwelling Thinking* and, to my knowledge, does not return to specify in a later essay the precise way in which cultivation would accomplish a mode of dwelling. Is this a significant absence?

own sake building no longer amounts to a mode of dwelling (see PMD, 217). Whence "authentic" production – provided we are permitted to qualify it thus – is the production of such "things" as a bridge, a jug ... "things" which as it were presume to embody no more than a determinate way of life: a determinate way of speaking, thinking and acting.

What the sameness of building and dwelling implies as concerns a *praxis* of action is unclear. This is, at any rate, as close to Marx as Heidegger gets in this context since in "*...Poetically Man Dwells...*" he nuances the claims made in *Building Dwelling Thinking*. Production and the cultivation of the earth are deemed insufficient forms of building in contrast to another kind of "*poiesis*" – poetry. For it is by means of the images the poet creates – images, we have seen earlier, which depict the alienating finitude of man in some ordinary thing and about which the presence of the divine radiates – it is by means of poetry that man can become sensitive to the transitory existence of the world he inhabits, and in this way be brought into a dwelling.[12]

If thinking, poetising, producing, nurturing – if all these constitute so many forms of dwelling then what advantage there is in calling "dwelling" an "originary ethics" remains a puzzling question; and it remains so not as an "ethical question" but as a question about a possible *praxis* of action in Heidegger: – a *praxis* gauged neither by a calculus of efficiency nor reducible to the thinking that is a deed.

12 For a more detailed exposition of *poiesis* and *praxis* in Heidegger than given here, see Robert Bernasconi *The Fate of the Distinction Between Praxis and Poiesis, Heidegger-Studies*, 1986, n°2, p.111-139.

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Pli 17 (2006), 160-165

Response to Rafael Winkler

MICHAEL LEWIS

It is a privilege to have been read with such care and incisiveness as Rafael has shown. To one who has avowedly restrained himself from the worst excesses of appraisal's 'imaginary revenge' it would be churlish to respond in a defensive mode. That said, in the small space I have been allotted it will be difficult to prevent my discontinuous 'corrections' and counter-questions from being mistaken for scorpion-like outbursts of indignation. If so, I hope that this will not efface the memory of my gratitude for having been read in so philosophically astute a manner.

1. Rafael rejects the possibility that death could be a fact, in either the natural (*Tatsache*) or the historical (*Faktum*) sense, in order to move back to a place in between nature and history which Heidegger might have named 'life'.

Perhaps my own emphasis on the factuality of death has been misleading here. My interest is the same as Rafael's: this between which Heidegger calls Dasein. But my argument is one directed at both Heidegger scholars and the early Heidegger himself and asserts that this between ('life') simply cannot be reached unless one pays equal attention to both the existential process and the points between which this process stretches. If these are inadequately entitled 'facts' then I am not seriously discomfited by this. My preference is in any case the Lacanian term 'real'[1] which is more adequate than Heidegger's own term, as I try to indicate in my tentative attempt to map certain key nodes of this

1 In any case, when using Heidegger's own terms, I hope I tend to use 'actuality' more than 'factuality', in an attempt to give the most charitable reading possible of Heidegger's early thought.

discourse onto Heidegger's own, to see what this overlap can reveal about the two discourses and the possible discrepancies between them.

In fact, precisely what this factuality is cannot be understood by understanding (this is why I assign the revelation of fact to mood and existence to understanding): this means by extension that factuality cannot be forced into either half of the opposition between nature and history since this is an opposition posited by the understanding. If we may shift to Lacan's terms, once an opposition —first of all that between presence and absence— is established, we have language, we have a symbolic space. Once the symbolic is introduced (by the difference between presence and absence) we can never again say what we mean: the pre-symbolic real we wish to refer to is once and for all shut off. Opposition as such can be found only in the symbolic, and therefore whenever one speaks of the real one will betray it the minute one tries to force it into a binarity or a difference, of which language is in fact constituted. The very opposition of the symbolic and the real is one that is posited retrospectively by the symbolic itself. To return to Heidegger's language, Dasein is the constant attempt to come to terms with the 'fact' that one exists and one will never do otherwise than exist (within the symbolic), and that therefore such imponderables as birth and death will never fully be assimilable by this existence[2]: nevertheless, these imponderables play a formative role in the character of our existence at every moment, marking blind-spots in the transparency of our understanding.

This allows us —speculatively— to answer another of Rafael's queries, as to how I am able to distinguish *das Man*'s factualisation of death from the fact of death insofar as it is formative of existence, the fact to which conscience calls us. Perhaps the death of *das Man* is the fact of death before it has even been related to the understanding, a fact that has nothing to do with understanding, not even as that incomprehensible something on the basis of which it first develops, since understanding has precisely not yet been generated. It is the pre-symbolic fact that has not yet been taken up into the opposition *with* the symbolic. The fact of death to which conscience calls is the incomprehensibility

2 Or rather, by being inevitably assimilated by the understanding the facts will never be accessed *as such* by the understanding.

that *has* been related to understanding and posited therein as that which is other than thought. It is the fact insofar as it has entered the opposition between fact and non-fact, which could have been posited *only* by thought.[3]

Therefore, once again, my own interests and Rafael's are the same: the between, the joint of factuality and existence, and the inadequacy of Heidegger's account of this relation in his early work —his 'idealism', his 'anthropocentrism'— which localises it in the fold of conscience, which is why I insist, to the extent of hazarding a simplistic diagram in order to make it glaring, that conscience is both call (of facts) and response (existence) and that Heidegger is as yet unable to think this duplicity.

2. Rafael's atheistic doubts, whose spirit my heart has endorsed for some time, end up being expressed in a way that puzzles me a little: he suggests that the way Heidegger continues to refer to the absence of the gods implies that there might be an age (future, past, or even, curiously, our own) which was capable of having gods, while it is in fact possible that the gods' absence is (at least today) of a different order and that there is simply no possibility of any relation between this age and gods.

But even my own paraphrase demonstrates the problem. This very impossibility of relation is *itself* a relation: one of impossibility. In any case, it is surely to make an *entity* of god if one understands Heidegger to suggest that this age 'can have gods'. Gods are *defined* by their absence and scission from man. Being is absent: should we say that it might be otherwise? Naturally not, and the same goes for gods. They are *essentially* absent, but this absence is of a different order to being's essential absence. The question is: what relation *should* one and *can* one have in any given age to this essential absence of the gods? Perhaps Rafael is right and that atheism is today the correct posture: but to be truly atheistic is a very difficult thing indeed, as Nietzsche has shown:

3 This is merely a possibility that occurs to me. It would take a great deal of work to establish the truth or falsity of this suggestion. But perhaps, if it were true, the reading of early Heidegger which I am developing might be the starting point for this work.

the shadows of god mesmerise unwitting men long after god has died. Perhaps this is what Heidegger himself is attempting to understand: whether and how one can be truly atheistic. We know that he thought Nietzsche had failed in this: insofar as one continues unwittingly to pursue onto-theo-logy, how can one be an a-theist?

3. I am perhaps fortunate to have run out of space as I reach the final point of Rafael's review, which is its most troubling and most powerful: the question of an ethical *praxis* that exceeds thought and that Heidegger does not seem to allow for. If he has an ethics, then it is thinking: does this not amount to a theoreticism that ultimately renders Heidegger Platonistic in a vicious sense? To be blunt, are we not left thinking when we 'should' be acting?

The criticism is fairly and beautifully nuanced by Rafael, and I have no space to be either fair or beautiful.

Rafael shows that with the identification of dwelling and building, self-transforming *praxis* and other-transforming (producing) *poiesis* are rendered inseparable in Heidegger's later work. He then goes on to show how Heidegger nevertheless manages to skew this praxical poietics towards *poiesis* in the form of poetry (or rather *Dichtung*, assuming we cannot merely be speaking about the composition of verse). One could have suspected this from Heidegger's understanding of *poiesis* in *The Question Concerning Technology* as the very bringing forth or bringing to light of beings in the light of being (in fact its withdrawal: the 'clearing off' that allows there to be light). Consequently, Rafael concludes by asking how Heidegger is justified in *calling* such a (finally *poietic*) thought 'ethical' when it is ultimately not practical.[4] The question, then, is of a *praxis* beyond thought.

My instinctive response, which can act only as the beginning to a process of refinement through dialogical explication, is to ask how such a thing as *praxis* can be removed altogether from the realm of thinking

4 Or rather, Rafael implies that if ethics is thinking then *praxis* is *more important* than ethics.

without reinstalling the theory/practice distinction which Heidegger was led to overcome due to its subordination of thinking in the 'technical interpretation', which valued thinking solely for its usefulness to practice, and which today reaches its obscene height in mindless but skilfully planned mass-production? Might it be the case that Heidegger stresses thinking so thoroughly only as a *strategic* move, to rescue it from its subordination to *praxis*, without wanting —as Heidegger never does, contra (Heidegger's) Nietzsche— simply to *invert* a hierarchy?

