RETHINKING EVIL WITH JACQUES DERRIDA

Nathan R.B. Loewen

Faculty of Religious Studies

McGill University, Montreal

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Devant le mal du monde, "la vie d'un homme,

unique autant que sa mort,

sera toujours plus qu'un paradigme

et autre chose qu'un symbole."

(Jacques Derrida, *Spectres de Marx*, 1993, p. 11)

A B S T R A C T

Evil is an excellent point of departure for exploring the relationship between Jacques Derrida's work and the philosophy of religion. This has not been the explicit focus of any published study on Derrida (1930-2004) thus far. This study explains how central themes in Derrida's writings can open new approaches to the problem of evil.

In 1987, David O'Connor realized that the discourse of Anglo-American philosophy of religion had come to an impasse on the problem of evil. In 1998, O'Connor declared a détente between philosophy and theism on the topic. This much was already explained by the French philosopher Henry Duméry in 1968. The appeal to Derrida's writings does not provide the missing master key to this situation. However, the challenges Derrida sets forward for Western philosophy may also be taken as fundamental challenges resting within the structure of evil itself. The upshot not only challenges theism; it also knocks down arguments against theism.

The study's first chapter reviews the debate on evil within the philosophy of religion as challenges to theism's credibility. These are the logical (Pike 1963), evidential (Rowe 1979), and probabilistic (Draper 1989) arguments from evil. Chapters two to six outline Derrida's basic concepts and then elaborate how they substantially challenge the prevailing presumptions about the problem of evil. The results from this investigation establish an original application of Derrida's thought relevant to theodicy and the problem of evil. Chapter seven finally summarizes how the problem of evil is to be reconsidered vis-à-vis Derrida's writings.

R É S U M É

Le problème du mal est un excellent point de départ pour exposer le rapport entre Jacques Derrida et la philosophie de la religion. Jusqu'ici, pareille approche n'a été entreprise par aucune recherche sur la pensée de Derrida (1930-2004). La présente étude expose comment des thèmes au centre de l'œuvre de Derrida peuvent ouvrir de nouvelles voies dans le traitement de ce problème. En 1987, David O'Connor prenait acte que le discours utilisé dans la philosophie anglo-américaine de la religion était dans l'impasse relativement au problème du mal, et en 1998, il proposait une trève entre la philosophie et le théisme sur cette question. Tout cela avait été constaté et proposé déjà en 1978 par le philosophe français Henry Duméry.

L'analyse de l'œuvre de Derrida présentée dans cette étude ne fournit aucunement la solution manquante. En revanche, les défis que représente Derrida pour la philosophie occidentale peuvent être considérés également comme des défis fondamentaux posés par la structure même du mal, avec pour résultat que non seulement le théisme est critiqué, mais tout autant les arguments opposés à celui-ci.

Suite à l'exposé du débat sur la question du mal et le rejet de la crédibilité du théisme en philosophie de la religion notamment de la part des approches dites 'logique' (Pike 1963), 'évidentielle' (Rowe 1979), et 'probabiliste' (Draper 1989), les chapitres deux à six présentent des concepts de base élaborés par Derrida et expliquent dans quelle mesure ces concepts mettent en question les opinions principales sur le problème du mal présentées au chapitre premier. Le septième et dernier chapitre montre également toute l'originalité de la pensée de Derrida concernant la théodicée et la question du mal.

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C O N T E N T S

Abstract iii
Résumé iv
Acknowledgments v
Abbreviations x

Introduction 1

1. Available Positions on the Problem of Evil in the Anglo-American Philosophy of Religion over the Last Fifty Years 8
1.1 The Appeal to Natural Evil 9
1.2 The Logical Argument 18
1.2.1 'Global' versus 'Local' 22
1.2.2 Non-limited Deferral 27
1.2.3 Stipulations on Evil 29
1.3 Alternative Understandings Outside the Anglo-American Philosophy of Religion 31
1.4 The Evidential Argument 43
1.4.1 Epistemological Deferral 51
1.4.2 Formal Probability 58
1.4.3 Non-limited Deferral 69

2. Practicing Philosophy: Derrida's Imperative 77
2.1 The Task of Philosophy 77
2.2 Philosophy and Translation 79
2.2.1 Natural Language, Idiom, and Philosophy 80
2.2.2 The Idiomatic Context of Translation 84
2.2.2.1 Universals 85
2.2.2.2 Paradoxes 86
2.2.2.3 Aporias 88
2.3 *Problemata* 93
2.3.1 Problem-posing and Philosophical Practice 94
2.3.2 Aporias Pose Problems 96
2.4 Dilemmas 96
2.5 Conclusion 100

3. Derrida's Relation of Philosophy and 'Religion' 107
3.1 Derrida and Limits 107
3.1.1 Terminal Foci 109
3.1.2 The Crisis of Terms 112
3.1.3 Terms, Truth, and Lies 115
3.2 Philosophical Thought and Opposition between or among Terms 118
3.2.1 Metaphysics and Oppositions 118
3.2.1.1 The Importance of Metaphysical Oppositions 120

3.2.1.2 Radical Heterogeneity 122
3.2.1.3 Idealization 123
3.2.2 Metaphysics and Representation 125
3.2.2.1 The Violence of Representation 127
3.2.2.2 Circular Rationality and Representation 128
3.2.2.3 Representation and Givenness 131
3.2.2.4 Unarmed Representation 132
3.2.3 Living-on Within Limits 133
3.3 Thought Is Always and Already About Two Sources 135
3.3.1 More than One (Plus d'un) 135
3.3.2 Ineluctable Duplicity 136
3.3.3 No 'Third Way' (Tertium non datur) 139
3.4 The Universal 'and' 140
3.4.1 'And' Sustains Oppositions without Synthesis 140
3.4.2 The Universality of 'and' 141
3.4.3 Hyphen - Another Form of 'and' 142
3.4.4 Enumeration – Yet Another Form of 'and' 144
3.4.5 The Capabilities of 'and' 147
3.5 The 'Machine' 148
3.5.1 The 'and'-Machine 148
3.5.2 Religion as 'and-Machine' 150
3.5.3 Machines and the Production of Legitimate Fictions 151
3.6 The General Condition of Philosophy: Apophatics 152
3.6.1 An Example of Reductionism in General 153
3.6.2 The Ability Not To 155
3.7 The Messianic Structuring of Limits: Reinscription 156
3.7.1 The Messianic Structure of Experience 160
3.7.2 The Messianic and Representation 161
3.8 Conclusion 165

4. Derrida's Relation of Philosophy and Language 169
4.1 The So-called Centre: Derrida and Structuralism 169
4.1.1 The Question of the Question 171
4.1.2 The Aporetic Origin of the Question 173
4.2 Iterability – Other-ability 174
4.2.1 Inaugurality and Language 175
4.2.2 The Reality of Language 178
4.3 Repetition 179
4.4 No Outside Text 181
4.4.1 The Problem of Language 183
4.4.2 The Necessary Failures of Speaking 184
4.4.3 The Necessary Failures of Meaning and Intention 187
4.5 Faith in Philosophy 194
4.5.1 Philosophical Compromise with Promise 196
4.5.2 The Necessity of Destinerrancy 199
4.5.3 Faith, Promise, and Destinerrancy: Deconstruction 202

4.5.4 The Necessary Conditions of Affirmation 208
4.5.5 The Content of Affirmation: Khōra 211
4.5.5.1 As with Khōra, so too for Subject 213
4.5.5.2 The Affirmation of Subjectivity 215

5. Derrida on Philosophy and Violence 218
5.1 Violence and Philosophy 220
5.2 Distinctions about Violence 224
5.2.1 *Arché*-violence, Second Violence, Tertiary Violence 224
5.2.2 Founding Violence: Walter Benjamin 227
5.2.3 Conserving Violence 232
5.2.4 Lévinas and the Possibility of No-violence: Black Light 233
5.2.5 Lévinas' Violence, and Metaphysics 238
5.3. The Worst Violence 242
5.4 The Least Violence: The Real Centre of Derrida's Thought 246
5.4.1 Violence as Unavoidable 246
5.4.2 Reason Disarmed 248
5.5 Derrida on Weakness 253
5.5.1 Weak Reason 255
5.5.2 Weakness and the Aleatory 257
5.5.3 The Weakness of Acts of Language 259
5.5.4 Weakness and Metaphysics 261
5.5.5 Weakness and the Unconditional 262
5.6 Violence and History 264
5.6.1 Finitude 266
5.6.2 The History of Reason 267
5.7 Derrida's 'Weak Thought': Hauntology 270

6. Sovereignty and the Aporia of Decision 277
6.1 No 'Turn' 277
6.1.1 Is Derrida Apolitical? 278
6.1.2 Separateness and Metaphysics 280
6.2 'The Political' and 'Politics' 282
6.3 Sovereignty and the Task of the Philosopher 288
6.3.1 Sovereignty in Question 290
6.3.2 Theologico-political Secularism and Sovereign Nations Today 291
6.3.3 Derrida's Appropriation of Carl Schmitt 294
6.3.4 Lévinas and Schmitt 296
6.3.5 Michael Hardt and Antonio Negri on Sovereignty 299
6.3.6 Michel Foucault's Genealogy of the Sovereign 301
6.3.7 The Hobbesian-Cartesian Absolute Sovereign 304
6.3.8 Rethinking Modern Sovereignty Today 305
6.4 Law and Laws 309
6.4.1 Sovereignty, Law and Laws 313
6.4.2 Violence and the Law of Laws 315
6.4.3 Force and Structure 318

6.5 Legitimacy and Illegitimacy of Sovereignty and Law 323
6.5.1 The Problem of Legitimacy 324
6.5.2 The Mystical Foundations of Authority 326
6.5.3 'Law-gic': The Law of Laws 329
6.6 Sovereignty and Democracy 335
6.6.1 The Alibi of Sovereignty and the Sovereign 341
6.6.2 Questioning Sovereignty: the State of Exception 343
6.7 Sovereignty and Disjuncture: Derrida and Decisionism 348
6.7.1 Sovereignty and the Possibility of Justice 353
6.7.2 Decision and Loss of Sovereignty 355
6.7.3 Hospitality, Sovereignty and Divided Singularity: Host and Guest 356
6.7.4 Practicing Reinscribed Sovereignty: the Risk and Danger of Derrida's Proposal 361
6.8 On the Way to Justice: The Theo-egodicy of 'the Book' 371
6.8.1 Sovereign Idiosyncrasy and Conversation 372
6.8.2 Derrida's Departure from Schmitt, towards Justice 378
6.8.3 Justice as Out-of-joint 380
6.8.4 Derrida's Reinscription of Justice 383
6.8.5 Unconditionality of Justice 385
6.8.6 Justice and Sovereignty 386
6.9 Deconstruction and the Possibility of Justice: Justice and *Différance* 389

7. The Reconstrual of the Problem of Evil 395
7.1 The Arguments from Evil 396
7.2 Natural Evil Revisited: The Problem of Natural Language 400
7.3 Theism's Problem with Language 403
7.3.1 Lemming Theism and Evil 405
7.3.2 God – 'and' – Evil 411
7.4 Derrida's Unfriendly Atheism 413
7.4.1 The Predatory Law of Contradiction 418
7.4.2 Necessary Failures 425
7.4.3 Sovereignty 428
7.4.4 The Worst 429
7.5 Derrida's Friendly Atheism 440
7.5.1 The Response of Religion to Provocation: Naming 442
7.5.2 Euphemisms of Evils 449
7.6 Names versus Euphemisms: Euphemizing 'God' 451

Bibliography 458
1. Primary Sources: Writings by Jacques Derrida (1930-2004) 458
2. Secondary Sources: Writings about Jacques Derrida 462
3. Other sources 467

Abbreviations for writings by Jacques Derrida *

AnIA	"The Animal which therefore I Am (More to Follow)", 2002
AoR	Acts of Religion, 2002
Ap	Aporias, 1993
ArF	Archive Fever, 1995
ARSS	"Autoimmunity: Real and Symbolic Suicides", 2003
C	"Circonfession", 1993
Cin	Cinders, 1991
Cop	& Catherine Malabou, Counterpath, 2004
Di	Dissemination, 1981
EoU	Eyes of the University: Right to Philosophy 2, 2004
EtC	"Et Cetera… (and so on, und so weiter, and so forth, et ainsi de suite, und so überall, etc.)", 2000
FK	"Faith and Knowledge: The Two Sources of Religion"…, 1998
FLa	"Force of Law", 1992
FWT	& Elisabeth Roudinesco, For What Tomorrow…", 2004
GiD	Gift of Death, 1995
GiT	Given Time, 1: Counterfeit Money, 1992
H	"Hostipitality", 2007
HAS	"How to Avoid Speaking: Denials", 1987
JF	"Letter to a Japanese Friend", 1988
LI	Limited Inc., 1988
LOB	"Living on: Border Lines", 1988
LoRe	"The Laws of Reflection: Nelson Mandela, in Admiration", 2007
MaS	"Marx and Sons", 1999
MdM	Mémoires for Paul de Man, 1986
MOP	Monolingualism of the Other; or, The Prosthesis of Origin », 1998
MP	Margins of Philosophy, 1982
N	Negotiations, 2002
NLM	"Nietzsche: Life as Metaphor", 1985
OCF	On Cosmopolitanism and Forgiveness, 2001
ODD	"The Original Discussion of 'Différance'", 1988
OG	Of Grammatology, 1974
OH	The Other Heading, 1992
ON	On the Name, 1995
OSp	Of Spirit, 1987
OTNH	"Onto-Theology of National-Humanism…", 2007
P	Positions, 1981
PaM	Paper Machine, 2005
PCa	The Post Card: From Socrates to Freud and Beyond, 1987

* See bibliography. – Other abbreviations are indicated in Siegfried M. Schwertner, *International Glossary of Abbreviations for Theology and Related Subjects*. Berlin & New York: Walter de Gruyter, 1992.

PIO	Psyché: Inventions of the Other, 1989
PoF	Politics of Friendship, 1997
Pts	Points, 1995
R	Rogues, 2005
S	Spurs: Nietzsche's Styles, 1978
SMa	Specters of Marx, 1994
SPh	Speech and Phenomena, 1973
SQ	Sovereignties in Question, 2005
TBa	"Des Tours de Babel", 1985
TFI	"To Forgive : The Unforgivable and Imprescriptable", 2001
TfS	"I Have a Taste for the Secret", 2001
TrP	The Truth in Painting, 1987
WAl	Without Alibi, 2002
WD	Writing and difference, 1978
WoW	"A Word of Welcome", 1999

INTRODUCTION

Evil is an eminent point of departure for exploring the relationship between Jacques Derrida's work and the philosophy of religion. This has not been the explicit focus of any published study on Derrida (1930-2004) thus far. This study does not focus on the usual associations of 'deconstruction' with the name 'Derrida'. Instead, Derrida's sustained focus on the following themes will be investigated: the practice of philosophy itself, necessity, faith, violence, the political, justice, and response. These central themes in Derrida's work have the potential to renew aspects of the discourse on the topic of evil. For Derrida, evils are a constant invitation to take "history, that is finitude, seriously." (WD 117)

The challenges Derrida set forward for Western philosophy may also be taken as fundamental challenges within the structure of evil itself. The upshot not only challenges theism; it also – analytic philosophers' positions notwithstanding – knocks down arguments against theism as well as against largely unquestioned regulative assumptions of philosophy in general.

Derrida did not explicitly work out a philosophy of religion, and the expression 'philosophy of religion' does not appear once in his corpus. In that regard, then, one is sure not to find anything conventional to the philosophy of religion that could be identified as 'the problem of evil' in his work. It would be repetitive and onerous, however, to cite each instance wherein Derrida's texts make reference to religions, and monotheistic religions in particular.

The association of Derrida's work with theology has been picked up by many authors. The majority of them are Christians.[1] On the one hand, these interpreters find that "[w]hat is remarkable in Derrida's work is his persistent translation of local thematic concerns into structural questions, and these inevitably touch on Christianity" (Hart 2000, xxxiv). On the other hand, for example, the discussion immediately following his oral presentation of *Différance* in 1968 to the Société française de philosophie (Paris) reiterates Derrida's refusal of theology (ODD 84). When pressed on the issue he insists that *différance* "blocks every relationship to theology" (P 40). The same would go for all words and concepts that supplement the neologism 'différance' across Derrida's texts.[2]

Derrida has deliberately intervened in order to gain some distance from the presumption that his work could be theologically appropriated. His contribution to *Derrida and Negative Theology* (Coward & Forshay, eds., 1992) focused on the question of how to avoid speaking of theology in order to satisfy the demand that he speak on the topic (HAS 7 & 12). He concludes on an emphatic point by demonstrating that Martin Heidegger was as eminent a negative theologian as Pseudo-Dionysius.

John Caputo enjoys recounting that Derrida can rightly be taken for an atheist, all the while guiding his meditations with theological thematics (Caputo 2006, 25; see C 155). It should be noted, however, that Derrida can be rightly taken no more for an atheist than for a Marxist. Atheism is an important component of the ideology of Marxism, and

[1] Kevin Hart 1989; Brian Ingraffia 1995; Walter Lowe 1993; Mark C. Taylor l995; John Caputo l997.
[2] See M. Boutin, "L'inouï l'indécidable selon Castelli et Derrida : Philosophie de la religion et critique du logocentrisme." In *Philosophie de la religion entre éthique et ontologie*. Ed. Marco M. Olivetti. Padua : CEDAM 1996, 815-29; pp. 829 & 822.

Derrida is certain that he is not a Marxist (SMa 88). He may appreciate a certain atheist spirit as much as a certain spirit of Marx or of a certain theology. Yet in any of these cases he would search for a "protocol" suitable for reading their discourse (P 63). More recently, Hugh Rayment-Pickard has written that if Derrida's work constitutes any sort of theology, it is one of an "impossible God": Derrida repeatedly undermines any presumption of 'God' as 'first', 'One', or '*causa sui*' with an indeterminate chain of supplementary notions which all point to a general, groundless, and abyssal state of affairs beyond the reach of all human meaning-making artifice (Rayment-Pickard 2003, 6). Derrida often uses 'God' language as useful heuristics on the groundless grounds of mythical origins for any given human institution that wishes to claim its legitimacy by way of ancient certainty, such as religion, language, ethnicity, or law. This demythologizing aspect of his work is more often picked up by Biblical interpreters who find Derrida's themes and methods useful in reading "other testaments" in the Hebrew and Christian scriptures.[3] In other words, Derrida's writings do not easily provide resources for constructive theological projects.

So, why Derrida and the problem of evil? In spite of the fact that evils remain a live issue, discourse on evil within the philosophy of religion has become stagnant. Nearly every book on the philosophy of religion deals with this topic, typically assessing exchanges that began in the l950's and continued vigorously until the end of the cold war. That discourse has all but ended in an unsatisfying stalemate, despite the proliferation of scholarly writing on the topic of evil – over 4,237 scholarly writings produced between l960 and l991, according to Barry Whitney (1998). The current discourse on the problem

[3] See D. Jobling, ed. "Poststructuralism and Exegesis": *Semeia* (199l – No 54); Aichele & al. 1995; Sherwood & Hart 2005.

of evil within the Anglo-American philosophy of religion is at an impasse. The reasons for this can be explained. In 1998, David O'Connor declared a détente between philosophy and religion on the topic of evil in *God and Inscrutable Evil: In Defence of Theism and Atheism.* He proposed four positions amid the two 'sides' in terms of friendly and unfriendly theism and atheism (O'Connor 1998, 205). He also pointed out that there is no adequate ground upon which any sort of winning or losing could be determined. In 1987, O'Connor had gone so far as to say that there is no such thing as the **problem** of evil; what does exist "is less a duel than a mime, for the weapons yielded on each side are incapable of inflicting any wounds" (O'Connor 1987, 441). And yet, already in 1968 the French philosopher Henry Duméry readily acknowledged the following by saying:

> In our culture theism and atheism are hostile siblings. Their polemics are constant, feeding off one another. What one asserts, the other contradicts. Focused on their quarrel, as they are, they hardly consider renewing the issue. The quarrel continues based on old ideas and dated methods. It would last much longer if the issue didn't change. And yet the issue does change and the problem is posed differently. This change is among the most significant in our age, the consequences incalculable. […] Self-assured theism is waning. Let's wager that atheism, too, will become less euphoric. In this second half of the twentieth century, it is not religion that mutters, and irreligion that speaks out clearly. It is Western man, either believer or unbeliever, who behaves and speaks differently, who despairs of correcting one ideology with a better one, and who would rather do away with all ideology. Is this possible? That's the question, the only question. Perhaps it will soon be added to the already long list of *insoluble* questions.[4]

This intractability is due to the logic and strategies employed by both 'sides': the grounds for the debate have been systematically narrowed, while the explanatory and

[4] H. Duméry, Art. "Dieu – 5: "Par-delà théisme et athéisme" (1968): *Encyclopaedia Universalis*, vol. 5 (Paris : 1978, 13th ed.), 586-7. Quoted in M. Boutin, "Effacing the Divine : Kai Nielsen's Philosophical Achievements": journal *ARC* 33 (2005), 516. – See also Bruno Latour, "La comédie des erreurs" : journal *La Recherche Hors Série* 14 (Jan.-March 2004) : 82-85. No 14 (98 pages) is a special issue on "Dieu, la science et la religion."

probative power of each opponent has become increasingly idiosyncratic (O'Connor 1990, 73). There is no great significance in showing that the "God of the philosophers" (Kenny 1979) cannot co-exist with evils; and not one of the analytically airtight arguments presents a theory adequate to evil (Pia Lara 2001, 239). This lends little credibility to philosophical claims that presume the incredulity of religion. To approach evil as face-off between religion and reason is to forget that what is at stake here is the philosophical study of religion as religion, rather than the conceptual usurpation of religion. All of this points to the likelihood that evil as a topic is "more complicated than the literature in analytic philosophy of religion over the last thirty years has made it seem" (McCord-Adams 1999, 13). The appeal to certain themes in Derrida's writings does not provide the missing master key to this problem. Rather, these themes will enable the philosophy of religion to take questions associated with religions and evils more seriously.

The project of the philosophy of religion is to establish the significance of religious meanings through the resources of philosophy (Kosky 2001, 147), and "[e]vil belongs to the syllabus of religion, which is expected to say something about its nature, source, and consequences: how and to what extent it takes root in human beings, whether and how it can be eradicated, and how in the midst of it we should conduct ourselves through life" (McCord-Adams, 1990b, 2). Religious determinations are expressions of revelations made possible by structures of revealability that are not finally determinable. It cannot be reasonably expected that a religion could have done better, when its credenda are philosophically systematized and then attacked as incredible.

Despite this, the central debate on evil within the philosophy of religion deliberates whether evils pose a rational challenge that usurps religion. The arguments which pose the strongest, or most unfriendly, challenges to religion's credibility are the logical (Pike 1963), evidential (Rowe 1979), and probabilistic (Draper l989) arguments from evil. According to these arguments, the demonstrations of reason are capable of determining that religious beliefs are incredible. The other 'side' in this debate is that of philosophers of religion, either well-wishers or invested agents, who set out to save religion from such attacks by appealing to the same disruptive potency of evils or by making a claim for the epistemological limitations of reason. If reasonable doubts can be introduced into the arguments against religion, then the finality of excluding credibility from religions is stayed.

"The possibility of an account of evil is the possibility of intelligibility" (Neiman 2001, 86). If the philosophy of religion cannot produce a worthwhile account for the problem of evil, its intelligibility might be in jeopardy. Evil remains something thinking cannot reduce. What is required is a knowledge different in its intensity and nature from prior knowledges of evil. Jean-Luc Nancy's reflection on the topic of evil describes this situation: "What if thought found itself harshly summoned to modesty and reduced to powerlessness by evil?" (Nancy 1993, 121) After asking this question, Nancy sets for three important points in the knowledge of evil. Firstly, progress will be made only if there is a closure of all theodicy or logodicy, or as Derrida calls it "egodicy" (GiD 62). This includes the affirmation that evil is strictly unjustifiable, as well as an integration of Thomas Saine's point: "In a very real sense, every philosophical system that attempts to deal with the essence of things, with the meaning of existence and of the universe, can be

called a theodicy" (Saine 1997, 87). Secondly, there will need to be grounds for the closure of every thought of evils as the defect or perversion of a particular being, and its inscription in the being of existence. Nancy indicates that evils need to be understood in some other manner; this study articulates a new understanding based on Derrida's thought. And lastly, the actual incarnation of evils in the world will be exemplified in actual events that have taken place in the world of today (Nancy 1993, 123). This point too is accomplished by this study, in which themes in Derrida's writings are explained with reference to the topic of evil. This might offer an alternative thinking about religions and evils.

Indeed, one of the key points Nancy makes about Derrida is that his thinking is oriented towards opening – *déclosion* (Nancy 2005). In the concluding chapter of this study the proposal is made that the Anglo-American philosophy of religion might begin thinking about the problem of evil in terms of 'response' rather than *dilemma*. This alternative will pave the way toward a less polemical and a more productive engagement with religions. On these grounds Derrida's writings and the problem of evil are related. As Derrida notes, "What is someone doing who says, 'it's going wrong' and especially 'it's not going well,' 'it's suffering,' 'it's suffering' on the side of those who make of suffering, the cruelest suffering, their affair? The one who says 'it's not going well' already announces a repairing, therapeutic, restorative, or redemptive concern." (WAl 243)

C H A P T E R O N E

AVAILABLE POSITIONS ON THE PROBLEM OF EVIL IN THE ANGLO-AMERICAN PHILOSOPHY OF RELIGION OVER THE LAST FIFTY YEARS

The problem of evil is formative for the philosophy of religion as discourse which evaluates the claims of religions. It so happens that by and large the claims evaluated are those of theistic religions, and Christianity in particular. This is in no small part because "philosophy of religion in the English-speaking world is practiced under conditions that have been shaped by the history of Western philosophy and in circumstances in which both religious diversity and philosophical pluralism are important factors" (Quinn & Taliaferro 1997, 1-2). Normative within the philosophy of religion is the question whether a case can be made for the existence and attributes of God, particularly with regard to the existence of evil (Quinn 1995, 607-11). If the claim that God exists is found compatible with the claim that evil – any evil – exists, then theistic religious beliefs can be assured of their rational validity.

Over the last fifty years, primarily within the Anglo-American philosophy of religion, the problem of evil has formed the basis for a discourse on the merits of atheistic and atheological arguments against the compatibility of theism with the actual world. The question is so normative that there exists no English-language philosophy of religion textbook which does not dedicate a chapter or a substantial section to the problem.

Students are introduced to the basic tripartite formulation of what is taken to be a *dilemma*: the first two parts are claims about God's goodness and unconditional capacity for action, and the third part is the claim that evil – or evils – exist. As such, the problem of evil is a key constituent in the discourse on the philosophy of religion.

A selection of the arguments from among this group forms the substance of this first chapter. The purpose is to lift out the normative elements and key developments in the discourse over the last fifty years. While doing so, one normally overlooked aspect of the problem of evil will be developed, namely: what is meant by 'evil'?

1.1 The Appeal to Natural Evil

The expressions 'natural disaster' and 'natural evil' are decidedly modern constructs. Jussi Hanska's study on the origins of these expressions notes that its first existing in-print use was in the German *Grosses Universallexicon aller Wissenschaften und Künste* published in Leipzig in 1740, which says the following:

> Natural evils, Mala naturae, Mala naturalia are the imperfections that came about in the course of nature after the Fall of the first human being; they would not have occurred and also never come to pass before that. They are for instance unhealthy air, plague, common illnesses of any kind, widespread contagious illnesses, natural injuries, weather damages, weather troubles, infertile years, dearth, miseries caused by war, fire, and water, etc. These evils are common to all human beings and hit the pious as well as the ungodly people.[1]

The notion of natural evil is significantly broader than its eventual use in the philosophy of religion. What is significant is the credence given to the longer-standing

[1] "Natur Übel, Übel der Natur, Natürliche Übel, Mala naturae, Mala naturalia, sind diejenigen Unvollkommenheiten, die in dem Lauffe der Natur zugleich miteingepflohten sind, nachdem der erste Mensch gefallen, da sie vor dem nicht gegeben, und auch niemals gekommen seyn würden. Dahin gehören zum Exempel ungesunde Lufft, Pest, gewöhnliche Kranckheiten allerley Art, graszierende ansteckende Kranckheiten, natürliche Unglücksfälle, Wetter-Schaden, Witterungs-Unannehmlichkeiten, unfruchtbare Jahre, theure Zeit, Krieges- Feuers- und Wasser-Noth etc. Diese Übel sind allen Menschen gemein, und betreffen den Frommen sowol als den Gottlosen." (Quoted in Hanska 2002, 10n.4)

notion that all evils are subject to God's purview. In the middle ages, "[a]ll tribulations were regarded as equal and caused by similar reasons. Both were ultimately originating either from God or, with His allowance, from the devil and his army of demons. Many medieval sources treat wars in the same context as floods, earthquakes and other natural disasters. They were explained and understood as very much similar processes." (Hanska 2002, 12)

Hanska details the role of "catastrophe liturgy" in medieval Christianity (2002, 50f.). The specialized rituals, such as processions, were done in the midst of a catastrophe already begun in the hopes of bringing it to an end. The reasoning at work here is not that the perfect God would never prohibit such an event from coming to pass. Rather, it was that God's power as the sovereign ruler of the world could exercise 'His' abilities to protect those remaining from what was already coming to pass. Within that context, natural evils were not thought to be gratuitous. That said, the liturgical requests for protection establishes that these evils were not thought to be necessary outcomes of either naturally obtaining processes or divine justice. It was not thereby understood that these tribulations were undergirded by any morally sufficient reason to obtain a greater good.

"*The important conclusion that follows is that, whether one is reacting to the vicissitudes of human life religiously or non-religiously, one is reacting to something that is beyond human understanding.* The great divide in contemporary philosophy of religion is between those who accept and those who reject this conclusion. It has certainly been rejected by religious and secular apologists alike" (Phillips 2005, 134). The secular rejection would entail that there is no such thing as absolutely gratuitous evil, since the

world is a closed system of causal relations according to law-like regularities which conserves the outcome of every event for the purposes of those that follow. The religious rejection would entail some claim about the epistemological or cognitive limitations of the human being, where the outcome of every event is conserved for purposes which serve future purposes according to an omnipotent divine will. In either case what obtains is a theodically global explanation for the world as it is.

The cumulative effect of these arguments is a de-anthropologization of any evil. This presumption runs unchallenged in the current set of problems addressed by philosophers of religion who consider the problem of evil. The relevant arguments from evil have nothing to do with questions of agency or intention. Evils worthy of consideration only impinge upon the sphere of human affairs and have no origination from within them. Whatever evil might be considered, therefore, evil is in such abundance that even a possible world without humans would confirm either the actuality or the logical possibility of that evil. (Rowe 1990, 126)

For this reason, evils considered in the arguments from evil must obtain corporeally. Intention is *a priori* excluded on these overtly empirical grounds. The body in question need not be human, but it certainly must be inflicted upon a body. How abundant this evil is, it must inflict a wound upon a body that optimally causes the death of that body. The other requirement is that the body suffer the sensation of pain as a direct result of the inflicted wound. In this sense, the evil demanded by the arguments from evil must be written upon some body so as to inflict a wound from which there is pain. Presumably, then, the current philosophy of religion discourse agrees that there is

no evil without body, wound, and pain. Anything which comes to pass lacking these empirically positive characteristics is outside the purview of the arguments from evil.

Strangely enough, however, bodily pain is an intense experience which is most private and least communicable. No argument in the discourse considers that the experience of intense corporeal pain unto death is one of the most "radical subjectivity," which does not have any clearly successful means of entering into shared life, according to Hannah Arendt (1998, 51). For her, all bodily sensations are so private that they cannot be expressed in speech and action. They cannot be re-presented to the outside world. For example, pain, "truly a borderline experience between life as 'being among men' and death, is so subjective and removed from the world of things and men that it cannot assume an appearance at all" (Arendt 1998, 51). This would mean that if immense pain unto death is what qualifies as 'evil', then evil is ineffable. Incomprehensibility enters into the arguments from evil, since the intense subjectivity of pain is indescribable. Arendt herself makes this observation in order to show how philosophy is struck by the gulf between bodily sensation and discourse. The sheer gratuity of such evils ought to entail, as Eve Garrard argues, the muteness of evils against deployment in any argument (Garrard 2002, 320-36). Thoroughgoing natural evils experienced by a singular body are so bereft of all transcendental qualities that not only every morally sufficient reason should be refused, but also any involvement in further reflection. As such, this requirement for the explanation of such evils re-presents the near-aporetic difficulty with which the problem of evil began: to establish a true, valid, and sound relation between the metaphysical and the empirical.

The question whether ‘evil’ stops ‘God’ amounts to whether empirics can affect metaphysics, and vice-versa. If ‘God’ can be stopped definitively, then a wide range, if not the entirety, of the possibilities for making any metaphysical claim are put in jeopardy. The argument from evil against ‘God’ is also that of the imperviousness of metaphysics to the actual world. For philosophers to think through evil and retain the composure of metaphysics is among the most severe tests of the latter. This is substantiated by virtue of observing the philosophical discourse on the problem of evil. The overwhelming majority of justifications or considerations of the terms involved is given over to God and God’s attributes. Evil goes without question. While there might be grounds for producing a tome on the justification of God granted the existence of evil, i.e. theodicy (Whitney 1998), there is none that justifies or qualifies evil *per se*. This indicates that evil is the strongest, most sovereign evidence and therefore needs no elaboration. There is evil!

All on its own, ‘evil’ is sufficient to pose a problem for ‘God’, whereas the claim that God exists follows upon a nearly unending series of metaphysical questions. ‘God’ requires the elaboration of at least two other premises whose concern is to attribute qualities to God. These premises, such as ‘God is entirely good’ and ‘God is almighty,’ entail further premises defending claims which grant other qualities to God such as omniscience, timelessness, or the originator of all things. ‘God’ leads to a concatenation of all sorts of doctrines, dogmas, and beliefs. ‘Evil’, by comparison, is quite simple. The capacity for ‘there is evil’ to upset ‘God’ indicates the incredible capacity for some empirical facticity, despite being so singular, to potentially stop ‘God’ in ‘his’ tracks.

If one is to pose the problem of evil in a "limited and relative way" (Ricoeur 1984, 635), it forms what Mark Larrimore calls a "trilemma" (Larrimore 2001, xviii), i.e. a succinct series of three premises: God is the omnipotent Creator of the world; God is the omni-benevolent Creator of the world; there is evil in the world. The concise focus of the strictly posed quandary is derived primarily by means of an abstraction from what Christian religion has to say.[2] Theism is meant to systematically construe the attributes of an all-perfect God to whom the world and all its contents owe their existence.

This trilemma creates something analogous to what Gregory Bateson calls a double bind (Wyschogrod 2005, 188). This consists firstly of an injunction to action in a certain manner. The bind is engaged upon the second injunction to act in direct conflict with the first. In the problem of evil, it is understood that the first two premises entail that the actual world should be subject to the unobstructed exercise of a wholly good agent's will. The actual world must in some manner be radically affected by the metaphysics of God. Taken as a statement of fact, the third premise contradicts all the entailments which follow from 'God'. The conflict of injunctions which form the double bind regards the state of the world.

What is interesting about the trilemma is that it attempts to conjoin two premises exclusively concerned with metaphysical ideality with another premise which articulates a positive observation of the actual world's state of affairs. The descriptions of the

[2] Avowedly, Jewish philosophers have commented upon the problem, and presumably avowedly, Muslim philosophers have also done so. Neither their voices nor the resources of their religions have a significant presence in the analytic discourse on the problem, however. A rigorously analytic response would remark that, strictly speaking, the figures and resources of religions along with their diversity is unnecessary for working out the form, structure, and solutions to this specific problem. It would ridiculously follow, then, that religion has nothing to do with it since the trilemma is only an experiment generated by philosophers themselves.

premises premeditates any contradiction that will arise on the basis of further details. At this level, the trilemma articulates a general problem for philosophy on the soundness of any conjunction of metaphysical speculation with positive observation.

The argument from evil against the existence of God takes either a logical or an evidential form. And yet, neither is strictly logical or evidential (more on this in # 1.2 and # 1.4). Neither is taken to be conclusively argued to a closure. Logical arguments involve claims of incompatibility of theism with some known fact about evil, whereas evidential arguments forego demonstrable deductive contradictions in order to proceed on the grounds of plausibility. As Dewi Z. Phillips notes, the logical argument from evil is "our problematic inheritance" (Phillips 2005, 5). Indeed, the long-standing prominence of this problem within the philosophy of religion is grounded upon its intractability.

Over the last fifty years, a clear and distinct problematic has emerged, on the grounds of which certain distinctions can be introduced in order to locate the voices in the discourse. Within the philosophy of religion, the problem of evil has been construed as a debate between theism and atheism. For each of these terms, there are distinctions regarding questions on whose behalf the term may speak. Theism has been delineated as standard, orthodox, expanded, and restricted. The latter term denotes the voice of a strictly philosophical rendering of theism which does not take note of the broader doctrinal, confessional, or religiously variable contexts. Restricted theism, then, does not necessarily defend even Christian theological claims; it is specifically concerned with what is entailed by the attributes of the all-perfect God, and it does not include any claim that is not entailed by it (Rowe 2001, 125). The contents of restricted theism are that there

is an all-powerful, all-knowing, perfectly good being. The other variants would presumably take into account varying swathes of Christian doctrine and theology. The philosopher's presumption is that the most formalized of the four, restricted theism, nevertheless grounds the possible admissibility of the others. Should restricted theism fail to be valid, so much so do the others. (Martin 1990, 341)

Atheism also obtains kinds: unfriendly, indifferent, and friendly. All three claim to have sound arguments that the theistic God does not exist. The first position adamantly and polemically advances its argument against the existence of God. The second is not concerned to make such bold claims, but merely holds out the option for atheism. The third articulates a position which grants the possibility of sound arguments establishing the existence of God (Rowe 1990, 161-2). The most vigorous confrontation in the philosophy of religion, then, is that between restricted theism and unfriendly atheism. Both are attuned specifically to the context of philosophical agon.