In any case, what would this autonomous *praxis* be? Are we to think it along the lines of what Derrida describes as Levinas's 'dream' of an absolute empiricism? This absolute empiricism freed from all theoretical intervention can only ever be something like a regulative idea (we cannot do justice to Derrida's subtlety here). If the notion of pure *praxis* is such a regulative idea, one that impels us to tease out Heidegger's thought in the direction of concrete action, then it will certainly have guided my own work, which tries to be absolutely Heideggerian in its every intention. But I take it this is not what Rafael wants.

Another approach, then: if *theoria* has been obscured by the metaphysical tradition, so has *praxis*, and if Heidegger concentrates on rescuing *theoria* from metaphysics then we must do the same for *praxis*. Now, Heidegger *himself* does just this, in allowing *praxis* to become *internal* to *theoria*. But Rafael refuses this move. He delimits the space of his *praxis*, negatively, as follows: it can be *neither* the metaphysical *praxis* characterised by efficacy, *nor* identified with thinking.

It is the second negation which is curious to me, since it again invokes *theoria* as that from which *praxis* would have to be distinct, and does that not precisely enclose it once again within metaphysics and its system of oppositions? Indeed, is not the very opposition between *theoria* and *praxis* ultimately one made from *within theoria*? When Heidegger attempts to resituate *praxis* (and its partner) within *theoria* —which '*theoria*' would then and perhaps for precisely that reason be called 'thought' and not 'philosophy'— is he not attempting to be *more metaphysical than metaphysics* itself? And is this not the only way to be true to the origin of metaphysics and thereby —minimally— *escape* it?

Is this why we have to say: 'ethics is thinking'?

Pli 17 (2006), 166-183

Heideggerian Truth and Deleuzian Genesis as Differential 'Grounds' of Philosophy: Miguel de Beistegui's *Truth and Genesis: Philosophy as Differential Ontology*

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"Time was when metaphysics was entitled the Queen of all the sciences.... Now, however, the changed fashion of the time brings her only scorn; a matron outcast and forsaken, she mourns like Hecuba...."[1] So writes Kant in the 1781 *Critique of Pure Reason*, in which he seeks to restore the Queen. But as Miguel de Beistegui writes in *Truth and Genesis: Philosophy as Differential Ontology*[2], in 2004,"Much of philosophy today seems like a great lady fallen into destitution, who knocks at every door, and especially that of the sciences, begging them to give her some function, some task to keep her busy, however modest it may be; for that is better than disappearing altogether." (335) For Kant, "the pre-eminent importance of her accepted tasks" makes philosophy, even whilst scorned, at least deserving of her own title, but now, de Beistegui remarks with alarm, philosophy has lost even that, it is philosophy *of* art, science, economics or ethics—it seeks title from other disciplines. To adopt a more acid tone than de Beistegui's, eavesdroppers on some philosophy department meetings today (at least in North America) might be forgiven for thinking that, in the way that IBM is

1 Immanuel Kant, *Critique of Pure Reason*, trans. by Norman Kemp Smith (London: Macmillan Education, 1987), p. A viii.

2 Miguel de Beistegui, *Truth and Genesis: Philosophy as Differential Ontology* (Bloomington, IN: Indiana University Press, 2004).

proud supplier of information technology to the Olympics, philosophy is proud supplier of argument, reason, or ethics to other disciplines—rather than being entitled to anything of its own to think about.

The question of *Truth and Genesis* is whether instead of a philosophy *of* this or that there is still "the possibility that philosophy be *of* everything." Clearly this is a central and critical question for us. The book's ambition is to show that philosophy can be *of* everything by becoming an ontology undreamt of in any other thinking. But philosophy can do so "only by twisting free of the classical and dominant interpretation of ontology," (336, emphasis mine) which dominant ontology, for de Beistegui, is an "*ousiology*" that reduces being to the sort of presence (*ousia/parousia*) found in an object or subject that is complete and has a self-identical essence that can therefore be re-presented.

Why is it that philosophy can be philosophy only by twisting free of ousiology, of the philosophy of essences? Kant restored his Queen by discovering transcendental subjectivity as the special preserve of philosophy. But once transcendental subjectivity is presented as an object of study, it is but a few steps from turning into an empirical psychology and cognitive science, from our situation, in which a natural science of subjectivity claims to ground epistemology and even ethics, and all that is left to philosophy is analysing the dregs of scientific claims.[3] In fact, *Truth and Genesis* as a whole would imply that so long as ontology seeks its ground in something present, in essences, so long is philosophy open to having its ground become the object of another discipline, so long is philosophy open to having no title to philosophy. In "Violence and Metaphysics" Derrida asks whether it is possible to feign speaking a language[4], and in a way de Beistegui is remarking that philosophy cannot

3 To be sure, Husserl's attack on psychologism and Heidegger's existential analytic of Dasein wrest a new preserve for philosophy, but these too are incorporated into science, as witnessed by the current question of naturalizing phenomenology, which would seek the neural correlates of Husserlian temporality and so on. See *Naturalizing Phenomenology: Issues in Contemporary Phenomenology and Cognitive Science*, ed. by Jean Petitot, and others, (Stanford: Stanford University Press, 1999) and *The Cambridge Companion to Merleau-Ponty*, ed. by Taylor Carman and Mark B. N. Hansen, (Cambridge: Cambridge University Press, 2005).

4 Jacques Derrida, 'Violence and Metaphysics: An Essay on the Thought of Emmanuel Levinas', trans. by Alan Bass, in *Writing and Difference*, vols (Chicago:

feign speaking of the objects of science as such without in fact speaking in a way that converts philosophy to science. And so *Truth and Genesis* does *not* seek to restore philosophy to its traditional throne, for this would amount to speaking of an essentialism that would let other disciplines claim title over philosophy. For philosophy to have its own title it must become a differential ontology, a philosophy of a ground that cannot be presented or represented. *Truth and Genesis* presents two such philosophies: Heidegger's philosophy of ground as *Abgrund*, as abyss; and Deleuze's transcendental empiricism as grounded in the "dark precursor." I provisionally call these philosophies of the ab-ground.

My main focus here is ab-ground. This is because the central contribution of *Truth and Genesis* on its largest scale is its indication that ab-ground is vital to philosophy and its positioning of Deleuze and Heidegger (of the *Beiträge* and beyond) as 'two' 'sides' of a philosophy of ab-ground. Heideggerian truth, *aletheia*, discloses ab-ground through what de Beistegui calls the *epiphanic* and *poematic* (16), through phenomenology pushed past its limit, whereas Deleuzian genesis virtualises the ab-ground through what de Beistegui calls the mathematical and genetic (16), through science and the empirical pushed past their limit in a transcendental empiricism. Put otherwise, Heidegger reveals the differential sense of being as it is for-us and Deleuze reveals this sense as it is in-itself—the for-us and in-itself distinction is one drawn by de Beistegui (cf. 26, 339). What is remarkable is that de Beistegui's philosophical project is capacious and ambitious enough to encompass both these philosophies, which are often positioned as at odds. Indeed in his treatment these two philosophies somewhat overlap. For de Beistegui, Heidegger's philosophy will always have been rooted in phenomenology, in a humanistic perspective, even if it turns away from the human or Dasein to the grounder of the abyss; nonetheless, in turning to the ab-ground, it addresses a sense of being central to Deleuze's anti-anthropological anti-phenomenology. And, on the other side, Deleuzian philosophy, as turning away from the human to a pre-personal, pre-individual transcendental, as thereby creating the ontology that would characterise contemporary science, is a philosophy in which "the ontological difference is to be understood as genesis, and not as truth" (22), which means that Deleuze's transcendental empiricism opens

University of Chicago Press, 1978), pp. 79-153 (p. 89).

up Heideggerian ontological difference in a new light. To this extent de Beistegui tantalisingly hints at something like a rapprochement or overlap between two major routes/roots of 'continental' philosophy, between a philosophy that radicalises subjectivity by way of a radicalised Husserlian phenomenology and a philosophy that would rather go in the other direction, to the impersonal of matter and time, by way of a Bergsonian intuition.

Yet here a deep question arises, because, as de Beistegui writes in his conclusion, "There is no synthesis, no third moment that brings the two sides of being together. Nor is there something like an order of grounding and derivation between them." (338) This should not surprise us: in a philosophy of the ab-ground there would be no ground holding together being in-itself and being for-itself. Nor would there be a synthesis of an epiphanic-poematic philosophy and mathematical-genetic philosophy, or a ground unifying the human and the scientific, the arts and nature. Strictly speaking, in a philosophy of the ab-ground we cannot even feign speaking of 'two' 'sides' of being or philosophy, for 'twoness'[5] or 'sidedness' would already draw differences to a unifying ground; perhaps we should not even feign speaking of an in-itself and a for-itself, for we would thus feign a ground in a common 'itself'. And yet: de Beistegui's book of the ab-ground does join these differences in its title—and does so in the name of difference. Indeed, in a book whose very end will not synthesise its elements, what is most enigmatic is the "and" that conjoins truth and genesis at its very beginning, in the book's very title and cover.