A slight variation from this is found in the distinction between positive and negative atheism. Unfriendly atheism is also positive atheism "in the sense of disbelief in an all-knowing, all-powerful, all-good, completely free, disembodied being" (Martin 1990, 334). This indicates no belief in god or gods. Negative atheism takes on the unfriendly atheist position with the additional incorporation of argumentation against there being any god or gods. Many of the arguments from evil are restrictive in scope and do not take up the larger task of establishing positive atheism. One possible reason for the ongoing discussion of the problem is that it is an intractable "pseudo-problem" according to David O'Connor (1987, 446), as long as it is not a confrontation between positive

unfriendly atheism and restricted theism. Positive atheism would set about disallowing the possibility of god or gods. (Martin 1990, 464)

Michael Martin (1990, 465) offers a further distinction of "broad" and "narrow" relevant to his construction of arguments from evil on behalf of negative atheism. The narrow sense of negative atheism argues against the existence of a personal god who is actively interested in the world's affairs. The broad sense of negative atheism believes in the absence of gods actively interested in the world's affairs. Thus the narrow positive atheism of most analytic arguments from evil understandably does not prove that God, if there is God, does not exist; it does prove that a particular concept of God fails to be rigorously credible. Broad positive atheism would go beyond this. Martin's distinctions also allow for a perspectival articulation of atheism that runs beyond the scope of the Christian religion. The Digambara Jain may be a narrow negative atheist according to the Greek Orthodox Christian, while that same Jain will find M. Martin to be a broad positive atheist.

A theodicy offers a complete justification of God's goodness, granted all the actual world's evils. A theodicy will refute any form of atheism. A defense advances some argument which merely establishes how the closure of any friendly or unfriendly argument from evil is not legitimately possible. Defenses of theism do not settle the issue, but either demonstrate that the conclusion to an argument is not adequately established. A successful defense will render the unfriendly atheist argument either friendly or indifferent. O'Connor's definition of a defense is succinct: "The evils in question in a

given argument are not in fact incompatible with the version of theism under attack – this being the defensive strategy of providing an alibi." (O'Connor 1998, 14)

The friendly atheist grants benefit of the doubt to theism. Shane Andre further distinguishes friendly atheism on special grounds, all the while holding that, on the whole, theism lacks good reason in some respects. This "paradoxical friendly atheism" grants soundness and rationality to theism, all other things being equal (Andre 1985, 213). Andre means to highlight some meritorious grounds for friendliness. Friendly atheism, broad or narrow, is self-aware that it possesses a privileged philosophical position but is willing to suffer the ignorance of the theist who believes otherwise. Then paradoxically, friendly atheism, which holds that there is an equality between theism and atheism, is to be dismissed. Andre finds the former coherent but uninteresting, and the latter interesting but incoherent. (213)

1.2 The Logical Argument

The logical argument from evil concerns itself with the possibly uninteresting matter of incoherence among the trilemma. The logical problem arises by determining that one premise is inconsistent with another by tracing out the entailments from each to arrive at a contradiction. Therefore, the sense of logic employed here is the analytical investigation into the grammar of a given proposition to determine what can and cannot be said (Phillips 2005, 7). Logic thus construed deals with logical truths and necessities in contrast to contingent, i.e. factual, matters. The deciding matter, then, is whether the arguments are able to "stand up to the canons of logic" (Howard-Snyder 1996, xii). Proceeding in this manner is philosophical because it works consistently through questions of coherence.

The logical problem of evil is a matter of compossibility within the trilemma. If one of the two claims about God cannot be conjoined to that about evil, due to some contradiction among them on the order of a logical impossibility, then this entails rejecting both claims about God.

J.L. Mackie characterizes the limits of the logical problem of evil thus, "And it is a logical problem, the problem of clarifying and reconciling a number of beliefs: it is not a scientific problem that might be solved by further observations, or a practical problem that might be solved by a decision or an action" (in Mackie 1990, 25). The goal is to test the attributes of the theistic God for logical coherence. J.L. Mackie's seminal 1955 essay "Evil and Omnipotence" set out to demonstrate that the argument from evil demonstrates that claims to the effect that "God exists" are positively irrational given the trilemma's premises. Mackie finds that there is "no valid solution of the problem [of evil] which does not modify at least one of the constituent propositions in a way which would seriously affect the essential core of the theistic position" (Mackie 1990 36-37). That is, Mackie presents the logical problem of evil as a narrow positive unfriendly atheist argument.

A logical problem is one of compatibility, where logic is concerned with what can and cannot be stated. Further, what can be stated must be stated. Logical entailment fuses 'is' and 'ought'. Mackie argues that the incoherence of theism does not so much follow from the restricted theistic claims in isolation, but because of what these claims entail. The restricted claims logically entail further "essential predication" (Pike 1970, 21), since the theistic God has no contingent attributes. As J.L. Mackie notes, "it is a logical problem, the problem of clarifying and reconciling a number of beliefs: it is not a

scientific problem that might be solved by further observations, or a practical problem that might be solved by a decision or an action." (Mackie 1990, 25)

On the grounds of logical entailment, Mackie introduces "additional premises, or perhaps some quasi-logical rules connecting the terms 'good', 'evil', and 'omnipotent' " (Mackie 1990, 26), all of which he understands to be conjoined into "principles" (Mackie 1990, 26) that ought to be necessary for theism. Upon the admission of these necessities, theism "can be *disproved* from [these] other beliefs" (Mackie 1990, 25). What Mackie proposes is a predatory conception of goodness: where omnipotence entails that there are no limits to what an omnipotent thing can do, "From these it follows that a good omnipotent thing eliminates evil completely." (Mackie 1990, 26)

This essential predication, despite being quasi-logical, is the presupposed starting point to logically argue from evil against God's existence. Mackie holds that if the claim that there is evil holds, then it is the logical conjoining of the other two that establishes the logical requirement for their rejection. God's omnipotence must be restricted in some manner if the premise about evil remains true.

Another means of stating this is that the logical argument from evil takes up the first two premises as enthymemes. An enthymeme is that which proposes a matter of commonly accepted knowledge that is not likely to be disputed and is thus valid, although one of its premises, or sometimes the conclusion, is not expressed but only implied (Walton 2004, 44). Mackie effectively proposes that the claims about God's goodness and capability are incomplete arguments which are missing or not stating a further premise or conclusion. In this case, it is the ostensibly quasi-logical claim about

predatory goodness, which Mackie takes to enable a conclusion about the compossibility of the trilemma's three statements.

However, identifying the requirement for an enthymeme amid the trilemma does not determine the content of such a claim. Nelson Pike's rejoinder to Mackie's argument bases itself upon the principle of sufficient reason, which pertains to the soundness of relation between a ground and its consequent. He proposes an ethymeme in terms of a "morally sufficient reason", which proceeds by relating consequents of the premises to an acceptable moral ground. Pike amplifies Mackie's key point about predatory goodness, but turns it upon a principle of morally sufficient reason: "As a general statement, a being who permits (or brings about) an instance of suffering might be perfectly good providing only that there is a morally sufficient reason for his action" (Pike 1990, 41). Rather than emphasizing God's capability towards a predatory approach to all instances of evil, Pike proposes how God's goodness potentiates capability. On that basis, allowing or doing evil can be admitted on morally sufficient grounds. This "morally sufficient reason" is proposed as a test of the sufficiency of the logical argument from evil (Weisberger 1999, 25) by amplifying the notion that there is such a thing as "an ever-present meta-rule that proscribes doing harm to the other." (Wyschogrod 2005, 190)

Pike and Mackie's enthymemes are not taken to be necessary by the less restricted forms of theism. In such contexts, theism is not troubled to think that God and evils both exist in the actual world. The logical argument from evil is only a pseudo-problem because, as Terence Penelhum notes, "[t]heists do not see fewer evils in the world than atheists; they see more. It is a necessary truth that they see more [...]. Only if this [the atheists' acceptance of the theological concept of 'sin' as a valid means of discussing

evil] is accepted can the problem of evil be represented as a logical problem" (Penelhum 1990, 70). Expanded theism is free to present the argument that God is "an ultimate source of explanations of why things are as they are; it is also the embodiment of the very standards by which many of them are found to be wanting" (Penelhum 1990, 70). This too is a quasi-logical enthymeme that would expand upon the first two premises such that they would not purportedly conflict with the third.

Pike's demand for a morally sufficient reason requires that theism bracket off this theological notion that would otherwise admit circularity into the rejoinder to the logical argument from evil. "When the existence of God is accepted prior to any rational consideration of the status of evil in the world, the traditional problem of evil is reduced to a noncrucial perplexity of relatively minor importance" (Pike 1990, 52). In other words, the logical argument from evil properly begins from the claim that there is evil.

1.2.1 'Global' versus 'Local'

One refinement of the logical argument from evil is to characterize the issues of Mackie and Pike as the 'global' logical argument from evil: any evil which comes to pass anywhere in the world in whatever ways provides the grounds for the incompatibility of God's existence. And yet there is a 'local' version of it which determines that a particular sort of evil entails atheism – namely the possibility that there exists a purposeless, gratuitous, and entirely natural evil in nature (Stone 2003, 253l; van Inwagen 2006, 8). This sort of evil is the diminutive opposite of Plantinga's argument for the necessity of a maximally perfect being in every possible world. What the local logical argument from evil then seeks to establish is the claim that in any possible world there comes to pass a purposeless evil.

Pike's introduction of a demand for morally sufficient reason pushes the logical argument from evil towards the local argument. As the principle of morally sufficient reason requires, a being who permits or brings about an instance of suffering might be perfectly good only provided that there is a morally sufficient reason for the action. This directs the requirements for any argument away from evil as a generality towards the notion that every specific evil somehow merits an explanation. Pike's argument begins the shift from global to local, sharpening focus upon a different sort of logical incoherence among the three premises. Presuming that theists would not deny God's capacity to have morally sufficient reason for allowing any given evil, and given that one local purposeless and gratuitous evil might be possible, then morally sufficient reasons may not be forthcoming. If not, then Pike suspects that God's existence is compromised (Pike 1990, 41). In 1958, Pike did find that "[a]n omniscient and omnipotent being *could* prevent evil in the world only if it be admitted that evil is not a logical necessity, i.e., only if the statement 'all worlds contain evil' is not a tautology" (Pike 1958, 119). However, non-restricted versions of theism would avoid the claim that on account of God's existence and morally sufficient reason there is no evil. Pike surmises that it may be most difficult to dismiss the requirement for morally sufficient reasons and the premise on evil than to rule out the existence of God. (Pike 1990, 42) "The theological and ethical theses do not contradict one another in any *formal* way. Both could be true in the same universe. We must conclude, in so far as the theoretical problem of evil consists in the need to remove a formal contradiction between these two theses, that no such problem exists, simply because no such contradiction [necessarily] obtains" (Pike 1958, 120). To establish the logical contradiction, Pike proposes that logical contradiction in

the three premises may be determined "by consulting the logic (or usage rules) of the terms 'omniscient,' 'all-powerful,' 'good person' and 'evil.' According to these rules, an omniscient and all-powerful being *could* prevent evil and create nothing but good, while a perfectly good person *would* prevent evil and create nothing but good" (Pike 1958, 116). If theoretical consistency is of prime concern, then the former enunciation of 'could' is the problem in terms of potency. If God is taken to be a member of a shared moral community, then the latter enunciation of 'would' is the problem in terms of goodness. Were the two elements of this distinction actually separable, such that one or the other could be modified or discounted, the problem would become significantly easier to 'solve'.

A.M Weisberger refines Pike's argument into four disjunctive premises that succeed those of the original trilemma: God is omnipotent. God is wholly good. God is opposed to evil in the manner that good always eliminates evil insofar as it can, so that as omnipotent, there is no limit upon what God can do. And lastly, evil exists in the world in great abundance. (Weisberger 1999, 24)

It is important to note two points of argumentation that have become nearly canonical in setting the condition of morally sufficient reason. Firstly, Mackie's intuition about the applicability of quasi-logical moral rules is amplified into the expectation that God is a being governed by the same moral obligations as all other beings. In short, God is a member of the human moral community with the exception that the expectations are according to the perfect nature of God's attributes. Pike also introduces a certain kind of moral calculus to the arguments from evil that will be accepted as part of the 'canon' regarding the problem of evil. The intuitive strength of this condition is difficult to resist-

namely that there should be good reason for any act of commission, permission or omission. To further the strength of this claim, Pike considers several calculative reasons why God might allow evil. "A theologian might, however, be tempted to use a reason of the fourth type when constructing a theodicy. He might propose that suffering *results in goods* which outweigh the negative value of suffering. Famine (hunger) leads man to industry and progress. Disease (pain) leads man to knowledge and understanding." (Pike 1990, 43). In sum, the widespread acceptance of Pike's construal of the measure demanded by the arguments from evil makes a seeming necessity of a certain kind of calculation.

The status of the two claims above has been reified by those arguing against the logical argument from evil. This may derive, on the theologian's part, from a prior commitment to theodicy. The same limit that prevents theologians from arriving at a strong argument for theodicy is that met by those who would deploy a strong argument from evil. The hesitancy to offer full-blown theodicies to counter the proposals of Pike and Mackie may be due to the following reason noted by Paul Ricoeur, namely, "the fact that a finite understanding will be unable to reach the evidence for this guaranteeing calculation, only being able to gather together the few signs for the excess of perfections over imperfections in the balance of good and evil." (Ricoeur 1984, 641)

On these humble grounds probably no theologian would even offer a theodicy; it is more likely that the demand to generate morally sufficient reasons of local evils presents a ready-made defense. The project would require the generation of a morally sufficient reason for each local evil. This would constitute an unlimited task that likewise defers the conclusion of the argument from evil without limit:

> First, even if he [the atheist] can refute *n* possible reasons for saying that God has a morally sufficient reason, there still may be an *n* + 1th reason, which hasn't been refuted, Secondly, and more generally, the anti-theist is committed to the view that the statement, 'an omnipotent and omniscient being cannot have a morally sufficient reason' is a logical truth. However, the only evidence he can bring to bear against the statement is factual and inductive. (McMahon 1969, 84)

In other words, "[f]or the argument from evil to succeed, it must be shown that it is unreasonable to believe that any good is such that it morally justifies the evil which exists" (Weisberger 1999, 28). Due to the manner in which the logical argument from evil is set, local evils exist in great abundance only if either God had a sufficient reason to allow the abundance of evil, or the great abundance of evil is logically possible. In what possible worlds is a non-limited number of evils, given a non-limited duration of time, logically ruled out? The most powerful form of the logical argument from evil could only establish itself if there could be logically deduced evils which lack both logical necessity and sufficient reason. (Martin 1978, 429)

What arises from Pike and Mackie's arguments is a rudimentary defense of restricted theism. The demand for morally sufficient reason is shown to be "an eternal task" (McCord Adams 1999, 17) of connecting every local evil in a piecemeal fashion to an ultimately global transcendent good. This defense cannot be logically precluded so long as the restricted or expanded theist can claim 'God', which is necessary for the argument from evil to take place. In this manner, the deferral of the logical argument's conclusion enables the establishment of a logically credible liaison between theism's metaphysical claims and the events of the actual world. This liaison, however, is not a strict one but that of unlimited deferral.

1.2.2 Non-limited Deferral

The logical problem of evil argues that logical thought experiments ought to be capable of providing the most reliable grounds for judgment possible on a given matter. Therefore, logical argumentation ought to be capable of establishing either that the trilemma does logically entail a strong, necessary disjunction or that it does not. This "either/or" presupposition grounds the possibility of deeming theism incoherent. And this judgment ought to determine whether God exists given the actual world. This is the question: in a logical comparison of two possible worlds, which is most adequate to the actual world, one in which God and evil conjointly exist, or one in which there is evil and not God? Logical arbitration ought to determine the question.

The restricted theist's counter to this logical argument, namely the near-eternal deferral of n+1 morally sufficient reasons, has liabilities. Namely, the logical argument must be allowed to carry through all of its stages. Only in the moment prior to the conclusion is there a deferral on the basis of a strictly logical possibility. This sort of defense is strong in its capacity to prevent the conclusion of the logical argument from evil. Nevertheless, it is weak in the sense that the entire passage of all the other premises in the logical argument thereby go unchallenged. Thus, the logical argument still registers intuitive or rhetorical force, but the presumption that the compossibility of God and evils is not coherent remains a live option.

The logical argument from evil, facing its near-eternal deferral, can opt for a less strong argument on the grounds of probability. Given that no logically compelling argument for the coherence of God and evil is forthcoming, then one may assume that there are probably none. This inferential argument does not bring the logical argument to

a conclusion. Perhaps the deferral of any conclusion in this regard reflects more poorly upon theism's capacity to make positive claims than that of the argument from evil to conclude its project.

Michael Martin, whose works largely constitute the single most focused project to establish unfriendly atheism, seems satisfied with the scope and power of the inferential outcome from the logical argument. While in strict terms it is logically possible that there is a sufficient reason for God allowing evil, the fact that none have been systematically documented provides inferential grounds to suspect that none will (Martin 1978, 432). On this inferential ground, if a theory has not proven convincing in the past, despite its repeated alterations, and only allows for further slight alterations rather than radical reconstruction, then that theory should in all likelihood be abandoned (Martin 1990, 360). "There is inductive evidence that if explanations of a particular phenomenon P made from a particular theoretical perspective T_1 not only continue to be unsuccessful but are simply variants of earlier ones, and if there is another theoretical perspective T_2 that generates successful explanations, then it is unlikely that there are successful explanations from T_1" (Martin 1990, 348). The rhetorical power of this inference is not matched by sufficient logical strength to close the logical argument from evil on the expectation of morally sufficient reason.

As a result of this, Pike's articulation of the requirement for a morally sufficient reason has been the grounds by which philosophers of religion largely abandon the logical argument from evil. The basic contention by theistic defenses against the logical argument from evil is that "God could have a reason for the world being as it is, and hence there is no logical contradiction in both acknowledging the existence of evil, pain,

and suffering in the world and asserting that an all-knowing, all-powerful and totally good God exists" (Pargetter 1976, 242). This not-yet-proven status creates far from satisfying philosophical conditions. It neither buttresses theism nor compels atheism to find that morally sufficient reason(s) for evil(s) is forthcoming. Only a narrow paradoxical friendly atheism could imaginably be content with the outcome.

1.2.3 Stipulations on Evil

It must be noted that there is a third outcome from Pike's stipulation of morally sufficient reason. This consists of a search for the perfect evil, which would complete the argument from evil against theism. The perfect evil would be a fundamentally gratuitous evil that in weaker argumentation merely need be possible and in stronger argumentation can be demonstrated to be necessary. The intuitive strength of this preferential option for the gratuity of evil is partly based on the notion that what is necessary might be moral, whereas any wholly contingent state of affairs will lack moral value. This evil is simply given as a pure gratuity. It is like a gift given anonymously, without the possibility of tracing whence it came. Much less than coming to pass for the purpose of a future good, the perfect evil serves no cause nor sets the conditions for further evils. The perfect evil would be absolutely bereft of morally sufficient justification.

It is understood that a purely gratuitous evil must have no causative association with human free-will. It would seem that a natural, rather than moral, evil is required. At the same time, it must somehow be recognizably evil. Therefore, humans may freely will to respond to such an evil. It is debatable whether humans may utilize their free wills to prevent such evils.

These requirements for purely gratuitous evil play a significant role in challenging theism. Perhaps this evil is not actually absolutely perfect. If God does exist and is the omnipotent and wholly good Creator of the actual world as it comes to pass, then the origin of this evil is no longer anonymous. The gift of evil from nowhere obtains a donor if theism is true. This is the case if the argument is based upon a narrow negative or a narrow positive atheism. If this evil is not caused by any finite agent, and given that God is the only immortal agent being considered, the only other possible origin for this evil is that God whose omnipotence brings to pass all global and local affairs. The coherence of theism then fails since the essential omnipotence and absolute goodness of God conflict. If God does not exist, then these evils are restored to the status of absolutely anonymous and purely gratuitous gifts of nonsense.

The description of this particular evil is more extensive that what is proposed in any other arguments from evil. The form of this evil was introduced in 1979 by William Rowe: "Suppose in some distant forest lightning strikes a dead tree, resulting in a forest fire. In the fire a fawn is trapped, horribly burned, and lies in terrible agony for several days before death relieves its suffering" (Rowe 2006b, 263). More formally, it is possible that in the goings-on of the natural world events of pointless suffering such as this come to pass.

Strangely, in response, the premise concerning evil is not considered for rejection. As such, there is little need for a logical investigation of evil itself. There are no rules for what can be said and what cannot be said about evil in the manner that both atheists and theists have developed in the other two premises.

1.3 Alternative Understanding Outside the Anglo-American Philosophy of Religion

While certain dictionaries of philosophy give place to evil exclusively… such as the following:

> […] the interdependence of the concepts of evil and of bad, of sad, frightening, of imperfect, lacking, missing and inferior, of unorganized, dysfunctional, ill, fatalist, of sin and of culpability, of contradictory, of alienation, of pain, of what is otherwise negative […].[3]

The discourse on the problem of evil in the last fifty years carries with it either the anxiety or the suspicion that something has changed, historically speaking. The tacit reason of this anxiety or suspicion is the fact that what can be said about God has changed.

There is no similar suspicion or anxiety regarding that evil. As Terry Eagleton states, "physical suffering has probably changed little over the centuries" and the victims of evil do not suffer something that is "culturally constructed" (Eagleton 2003, xiv). As far as concepts are concerned, God has been up for questioning but evils have not.

What counts as evil is presumed to be similar to what once counted as obscene according to Justice Stewart: "knowing what it is when I see it."[4] In the context of the contemporary discourse about evil, what counts as evil is not given scrutiny. Rowe's fawn and the formal notion of a local gratuitous event as evil is nowhere questioned by philosophers of religion. Within the discourse there is little development of criteria by which evils are understood or explained as such. Pike defined evil as follows: "the name

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[3] "[…] die Interdependenz der Begriffe des Übels und des Bösen, des Schlechten, Schlimmen, Schrecklichen, des Unvollkommenen, Mangelhaften, Defekten, Defizitären und Inferioren, des Unordentlichen, Dysfunktionalen, Widrigen, Kranken, Fatalen, des Ruchlosen, der Sünde und der Schuld, des Verkehrten, Irrigen, Lasterhaften, der Entfremdung, des Leides, des sontwie Nichtigen und Negativen […]" (Marquard in Schaafsma 2006, 3n.6).

[4] Jacobellis v. Ohio, 378 U.S. 184, 1964.

of an undetermined class which includes such facts and events as the suffering and frustration of sentient beings or the facts and events which bring about these torments, such as natural disasters, war, torture, sickness, prosperity of the dishonest, failure of the honest, etc." (Pike 1958, 119). As undetermined, 'evil' covers indeed a wide semantic field of negative experiences and notions. (Schaafsma 2006, 3)

The Anglo-American philosophers of religion in particular have not given attention to elaborations about evil. This can be explained because of the term's etymology. This might be particularly instructive in the case of the differences between French and English appellations. '*Le mal*' derives from the Latin *malum*. 'Evil' derives from the old German root *ubil*, which modern German renders as *das Übel*. This German term, however, ordinarily correlates to the English 'wickedness,' whereas *das Böse* is the best modern translation for 'evil'. *Malum* arises in English-language usage as a Romance-language derived prefix that expresses various forms of privation or perversion. "In contrast, no lexical distinction exists in French between the abstract notion of evil and 'bad' empirical or phenomenal entities. Instead, the transcendental concept and its phenomenal concretizations, even in the most conventional usage, are expressed by one and the same lexical term, *mal*" (Assad 2000, 273). For this reason the French term '*mal*' obtains a syntactical ambivalence that is only contextually or perspectivally manifest in English usage in the context of philosophical investigations. In terms of ordinary language philosophy, the absolute range of functions and contexts available to *mal* in ordinary usage of the French language ranges widely compared to English.

Among the problems with the English term is that 'evil' is taken to be *prima facie* describing a total state of affairs. This draws upon the intuition that evil ought to be abolished, whereas the morally bad remains transformable, reconcilable, and forgivable. Evils, *prima facie*, are nothing other than evil. Evils are not so trivial as to be forgettable. The intuitive construal of evil does not cohere if evils are not wholly so. As such evils are irreconcilable and unforgivable. The most sustained discussion of evils in the discourse is that of Marilyn McCord-Adams. She proposed that only horrendous evils challenge the coherence of God's existsence. Horrendous evils are "evils the participation in (the doing or suffering of) which gives one reason *prima facie* to doubt whether one's life could (given their inclusion in it) be a great good on the whole" (McCord-Adams 1999, 211). These are the kinds of experiences of violation, harm or affliction such that reasonable doubt about God's existence arises firstly in the mind of the individual who experiences evil and cannot conceive how such evils could be overcome. Horrendous evils are those whose excess seems to engulf the individual's evaluation of the positive value of his or her continued existence. Furthermore, evils may possibly, but not necessarily, be horrendous for either the victims, the perpetrators, or the witnesses of evils. (McCord-Adams 1999, 218n.20) This is a significant departure from fawns and forest fires.

On the one hand, McCord-Adams' concept of 'horrendous evils' is redundant: are evils, if they are so evil, anything but horrendous? McCord-Adams may well find it rhetorically necessary to append 'horrendous' simply because, as is already shown, the functioning notion of evil in the discourse on the problem of evil seems to uphold evils

that are not necessarily 'evil.' The local logical argument from evil is questionable in terms of the 'evil-ness' in question.

Is there an analytic definition, specifying the necessary and sufficient conditions for a secular concept of evil that will be found to be qualitatively adequate to all the evils which do come to pass in the world? Does the story of the fawn find adequacy to the human experience of horrendous evils?

The reason why the logical problem of evil veers towards gratuitous evils is precisely to formally avoid the incoherence entailed by evil itself. The answer to this query comes more from beyond the philosophy of religion than within. For example, according to the ethicist Eve Garrard, "If there is a problem with evil, it must be because of the *kind* of concept it is, because of the place it occupies in the matrix of our moral understanding of human behaviour and character" (Garrard 2002, 323). Ethics may not be the most pertinent field to which the philosopher of religion might look. Moral theories are in general unwieldy for reflecting on evil. Utilitarianisms and Kantian deontologies both lack the capacity to develop a substantive account of evil. Historically speaking, each of these discourses is quite silent on the topic of evil compared to their treatment of other concepts. Utilitarians make evil a matter of quantity, as an act with outcomes of very high disvalue, but such consequentialist theories threaten to remove the 'evil-ness' from moral situations. Kantians cannot distinguish evils from among the range of morally wrong actions, since they are akin as failures to uphold the moral law. John Rawl's *magnum opus* contains only one reference to evil, and it is not within the purview of a deep concern about fairness or distribution. (Rawls 1973, 385-6)

Garrard's proposal is that psychological silencing is the mark of an evil. Evils of this sort would entail an agent who is entirely impervious to the presence of significant reasons against acting thus. The evil is done without any consideration of what might outweigh the act, be it a proximate or ultimate good relating solely to the agent or with respect to the universe's balance of good and evil. The evil would be completely mute in terms of granting reasons. Such evils, however, would be only the result of a profound cognitive defect (Garrard 2002, 331). Her definition makes evil out to be something positively irrational, yet also not foreign to the notion of calculability. Evils are distinguished from wrongs because of their muteness to calculability. Evils would be calculable only analogously by virtue of incommensurability manifested as muteness before calculation. (Steiner 2002, 185)

As for legal discourse, Joel Feinberg insists upon the following: "However we define 'evil,' our definition must be consistent with the judgments that child abuse, mass murder, genocide, terroristic bombing, sadistic cruelty, ruthlessness, and the unscrupulous pursuit of worthwhile ends by use of cruel means, in the absence of some extraordinary complication, are all examples of evil doings" (Feinberg 2003, 159). Feinberg is writing in a legal context, contemplating extreme moral evils of persons such as Jeffrey Dahmer.

The evildoer would operate according to some kind of utilitarianism turned upside down, which requires us always to act in such a way as to create the largest balance of pain over pleasure in those affected by our actions (Feinberg 2003, 148). "What is there about the behavior in question, we might ask, that moves the actor to undertake it? If the actor himself cannot answer in a way we can understand, and the motive would seem to

be incapable of inducing behavior in a normal person, then if it satisfies the other criteria of negative assessment, it is the kind of bad thing we call 'evil'." (Feinberg 2003, 150)

Feinberg makes an abrupt disjuncture between ordinary wrongs and evils. He hopes that somehow, this emphasis can help humans judge evil when they see it. " 'Pure' evil requires exclusion. It is evil undiluted, two hundred proof, served in an old-fashioned shot glass and taken neat, without a chaser. It is all evil and nothing but evil, and its impact is unweakened as it ages" (Feinberg 2003, 142). In this case an evil is a blameworthy wrongdoing that harms an identifiable victim, such that the agent's reasons or motives are unintelligible (Feinberg 2003, 144). If, as Feinberg proposes, evils are so absolutely disruptive, then establishing a clear separation ought to be undone by the very phenomenality and effect of an evil.

This sort of approach opposes the saintly and the evil character at two ends of the humanly possible moral spectrum (Haybron 2002, 275). The problem with making the evil agent the mirrored-inversion of the moral saint is that defining the evil person as the absolutely worst sort of person makes the reality and possibility of evil seem as distant as that of the moral saint. Restricting the applicability of evil to the domain of extremes forces the inadmission of degrees of evil, such that only wholly evil agents can do evils and evils are only knowable to victims of extremely heinous acts.

The discourse on the problem of evil must concern itself with actual evils, primarily because it does not construe the 'evil' conceptually. Commenting on this aspect of how the problem of evil is posed, Roy Perret insists that 'Evil' is distinct from ordinary moral and natural evil. Evil as a concept would have to be related to a discourse on characters whose motivation is to do wrong for wrong's sake. In such cases, the evil

character fails to exhibit any morally appropriate attitude towards that wrongdoing (Perret 2002, 304). To be evil, according to this moral sense, is "to be consistently vicious in the following sense: *one is not aligned with the good to a morally significant extent*. Evil persons are either wholly unaligned with the good, or they are moved and motivated by it so little that it makes no significant difference to the moral quality of their characters: morally speaking, they are not significantly better people than the wholly unaligned. They have no good side, but are consistently vicious. They do not show real compassion or conscience, among other things." (Haybron 2002, 270)

In these cases, 'evil' functions in language as an 'intensifier' of notions about wrongness, badness, and the like. Evil as a nominative term for a specific act cannot be as sufficiently described by some other nominative. Raymond Gaita questions whether intensification is the correct manner of transition from moral wrong to evil (1991, 74). What, beyond an aesthetic criterion, would establish the conditions for separating an evil from a wrongdoing? How could this be sustained in a consistently coherent manner?

Evil in ordinary language use might best be the term suited for describing wrongdoing and harm which is beyond the ken of understanding. This would be the grounds where the fawn and horrendous evil might meet, since in both cases the experience of evil may well be that of stunned silence. Evils, if this be the case, are those acts or events in which huge amounts of harm result and there is no conceivable or perceivable gain in it for anyone. Purely gratuitous evils would indeed seem to be perversely inverted utilitarian acts. In this case, the predicates of evils are in terms of their effects: shock, anger and puzzlement. They effect incomprehension, and on this

grounds it is claimed ‘there is evil’. In that case, if the event can be understood in some manner such that its scrutability is somehow comprehensible, then it is no longer an evil.

What counts as an evil cannot be merely the production of an enormous amount of suffering. Amounts and the sort of accounting necessary to establish them, are dependent upon the practice of calculation. The introduction of empirics as a means of differentiating between wrongs and evils in terms of magnitude does not close off the question of mundane justifications. Wars require large measurements of wrongs, particularly possible wars in possible worlds whose strategies include the deployment of nuclear weapons. These measurements have been done. This calculability, in part, qualifies such mass-destructions as strategies and not evils.

This would be the proposition that evils are the dŏppelgangers of all supererogatory acts. Evils would be the perverse excellences of maximally perverse beings. This qualification would say nothing to the banal evils of so-called desk murderers. Hannah Arendt’s description of the banality of evil cannot be discounted, where the most strange, if not strangely familiar, mixture of ostensibly benign intentions entail outcomes of horrendous evils. (Arendt 1963, 150)

A further difficulty with determining a reliable distinction between evils and mere wrongs is the following: if the phrase ‘the lesser of two evils’ can be stated and granted meaningfulness, then evils come in degrees. Evil cannot be absolute if there is such a thing as a greater and lesser evil. At the same time, a lesser evil is not merely wrong or bad. This is a further strange situation if evils can be comparable, and yet are not on the same order as other normative moral assessments of wrongdoing.

Claudia Card does distinguish between evils qua evils and atrocities (Card 2002, 9). Thus, presumably, there are moral wrongs, evils and atrocities. The evil-ness of evils is always in relation to the wrong-ness of wrongdoing. Evil-ness builds upon wrong-ness with a higher order of complexity. Evils ought to be more complex than wrongdoings, if it is granted that the inscrutability, puzzlement and disruption of comprehension of thought is due to complexity and not sheer chaos. According to Claudia Card, agency shifts from morally bad to evil when "it also foreseeably deprives others of basics needed for their lives or deaths to be tolerable or decent." (Card 2002, 102)

Card sets out explicitly to theorize what constitutes evil according to what she calls an 'atrocity paradigm'. An evil would be an intolerable harm produced by culpable wrongdoing, such that there is an agent who foresaw the harm coming to pass (Card 2002, 4). This definition excludes natural evils because catastrophes are not the same as atrocities. Card insists that dignity and self-respect are not violated and denigrated in the event of a tsunami, for example; such an event will bring about various registers of fear, anxiety, terror, pain and suffering, but the trauma of torture, sexual assault and terrorist attacks are of a wholly other order.

Perhaps it can be agreed that somehow, evils are violations: "What we call evil signifies *violation* […] by calling it "violation," which is by definition always unnecessary, always internalized, we enunciate the internal relatedness, the intimacy, of the betrayal […]. To violate is to obstruct the becoming of a subject in its otherness, its agency - to *subject* it without regard for its own genesis" (Keller 2005, 49). Evils elicit perplexity from both philosophy and religion, which brings back "the old metaphysical insomnia" (Desmond 1992, 179) by which a strictly formal definition which eschews

aesthetical judgments cannot be avoided. This might be the case because, although evils exist materially and brutally, their positivity is not adequately explained by any realism or positivism. The essence of evil might be the fact that evils are so radically disruptive (Neiman 2002, 7). In this case, evils are singularities that interrupt universal claims. The singularity of violation damages the translation of experience into language. However, for a non-victim to use the language of violation to contextualize evil might strike those who have undergone evils as "obscenities of understanding." (Avelar 2004, 46)

In addition, indecency somehow figures into evil as a facet of the incomprehension elicited upon a subject in humiliation, denigration and violation of self-respect. A whole range of actions, only limited by the question whether humiliation can be incorporated into them, are candidates for the repertoire of evils if their symbolic meaning takes on the violation or deprivation of dignity. Apartheid, segregation laws, and Canada's residential schools all incorporated otherwise mundane things, such as exclusions, into the perpetuation of actual evils.

If this is the case, however, any attempt to find family resemblances among evils risks justifying the evil merely by theorizing it as a kind, genus and species, and it risks further violating the dignity, and thereby harming the victims of evil. The reduction of the particularity of each singular evil to the same genus of Evil may well participate more in furthering each of the evils than in addressing them. Words must be put into play, however, to describe what is going on. It makes sense to say that any 'torture' is an evil; but it does not make sense to presume that all tortures are the same, substitutable, interchangeable, in other words, able to be formally reduced to a logical signifier. Such a reduction may assist an argument's economy and internal validity, but the conjunction of

such a transcendental trajectory with actual instance of torture will not be adequate to the phenomenon.

Susan Nieman holds that incomprehension must not be the basic quality of evils. "The possibility of an account of evil is the possibility of intelligibility" (Neiman 2001, 86). If the above descriptions hold actual candidacy as predications or essences of evils, then a certain difficulty arises. This is particularly the case if an evil causes stunned incomprehension. Any legitimate discussion of an evil would not be capable of escaping that affect. The strange condition is that, in order to have explanatory power, evils cannot be entirely inscrutable if there is to be some determinable distinction that does not equate an evil as also bad, wicked, wrong, distasteful, or inimical to a given interest. There must be some difference about evil. But if that difference is between comprehensibility and incomprehensibility, then evils are outside the ken of knowledge. It does not seem correct to set a commonality between genocide, schoolyard bullying, and a forest fire. In other words, 'evil' itself needs to be capable of actually doing some sort of explanatory work if it is to be philosophically worthwhile to engage any problem, question or topic about it. The utility of the term depends upon its capacity to adequately explain an act or event not understandable otherwise. In the moral arena, the usefulness of the term depends upon its capacity to adequately give some account of an agent and agency not already explained by another term.

The discourse on the problem of evil within the philosophy of religion does discuss the coming to pass of evils in the order of their 'distribution' throughout the world. This is particularly the case when modal logic is working through possible world arguments. There are indeed kinds of states of affairs whose frequency and distribution

should be resisted if not somehow refused: the violations and humiliations of sexual slavery, rape, and battery quickly come to mind, along with torture. These are followed by the undernourishment, deprivations of freedoms, intolerable working conditions, and toxifying living conditions that are systematically perpetuated by structures of human artifice. Claudia Card makes it clear that when these matters are discussed in terms of distributive justice, the possibility of a discourse on evil is overshadowed if not precluded. (Card 2002, 98)

The most sustained reflections on evils resides outside of the philosophy of religion. Once evils are considered strictly outside the context of religion, the plausibility of natural evils is entirely abandoned. However, the removal of metaphysical and theological considerations also increases the challenge of making practicable determinations of the word. Martin Beck Matuštik argues that it is not possible to consider evils within what he calls a strictly 'secular' manner. "Concepts such as violence, evil, and redemption are related yet distinct religious categories that cannot be translated into secular languages without watering down the radicalness of radical evil." (Matuštik 2005, 46) Matuštík's question is whether, at bottom, violation betrays a religious significance (Matuštík 2005, 44). The issue might be whether thinking about evil requires some kind of basic metaphysical commitment, one of whose valences might be theological, if establishing the distinction between wrongs and evils is not sustainable.

Paul Ricoeur suspects that because evil itself is not determinable, human symbolic and mythical constructions will be the resources for the determination of evil. This entails the problem that philosophers are then forced to take up these expressions in order to somehow make them into determinate expressions of thought (Ricoeur 1967, 19). Just

as restricted theism is lifted out from its doctrinal network of symbols and myths, so too evil is de-anthropologized in order to preserve the salient attribute of sheer gratuity. While Ricoeur does, at a later point, rightly insist that every evil is undergone as suffering by another, where "[v]iolence, in this sense, constantly recreates the unity of moral evil and suffering" (Ricoeur 1984, 645), he puts this in an exclusively anthropologized context. Ricoeur does agree with Mackie's quasi-logical rule, except that the moral community to which it applies is restricted. "Hence, any action, whether ethical or political, that diminishes the quantity of violence exercised by some human beings over against other human beings diminishes the amount of suffering in the world" (Ricoeur 1984, 645). Ricoeur thereby makes arbitrary and indiscriminate suffering a matter of practical ethics alone, as though the challenges posed by violence undergone by humans were within the grasp of human agency.

1.4 The Evidential Argument

The evidential arguments from evil follow the contours of a consequentialist conception of evil. Something is evil if and only if it generates outcomes that do not maximize whatever is taken to be an indicator of value. Evil would be that which produces a large amount of disvalue or negative utility. This is either calculable or held to be possibly quantifiable. Real or imaginable quantity of value thereby becomes the basis for a very thin conceptualization of evil.

This construal of evils is strange only if the contemplations of evils are considered outside the philosophy of religion discourse on the problem of evil. Such a construal is not the product of a sustained consideration of what is distinguishable about evils, but

takes place for the sake of magnifying the strength of the argument from evil. Deductive forms of argumentation can be rejected by means of this construal of evils. If the deductive strength of logical arguments can fundamentally undermined by logical deferral, then it may be that not so undermined and yet less strong inferential arguments may in actuality prove to be stronger. The idea of an entirely gratuitous natural evil is thus the outcome of the attempt to defeat the possibility of any proposal of a morally sufficient reason for at least one evil. From such evils runs inferential reasoning towards a rationally permissable, although not deductively sound, conclusion.

The evidential argument from evil, then, is an argument from inference which relies upon the rationally persuasive capacity for evidence to indicate what ought to be the most highly plausible conclusion. The appeal to this approach is defended on the grounds of admitting a modicum of human finitude to the theist by way of single fallibility. Single fallibility is the hypothesis that, since human knowledge of the external world bases its reasons upon propositions whose certainty stands contingently upon experience of the world, that knowledge is the product of inference rather than deductive entailment. The truth of knowledge then rests upon confirmation of a proposition which renders the proposition probable. So long as the proposition is not overridden by a more probable proposition, it does not yet fail as knowledge. Single fallibility leads to reasoning by what Charles Sanders Pierce named ‘abduction’, “where we find some very curious circumstance, which would be explained by the supposition that it was a case of a certain general rule, and thereupon adopt that supposition.” (Pierce 1965, 375 in Walton 2004, 4)

The trilemma basically makes two positive claims. One is that God exists and the other is that evil exists. If these claims are to be taken seriously, then there must be positive data that confirms the facticity of each proposition. Taken as statements of fact, it should be acceptable to demand that evidence be given to corroborate the stated facts. If this is not forthcoming or does not include key data, then the otherwise corroborative evidence actually counts against the proposition in question. Where two statements seem to conflict, the matter should be capable of settlement by the presentation of appropriate evidence. On this basis, a conclusion can be inferred with good reason on two counts: firstly as to whether there is a plausible conflict between the propositions, and secondly as to which one of the propositions, then, is more likely true than the other.

The evidential argument from evil debates the plausibility of God's existence on the basis of the acceptability that there is highly probable and confirmable evidence that there are natural evils having taken place in the actual world. The elementary strength of the evidential argument is that the failure to conjoin coherent and comprehensive explanation of the co-existence of God with the facts of great quantities of natural evil should have a devastating effect upon the core credibility of theism. This failure is then taken to ultimately be a refutation of theism. By these means, theism is thought to beg the question. "But now we can see a circle, namely: belief in God is preserving of the belief about MSR's [morally sufficient reasons], but that latter belief in turn is preserving of belief in God […] the theist is caught in a *petitio principii*" (O'Connor 1987, 444). The problem dodging the logical argument from evil is no longer relevant. The evidential argument's temporal parameters are set in the present. The option for unlimited deferral is closed. The argument from evil is focused upon the matter of a lack

of currently available evidence of that which furnishes morally sufficient reasons for God's existence.

William L. Rowe's 1979 article, "The Problem of Evil and Some Varieties of Atheism", establishes the paradigmatic evidential argument from evil. Any anthology on the problem of evil does either reprint this article or contain articles that directly reference and engage it. The persuasive power, ostensibly, of Rowe's first version of his argument derives from his illustration of the fawn in the forest, who is now canonical in the philosophy of religion discourse. For example, in his 2003 Gifford lecture, Peter van Inwagen refers to "Rowe's fawn" (van Inwagen 2006, 9). His "famous example" (O'Connor 1998, 190) of the fawn has gained a certain status in the discussion of evil over the last thirty years. Ricoeur would not be wrong to think it is a symbol of evil which gives rise to thought (Ricoeur 1967,19) within the philosophy of religion discourse on the problem of evil.

In a brief illustrative account, Rowe depicts a fawn who, after several days' suffering, dies of burns inflicted by a forest-fire that was ignited by lightning. Accessing his humble claims, Rowe surmises that "[a]n omnipotent, omniscient being could have easily prevented the fawn from being horribly burned, or, given the burning, could have spared the fawn the intense suffering by quickly ending its life" (Rowe 1990, 130). Indeed, these are the humanly known options for dealing with animals who suffer mortal conditions.

The key proposition of Rowe's argument is as follows:

> It seems quite unlikely that *all* the instances of intense suffering occurring daily in our world are intimately related to the occurrence of greater goods or the prevention of evils at least as bad; and even more unlikely, should they somehow all be so related, that an omnipotent, omniscient being

> could not have achieved at least some of those goods (or prevented some of those evils) without permitting the instances of intense suffering that are supposedly related to them. (Rowe 1990, 131)

Rowe would later 'fine-tune' the basic import of his original claim:

> Indeed, if human life were *nothing more than a series of agonizing moments from birth to death*, their position would still require them to say that we cannot reasonably infer that it is even likely that God does not exist. But surely such a view is unreasonable, if not absurd. Surely there must be some point at which the appalling agony of human and animal existence as we know it would render it unlikely that God exists. And this must be so even though we all agree that God's knowledge would far exceed our own. I believe that my theistic friends have gone considerably beyond that point when in light of the enormous proliferation of horrendous evil in this world they continue to insist that we are unjustified in concluding that it is even the least bit unlikely that God exists. (Rowe 2006a, 312)

Rowe's argument from evil is grounded upon the inferential reasoning that any given human being can observe the general empirical facts related to the goings-on of the world. The unjustifiability of these evils is established by the inference that the prevention of these evils coming to pass would in no way have prevented any humanly known global or local goods from coming to pass. In short, this evidence would be that of purely gratuitous evils. From this, any individual should be capable of the inference that there are evils coming to pass in the world for which there is as of yet no humanly known moral justification. If no humanly known good justifies what is observed, then either the theist's absolutely good and all-powerful God permits those unjustified evils or God does not exist.

This argument hinges not upon logical restrictions on possibility, but upon the inference of plausibility. It is possible to see how evils might not be justifiable. For a person not antecedently committed to the plausibility of God's existence, the argument

has epistemic weight. For a person antecedently committed to the implausibility of God's existence, the argument has significant epistemic weight.

The final point to be made is that if these gratuitous evils did not come to pass, then surely a more quantitatively and qualitatively good world would obtain. This argument nevertheless retains the quasi-logical presupposition of predatory goodness from Mackie's logical argument. (See # 1.2) If God were to exist and were both omnipotent and wholly good, from this it would follow "that a good omnipotent thing eliminates evil completely" (Mackie 1990, 26). God ought to be capable, it is inferred, of exercising an unstoppable sovereignty over the affairs of the world. Evidently, gratuitous evils do come to pass. They are unjustifiable. The world would be less evil and thereby on the whole more good without them. If an omnipotent and wholly good God cannot effect such a alteration, theism is plausibly disconfirmed. All of this rests upon the single fallibility, whereby if evidence were to arise to the contrary, the inference against God's existence would be abandoned.

This evidential argument from evil reframes the construal of the problem of evil in terms of what kind of reasoning most sufficiently obtains a judgment on the compossibility of God and evils. The matter at hand is whether theism or atheism is more adequate, given the actual world. However, what the argument is no longer capable of discounting outrightly is that there might be some relation between the metaphysical and the empirical. Rowe's proposal is for thought experiments about gratuitous evils that ought to be capable of comparing how the world would be either if God did or did not exist, given the actual world. The reframed construal proposes that this comparison can be concluded on the strength of evidence proffered for the support of each option.

Whichever option has the best argument is the one which can produce the most compelling evidence.

Rowe derives the strength of his argument from its humble claims: it should be possible for humans to know of the intense human and animal suffering occurring in the daily world. Humans are capable of understanding what goods do exist and of imagining what goods might come to exist. It should also be feasible for humans to make reasonable judgments as to what an omnipotent being can and cannot do. Finally, it should also be reasonable to expect that humans can judge what a wholly-good being would seek to accomplish with respect to good and evil in the universe. (Rowe 1990, 162)

Rowe makes another humble claim about the human knowledge and its expectations of omniscience. Namely, "it would seem to require something like omniscience on our part before we could lay claim to *knowing* that there is no greater good connected to the fawn's suffering" (Rowe 1990, 130). It is also not imaginable that the world would be deprived of any global or local goodness, were the fawn's condition to be somehow either alleviated or prevented. Therefore, either God exists as a moral agent with such attributes and capacities, or it is to be inferred that God does not exist.

Rowe's argument is thought to obtain its strength on the basis of evidence that there is an evil which lacks morally sufficient reason. All the same, the evidence itself plays a very limited role within the overall functioning of the argument. Rowe's argument is a direct, yet inductive, argument from evil (Martin 1990, 336). The evidence is circumstantial, as every wholly gratuitous evil inflicted upon a body, such that there is wounding and pain, is a singularity. The experience of the fawn is not

transcendent, but as Arendt notes, it is intensely subjective. Rowe's argument and those which engage it, such as Stephen Wykstra (1984), do not infer the plausibility of not knowing anything for certain about the fawn. Evil, such as Rowe treats it, cannot be exemplary. The instantiations of purely gratuitous evil are occasional, contingent, and finite. The plausibility of his argument largely rests upon the plausibility that the fawn's experience can be known as evil.

The evidential argument from evil claims that facts of particular suffering and evils can be known with certainty. These certainties are not logically necessary truths. If they are facts, each arises in its own singularity (Howard-Snyder 1996, xiv). Rowe's argument is therefore left only supposing the widely held knowledge of instances of wholly gratuitous evils. Each evil itself is not universally known, universalizable, or universally accessible. As such, Rowe's evidential argument is limited to giving narrow positive atheist grounds to doubt the positive claims of theism.

Rowe self-consciously accesses and arranges his argument according to the inferential limits of evidence in order to reset the stage for argumentation on theism. The starting point is no longer the logical coherence of God's attributes with general claims about the actual world, which is a friendly theism setting. That said, the friendly beginning with evidential claims already gives priority to that which resists metaphysical conceptualization, that is, actual finite circumstances of a singular instance that is an evil. The problem with this argument, as Susan Nieman puts it, is the following: "Data are what you have when you have scientific procedures based on causal analyses and inductive evidence. None of this is present for events that happen only once. There everything rests upon speculation." (Nieman 2002, 158)

1.4.1 Epistemological Deferral

One objection to Rowe's argument claims is that, whereas deductive arguments obtain their truths *a priori*, inductive arguments must obtain all relevant evidence in order to be considered completely true. This sets the grounds to replicate the near-eternal deferral of the logical argument from evil on morally sufficient reason for all future evils. This response seeks to establish the following requirement that only if all possibly knowable evidence is included, the inferential argumentation does have the capacity to demonstrably proceed. Single fallibility is the hypothesis upon which such provisional starting and stopping is based; thus the burden of proof is not subject to an evaluation *sub specie aeternitatis*. The burden of proof obtains given the actual state of humanly possible knowledge inferred from up-to-date observations of the world.

Stephen Wykstra therefore mounts a skeptical defense rather than a direct refutation of Rowe's evidential argument from evil. As van Inwagen puts it: "A defense is a story that, according to the teller, may or may not be true, but which, the teller maintains, has some desirable feature that does not entail truth - perhaps (depending on the context) logical consistency or epistemic probability (truth-for-all-anyone-knows)" (van Inwagen 2006, 7). Wykstra is compelled to approach Rowe in this manner, he thinks, because the notion of epistemic limitations upon human knowledge based on a negative appreciation of human finitude should be considered with right to be friendly to theism. Just as the 'unlimited deferral' counter to the logical argument from evil nevertheless accepts the logical argument only up until its conclusion, Wykstra's argument grants all of Rowe's evidential argument except for the contents of its final inference.

Wykstra's defense proposes a rule affiliated with single fallibility which entails that evidential arguments can accomplish only provisional conclusions. This, not on the basis of the comparative merits of deductive versus inductive argumentation, but on the basis of what Wykstra understands to be humanly knowable limitations regarding the human capacity for knowledge of God, if God exists. This rule is called 'CORNEA', the condition of reasonable epistemic access (Wykstra 1990, 151). Wykstra's formal explanation of the rule is that, "On the basis of cognized situation *s*, human *H* is entitled to claim 'It appears that *p*' only if it is reasonable for *H* to believe that, given her cognitive faculties and the use she has made of them, if *p* were not the case, *s* would likely be different than it is in some way discernible by her" (Wykstra 1990, 152). An analysis of Wykstra's argument shows that it thereby generates a host of support for epistemic limitation based on six factors: "lack of data, complexity greater than we can handle, difficulty in determining what is metaphysically possible or necessary, ignorance of the full range of possibilities, ignorance of the full range of values, and limits to our capacity to make well-considered value judgments." (O'Connor 1998, 203)

Wykstra's contention is that Rowe's argument establishes an inordinately strong requirement that there must be the appearance of divine determination of the world's affairs towards clearly and distinctly observed goods. Otherwise, there will simply be no possibility of observing God's morally sufficient reason for evils such as that of the fawn. Rowe's too-strong proposition is understood by Wykstra to be thus: "if an instance of suffering appears not to have a point, *that* is a reason for thinking it has no point" (Wykstra 1990, 149). Wykstra argues that this constitutes a demand which exceeds the capacities of inference, particularly if the appeal to inference is on the grounds of the

limited conditions of human knowledge about divine purposes. The upshot of Wykstra's counterargument - that of a more humble claim following from inferential grounds - is that the purpose of seemingly purposeless and preventable suffering is beyond human ken. Humans can postulate a hidden outweighing good from divine purposes for seemingly inscrutable sufferings because this is eminently reasonable given human epistemological conditions.

Wykstra's rendering of humanity's epistemic conditions is not thoroughly developed. His point is that any given claim about the state of affairs a person sees or experiences is likely real only if the person could reasonably ascertain that if that state of affairs would be discernibly different if the claim were false. On this condition one would expect that, should the claim 'God exists' be false, the world's state of affairs would be discernibly different. Wykstra's further point is to the contrary, however: relying upon the skeptical epistemological claim that there are logically possible outweighing goods not known to any human observer of the world's state of affairs, he claims this to be an outcome of the epistemological differentiation between finite humans and a timeless and omniscient God. That is, Wykstra introduces an expanded theism to ground his argument. Upon this difference, Wykstra argues that claims about suffering in the world are true observations of the world's state of affairs. Yet judgment upon the balance of good and evil in the world is to be logically suspended, pending a further possible observation of outweighing goods in the future.

Wykstra's rendering of humanity's epistemic condition is one that regularly obtains within theological arguments. Those committed to theism would not find it surprising at all that there are not God-justifying reasons which are evidentially

forthcoming inferences for events that seem otherwise inscrutable. CORNEA is friendly to theism because it stipulates that if there is a God-justifying reason for Rowe's evil or any analogous evil, it is not necessarily discernible either in whole or in part. This is not to state that the discernment of God-justifying reasons for any event, and particularly gratuitous evils, is impossible *per se*. That sort of strong claim for the absolute opacity of knowledge about God would be unacceptable to theism. If this were the case, then the possibility of claiming anything about God would be immediately nullified, and the term 'theism' itself would be implausible. Therefore Wykstra's claim is attenuated in order not to reflexively destroy the possibility for theism itself in the first place.

Wykstra's objection to Rowe is that the epistemic situation within which theism obtains is already a reasonable outcome of the observation of the world's actual evidence. Without any qualification, Wykstra allows for this to include fawns in forests. The theistic hypothesis already contains the claim that certain domains of knowledge are proper to God's omniscience and, as such, are not known to beings of finite intelligence. On this basis, Wykstra maintains that one such domain is the knowledge of what goods are obtained despite the intense sufferings of animals and humans in the world. Morally sufficient reasons are not forthcoming on these grounds.

In his reply Rowe notes that Wykstra's argument is akin to every theodicy that has preceded it: all presuppose that whatever the goods in question are, they are either yet to come or their already extant status yet to be explained to human intelligences (Rowe 1990, 164). It is claimed that the omni-god's cognition can apprehend non-actual states of affairs that are not cognizable to the human, or "once they do obtain we continue to be ignorant of them and their relation to the sufferings" (Rowe 1990, 165). The difficulty

with such a contention, according to Rowe, is that the state of epistemically hobbled affairs is no different than those which would obtain should God not exist: in both cases there are seemingly gratuitous evils for whose goodness humans knowledge is none the wiser. Whether God exists or not, the apparently pointless suffering in the world appears to be pointless.

A further question is whether CORNEA actually formulates a rule with the necessary entailments Wykstra claims for it. Wykstra rightly states that human perception cannot deductively establish causal or necessary relations among or between observed phenomena. Nevertheless, humans are capable of collectively arriving at an agreement upon much of what they recognize. On the basis of these observations they establish what they believe to be evidential connections. Wykstra himself even seems to say as much about how the claims of theism are embedded in such an epistemic context. The only shift, then, between Wykstra's defense and Rowe's argument is that Rowe affords humans the potential to sometimes question whether things are as they appear. "Scientific accounts of reality proceed on the principle that things probably are as they appear to be throughout a multitude of observations by different observers over an extended period of time – unless we have a positive reason to believe otherwise (that is, a likely hypothesis which entails that things are *not* as they appear to be)" (Stone 2003, 258). Thus, it is Wykstra's argument that is lacking a sound reason why this capacity should be revoked.

Likewise, Wykstra asserts but does not explain how God's omniscience that knows all truths for all time and much more than any human necessarily entails that one of the things which God only knows and humans do not is all the good reasons why

seemingly gratuitous evils come to pass. This is possible, but not necessary. The non-omniscient capacities of human knowledge may be greatly less than that of God's, but this is no indication that humanity's missing knowledge is precisely on the matter of the ultimate justifiability of evils (Howard-Snyder 1992, 39). The point argued by Rowe that an existing God should make the purposes of gratuitous evils more evident than they are, remains unthreatened by Wykstra's rule.

Wykstra's argument therefore forces Rowe's to miscarry only upon the plausibility of a technical variation in one of its premises. Most importantly, Wykstra's argument effectively relativizes the strong disjunction of the trilemma's premises to the status of being merely a perceived disjunction that is without self-evident grounds (O'Connor 1998, 233). This innovation substantively denies the force of the atheist's presentation of any argument from evil to a far more innocuous statement such as : "the apparently gratuitous evils of the actual world seem to disconfirm theism." It is equally important, however, to note that theism's response to this statement is strongly attenuated by giving credence to Wykstra's argument. Theism's response to atheism is now mitigated to read, at its strongest, "apparently, but perhaps not." So long as theism grants validity to negative evidentialism in order to sustain itself against an attack in kind, no certain facts are admissible and therefore any strong reply to atheist arguments is impossible.

That said, it should be evident that the strongest contention against Rowe's argument derives from the reciprocal combination of negative evidentialism and the skeptical epistemic defense. Each gains its power through an inherent hostility to epistemological foundationalism. Namely, the evidential criterion can be rigorously

applied on a repeated basis, but it cannot generate any ultimate grounding for its application. "At least one thing is clear, namely: given the finitude both of our lives and of our powers of recognition-*cum*-understanding, any criterion we might here press into service will neither itself be empirical nor arrived at empirically by us" (O'Connor 1987, 445). In other words, any inferential argument such as Rowe's cannot possibly arrive at the principles and rules that do form evidential argument solely on the basis of evidence.

The implications of Wykstra's counterargument against Rowe's evidential argument from evil is a form of skeptical theism. There are three main points made by the skeptical theist. Firstly, the facts of evil do not entail any necessary evidential claim upon theism. Secondly, there is no clear and distinctly defensible reason to claim that evils are evidence for or against either theism or atheism. Thirdly, no known evils lend substantive cognitive claims for atheist arguments from evil against theism and no possible evils could do so either. (O'Connor 1998, 184)

Skeptical theism rides upon two failures in epistemic certainty on the basis of the three points just mentioned. One is that even if God exists, a God-justifying reason for evils is not necessarily humanly knowable. It may be possible to generate a multitude of reasons, but the mere generation of possible reasons cannot create necessity. The other is that among the goods and good states of affairs that are humanly knowable, none of them necessarily provides a God-justifying reason for any evil. These two failures are used against the potential of any evidence to render a conclusion. All of this rests on the same temporal conditions that Rowe sets for the argument's proceeding: here and now the conditions for determinative discernment of the issue are not possible. Therefore no one

is in any position to determine whether to conclude that theism is true or not. (van Inwagen 1996, 73)

1.4.2 Formal Probability

Another approach is therefore required should an argument from evil prove stronger than some reasonable doubt whose grounds can be reasonably doubted too. At this juncture in the discourse on the problem of evil, many philosophers of religion have turned to the notion of probability in order to shore up Rowe's contention that given the evidence, theism is not plausible. The shift in emphasis is a choice to pass over the question of epistemic access in favour of a claim that there is a wager implicitly built into the evidential argument from evil.

Not long after Rowe's 1979 presentation of the evidential argument from evil, Bruce Reichenbach introduced what he called the "inductive argument from evil" (Reichenbach 1980). Reichenbach could not accept the friendly atheist conclusion of Rowe's article, since "merely presenting instances of pointless suffering will not establish that there are instances of evil which God could have prevented such that no overriding good would have been negatively affected by their prevention" (Reichenbach 1980, 227). If evidential arguments cannot provide sound proof that categorically discredits theism, they can at least inductively provide rational reasons to disallow credibility from theism. The logical coherence of theism with regard to the problem of evil is not demonstrably wrong, but perhaps the credibility of inferring from the actual world to theism can somehow be challenged. Reichenbach's innovation was to introduce Baye's theorem on probability in order to evidentially determine the odds between

contemporaneous probabilities in ratios of likelihood. Informally stated, Bayes' theorem is that:

> [...] if an experience is indirect evidence for *h* and neither *h* nor the denial of *h* is antecedently certain, then that experience makes *h* more probable, all things considered, than it would otherwise be. The greater the ratio of the antecedent probability of the experience occurring given *h* to the antecedent probability of the experience occurring given the denial of *h*, the stronger the evidence. (Draper 1992, 151)

Formally, Bayes' theorem is stated as the interaction of permutations of antecedent probabilities (P) for two given options (A or B). as follows:

$$P(B/A\&C) = \frac{P(B/A) \text{ X } P(C/A\&B)}{[P(B/A) \text{ X } P(C/A\&B)] + [P(\sim B/A) \text{ X } P(C/A\&\sim B)]}$$

P(B/A) is the prior probability that hypothesis (B) is true given existing evidence (A). P(~B/A) is the prior probability that hypothesis (B) is not true given existing evidence (A). P(C/A&B) is the probability that the effect (C) will be observed given the hypothesis (B) is true. P(C/A&~B) is the probability that the effect (C) will be observed given the hypothesis (B) is false. P(B/A&C) is the probability that the hypothesis (B) is true given the background evidence (A) and the fact that the effect (C) is observed. Bayes' theorem presumes itself capable of deducing the probability of a belief "just in case any fully rational person in [epistemically neutral situation] *K* would have a higher degree of belief in [option] *p* than in [option] *q*" (Draper 1996, 26). In other words, the theorem should be able to accurately represent what a 'fully rational' person would likely decide given the choice between at least two live options.

Bayesian probability is a statistical interpretation of probability in terms of degrees of belief about events. Bayesian probability is neither predictive nor prescriptive. At most, the theorem can demonstrate positive, negative or conditional probability.

Either an event will occur or not, or its occurrence will be probable given the probability of another event taking place. The purpose of Bayesian probability calculations is to consider the greater likelihood among propositions which are independent from each other and yet exhaust the set of outcomes. That is, the Bayesian formula is meant to evaluate the probability of an unlimited number of hypotheses relative to some observed event.

The example resorted to is usually in the form of rolling dice. The set of outcomes is limited to the sides of the dice and whatever symbols are marked on the faces of it. In such cases, there is an empirical limitation on the data included in the set. Obviously this is not the case in the question of arguments from evil based upon Bayesian truth-criteria. Further, it needs to be noted that since the set must be exhaustive of the outcomes, each of the outcomes must be not only *prima facie* admitted into the argument, but also accepted as clearly acceptable candidates. In other words, each member of the set must be accepted as a possible origin of the observed event prior to the calculation of its probability Bayesian calculations are meant to discern among.

Therefore, to say that one member of the set is implausible on the grounds of the Bayesian calculus is not to outrightly determine that the member cannot be true. "For example, the statement that Napoleon Bonaparte never existed is implausible, but where such a statement is improbable, or could somehow be shown to be so, is dubious" (Walton 2004, 278n.6). For this reason the statement 'Napoleon Bonaparte never existed' cannot be included in a Bayesian calculus. "Independence of events is assumed as a requirement of applying the Bayesian formalism to them. When it is said that event A is independent of event B, it means that our belief in A remains unchanged on learning

the truth of B. To apply Bayesian probability to a set of data to infer a conclusion, one has to assume that each event in the data set is independent of the other events." (Walton 2004, 3) Accordingly, Reichenbach argued that Bayes' theorem approximates the intuitive workings of moral expectation:

> We rely on good people to remove, prevent or alleviate the natural evils which we encounter and which they are capable of affecting [...]. If there is generally less natural evil because of the activity of good persons with limited power than there would be were they not active for good, how much more can one expect that there would be less natural evil in the presence of a perfectly good and omnipotent personal deity than if the natural laws were simply allowed to run their course with respect to the furniture of the world. (Reichenbach 1980, 223)

The emphasis thereby becomes whether the natural evil in the world tends to make the existence of God less probable than the other option. (Reichenbach 1980, 222)

The strongest presentation of this argument from probability is outlined in a series of articles by Paul Draper. Draper asks, "whether or not any serious hypothesis that is logically inconsistent with theism explains some significant set of facts about evil or about good and evil much better than theism does" (Draper 1996, 13). This argument presumes that an ideal neutral party can derive a ratio of probability, given theism and atheism as two options of a wager. Draper also presumes that this ideal neutral status must be abandoned upon the determination of the most likely possibility, since probability is considered in decision, not in decision deferral. As such, this 'probabilistic' argument from evil ought to circumvent the strategies of deferral which obstructs the conclusivity of the logical and evidential arguments. This is not to say that this probabilistic argument states a necessary conclusion on theism and atheism; instead, it proposes a likely outcome of a decision, given certain evidence.

According to the Bayesian formula, probability is expressed between the range of 0 as absolutely impossible and 1 as absolutely necessary. That is, neither '0' nor '1' can be the outcomes of Bayesian calculations. All other positions taken between that binary would then express probability, where 0.5 would mean equal probability. By construing the argument between the credibility of theism versus atheism in this manner, the burden of proof shifts away from theism and onto the purportedly neutral grounds of probability analysis. Furthermore, the possibility of agnosticism is ruled out, since 0.5 does not register a neutral ground of neither/nor, but that the decision for or against theism or atheism could go either way. Draper thereby sharpens the point about decision that had been lost when the logical argument met its near-eternal deferral.

Furthermore, Draper's presentation of the argument significantly departs from Reichenbach's on account of the options it construes. Draper does not employ Bayes' theorem on the probability of theism and atheism. Even though it is already effectively ruled out by the employment of the Bayesian formula, Draper seeks to circumnavigate the possibility of a Wykstra-like homeostatis for the outcome of his argument. The options set for the decision of probability are between theism and what Draper calls the "hypothesis of indifference," where "neither the nature nor the condition of sentient beings on earth is the result of benevolent or malevolent actions performed by nonhuman persons" (Draper 1996, 13). This hypothesis was introduced by Diderot, albeit in a slightly less refined manner: "the principle of everything is creative nature, matter in its self-activity eternally productive of all change and all design" (Buckley 1987, 250). "Draper's reason to reject theism is not because of anything internal to theism, but is

because of something external to theism: there is a better alternative that is inconsistent with theism." (Otte 2004, 29)

The hypothesis of indifference makes no positive ontological commitments, vis-à-vis the existence of God (Draper 1996, 25). Neither does it enunciate 'atheism'. At the same time, the statement of the hypothesis is significantly more elaborate than the essence of the atheist's claim that, given evil, theism's God does not exist. The hypothesis of indifference does, however, go further than Rowe's narrow friendly positive atheism to occupy the declarative grounds for broad unfriendly negative atheism. This is because, if the hypothesis of indifference were proven true, the foundations would be established in order to deductively argue against the existence of all non-naturally occurring agents in the actual world. This would not only include theism's God, but also the metaphysical and supernatural entities given by any other discourse, religious discourses in particular.

The probability being calculated in this application of Bayes' theorem is not strictly about one kind of atheism versus theism. Instead, the conclusion pursued by Draper is that the hypothesis of indifference explains the facts of the actual world much better than theism does. The facts in question is the experiences of pains and pleasures by beings in the world, derived from human observations of the world. Given the facts that can defeasibly be derived from the observation of evidence gleaned from the actual world, Draper argues that the most likely explanation is the one whose hypothesis is "less surprising" (Draper 1996, 14).

The options he proposes are those of indifference versus theism. For him, the probability of the hypothesis of indifference (HI) is much greater than that of theism (G),

given the observation (O) of the world (C: P(O/HI) ›! P(O/G). This, according to Draper, ought to provide grounds beyond those claimed by Rowe's negative evidentialism. A high probability in favour of the hypothesis of indifference constitutes *prima facie* positive evidence against the credibility of theism (Draper 1996, 14). This should properly count against Wykstra's objection because these probabilities are epistemic ones rather than, for example, statistical, physical or logical probabilities (Draper 1996, 14). Draper writes of this conclusion: "[it] is a threat to all theists, including those who firmly believe all of the many theological and historical claims […] of Christianity." (Draper 2004, 45)

This sweeping conclusion is held to be the case if it is accepted that the antecedent probability of either conclusion is neutral. Namely, the antecedent probability of either the hypothesis of indifference or theism is independent of the observation and testimony of facts reported about the world (Draper 1996, 179). On the one hand, Draper claims that this is necessary in order that Bayes' theorem function as it ought to. On the other, this stipulation already disallows any epistemic predisposition from increasing the antecedent probability of theism. That is, Draper argues for the greater probability of the hypothesis of indifference on the basis of intuitions drawn from the findings of the contemporary biological sciences.

> Indeed, a biological explanation of pain and pleasure is just the sort of explanation that one would expect on [the hypothesis of indifference]. But theism entails that God is responsible for the existence of any pain and pleasure in the world. Since God is morally perfect, He would have good moral reasons for producing pleasure even if it is not biologically useful, and he would not permit pain unless He had not just a biological reason, but also a morally sufficient reason to do so. (Draper 1996, 17)

According to Draper, allowable antecedent knowledge for the ideally neutral Bayesian calculus includes the belief that the biological arrangements of the world, which include human beings, are "goal-directed organic systems" (Draper 1996, 15) that function on the basis of "biological utility" (Draper 1996, 16) in order to pursue the goal of biological flourishing. Every instance of what humans morally prejudge as good or evil, is actually registered within these systems as either pleasure or pain, which are "fundamentally biological rather than moral phenomena" (Draper 1996, 19). That is, Draper's construal of the world in which Bayesian calculations take place is morally neutral. Goal directed systems continue functioning in a steady state in the midst of pleasureful or neutral conditions, but seek to redirect their state in the event of pain. On these grounds, Draper surmises that if it is probable that God is directing human beings, a plausible comparison is to be found on account of a direct connection between every instance of pain and pleasure, towards some goal other than mere biological flourishing.

The hypothesis of indifference is more probable than theism for two reasons. The first is that "we find that many humans and animals experience prolonged and intense suffering and a much greater number are far from happy;" if theism were true, then "we would have more reason on theism […] to discover a close connection between certain moral goods (e.g., justice and virtue) and biologically gratuitous pain and pleasure, but we discover no such connection" (Draper 1996, 18). The second is that there is greater reason to believe that "the fundamental role of pain and pleasure in our world is a biological one and that the presence of biologically gratuitous pain and pleasure is epiphenomenal, a biological accident resulting from nature's or an indifferent creator's failure to 'fine tune' organic systems" (Draper 1996, 18-19). That is, gratuitous evils are

the experiences of biological organisms' inability to include these evils into goal-directed patterns. While the hypothesis of indifference finds that biologically gratuitous pain and pleasure lack utility, the actual experience of pain and pleasure is nevertheless biologically appropriate, whereas theism - Wykstra's skeptical theism in particular - withholds from any determination regarding gratuitous experiences of pain. The actual calculations performed by Draper in the Bayesian formula are not prohibited by epistemological limits that would otherwise affect the ready-to-hand hypotheses under consideration.

Richard Otte attempts to object to Draper's argument along the lines of Wykstra's skeptical theism by claiming that the restricted theism in question amounts only to a part of the larger doctrinal context which sustains it. Otte argues that if a person's antecedent epistemological access to any observations of the kinds, amounts and distributions of pain in the world may well be vis-à-vis a religious preunderstanding. Rather than Draper's presumably neutral starting point, such a person's observations of the world tip the scales of probability in favour of theism and against the hypothesis of indifference. "Such a person will know that when the hypothesis of indifference is compared with a small part of his or her religious beliefs (simple theism), that the hypothesis of indifference is the better alternative. But when the hypothesis of indifference is compared with his or her complete religious beliefs, the complete religious beliefs are better than the alternative" (Otte 2004, 31). Strangely though, Otte seems to be claiming either that theism does not form part of those religion's core hypotheses and can thereby be challenged without compromising the credibility of the whole, or, that the larger religious framework somehow strengthens the credibility of theism, which if taken alone

would be incredible. Both of these arguments would give grounds for conceding Draper his point. Otte's explanation seems to sustain both of these options by indicating that "mere theism" is not a primordial element of religious, but that more specific doctrinal understandings are "later." (Otte 2004, 33)

Otte's example is that the story of the Israelites' suffering in Egypt may well not only be primordial to the strict formulation of theism; since it does also concentrate upon instances of pain, suffering, evil, pleasure and salvation, it also then forms part of a Judaic or Christian preunderstanding of the world and its affairs. In such cases, Draper's probability-based argument against theism does not undermine the credibility of the greater whole of a person's religion. Construed in the form of a *reductio ad absurdum*, Draper's rejoinder to Otte's argument is that if Otte were correct, then, "practically speaking, it is impossible to consider that many beliefs all at once, this in turn commits Otte to the view that evidence could never be used to challenge the rationality of any belief" (Draper 2004, 50). Draper capitalizes upon the fact that skeptical theism's defense has no deductive argumentative power of its own. "Indeed, the skeptical claims that we can't directly assess the probability of there being [God's morally sufficient reason for gratuitous evils] sounds more like an admission that theism is doomed to explanatory inferiority than like a powerful retort" (Draper 1996, 178). As Draper understands it, his argument has circumnavigated skeptical theist claim that "[h]umans are in no position to judge directly that an omnipotent and omniscient being would be unlikely to have a morally sufficient reason to permit the evils we find in the world" (Draper 1996, 176). Given that they are in no position to entertain such a hypothesis, humans must then entertain another. Draper therefore takes it that skeptical theism must

commit itself in another direction in order to establish certainty rather than *akrasia*. Short of any other proposal, Draper suggests the probabilistic argument.

The point of advantage that propels Draper's argument is nicely summarized in his response to Otte:

> In general, the more specific and hence riskier an existential claim like theism is, the *less* probable that claim is intrinsically but the *more* probable its denial is intrinsically. This is why we assume both in science and in everyday reasoning that existential claims, especially specific ones, require stronger evidence to be justified than their denials do. (Draper 2004, 47)

The probability of believing this principle is low, however, given observations of certain evidence in the world. If there is a universally obtaining direct relation between the specificity of existential claims and the risk of their denial, and if every religion makes specific existential claims, then any given religion is always intrinsically at risk of probability-based denial.

Interestingly, then, it should always have been the case among human beings that there is a low antecedent probability for the credibility of religions. One outcome would be that religions must be evidentially fragile, since they are subject to disintegrate upon probability-based challenges. *Ad absurdum,* another outcome would be the hypothesis that, given the general nature of human cognition, religions should never have gained significant credence. The *prima facie* probability of that hypothesis is low given the observation of the kinds, amounts and distributions of religions in the world. Rather, there is a profusion of religions and a seemingly high antecedent probability given to religious claims.