What I would now like to pursue is the concept of ab-ground, by taking up smaller scale results. Here I study de Beistegui's Deleuze, rather than his Heidegger, because it is in the discussion of genesis, in giving us the natural and mathematical science to make sense of Deleuze's ontology, that *Truth and Genesis* is most exciting. This part of the book stands as a more radically ontological complement to Delanda's reconstruction of Deleuze in *Intensive Science and Virtual Philosophy*.[6]

5 Cf. Luce Irigaray, *I Love to You: Sketch for a Felicity Within History*, trans. by Alison Martin (New York: Routledge, 1996).

6 Manuel Delanda, *Intensive Science and Virtual Philosophy* (London: Continuum, 2002).

By situating Deleuze's encounter with science within a general problem about philosophy, traditional metaphysics and science, de Beistegui contributes not just to Deleuze scholarship, but also to continental philosophy of science. (De Beistegui also draws in figures not canvassed by Delanda. Especially intriguing is De Beistegui's illuminating treatment of Simondon.) Most important, what I have called ab-ground comes into sharper focus through Deleuze than through de Beistegui's account of Heidegger. But before going to Deleuze it must be noted that De Beistegui's careful reading of Heidegger importantly contributes to the scholarship by giving a nuanced interpretation of the contrast between the central themes of Heidegger's *Being and Time* and his Beiträge, especially around the theme of Dasein, and then using this contrast to connect the Beiträge and the later work, especially on the fourfold (*Geviert*). But, as John Sallis points out there is a way in which the *Beiträge* remains untranslatable—even in German.[7] This is one reason why, perhaps, de Beistegui turns to Deleuze. Indeed, if I am not mistaken, in de Beistegui's book there is some despair about Heidegger's tendency to work exclusively in the *epiphanic-poematic* mode, to neglect science and disclose difference only through the for-itself, which is why Deleuze's mathematico-genetic encounter with science is important, for in it ontological difference "is to be understood as genesis, and not as truth" (22). Genesis is thus perhaps an escape from Heideggerian *aletheia*.

My procedure in what follows is to resynthesise de Beistegui's Deleuze in a tour of one of his key results and its implications. De Beistegui's book is about inherently difficult philosophical topics—ontology and difference—and inherently difficult authors—Heidegger, Deleuze, Hegel, Aristotle. Rather than trying to capture all the detail and nuance of *Truth and Genesis*, my concern here is to first of all make a key result accessible so as to lead us back to ab-ground and the large scale problem of relation between truth and genesis.

To soap bubbles and salt crystals, then, examples that de Beistegui develops from Delanda. In its simplest incarnation the soap bubble

7 John Sallis, 'Grounders of the Abyss', in *Companion to Heidegger's Contributions to Philosophy*, ed. by Charles E. Scott, vols (Bloomington: Indiana University Press, 2001), pp. 181-197.

appears approximate to a spherical surface, and the salt crystal approximate to a cube. Spheres and cubes are very basic geometrical shapes, well studied since the beginnings of geometry, which coincide with the beginnings of philosophy. Geometrically, we can define the spherical surface as the locus of all points equidistant from a point, and we can define the cube as a solid figure that has six square faces. This definition of the cube is notably and remarkably elegant; it does not need to specify that the squares be of equal size or meet at right angles, for six squares faces can combine in a solid figure only if they meet these criteria. These definitions exemplify essentialist thinking as aiming to penetrate beyond instances of spheres and cubes to a compact set of underlying characteristics that identify what is universally essential, one and the same, in all possible instances of spheres and cubes, such that spheres are different than cubes and so on.

When we look at spherical and cuboidal natural objects, we have been inclined to prolong this essentialist paradigm. Because a bubble looks spherical, we conclude it must have been brought into being by something, an idea, program, generative function, call it what you will, that specifies the bubble's form in terms of what we take to be geometrically essential to spheres; the essence of a sphere is reflected in the bubble's shape and in turn the essence of the bubble is specified as reflecting its spherical shape. The shape of the soap bubble, for example, is thought to be a function of equidistance of parts from a central point. Similarly with the cubic crystal. Five consequences follow. First, the sphericity of the soap bubble resembles something already specified in its essence. It resembles its essence in the sense that it reflects or re-presents in a different way something already fully present, at least in specification, in the bubble's essence, in the way that, in Aristotle's hylemorphism, the form of the mature plant resembles a form internal to the seed and the plant thereby also resembles the form of its parent and the eternal form of its species. Second, to the extent that the spherical soap bubble resembles an essence that foretells sphericity, the bubble therefore does not resemble the cuboid crystal; the difference between the bubble and the crystal is not held in common by these individual things themselves, but rather goes back to essences that would already specify and organise the differences between the bubble and crystal. Third, and relatedly, in thinking this way we are thinking about a world of no surprises, what Merleau-Ponty would call a ready-made world. If

the function for bubble generation specifies that molecules of soap-film be moved so as to be equidistant from a point, it is no surprise that the soap bubble turns out to be spherical. Fourth, to draw on a related Bergsonian criticism, we are thinking about a world in which time makes no real difference, since the spherical shape of the bubble is already foretold in its essence. Fifth, and here again this echoes Bergson, we are thinking in a way notably governed by an anthropocentric point of view. Spheres and cubes catch our eye, hand and craft, and thereby become central to our geometry and are defined therein in terms of a human *logos* that compactly captures, in an atemporal formula, what first strikes the eye and what is central to manufacture: regularities of shape. We then reconstruct spherical bubbles and cubic crystals in light of this geometry —as if nature works along the lines of the human hand, eye and mind.

Now, contemporary science tells us that the world is rather more surprising, and here is where I begin resynthesising de Beistegui. The soap bubble and the crystal hold something in common: in both cases, the physical shape of the system arises from the process of minimising free energy; in the soap bubble, it is surface tension that is minimised, in the salt crystal, it is bonding energy. In the technical language of dynamic systems, in both cases the systems may at first occupy a wide variety of positions and trajectories in the state space that describes the possible configurations and energies of the system; but then they converge[8] on a position or recurrent trajectory in which free energy reaches a minimum. This convergent position or recurrent trajectory is characterised by a topological form in the system's state space, and this is what Deleuze, according to de Beistegui and Delanda, calls a singularity. Thus, as de Beistegui notes, Deleuze can say that "singularities are like "implicit forms that are topological, rather than geometric"." (259-261) That is, the *geometrical* form of the bubble or crystal as the physicist might put it, "falls out" of the system's convergence on a *topological form in state space*; the geometrical form, as the physicists say, "comes for free," in the way that, as Stephen Jay Gould observes, the architectural constraints of building a square building with a domed top happen to give you, "for free," spandrels, triangular niches convenient for displaying statues. Geometrical form is a

8 De Beistegui speaks of systems constrained "to seek" a point of minimal free energy; the point about constraint seems right, but it seems wrong to speak of "seeking" in this context.

spandrel of the system's dynamic topology. Crucially, then, what conditions the geometrical form of bubbles and crystals is not at all anything geometrical (to use a Heideggerian phrasing adopted by de Beistegui).

This reverses the five consequences of essentialist thinking. First, and most important, the sphericity of the soap bubble does not resemble anything specified in its condition. As de Beistegui emphasises, singularities as "implicit [dynamic-topological] forms" specify long-term *tendencies* of systems and so singularities "tend to be recurrent." (260) A lot is packed into this inference from tendencies to recurrence; let me try to unpack it by way of contrast with Aristotelian form. Aristotelian form is inseparable from the end (*telos*) of producing one sort of substance vs. another: in virtue of its formal cause, a plant reproduces another plant of the same species; this reproduction of form is the final cause of the plant, because in reproducing its species, a mortal individual plant approximates to the eternal.[9] Formal cause is thus also inseparable from the material cause in which substantial compounds such as plants are realised: the form of a plant can only be worked out in the germ-material of a plant, not in the matter of an animal. In contrast, because long-term tendencies have no specific end and are correlatively freed from ties to specific material systems, the long-term tendency of minimising free energy can, e.g., recur in very different systems such as the bubble and the crystal. This means that these tendencies "*tend to characterise processes independently of their particular physical mechanisms*. [The tendencies] account for [the physical mechanisms], while being nothing like them: the "condition" of the sphericity of the soap bubble [energy minimisation] is itself nothing spherical." And so "the geometrical properties of the object" are "the *effect* of a process that in no way *resembles* the geometrical shape of the object. There is a radical heterogeneity between the two [between the apparent form and what conditions it]. " (260, emphases in original) This radical heterogeneity is key. It overturns the logic in which the essence of something reflects or resembles that thing. In addition to clarifying what Deleuze means by singularities, de Beistegui thus clarifies the Deleuzian logic of expression or sense, in which as Len Lawlor puts it, "'the expressed' does not exist

9 Cf. *On the Soul* II.4, 415a23-415b8, *Generation of Animals* II.1, 731b25-732a10.

outside of the expression and yet bears no resemblance to it."[10] (De Beistegui does not himself emphasise the theme of expression.[11]) The tendency expressed in the bubble or crystal does not exist outside of bubbles or crystals as expressing that tendency, and yet that tendency does not resemble that wherein we find it expressed. De Beistegui also clarifies virtual multiplicities, for a singularity expressed in soap bubbles, crystals and multiple other things, has a multiplicity not already defined in advance of its expression. This multiplicity is virtual because it has no reality outside of the actuality that expresses it, and because what it expresses is a power (*virtus*) of singularity.

Let us move on to the second consequence. In essentialist thinking the bubble and the crystal each resemble a very different essence, and so they would in themselves hold nothing in common except for differences already specified in their respective essences. Surprisingly, we have now found out that soap bubbles and crystals do have something in common, namely, the singularity they express, but what they have in common, paradoxically, is their being very different expressions of a singularity that neither resembles. De Beistegui's treatment shows that this is what Deleuze means by difference as the univocity of being: the differences of things are freed from having to resemble a ground already containing their differences; rather, each thing locally expresses its own difference, yet, paradoxically, what each such difference expresses is being. Imagine all the jazz musicians of the world each at once playing their own version of *My Favourite Things*; they are univocally voicing one tune, but each is doing so differently, and there is nothing in *My Favourite Things* itself that would prespecify their differences. The univocity of being is more radical: all things 'sing' being in the one voice of being—but only by each 'singing' differences in a way that is not anticipated in being. From a universal that is one and the same, we have moved to a univocity that is one and different. De Beistegui's study of the univocity of being across his book carefully traces this theme back to Scotistic roots, and so stands as a complement to, and critique of, Badiou's *Deleuze: The Clamor of Being*.[12]

10 Leonard Lawlor, 'The End of Phenomenology: Expressionism in Deleuze and Merleau-Ponty', *Continental Philosophy Review*, 31 (1998), 15-34, p. 17.

11 Except for a footnote on the problem of expression as Deleuze addresses it in Spinoza, n. 45, p. 361.

The third consequence is that we live in a world of surprises. It is surprising that a singularity of energy minimisation turns out to express things as different as spherical bubbles and cubical crystals. Darwin writes: "How inexplicable is the similar pattern of the hand of a man, the foot of a dog, the wing of a bat, the flipper of a seal, on the doctrine of independent acts of creation! how simply explained on the principle of the natural selection of successive slight variations in the diverging descendants from a single progenitor!"[13] Darwin finds limb homology surprising unless it is grounded in divergences within a common evolutionary heritage. But contemporary science tells us something even more surprising, and to explain this I add a scientific source not canvassed by de Beistegui, Brian Goodwin's account of morphogenesis, the genesis of living form, in his book *How the Leopard Changed Its Spots*.[14] Central to Goodwin's study are the problem of limb homology and the botanical problem of phyllotaxis, namely, why in higher plants there are three and just three possible basic patterns of arranging leaves on a plant stem.[15] Goodwin persuasively shows that leaf patterning is not a result of genetic program, a program that would, via its formalism, resemble the pattern that it specifies. Indeed Goodwin's book is an extended attack on this sort of genetic essentialism. Instead, patterning is an effect of tensions that arise when a multicellular organism such as a plant grows. A plant grows only by increasing the number of cells in its tips and in the skin of its tip, and this creates tensions in which cells in the tip and skin push against one another, and materials crucial for

12 Alain Badiou, *Deleuze: The Clamor of Being*, trans. by Louise Burchill (Minneapolis: University of Minnesota Press, 2000).

13 Charles Darwin, *The Variation of Animals and Plants Under Domestication*, 2 vols (Baltimore: The Johns Hopkins University Press, 1998), 1, p. 12.

14 Brian Goodwin, *How the Leopard Changed Its Spots: The Evolution of Complexity* (Princeton: Princeton University Press, 2001).

15 The three patterns are: distichous, as in grass, where a leaf at one side of the stem alternates with a leaf on the other side higher up the stem; decussate, in which a whorl of two or more leaves at one node in the stem is followed by a whorl with the same number of leaves at the next node, but rotated so that the leaves in the one node cover the gaps in the other node; spiral, in which successive leaves on the stem are located at a fixed angle of rotation relative to the previous one. (Goodwin, *How the Leopard Changed Its Spots: The Evolution of Complexity* , pp. 117-118). Interest in this problem goes back to Goethe's speculative-philosophical botany. (Translated as an appendix in Adolf Portmann and Richard B. Carter, *Essays in philosophical zoology by Adolf Portmann : the living form and the seeing eye*, Problems in contemporary philosophy. v. 20 (Lewiston: E. Mellen Press, 1990)).

growth flow through the tip; like the vibrations in a disturbed drum head, these tensions dynamically pattern themselves into nodal points from which leaves thence bud in their characteristic patterns. What is even more remarkable is that a similar dynamic process is at work in generating bone structure in *animal limbs*. Like the bubble and the crystal, the arrangement of leaves in different plants, and of bones in different animal hands, feet, wings, and flippers, have a common ground in a singularity that does not at all resemble what it grounds. We are far from the usual interpretation of the modern evolutionary synthesis here, in the sense that different and homologous morphologies are not grounded in purely genetic patterns that diverge through purely genetic inheritance and variation, but in divergent actualisations of a singularity, in a ground that does not resemble what it grounds.[16] I would like to remark here that if the key move of modern philosophy and science, exemplified by Descartes, Newton and the modern evolutionary synthesis, is eliminating Aristotelian formal and final causes,[17] in light of de Beistegui's book it seems to me that the key move of a Deleuzian philosophy is to reintroduce formal causes[18]—with this crucial difference, *that formal and material cause no longer have a common identity and formal cause is decoupled from predetermined final causes*. Formal causes are implicit, virtual and transcendental, no longer resembling the actual and empirical differentia that they ground. For Aristotle, the form of a plant is inseparable from plant material—but now we surprisingly find virtual forms that are actualised in plants, hands and other things. As de Beistegui might put it, modern science would be a science of accidents, of things that happen to go together, not a science of essences.[19]

16 Such a singularity would count as an "epigenetic" factor in the organism's evolution. For a philosophical and theoretical perspective on the ways that, in recent biology, aspects of organisms other than the genetic are coming to be understood as having a role in evolution, see Eva Jablonka and Marion J. Lamb, *Evolution in Four Dimensions: Genetic, Epigenetic, Behavioral, and Symbolic Variation in the History of Life*, Life and mind (Cambridge, Mass.: MIT Press, 2005). Chapter 4 in particular details some of the ways in which inheritance of epigenetic dynamic patterns can be a dimension of evolution.

17 Which would let science, as de Beistegui claims, end metaphysics by overturning the essences that are metaphysic's traditional end.

18 At numerous points in the book, especially the beginning, de Beistegui suggests that modern science can be read as a return to Aristotle (cf. e.g., p. 19) but this theme is not brought to completion.

The fourth consequence is that we obviously live in a world in which time makes a difference. If genetic programs determined morphology then an omniscient scientist could infer from genetics to the shape of the organism, or simulate morphogenesis in a program that would not have to take into account the real time of growth. But this cannot be the case; if chemical and physical processes proceeded at a different rate, then plants and limbs, indeed crystals and bubbles, would be different. Time is ingredient in form, which is why de Beistegui can call Deleuze's philosophy an *onto-hetero-genesis,* an ontology in which difference is inherently genetic, and why he speaks of current science as a science of events—leaf pattern is an event, not an imitation or representation of an essential form. Formal cause is not to be identified with material cause or even final cause as a temporal dimension; formal cause is rather temporal differentiation, it is creative cause. (Indeed, the points I have covered so far about singularity mostly pertain to differentiation, the differential determination of the virtual itself, but perhaps the most important chapter of *Truth and Genesis* is "Smooth Space and Volcanic Time" which pertains to differenciation and the process wherein the virtual actualises itself in differences; what is important about this chapter is the way it talks about everyday space and time as events that result from differenciation.)

The fifth consequence is that this account obviously takes us away from anthropocentric thinking. We are no longer telling nature how to think, no longer thinking that nature thinks as we do, that nature constructs bubbles so as to distribute matter according to our essential definition of a sphere. We are no longer thinking that nature constructs itself according to our idea of it, according to the way it looks to us, to play on a sense of looking in the Greek word *eidos*. Indeed, de Beistegui very helpfully clarifies Deleuze's concept of an Idea by first of all saying (to put it roughly) that the sort of virtual multiplicity actualised in the arrangement of the plant or hand is its Idea—an idea that is different than

19 De Beistegui speaks of a "science of accidents" on p. 45 of his book, in the context of his discussion of Aristotle; the point there is that there can be no science of accidents in Aristotle, only of essences. With modern science, the situation reverses. For a physicist's argument that suggests that something accidental and historical is needed even in cosmology, see Lee Smolin, *The Life of the Cosmos* (New York: Oxford University Press, 1997).

the traditional idea because it does not specify a clear endpoint toward which it actually unfolds (259). Second, he shows us how Deleuze's usage of Idea stems from Kant by reminding us that "Ideas for Kant designate first and foremost problems," that is, for Kant the Ideas of god, soul and the world do not have a clear endpoint because they precisely designate problems that reason resolves in multiple incompatible directions. But, as de Beistegui says, "for Deleuze, it is not reason as a human faculty that is the site of Idea, but the real itself: the problematic, or the Ideal, is a dimension of being itself." (248) Rather than a nature or being that constructs itself according to the way it looks to us, as in Plato, or according to the forms which we see in it, as in Aristotle, we have a nature or being with its own Idea, its own way of thinking, its own problems.