Draper's probabilistic argument from evil calls upon skeptical theism to make a more substantial offering than to simply force evidential miscarriage on the grounds of

epistemic limitations. Peter van Inwagen rightly notes that Draper's argument asks for that which theism does not understand itself to be in the position to offer, namely strong evidence from which it can be deduced that the amounts, kinds and distributions of evils in the world are precisely what should be expected if theism were true (van Inwagen 1996, 155). To do so, "the evidentialist's statement of the way in which the defender of theism must conduct his [sic] defense is therefore overly restrictive." (van Inwagen 1996, 155)

1.4.3 Non-limited Deferral

The proposal of van Inwagen is that defense must be attended to in order to serve a role in the midst of evidential arguments from evil, including that of Draper. An evidential defense is "a story according to which God and suffering of the sort contained in the actual world both exist, and which is such that (given the existence of God) there is no reason to think that it is false, a story that is not surprising on the hypothesis that God exists" (van Inwagen 1996, 156). According to van Inwagen's construal of the evidential defense, the nature of it is as follows:

> [...] the stories illustrating a concomitance of God and suffering in the actual world will (presumably) be *false* for all anyone knows, so they will not, or should not, create any tendency to believe that the probability of S [the kinds, amounts and distributions of suffering in the actual world] on theism is *not* lower than it is on HI [the hypothesis of indifference], that it is about the same or higher. Rather, the stories will, or should, lead a person in our epistemic situation to refuse to make any judgment about the relation between the probabilities of S on theism and on HI. (van Inwagen 1996, 156)

These sorts of stories are repeatedly employed with authority and legitimacy in other contexts which move from observed fact to inferred conclusion, such as law and science. These stories offer probable explanations of such things as probable cause or primate

evolution. In other words, no 'fully rational' human, according to van Inwagen, makes decisions regarding the probable explanations for the world's affairs on non-indifferent grounds. The stories that he so names evidential defenses serve to set interest. Although van Inwagen does not indicate this, presumably Draper's invocation of biological utility is a scientific story of this sort.

Draper maintains that the non-indifferent interest in neutrality of his probabilistic counterargument against skeptical theism is that it is highly probable that a counter-story can be found or created to either balance or outweigh every theistic story that proposes to raise the epistemic probability of theism; for example, "We have, antecedently, no more reason to accept [theist story] D6 than to accept [atheist counter-story] A6. […] So I conclude here with a challenge to the skeptical theist to produce some good, aprobable, and undefeated theistic stories" (Draper 1996, 187). In effect, Draper is demanding that theism not only obtain as high a probability as the hypothesis of indifference, but in fact exceed it. Such a strong defeat of the probability of atheism would constitute a theodicy. The hypothesis of indifference need only accomplish the weaker point of establishing a strong wager for the probability of a hypothesis other than theism. Van Inwagen's response is that theism need only propose its own strong wagers, which would amount to evidential defenses.

However, van Inwagen notes that in practice, "if the defender of theism knew of a story that accounted for the sufferings of the actual world and which was highly probable on theism, he would employ it as a theodicy." (van Inwagen 1996, 156) In other words, if theism proposes a strong wager for an evidential defense story, then it is a strong likelihood that someone who does take up that probability will translate that story into a

theodicy. However, this further translation of the proposition does not inhere the proposition itself. The propositions of restricted theism construed by van Inwagen do not necessary entail any other form of theism. The direction of philosophical formalization runs only from the informal towards restricted theism. Those who do take up the probability of an evidential defense do not treat it as a probability, but as a good, probable, and undefeated theistic story.

This point on van Inwagen's part is not as damaging to theism. What it reveals is a dimension of the debate Draper refuses to consider, namely that the lifespan of any probability is short relative to the agent that entertains it. In fact, the function of Bayes' theorem does not close the decision-making process for all agents; it only provides a means of decision-making for individual agents. That the probability of a decision is assigned a point on a continuum between 0 and 1 is an analytical description of a moment within a process.

Furthermore, although Draper's argument gains its functionality on the basis of the probability for either theism or the hypothesis of indifference, the argument must occlude any investigation of how any probability obtains in the first place. Regardless of what sorts of antecedent probabilities are available for consideration, these are antecedent probabilities of what Draper's argument admits to be live options. Additionally, although Bayes' theorem expresses probability with reference to decision, it does not offer grounds for consideration of any substantial explication of the options themselves within the theorem.

Indeed, the crucial issue of how options are deemed eligible is largely absent from the debates around the arguments from evil. Draper does briefly introduce the notion of

judgment without substantive elaboration in order to use it as a tool for technical manipulation; he notes that a theistic story not only needs to be probable, but also good. (Draper 1996, 181) Presumably this applies to any hypothesis with which a theistic story must compete for probability. That is, there needs to be another story. Draper does consider that his analyses "assess the effect of a theistic story on the antecedent probability of O [observations of the world's pain and pleasure] given theism" (Draper 1996, 181). Therefore, the most detailed analysis of judgment Draper can offer is as follows:

> When I say 'effect' here, I mean to imply that such theistic stories can in principle change P(O/G). If tomorrow I were to confront for the first time a successful theodicy - a theistic story T that is antecedently very probable on theism and which is such that P(O/T&G) is as great as or at least not much smaller than P(O/HI), then I would conclude on the basis of WAP, not that I had previously misjudged P(O/G), but rather that P(O/G) is no longer much less than P(O/HI) […] If God exists, then I suppose he has a great theistic story to tell, but his existence doesn't guarantee that, relative to our epistemic situations, P(O/G) is high. (Draper 1996, 190n.18)

According to Draper, Bayes' theorem "implies that ratios - not differences - are what is important for assessing the strength of the evidence here" (Draper 1996, 191n.21). The discrete processes and operations of judgment are therefore unnecessary.

> The crucial point is that, as long as one makes the correct abstraction, the background knowledge that should affect the crucial probabilities will affect them, and the background knowledge that should not affect them won't. There is no need to list all of our beliefs or all of the propositions we know, subtract some, and then conditionalize on the ones that are left. That would be a truly hopeless procedure. (Draper 2004, 54)

The discourse on the arguments from evil among these philosophers of religion purports to facilitate the exercise of judgment toward a determinate decision. The natures of judgment and decision themselves, however, are not scrutinized.

Stories were already highly functional in the evidential arguments from evil prior to van Inwagen's introduction of the evidential defense, as with Rowe's tale. In order to magnify the strength of his argument, Rowe later introduced another "account," or story, that he adopted from a newspaper citation in Bruce Russell's essay "Defenseless" (1996). Rather than reproduce Russell's lengthy quotation, Rowe's summary is sufficient: "a little girl in Flint, Michigan, who was severely beaten, raped, and then strangled early on New Year's Day of 1986" (Rowe 2006b, 262). In the course of his argument, Rowe abbreviates the story of the fawn as E1 and this newspaper account as E2. Rowe then argues that the appearance of 'E1' or 'E2' at later points in his arguments is meant to reiterate these accounts as examples of pointless natural evil and horrendous moral evil.

> Of course, it's one thing for the most talented philosophers and theologians to fail to show that we aren't justified in believing P and another thing for us to be justified in believing P, and still another thing for us to *show* that we are justified in believing P. And I must confess that I know of no way to *prove* that P is insufficient to justify God in permitting E1 or E2. In addition we have very good reason to believe that many other goods we know of could be realized by an omnipotent, omniscient being without his having to permit E1 and E2 (or something just as bad). And, finally, we have the failure of theodicists to show how any of the goods we know of can plausibly be held, separately or collectively, to constitute a sufficient reason for God to permit E1 or E2. All this, I believe, gives us good reason to believe that P is true. (Rowe 2006c, 297)

Rowe's goal is to attack the sufficiency of evidential defenses to set epistemic conditions for the consideration of evidence, and thereby to also challenge theism's adequacy of morally accounting for that evidence. The notion of evidential defense introduces the possibility that there may actually be plausible antecedent probability for the hypothesis of theism for some individuals and not for others. In other words, antecedent probability does not reside within a neutral quasi-algebraic space that is home to the Bayesian theorem of probability. Rather, Rowe differs from Draper by proposing

that antecedent probability is indeed contextual. The delivery of evidence in never neutral, but in actual fact does set forth at least part of the epistemic conditions by which that evidence will be considered, argued about, and consequently decided upon.

On the above, it can be surmised that while Rowe believes that he, himself, has good reason to believe atheism and discount theism, unlike Draper he recognizes that he cannot determine this on probabilistic grounds for any other persons. Rowe states that his belief cannot be shown or proven without committing fallacies of aggregation. And so neither can beliefs other than his be shown or proven. Rowe indicates in this late argument that he decides in favour of the atheism entailed by "P": "No good we know of justifies an omnipotent, omniscient, perfectly good being in permitting E1 and E2" (Rowe 2006c, 275). In other words, in-between the evidence and this proposition and any of its possible entailments, is a decision that must be made by the individual who, in this case, is William L. Rowe. All of this comes after an extensive engagement with Wykstra's later writings on the nature of the Bayesian probabilities thought to inform a decision for either theism or atheism. In the course of that engagement, there is no examination of the decision itself nor how E1 and E2 came to be commensurable as evils.

This later conclusion of Rowe's seems to parallel another one noted by Gordon O'Connor about Rowe's 1978 argument. At its conclusion, Rowe shifts in its statement of personal pronouns from arguing that 'we' find the evils to be inscrutable to 'I', i.e. William L. Rowe, conclude that there is no justified reason to believe that God exists (O'Connor 1998, 193). This recurrence in Rowe's argumentation indicates either his commitment to the antecedent probability of atheism, or that he himself has just decided to move from an agnostic prior commitment towards that of atheism. What is important

to note, in addition to this, is that Draper's 'ideal position' for conducting the Bayesian analysis is that of agnosticism, and the shift from agnosticism in favour of a proposition about indifference is substantially less significant than that towards theism.

In this situation Draper would consider ideal, the question arises regarding the antecedent probability of Rowe's decisions, so personally stated, in his later arguments. It is absurd to imagine that Rowe's decision for atheism was less antecedently probable in 1996 or 2006 than it was in 1978. And yet, every time one of these texts are read, their probable outcome must be open for consideration. This absurd question is meant to consider the probability as to whether Draper's Bayesian account is overly idealized if it excludes the sort of antecedent probabilities that van Inwagen thinks are live options.

At one point Draper does note that the nature of the available antecedent probabilities do vary: "from person to person and from time to time, since different persons can be in different epistemic situations at the same time and the same person can be in different epistemic situations at different times" (Draper 1996, 14). Every time Rowe or Wykstra's texts are read, for example, different epistemic situations are brought into play. If this is the case, then it is possible that the subject's positions as to the choice between the hypothesis of theism versus atheism are plural and diverse. What is the probability that, for example: "All this, I believe, gives us good reason to believe that P is true" (Rowe 2006d, 297)? In effect, the finite conditions upon which evidence must be considered returns to a new form of deferral into the probabilistic argument from evil.

The fact of the matter is that across all three arguments from evil against theism - epistemological deferral (see # 1.4.1), formal probability (see # 1.4.2), or non-limited deferral (see 1.4.3) – the problem of evil only comes about once theism is announced.

The epistemic grounds are not neutral; they are brought upon theism of its own devices. "Theism can be just as threatened from inside as outside - that is, by an argument from evil put forth by a theist even if the theist's intent is not to threaten or defeat theism - as by the same argument put forth by an atheist whose interest may be less benign" (O'Connor 1998, 23). And yet, for this reason, there is no adequate ground upon which any conclusion can be determined. Every argument deployed thus far is subjected to some kind of deferral without limit. Logic cannot place a limit on the number of possible arguments for theism. The rules of evidence cannot rule out epistemological limitation, then, falsely based on a negative understanding of human finitude. The outcome of a probability calculation is not universalizable. O'Connor correctly surmises the nature of the discourse on the problem of evil: "less a duel than a mime, for the weapons yielded on each side are incapable of inflicting any wounds" (O'Connor 1987, 441).

C H A P T E R T W O

PRACTICING PHILOSOPHY : DERRIDA'S IMPERATIVE

2.1 The Task of Philosophy

The discourse on the problem of evil within the philosophy of religion works through the logical, evidential and probabilistic approaches. In each case, the challenge put to the argument from evil against theism is that of demonstrating the irreconcilability of metaphysical claims with the actual world. Part of that challenge is the recurring formal difficulty of keeping theism sufficiently restricted. A determinate conclusion for any one of the arguments from evil thus far is not obtained, since a means of deferring that conclusion is always possible.

As was found with Rowe's integration of Draper's probabilistic strategy into his evidential argument, the decision on the case for or against theism given evils is just that, a decision. That decision is singular and not universalizable. Furthermore, the Bayesian analysis does not rule out the capacity for Rowe or anyone else at any time to decide for or against theism.

This state of affairs is summarized aptly by Derrida's proclamation on the task of the philosopher:

> The task of the philosopher - and therefore of anyone, and of a citizen, for example - is to take the analysis as far as possible and to try to make the event intelligible up to the moment when one comes to the arrivant. What is absolutely new is not this, rather than that; it is the fact that it arrives only once. It is what is marked by a date (a unique moment and place), and it is always a birth or death that a date dates… and this is what makes it an indelible event. What resists analysis is birth and death: always the origin and the end of a world. (N 104)

The philosopher can enunciate and reason through the eligible options. But at some point, as was found with William L. Rowe for example, there is no more speaking for 'us'. At that point, Rowe was compelled to decide 'I believe'. (Rowe 2006c, 297)

Derrida's proclamation is the forwarding of an imperative for the philosopher to bridge metaphysics and the actual world. Theorizing and interpretation, two sources for doing philosophy, are both interminable. Neither provides the final grounds for decision or determination. Instead, the interminability must be interrupted by the space of decision. That space is ultimately undecidable according to the criteria of both theorizing and interpretation.

Derrida's philosophical practice at its most polemical concerns what he calls 'sollicitation'. The work of sollicitation is to make the whole move (MP 133n.38). Derrida characterizes arguments and problems as matters of sollicitation, in which the practice is this: "One must, in a *certain way* of course, inhabit the circle, turn around in it [...] and the gift, the gift of thinking, would be no stranger there" (GiT 9). Sollicitation is the task of faithfully repeating a sign in its totality and thereby making it insecure in its most assured evidences (OG 30). "Derrida's aim is to point to an instability where conventional wisdom, or the force of institutions, would insist that there is none" (Wills 2005, 167). This is not quite what philosophers of religion have set out to do within the discourse on the problem of evil. And yet the cumulative effect of their works and the resulting deferrals can be taken as the outworking of sollicitation of both atheism and theism.

What becomes evident through an investigation of Derrida's works, is the reason why the narrative of the argument from evil culminates not with a conclusion, but with deferrals. If the philosophy of religion's discourse on the problem of evil enunciates what amounts to "less a duel than a mime" (O'Connor 1987, 441), then a discussion on the work of philosophy might elucidate why this is the case.

2.2 Philosophy and Translation

Doing philosophy is a practice of abstraction for the purposes of formalization. Restricted theism, for example, is a particular distillation of other ostensibly unrestricted theisms. The work which makes this possible is that of translation. Not only can the philosopher always try to translate, but that 'can' implies an 'ought', too (TrP 5). Translation, the work of abstracting and formalizing, is a transformative practice done precisely in order to open words to questioning (ON 274). The fact of the matter, however, is that a translation is "an always possible but always imperfect compromise between two idioms" (FLa 5). The idiom of that which is to be translated is unrestricted in its possibilities for meaning, whereas the translation is intended to be restricted and more determinate.

"What is translation? Here, economy" (LOB 77). The formalizing and abstractive shift from an unrestricted towards a restricted discourse is a shift from one idiom to the next. This shift is what Derrida thinks is the 'scandal' and the 'chance' of philosophy (OTNH 305). The scandal of philosophy is the inability of a philosophical discourse to speak the other's language (WD 89). Barry Stocker notes the nature of this particular challenge:

> Philosophy is both necessarily universal in its claims and is necessarily idiomatic. That is, all philosophy is written in a particular language and that language is just one idiom. The use of the word 'idiom' emphasizes something local and limited, which is the condition of all languages in relation to the assumed universality of philosophy. This is a constitutive contradiction of philosophy, which may appear to be a scandal of philosophy. There is no possibility of philosophy which is not a scandal since contradiction can never be eliminated. (Stocker 2007, 299)

The rub is that philosophical work does aspire to some modicum of universality. No philosophical work is produced to simply rest upon itself in singularity. And yet, universalizability requires communicability, and communicability requires the idiom of some language. This, however, entails that philosophy is spoken and written in a natural language (ON 219). There is no singularly philosophical language. Instead, its formalizations and abstractions are comprised within a context over which there is no ultimate propriety.

2.2.1 Natural Language, Idiom, and Philosophy

> Philosophy finds its element in so-called natural language. It has never been able to formalize itself in an artificial language despite several fascinating attempts to do so in the history of philosophy. It is also true that this formalization (according to artificial codes constituted in the course of a history) is always, up to a certain point, at work. This means that philosophical language or languages are more or less well defined and coherent subsets within natural languages or rather the uses of natural languages. And one may find equivalents and regulated translation between these subsets from one natural language to another. (ON 225)

Philosophy finds itself without any other option than to state what precedes or exceeds it within a borrowed language. "Within a so-called natural language, so one that cannot be totally formalized, where is the frontier between ordinary usage and philosophical usage?" (PaM 77) Philosophy has to make statements about its others in the language of metaphysics and conceptualization. Philosophy therefore makes claims

in a language that cannot but avoid reducing it to some modicum of sameness. Philosophy must, in a vigilant manner, "inhabit the metaphor [of inside-outside and interiority-exteriority] in ruins, to dress oneself in tradition's shreds and the devil's patches - all this means, perhaps, that there is no philosophical logos which must not *first* let itself be expatriated into the structure Inside-Outside" (WD 112). That is, no concept is sufficiently grasped in a word, as it were; instead, concepts "demand sentences, discourses, work and process: in a word, text" (PaM 83). This inescapability of situation, context and singularity is a key element that compels the universal aspirations for conclusive arguments to be eluded by the very thinking that postulates them. The complicity and scandal of being unable not to avoid language entails, necessarily, the deferral of any definitive philosophical conclusion. The scandal of philosophy is also its chance, because a plurality of idioms creates the possibility for philosophy to be passed from one to the next. That is, even though it is impossible for a philosopher to experience all idioms, it may be possible that the practice of philosophy could move through all idioms.

The resistance to translation, communication and structural order is a general formal condition of "an incompleteness of the structure" (TBa 166) which obtains for anything touched by language. This includes philosophy. Derrida notes that "all too often they [the translators] treat the passing from one language to another and do not sufficiently consider the possibility for languages to be implicated *more than two* in a text. How is a text written in several languages at a time to be translated? How is the effect of plurality to be 'rendered'? And what of translating with several languages at a time, will that be called translating?" (TBa 171) The point of these questions is to claim

that thought is beset not by the Kantian categories of perception, and the possibility of their clearly postulated limits, but rather by the medium of thought - namely, representation.

'Idiom' *per se* is untranslatable on a one-to-one basis in an idiom-to-idiom movement.[1] And yet, without idiom there is no communication. Only the idiot, i.e. the one who speaks a language that is purely and only one's own, lacks that which is necessarily shared with others. The idiot, whose production is a pure instance of thought-thinking-thought-itself, is bereft of the mnemonic capability to recollect whatever production of thinking took place. Idiom, then, resists formalization and idealization to such a degree as to entail total forgetfulness. This is to say that the idiom-to-idiom movement is between at least two distinct entities, as a communication whose 'cum' entails either two instantiations of a so-called 'self' or between others.

According to Derrida, the necessity of translation is "grounded" in its impossibility (TBa 171). While commentary, explanation, and paraphrase is not translation *per se* (TBa 172), these are the sorts of strategies that approximate potential meanings that are in no way equivocal. The translation of religious claims into logical statements is not pure translation. This could be an excuse for the overestimation of certain capabilities espoused by philosophers of religion, but it is by no means an alibi for a defense. The resistance of the religious idioms to translations goes at least two ways: it affects the unicity of any religion's dogmatics, teachings, truth claims or other

[1] SQ 67. – See Michel Foucault, "Les mots qui saignent" (1964). In M. Foucault, *Dits et écrits I : 1954-1969* (Paris : Gallimard, 1994), 425-6 : "Il faut bien admettre qu'il existe deux sortes de traductions; elles n'ont ni même fonction ni même nature. Les unes font passer dans une autre langue une chose qui doit rester identique (le sens, la valeur de beauté); elles sont bonnes quand elles vont 'du pareil au même.' Et puis, il y a celles qui jettent un langage contre un autre, assistent au choc, constatent l'incidence et mesurent l'angle. Elles prennent pour projectile le texte original et traitent la langue d'arrivée comme une cible. Leur tâche n'est pas seulement de ramener à soi un sens né ailleurs; mais de dérouter, par la langue qu'on traduit, celle dans laquelle on traduit."

idealizations as much as it affects the capacity for philosophical argumentation to demonstrate, for instance, the incredibility of religious claims.

In one of his first critical essays on Walter Benjamin that reflects on the history of "Babel" in philosophy and religion, Derrida questions three presumptions about translation (TBa 173ff.). Firstly, that it is possible to know how to determine rigorously the unity and identity of any given language. Elsewhere, Derrida drives home his opposition to this point with a pithy proverb: "I only have one language; it is not mine" (MOP 1). That is, language will never be proprietary to any language user. No one has one's own language. Language always precedes any one capable of speech acts and writing, and as such is inherited from beyond. Therefore, "My language, the only one I hear myself speak and agree to speak, is the language of the other" (MOP 25). As a result, the task delimiting all that is proper to one language will be without limit, a conclusion to that task will always be deferred. Secondly, that it is possible to know, in addition, an equivocal idiom that is the same for some other language. An exact one-to-one correlation between one use of language and another can indeed be postulated, as does Benjamin's theory of "pure language", but it resists verification in practice. This is a problem of representation that is also continuously deferred. Thirdly, that it is possible to determine an exact correlation about nonlinguistic signs in two or more languages. The possibility of correspondence between two languages with regard to the same singular event is also able to be postulated, but is a production which cannot be confirmed in practice. Thought very well might be able to go about thinking thought itself, but if this is to become a production which can be confirmed, that very practice of

production closes off the possibility of event's purity *per se*. The production will be idiomatic.

2.2.2 The Idiomatic Context of Translation

Because there is an experience of repeated deferral in the practice of Derrida's imperative: "There is some to-be-translated" (TBa 188), the work of philosophy in translation towards formal and universalizable concepts is a work of partial successes in the form of idiomaticities rather than pure expressions. As a result, on the count of universality - if this is to what philosophy aspires - philosophical work is the experience of necessary failures (ODD 89). "There is some to-be-translated. From both sides it assigns and makes contracts" (AoR 121). That is, the philosopher's work may not be to effect an absolute displacement of substance from one idiom to another; rather, it may be that the philosopher's accomplishment consists of the demonstration of an affinity which exhibits its possibility between two or more forms. The fact that translation may come about is the partial success, since no translation can avoid the necessary failure, which itself ensures the possibility of partial success. "That it can always fail is the mark of its pure finitude and its pure historicity. If the play of meaning can overflow signification (signalization), which is always enveloped within the regional limits of nature, life and the soul, this overflow is the moment of the attempt-to-write." (WD 12)

Strangely, it is for this reason that Derrida declares that untranslatability is the salvation of translation. And by extension, the untranslatability which is the necessary experience of failure for philosophy, is also its salvation. Firstly, if there is always some-to-be-translated, then the resulting untranslatability entails that meaning exceeds every act of language. Untranslatability does not entail that there is no meaning; this is the

salvation of an imperative to continue, because the practice of thinking and representation still remains to be done. Either there always remains some meaning from among a definite set that is not known, or there is always more meaning than what knowing can accomplish within the constraints of the current failure. Secondly, given this remaining meaning, any act of language engenders a fundamental trust that there is meaning on the behalf of all idioms. This much is universal. There is meaning promised by these productions, and the fundamental trust in this promise engenders a certain kind of universality.

What interests Derrida are those moments in philosophy, of which there are many, that articulate something untranslatable. This, for him, is the vocation, the task and calling of philosophy. Derrida then enunciates a promise that he hopes will be the salvation of religion and reason. This is the salvation of untranslatability. That which remains untranslatable is kept safe and intact against the threat of a discourse that purports itself to be certain that it knows of no semantic otherness. This salvation, according to Derrida, has already come if, and perhaps only if, the idioms of religion and reason remain to-be-translated. (AR 31)

2.2.2.1 Universals

Normally. Philosophy takes something like ‘necessary failure’ to entail the defeat of universal thought at the hands of the nonphilosophical. “The West”, as Derrida generalizes the philosophical tradition, is tormented by the “nonphilosophical” (OG 19). “Universality is also the ideal objectivity, thus unlimited recurrence. This recurrence lodged in the unique occurrence of invention is what blurs, as it were, the signature of inventors” (PIO 53). This is a twofold torment: firstly, universality would require the

effacement of identity, that of the inventor's signature; the most successful philosopher, then, would be absolutely anonymous. Secondly, the repeated failure of this objective is itself necessary if there is to be a constitutive history of Western philosophy. If there is to be the practice of philosophy, then that arrives precisely by way of what it is not, i.e. universal.

The philosophical imperative for universal thought is the task of philosophical practice Derrida does not abandon. Indeed, he strenuously emphasizes that there is an imperative of responsibility which follows from such emphasis upon universals. Universals for Derrida, as with Kant, are primarily about practice: "The condition of possibility of this thing called responsibility is a certain *experience and experiment of the possibility of the impossible: the testing of the aporia* from which one may invent the only *possible invention, the impossible invention*" (OH 41). That is, the genesis of any universal is also the genesis of responsibility, which only comes to pass if there is a profound risk of irresponsibility. Universals, construed thus, are not the most certain and stable assurances for thought; they rather are constitutive of those conditions upon which thinking most greatly risks failure and irresponsibility. The recognition of a universal inaugurates a responsibility to all others, and thereby inaugurates the risk of irresponsibility with the most high stakes of that universal's ultimate failure and fading into non-existence.

2.2.2.2 Paradoxes

Derrida's concentration on paradox and aporias is his contribution to that very project of Western philosophy to discover and determine universals. As part of this effort, he seeks to discover practices of thought and productions of thinking that result in

the most certain and stable universals. The search for universals across much of philosophy has historically concerned itself with the harmonization of apparent opposites. Thus, the reconciliation of the particular and the salvation of the universal motivate so many philosophical productions. In no small way, this is what is at bottom for the problem of evil, wherein the most excellent universal imaginable is confronted with logical or evidential particularity.

Derrida' s contribution to this project is to alternate the emphasis, by proposing paradoxes and aporias as the most basic universals. These irreducible contradictions compel and structure the history of philosophy, in the past, today and in the future. If contradiction is constitutive of philosophical practice, then the total overcoming of contradiction is impossible.

'Paradox' can be thought of confessionally as *paradoxos*, i.e. as that which is contrary to common belief, to *doxa*. The *para* of 'paradox' indicates that 'paradox' is that which is outside *doxa*. Thus, 'paradox' is that which is outside the confessed, the known, the determined, and *in extremis*, the programme. For instance the use of the word 'paradoxa' in the gospel of Luke 5:26 emphasizes the extraordinary character of what 'the crowd' saw as Jesus healed a paralytic; the people present said: "Είδομεν παράδοξα σήμερον" – "We have seen extraordinary things today."[2] In this usage, paradoxes are incredible, marvelous, and admirable things which go against expectations. Paradox, then, involves that which is ex-orbitant, ex-appropriative, ex-ontic, ex-static. This 'ex' obtains only if it be allowed that 'ex' and 'para' both reflect the possibility for some thing to be constituted by what remains beyond itself.

[2] Ecumenical Bible translation, 1972. – This translation is to be preferred to – "we have seen strange things today" (Rayment-Pickard 2003, 151). 'Strange' here is much too weak and 'ordinary', as it were.

If the practice of thought which constitutes philosophy involves translation, and if this is driven by a necessary failure-salvation that there is always some-to-be-translated, then the practice of philosophy is constituted at least as much by what is outside itself as by whatever is thought to constitute it. Furthermore, if universals are absolute risks, it is what lies outside of this risk that constitutes the universal. The nature of the universal is constituted as a sign which gestures towards the risk of irresponsibility and failure. In this sense, then, paradox is neither destruction nor annihilation. Any paradox does not entail bringing about its constituents to a state of negation or *nihil*. Paradox is instead an affirmation, albeit sometimes in a negative form, for instance in terms of Plotinus' following axiom: 'The essence of something is not that something.'[3]

As a part of the task of philosophy, paradox is either allowed or brought about. Or, the task is that of recognizing and affirming paradox. In this sense paradox is that for which thought takes responsibility. A paradox is taken care of. This helps explain the curious and curatorial rigour practiced by Derrida's attentive readings which cut across the Western philosophical tradition. His works arise from a sense of responsibility to attend to that which is without assurance or certainty.

2.2.2.3 Aporias

Of his work, Derrida claims: "I am simply trying to pursue with some consistency a thinking that has been engaged around the same aporias a long time" (PaM 89). Aporia is the very condition of the event, the coming of the other, writing, and desire (WAl xvii). The approximation of the Greek term *aporos* is the 'without passage,' or 'without issue.' The aporia is the impracticable route of an uncrossable path. It is by way of

[3] See. M. Boutin, "L'Un dispersif: Examen d'une requête récente". In *Neoplatonismo e religione*. Ed. Marco M. Olivetti (Padua : CEDAM, 1983), 253-79.

attending to paradoxes that Derrida understands philosophical practice to be capable of finding its universal starting points. These points are singularities; and these singularities are aporias. The aim of Derrida's practice is to maintain the aporia as well as that certain kind of failure by which thinking might sustain its future. (Beardsworth 1996, 40)

In a strangely-worded manner, aporia is the possibility of impossibility. This is to say that thought thinking aporia is the condition for the possibility of judgment and decision. By seeking out aporias, thought is brought to a situation that must nevertheless be passed through. An aporia, by way of paradox, is not decidable in terms of a rule, duty, programme. Aporias are 'para' – outside – such technics which are in fact alibis, which excuse thought from actually thinking. Responsible thought, then, moves towards the aporetic. That same responsibility, furthermore, compels thinking to the production of idiom. A decision must nevertheless be made, despite the aporia. Furthermore, that decision will necessarily be idiomatic. The peculiar strength of aporias is their capacity to force a confrontation with what is actual, *réel*. No philosophy, according to Derrida, obtains any sufficient adequation to so-called facts or to reality if it refuses or shies away from confronting the "apparently contradictory possibilities" of the real world (Bennington 2001, 81). Therefore, philosophers of religion are right to pursue the paradoxes that obtain for theism, but not on the presumption of being free from such conditions themselves.

"Unlike Aristotle's 'blocked paths', which are overcome with dialectics, the Derridean aporia must simply be endured. Thus the aporia is not endured as a phenomenon, but rather as the impossibility of the phenomenon" (Rayment-Pickard 2003, 111-12). Derrida gives attention to aporias because he understands thinking to be

affirmed by the resistance to thinking (Gaston 2007, 83), and because decisions made in the face of aporias cannot grant themselves the assurances of good conscience and indefinite, i.e. normatively universal, repeatability. This is the import of responsibility as proposed by Derrida. (Patrick 1996, 138)

Therefore, if Derrida does propose a practice and task to philosophy, it is the following: seek out paradoxes; attend to aporias; make a decision and face the fact that it cannot be taken for granted, infinitely manipulated, or totally dominated.

Aporias need not block or paralyze. Derrida argues that aporias can also condition events by virtue of the fact that an actual event must be impossible (WAl 74). In other words, aporias operate as sovereign universals. They are simply given, whence from no-one knows, and thus remain unconditioned. Aporias are the only *a prioris*. The gift of the aporia and the aporia of the gift are the markers on the path of possibility.

Derrida's insistence on things aporetic is a function of his brand of empiricism. Aporias are the most factical facts or realities. Aporias are ineluctably real: and not only do they take place in the socius of the so-called individual's mind, they are also communicable with others precisely due to their very aporicity. Aporicity and aprioricity converge as the most fundamental haecceity.

By no means is there some already determined set of aporias and paradoxes that would form the ideal language by which there might be near error-free communicative action. Benjamin's 'pure language' is not constituted of aporias. Derrida does not propose a set of aporias akin to Aristotle's listing of fallacies. His life works are dedicated, however, to seeking out and working through what seems to be a non-finite succession of aporias which have been enunciated but largely overlooked in the history of

philosophy. In avoiding or purportedly overcoming the actualities of aporias, precisely in claiming to be realists, philosophers are doomed to repeat themselves. This would be the most banal and mundane recurrence of the same. Such recurrence only threatens eternality largely because aporias themselves do not appear or reveal themselves as fully present facts nor constitute a horizon for reality. The experience of the aporia remains aporetic. If anything, Derrida likens the situation of thought thinking aporia with the experience of the mystical. Thinking aporia entails the *para-doxos*, which necessarily entails that the decision which enables passage across an aporia is neither determinable nor delimitable by an already-at-hand set of categories, knowledge or experience. Derrida claims the following: "it is impossible to have a full experience of aporia, that is, of something that does not allow passage" (FLa 16). This is the fundamental reason why the practice of responsible thought, according to Derrida, does not entail risk-free certainty.

This, of course, torments classical philosophy, because thought cannot conduct an absolutely negative discourse (HAS 34). Greek discourse cannot but work to reappropriate whatever it encounters with ontology, as in Plato's *Sophist*, where non-being can only be thought of as other and not as nothing (see 262e). Aporias are strategically given the status of *triton genos*, the third species, in the Platonic discourse. This is done in order to bring the aporia into the economy of the discourse.

> There never existed (there will never have existed) any older or more original 'third term' that we would have to recall, toward which we would be called to recall *under* the aporetic disjunction. This is why what resists the non-dialectizable opposition, what 'precedes' it in some way, will still bear the name of one of the terms and will maintain a *rhetorical* relation with the opposition. It will be figured, figurable. (MdM 137)

For example *Khōra* (*Timaeus,* 48e, 49a, 52a). Derrida notes: "As it is neither this nor that (neither intelligible nor sensible), one may speak *as if* it were a joint participant in both. *Neither/nor* easily becomes *both…and*, both this and that." (HAS 35) This is done with a view to reapproppriating the third species for ontology and for the Platonic dialectic. Platonic discourse makes an interpretive decision to inscribe its aporias in metaphor, such that the latter is uncritically trusted and given in the discourse without suspicion. Derrida repeats these metaphors in order to raise a suspicion:

> All these aporias, which Plato makes no effort to hide, would signify that *there is* something that is neither a being nor a nothingness; something that no dialectic, participatory schema, or analogy would allow one to rearticulate together with any philosopheme whatsoever, neither 'in' Plato's works nor in the history that Platonism inaugurates and dominates. The *neither/nor* may no longer be reconverted into *both… and*. Hence the so-called "metaphors" are not only inadequate […] they are no longer metaphors. (HAS 36)

Aporias, Derrida proposes, create space for thinking. This is the space of a particular kind of socius, organized by universals which are without any totalizing universalism. This space is the room for thinking freely with idioms that are without the postulation or purport of pure translatability. 'Third species' is no Trinitarian discourse, but "only a *philosophical* way of naming an X that is not included in a group, a family, a triad or a trinity" (HAS 39). The third species is not in any specific relation of force with an other with which it could be opposed. In effect, such a space is one in which philosophy could be practiced with all others. Aporias, as such, are universals without universalism.

2.3 *Problemata*

Aporias are what Derrida takes to be the proper place for the practice of thinking. This is largely because aporias are not, properly speaking, objects which are subject or prey to the capabilities of thinking. Instead, thinking finds itself called up before aporias.

> What remains to be thought: the very thing that resists thought. It resists *in advance*, it gets out ahead. The rest gets there ahead of thought; it remains *in advance* of what is called thought. For we do not know what thought is. We do not know what this word means before or outside of this resistance. This can only be determined from, in the wake of, what resists and remains thus to be thought. Thought remains to be thought. (WAl xxxii-xxxiii)

That which is put out in advance is the problem. 'Problem' is normally taken to be that which is 'before', that which is subject to thinking (ON 10). A problem is pro-posed, and problems are normally thought to be objects posed in advance by the capacities of thinking; they are literally *ob-jecta* (Latin), i.e. thrown by thinking before itself. The philosophical tradition follows from the Greek understanding of *problema* as something put forward: *proballein* is to propose by way of combining *pro*, 'forward,' and *ballein*, 'to throw.' The task before thought itself is the 'problem.' In the vocabulary of warfare, it should also be noted, *blema* was the wound in a human body pierced by a thrown spear. This wound follows from the result of something being thrown. But *blema* also signified the missile itself, a javelin, a lance, a kidney-ripping spike, or a chest-splitting spear. *Blema* is the wound and the weapon. These sorts of considerations may well stand behind Derrida's note: *"problema* is a shield, an armor, a rampart as much as it is a task for the inquiry to come." (SMa 163) The shield of the problem is taken to be an apotropaic measure of protection against some other. Within this heritage, problems are offensive weapons for thought.

The ‘pro’ of the problem, according to Derrida, engages thinking on the matter of what is ‘before’ (Ap 66). In French, there are two ways of considering what is before. Firstly, *avant*, implies temporality in the sense that there is something earlier; in that case, the problem is a wounding of thought which has already come about and to which thought must attend. Secondly, *devant*, implies a sense of spatiality in which there is some distance involved. In that case, the problem is the revelation that there is some beyond to which thought is called to move. In either case, the *blema* of the problem is not inflicted by thinking on others, but upon thinking itself. As Derrida notes elsewhere about the wound of reason: “The wound consists precisely in claiming to discover and to master meaning, in claiming to suture or to saturate, to fill this emptiness, to close the mouth.” (SQ 167)

2.3.1 Problem-Posing and Philosophical Practice

The chances and scandals of philosophy are then the problems of aporia and paradox by way of which thought risks failure in its attempted productions. Practices of thinking which attempt to deflect the ‘problems’ of aporia and paradox upon others, in order to pose them as the problems, is not responsible. In such cases, problems exert a force of questioning that effectively places the other as an object of prey before an armed and shielded subject. This method of problem-posing places others under the onus of its questions, expecting them to be compelled to respond.