Put together, these five points elucidate what I have called the ab-ground. Instead of a ground that reflects or resembles what it grounds, ground is radically heterogeneous with what it grounds yet is nonetheless expressed in what it grounds. Instead of a ground that, qua being ground of everything, already classifies all possible differences, ground is univocally expressed in the differences of beings in such a way that these differences cannot be reduced to or anticipated in being as ground. Instead of a ground that would already encompass all difference for all time, ground is nothing without its time of differenciation. Instead of a ground that reflects human thinking about the world, ground transcends human thinking. Instead of a ground that would therefore ensure no surprises, that would already give a sufficient reason for everything that makes human sense, this is a ground of surprises in which the reasons for things make their own sense. What human would have thought the sufficient reasons for roses and hands have something in common? (Well, maybe Goethe or Hegel.) This is a ground that pulls the rug out from under us in surprising ways. The ground here is not at all solid, it is ab-ground, an abyss, what grounds things is already in itself a source of wonder, a kind of thinking or problem in being that exceeds itself in the way that the Kantian Idea exceeds itself. How does this ab-ground twist free of turning into an object of science, how does a Deleuzian philosophy of ab-ground twist free of being a mere philosophy *of* science? De Beistegui's answer is that science discovers this sort of ab-ground in relation to actual, empirical results, but Deleuze's philosophy traces these results to their transcendental condition, and this requires

concept creation. In de Beistegui's words, science is interested in how the virtual is actualised in phenomena, but Deleuze moves in the opposite direction, from actualised phenomena to their virtual, and in this way he finds a new transcendental, a noumenon echoed and repeated in every phenomenon, a noumenon real only in the phenomenon, but a noumenon that is nothing like and exceeds the phenomenon (277). De Beistegui's nuanced reading of the transcendental in transcendental empiricism thus adds something new to the usual emphasis on immanence in Deleuze.

I would now like to turn back to the large scale problem of *Truth and Genesis*, the problem of conjoining its two sides, namely differential being in-itself conceived as genesis and differential being for-us conceived as *aletheia*. The problem, you will recall, is that de Beistegui insists that there can be no synthesis of these two sides of being, and this implies there can be no synthesis of a Heideggerian styled phenomenological differential ontology with a Deleuzian styled anti-phenomenological differential ontology. And yet, should they not have some ab-ground too? Are they not univocal?

A neat solution may be to call this a Deleuzian conjunctive synthesis. But the connections de Beistegui draws between Kant and Deleuze prompt a different, surprising way into this question—through German idealism. After all, Deleuze's *Logic of Sense* is clearly meant to pull the ground out from under Hegel's *Science of Logic*, and de Beistegui's book is remarkable amongst books on Deleuze for its extensive treatment of Hegel's *Logic*. Now Deleuze's reading of Hegel is shaped by Hyppolite's *Logic and Existence*, and in his review of that book, Deleuze writes that "Kant indeed raises himself up to the synthetic identity of subject and object, but the object is merely an object relative to the subject: this very identity is the synthesis of imagination; it is not posited in being."[20] What Deleuze finds extraordinary is that Hegel's logic does just that—posits the synthetic identity in being. Kant's system could not immediately reconcile subject and object, because there is no intellectual intuition; they can be reconciled only by way of imagination as a subjective faculty. Deleuze's book *Kant's Critical Philosophy* is fascinated with imagination across Kant's three critiques. I would put it this way: what is

20 Jean Hyppolite, *Logic and Existence*, trans. by Leonard Lawlor and Amit Sen (Albany: State University of New York Press, 1997), p. 192.

fascinating is that the imagination precisely exceeds what is already present, what could be determined *a priori*, and this facultative excess is necessary to Kant's system. Imagination thus undermines the philosophy of presence—which is why Heidegger detects a metaphysics of the retrieval of ground in the Kantian imagination.[21] So, on the one hand, Hegel's logic posits an excessive faculty of this sort, not in the subject, but in *being* as becoming. And this is why Hyppolite's Hegel inspires Deleuze to call his book a Logic of Sense, for Hegel provides a model for detecting the categories of being, the thought of being, in the surface of being itself, in sense, not merely in the subject. For better or for worse, this locates Deleuze as repeating (in the Deleuzian sense) the tradition of German Idealism, namely repeating the problem of finding the intellectual intuition that would put subject and object in one plane. But Deleuze seeks this through a Bergsonian intuition[22] of intensive differences and so, on the other hand, for Deleuze, as for de Beistegui, Hegel's logic fails, for it merely pushes difference to contradiction, rather than freeing difference to be intuited in a creative, Deleuzian univocity of being. Hegelian sense is, for Deleuze, and those who take up Deleuze's Hegel, all too determinate.

Two observations. First, it seems to me that what is common to Heidegger's and Deleuze's philosophy of the ab-ground is that they are both trying to locate the Kantian excess of imagination in being. When de Beistegui writes that "Heidegger reveals how anything like an object, and like thought itself, is itself a function of a peculiar, forever reinscribed event" (156), I cannot help but think that this peculiar reinscription is akin to the function of imagination—now disclosed as a function of being. And when de Beistegui writes that for Deleuze the virtual multiplicity that we find in the genesis of an embryo is to be understood as an Idea, but an Idea sited not in human understanding, but in the real, an Idea that as noumenon would exceed the phenomenon,

21 Martin Heidegger, *Kant and the Problem of Metaphysics*, trans. by Richard Taft, Studies in Continental thought, 5th edn (Bloomington: Indiana University Press, 1997).

22 On a relation between Kantian intellectual intuition and Bergsonian intuition, see Nathan Rotenstreich, 'Bergson and the Transformation of the Notion of Intuition', *Journal of the History of Philosophy,* 10 (1972), 335-346; also see David Morris, 'Bergsonian Intuition, Husserlian Variation, Peirceian Abduction: Toward a Relation Between Method, Sense and Nature', *Southern Journal of Philosophy,* 43 (2005), 267-298.

again I cannot help but think that the Kantian excess of imagination is here conceived as the power of the virtual. This excess might also be what Deleuze finds in Bergsonian memory above matter. Could it be that in a differential ontology of *aletheia* and genesis, being is not merely becoming but imagination? Second, it seems to me that both Deleuze and de Beistegui underestimate Hegel by not venturing far enough into his logic. For Hegel, the logic of actuality as the real ground of what appears is such that contingency is necessary and necessity contingent, which means that differences are not merely pushed to contradiction but are freed in a ground that does not resemble what it grounds[23], where we even find Hegel abandoning the logic of ground altogether,[24] no longer seeking foundations of actuality in something else, even if that something else would be for Heidegger an ab-ground or for Deleuze a virtual. This is really where a sense or concept immanent in being becomes an issue in Hegel's logic, and where we find the plastic Hegel of an open future proposed by Catharine Malabou.[25] So perhaps truth and genesis are two inflections of being as imagination or sense.

But perhaps we need not approach the issue through idealism, for at many points in his book there is an echo between de Beistegui's Deleuze and Merleau-Ponty—and de Beistegui remarks on affinities with Merleau-Ponty at crucial points (cf. 14-20, 69-75). Let me put it in terms of the ab-ground: the points about the ab-ground, especially the point that the ab-ground does not resemble what it grounds, but is rather related to it by means of an expressive, creative, temporal relation, apply

23 See Catherine Malabou, *The Future of Hegel: Plasticity, Temporality and Dialectic*, trans. by Lisbeth During (Milton Park, Abingdon, Oxfordshire ; New York: Routledge, 2005), pp.160-164, Stephen Houlgate, 'Necessity and Contingency in Hegel's "Science of Logic"', *The Owl of Minerva,* 27 (1995), 37-50, John Burbidge, 'The Necessity of Contingency: An Analysis of the Hegel's Chapter on "Actuality" in the *Science of Logic*', in *Selected Essays on G.W.F. Hegel*, ed. by Lawrence S. Stepelevich, vols (New Jersey: Humanities Press, 1993), pp. 60-73, George di Giovanni, 'The Category of Contingency in the Hegelian Logic', in *Selected Essays on G.W.F. Hegel*, ed. by Lawrence S. Stepelevich, vols (New Jersey: Humanities Press, 1993), pp. 41-59; also see the discussion of Hegel in David Morris, 'What is Living and What is Non-Living in Merleau-Ponty's Philosophy of Movement and Expression', *Chiasmi International,* (Forthcoming).

24 Stephen Houlgate, 'Hegel's Critique of Foundationalism in the "Doctrine of Essence"', *Bulletin of the Hegel Society of Great Britain,* 39-40 (1999), 18-34.