This practice uses problems as means and reduces others into a philosophical other, thus forcing the philosophical other to respond in a language, that of philosophy *qua* metaphysics, that will more than likely be a language that is other to the other. The particular philosophical idiomatics by which the problem is posed is taken to be the only

actual language. The problem is not a benign element introduced by traditional philosophical inquiry in order to enable an other to speak its proper language and idiom. Under these circumstances, other idioms are incoherent, contradictory and unsound. They would not meet the demand that communication be philosophically reasonable.

Therefore no 'problem' is neutral or benign. By means of the structure and force of problem-posing, philosophers mean to put an other under a philosophical horizon, elicit philosophical language in a certain philosophical idiom from the other, and ultimately, if the other can be rendered reasonably coherent, non-contradictory and sound, be capable of philosophically re-marking upon how that other can be successfully encompassed within a philosophical circle of understanding and explanation. At such point, the other is no longer other. The other will bear and express sufficient family resemblance that it will not be necessary to put the other into question. It will no longer be necessary to make the other the object of a problem. In such cases, a problem solved is an other rendered philosophically solvent. This, in effect, is what must take place if for example the paradox amid the premisses of the problem of evil are to be rendered credible.

Therefore, the problem is one of the eminent philosophical strategic devices whose force and structure has traditionally been relied upon as the force by which the laws of philosophy maintain their legitimacy. The problem is a primary resource for the restrictions of philosophical economy. Whatever resists successful problem-posing is to be the object of successive attempts to re-pose. Philosophers have historically taken this to be their responsibility.

2.3.2 Aporias Pose Problems

Aporias are the proper object of thought because they strip the offensive capacities from thinking. Thought is disarmed and denuded before aporia. "For problematization is certainly the only *consistent* organization of a question, its grammar and semantics, but also a first *apotropaic* measure to protect oneself against the starkest question, both the most inflexible and the barest, the question of the other when it *puts me in question* at the moment it is addressed to me" (PaM 85). Aporias shift the role of thinking from that of a problem-posing capacity to restrict others as objects to be wounded by reason. Instead, when aporias are taken as the object of thought, thinking cannot resort to such weapons of sure victory and good conscience. Instead, thinking is faced with utmost responsibility by risking being positioned into question itself.

Serious thinking then, according to Derrida, finds itself put into question. It is the problem, rather than the other. Taking this construal of the task into account leads to different possibilities in terms of the organization, direction and outcomes for philosophy. The question that interests Derrida is "how is it that philosophy finds itself inscribed, rather than itself inscribing itself, within a space that it seeks but is unable to order, a space that opens out onto another that is no longer even *its* other […] How is one to name the structure of this space? I do not *know*; nor do I know whether it can give rise to what is called *knowledge.*" (EoU 123)

2.6 Dilemmas

The considerations above lead into the challenge Derrida sets to the presumption that philosophical discourses are capable of going "straight through the frame on their way to what is supposed to be the center of their work" (Wills 2005, 26). The efficient

production of philosophical outcomes is often through the problematizing strategy of dilemmas. The components of dilemmas are thought to set the framework for problems. Indeed, dilemmas are constituted by the pairing of two *lemmata*. In current normal practice, the *lemmata* of any dilemma are thought to provide the borders or framework by which philosophical problem-posing proceeds.

A lemma was originally the formalization of a religious statement. This statement was not necessarily a philosophical claim, as it could be a series of phrases, or even paragraphs, over which the lemma hovered as a title or subtitle. For example, many versions of the Christian Bible have *lemmata* interspersing their passages. The lemma is a guide to the reader that can expedite either the act of locating a specific passage or the act of surmising the meaning of the passage. In any case, the lemma is originally deployed in the Christian religious context as a pedagogico-hermeneutic commentarial technology. It presents a *reductio* that can operate as a formalized indicator of a phrase, statement, passage, or series. *Lemmata* sometimes functioned as credos by which Christians could also confess their faith.

In this context, the *lemma*ta themselves are not equivocally substitutable for that towards which they gesture and indicate. For example, "Jesus feeds the 5,000" (gospel of Mark 6:30-44) does not substitute for what follows under that title. The *lemmata* themselves, in fact, can be done away with at no cost to the religious beliefs in question. Each lemma is, in fact, an ambivalent entity relative to that to which it gestures.

> The word lemma (pl. *lemmata*), which in the fifteenth century referred to the proposition drawn from a classical source or holy writ that was quoted and served as a heading for the commentary that followed it, now means both an assumed, and therefore accessory, proposition on the basis of which an argument will proceed, and a similar proposition given as a title. It is thus something fundamental to the argument that occupies an

> accessory or marginal position, albeit with the prominence of a title or headword; something like a frame that provides a basis for conceptual or aesthetic structure while appear to remain more or less exterior to it. (Wills 2005, 26)

In philosophy, a lemma is a premise. It is something proposed as granted in the course of developing an argument. In that context, a lemma is given as something acceptable and accepted for the purposes of the argument and more widely as something credible. In this sense, *lemmata* also stand ambivalently for something else.

Classical philosophers, following the usage of the Church Fathers, employed *lemma*s in a titular capacity. They would appear at the beginning of a chapter or at the head of a work. In this way, works would be granted their author's name, an annotation of the contents, perhaps a comment about the circumstance of the text's production such as at the behest of a monarch or to mark an event, as well as the intended person or audience to whom the text is addressed. A text without a lemma is *anepigraphos*, and *lemma*s also provided the primary means for pseudepigraphy (Hörander, 1991). In this way, *lemma*s provided a kind of signature, gloss, context and postage. *Lemma*s were distinguished from the primary text by means of characters differentiated by font and colour. The lemma functioned as a headword and sometimes as a gloss on a passage.

In the discipline of linguistics, a lemma is a heading for a set, such as the use of infinitives form of a verb to not only show that infinitive form, but to also represent the whole set of various conjugations possible for that verb. The lemma is the least-marked form of a verb. A glance at a language-learning text, such as Louis Bescherelle's *L'Art du conjuger* is an example of this. The *lemma*, in this context, is meant to function as a simple form capable of gesturing towards a set of substantially more complex

possibilities. Here the norm is that the infinitive is a more reliable means for representing verbs in the French, German and English language rather than the subjunctive, for example. In this context, the capability of any *lemma* is grounded in its fundamental ambivalence.

Contemporary philosophers seem to denote the *lemma*, unlike a premise, as a "proposition put forward in the course of an argument, often accompanied by its own proof" (Teichmann, 2005). If it can be shown that a conclusion is possible on the grounds of a false *lemma*, then the conclusion itself is false. Therefore, proving a false lemma threatens the truth-validity of the conclusion. The difficulty this point highlights with regard to the classical formulation of the problem of evil is that, if it is comprised of *lemma*s rather than premises, it is not clear what their supposed conclusion might be. It is also not clear what the conclusion might be if they were premises. This points towards the question whether the three points of debate in the problem's formulation are more ambivalent than is normally supposed.

Philosophy takes itself to practice the framing of problems as *dilemma*s, which are presumed to be formalized representations capable of determining a substantive opposition to be overcome by dialectics. This Manichean practice is meant to put others into question, namely, those who hold both *lemmata* to be correct or true.

David Wills finds that Derrida solicits the stability of this practice with the "problem of lemming": "language and meaning are forever in the business of contextualization, which also means they are forever in the business of framing, framing an abyss; in the business of *lemming*. That framing or bridging is what permits something to make sense rather than operate as the free-floating drift of signification; but

the very same, and necessary, law of the abyss that opens the play of meaning makes ascribing limits to it ultimately impossible" (Wills 2005, 32). Far from putting others into question, the very possibility of posing dilemmas also puts the would-be problem-poser into question.

2.5 Conclusion

"And so how is the practice of philosophy to proceed? If it is not the philosopher-cum-interrogator who is subjecting others to questions, what guides the philosophical project?" (WAl xv-xxxv) Derrida's response to this is to consider that the task of philosophy is not that of problem-posing, but of provocation. This is not the philosopher's provoking of others, but that of being-provoked. Provocation constitutes the being of philosophical thinking. The starting point for philosophy is provocation, a '*coup*' whose blow provokes a response.

The Latin *provocatio* is the juridical challenge for an appeal. That appeal, as Derrida notes quoting Cicero (*De legibus* 3,6; WAl, 281n.1), is political because it is made to the people. In French, the verb *provoquer* has particular import in terms of incitement to violence. The *agent provocateur* is one who acts in order to incite others to commit an illegal act. "To provoke […] is to go out ahead, put oneself forward: to expose oneself or to defy/dare/challenge, to face up to or confront, here and now, *without delay* [*sans attendre*] and *without alibi*" (WAl xvi). Thinking which is provoked finds itself unarmed and naked.

All of this substantially challenges the lemming capacities of responsible thought. At the very least, it begs for a reconsideration of how problems are posed and to whom

they are posed. The problem of evil did not come about at first by way of a philosopher's signature.

Derrida's orientation is fundamentally towards practice, and practice itself is not a matter of ideality or materiality alone. This is what Derrida attempts to press in his insistence that possibility only comes to pass by means and by virtue of impossibility. Bill Martin puts it nicely when he notes that Derrida's practice is not amenable to the "set 'em up and I'll shoot 'em down" aficionados. "Where there is no program, no project, the aporias of a not-practical-enough reason can be seen" (Martin 2005, 62). Derrida consistently pursues reflection on precisely that which resists thought: aporia and paradox. Derrida does not propose a practice in the sense of the *praxis/theoria* distinction of a theoretical or negative operation (P 90), because he does not see this as adequate for dealing with aporia and paradox.

Any search within Derrida's works for a set of instructions, rules or user-guide will be in vain. This is because Derrida's attentiveness to aporia and paradox is borne of a sense of their universality. Aporia is the passe-partout, the simultaneously universal and painstakingly singular opening for Derrida's work. "The '*passe-partout*' which here creates an event must not pass for a master key. You will not be able to pass it from hand to hand like a convenient instrument, a short treatise, a viaticum or even an organon or pocket canon, in short a transcendental pass, a password to open all doors, decipher all texts and keep their chains under surveillance." (TrP 12)

According to Bill Martin (1995, 151-3) the merits of Derrida's proposal are also those which produce frustration. Derrida does not do things 'by the numbers'. Each singularity is totally other than every other. This would be the only codification, since

any other code would obscure these singularities. As a result, Derrida's commitment to painstakingly analytical study resists short quotations, be they glib or serious. The intricacy with which meaning is embedded in Derrida's texts is meant to be a demonstration of that general condition for all texts. The responsibility to read Derrida well - and Derrida insists by the complexity of his texts - is his attempt to impress a universal imperative to resist giving any '25-words or less' account of anything. As a result, Derrida expects to be dialogically engaged with his others. Every other is worth being taken seriously. As such, Derrida's work "helps in the work of imagining and building the polis beyond the logic of the same" (Martin 1995, 153). Philosophy is emphasized as a practice which is not sclerotic or hermetic.

Derrida does, as it turns out, have rules for his practice. In one of his essays on the 'de Man affair,' in which one of Derrida's close friend, Harvard literary theorist Paul de Man, was taken to be a Nazi collaborator, Derrida sets forth rules for avoiding ethico-political errors and falsifications. From the outset is to respect the other; "the respect of that which, in *any* text, remains heterogeneous and can even, as is the case here, explain itself on the subject of this open heterogeneity while helping us to understand it" (MdM 239). Then Derrida posits a regulating idea: to avoid reproducing the logic of the discourse in question. If the logic or character of a project or its consequences can be terrifying, Derrida's injunction is to analyze as far as possible the process of formalization and its program to uncover the statements, and behaviours that derive from it. (MdM 240)

Derrida does not, however, take himself as the paragon exemplar of these rules. He finds himself unable not to betray this respect for idiom and singularity:

> I cannot respond to the call, the request, the obligation, or even the love of another without sacrificing the other, the other others. *Every other (one) is every (bit) other* [*tout autre est tout autre*], every one else is completely or wholly other […] As a result, the concepts of responsibility, of decision, or of duty are condemned *a priori* to paradox, scandal and aporia […] the revelation of conceptual thinking at its limit, at its death and finitude […] I can respond only by sacrificing ethics, that is, by sacrificing whatever obliges me to also respond, in the same way, in the same instant, to all the others. I offer a gift of death, I betray […] Day and night, at every instant, on all the Mount Moriahs of this world, I am doing that, raising my knife over what I love and must love, over those to whom I owe absolute infidelity, incommensurably. (GiD 68)

For Derrida, there is a paradox and aporia which must be faced in recognizing the full depth and extent of human responsibility. This is not an alibi, but an avowal of ineluctable culpability. "I am responsible to any one (that is to say to any other) only by failing in my responsibilities to all the others, to the ethical or political generality" (GiD 70). Derrida is describing the situation in which all philosophical practices honestly find themselves, without any passe-partout whose transcendentality could grant a pass from all conditions. Derrida claims that "one is never responsible enough" (GiD 51). Instead, responsibility is excessive. The responsibility of philosophy's practice cannot be limited, measured, calculated, or rationally distributed. Moreover, Derrida takes this to be a general condition of any action.

Alan Wood thinks that Derrida's emphasis on this excessive responsibility is mistaken (Wood 2005, 140). Wood correctly notes that Derrida's proposal transforms responsibility from an attribute of a sovereign subject into a condition that opens the possibility of being a subject. The madly inscrutable opening that makes decision possible also removes the possibility of sufficient responsibility from decision. Wood argues that the outcome of Derrida's emphasis on excess closes down judgment. He

argues that Derrida follows Emmanuel Lévinas' mistaken development of infinite responsibility before the face of the other. He cites Lévinas' comment in an interview: "when we sit down at the table in the morning and drink coffee, we kill an Ethiopian who doesn't have any coffee" (Wood 2005, 145). Wood finds this to be blatantly wrong. Which Ethiopian is killed? How might one find the Ethiopian who died because of the particular cup of coffee Lévinas might have sipped at a particular date, time, place, and mood? "Lévinas [and in turn, Derrida] is confusing the fact that there are no *a priori* limits to my ethical exposure to the other, the powerful grain of truth here, with the claim of infinite obligation or responsibility, one which would convert my drinking a coffee into an act of indiscriminate murder" (Wood 2005, 145). Either failure to prevent a wrong (e.g., save a life) is indistinguishable from committing a wrong (e.g., murder), or specific circumstances entail that the failure to prevent a wrong is be indistinguishable from committing that wrong. Wood finds that Lévinas does not work through these distinctions and then finds Derrida thereby in error too.

It would seem, however, that Derrida is emphasizing the latter option, where Lévinas is partly correct. Perhaps Derrida is too extreme in determining terrifying consequences when he analyzes - as far as he is able - the process of formalization and its program to uncover the statements, and behaviours that derive from it. But the possibilities for ethical exposure to the other thereby opened can lead to a responsibility that is incalculable rather than infinite. This is where Derrida departs from Lévinas. Derrida's insistence on betrayal is borne of a responsibility which emerges from identifying his context as amid, not beyond, the world. Derrida finds his capacity to

make decisions haunted. This is one of the fundamental reasons why Derrida refuses the defensibility of good conscience claims for the sake of responsibility.

> For it must be cried out, at a time when some have the audacity to neo-evangelize in the name of the ideal of a liberal democracy that has finally realized itself as the ideal of human history: never have violence, inequality, exclusion, famine, and thus economic oppression affected as many human beings in the history of the earth and of humanity [...] let us never neglect this obvious macroscopic fact, made up of innumerable singular sites of suffering: no degree of progress allows one to ignore that never before, in absolute figures, never have so many men, women, and children been subjugated, starved, or exterminated on the earth. (SMa 85)

Calmly sipping coffee over conversation does not kill Ethiopian farmers directly, but the global politico-economic network within which some farmers suffer cannot be divorced from the conditions which help bring about the coffee itself.

Derrida would agree with Wood that exposure to the other means there are no *a priori* limits to responsibility; but there are limits nonetheless that prevent responding to all responsibilities (Wood 2005, 147). Derrida would affirm that the outcome of the latter point entails that any action is without any final or perfected justification. As a result, each act is haunted by the memory of this openness, whose counterfactuality asks: could perhaps something else have been done on behalf of the farmer other than to merely sip 'his' coffee? The limitation on actual capacity to fulfill all *a priori* responsibilities compels the individual to be *a priori* open to responsibility to future others, by virtue of responsibilities to past others. Derrida finds the resultant lack of good conscience to be a good thing; but this impossibility does not entail that Derrida thinks the responsibilities that are indeed acted upon are done in bad faith. Therefore, drinking coffee is and is not distinguishable from committing murder.

Rather, action brings calculation to an end; but bringing calculation to an end is not by virtue of the act's completion. No action is completely justified. It is necessary at some point to stop calculating and make a response. Amid all the work needing to be done, precisely in order to be responsible, there is a necessity which finds the timeliness of the response to be lacking or wanting. Furthermore, the very point of obeying the necessity will produce a further state of lack or wanting. The precise timing and constitution of the response cannot be absolutely justified. The critical point (*krisis*) at which hesitation is cut off is the decision to constitute the response in some performance. All of this must take place recognizably. Obeying the necessity to respond precipitates the fault of having responded. As it were, commission and omission take place in the same space. The response will be lacking and wanting on both sides: on the one hand, the response will not have been soon enough; on the other hand the response will have come too soon, since more calculation was possible. The necessity itself precipitates these lines of fault which stand on either side of any decision. Every decision "is structured by this *experience and experiment of the undecidable*" (LI 116) and is found to never be sufficiently responsible.

C H A P T E R T H R E E

DERRIDA'S RELATION TO PHILOSOPHY AND 'RELIGION'

3.1 Derrida and Limits

Drucilla Cornell accurately characterizes Derrida's thought as a "philosophy of the limit" (Cornell 1992). Derrida's sense of limit involves a peculiar binary aspect which does function neither in a Manichean sense nor as the structure of a dilemma. (see # 2.4)

Derrida's method of argument could be understood to be the repeated proposal of dilemmas. Were this the case, then his work would fall squarely within the domain of conventional philosophical practice. Derrida's critical method poses two limits or sources, often with the French formula '*l'un [...] et l'autre'* – on the one hand […] on the other hand. These are extreme limits, one of which usually involves absolute presence and the other which is beyond recognition. With respect to his topic at hand, Derrida then articulates why it is important to sustain vigilant awareness of both limits and to practice hesitant caution towards them. To take either or both as possible would enable the calculation that Derrida thinks is impossible.

Derrida very carefully avoids making 'third way' proposals that would find some kind of balance inbetween the limits. This is where he departs from conventional practices of problem-posing via dilemmas. Derrida does not describe a navigation of these limits by determining an Aristotelian *meson* or the 'middle space' of a metaxy (Kearney 2001, 5). Rather, Derrida's company is more with Zeno the Eleatic, since the upshot of his claims is that of a non-finite number of positions possible relative to the

limits and among the positions themselves. Richard Beardsworth characterizes this as an 'orientation' of what Derrida does: enacting "a displacement and reorganization of the 'metaphysical' opposition between the transcendental and the empirical, opening up an aporetic and uncontrollable 'position', neither in philosophy (as it is traditionally organized) nor outside it, one from which the future of thinking and practice is thought." (Beardsworth 1996, 5)

There are always positions, and there is always another position between the absolute limits. In this sense, Derrida does make use of the capacity for thought to think the infinite, but this is not in order to locate an absolute position by which a regulative ideal or a thinking subject would be determined. Derrida cannot determine an ideal position, a regulative positioning, or the position most adequate to the circumstances. His first concern is with positionality as such, and then how the introduction of that reflection affects a given position. This has frustrated other philosophers since Derrida showed his writings to others (see P), often leading to claims that all Derrida does is vacillate.

Derrida's self-perception of this aspect in his work is that it is anything but neutral. Instead, his works perform interventions (P 93) which demonstrate the strengths of weak positions and the weaknesses of strong positions precisely by means of facing them with their limits. It is more accurate to claim that Derrida demonstrates how any position is weak-strong and strong-weak; this effectively refutes the possibility of dogmatism, ideality, stability, and certainty. In this sense, Derrida implicitly argues that all positions vacillate all on their own and that any position which denies this is irresponsible for itself.

This section will work out the nature of Derrida's claims about limits, sources,

various hands, and what he describes in his works as 'the ends of man'. The final characterization of Derrida's work will be related to the numerical theories of probability, where the values '0' and '1' indicate two absolute ends which cannot occur in Bayesian probability calculations. Any value can obtain within those limits, but those absolute values themselves cannot be outcomes, since that would annul the very possibility of doing the probability calculation in question.

3.1.1 Terminological Foci

Derrida's preoccupation with limits is classically philosophical in that his works are terminological elaborations: they regularly have to do with the terminus, the 'limit' and the 'border'. While he admits that this is a " 'Kantian' gesture" (FK 8), he does so while keeping in mind Hegel's critique of the false infinite. Derrida would share sentiments about terms in philosophy with aphorism 355 of Nietzsche's Gay Science, that terms are appointed to name extremes in order to avoid their strangeness (Niezsche 2001, 214). This is done in order to find an alibi against the decision to frankly admit the instability of any given concept's limits, folds, edges, borders, and framework. Philosophy has historically concerned itself with terminology, but not in order to be questioned by the avoidance of the 'terminal' as such or by the possibility allowing that de-termination which would put philosophical terms into question.

Philosophy is in part a matter of making decisions about the meanings of words. There will be at least two meanings for any term, if there is to be any decision as to the meaning of the term. The grounds for making that decision, its adequacy and justification, may not be so ultimate. The authorization for impoverishing the polysemic aspects of any given word will be pragmatic, i.e. with reference to a context of use, but

not on *a priori* grounds. Delimiting the communicative valences of a word is an *a posteriori* act done with a particular intention and performed in order to a decision. This decision on the meaning of a word arrives by way of an ability to translate from a general and over-determined context of non-limited semantic possibility to one decided-upon idiom that must be taken in good faith, but not with clean or good conscience. That is, there is no alibi that can ultimately secure that decision. The decision on the meaning of a term, particularly if done in order to restrict the meaning of it, makes a fiduciary demand that others give credence, and therefore lend the credibility to the decided-upon idiomatic construal of the term. This may come to pass as a decision on pragmatic grounds, perhaps, but not in accordance with a transcendentally grounded principle of sufficient reason. Both philosophical investigations and interrogations, if there is a difference, are subject to this terminological process.

Most philosophical projects set about adopting or constructing a set of terms, defending the adequacy of those terms, and then practicing application to translate such phenomena as texts, discourses, histories, or events. The adequacy of the terms is demonstrated, and sometimes verified, in this latter phase. In cases where the practices demonstrating the adequacy of the terms doubles as a practice of verification, the distinction between defending and presuming adequacy is blurred.

The difficulty is that while truth might well be a standard by which sentences can be evaluated, it is difficult to make the same claim for terms. By itself, outside the situation of a sentence or proposition, i.e. a context, it is difficult to determine the truth of a term. Furthermore, the introduction of other terms for comparison compromises the operation of determining the truth of one term alone. It cannot be determined, without

such reference beyond a term, whether one term is adequate in itself or has a higher truth relevance than another. Even the same term might in fact be a different term, relative to other terms. It is at the limits of each term that Derrida decides to begin:

> To go from the word 'pleasure' in ordinary language to 'pleasure' in phenomenological discourse, then to the Pleasure of psychoanalytic theory, is to undertake the strangest sort of translation […]. Indeed, the 'translation' in question does not really go from one natural language to another: it is after all the same word (pleasure) that one recognizes in all three cases. To say that we are dealing with a 'homonym' would not be false, but the effect of this 'homonym' is not that of designating different meanings with the same form. The meanings here are not different, neither are they identical, or even analogous meanings, and if the three words written differently (pleasure, 'pleasure', Pleasure) are not homonyms, even less are they synonyms. (PIO 134-135)

The truth of terms, if truth is universal, can only be relatively determined. A utility criterion could elaborate the usefulness of a term to make clear statements with truth relevance. This would entail determining whether a term's utility could be a function of its ambiguity, or because of its adequacy and exactitude. This, however, cannot be determined. A term can be granted a highly specific meaning, but the term's capacity to sustain that assignment could be a function of its ambiguity, and not a matter of necessity. The closure of this distinction is incalculably deferred. Furthermore, estimations of a term's utility for truthful propositions might itself lack adequacy to the actual deployment of terms by language users.

Georgio Agamben explains that according to medieval logic, a 'term' is a word that does not signify itself (*suppositio materialis*); the term instead stands for the thing it signifies and refers to something (*terminus supponit pro re, supposito personalis*). (Agamben 1999b, 208) "According to this conception, a thought without terms-a thought unfamiliar with a point at which thought ceases to refer to itself and is firmly grounded

on the soil of reference - is not a philosophical thought" (Agamben 1999b, 208). It is largely due to Derrida's study of structural linguistics that this sort of conception is no longer thought to be philosophically tenable. What was once thought to define the nonphilosophical cannot, today, be strictly delimited from the 'philosophical' with clean conscience.

3.1.2 The Crisis of Terms

The point Derrida was attempting to make in his study of Ferdinand de Saussure's theory of signs was not to challenge or augment Saussure's theory, but to simultaneously affirm and criticize Husserl's arguments about the possibility of a purely intentional object. Such an object would finally ground Descartes' project. Derrida affirms Saussure's emphasis on the empirical conditions for language, which refuses the possibility that meaning can be identical across different languages. At the same time, and not without problems, the emphasis on the factuality of that same refusal establishes a nonhistorical set of conventions and modes of association that transcends specific languages. Such a set would have to take place by way of language in order to be thought. Saussure thereby fundamentally questions the possibility of a self-referential term, thereby rejecting medieval notions of the terminus. Saussure does this by focusing upon the phonic signifiers of '*langue*', or speech, to the exclusion of writing. Saussure's determination of the arbitrariness of the sign opens the possibility of Derrida's argument also. (OG 43)

Derrida sets this finding beside Husserl's emphasis upon the '*phonê*' of purely interior speech, '*la voix*', by noting a shared exclusion of writing with Saussure. Where Saussure presumes the presence and the presentation of the sign to a subject whose

modalities of recognition are left uninvestigated, Husserl attempts to study the modality of recognition and the phenomenal possibility of presence to a subject that he presumes to be transcendentally continuous. The essential possibility of both, Saussure's synchronic analysis and Husserl's diachronic analysis, requires an oppositional exclusion which Derrida claims to be a common idealization by virtue of which the fundamentally differential nature of language is avoided. On the one hand, Saussure glosses over first principles in order to sustain his empiricism. On the other hand, Husserl attempts to establish first principles by glossing over empirical difference. Each avoids the limit focused upon by the other.

What Derrida finds is "the temporalization of a lived experience which is neither in the world nor in another world [...] that differences appear among the elements or rather produce them, make them emerge as such, and constitute the texts, the chains, and the systems of traces" (OG 65). The notion of the trace removes empirical certainty from Saussure, while also contesting "those assumptions in regard to the ideality of the word, as well as the recovery of (transcendental) history generally, that Husserl's late project entails" (Kates 2005, 189). Between the Saussurian and Husserlian limits is neither an entirely empirical nor a transcendental system; rather, "language preserves the difference that preserves language" (SPh 14). The notion of 'trace' is introduced by Derrida to explain how language works amid these limits, and '*différance*' is deployed to explain the form for how the trace actualizes meaning within language. (OG 63)

At most, Derrida thereby undermines the certainty of ideal or empirical presence upon which is presumed an original status from whence truth propositions would proceed. This aspect of Derrida is best understood as a modality of suspicion rather than

the outworking of skepticism. Skeptical claims entail that there is less than what there appears to be. Derrida's suspicion is that there is considerably more than what is claimed by empirical and transcendental analyses.

This brief explanation illustrates Derrida's early engagements with limits. The effect on the consideration of philosophical terms was such that "their referential character can no longer be understood simply according to the traditional scheme of signification; it now implies a different and decisive experience of language. Terms, indeed, become the place of a genuine *experimentum linguae*" (Agamben 1999b, 208). Philosophical terminology must negotiate with its historicity, being neither entirely empirical nor transcendental, but somewhere amid the incalculable positions.

Derrida's analysis of the logic of the term and its limits disturbed the certainty that the truth of terms was a possibility:

> Of Grammatology questioned the unity of 'word' and all the privileges with which it was credited, especially in its nominal form. It is therefore only a discourse or rather a writing that can make up for the incapacity of the word to be equal to a 'thought.' All sentences of the type [...] [*S is P*] *a priori* miss the point, which is to say that they are at least false [...] one of the principal things at stake [...] is precisely the delimiting of ontology and above all of the third person present indicative: *S* is *P*. (JF 4)

According to Agamben, this is Derrida's fundamental and revolutionary contribution to modern philosophy, where philosophical practice must ineluctably undergo the crisis of deciding its terms. Amid such limits is where philosophy finds itself posed in question.

Elsewhere, Derrida associates 'crisis' with its Greek root, *krineien*, in order to remark the necessity of a discourse to decide upon its terms. Derrida's critique "interrogates and calls into question precisely the terminological moment (hence the

properly poetic moment) of thinking, exposing its crisis." (Agamben 1999b, 208-209) "Circumcision, that's all I've ever talked about, consider the discourse on the limit, margins, marks, marches, etc. " (C 70). The notion of circumcision is reinscribed in Derrida's neologism '*circonfession*' (see C), in order to characterize that philosophical practice of going about the limits of inquiry in order to confess that the being of thought is that of being questioned. A philosopher's decisions are among the problems that wound, and this self-inflicting aspect of thought is foregrounded by the problem of evil.

Agamben's characterization of Derrida's works as "operations of deconstruction that precipitate terminological crises" (Agamben 1999b, 209), is not entirely accurate. Derrida is doing nothing new, other than drawing attention to what is already happening. That "terms seem to float interminably in the ocean of sense" (Agamben 1999b, 209) is not a destruction of some otherwise ordered intelligible 'reality', empirical or transcendental. The degree of terminological crisis is directly related to the degree of certainty by which a terminological decision is deemed to be neutral.

3.1.3 Terms, Truth, and Lies

An example of this philosophy of the limit, in which thinking is put into question, would be Derrida's challenge to think the concept of the lie: "one sees the enormous and impracticable exclusion that would have to be practiced in order to isolate rigorously a frank zone of the lie, a zone in which the frank concept of the lie would come to find decidable frontiers" (WAl 37). The crisis of decision about this term is a function of its importance not only for doing philosophy but for the juridical and political order of society. Most philosophers believe that their practice should avoid lying; a certain ground for the rejection of an argument or a proposition is whether a lie is found therein.

As such, philosophy likely cannot do without the lie: “this unrefined, square, solid, decidable, in a word frank definition of the lie delimits a prevalent concept in our culture, no ethics, no law or right, no politics could long withstand, precisely in our culture, its pure and simple disappearance.” (WAl 37)

If philosophy has anything to do with discovering universal truths, then it ought to have a clear understanding of what constitutes the lie. This turns out to not be the case. Instead, by turning towards the other philosophical heading of the lie, thought finds itself put into question.

Derrida finds that the inquiry about the lie finds that there is always some to-be-translated. At the limits of thinking about the lie is the impossibility of saying it all. This is what philosophers, in their desire for the truth, run up against. Every one perjures him- or herself upon this demand that is taken from the court and made into a universal horizon for inquiry “a certain keeping silent, a dissimulation, or even a silent simulation, which we have already mentioned and about which it is difficult to know if a finite language can ever be done with it in order to acquit itself of a ‘tell-the-whole-truth-and-nothing-but-the-truth’.” (WAl 36)

There are no *lemmata* (see # 2.4) adequate to the task of framing the limits of what might be the correct concept of the lie. Instead, the Western philosophical tradition has attempted to keep its conscience clear by keeping silence, as Derrida writes, over the “torrential flux of undecidable half-tints that makes up our experience: half-lies, quarter-lies, lies that are not altogether lies because they slide very quickly into the shadow zone between the voluntary and the involuntary, the intentional and the unintentional, the conscious, subconscious, and unconscious, presence and absence to oneself, ignorance

and knowledge, good faith and its twilight of bad faith, between what is useful and what is harmful to the other" (WAl 35-36). And yet, this impossibility of saying it all, of telling the truth, is precisely what saves the future of philosophy.

The concern to avoid lies leads to a further practice of keeping silent on a wide range of matters pertaining to the proper function of language. Derrida uses this to point out the inadequacies of a supposedly rigorous philosophical practice of speech-act theory, as proposed by John R. Searle.

Speech-act theory is generally 'sollicited' if applied to the analysis of lies. Namely, lies threaten the performative-constative distinction. Lies are events. The event of the lie produces "an effect of belief where there is nothing to state or at least where nothing is exhausted in a statement" (WAl 37). The notion of the performative involves, however, the production of something more substantial than nothing. If the nature of the performative is to do what it says it does, then the lie may very well be the performative *par excellence*. A lie is an event that promises to deceive. A lie is more performative than any marriage vow. A lie is certainly not a constative, because lies do not state facts. At most, if a lie states a fact, it is in order that the statement of fact functions performatively.

As such, a lie is one of the most serious sorts of speech-acts. Not only does the event of a lie bring about what its speaker intended, but the one saying the lie does so quite deliberately. A lie is not ordinarily told in jest, just as district magistrates marry couples in all seriousness. Add to this that the event of a lie is considerably more serious than when politicians open a bridge or christen a ship. The ship and the lie are both feats of engineering, but the politician's role in the former is far less serious than when he or

she is engaged in the latter. And, for the philosopher, the seriousness of the lie obtains by virtue of its being the most serious affront to the rigour of thinking seriously. This is the most insiduous 'natural evil' which philosophy cannot do without.

This is but one example, although significant, whereby Derrida explains the sheer impossibility of determining the limits of a philosophical inquiry on a very simple and are yet ubiquitous aspect of language.

3.2 Philosophical Thought and Opposition between or among Terms

3.2.1 Metaphysics and Oppositions

At the limits of the term 'lie' is a fundamental challenge to the feasibility of thinking on the grounds of oppositions. This is a repeated theme in Derrida's work: the difficulty of sustaining oppositions, particularly in the work of determining what content is 'inside' versus that which is 'outside' any given member of an opposition. Derrida's classic formulations of the limits for opposition goes as follows:

> In order for these contrary values (good/evil, true/false, essence/appearance, inside/outside, etc.) to be in opposition, each of the terms must be simply external to the other, which means that one of these oppositions (the opposition between inside and outside) must already be accredited as the matrix of all possible opposition. And one of the elements of the system (or of the series) must also stand as the very possibility of systematicity or seriality in general. (Di 103)

> In its turn, the opposition between the metaphysical and the non-metaphysical encounters its limit here, the very limit *of* that opposition and of opposition's form. This might give the impression, then, of a new metaphysics of propriety, indeed a new metaphysic [*tout court*]. The many instances of such an impression are in fact attested to by the abundance and connotative qualities of statements to that effect. But, if the form of opposition and the oppositional structure are themselves metaphysical, then the relation of metaphysics to its other can no longer logically be that of opposition. (S 117; 119)

The point about the nature of opposition is that this is a metaphysical technique forced upon others in the creation of dilemmas. "Structuralism aims to explain particular events or units of meaning in terms of underlying structural laws. According to this methodology, individual units of meaning are not to be understood as self-enclosed identities, but according to their interrelationship within the totality of structural laws that determine them" (Dooley & Kavanagh 2007, 31). Derrida's introduction of the neologism '*différance*' is meant, in part, to challenge this organization of thinking according to the structures of oppositions. Vis-à-vis structuralism, Derrida introduces the term in order to challenge the limits of terms.

This controversial locution first appears in 1965 in an essay on Antonin Artaud entitled "*La Parole soufflée*" (WD 176), and it is elaborated upon in the lecture "*Différance*" on January 27, 1968 (MP 1-28). The proposal of this term is to offer an opportunity for thinking differentiation beyond every kind of limit: cultural, national, linguistic, human. Différance is therefore a proposal for responsible thinking about paradoxes, so that thinking might find itself put into question by aporia. As Derrida would later specify: "différance is not a distinction, an essence, or an opposition, but a movement of spacing, a 'becoming-space' of time, a 'becoming-time' of space, a reference to alterity, to a heterogeneity that is not first a matter of opposition. Hence a certain inscription of the same, which is not the identical, as différance. At once economy and aneconomy" (FWT 21). As is well-noted by so many readers of his early works and interviews, Derrida would specify that this neologism has as many valences as any other term. It refers to the active and passive movements of delay, the general structure of economy whereby there is differentiation, and the effects of production in

differences (P 9-10). The appendix '*-ance*' on this and other terms of Derrida's indicate that these terms remain in question; and also put other terms into question.

That such a term can persuasively refer to the forces at work in the production of oppositions is a clear indication that oppositions themselves are neither free-standing nor necessary. Derrida later indicated that différance proposes "thought that would frustrate the simple opposition between the active and the passive, for example, one that plays in spite of such an opposition and beyond it." (ODD 84)

3.2.1.1 The Importance of Metaphysical Oppositions

The upshot of the mere term 'différance' and a critique of opposition is nothing near the proposal that oppositions ought to be done away with. Far from it, Derrida's objective is to mark out how any opposition posed by thinking is in fact a dilemma capable of putting that thought into question. And as Henri Ronse notes, Derrida's inspiration draws upon Nietzsche (P 9). The discovery of a problem amid any opposition ought, for Derrida, to be a provocation for thinking to work out the paradox towards aporia. As a philosopher of limits, Derrida repeatedly emphasizes the provisional sustaining of 'two's' – and sometimes also of 'four's' (Megill 1985, 272-5) – precisely in order to be questioned by them. "A joyful wisdom shows it well: there never has been the style, the simulacrum, the woman. There has never been the sexual difference. If the simulacrum is ever going to occur, its writing must be in the interval between several styles. And the insinuation of the woman (of) Nietzsche is that, if there is going to be style, there can only be more than one. The debt falls due. At least two spurs (*éperons*)." (S 139)

As with his reflection on the lie in philosophy, where truth is privileged at the expense of responsible thinking (# 3.1.3), Derrida charts out the patterns and effects of posing oppositions irresponsibly. In *Dissemination*, he analyses the Greek concept of the *pharmakos* in order to make this point. The *pharmakon*, the scapegoat, complicates the propriety of the distinctions between inside and outside. The scapegoat carries with it evil to the outside in order to be excluded in a ritual of purification. That evil is sufficiently recognizable to be arraigned and sent away testifies to the capacity to differentiate good and evil from among potential candidates. Doing so entails that there is a difference between good and evil. That evil must be differentiated in the first place, from within, as a necessary and needed practice, and then sent to the outside, is witness to the fact that the difference between the two is not at all clear. "The ceremony of the *pharmakos* is thus played out on the boundary line between inside and outside, which it has as its function ceaselessly to trace and retrace […] The origin of difference and division, the *pharmakos* represents evil both introjected and projected." (Di 133) For Derrida, the crisis of decision is necessary to constitute the distinction between good and evil; but the exactitude of that cut is not altogether clear. There is a responsibility to do so, but having done so cannot be justified as 'responsible' with good conscience.