25 Malabou, *The Future of Hegel: Plasticity, Temporality and Dialectic.*

to the invisible in relation to the visible. Merleau-Ponty's philosophy has always been a philosophy of the genesis of form. This genetic element only deepens in his philosophy of the visible and the invisible. What is remarkable about Merleau-Ponty's philosophy in relation to *Truth and Genesis*, then, is how his philosophy of a genesis of being-in-itself develops through a philosophy of the truth of being-for-us, how his phenomenological study of the perceptual intertwining of our being and other beings eventuates in a philosophy that seeks the precursor of perception in a pre-personal movement of being itself. Here we should remember that in Merleau-Ponty's prospectus of his work,[26] he says that he will engage in studies of the origin of truth and in studies of expression. But what eventuates is the *Invisible and the Visible*—as if studying visible expression and truth necessitates a study of its invisible, as if the very logic of the phenomena leads to a study of original being. One might hope that the next topic of de Beistegui's investigations might be Merleau-Ponty as a chiasmatic "and" between truth and genesis.

26 Collected in Maurice Merleau-Ponty, *The Primacy of Perception* (Evanston, IL: Northwestern University Press, 1964).

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Pli 17 (2006) 184-193

Response to David Morris

MIGUEL DE BEISTEGUI

In his review, David Morris seems to be doing three things : a. identifying a thread that runs through the book, and in which he finds some value (that of "abground"); b. illustrating, extending and complementing this thread by focusing on the issue of form and matter from the perspective of non-essentialist dynamics, and on the example of energy minimising; c. addressing the difficulty of thinking together truth and genesis with the tools provided in the book, and suggesting a couple of alternatives. In what follows, I shall return to the first and third points.

1.

David Morris locates the primary value of the book in the move that it enacts from ground to unground, a move according to which philosophy can no longer serve as an activity of grounding and proceed foundationally. Let me provide some background to this question – a background that will also emphasise the relevance and astuteness of David Morris' focus on the meaning of recent developments in physics. In developing a brief interpretation of the question of ground in relation to German idealism, I also hope to provide a context in which to address the main question raised in David Morris' review, namely, that of the nature of the relation between "truth" and "genesis".

The question of ground follows from the *metaphysical* search for first principles and primary causes – itself an effect of the manner in which the question of being is raised initially, that is, in terms of a questioning regarding what is common (the beingness) to everything that is – and leads to the twofold principle of identity and permanence. Ground really translates the 'meta' of metaphysics : it designates the manner in which

movement (and not just locomotion) or becoming is apprehended on the basis of something that is itself not of the same kind, something unmoved, in which *phusis* finds its sufficient reason : a permanent substance, an essence (this is the sense of *ousia* as *to ti en einai*). Let me also say, in passing, and at the other end of the spectrum, that "truth' and "genesis" are both translations of *phusis* (this means that inasmuch as they attempt to overcome the issue of ground they are also an attempt to overcome meta-physics): they both designate the operation through which something comes into being and vanishes out of being, they both testify to the event of presence. I now return to the question of ground, and the manner in which its search is implicit in the 'meta' of metaphysics. Chronologically, this happened through the positing of a prime mover, and a realm of essences, over and beyond that of the physical, material world. With Aristotle, philosophy posits itself as a double science of being and becoming, of immobility and movement, of meta-physics and physics. Movement, however, is not yet *local* movement (a mechanics), and physics is not yet *mathematised* nature. Crucially, this ontology leads to a position torn between the identity of essence-substance and the difference of "accidental" singularities, between the form to which the *logos* is as it were naturally attuned, and matter, the chaotic expression of a world in motion in which thought loses its way. Then came the discovery of the *subjectum* guaranteeing the stability and veracity of the physical world in human nature and thought. Modern metaphysics distinguishes itself from classical, Aristotelian onto-theology in that, whilst remaining at bottom a thinking of beingness as substance, or as substratum, it invents a new concept of the *ousia-hypokeimenon*, and, as a result, a new sense of metaphysics. Beginning with Descartes, and in the light of the decisive turn within the science of nature, for which "nature" is written in essentially geometrical terms, substance comes to be divided between material, extended nature, and thinking nature. To the twofold sense of the *subjectum* as designating, first, a thing in its individuality and concreteness (a *tode ti*), as well as in its quiddity (its *ti esti*), and, second, the subject of a proposition, or the logical subject, modern metaphysics thus adds a new one, which turns out to be the most decisive, in that it serves as the ground and foundation for the other two: the "I", essentially interpreted as an "I think." In doing so, metaphysics also introduces a dualism to which an entire tradition will remain committed, before attempting to overcome it. Decisive, in this new sense, is the way in which the "*sub*" of the *sub-jectum* is

interpreted in terms of ground, of a power of grounding or foundation. "Thought" comes to be identified with the substrate that lies beneath material nature, thus immediately framing the latter in terms of its ability to be thought, and this means *known*, in the sense presupposed by the natural sciences. If, as a result, nature becomes ob-ject, it is only in the sense that it stands there op-posed, as something that needs to be represented and brought out in its ideality and truth by a thinking thing. Typically, Schelling speaks of the "I" as the *Urseyn* underlying all Dasein, as the primal and primordial being underlying all beings. The "I" is thus elevated to the status of an absolute principle, which is precisely what Fichte wanted it to be: the unconditioned principle that conditions the edifice of knowledge, the undisputed and unshakable foundation on which that edifice is erected, the transcendental identity that grounds even the principle of identity *qua logical* principle. This, then, is the sense in which modern philosophy is still meta-physical: not so much in the sense in which it remains a theology, a science of divine being and the eternal motion of celestial bodies, but in the sense in which its object (the "I" or the subject) is the sort of thing that is presupposed by the very science of nature itself. When the "I" comes to be posited as transcendental, as the transcendental unity of apperception, as in Kant or Fichte, the transcendental comes to occupy the place that was once accorded to transcendence. Meta-physics becomes the science of the fundamental structures of the I think as providing the key to the conditions of possibility of experience and knowledge in general. Insofar as the primary object of philosophy becomes human nature as thinking substance, philosophy takes on a reflexive form: thought is thought directed back upon itself as constituting the very foundation of the real itself.

From the point of view of the ontological problematic with which I am concerned here, the period in the history of philosophy ordinarily referred to as German Idealism amounts to a decisive turn, one, I might add, which is realised to the full in Hegel's speculative philosophy, and in the *Logic* in particular. Yet this turn was already underway in Fichte and Schelling, and can perhaps best be summarised in the following way: if the essential connection between being and self-identity is indeed reinstated, if beingness as such is evaluated on the basis of a reinterpretation of the Aristotelian *kath'auto*, and thus still caught within the logic of substance, it is no longer simply opposed to non-being or to

non-identity (or difference), as to an *other*, in what amounted to an irreducible tension or an unbridgeable ontological gap. Rather – and this is where the decisive shift takes place – it is indeed op-posed to non-identity, but precisely as to *its* other, and this in such a way that this otherness, or this difference, becomes the condition of its own positing. Identity (and by that we need to understand the identity of being and identity, or, as Leibniz put it, of *esse* and *idem esse*) is now a *posited* identity, and substance, essentially still defined in terms of its ability to exist *kath'auto*, or *propter se*, is a *self*-positing. In other words, the model of beingness as substance, or as existing *per se*, is that of subjectivity itself. But beyond the sole positing of subjectivity, it is being as such and as a whole that comes to be seen as self-positing, or as reflexive. In other words, this positing of identity is not simply *formal*; it is not simply a logical principle, or even a transcendental reality, but is the positing of a *content*. As such, identity (or being) is identified with a *movement* and a *process*, and thus reconciled with the world of becoming (to which, remember, it was opposed in classical ontology). This, at least, is what emerges from the first few principles of Fichte's *Wissenschaftslehre*, and from their interpretation in Schelling's early essays. And this op-position, or this difference, which is at work within being and constitutes it in its positing, which transforms identity from a formal and empty principle into a concrete identity of content, is precisely what elevates being to the level of the absolute, or the infinite. The metaphysics of the absolute is onto-tauto-*thetic*. From a merely posited and presupposed identity, beingness is now envisaged as an identity that has *become* what it is, or as a self-positing identity *in the process of its own becoming*. The science of being thus understood can now, in Hegel's own terms, assert itself as the science of "the identity of identity and non-identity."[1] Yet this is only going to be the case to the extent that it enacts a transgression in relation to the classical concept of difference, only to the extent that, refusing to subordinate difference to the prior identity of a substance or of a genus, it takes it into the hitherto forbidden territory of contradiction. Contrariety, not contradiction,

1 G.W.F. Hegel, "Differenz des Fichteschen und Schellingschen Systems der Philosophie (1801)," *Jenaer Schriften* (Frankfurt am Main: Suhrkamp, 1986), p. 96. See also *Logik*, I, 74/74: "The analysis of the beginning would thus yield the concept of the unity of being non-being – or, in a more reflected form, the unity of differentiatedness and non-differentiatedness, or the identity of identity and non-identity. This concept could be regarded as the first, purest, that is, most abstract definition of the absolute."

characterised the highest degree of difference for Aristotle and the Aristotelian tradition. Contradiction was simply *too* different, simply otherwise than being. The principle of non-contradiction was even the cornerstone of sense and logic. Now, though, contradiction is integrated into the very movement of the real and the very constitution of thought (negativity is the "soul of the content" and "absolute difference"). Now the relevant point here is that with this absolutisation of substance through its becoming subject comes a new conception of the problematic of grounding: by going 'under' (*zu Grunde*), the abstract determinations of thought reveal their ground, which is not posited in advance, but is the outcome of their inner contradictions. The process of "accounting for" now becomes a dynamic, and coincides with the very dynamic of the real itself. Ultimately, the real *Grund* (ground or reason) turns out to be the concept. The standpoint of ground is itself overcome, and not elevated as an unsurpassable principle.