The revolutions and reiterations of the philosophical discourse on so many of its standard problems, such as the problem of evil, is a practice of the *pharmakos* ritual performed by the philosophical socius. 'Truth' and 'lies' are ostensibly separated one from the other. In the course of sending lies 'outside' the socius, as nonphilosophical, the decision to recognize them takes place 'inside'.

3.2.1.2 Radical heterogeneity

Limits and oppositions are not to be done away with. Indeed, the idea of radical heterogeneity is, according to David Wills, Derrida's "first principle *tout court*" (Wills 2005, 28). That heterogeneity, however, is not between truth and lies or good and evil. Instead, as Leonard Lawlor notes, "Derrida's thought always revolves around a kind of duplicity between a transcendental structure, which is relatively unchanging, and the appearance of that structure as an event" (Lawlor 2007, 11). The radical heterogeneity takes place without an inside or outside, but rather as the repeated paradoxical convergence of the singular and the universal. Michael Naas' description of Derrida's method lifts out this dimension of a double reading, or double gesture, of texts. One is to read and emulate the gestures of a text so as to repeat its self-avowed logic, system or systematicity; the second, carried out simultaneously with the first, is to vigilantly attend to the periphery of the text in order to find out what forces are working with the text that is not strictly within the self-avowed logic, system or systematicity of the text (Naas 2003, 161). The heterogeneity is that of the other within the text: somehow forgotten, deferred or repressed. The text is nevertheless capable of codifying the forces that work with the text. By virtue of the texts' own powers, this method brings the forces and their work into relief alongside the overt and self-avowed work of the text. In demonstrating their compossibility and disjuncture, a second reading or gesture of the text is made possible that a strictly *prima facie*, literal or traditional reading of the text would deem impossible. This relief is such that what happens in the second reading is intimately involved in founding the possibility for the first. This would be the ceremony of the

pharmakos writ ‘philosophical’.

3.2.1.3 Idealization

The granting of an inside to a concept, against which its outside is to be differentiated, is not a gesture which can be avoided. This is the work of idealization. There is no science, language, technique, or experience in general without the productions of idealization (R 143). For example, the classic and almost necessary philosophical distinction between the sensible and the intelligible as well as the ideally visible and the invisible, according to Derrida, functions consciously relative only to the source that involves the generalities of presence. “That we dispose of no term outside the binary ‘visibility/invisibility’ to express what precedes and blocks the possibility of the opposition is, according to Derrida, precisely the promise of impossibility” (Beardsworth 1996, 87). Much of what goes for thinking, such as with logic, depends upon the idealized visibility of separation and difference. The rule of contradiction is governed by such an idealized opposition.

Indeed, “It is difficult to maintain a philosophical discourse against light” (WD 85). Derrida does not presume that he himself is able to do anything without *theoria*, the method of idealization that takes truth to be visible. There are two mitigating factors, however, that would limit the totalizing unity of theorization. Firstly, there is more than one light, if one wishes to use that metaphor, and more than one theory. What is visible to the intelligence is invisible to senses, and what is visible to the senses is only visible to intelligence by mediation; but these are both modes of representation. Derrida claims an entirely heterogeneous order of the visible, to which the metaphor of light and sight is very poorly suited. Although neither intelligible nor sensible as such, it is possible to

know of a "certain absence of horizon" which nevertheless "conditions the future itself" (AR 47). Derrida explains this in his study of the gift as gift, the study of the invisible, i.e. the non-phenomenal. He admits that no reason or principle of reason in general obliges there to be a problematic of the gift (GiT 91). This is because understanding gift as gift can never be a reason for giving (GiT 92). This is the case if, as Derrida wishes, an analytic of the concept of the gift is given in which "[a]t the limit, the gift as gift ought not appear as gift: either to the donee or to the donor. It cannot be gift as gift except by not being present as gift. Neither to the 'one' nor to the 'other' " (GiT 14). This is to say that at their limits, what counts for '*l'autre*', the other and *heteron,* are not concepts; they are functional within philosophical discourse precisely because they are not subject to theorization.

Secondly, Derrida asserts that both the intelligible-sensible and the possibility of event are topographical. Derrida states that "[l]ight takes place", citing the Orient, Levant and the Mediterranean as part of the "geography of appearing" (AR 46). This statement critically presses upon each and every self-ascribed claim to universality the impossibility of such a claim. Derrida insists on a radical empiricism which he has espoused ever since his introductory commentary on Husserl's *The Origin of Geometry,* "*The Problem of Genesis*" (2003), that intelligibility and visibility, even if they are the functions of idealization, never function without place or space. They come to pass as a function of some position which "commands or begins discourse and takes the initiative in general [...] as much in the discourse of philosophy as in the discourses of a revelation [...] or of a revealability." (AR 46)

A certain formation of reason can take place in order to propose a phenomenology

of religion. It is possible to establish a framework of intelligibility under whose horizon there appears a concept such as 'religion'. The determinations of that horizon, on which Derrida cautions discernment, are not restricted in terms of the nature of their intelligibility. There is a non-finite set of possible positions and correlative horizons under which something like 'religion' might appear. Derrida's precaution - "Everywhere light dictates that which even yesterday was naïvely construed to be pure of all religion or even opposed to it and whose future today must be rethought" (FK 6) - is a remark that the essence of intelligibility is not determinate. There are many kinds of 'lights' by which the non-sensible is taken to be intelligible, and they are all 'lights'.

3.2.2 Metaphysics and Representation

For Martin Heidegger, a fundamental problem of Western thought is that it makes its starting point out to be that which is present. The path towards intelligibility, then, begins with whatever is visibly sensible. And yet, the next step down that path is to abstract from the sensible to reflect on invisible and non-sensible objects of thought. This particular order of the invisible non-sensible is taken to be the order of intelligibility which makes sense of the mundanely visible-sensible. This is what is normally taken to be the practice and production of metaphysics. Metaphysical thinking thereby starts from what is present, presents it in abstraction as intelligible presence, and then exhibits it grounded by intelligible presence as its ground. "What characterizes metaphysical thinking, which seeks out the ground for beings, is the fact that metaphysical thinking, starting from what is present, represents it in its presence and thus exhibits it as grounded by its ground." (Heidegger 1977, 432) "Representation is not merely this image, but to

the extent that it is, supposes a world previously constituted as visible [...] in the sense of manifestation in the visible form, of the formed, informed spectacle, as *Bild*." (PIO 109)

This is the path of abstraction and representation; both comprise the practice of conceptual production for Western thought. Conceptualization in this manner preserves the nature of concepts required by thinking which aspire to be universalizable (Goodchild 2007, 53). Abstraction is not supposed to compromise fidelity. This formalization, i.e. translation, from one dimension of intelligibility to another is supposed to be marked by an increased exactitude. It is supposed to be accurate and adequate relative to that from which it is abstracted, namely that which is present as visible and sensible. "This focus on 'beings' leads Western philosophy to overlook Being and creates a civilization bearing utilitarian and exploitative attitudes towards nature and things in the world." (Patrick 1996, 7)

This practice is onto-hermeneutic: it practices a translation of one order into another. Derrida finds this practice unavoidable as well as unable to avoid failure. One problem, among others, is that the starting point and destination are both presumed to be determinately identifiable. That is, the presumption is that the visible-sensible and the non-sensible-invisible-intelligible are somehow present. "For the question of the truth of being is not capable of the question of proper-ty (*propre*). On the contrary, it falls short of the undecidable exchange of more into less [...] And the question of proper-ty has only to loom up in the field of economy (in its restricted sense), linguistics, rhetoric, psychoanalysis, politics, etc., for the onto-hermeneutic interrogation to reveal its limit" (S 111; 113). In other words, metaphysics does not very well recognize that this is a practice of translation, and that the translation is not from one language to another with

some kind of purity, but a movement from one idiomatic instance of some language to that of another with some-to-be-translated remaining.

3.2.2.1 The Violence of Representation

It is within Derrida's discussion of Heidegger's violent translation of Nietzsche's proposals on truth that this problem with metaphysics is articulated. This in itself is strange, because Heidegger was the first to articulate the problematic of the ontic-ontological occlusion in Western metaphysics. Heidegger's violence is in the presumption that thinking can nevertheless practice a direct examination of its supposed object; and he retains the presupposition of mastery and the power to aggressively throw problems upon others in order to wound them: "*on devrait pouvoir s'en occuper directement, come si on savait ce qu'est le propre*" (S 112). Heidegger's reason is armed and armored with the supposed '*pouvoir*' to interrogate others, despite the fact that his analysis entails a disarmament. He avoids the torment of the necessary failure which follows from his problematic. Derrida's caution, "*comme si on savait ce que,*" as if one knew, is directed towards the presumptive certainty of powers to translate, to determine presence, and to claim propriety. The practice of abstraction, which is necessary for conceptualization and thinking, should not overestimate itself since it necessarily cannot deliver the goods.

> What is the *eidos* of representation? [...] I think we must begin with the hypothesis that the word 'representation' translates no Greek word in any transparent way, without remainder, without reinterpretation and deep historical reinscription. This is not a problem of translation, it is the problem of translation and of the supplementary fold I pointed to a moment ago. Before knowing how and what to translate by 'representation,' we must interrogate the concept of translation and of language that is so often dominated by the concept of representation. (PIO 101)

Suppose that pure identity is the extent of that possibility, and that this is not a skeptical claim. Language resists the production of pure-proprietary because language is always already representation. Language is always a translation of some 'more', which exceeds it, into some form of 'less'. This is a movement from a general economy of differences towards an attempted restriction of that economy. 'Attempt' is noted because the productions of language do not take place within some absolutely restricted sphere of relations. The productions of language take place within general economy. An act of language is this decidedly non-Odysseus-like voyage and return from the general to the restricted and back into the general. Whether a language is a so-called natural, formal, or eidetic, it has a style. It is a product of life and world in the midst of life and world, provided it is not a dead language. In such a case it would indeed be possible to fix the sense of words and establish a dictionary for words whose meaning is absolutely stable. (PIO 97-98)

Therefore, it is a misnomer to presume that the productions of thinking are capable of 'lifting-preserving' (*relever*) some intelligible out of the visible-sensible without return. If this failure is the case, then the problematic question is put to thinking itself as to whether such a movement of starting-lifting-returning overtakes place.

3.2.2.2 Circular Rationality and Representation

Derrida's imperative is that the task of philosophy takes place within the space of difference, deferral and differentiation. Reason unarmed and unarmored by the presupposition of stable presence or absolutes is indeed capable of doing its work in that space. Derrida maintains the notion of beginning-lifting-return:

> Beyond a closure of representation whose form could no longer be linear, indivisible, circular, encyclopedic, or totalizing […] a thinking of the *envoi*

> [has] a structure still foreign to representation […]. This, as it were, pre-ontological sending does not gather itself together. It gathers itself only by dividing itself, by differing/deferring itself. It is not originary or originarily a sending-of/from […] although nothing present precedes it; it emits only by already sending back; it emits only on the basis of the other, the other in itself without itself. Everything begins by referring back, that is to say, does not begin […]. This divisibility of the *envoi* has nothing negative about it, it is not a lack […]. This divisibility or difference is the condition for there being any *envoi*, possibly an envoi of Being, a dispensation or a gift of being or time, of the present and of representation. (PIO 127)

Derrida's understanding of representation follows Plotinus' basic logical statement according to which the essence of 'the One' is not unity, but multiplicity.[1] For Derrida, "The essence of representation is not a representation, is not representable, there is no representation of representation" (PIO 111). The capacity to actualize this project would require a language that is anterior and exterior to representation, a language capable of representing representation. This would overcome Frege's paradox that a term cannot refer to something, and, at the same time, refer to the fact that it refers to it (Agamben 1999b, 213), as well as Wittgensteins' thesis that one cannot express through language what expresses itself in language; over this, there must be a passage in silence (Wittgenstein 2002, 89). It would also overcome the demonstrations of Cantorian set theory that the postulation of a super-set is an indeterminately deferred event. (Craig 2007, 77)

"What cannot be thus represented by a line is the turn (trick/trope) of the re-turn when it has the bearing of re-presentation. What one cannot represent is the relationship of representation to so-called originary presence. The re-presentation is also a de-presentation. It is tied to the work of spacing" (OG 203). That is, the space of no-thing

[1] See. M. Boutin, "L'Un dispersif: Examen d'une requête récente." In *Neoplatonismo e religione*. Ed. Marco M. Olivetti (Padua : CEDAM, 1983), 253-79.

which comes about by way of representation is that of the some-to-be-translated which remains. That spacing of remainder constitutes the deferral, difference, and differentiation amid which the forces of general economy move. The stuff of thought, whether reason, religion or some other, comes to pass 'there'. This is the only manner in which Derrida's thought is 'utopian', since he insists that all thought takes place without a permanent *topos* or topography. Instead, thinking takes place amid the spacing of différance that is at best described as 'topopolitical'. This is the grounds for Derrida' s oft repeated claim: "a context cannot be saturated so as to permit the determination and identification of a sense." (PIO 99)

The problem, as Derrida points out in "*White Mythology*" (MP 207-72), is that the productions of abstraction and representation precede the rationality that is supposed to do the work of the thinking subject. The notion that thought, and rational thought in particular, is a matter of consciously willed representation supplants the reason it claims for itself. The capacity to lift intelligible concepts into a restricted realm for proprietary work is a self-inflicted ruse. "For if consciousness is informed by a process of representation, then one will only select for representation that which contributes to a judgment that will continue such representation" (Goodchild 2007, 53). The subject's rationality supposedly actualizes itself on the basis of concepts, a flow of many concepts which are then put into action for the purposes of further conceptualization. Derrida's "white mythology" is the ideology of conceptualization that presupposes the capacity to produce concepts spontaneously by abstraction and representation.

> The mind must put itself into its own product, produce a discourse on what it produces, introduce itself of itself into itself. This circular duction, this intro-reduction to oneself, calls for what Hegel names a "presupposition" (*Voraussetzung*) […] Everything with which it commences is already a

> result, a work, an effect of a projection of the mind, a resultare. Every foundation, every justification (*Begründung*) will have been a result – this is, as you know, the mainspring of the speculative dialectic. […] We are, right from the introduction, encircled. (TrP 26)

3.2.2.3 Representation and Givenness

To press this point further, Derrida's study of the gift as gift is a study of the invisible in which he constructs the history of a lie, a discourse on something that is not presentable as such, either according to sense or to intelligibility, but is nevertheless 'there' as something gifted to thinking. Derrida's study of the gift is not within that mundane context of person-to-person gifting. Instead, this is an analytic of the concept of the gift: "At the limit, the gift as gift ought not appear as gift: either to the donee or to the donor. It cannot be gift as gift except by not being present as gift. Neither to the 'one' nor to the 'other'." (GiT 14) Only in this analytic of gift as gift does the gift interrupt the circle of economy presupposed by Western thought up to Heidegger. It is the postulation of propriety and mastery that annuls the gift given to thinking: "As soon as the other accepts, as soon as he or she takes, there is no more gift. For this destruction to occur, it suffices that the movement of acceptance (of prehension, of reception) last a little, however little that may be, more than an instant, an instant already caught up in the temporalizing synthesis, in the *syn* or the *cum* or the being-with-self of time." (GiT 14)

Derrida's metaphor of the gift describes the notion of truth as *aletheia* according to Heidegger: truth is given only as unveiling and recognition of truth into a system of knowledge in the instant of veiling; this epistemological appropriation effectively forces truth to withdraw as soon as it is unveiled. Furthermore, the withdrawal or veiling is an outcome or function of intention. The intentionality of the subject, which would have it that some known truth be appropriated for the self, is precisely what prevents the self

from fulfilling that intentionality. Intentionality thus subverts precisely what it desires as a matter of that very desire. "If it presents itself, it no longer presents itself." (GiT 15)

This is the double bind entailed by the practice of abstraction and representation in thinking. The first part of the bind is that, for there to be thinking, abstraction and representation must be done. The second part of the bind is that the reductive effects of doing so establishes precisely those conditions within which the total actualization of thought necessarily fails. "If the gift appears or signifies itself, if it exists or if it is presently as gift, as what it is, then it is not, it annuls itself. Let us go to the limit: The truth of the gift (its being or its appearing such, its as such insofar as it guides the intentional signification or the meaning-to-say) suffices to annul the gift. The truth of the gift is equivalent to the non-gift or to the non-truth of the gift." (GiT 27)

3.2.2.4 Unarmed Representation

On these grounds Derrida affirms the requirement for a reason which is unarmed. "A subject will never give an object to another subject. But the subject and the object are arrested effects of the gift, arrests of the gift. At the zero or finite speed of the circle" (GiT 24). The postulation of an actual or ideal agent with the capability to absolutely effect representation is possible for thinking, but beyond the limits of what can in fact be thought.

Empiricism is no better at avoiding this problem of circularity at the origins of rationality. "The counter-move that the holders of such a discourse would oppose to the precritical tradition and to metaphysical speculation would be nothing but the worldly representation of their own operation" (OG 50). Evaluations that would plan to eschew representation too simply and unthinkingly dispense with the actual task of reflecting

upon representation (PIO 102). A simple dismissal of representation would be performed, in this case, by one who nevertheless represents, i.e. a subject. That dismissal would be an act of representation, a dismissal of representation represented to some representing subject. Doing away with representation, particularly if on the grounds of doing away with idealism, is dangerous: "A criticism or even a deconstruction of representation would remain weak, vain, and irrelevant if it were to lead to some rehabilitation of immediacy, of original simplicity, of presence without repetition or delegation, if it were to induce a criticism of calculable objectivity, of science, of technics, or of political representation. The worst regressions can put themselves at the service of this anti-representative prejudice." (PIO 108)

Were metaphysics to determine the nature and essence of representation in itself and in general, then the power to translate anything (aesthetics, politics, metaphysics, history, religion, epistemology) would be enabled. This would effectively accomplish the unity of all knowledge and make possible the collection of absolute knowledge. This would be, as Derrida calls it, the archive. Indeed, according to Derrida, Western thought is largely a history of the failed attempts to actualize this archive. Of this archive, Western thought is affected by fever, madness and evil: *Le Mal-d'archive* is the French title of that work. (see AF)

3.2.3 Living-on Within Limits

If the practices germane to Western philosophy are not to be done away with, then thinking must find a manner of living-on amid its limits. Firstly, how might representation be commonly understood? If no stable and unchanging archive can be presupposed, then terms cannot be terminated. The absolute state which would be the

termination of terminology, the end of determining terms, should not be the aspiration of thinking. Were a limited set of true terms and the limited set of their combinations established, that would comprise a dead language. Term-ing, then, must continue interminably for the salvation of thinking. Secondly, failures of consensus no longer represent the termination of philosophical practice. Instead, the presumption would be that no absolutely irreducible misunderstanding is possible. Indeterminacy or misunderstanding is not necessary; but it is necessary that there be always some-to-be-translated that saves philosophical practice for whatever tomorrow. (FWT)

These sorts of outcomes, however, torment conventional philosophy. If any given representation is necessarily a 'less' of the 'more', then any representation will not be 'true' in the sense of total adequation to its intention or its object. Representation as reductive decision is a falsification. But it need not be considered a lie or an error (WAl 30). Instead, there must be a willingness to consider Derrida's key question about laws: "What is a legitimate fiction?" (FLa 12). What is a legitimate representation? This question haunts the practice of philosophy. "But to determine language as representation is not the effect of an accidental prejudice, a theoretical fault or manner of thinking, a limit or a closure among others, a form of representation, precisely, that came about one day and that we could get rid of by a decision when the day comes." (PIO 102)

The practice of thinking would be that of dealing in legitimate fictions, or counterfeits, as it were. The unarmed and unarmored reason acknowledges its defenselessness from which its vocation is that of being put into question. "If there has been representation, it is because the division will have been stronger, strong enough that this supporting sense no longer keeps, saves, or guarantees anything in a sufficiently

rigorous fashion" (PIO 122). The presupposition here is that mastery of representation is a transcendental illusion.

According to Derrida the refusal to recognize this is a worse danger than the risks entailed in capitulating to mastery. That is, Derrida postulates a direct relation between the violence which is done in the mundanely visible-sensible world and the violence practiced by metaphysics, such as Heidegger does to Nietzsche, which supposes mastery for itself. This, according to Derrida, is the uncomfortable filiation between Heidegger and Walter Benjamin's thought:

> *The profound logic of this essay* [Benjamin's *Zur Kritik der Gewalt*, (Benjamin 1996, 253-63)] *puts to work an interpretation of language - of the origin and experience of language - according to which evil, that is to say lethal power, comes to language by way of, precisely,* representation (*the theme of this colloquium*), *that is to say, by that dimension of language that is* re-presentative, mediating, thus technological, utilitarian, semiotic, informational - *all powers that uproot language and cause it to decline, to fall far from, or outside of, its originary destination. This destination was appellation, nomination, the gift or the call of presence in the name. We will ask ourselves how this thought of the name* [cette pensée du nom] *is articulated in the haunting and the logic of the specter. This essay by Benjamin, treats, therefore, of evil - of that evil that is coming and that comes to language through representation. It is also an essay in which the concepts of responsibility and of culpability, of sacrifice, decision, solution, punishment or expiation play a discreet but certainly major role, one most often associated with the equivocal value of the undecidable, of what is demonic and 'demonically ambiguous'* (dämonisch zweideutig). (AoR 259 – more on this # 5.2.2)

3.3 Thought Is Always and Already About Two Sources

3.3.1 More than One (Plus d'un)

Claims about origins and sources are duplicitous in general. Derrida insists that there is always an ambivalence about 'one' as expressed in the locution '*plus d'un*', which means 'more than one'. 'More than one' or '*plus d'un*' is in fact the structurally

necessary condition for actual entities, according to Derrida: if there is 'plus d'un', then there must be one, but not only one; there must be two also, and eventually yet another, *ad infinitum*. This indefinite succession is the dimension of *sub specie aeternitatis* in Derrida's work. There will always be another; there are always other positions.

This constant other-ness and universal positionality is what precipitates the terminological crisis. There is no termination for any term. Instead, there is always the necessity to decide on some position vis-à-vis terms, despite the fact that there always has been and will be other possible positions. There is always *plus d'un* possible actual worlds for any given term. This would be one way of explaining how the counterfactuality organizes all of Derrida's determinations. The possibility of otherwise-ness is the threat that grounds the response-ability of a term's abilities to signify something rather than nothing.

Out of respect for the necessity of crisis, Derrida's analyses regularly positions a pair, which will be functional within that given discourse. A given discourse carefully establishes its pair in a near-regulative fashion which nevertheless points not only to the possibility, but also to the fact that for each member, there are others who might also be its neighbours. Derrida cannot control these possible affinities or filiations.

3.3.2 Ineluctable Duplicity

The general and necessary structural conditions for the postulation of any limit is the duplicity of its '*plus d'un'*. A limit will be recognizable, that is, representable, only by way of such duplicity. A discourse is then inseparable from a methodological commitment to, and therefore consideration of, a separation which could have proceeded otherwise. A discourse on separation is that of division in which two are chosen without

the security of a final justification. Ultimately, the authority by which the choice is made cannot be accessed. Derrida's analyses largely start by considering this state of affairs in order to reflect upon the decisions that remain throughout the text in question (HAS 7). Every decision is subject to double jeopardy.

The analysis often proposes a seemingly non-negotiable pairing of limits, which Derrida also refers to as two sources. These sources are in fact two absolute limits by means of which all other pairs are possible: representation and expression, knowledge and faith. There is no polarity between the two sources; rather, somehow they contaminate each other while remaining radically heterogeneous (FLa 61). One is the source of presence in general, which includes both intelligible and sensible presence. The distinction between the empirical and the ideal or transcendental takes place primarily with reference to this source. Presence in general involves the orbital, the satellite, and the prehensile techniques of the mind and hand. The other source is that which exceeds presence in general. This source does not directly structure the sensible and intelligible, since it would then be a modality of presence in general. Instead, that which exceeds presence is exorbitant, without center, and exceeds the grasp of all technique. According to Derrida, both sources are involved in philosophical practice. The latter, which Derrida admires considerably in his work, has largely gone without attention in the Western philosophical tradition. Since this source is not that of presence in general, it resists conceptualization. All Derrida thinks is possible is its provisional and supplementary naming: "a trace that continues to signal not in the direction of another presence, or another form of presence, but in the direction of an entirely other text." (MP 66)

The two sources may be explained as follows: “The differend, the difference, between Dionysius and Apollo, between ardor and structure, cannot be erased in history, for it is not in history. It too, in an unexpected sense, is an original structure: the opening of history, historicity itself” (WD 28). The heterogeneity of the two sources is the heterogeneity of representation, or presence in general, with the possibility of representation: “Without intermediary and without communion, neither mediate nor immediate, such is the truth of our relation to the other, the truth to which the traditional logos is forever inhospitable” (WD 90). Derrida seems to construe the pair as Athens and Jerusalem (WD 163), a pair to which he will return later in his career alongside the pair of Weimar and National Socialist political theorist Carl Schmitt, and the Jewish mystical philosopher Walter Benjamin in several texts (see FL; GD; PF). The earlier text involving Schmitt and Benjamin is structured akin to the Athens and Jerusalem distinction, where the first half of “The Force of Law: On the Mystical Foundations of Authority” is a witness to the Greek presence in Western thought and the latter to the Hebraic one (McCormick 2001, 406).

Throughout his works, Derrida seems to present these two sources as heterogeneous yet inseparable; the influence of their interplay is pervasive and yet largely unnoticed in the Western tradition. “The rationality of reason is forever destined [...] to contend between, on the one hand, all these figures and conditions of the hypothetical and, on the other hand, the absolute sovereignty of the an-hypothetical, of the unconditional or absolute principle” (R 136). What Derrida insists upon is that these two sources should be given attention in reflecting upon these valences and their relevant

terms. What remains to be explained is the ambivalence of this duplicity, whose radical heterogeneity is Derrida's "first principle *tout court*." (Wills 2005, 28)

3.3.3 No Third Way: (*Tertium non datur*)

Oscillating amid, and not equidistantly, between these limits or sources is not a third way dialectically borne of a supposed opposition between them. There is no opposition between the absolute limits of representation and expression. The oppositions put to work in metaphysics are not so much grounds as couplings amid the general forces of difference. Derrida's use of the 'neither-nor' and 'both-and' constructions is a strategy of para-logic or meta-logic, a "super-oscillation" (ON 91) among the normative concepts of metaphysics in order to point to the di-lemmatic oppositions to the general conditions which make them possible. And so, the habitual philosophical pairing of 'opposed' terms establishes the logic of contradiction upon which certainty is thought to be determined. Either the entity in question participates or not in the oppositions of sensible-intelligible, visible-invisible, form-formless, and so on.

> Philosophy does not know - from this point of view philosophy is a non-knowledge - what its destination is. That is why it can sometimes proceed a little blindly, but also with the greatest possible liberty, toward the encounter with other types of knowledge, discourse, writing [...]. All philosophical discussions carry within them the question: What is philosophy? Where does it begin, where does it end? What is the limit? (ON 376)

Or, put otherwise, what is a legitimate fiction? This can be known only by way of beyond the opposition, i.e. if and when the 'with-out' is neither negative nor transgressive, not just the 'over' or the 'beyond', but that in which affirmation and negation, yes and no, are in a relation without relation, and hence a relation with a

negative 'mode' and a positive 'content' which is more a practice, a way of being, indeed a posture.[2]

3.4 The Universal 'and'

The work of determining terms, terminology, is not a matter of separation, purification or exclusion. If the truth of a term is only understandable by virtue of its being with other terms, then whatever enhances the combinatory powers of the philosopher will also enhance whatever possibilities are available for discovering truths. This combinatory augmentation is not an increase in powers that would synthesize or produce unities. Instead, Derrida repeatedly sets out to exemplify the terms by and upon which philosophers might become responsible on other terms.

Synthesis would be a function of grand processes which would sunder differences into higher unities. The facilitation of 'with', without synthesis, is a much more simple affair. Derrida emphasizes the importance of facilitating combinations with the simple grammatical operators available in language. This is implicit in '*plus d'un*'. This capacity for duplicity is demonstrated also by Derrida's 'on the one hand... on the other' arguments.

3.4.1 'And' Sustains Oppositions without Synthesis

Derrida places great confidence in the capacities of 'and' to effect the sustaining of oppositions without presupposing separation. For Derrida, 'and' is not a term, much less a concept. All the same, or perhaps by virtue of this, 'and' possesses a certain primordiality that is particular among other terms. It gestures towards what will be later explained as the law of iterability, since the possibility of any genesis or origin requires

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[2] M. Boutin, "L'inouï l'indécidable according to Castelli and Derrida." In *Philosophie de la religion entre éthique et ontologie*. Ed. Marco M. Olivetti (Padua : CEDAM, 1996), 828-9.

'and.' This status of 'and' is necessary for the conjoining of sensibility and intelligibility. "Without the 'meaning' of some 'and', nothing would happen, neither linking nor break, neither consequence nor consecution, neither conjunction nor disjunction, neither connection, nor opposition, nor strategic alliance, nor juxtaposition, nor being-with, being-without, being-together, being-save, not-being, etc." (EtC 299)

3.4.2 The Universality of 'and'

As such, 'and' is before being. 'And' exceeds being because the 'is' of no entity exists prior to its being 'and' the being of some other. Concepts are also not originary, but are preceded by certain conditions, such as the necessity of combination. This 'and' is the condition that comes about, "[b]efore prowling round the 'is' or the question 'what is it?' [*tí tó òv*; The fundamental question of Western metaphysics], before the whole history of philosophy as ontology" (EtC 299). Therefore, reflection on 'and' opens the possibility of thinking the relations among beings as well as among series or sets of 'and's' that allow the conventional philosophical orders to be thought, and thereby also rethought (EtC 297).

In a sense, 'and' is without limit; this also obtains for other operators, such as 'i.e.' (LOB 75) and the hyphen (MOP 11). There is no restriction upon what they might combine, to the point where their power is capable of overcoming great semantic, syntactic and pragmatic distances. Paradox depends on this capacity for conjunction that does not violate the lemmata simply by putting them into proximity with each other. This is what indefinitely resists the completion of dialectical circles, which would otherwise absolutely determine the compossibility or the absolutely rendering of pure translation. The 'and' signifies the non-dialectizable opposition that precedes the

proximation of any two lemmata. "It will be figured, figurable. It will have the figure of an opposition and will always let itself be parasited by it" (MdM 137). On the one hand, its power to facilitate proximity is unhindered, but this comes to pass without any necessity or force requiring an equally indefinite sustain of that togetherness. Conjunction is not synthetic. This is how dilemmas are possible in the first place. The proximity of any two lemmata is brought about by the compossibility of 'and'. The proximity of any two *lemmata* is brought about by the compossibility of 'and'. Also the 'and' may indicate a distinction and a difference. A good example of that is precisely the title chosen by Heidegger for his groundbreaking work: *Being and Time*.

3.4.3 Hyphen – Another Form of 'and'

Derrida's philosophy, then, is not only a philosophy of the limit, but also a conjunctive philosophy. This helps distinguish Derrida from so-called post-modern philosophers such as Homi K. Bhabha (1994). Derrida is no 'post-modern' thinker. He openly said this in the roundtable discussion on "Confessions and 'Circumfession'" at the conference "Religion and Postmodernism 3: Confessions", on September 27-29, 2001, held in Villanova PA: "[…] I would protest against the word postmodernity. I never used this word. I'm not responsible for the use of this word here or anywhere else, nor am I responsible for this."[3] Nowhere does Derrida propose some 'hybridization,' which would postulate an accomplished or tenable fusion.

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[3] John D. Caputo & Michael J. Scanlon, eds. *Augustine and Postmodernism: Confessions and Circumfession* (Bloomington & Indianapolis, IN: Indiana University Press, 2005), 28-48; p. 42. – Caputo ended this roundtable discussion with the following words: "Jacques Derrida teaches those of us who have a religious tradition what it means to be religious. I won't say Jacques is my favorite 'theologian', because he is already unhappy about my using the word 'postmodernism', and I do not want to make him more unhappy. But I will say that we who have a religious tradition are profoundly instructed by his journey. God be with you, Jacques, and God be with all of you. *Adieu* to all of you" (p. 48).

Jean-Luc Nancy characterizes Derrida's reflections as working according to the logic of "hyphenated construction" (Nancy 2007, 216). Derrida writes compositions that emphasize the *cum*: communion, *communicatio*, and therefore also *koinonia* and *societas*, as a "communication or placing in common" (Nancy 2007, 216). What Nancy does not make explicit is that Derrida's hyphenations are perennially provisional. They are so unstable that they could be dissolved at any moment.

> Over what and from what is the hyphen drawn? And how is this hyphen drawn from the one to the other - from the one to the other edge and from the one to the other "self"? How is it drawn such that it might withdraw while at the same time remaining intact: not untouchable but intact, remaining throughout the entire Greco-Judeo-Christian-Islamo-Euro-planetary history, an intact spacing that has perhaps never come to light, having perhaps never yet taken form or substance, but remaining always residual, the uncomposable and undecompoasable non-thought of our history? (Nancy 2007, 218)

The conjunction of the Judeo-Christian, as reflected in Derrida's pairing of Benjamin and Schmitt, is a proximation of two salient poles for Western thought, which are neither equivocable nor capable of being fully distinguished one from the other. At the close of Derrida's essay on Lévinas, "Violence and Metaphysics", Derrida cites James Joyce's locution of "Jewgreek is greekjew. Extremes meet" (WD 153), in which the Christian effects the 'and' or the hyphen (*trait d'union*) between two poles of Western thought which are heterogeneous and yet neither is capable of completely separating itself from the other. (see Boutin 1996, 829) Nancy notes that the hyphen itself passes over a void between two indissociable yet heterogeneous members by means of a link which itself is not determinable as necessary. That conjunction, here the hyphen, passes over a void which it does not fill. That void is not determinable. The possibility of naming both the hyphen and the void effects each's parergonality. Both effect the

proximity of the pair in question precisely because the nature of their extensions cannot be determined or terminated. The extension of the conjunction, whether hyphen or 'and', is Eleatically incalculable so long as what is conjoined remains heterogeneous to its other. The extension of the void is incalculable insofar as the determinability of void rests upon the recognition of non-void. So long as the task of recognizing non-void remains incomplete, the incalculability of void's extent is assured.

3.4.4 Enumeration - Yet Another Form of 'and'

The affect of what is conjoined by 'and' is contingent rather than permanent. Seemingly infinite semantic, syntactic and pragmatic distances are overcome without terminating of the poles involved. That is, the singularity of the conjoined is respected by this mode of conjunction. Notably, however, Derrida claims that "And in the beginning, there is the and" (EtC 282). Any instantiation of the '-eval', including whatever can be thought as the most primeval and primordial, requires the ordination of 'and' as one fundamental condition of possibility. As such, 'and' is a term which gestures towards not a law of contradiction, but a law of conjunction whose capability seems to be interminable, and also a law of distinction as in Heidegger's expression 'Being and Time'. (see # 3.4.2)

Another example is the conjunctures afforded by number. Firstly, the practice of numbering effects distantiation in actuality. Seeming unities, such as space, are divided into singularities for the production of time. Furthermore, and particularly in the case of time, the differences thus introduced are heterogeneous one to the other. "In constituting itself, in dividing itself dynamically, this interval is what might be called spacing, the becoming-space of time and the becoming-time of space (temporization). And it is this

constitution of the present, as an 'originary' and irreducibly nonsimple (and therefore, *stricto sensu* nonoriginary) synthesis of marks" (MP 13). The division of space into time performs the bringing-about of heterogeneity where there once was no such necessity. Then again, there never was unity as such in the cumulative set of what timing makes heterogeneous, since delimiting such a unity would require some conjunctive practice, such as a counting or hyphenation, of that unity with some other. The only necessity is that of *plus d'un*. A determination of unity introduces the nonsimple heterogeneity which makes counting possible into space; with the implication that there cannot be a primeval unity, since any '-eval' entails interval and interval entails the heterogeneity of the 'inter'.

Number accounts for multiplicity, but the difference effected by number is irreducible: two is not three. *S* must not be *P* for the very possibility of numbering. Or, a number is unable to not be itself. This is the power of number which itself resists pure and simple quantification (PoF 21). However, based on the same law, the number is not identical with the numbered. Furthermore, there is no pure experience of any number. Enumeration is a matter of translation. There is always some-to-be-enumerated, and so the 'law' of '*plus d'un*' also obtains for numbers.

Counting can bring about a unity, wherein the cumulative 'intra' is established by the borders, margins, or limits of an enumerable set. For example, between 0 and 1 is unity. But both 0 and 1 are the borders of the non-finite. Counting is not infinite. Counting is non-finite. Counting effects the incalculable; but the fact of incalculability only means that calculation can always continue. With each count, what is counted enters finitude. That is how counting produces 'finity'. The fact of counting discounts any 'in-' that would negate the nature of counting.