Now the move from ousiology to onto-heterology as I understand it, the move, that is, from a metaphysics of beingness grounded in identity (and in identity as ground) to an ontology rooted in the concept of difference has to do with the experience of a collapsing (and not this *Aufhebung*) of ground, with the fundamental experience that far from securing a ground, philosophy is confronted with the abyss – the withdrawal or the *effondement* of nature. Whether in itself or for us, whether mathematically-genetically or poematically-epiphanically, being no longer emerges as ground, as that in which beings find their ground, but as *Abgrund*, as that in which they are ungrounded : at once brought into actuality and wrested from actuality. *Seyn* is *Ab-grund*, as is the virtual. This ungrounding is not synonymous with a collapsing, with a chaos in which all things are engulfed in a single, anonymous, undifferentiated mass. On the contrary: it is a "principle" (I use this word in quotation marks, for obvious reasons) of sense, life and differentiation; it organises, distributes, opens up and generates; it is the transcendental horizon of all processes, yet one that is not located in any being, not even the human being. In that sense, it is a ground. Yet to the extent that it is pure differentiation, or transcendental difference, it is a forever shifting ground, an *Ab*-grund. David has very clearly shown how this can be seen to be the case in certain non-linear dynamic systems. In doing so, he also signalled the internal emancipation of physics itself from the fiction of ground (one that operated for a very long time), and

the manner in which contemporary science can serve as a "propedeutics" to a differential ontology, to use Merleau-Ponty's term.

But to finish with this point, if I may myself formulate a concern, it is that we quickly learn to see what's at stake in this problematic of the *Ab-grund*, and of greater significance still, namely, the event. This is what I was after, more than the abyss. The experience of the abyss, which I believe is absolutely coextensive with our time (our literally post-modern time), opens onto a rethinking of being as event, as opposed to essence (and of course copulation): both truth and genesis illustrate the eventful nature of being. Event means coming into being, presencing, and this presencing is both genetic and epiphanic. To free thought from the quest for grounds is to free it for the sense of being as event. And the event brings us back to originary difference: *Ereignis* is *Unter-schied*, intersticial being, and the Deleuzian event is differenc/tiation.

2.

Truth and Genesis was published in the summer of 2004, but completed some eighteen months earlier. Naturally, my own views about the project – and the results it offers – have evolved over that period, especially regarding the nature of the relation between the last two parts of the book, devoted to the concepts of "truth" (in connection with Heidegger's *Beiträge*) and "genesis" (in connection with Deleuze's *Difference and Repetition*). I am therefore especially grateful to be given the opportunity to express my views on this matter. Things appear to be more complex than I initially thought. Let me begin by emphasising the fact that both truth and genesis signal a question or a problem, that of being as coming-into-being, of being as presencing (as opposed to being as presence), as reality *se faisant*, as Bergson would say (as opposed to reality as already made). And both concepts are attempts to move away from any conception of coming into being or presencing as production and creation – *if* by that we understand a process that takes us from forms or essences to matter and actual things, from a first and highest principle to individuals, which all presuppose a kind of resemblance, and a form of incarnation, between the cause and the effect. This, I believe, is how philosophy renews itself as ontology: by occupying the space of the difference between being and beings. That being said, as soon as one begins to talk of being in terms of coming into presence, a certain notion

of genesis is already in place. The task that I set for myself includes necessarily a spatiality and a temporality that is active, I wouldn't exactly say productive, but genetic, precisely: it's a process or an event that is at issue here. So, the first misundertanding to dispel would be the one according to which truth were static and genesis alone were genetic. Everything that Heidegger, and a certain strand of phenomenology, has to say regarding truth as unconcealment, especially in relation to the work of the work of art, is said with a view to dispelling such a misunderstanding. All of this is to say that, on one level, truth is as genetic as genesis. So, when David Morris suggests that genesis is perhaps an escape from *aletheia*, he is both right and wrong. He is wrong, insofar as truth as Heidegger understands it, and in a way that I want to retain, already contains an element of genesis, and is directed towards the reality in excess of presence that is implicit in every presencing. He is right, however, insofar as I am trying to move away from two aspects of Heidegger's thinking of difference as truth: that according to which History is the manner or mode in which truth unfolds (we could call this the historicisation of difference), and that according to which language (a language that, at times, becomes so esoteric that it runs the risk of leaving every reader to the side) becomes the primary site in which the truth of History itself can be revealed (as the withdrawal or concealment of concealment itself, or as the *essence* of truth). With Merleau-Ponty, we could call this latter risk "gnosis". David Morris is also correct to emphasise the fact that, for me, the concept of genesis is a fruitful way of extending the reach of ontology beyond the confines of the epiphanic-poematic, and especially of rethinking physical, material coming-into-being away from essentialism (a metaphysical tendency that governed science for a long time, and is still in place in some areas). The pages he devotes to the analysis of soap bubbles and crystals is a remarkable and welcome addition to what I wrote – and one that is in many ways clearer. Now, one might wonder, why does "truth" not find itself on the side of science? Simply because the manner in which science – and the philosophical discourse that accompanies it – concerns itself with truth does not concern me: it is an epistemological concept, not an ontological one. But this does not mean that ontology can have nothing to do with science: it has everything to do with it, but from the point of view of genesis. That being said, there would be some naïveté in believing that there is no such thing as a history of truth, and that modern science itself is not caught up in that history: that truth has become an

epistemic concept should not eliminate the fact that it once was – and still has the potential to become – an ontological and onto-poetic determination. But to recognise this does not amount to recognising – as Heidegger does – that the history of truth is itself destinal, and that the birth of modern science constitutes a further stage in the concealing of the essence of truth as un-concealment. Similarly, and symmetrically, it could be argued that "genesis" is itself a mode of disclosedness, a certain way in which nature itself manifests itself: genesis is a mode of truth, as truth is a mode of genesis.

Having said that, I am able to address further David Morris' concerns in the following way: why double the truth/genesis dichotomy with that of the for-us and the in-itself? As a preliminary caution, let me stress that this conceptuality is in no way to be understood in a Sartrean way : it is absolutely not the case that being is on the side of matter, inert objectivity, and nothingness on the side of a free subjectivity. Differential ontology bypasses the subject-object and the being-nothingness dualism completely. Being is on both sides of the divide, as is this being that we are (and which we cannot call a subject). So why use this conceptuality? Because in truth, or on the onto-epiphanic plane, this being that we are is called upon in a manner that is different from the manner in which it is implicated in genesis. It is called upon as a site of truth, in which perception, language, emotions and affectivity play a key role.

I am now – finally – in a position to address what is perhaps the most important question and concern coming out of David Morris' review, namely, how do truth and genesis sit together, and on what "grounds" can they be brought together (granted that this cannot be a ground in any classical, straightforward sense)? David Morris suggests two ingenious and thought provoking answers, both motivated, it seems to me, by the fact that there *needs to be* a concept under which to think both truth and genesis.

Let me begin by making clear that the "and" in the title of the book does not refer to a hidden, common ground, to a third term under which the first two could be subsumed, one that would remain implicit and that I could and should, one day, make explicit (this is something that David

Morris recognises completely, as his suggestion that we think this relation in chiasmic terms indicates). The conjunction refers to the only legitimate conjunction acknowledged in the book, namely, difference. "Truth" and "genesis" communicate through difference alone. Difference is what they have in common. How could it be otherwise? Any talk of a ground would bring us back into the sort of problems I'm trying to avoid. The only ground is *Ab-grund*, and that's dif-ference. That being said, it's possible that there's something more to be thought in this conjunction, that is, in the relation between truth and genesis (something like a relation, precisely). Yet if it turned out to be something other than differential relationality, well, the entire enterprise would need to be revised. What I began by saying regarding the evolution of my views on the matter might be compatible with a solution of the "chiasmic" type that David Morris suggests: there is perhaps indeed something like an interlacing or a reciprocal folding of truth and genesis, but one that I am not willing – at this stage – to identify with the structure of the visible and the invisible Merleau-Ponty articulates, for reasons that would be too long to develop here. I am also aware of the programmatic nature of what I am proposing here, that is, of the fact that I have not sufficiently argued for the need to adopt such a double ontology. Suffice it to say that the "and" of the title signals a relation of complementarity, not interruption, between the matheme and the poem – a relation, I believe, that philosophy alone is able to recognise and carry out. The matheme and the poem are both originary modes of disclosedness. They sit side by side. "Difference" is what allows them to sit side by side, what they have in common.