Derrida notes Husserl's point that counting is always possible (EtC 284). The numbers in any enumeration are not simply numeral, numeric or linear. Numbers in enumeration also function as 'and's'. Numbering has a capacity to conjoin heterogeneous things and words despite their heterogeneity and despite the seeming sameness of number. The sound of the rain outside, the lamp shining on my desk, and the name 'God' can be counted together as a set. Their number is three. Rain, desk lamp, and God makes three. By this means even 'nothing' and 'space' can be counted. This is the means by which it is possible to discuss 'nothing', or *khōra*. By virtue of counting things in the course of an enumeration, those things are included with each other. There is some minimal homogeneity established by their differences. Enumeration thereby introduces a very basic ontology: "This bond, of time and number in the principle of singularity, is never separated from the hierarchical principle: if one must choose, the best must be chosen. A certain aristocracy is analytically encompassed in the arithmetic of the choice." (PoF 20) The possible aristocracies are not, however, determined. The capability of counting, number or enumeration is unrestricted. Numbering, the practice of enumeration, is not limited in what it can do. For example, number does not necessitate that what is numbered be of the same genus, genre, or order. Enumeration is just as easily a modality of association as it can work to create an order of the same. Counting, or enumeration, therefore effects both unities, singularities, 'finities' and accounting; but it precludes heterogeneity. In other words, enumeration effects work, which takes place among, and thereby affects, the counted. As such, enumeration effects the conjunction without the neutrality of 'and'.

Just like ‘and’ enumeration can put singularities into proximity with one another. Enumeration does not necessitate entailment, unity, genre, or sameness. Likewise, alphabetization is a practice of enumeration. Derrida repeatedly demonstrates this simple lesson in his essays. Whether Derrida is numbering sections in “Faith and Knowledge” (FK) or alphabetizing sections in *Limited, Inc.* (LI), the simple point remains: any set of terms can be brought together. Compossibility is not a function of logic’s law of contradiction, but rather a function of its own logic, which is prior to the possibility of stating any such exclusionary principle.

3.4.5 The Capabilities of ‘and’

There are two points which follow. One is that the instantiations of such practices facilitate presence in general in the order of representation. Enumeration and alphabetization is representation. The other is that such practices also bring to pass a very general form of otherness that is both Eleatic and abyssal. Any set of terms can be brought together. The affective capability of this practice upon those terms is incalculable as a function of the incalculability of the possible permutations. Bordering upon the margins set by one practice extends the non-limited possibility of other sets or of counting more or by counting otherwise. The practice entails its possible continuation. All of this is to say that the work of conjunction most apparently takes place in terms of representation; but upon reflection, this entails the thought of representability, whose parergonally abyssal void borders upon it. The two limits or sources, themselves heterogenous, cannot resist the power of ‘and’ to effect their proximity.

In this way, it is necessary to reconsider the neutrality of the ‘and’. No conjuncture is innocent with respect to the representation it effects, since it also

introduces not only the possibility of that conjunction having been otherwise, but also prophesies a future of conjunctions that is not programmable. Thus wise is Derrida working, for example: "constantly trying to think the interconnectedness, albeit otherwise, of knowledge *and* faith, technoscience *and* religious belief, calculation *and* the sacro-sanct. In the process we have not ceased to encounter the alliance, holy or not, of the calculable and the incalculable." (AR 90)

3.5 The 'Machine'

3.5.1 The 'and'-Machine

A relatively less neutral conjunctor than enumeration or alphabetization relative to 'and' is what Derrida calls 'the machine'. The 'machine' is not a machine in the sense of some thing that could be represented either sensibly or intelligibly. This is the term by which Derrida designates technical possibility of conjunction that allows for compossibility without violent mastery.

In Derrida's remarks, the patent regimes of post-seventeenth century modern Europe elaborate a convention on invention: people either invent stories or machines. One might invent a fiction or fabulation on the one hand, and on the other, technical devices. A machine as technical device is not only a sensible or intelligible processor such as a motor, or algorithm, or mechanism. Derrida elaborates upon the broadest sense of the machine as an operational possibility (PIO 10).

For Derrida, the fabulation of a great philosophical machine capable of overcoming all things is not a philosophically credible endeavour. Where 'and' and enumeration are capable of conjoining a legion of entities into a set, no force compels them to remain organized in this fashion.

Derrida works by the invention of discursive machines (FK 34), deployments of technical device in language whose outcomes are productions that make recognizable the conjunctions for a given concept. "When I make the machine work, there is no decision; the machine works, the relation is one of cause and effect" (N 231). The operational possibility of conjunction is something Derrida thinks to be at work as primeval and primordial amid any set of terms comprising an act of language, such as a concept. Another term for such machinations is 'deconstruction', which "introduces an 'and' of association and dissociation at the very heart of each thing, rather it recognizes this self-division within each concept. And all its 'work' is situated at this juncture or this dis-juncture [...]. A hyperbole comes along each time to recall and decide this undecidability and/or this *double bind* between X and X: there is X and X, which always comes down to thinking X without X" (EtC 283). Such a 'without' is "the work of a certain 'and'." (EtC 284)

"Very simply, then, what I am trying to do is to prepare for such a decision by tackling the machine or law of contamination" (N 237). This statement respects the philosophical convention of contradiction to facilitate understanding rather than explanation. Contamination is not a pejorative term, but a manner of describing the effect of conjunction, which Derrida takes to be a basic fact facilitating the possibility of thought as such. "Thinking's task today is to tackle, to measure itself against everything making up this program of contamination. This program forms the history of metaphysics" (N 237). For this reason, contamination is not a 'bad' thing that should be resisted, negated, or denegated; in fact, from Derrida's perspective, rather than "trying to 'save' a line of thought or action from it [thought] must consist in assuming this law [of

contamination], in recognizing its necessity, in working from *within* the machine, by formalizing how contamination works and by attempting to act accordingly [...] not to flee it by denying its complexity but to think it as such" (N 236). It is therefore in thinking the complexity of the 'and' vis-à-vis discursive machines that thought responsibly faces complexity in order to find the simplicity on the other 'side', as it were.

3.5.2 Religion as 'and-Machine'

Derrida attends to the another kind of light while tracing Immanuel Kant's efforts to delimit 'religion'; within the borders by which Kant attempted to delimit religion and morality, there is the machine of contamination. Reason is never alone, neither in its critical purity (*der reinen Vernunft*) nor within the limits of its nakedness (*der blossen Vernunft*). Reason is always with another and cannot escape this law if thinking is not to do without its terms.

Derrida's work with Kant's contamination is exemplified in the reinscription of 'religion' as a phenomenological machine. Where 'religion' is supplementary to 'and' in the manner analogous to that of numbering and alphabetization, it is thereby reinscribed as a term signaling the work of conjunction rather than a determinate, historical or confessional entity. In part, this is because there never was any such thing as so-called 'religion' in the singular. At best, 'religion' functions paleonomically vis-à-vis the multiplicity of religions that have existed or do exist. At worst, the paleonym 'religion' is a vestige of colonialism. Reinscribed, religion points to the a modality of conjunction whose pragmatic effects interact with the other modalities of conjunction active today.

Derrida notes the two valences of 'religion'- namely Cicero's translation of religion as *relegere* in terms of "bringing together in order to return and begin again";

and, Lactantius and Tertullian's *religare* in terms of the "*link* [...] obligation, ligament, and hence to obligation, to debt [...] between men or between man and God." (FK 36-37) Citing Émile Benveniste, Derrida merges these two translations to "*recollecter*": " 'return for a new choice, return to revise a previous operation', whence the sense of 'scruple', but also of choice [...] since there can be no selectivity without the bonds of collectivity and recollection." (FK 37)

Derrida's reinscription focuses upon the 're-' and 'legion' of religion, which simultaneously facilitates conjuncture and difference. Derrida's invented operation of "a discursive machine" (FK 34) is primarily functional, and in its effect is 'religion'. Understood as he proposes it, 'religion' effects the "quasi-transcendental privilege" of being able to put two seemingly heterogeneous sources or foci into close proximity in order to effect distinctions of '*on the one hand*' and '*the utterly other*' (FK 36). Those two sources are indeed those of representation or presence in general, and of representability or possibility of presence: " 'religion' figures their *ellipse* because it both comprehends the two foci but also sometimes shrouds their irreducible duality in silence, in a manner precisely that is secret and *reticent.*" (FK 36)

3.5.3 Machines and the Production of Legitimate Fictions

Conjunctive machines such as religion provoke events. Linking across distances while sustaining singularity, machine is not only a technical device, since the events thereby provoked produce the fabulations which philosophers wish to call 'lies'. Derrida's texts are interventions which deploy discursive machines. The machines are most productive of fabulation when they produce paradox or aporia. These are unavoidable in language whose alphabetizations and enumerations must bring together

multiple series of singularities for the production of meaning. These are the facts of discursive tension by heterogeneity or precipitously non-finite parergonalities.

Derrida's reflection on the gift is demonstrative of this point:

> This text, then is also the piece, *perhaps* a piece of counterfeit money, that is, a machine for provoking events: First of all, the event of the text that is there, like a narrative offering or holding itself open to reading (this event has taken place and continues to take place, it gives time and takes its time, it apparently gives itself time), but also and consequently, from there, in the order of the opened possibility and of the aleatory, an event pregnant with other events that have in common, however, a certain propitiousness for this staging of a trap or a deception [*leurre*]. And the trap is the affair of nothing less than reason, of the reason one *has* or the reason one *gives* [*de la raison qu'on* a *ou de la raison qu'on* donne] (GiT 96)

3.6 The General Condition of Philosophy: Apophatics

Derrida's reflections on the necessity, or law, of conjunction find him performing further reinscriptions with terms normally associated with religion. This already comes to pass when he considers the conceptualization of the lie (# 3.1.3). Where philosophers run up against the impossibility of 'saying it all' despite the imperative for 'truth', there is the threat of perjury. The positive content of any proposition is a fabulously contaminated production of conceptual permutations. The assembled set of terms offered by the philosophical proposition, however carefully parsed, could be arranged otherwise or with other terms. The practice of philosophy is, after all, the task of translation bereft of any ideal or pure language. And so, each proposition in fact harbours an apophatic practice "a certain keeping silent, a dissimulation, or even a silent simulation, which we have already mentioned and about which it is difficult to know if a finite language can ever be done with it in order to acquit itself of a 'tell-the-whole-truth-and-nothing-but-the-truth'." (WAl 36; see 3.1.3)

For Derrida, apophatics is not the sacred, singular or exclusive domain of any historical, confessional or otherwise determinate religion. Not-saying confronts all saying as a condition for saying. There is no trick for learning 'how not to speak'; rather, apophatics is the general condition of all language acts, and philosophers ought to be most painfully aware of this fact.

Apophatics is perhaps among the most fitting term by which to recognize the inadequacy of representation. No saying, i.e. no discursive act or practice, either on the sensible or the intelligible, can avoid what Derrida calls "the torrential flux of undecidable half-tints that makes up our experience: half-lies, quarter-lies, lies that are not altogether lies because they slide very quickly into the shadow zone between the voluntary and the involuntary, the intentional and the unintentional, the conscious, subconscious, and unconscious, presence and absence to oneself, ignorance and knowledge, good faith and its twilight of bad faith, between what is useful and what is harmful to the other." (WAl 35-36)

3.6.1 An example of Reductionism in General

The awful truth of the matter is that, on the grounds of the primordial 'and' and its law of contamination, the notion of *creatio ex nihilo* is a particularly conspicuous fabulation. Creation only comes to pass in concert. This problematic resistance is what drives apophatics and negative theologizing. The latter, in particular, presupposes that there is such a sovereign creating in-dividual out there, somewhere. Actually and simply. The former takes up this fact, and instead of deciding to work in concert with others, begins a series of reductions which only create the illusion of creation. Apophatics is, after all, reduction *par excellence* in the name of the most excellent. The exercise of

violence, severance and flight are only actions of negation (Goodchild 2007, 37). A sovereign power of production that would keep its sovereignty absolutely intact with good conscience is philosophically thinkable only in bad faith.

This silence that comes to pass in each saying is a negation by way of affirmation. In order to describe this, Derrida introduces the notion of '*dénégation*' drawing upon Freud's concept of *Verneinung* to describe the working of this simultaneous denial and affirmation taking place in any act of language. This analysis of the lie shows that retreat to the desert is unnecessary for the practice of apophatics. The desert is among all who speak, that is, among all who represent either the intelligible or the sensible. In language acts there is an incalculable chain of supplementary ways of saying otherwise that are negated in the event of saying. The relationship to apophatic theology, if there is one, is that acts of language in general follows a law of contamination.

The capacity to speak, then, is facilitated by the ability to avoid speaking. Language is saved by nonlanguage, as is philosophy by nonphilosophy. Although the following quotation moves considerably ahead of the topics involved in this section, it should be noted that in language there is "consciousness as that place in which is retained the singular power not to *say* what one knows, to keep a secret in the form of representation. A conscious being is a being capable of lying, of not presenting in speech that of which it yet has an articulated representation: a being that can avoid speaking." (HAS 17)

Apophatics is a modality of representation that sets into relief the other limit, or source. Apophatic thinking brings metaphysical thinking to the limits of representation by means of the reduction of representation to a discourse on the potential for

representation. Agamben notes how this was already the case in Aristotles' reflection on the soul and the nature of the intellect's pure potentiality (*De Anima* 429 a 21-22). This discourse lives on the borderlines of representation, attempting to think what makes thought possible by only giving an analogy of the mind: "the mind (*nous*) is like a writing tablet on which nothing is actually written" (De anima 430 a 1). This notion of the writing tablet will be taken up later by Locke's infamous metaphor for his epistemology, and Freud's notion of the *Wunderblock*, or Mystic Pad. (ArF 14) In the 1960's, Derrida first discussed this device of Freud's as the machine which negotiates between life and death (WD 227). Almost 20 years later, it returns while Derrida reflects on *le Mal-d'archive*: the madness, sickness or evil of the archive as the unavoidable contamination of the two limits or sources, despite their heterogeneity.

3.6.2 The Ability Not To

The important difference between the notions of Aristotle, Locke and Freud versus Derrida's, is that the tablet, slate or pad operates as a perpetual repository of representation. The metaphor of the writing tablet on which nothing is written attempts to express the existence of a pure potentiality. The key to this potentiality is not its capacity to do something, but that its capacity remains; a potentiality characterized by an ability to not do anything. This is the strongest distinction from the actualization. As Agamben notes: "This *potential not to* is the cardinal secret of the Aristotelian doctrine of potentiality, which transforms every potentiality in itself into an impotentiality (*pasa dynamis adynamia* [*Metaphysics,* 1046, a 32])" (Agamben 1999b, 215). Apophatics is the explanation of capability in the demonstration of precisely not-doing; the mode of representation remains simply in the presumption of capability. The potentiality itself

remains represented and presentable, and as such apophatics remains amid intelligibility and representation.

This affirmation is on a similar order as the means by which Derrida takes apophatics as a marker of representational limits. Much as he did with Kant, these limits are taken not as grounds for dismissal. From whence apophatic discourses meet an exhausting abyss before which no calculation can ensure their certainty, it is possible to discern the possibility of not simply not speaking, but of otherwise than speaking: "Despite its appearances, then, this X [about which is said neither/nor] is neither a concept nor even a name; it does *lend itself* to a series of names, but calls for another syntax, and exceeds even the order and the structure of predicative discourses. It 'is' not and does not say what 'is'. It is written completely otherwise." (HAS 4)

3.7 The Messianic Structuring of Limits: Reinscription

The notion of reinscription has already been mentioned (# 3.5.2) without terminological clarification. Reinscription is one of Derrida's most common practices (# 6.7.2 & 6.7.4) and it is described in his early works. The first mode of it is reversal, where a set of oppositions is located in a discourse and the importance of the 'lesser' member demonstrates that the choice between one or the other as dominant is not defensible (OG 44). At that time, Derrida described reinscription as the "eruptive emergence of a new concept, a concept that can no longer be, and never could be included in the previous regime" (P 42), which emerges through the delimitations, grafting, regulated extension of the already existing conceptual structure subjected to the earlier work of reversal. (P 71)

There is nothing that ultimately justifies this reinscription other than the fact that the accepted structure of a given opposition is shown to be unsettled and de-sedimented. And so, there are no foundations which emerge upon the explanation of Derrida's reflections about limits, 'and', enumeration, the machine and apophatics. There simply cannot be if Derrida has any inclination of pursuing a discourse on the two sources. What is otherwise than representation and presence in general is, as Lévinas would entitle his response to Derrida: *Otherwise than Being: Beyond Essence* (Lévinas 1981). Derrida's difficulty with Lévinas' proposals will be taken up in chapters five and six.

The most eminent reinscription of Derrida's, which further extends this explanation of 'the other-than' representation and presence, takes form in his discussions of the messianic. Derrida himself claims that his proposal about the messianic is unique, since his works attempt to effect a terminological displacement of its previous meanings. Derrida's introduction of this term arrives shortly after his first published engagement with the critical theorist Walter Benjamin in a reflection upon law, force, legitimacy, and justice in 1992. Benjamin begins to figure more prominently, particularly in the development of the messianic, from then up to the speeches and publications just prior to Derrida's death in 2004.

The notion of the messiah has its origins in the anointing of the Hebrew king, by YHWH's high priest in 1 Samuel. This came to form a key element of post-Second Temple Jewish beliefs. It also figured importantly in the writings of the prophetic tradition of Isaiah. Although the Northern and Southern kingdoms of Israel had undergone successive foreign occupations, the messiah was believed to be a future political figure who would somehow restore and unify the old upper and lower kingdoms.

The early Christian Church subsumed and reinterpreted the notion in order to understand their relation to the Jewish traditions as well as to interpret the teachings from Jesus of Nazareth as those of an anointed monarch who, thought currently absent, will return upon the culmination of all history.

In the development of the two traditions, the characterization comes forth that Christian messianism takes the future as in principle already known, whereas 'Jewish' messianism looks toward a future as in principle unknowable. The Christian messiah is the apocalyptic culmination of all creation with the return of Jesus as Christ; this is described with powerful imagery in the book of Revelations, and doctrinally explained in Paul's letter to the Romans. The Jewish tradition takes a less scriptural manner in its development within the various Talmudic commentaries on the Hebrew Bible, in messianic movements such as that of Shabbatai Zwi and the advent of the Zionist movement for the establishment of Israel as a modern nation-state beginning in the late nineteenth century.

Derrida's first mention of the Messianic in conjunction with Benjamin's work is in '*Des tours de Babel*' (1980), where Derrida takes up Benjamin's revelations on the impossibility of conceptualizing 'translation' in '*The Task of the Translator*': "Translation, as holy growth of languages, announces the messianic end, surely, but the sign of that end and of that growth is 'recent' only in the 'knowledge of that distance,' [...] *the remoteness* that relates us to it." (AoR 132)

Whereas Walter Benjamin drew upon the Hebrew tradition in order to counter the appropriation of theological notions by both Jewish Zionist and Christian National Socialist political theorists, Derrida takes up the notion in order to develop a term whose

reference is toward the limit of the future. As a consequence of this nearly singular futural orientation, Derrida's 'messianic' is reinscribed without any relation to historical or political traditions which he calls 'messianisms'. Those connections might be facilitated by his own reinscription of 'religion'. Derrida insists that the messianic has neither relation to any determinate historical revelation nor to a relatively determinate messiah-figure; "it no longer has *any* essential connection with what messianism may be taken to mean" (MaS 251). Messianisms would be comprised of determinate historical revelations and relatively determinate messiah-figures, such as either a returning Christ or a rising nation-state. Such messianisms are historicist because they do not take history seriously. History is not nothing only in the course of eventually becoming nothing.

Derrida does, however, draw upon a form of Jewish religiosity: "To be open toward the future would be to be Jewish. And vice versa. And in *exemplary* fashion. It would be not only to have a future, to be capable of anticipation, etc., a shared aptitude whose universality could appear to be indisputable, but to be in relation to the future *as such*, and to hold one's identity, reflect it, declare it, announce it to oneself, only out of that comes from the future to come" (ArF74). Derrida's proposal does move from a Jewish context - "The visitor is someone who can come at any moment, without horizon of expectation, who comes by surprise like the Messiah" (H 264n.13) - towards a generalized structure of the future as the arrival of absolute otherness, where the future to come is "*without horizon of expectation and without prophetic prefiguration*" (AR 56). As a structure, and not a thing itself, Derrida's messianic "exceeds not only the determined place and moment, but also the identity, especially the national identity, of the bearer or messenger of the Torah, of the revealed Torah." (WoW 69)

3.7.1 The Messianic Structure of Experience

As with his reinscription of religion (# 3.5.2), Derrida proposes the messianic "as a universal structure of experience, and which cannot be reduced to religious messianism of any stripe […] it refers, in every here-now, to the coming of an eminently real, concrete event, that is, to the most irreducibly heterogeneous otherness" (MaS 248). Derrida's terminological outlining of the messianic as specifically not a determinate messianism (ArF 36) redirects the word as a term which refers to the form and structure of the discrete singular event. In a move that could be considered micrological, Derrida focuses the term upon the instant by which an event comes to pass: it has no content or horizon, because there is no absolute or necessary connection and no recognizable identity between the coming to pass of the event and history itself.

The messianic is what Derrida proposes to think as a structure of experience closely related, but not the same as, the conjunctive capabilities of 'and' within 'religion'. Indeed, he describes it as prior to representations of the sensible and intelligible - be it on the order of determinate religions, ideologies or ontologies. As such, some aspect of the messianic will take part in those determinations, but not merely by some apophatic representation of pure potentiality. It is only, once discourses like that of Kant on religion are explored and the desedimentation of conventional philosophical practice can take place. Only then reason can contemplate not so much that it makes space for its representations of ostensible others, but that all which reason has comprised until today takes place relative to only one of two sources. Apophatics, in the reduction of representation, has some sense of this other source, which "exceeds even the order and the structure of predicative discourses" (HAS 4). This 'messianic', however, marks "an

orientation *and* a *break*, a tendency running *from* weakening *to* annulment, from the 'weak' to the 'without'." (MaS 250)

Derrida is performing a familiar reversal, but in a highly specific manner akin to his reflection upon speech and writing. A certain understanding of the event, as conditioned by historicisms, can be thought of as so excessively privileged over its other as if to render aspects of the event itself superfluous. Determinate history, as representations of presence in general, is taken as all there is. History is taken as saturated, and thereby only exists as nothing or nonbeing. This subordinates the other source, which resists presence and representation. The enumerations and divisions of space and time are taken for granted by historicisms, which involves the forgetting or denial that not only could all of this have been arranged otherwise, but that history is not in fact terminally saturated. "The messianic is heterogeneous to messianism in the precise sense that the horizon of the messianic is indeterminable. Messianism will saturate this absence of horizon by turning it into a horizon - on the basis of all the predicates that seem to me to make up the concept of messianicity - annunication of an unpredictable future, relation to the other, affirmation, promise, revolution, justice, and so on" (N 227). And so, it is only once conventional and historically determinate discourses have attempted to saturate themselves to the absolute limits of their legitimacy and certainty that there can emerge the thought of a specific kind of messianic space.

3.7.2 The Messianic and Representation.

So why then use the term 'messianic'? Derrida admits that the term is the outcome of a decision, and therefore "relatively arbitrary or extrinsic; it has merely rhetorical or pedagogical value" (MaS 254). Indeed, this cannot be otherwise given his

position on the non-saturated nature of any context. Rhetorically, Derrida's term is accessible only to a Euro-American context. Pedagogically, the limits of the term provokes further questioning and thinking about the nature of any philosophical term.

Derrida's reinscription of the messianic is part of his avocation for a content-ascesis of thought in order to reflect upon the under-privileged and largely suppressed forms, structures and conditions of experience. Heuristically, Derrida conceives of an atheological inheritance of the messianic (SMa 168), in order to distinguish "this performative to come whose archive no longer has any relation to the record of what is, to the record of the presence of what is or will have been *actually* present" (ArF 72). Thus, in calling attention to the messianic, Derrida proposes an atheological imperative that suspends the ontological claim that 'there is future': "If there is a future as such, it cannot announce itself, it cannot be announced or over-announced except in the eschatological and messianic […] that would be the kenosis of the eschatological and messianic" (TfS 21). To take this explanation one step further, Derrida qualifies the rationale for attempting to establish this term as akin to his provocative reflections on the gift: "[…] a structural or *a priori* messianicity. Not an ahistorical messianicity, but one that belongs to a historicity without a particular and empirically determinable incarnation. Without revelation or without the dating of a given revelation." (WoW 67)

The messianic is without place or time, since it is an attempted description of the very coming about of place and time as placing and timing. The messianic is therefore the becoming-place of time, and the becoming-time of place. The messianic is a fabulous conjunctive religious machine. This structure presses the limits of representation, which is why it demands a reflection bereft of representation. The messianic designates the

unrecognizability of the future, which therefore traumatizes all attempts to reveal what might occupy, animate, and operate the limitation *per se* of the limit, border, margin, or parergon. As with the gift or the lie, Derrida issues a challenge to representation not as a problem to which there is a solution, but as an aporia that confronts thought with paradox. The reflection demanded by the messianic cannot escape representation. The limits, though heterogenous, remain proximal by virtue of the conjunctive capability of the messianic. At minimum, Derrida seeks to provoke hesitation by forcing philosophy up against the limits of representation and presence in general. He hopes that this, in turn, provokes a universalizing philosophical responsibility. Philosophy is not about truth which comes about by abstraction or reduction of the sensible to the intelligible; rather, philosophy is reflection making space for representations of the sensible and the intelligible on account of not merely a sense of their limits, but from reflection on that which structures their conditions.

Those forms and laws are only determinable as aporia and paradox, their universality and potency obtains precisely in their resistance towards representation. They can go by any name. One name proposed by Derrida is the messianic:

> […] it would no longer be messianic if it stopped hesitating: how to give rise and to give place, still, to render it, this place, to render it habitable, but without killing the future in the name of old frontiers? Like those of blood, nationalism of native soil not only sow hatred, not only commit crimes, they have no future, they promise nothing even if, like stupidity or the unconscious, they hold fast to life. This messianic hesitation does not paralyze any decision, any affirmation, any responsibility. On the contrary, it grants them their elementary condition. It is their very experience. (SMa 169)

In one of his final lectures, Derrida adds to this very specific construal of philosophical responsibility the hesitation before the messianic. The upshot of reflecting

upon the structure of experience he names the messianic is this: “we can always do better.” (R 73)

Thinking makes time and place; this obtains not only in the mundane sense, but also within the terms of the timing and placing by which the machine must work. Whatever is taken to be true, its ‘moment of truth’, and its representations as a known truth, are conjunctures facilitated by conjunctions that are themselves without place or space. These facilitators of conjunction are performatives, insofar as they enunciate conjunction. As Agamben explains, enunciation concerns “not what is said in discourse but the pure fact that it is said, the event of language as such, which is by definition ephemeral” (Agamben 1999, 138). Derrida reinscribes the messianic precisely in order to bring this to attention and reflection. His strategy is something otherwise than simple semantics, since the messianic concerns the event of enunciation itself. Each enunciation, as unique, concrete and unrepeatable itself, nevertheless obtains universally wherever there is any act of language.

Precisely as other than representation, the source of the messianic preserves the ‘living’ and the ‘dead’ elements of language - the two limits or sources - by virtue of resisting the language of interiority and exteriority, sensible and intelligible. Derrida’s reinscription of the messianic thereby gestures towards the two sources in order to indicate the necessity of what is otherwise than representation as the ground for its coming to pass. Representation comes to pass by virtue of that which exceeds all determinations, not beyond the extremities of representation but otherwise than representation. This is a “messianic extremity, an *eschaton* whose ultimate event”, which neither takes place or space and yet institutes both vis-à-vis an “immediate rupture,

unheard-of interruption, untimeliness of the infinite surprise, heterogeneity without accomplishment." (SMa 37)

3.8 Conclusion

Derrida's recourse to terms normally associated with 'religion' in the Enlightenment sense is not inevitable or ineluctable. They are a decision born of a desire to provoke philosophy to reconsider its practice in an unfamiliar 'light' which is neither intelligible nor sensible. Derrida's reflections upon a succession of limit terms and conditions in the conventional Western philosophical and theological discourse on religion is, as he stated, pedagogical and rhetorical. In an interview, Derrida muses about one possible response to his strategy: " 'You are 'hyper,' you speak 'hyper' at the very moment that you are speaking 'against.' You are in the process of developing a discourse that is hyper-Jewish, hyper-Christian against these very instances.' And, in a sense, this person is right." (N 226-227)

Derrida's strategy vis-à-vis Western religion can be understood as a response to a dilemma aptly phrased by Jeffrey L. Kosky:

> Either philosophy constitutes religious phenomena and so has objects to study but thereby loses sight of what is specifically religious about such phenomena. Or it maintains the religious character of phenomena (their absoluteness, their unconditionality, in short, their claim to be irreducible to human constructions), but thereby is without objects, leaving religious phenomena to silence or unintelligibility - that is, to faith. (Kosky 2000, 113)

One answer outside of the horns of this dilemma is to pursue the phenomenology of religion. The phenomenological approach is one that reduces all transcendences, religious and philosophical, so that a field of immanence can emerge for study. Derrida's phenomenological reinscriptions work with both philosophy and Western religions, such

that neither can claim to determine the other. Instead, they are both confronted with the aporetic terminal limits.

Derrida introduces his specific claims about the words 'faith', 'sacredness', 'holiness', 'messianic' and 'eschatology' (FK 12-13). He does not suspend religion from these words. Rather, he asserts that these words do not have any necessarily religious convention about them. These words designate for Derrida meanings which pertain to that which is primordial to religion, where 'religion' is reinscribed as fundamental to experience. The heuristic relevance of a religious term is not the 'first things' of a fundamental ontology, but gestures towards what is other than ontological claims about first things. As such, these terms are words which point toward, and yet neither relate to determinable things nor determine the order of things.

The naïve pairing of religion to reason in an opposition obscures the potential to think the conditions and structures of both (FK 5). The fact of the matter is, that when 'religion' is opposed to 'Reason', the latter takes on a plurality of forms and modalities ranging amid, but not limited to, "*Enlightenment, Science, Criticism (Marxist Criticism, Nietzschean Genealogy, Freudian Psychoanalysis and their heritage.)*" (FK 5) In this oppositional relation, 'religion' functions as a metonym which covers a wide range of forms and modalities normally associated with the religious, religiosity, spirituality, irrationality, and the mystical. Quite simply, the oppositional positioning of 'reason' and 'religion' shows both terms as fallacies of composition. The contents subsumed under either does not possess a sufficient homogeneous integrity. "Instead of opposing them, as is almost always done, they ought to be thought *together*, as *one and the same possibility*: the machine-like and faith." (FK 48)

Derrida's reflections and reinscriptions are meant to enable a critically conscious inhabiting of the religious and philosophical terms within which 'we' philosophers find ourselves. Not only is there an atheological heritage of the messianic, but the structures of experience towards which it gestures also resist philosophical determination. The "quasi-atheistic dryness" of this aporetical and paradoxical situation is what "keeps watch over its own universality." (SMa 168)

As a function of the universality afforded by atheological dryness, these reinscripted terms are to be applied hastily as shortcuts to the solution of any problem. As Derrida stated elsewhere, the capability to reflect on what takes place everywhere (*ce qui se passe partout*) is not a master key (*passe-partout*):"The passe-partout which here creates an event must not pass for a master key. You will not be able to pass it from hand to hand like a convenient instrument, a short treatise, a viaticum or even an organon or pocket canon, in short a transcendental pass, a password to open all doors, decipher all texts and keep their chains under surveillance." (TrP 12)

In this context, it is possible to understand Derrida's proposition that "the question of religion is first of all the question of the question. Of the origins and the borders of the question - as of the response" (FK 39). The nature of that question and response is yet to be explained. Suffice to say that Derrida's reinscription of religion is a unique proposition that has the potential to alter the topopolitology facing philosophical reflections on religion.

Derrida's attention to and emphasis upon various ways of speaking about limits is not to dismiss but to affirm them. That affirmation is reflective rather than determinative, precisely because Derrida's aim is to shift terms away from any legalistic or dogmatic

instantiations. He argues that a new logic of the limit is necessary in order to keep the future open (ARSS 113); and that opening takes place between limits. Those limits are also two sources. 'Between' inadequately describes just what 'between' entails. This 'between' is an aporetic *topos*, given the non-limited possibility for enumeration, placing and timing, to be marked otherwise. As Morag Patrick remarks, "Derrida has attempted to multiply the distinctions between closure and end." (Patrick 1996, 6)

The imperative for philosophy, according to Derrida, is a practice of thinking that follows the injunctions of his titles such as *Margins of Philosophy*, or "Living On: Border Lines." "Philosophy has always insisted upon this: thinking its other. Its other: that which limits it, and from which it derives its essence, its definition, its production" (MP *x*). Thinking the other does not entail fleeing, destroying or avoiding limits. Instead, it is a matter of learning how thinking ought to live-on 'between' limits. "If it - learning to live - remains to be done, it can happen only between life and death. Neither in life or in death *alone*. What happens between two, and between all the 'two's' one likes, such as between life and death, can only *maintain itself* with some ghost, can only *talk with or about* some ghost [s'entretenir *de quelque fantôme*]. So it would be necessary to learn spirits." (SMa *xviii*)

C H A P T E R F O U R

DERRIDA'S RELATION TO PHILOSOPHY AND LANGUAGE

According to the condition for thinking on language set forth by Derrida, if one plans to tell the truth-and-nothing-but-the-truth (# 3.1.3), one must do so within language. The condition is that "there is no metalanguage, and that *a* language shall always be called upon to speak about *the* language - *because* the latter does not exist" (MOP 69). "Rather, it is a question of determining the possibility of *meaning* on the basis of a 'formal' organization which in itself has no meaning" (MP 134). The only such truths which can be told in language are limited truth-telling about language alone. Lastly, the truths told can only be true if they neither yield nor deliver any determinations outside of themselves. These truths would tell about what runs between the event of language and the event of any possible concept. If there is any determinate message that emerges from the breadth of Derrida's entire *oeuvre*, this is it: "We cannot even say that language is or does something, nor even that it 'acts'; all of these values (being, acting, doing) are insufficient to construct a metalanguage on the subject of language. Language speaks *of and by itself*, which is something quite different from a specular tautology" (MdM 96-97). Nothing, it seems, could be a more restrictive limitation on the capacities of philosophical practice.

4.1 The So-called Centre: Derrida and Structuralism

Language is as much structured by what does not happen as by what happens. It is as structured by mute signs and empty spaces as it is by enunciation and discursives. For Derrida, this is a strong inferential indicator that the possibility of meaning relies not

only upon presence, itinerant and fleeting as it 'is', but also upon a certain kind of substantive absence. Barry Stocker puts it nicely: Derrida is not an ordinary language philosopher; rather, "he is concerned with extraordinary and contradictory aspects of language" (Stocker 2007, 22). This is to say that Derrida's work, although it repeatedly engages questions of language, is not linguistic philosophy. "Deconstruction was inscribed in the 'linguistic turn,' when it was in fact a protest against linguistics! […] The paradox is that, even though I proposed to deconstruct the hegemony of linguistics, my work is often presented as a linguisticism. That said […] the centre – if there is one – is not *there*" (TfS 76-77). The 'centre' of Derrida's thought is a response to structuralism by means of affirming structures, but precisely in order that their logics exceed themselves. The repeated engagements with language are only examples of Derrida's attempts to unseat the various forms of structuralism, from Claude Lévi-Strauss (see OG) to John Searle. (see LI)

The questions philosophers must reflect upon, if they are to demand some principle of reason of themselves, are: "questions of language: questions of language and the question of language" (WD 109). The latter is the question of the question, which Derrida poses throughout in his career. Most conspicuously in the last decade of his life that he affirms "the question of religion is first of all the question of the question. Of the origins and the borders of the question - as of the response" (FK 39). Derrida's continual return to the question of the question suggests that Derrida does suppose there to be a consistent and grounded meaning which could be presented.

4.1.1 The Question of the Question

Another relevant 'centre' of Derrida's writing, in this case, is the dislocated affirmation from whence something like the subject can take shape. For example, in his early work on grammatology, Derrida already challenged the possibility of there being a unified subject, but not in order to do without the subject: "To determine an X as a subject is never an operation of a pure convention, it is never an indifferent gesture in relation to writing" (OG 69). It is no grounds for dismissing the subject to claim that the subject is an accident of writing. This simply upsets the belief that the subject is generative of writing, or that the subject is somehow prior to language. If there is a subject, according to Derrida, it is neither generative nor the origin of genesis. The subject is generated and follows from what comes before it; writing merely inscribes this always-already condition.

The question of the question comes to pass by opening oneself to the question that language poses to the philosopher. This is not a new interrogation of language by the philosopher, but an interrogation of philosophy by no one in particular. Philosophy and philosophers are not prior to language, and it is inconceivable that either take such a position that language could be forced to submit to the position of a problem. Instead, philosophy and philosophers are placed before language. Every pause taken to gather any elements of language - words, gutturals, gestures - is the experience of being questioned by the 'who knows what,' which is signaled here by the provisional metonymic fallacy of composition expressed with the term 'language'. To reflect upon the question of the question is to realize that one's capability to question, an act of language, was already in question prior to one's questioning. This is not a matter of

allowing or permitting oneself to be questioned. Insofar as one was always questionable, one is in question. In this case, the possibility entails a perpetual actuality. One is simply unable to not be able to go unquestioned. Therefore, one must always be open to question. To be responsible is to hold oneself questionable by 'who knows what,' which is certainly not the 'X' of some subject. On such a ground something like the subject is given place and extension. This is not a Cartesian reduction organized by a skeptical doubt which never questions the *telos* of the *cogito*. This questioning puts into question the necessity of the *cogito*.