The one concept I would feel comfortable advancing at this point would be that of Nature. But I realise this would amount to side stepping the issue. Still, as difference, I would argue that Nature has always and already begun to differentiate itself, beyond any recuperable identity, between the mathematical-physical and the poematic-aletheic (not to say spiritual). The task of the artist, Proust argues, is to extract the poetic laws of nature, which evolve on a plane quite different from that of nature in a physical sense. The difference between the two extractions is that one amounts to a creation, or perhaps a recreation. If philosophy is, as Deleuze argues, the creation of concepts, than it is perhaps more akin to art than to science. There is perhaps, then, underlying *Truth and Genesis*, an ambition not unlike the one that nourished the great systems

of German idealism, and of Hegel in particular. It is an ambition that I am happy to embrace, without adopting the Hegelian manner in which it is taken up (for reasons that are made explicit in the first part of the book, and which I summarised a short while ago).

On the question of Deleuze's (and to a certain extent Heidegger's) relation to German idealism, and to the thematic of imagination in particular, let me say the following. Whilst understanding David's reasons for putting forward the concept of imagination as one that could contain the operations of truth and genesis, and hailing it as ingenious and potentially very fruitful, let me stress that, with respect to Deleuze, it is perhaps the thematic of expression that needs to be emphasised, over and above that of imagination (and this despite his interest in that concept). This is the thematic that we find developed in Spinoza and the Problem of Expression. The logic of the Spinozistic substance is, for Deleuze, a logic of expression, not reflection (and his logic of sense is also a logic of expression, not reflection). This means: it's precisely not a substance that is turning itself into a subject; there's no movement back into the substance, which is pure, immediate expression through differentiation. The problematic of expression is such as to overcome or sidestep the problem of German idealism, namely, how to reconcile subject and object (and the thematic of imagination makes sense in that context). I really don't see how, to repeat David's words, "for better or for worse," Deleuze "repeats the tradition of German idealism" by "repeating the problem of finding the intellectual intuition that would put subject and object in one plane." Deleuze's problem, it seems to me, is different, and amounts to asking how a single plane can be extracted from all beings, a plane that precisely cannot be found in a privileged being, whether it be a transcendent God, a consciousness, a life-world, a lived body, or the existent being. As for the question of imagination, I am perfectly willing to accept that it can be taken beyond the confines of the subject-object dualism, and articulated anew so as to encompass a different sense of being, as spacing, and temporalising. And I am also perfectly willing to accept – how could I not? – that it has roots in German idealism. But my reservation is that it would signal only one of the two sides of nature I am eager to pursue. So, if we begin to speak of imagination in terms of structure, and not faculty, yes. Does this mean that Deleuze thinks completely outside the frame of German idealism? Not at all. He does, after all, think of Ideas in the Kantian sense, that is,

as the site where problems are generated. Yet they are not generated by the power of human reason. They are empirical, real problems, or problems that can be identified on the basis of their real or empirical solutions. So, Deleuze's question does not concern the a priori powers of legislation of human reason, nor the conditions of human experience. Yet we could think of his concern as one of schematism, of the nature of the relation between concepts and things, and even between noumena and phenomena. In fact, his question in Difference and Repetition is very much that of the nature of the relation between thought and sensibility, between concepts or ideas and the objects of experience. It's in the answer to that question that Deleuze is no longer Kantian, and that imagination is not retained as a mediating, intermediary power (this means that, for him, the nature of the relation is not one of mediation, whether in the Kantian or Hegelian sense; in place of the imagination, he thinks the unity of space and time, as powers of virtual differentiations and actualisations, as essentially productive). Why? Because concepts are, for him, virtual multiplicities, and virtual multiplicities designate things not in their form, whether actual or possible, but in their being. Concepts designate not just possibilities, and thus not the form of a thing, but virtualities, and by that we need to understand the real tendencies or individuating factors of the actual thing, expressed and enveloped in the thing, but in no way resembling the thing. In that respect, the sense of the transcendental has shifted dramatically, from designating the conditions of possibility of actual experience, to designating the real, albeit non-actual conditions of existence of actual processes. This non-Kantian sense of the transcendental is itself actually born from within 'German Idealism', and can be attributed to Salomon Maïmon's Versuch über Transzendentalphilosophie. Maïmon is the first post-Kantian to have advocated the need for a genetic point of view in place of conditioning as a solution to the Kantian aporia regarding the question of mediation between intuition and concept, or between the particular and the universal. Having recognised the two realities as absolutely heterogeneous, an abyss between the particular and the universal is created, one that the transcendental deduction cannot bridge. The Kantian schema refers to a purely external concept of difference, and thus to a purely external harmony between the faculties. Difference does not quite unite (in separating) the two; it is merely a term "between" the determinable intuition and the determining concept. It does not generate them so much as relate them to one another. Maïmon's contribution,

according to Deleuze, is to have forced the two terms of the differential relation into a reciprocal determination, and thus to have understood difference productively. Whilst Maïmon's specific solution can be seen as announcing some of the moves within German idealism (specifically, the ontological interpretation of the question of schematism, which David Morris emphasises), it also accounts for the way in which Deleuze embraces the concept of genesis without retaining the logic of mediation (and of dialectical mediation in particular). In that respect, I am not sure what we would gain by translating the concept and problematic of genesis back into the vocabulary of imagination, when the former was precisely born of a need to move beyond the latter. But it doesn't mean imagination itself could not be thought differently: a. not as a faculty, but as an ontological structure; b. not merely schematically, but productively or genetically (and so 'productive' in a sense different from that of Kant). And yes, on those conditions, I would see how imagination could become a name for the coming into being of poetic as well as mathematical nature. But it amounts to such a bending and distorting of the roots of imagination that I am not sure it would not bring about more confusion than if we were to retain the concept of nature with which I began.

Call for Papers

'If we had a choice between empiricism and the all-oppressing necessity of thought of a rationalism which had been driven to the highest point, no free spirit would be able to object to deciding in favour of empiricism.'

F.W.J. von Schelling, *On the History of Modern Philosophy*

'The intense world of differences, in which qualities find their reason, and the sensible its being is precisely the object of a superior empiricism.'

Gilles Deleuze, *Difference and Repetition*

Pli invites submissions for the next volume (Volume 18, Summer 2006) which will be concerned with the topic of *Superior Empiricism*.

Despite the failure of the empiricist project within the Anglo-American tradition there remains fertile and vibrant work being pursued in other trajectories of thought; this we name, taking the term from Schelling, *Superior Empiricism*. Empiricism has been variously understood as a theory of experience, of knowledge, of events, of the formation of a human nature, and of relations ('thinking *with* AND, instead of thinking IS, instead of thinking for IS: empiricism has never had another secret'). This issue seeks to render explicit this alternative form of empiricism that informs the thought of a disparate lineage of philosophers. We would particularly welcome papers on Lucretius, Spinoza, Schelling, James, Nietzsche, Bergson, Levinas, Merleau-Ponty and Deleuze.

Examples of topics that could be covered by papers are:

- The nature and scope of transcendental empiricism
- Deconstruction and empiricism
- Empiricism and pragmatism
- Phenomenology and empiricism
- Deleuze and a logic of multiplicities
- Schelling and 'superior' empiricism
- James's radical empiricism

Submissions, preferably no longer than 8,000 words, should be sent in the form of a single hard copy, plus a copy on disk as a Word or RTF file. Alternatively, we accept submissions by email to: plijournal@googlemail.com .We only accept articles and will not review abstracts. The deadline for submissions is 30th October 2006. Please refer to the "Notes for Contributors" on this website. Include an e-mail address if possible for future correspondence.

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- Submissions should be sent to *Pli*, Department of Philosophy, University of Warwick, Coventry, CV4 7AL, UK, or by email to plijournal@googlemail.com.

- They should be printed in double line spacing and be accompanied with a copy on disk in Word document or Rich Text formats only. If possible, an email address should be included for any further correspondence.

- Accepted submissions will be printed from the electronic copy supplied. Footnotes will be printed at the bottom of the page. Italics and other typographical features (such as accents and text in Greek) will be printed as they appear in the electronic copy (so do not underline items that will eventually appear in italics, such as titles of books, for example). All submissions should be supplied in and will be printed in Times New Roman font.

- Footnote references should conform to the style of the following examples:

  I. Kant, *Critique of Pure Reason*, trans. N. Kemp Smith (London: Macmillan, 1929), hereafter *CPR*.
  G. Deleuze, *Foucault* (Paris: Minuit, 1986), p. 24.
  D. W. Conway, 'Genealogy and Critical Method', in R. Schacht, ed., *Nietzsche, Genealogy, History* (Berkeley: University of California Press, 1994), pp. 318-33, esp. p. 320.
  D. Sedley, 'Epicurus, On Nature Book 28', *Cronache Ercolanesi* 3 (1973), 5-83, p. 56.

In general, submissions should follow the guidelines outlined in the *MHRA Style Book*, 5th edition (London: Modern Humanities Research Association, 1996).

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