> Everything begins from the question mark (*Fragezeichen*) when one interrogates the essence of language. What is the essence of language? The essence (*das Wesen*) of language (*der Sprache*)? Schematically: at the moment at which we pose the ultimate question, i.e. when we interrogate (*Anfragen*) the possibility of any question, i.e. language, we must be *already* in the element of language. Language must already be speaking for us – it must, so to speak, be already spoken and addressed to us (*muß uns doch die Sprache selber schon zugesprochen sein*). *Anfrage* and *Nachfrage* presuppose this advance, this fore-coming [*prévenante*] address (*Zuspruch)* of language. Language is *already* there, in advance (*im voraus*) at the moment at which any question can arise about it. In this it exceeds the question. This advance is, before any contract, a sort of promise of originary alliance to which we must have in some sense already acquiesced, already said *yes*, given a pledge [*gage*], whatever may be the negativity or problematicity of the discourse which may follow […] The question is thus not that last word in language. First, because it is not the first word. At any rate, before the word, there is this sometimes wordless word which we name the 'yes.' A sort of preoriginary pledge [*gage*] which precedes any other reengagement in language or action. (OSp 129-30n.5)

The saying of language itself would be the still, small voice, perhaps that of some conscience who knows whence, that whatever says it is not its own. If there is saying saying saying itself ("*Dire disant le dire même*"; Lévinas 1981, 143), it says that it is not itself. The voice of language itself is the saying of expropriation. This kenotic ascesis without ground is the *Ursprache* of language, if there is any. "Language gives one to

think but it also steals, spirits away from us, whispers to us [*elle nous souffle*], and withdraws the responsibility that it seems to inaugurate; it carries off the property of our own thoughts even before we have appropriated them [...] its principle and its scope, which no doubt extends far beyond language in the strict sense of the spoken idiom, to all textuality in general." (GiT 80).

4.1.2 The Aporetic Origin of the Question

Reflection upon the question of the question requires the cultivation of hospitality, which is capable of welcoming others. This capability is that of openness to being posed as problem, rather than assuming the master-position of problem-posing. The possibility of this hospitality is a function of a reduction and suspension of all programs, rules, borders, and limits that would otherwise keep some 'centre' intact. All of these are problem-posing methods, attempted 'shields' (*blemata*) put before (*pro*) the possibility that 'who knows what' is prior. These methods presume the capability of a master interrogator. This peculiar welcoming is that of other's idioms into one's 'own' idiom; or, put otherwise, the recognition that one's own idiomatic expression of language is not a *sui generis* act of a master-subject, but has itself already come from somewhere beyond. According to Derrida, this is always and already taking place; the philosopher simply needs to reflect upon this. This hospitality is the reflection upon others within language which, as was explained earlier, is never one's own. The question of hospitality is also the question of the question. It is a matter of a peculiar sort of responsibility, so far as the philosopher acquiesces to being addressed by the other within language itself, an other who is no specified 'one' or unity. The other who questions 'me' is no one; in attempting to answer, one responds responsibly.

This dicussion of language and question indicates that so long as philosophers must borrow language and communicate via idiom there cannot be, ultimately, any "airtight" philosophical argument. As Bill Martin notes: "If there were, it would become part of an enlarged calculation. There is an aporia where the argument should be, the anomaly of human being, the anomaly of responsibility" (Martin 1995, 44). That aporia is the question of the question.

4.2 Iterability - Other-ability

In order to express this always-already state of aporia and question, Derrida coins the term 'iterability,' a fiction which he then seeks to legitimate in his discourse. The term itself comes from the Sanskrit *itara*, 'other', combined with the notion of capacity in 'ability', along with all that follows in correlating repetition to alterity (LI 7). "Starting, as he says, long ago, and leading to the seemingly very different concerns of his more recent work, Derrida has consistently drawn on the logic of iterability to address, always from a different perspective and in a different format, the structural and conceptual aporias that logic gives rise to" (Wills 2005, 35). Iterability is the possibility of 'other-ability' by which what philosophy has called subjectivity comes to pass. The possibility of each 'one' is on the grounds of *plus d'un* through iterability. Being is a function of 'and' with others. This entails that the 'subject' is always *plus d'un* (see # 3.3.1) itself. The self is not proprietary because it is a function of being with others. Iterability as each one's 'other-ability' lends credibility to the possibility of meaning. In terms of language and subjectivity, iterability is something that takes place in general, that "general citationality" by which there comes to pass the possibility of communication. (LI 17)

By way of iterability and other related notions Derrida attempts to write an account of the basic possibility of possibility; this cannot be a structure *per se*, because this would also be the possibility of structure. "Austin does not ask himself what consequences derive from the fact that something possible - a possible risk - is always possible, is somehow a necessary possibility" (MP 323-4). John Langshaw Austin proposed that an original intention can be generated, *ex nihilo*, by a linguistic subject. This original intention would not be a matter of repetition or reinterpretation. Self-contained and self-generated, the instantiation of that original intention as a 'speech act' would be technically recoverable. The determination of its propriety would also reveal the proper entirety of the original intention. "Derrida argues that the very possibility of a meaningful mark is the impossibility of guaranteeing it a single univocal meaning" (Dooley & Kavanagh 2007, 43). This is not that a speech act is necessesarily contaminated by non-original intention, but the impossibility of guaranteeing this is the case, on the grounds of the *ex nihilo* originality of that intention.

4.2.1 Inaugurality and Language

"If writing is *inaugural* it is not so because it creates, but because of a certain absolute freedom of speech, because of the freedom to bring forth the already-there as a sign of the freedom to augur" (WD 12). The freedom to augur need not necessarily be an absolute freedom to augur *ex nihilo*. Derrida's textual analyses search for those inaugural points of articulation in texts that he at one point calls 'folds' or 'hymens' (Di 220, 229). There is found a decision that was ultimately undecidable, because at that point there is no assurance of mastery and the decision is made in an attempt to regain lost mastery (Di 230). At this undecidable point, between the limits of representation and expression, no

clear path is programmable. It is at such points, where the subject is compelled to abandon control and mastery, where propriety is reneged, that something comes about that can be properly attributed rather than some programmed automaticity. And while this event seems to come about *ex nihilo*, it is not a product of clear meaning and intention. The difference between this proposal and Austin's, is that no original intention is recoverable. (LI 146)

The nature of the freedom to augur is the capacity of a language user for acts of citation. "Writing [and it also any act of language] is not what it is unless it *adds to itself* the possibility of being *repeated* as such" (Di 168). Citation as fundamental to an act of language is the experience of iterability in finding and giving what has already been given: "one must remember first of all that language is as well a phenomenon of gift-countergift, of giving-taking and of exchange […] Everything said in language and everything written about giving-taking in general *a priori would fold back* on language and writing as giving-taking. Giving *would come back, come down* to taking and taking to giving, but this would also come back to fold itself over not only on language or writing but toward the text in general, beyond its linguistic or logocentric closure, beyond its narrow or common meaning" (GiT 81). Iterability and citation are always at work in a text despite the risk that this repetition is a movement of some text 'out of context', as it were. If there were a fixed and determined, invariably permanent and concrete stasis of context, then it would hold that any citation could be 'out of context'. But if every text is an instantiation of an act of citation made possible by iterability, then no text is ever out of context. The compossibility of text and idiom is a function of iterability, grounded in the conjunctive capacities of 'and'.

Therefore, the future of any text is not closed (LI 31), and there is a certain bottomlessness of possibility for acts of language. Thus the notion of iterability meets the notion of universal truth part-way. Namely, the possibility of any given meaning being articulated is an event which could possibly have come to pass at any other point than the one in which it did come about. But it did not. Where truth entails sameness of identity regardless of the location, iterability and citationality take this to be impossible. The departure between these notions is incommensurable. Iterability concerns the coming to pass of a singularity that will never come to pass as the same; singularity is iterated, which is to mean, 'other'-ated. No other iteration will be the same as any other. The traditional notion of truth, on the other hand, holds that a truth may be articulated in two or more particular conjunctures of whatever given dimensions are held to be relevant, and those articulations will be the same. They will not be other to each other, regardless of whatever may contextualize their coming to pass at different conjunctures of either the same or different dimensions. To argue for the truth of iterability, as Derrida does, is to argue that meaning cannot be absolutely guaranteed. Truth itself, as meaningful, is not absolutely guaranteed.

The *itara* of iterability, the basis for the term by which Derrida names the possibility of language, is impossible to conceive of as an 'itself'. There must be no *itara* itself in order for the possibility of iterability to be possible. The possiblity of iterability is the imposibility of the *itara* itself. That is, there can only be others - ineluctably plural and multiple - for the possibility of iterability. If there is any one, there is no ability able to not be more than one. *Plus d'un* is then the necessary ground of singularity. There must be more than one if there is one. The basic structure of enumeration demands this

as a function of the law of reflection. Reflection is unable not to involve more than one. These are the sorts of forces which are at work in the play of *différance*.

4.2.2 The Reality of Language

The otherness of any other comes to pass amid relations of difference. This is what language re-presents. Language does not represent the other itself, but rather translates the forces of difference into signification that substitutes for the other itself. As a result, the operations of language are spectral. The work of language is holographic, casting into a space a set of points in relation to each other from whence the other appears as though itself. "We know already *in fact* that the discursive sign, and consequently the meaning, is *always* involved, always *caught up* in an indicative system. Caught up is the same as contaminated […] each time an expression is in fact produced it communicates, even if it is not exhausted in that communicative role, or even if this role is simply associated with it" (SPh 20). This aspect of language is what Derrida would come to call 'dissemination'. (see Di)

A sign is conventionally thought to be a surd. The sign itself is mute. The surd-sign is *surdus*, deaf, silent, not heard. The sign supposedly effaces its own voice so that the signified is not threatened. It is some kind of prosthesis for another (Di 108). "There is no sign as such. Either the sign is considered a thing, and it is not a sign. Or it is a reference, and thus not itself [...]. As soon as a signifier is no longer imitative, undoubtedly the threat of perversion becomes acute. But already within imitation, the gap between the thing and its double, that is to say between the sense and its image, assures a lodging for falsehood, falsification, and vice" (OG 204-5). Meaning, then, comes to pass in the space that is empirically and ideally speaking nowhere and is itself

comprised of no-thing. Iterability as the condition of possibility for acts of language is the condition of greatest danger for meaning. Of the sign and its supplemental capabilities, Derrida states: "It is nevertheless not a simple nonbeing (*mé on*), either. Its slidings slip it out of the simple alternative presence/absence. *That* is the danger. And that is what enables the type always to pass for the original […] Necessary because this movement is not a sensible, 'empirical' accident: it is linked to the ideality of the *eidos* as the possibility of the repetition of the same." (Di 109)

Acts of language, then, are not concretely real, neither sensibly nor intelligibly. The points and their relations by which an act of language 'appears' does not constitute meaning. Rather, these are traces of meaning. 'Trace' is the term introduced by Derrida in his attempted decision to signal the disappearance of any definite origin and the 'virtuality' (WAl 210) by which meaning comes about. "The trace is not only the disappearance of the origin [...] it means that the origin did not even disappear, that it was never constituted except reciprocally by a nonorigin, the trace, which thus becomes the origin of origin" (OG 61). Traces allow for the articulation of differences, whether it is in speech or writing, because a trace itself has no proprietary self. No concept of metaphysics can describe the trace because the traces themselves make for the articulation and repetition of such distinctions. (OG 65)

4.3 Repetition

If Derrida carries out a polemics, it is towards "originarism" or "historicism" (WD 62; MdM 141). This is because repetition is primordial to any attempted claim to origin. The rhetoric of origin depends directly upon repetition, but contradicts itself upon refusing this necessity as non-deductively derivative. Thus, the constitution of Derrida's

polemic is much like the aspiration of the argument from evil: the tools of mastery are employed against themselves to dismantle the possibility of mastery itself, in the name of what will be characterized as responsible hospitality.

Historicism works by claiming a correct order of precedence, such that the problem of what came before is not an open question but one with a definite solution. However, the project must be already underway in order to claim that it has in fact begun. "In other words, what comes *first* has already been *preceded* by something else" (Gaston 2007, 31). Furthermore, to claim that it was possible to begin in the first place, and to mark out that first place, is a possibility whose functionality depends upon having already begun. At any time prior, such a determination of beginnings would be impossible. The double origin, the double session (Di 173), is that instant at the point of which it is possible to begin claiming that there was a beginning. This requirement may not be a logical requirement, but it is nevertheless a requirement for the possibility of logical claims. It is a law of logic's laws, which comes 'first'.

The only possible experience of beginning is to begin. That is, to affirm. There are two general possibilities upon being given a start: to be startled or to begin. Being startled is followed by a nostalgic search for grounds, for a previously-known logos. Beginning forgets any prior logos, since it starts again. Beginnings take place "*Wherever we are*: in a text where we already believe ourselves to be." (OG 162)

Derrida's point, at the time argued against Michel Foucault, is that if reflective thought is to take itself seriously, it must take responsibility for having crossed this 'palintropic' aporia without the good conscience of any absolute justification or alibi:

> But the crisis is also decision […] caesura […] in the sense of *krinein*, the choice and division between the ways separated by Parmenides in

> his poem, the way of the logos and the non-way, the labyrinth, the *palintrope* in which logos is lost; the way of meaning and the way of nonmeaning; of Being and of non-Being. A division on whose basis, after which, logos, in the necessary violence of its irruption, is separated from itself as madness, is exiled from itself, forgetting its origin and its own possibility. Is not what is called finitude possibility as crisis? (WD 62)

'Palintrope' here gestures towards the notion of having to move back, go backwards, to do something again, and to do it once more in any case of that act. Whereas a palindrome is a word or number that can be read forwards and backwards, palintropes would be those instances of thought which are marked by traces of startling and starting-over. "Rather than moving backwards and forwards through the same word, over the same ground, it [Derrida's 'palintrope'] suggests a turning backwards that happens *more than once*, a turning backwards that - already - repeats, splits, doubles and exceeds itself" (Gaston 2007, viii). This is the experience for any act of language, and it is ineluctable and unavoidable for any practice of thinking.

4.4 No Outside Text

"Privation of presence is the condition of experience, that is to say of presence" (OG 166). The constitutive condition for an act of language is the coming about of self-division rather than mastery. In this way, two sources necessary for an act of language are non-representation and non-presence amid two limits or sources. Thinking, as the "necessarily indeterminate index of a future epoch of difference […] *means nothing*"; and thinking, therefore, "is what we already know we have not yet begun; measured against the shape of writing"; and yet, despite this, "it *is broached* only in the *epistémè*" (OG 93). What Derrida means by this is that all thought is derivative and unoriginal (P 49). Whatever ontological status is ascribed to thought, it is derivative, including and

beyond the thought of the ontology within which it provisionally resides. Thinking is the outcome of the play of force in signification. If language is almost nothing, then so too thinking which only becomes amid language. Therefore discourse on causality or necessity in thought, such as is done in the grammars of various logics, achieves its indications in language from what must appear to grammar as an abyss of unlimited possibilities for acts of language.

The logic of supplementarity is a logic of structure and not essence. The notion that structure supersedes content is an agreeable position to most philosophers. But then to assert that structure has no truth, since there is not one structure and no structure is more true than any other, is going to obtain less wide-spread support. Derrida's insistence on no one structure is that any claim about a structure is going to take place in language idiomatically, without finality. That is, it will take place from within some structure. Speaking from within structure disallows any sort of absolute declaration upon structure. Any philosopher will admit that no member of a set can operate upon the set as though from without that set.

There is no 'outside' text that is not a text; and no text is without structure. This is why Derrida makes no claims to abandon, take leave of, or depart from structure: "structure means the irreducible complexity within which one can only shape or shift the play of presence or absence: that within which metaphysics can be produced but which metaphysics cannot think" (OG 167). Derridean fact: no structure is final. Derridean fact: no departure from structure. Departures are, in fact, always returns to beginnings. However, what Derrida not only claims for himself but prescribes as a responsibility for serious thinking is that philosophers think about the unlimited derivations that are

possible because there is structure. "The somewhere where you always start is overdetermined by historical, political, philosophical, and phantasmic structures that in principle can never be fully controlled or made fully explicit." (Bennington 1993, 21-22)

4.4.1 The Problem of Language

Users of language must then struggle with its instability. "But the urn of language is so fragile. It crumbles and immediately you blow into the dust of words which are the cinder itself" (Cin 53). There already exists in language an anxiety about itself (WD 3); in every act of language, the question of the question is enunciated. That experience of anxiety is apparent to anyone who pauses to deliberate how to say something at least once. Derrida admits as much in order to be instructive on this point:

> And if you were to bide your time awhile here in these pages, you would discover that I cannot dominate the situation, or translate it, or describe it. I cannot report what is going on in it, or narrate it or depict it, or pronounce or limit it, or offer it up to be read or formalized without remainder. I would always have to renew, reproduce, and reintroduce into the formalizing economy of my tale-overloaded each time with some supplement-the very indecision which I was trying to reduce. (TrP 2)

Language, particularly amid philosophical idioms, is at war with itself. Derrida calls this the problem of language (SPh 10ff.). Language is comprised of a play between what, in the terms of recognition, amounts to presence and absence. Language, as the medium in which there is the play of difference between presence and absence, does not re-present ideality, if there is such a thing, in its purity. The problem of language is a problem about language that arrives only from within language. The problem is not one that arrives from the 'outside' by way of an invasion, infection or subterfuge. The problem of language is not epochal, but it is universal and not simply because there was a 'linguistic turn' in philosophy. Neither via structuralism nor the Vienna school or Oxford

analytical school did this problem come to pass. The problem of language is: if language is the only recourse to the unity of life and ideality, then it is impossible to absolutely exclude the empirical, which is 'death' in relation to ideality, from any account of life. In short, empirical life and transcendental life cannot be dissociated one from the other.

4.4.2 The Necessary Failure of Speaking

Derrida's tongue-in-cheek reflection on apophatic mystagogy, "*How to Avoid Speaking: Denials (Dénégations)*", occupies sixty-seven pages of discussion on this topic. Apophatics is not exclusive to negative theology. Wittgenstein demonstrated as much in the closing of his *Tractatus*. The crux of apophatics is that representation is not all there is, although representation is all there is. Whatever there is which resists representation exists insofar as this resistance can be registered by way of insufficient representation. That resistance is manifested amid each act of language, which does not come to pass in absolute simultaneity, but instead both makes space and then fails to entirely occupy that space. This resistance is exerted both sensibly and intelligibly. The graphemes on a page, the phonemes enunciated in speech and the gestures of a body all occupy space, but do not occupy the entirety of the space in which they take place. Likewise, whatever space created by a sign or an act of language, it cannot be intelligibly exemplified since there is no paradigm proper to it, and it lacks any sort of clear and distinct ideal. And yet, the act of language by whomever that takes place is nonfull. There is something there that resists representation. And it exerts a force which makes a difference. That force makes differences. "Force is the other of language without which language would not be what it is" (WD 27). That same unnamable resistance is also

involved in the necessity of speaking. No mystagogy takes place without acts of language, which takes place in spite of the topic.

In the essay *Limited Inc.*, Derrida commits himself to the position that 'context' is never absolutely determinable, it cannot be certain or saturated (LI 3). In other words, no act of language can overcome the spaces which ominously give form to the space a language act makes. Derrida elsewhere notes that for every text there is some force at work beyond the limits of its representations that give life to the text. That life is in the insistent resistance to closure taking place amid the spaces of representation. "Forever unable to saturate a context, what reading will ever master the 'on,' of living on?" (LOB 77) The ambiguity of the 'on' is not exhausted; this is what survives. And 'text' includes any act of language. For example, no one inflection of one idiom among the many enjoys any absolute privilege for any text (LOB 78). Furthermore, by virtue of the possibility of one inflection, all other inflections also live on for that text. Each inflection lives on the others, the survival of each inflection depends upon the living on of the others. This example, the ambiguity of inflection, inhabits every act of language. This unlimited possibility for variance of inflection illustrates what Derrida means by "dissemination": "precisely the impossibility of reducing a text as such to its effects of meaning, content, thesis or theme." (Di 7)

It is on these sorts of grounds that apophatics attempts to avoid acts of language. This is the case for the apophatics of negative theology as well as for the philosophical turn to formal logic among the so-called analytic philosophers. All acts of language fail if no act of language can be governed so as to ensure its intention, meaning, and destination. There is no saturated instance of language. "In order for a context to be

exhaustively determinable […] conscious intention would at the very least have to be totally present and immediately transparent to itself and to others, since it is a determining center of context." (LI 18)

At these limits Derrida affirms language and constructs an imperative: "*il faut parler*", it is necessary to speak. However, " '*Il faut*' does not only mean it is necessary but, in French, etymologically, 'it lacks' or 'is wanting'. The lack or lapse is never far away" (ON 76). It is precisely because language is found wanting that language lacks any absolute form necessary to speak. Language would be completely unnecessary were it otherwise. The injunction to language arises from the non-fullness of language. Said otherwise, it is necessary to speak because language is unable to be unsaturated. This is how language lives on, or survives.

Thus for Derrida, the upshot of 'Babel' is the imperative '*il faut parler'*. Babel figures "the incompletion, the impossibility of finishing, of totalizing, of saturating, of completing something on the order of edification, architectural construction, system and architectonics" (TBa 165). Babel is thereby not a curse or failure, but a myth about the structure of language that compels it to be spoken. The force of Babel, or '*Il faut*', cannot be represented except in the instantiation of language as something it is not. Without this specific 'lack', there is no survival for language.

Derrida ventures to declare that if the lack or wanting of language is an evil, then it is a necessary one for the possibility of language as such. Furthermore, the outcomes of 'Babel' is, in fact, a greater good which displaces the worst evil of absolute silence:

> The *possibility* of this evil (misunderstanding, failure of comprehension, making a mistake) is in its way a chance. It gives time. So what is needed [*il faut*] is the 'it's needed [*il faut*]' of the wrong doing and that the adequation should remain *impossible*. But there is nothing negative,

> ontologically, in this 'what's needed is some wrongdoing.' What's needed, if you prefer, is that *in*adequation should remain *always possible* in order that interpretation in general, and the reply, be *possible* in its turn. Here is an example of the law linking the possible and the impossible. For a faultless interpretation, a totally adequate self-comprehension, would not only mark the end of a history exhausted by its very transparency. By ruling out the future, they would make everything *impossible*, both the event and the coming of the other, coming to the other - and therefore replying, the very *yes* of the reply, the *yes as* reply. (PaM 89)

4.4.3 The Necessary Failures of Meaning and Intention

It is for this reason that Derrida argues that meaning is a possibility, not a necessity (Martin 2005, 62). Acts of language take place, but no act of language necessarily causes there to be meaning as its effect. An act of language does say 'yes' to meaning, 'yes' to making space, and 'yes' to the possibility of reply. However, all these affirmations by no means dictate what follows. At most, an act of language can promise meaning.

'This sentence is false' can stand as a promise of meaning. Derrida makes a similar point in reflecting upon one of the more neglected unpublished fragments that was signed by Nietzsche: 'I have forgotten my umbrella'[1]. What could this mean? Most certainly it is an act of language which, as reiterated in this citation, cannot but make space and affirm the possibility of meaning and reply. "There is no infallible way of knowing the occasion of this sample or what it could have been later grafted onto. We never will know *for sure* what Nietzsche wanted to say or do when he noted these words, nor even that he actually *wanted* anything." (S 123)

While few philosophers would take either 'This sentence is false' or 'I have forgotten my umbrella' as statements of truth, not all philosophers would make 'truth'

[1] Fragment 12, 175 of the Joyful Wisdom; in S, 159n.18.

into condition for philosophically valid language. With regard to the Nietzsche fragment, it is at once for nothing and precisely not for nothing that Derrida goes on to explain in-depth the possible ramifications of 'I have forgotten my umbrella'.

To wit: "To whatever lengths one might carry a conscientious interpretation, the hypothesis that the totality of Nietzsche's text, in some monstrous way, might well be of the type 'I have forgotten my umbrella' cannot be denied" (S 133). The fragment, signed by Nietzsche, cannot be dismissed as a part of his collected works and overall philosophical oeuvre. Why should it not take place among his other aphorisms? The possible meaning of the fragment, which Nietzsche wrote and signed in all seriousness, could be the very somber rejection of Nietzsche as a serious philosopher. A far-reaching program could commence on the grounds of this fragment to establish how all of Nietzsche's fragments should be written off. On account of a certain phrase or word that is deemed non-philosophical, an entire *oeuvre* may be dismissed. Perhaps, as a result, the seriousness of philosophy in general would be saved. Derrida is quite aware of such an impulse: "My discourse […] has been every bit as clear as that 'I have forgotten my umbrella'." (S 135)

To press this point, or spur, Derrida asks whether the charge that there is 'no totality to Nietzsche's text' rests upon a falsely ascertained proposition that there is such a thing as philosophical totality; such a claim would also require a totalization of language. What philosophy merits the attribute of totality? "What if this totality should eventually be of the same sort as an 'I have forgotten my umbrella'?" (S 135) Derrida is pressing against the possibility that there is a successful act of language that could

determine the limits of all its affirmations and effectively nay-say every other member of the unlimited possibilities to act otherwise.

Such a project was Babel, and it is necessary that it fail for the living-on of languages. It is necessary that every erection of every Babelian project fall, since it would be the end of language were one to fail in this necessary falling. "Beyond the mythology of the signature, beyond the theology of the author, one's biographical desire gets inscribed in the text, and it leaves an irreducible mark, a mark that is also irreducibly plural. Everyone's own 'granite of spiritual *fatum*' gives and receives these marks, thus forming its matter. The erection falls [*L'érection tombe*]." (NLM 187)

As Bill Martin notes, Derrida translates the necessity of the Babelian 'il faut'into an ethical imperative: "Derrida's point is practical: that meaning is a possibility but not a necessity. It is in the space of this possibility that the fundamental regard for the other, which is the *sine qua non* of the Kantian project (in 'ethics,' but not only in ethics), can open up. In the final analysis this regard cannot be grounded – argument will not close the gap between I and thou" (Martin 2005, 62). This practical comment drives home the point that neither ideal nor material circumstances alone bring to pass the possibility of ethics.

> The literal [*propre*] meaning does not exist, its 'appearance' is a necessary function - and must be analyzed as such - in the system of differences and metaphors. The absolute parousia of the literal meaning, as the presence to the self of the logos within its voice, in the absolute hearing-itself-speak, should be *situated* as a function responding to an indestructible but relative necessity, within a system that encompasses it. That amounts to *situating* the metaphysics or the ontotheology of the logos. (OG 89)

Saying does not necessitate meaning. To say does not entail to mean. And so in the highly condensed summation of his work on Husserl, Derrida emphasizes the hyphen

in the French '*vouloir-dire*' for his translation of Husserl's term '*Bedeutung*' (SPh 35). The hyphen (see # 3.4.3) is the '*trait d'union*' capable of conjoining two terms despite their heterogeneity. The distance between speaking and meaning is not bridgeable by a text that could calculate, program or otherwise represent such an accomplishment. Instead, the surd grapheme of the hyphen brings two more complex graphematic metonyms together in a larger metonymy, only possible by the capability of the hyphen to perform such a conjunction. If meaning is to live-on, acts of language take place between indication and expression, as indication-expressions, and their two limits or sources as absolutely inaccessible.

Another ramification following from Derrida's hyphenation is that no necessity obtains between indication and expression, despite the fact that any act of language involves indication and expression. These are the two sources which are at work in any act of language. Indication is represented by presence in general; expression is the play of forces and their differences which can be sensed but not represented. Both 'to mean' and 'to say' make for conditions of time and space in which both indication and expression can take place without limitation upon their possibilities for deferral and difference.

This very structure of language, governed by the two sources of indication and expression, makes Derrida assured that lying and perjury are always possible but not necessary. Nietzsche might have lied about forgetting his umbrella, but it can never be proven that he lied. "There is no infallible way of knowing the occasion of this sample or what it could have been later grafted onto. We never will know *for sure* what

Nietzsche wanted to say or do when he noted these words, nor even that he actually *wanted* anything." (S 123)

The question of the lie, and its inverse of truth-telling (# 3.1.3), also demonstrates the distinction between the actual act of language and the possibility of meaning. Furthermore, the nature of the lie clearly distinguishes between the actual act of language and its possible intention. According to Derrida, "[t]he lie pertains to the saying, and to the meaning-to-say, not to the said" (WAl 35). Undoubtedly, the nature of the lie ought to include the intention to lie; or, at the very least, the nature of the lie ought to involve some intention, which is always to-be-translated.

The point Derrida makes is that lying, as with any act of language and the actuality of a language act, involves more than one agent. There must be at least two, there cannot be only one for any lie to take place. This structural requirement also elucidates what brings the two together. Namely, the structural condition for any act of language is the linking of more than one (# 3.3.1); the act of language takes place in a space 'made' by no-one, and that space is precisely what forms a provisional union between at least more than one. That union is only a trace of a trace, since the jointure it performs is neither sensible nor intelligible. And yet, in that space - which itself is comprised of spacing due to its terms - possesses some kind of capacity to bring about meaning. Thus, any act of language is structured by a connection established amid more than one which absolutely lacks the capability for representation and yet potently affects the possibility of meaning. This structure is the coming to pass of place and time - indeed it might be the very possibility of place and time; but any one's awareness of its coming to pass can only be as the trace of an event.

Lying begins with more than one, *plus d'un*. As a first set of conditions, some one must commit some act of language, and some other at some point somewhere must respond to that act of language. Nothing about this is necessarily determinable in advance. For example, Nietzsche. Another set of conditions involves the other believing what some one has said. This indicates an ineluctable condition of language acts in general, the fiduciary commitment of someone to some meaning in the event of language. Nothing about this is saturated, thus there is the possibility of the lie.

In a rather rare instance of explicit analysis, Derrida enumerates what he can surmise on the lie *a priori*: Firstly, lying is an intentional act. Secondly, that intentional act brings two others into relation. Thirdly, one must believe the other's saying as truth. Fourthly, in order for there to be any lie, the one who believes the lie cannot but otherwise believe that the lie is the truth. Fifthly, if to lie requires the intent to do so, the believer who reiterates the lie to another is not lying. And it is neither the liar's intention nor the saying which is repeated, but the belief from which some surmised meaning is conveyed to another by way of another intended meaning to say, in which obtains the structure of '*vouloir-dire*'.

This unlimited possibility troubles Derrida, since it is "overdetermined to infinity. It is a labyrinth where one can take a wrong turn at every step" (WAl 35). There is no salvation from the possibility that lies have contaminated one's beliefs and thoughts, since the very conditions for all language acts requires that fiduciary link from one to another. The sixth troubling point is that one can always question whether some other's saying is contaminated by at least one lie. This is particularly the case if another

condition for meaning is that no meaning is possible without referring to other meanings. (P 32)

This is not to say that all acts of language are lies, but that there is no guarantee of any language acts' absolute truth and nothing but the truth (# 3.1.3). Saying is an affirmation of the act, which says 'yes' to the possibility of meaning; but this affirmation is only the promise of meaning, it does not govern itself. And so Derrida hypothesizes that "for structural reasons, it will always be impossible to *prove*, in the strict sense, that someone has lied even if one can prove that he or she did not tell the truth" (WAl 34). The lie obtains specifically in its saying, since the meaning comes to pass by way of the other's believing and not by way of what was said. Truth, such as what is thought to come about by way of verification and falsification, should therefore not be the final grounds for judging acts of language. It is also necessary to take seriously, then, the consequences 'without limit' of Derrida's hypothesis, "alleging the always possible difference between the said, the saying, and the meaning-to-say, the effects of language, rhetoric, and context." (WAl 34)

In this way the question of the lie elucidates the limited and the unlimited aspects of language acts. There are limiting conditions for the possibility of meaning: more than one, spacing, and fiduciary belief. These same conditions establish unlimited conditions for the possibility of meaning. As a result, the capability to represent just what happens is limited. And so, "[b]etween the too warm flesh of the literal event and the cold skin of the concept runs meaning." (WD 75)

4.5 Faith in Philosophy

If meaning comes to pass between the event of meaning and the concept of meaning, then the precise nature of meaning cannot be represented. Meaning depends upon representation, since it is not possible without an act of language. This is one source of meaning. The other source of meaning is itself something other which resists representation as the necessary other of representation. The possibility of meaning requires the ethereality of this source too. Meaning is impossible without either source; meaning shares in both.

Reflecting on the lie, Derrida finds that not only does a lie require faith, but so too do all other acts of language. This fundamental feature is what makes a lie possible. On these grounds Derrida rejects Heidegger's claim that faith has no place in thinking; instead, faith ineluctably shares in the very possibility of thinking (FK 59-60). Heidegger's claim is a Kantian rejection of dogmatic belief in authority which was extended to all forms of faith in general. However, Derrida presses the point that "the movement of faith" does not entail "faith in God." (FK 33)

Faith is not necessarily inscribed within a determinate religion. For Derrida, faith is the commitment that gives credit, trust, and confidence in something without the benefit of total representation and therefore absolute knowledge. 'Faith' is the correlative of Derrida's locutions, '*il faut parler*' and '*vouloir-dire*', by which he proposes that the matter of language and meaning is non-full presence. This further extends Derrida's reinscription of religion as conjunctive. Jean-Luc Nancy translates Derrida's claims about faith in language as follows:

> One might say: *pistis* is the *praxis* that takes place in and as the *poiésis* of the *erga* […] faith, as the *praxis* of *poiésis*, opens in *poiésis* the

> inadequation to self that alone can constitute 'doing' [*le faire*] and/or 'acting' [*l' 'agir'*] […] *praxis* is that which could not be the production of a work adequate to its concept (and thus, production of an object), […] Faith would thus here be the *praxical* excess, of and in the action or the operation, and it would be this excess, insofar as it aligns itself with nothing other than itself, that is to say, also with the possibility for a 'subject' (for an agent or for an actor) to be more, to be infinitely more and excessively more than what it is in itself and for itself. (Nancy 2007, 224-5)

Recognition of stability for either comes about by way of tautological postulations whose self-justifying nature is neither compelling nor widely held. As a result, faith and knowledge break free of any sort of substantive opposition to each other. Neither one is responsible nor necessarily responsive to the other. The position of Theodore Adorno would mark the transition point between Derrida and Heidegger's positions: "But once faith no longer accords with knowledge, or at least no longer exists in productive tension with it, it forgets the quality of bonding power, that character of 'necessitation' Kant subsequently set out to save in the moral law as a secularization of the authority of faith. Why one should adopt *that* particular faith and not another: nowadays consciousness can find no other justification than simply its own need, which does not warrant truth" (Adorno 1998, 140). Adorno prescribes "no other possibility than an extreme ascesis toward any type of revealed faith, and extreme loyalty to the prohibition of images, far beyond what this once originally meant" (Adorno 1998, 142). Derrida moves towards an other heading than that which is presumed by Adorno's call for ascesis. Rather than a Kantian reduction of doing away with faith as parergonal to any further rational thought, Derrida finds faith to be, as Nancy says, the praxical excess that undoes both 'subject' and 'knowledge' as the only way of opening future possibilities of doing subjectivity and knowing.

4.5.1 Philosophical Compromise with Promise

Not only a reflection on the lie which explains the necessary fiduciary conditions for acts of language, Derrida's reflections on the oath or promise also explain these conditions. The one who enacts an oath makes a sworn promise. That the oath sworn is the truth-and-nothing-but-the-truth (see # 3.1.3) would determine the security of the intention. This nature of the oath is "destined to annul precisely temporal difference […] to commit oneself not to be affected by time, to remain the same at moment B, whatever may happen, as the one who swears previously, at moment A. This sublating negation of time is the very essence of fidelity, of the oath, and of sworn faith. The essence or the truth of the Law." (WAl 137)

Derrida calls this the law of the oath, which is the ground for the possibility of truth-telling as professing the truth. But it is notable that the oath does not make the truth present; an oath only swears that there is truth. Only with the advent of the university did the profession of the truth begin to be freed from the requirement of its grounding in doctrine, such as swearing an oath upon a credo in the enunciation of a *lemma*. Prior to the fourteenth century, truth-telling was a matter of religion, whereby lying was avowed and vows of a religious order were professed. The *religious*, the one thus-bound, was bound to the truth. The religious profession was a performative declaration whose pledge at the very minimum was a manifestation of the truth itself. "To profess consists always in a performative speech act, even if the knowledge, the object, the content of what one professes, of what one teaches or practices, remains on the order of the theoretical and constative" (WAl 215). The professor of the modern university carries this religious inheritance without any determinate religion. But the 'truth' professed in

universities is not necessarily performative. When a performative does come to pass, it must be rendered constative by legal conventions such as patent regimes, which obtain not as truths but as agreements among institutional communities.

And so, for the most part, the work of the university is the production and teaching of knowledges whose form of utterance is not performative truth-telling. The language acts of the professor are intended as true, but what is professed is not done with the intention to profess. "The act of *professing* a doctrine may be a performative act, but the *doctrine* is not" (WAl 218). What is professed is not adequate to its intention, since the practice of professing is not the performative production of truths, but is the conveyance of what the professor believes to be true. At the moment of profession the professed is not identical with its intention; rather, the professed is others' good-faith reiteration of some previously iterated profession. The possibility of the professed therefore requires a faith which exceeds the profession alone, aligned with nothing other than what Nancy notes: "the possibility for a 'subject' (for an agent or for an actor) to be more, to be infinitely more and excessively more than what it is in itself and for itself." (Nancy 2007, 224-225)

> Each time I open my mouth, each time I speak or write, I '*promise.*' And this '*I*' is the undetermined possibility of a subject whose signature-here '*I*' am-only comes to pass in the instant that '*I*' has already disappeared: the other only knows the trace of 'there you were' amid what was said. 'Whether I like it or not: here, the fatal precipitation of the promise must be dissociated from the values of the will, intention, or meaning-to-say that are reasonably attached to it […]. It [the promise] is the 'there must be a language' (which necessarily implies: 'for it does not exist,' or 'since it is lacking'), 'I promise a language,' 'a language is promised,' which at once precedes all language, summons all speech, and already belongs to each language as it does to all speech. (MOP 67)

The oath demonstrates again that meaning is a possibility, not a necessity. The conditions for oath-making are no different than those of lying; these are universal conditions that arrest all acts of language, including mystagogical apophatics, at the limits of its attempting to tell nothing-but-the-truth (# 3.1.3). Each act of language thus swears to at least more than one other to believe that something is said, to which response swears its belief that there was something said. This fiduciary structure of affirmation cannot be avoided: "From the moment I open my mouth, I have already promised; or rather, and sooner, the promise has seized the *I* which promises to speak to the other, to say something […] This promise is older than I am." (HAS 14) This promise is not a profession represented to its other, since its affirmation is the unannounced space within which the act of language itself takes place (HAS 15). Indeed, the light in which this promise has its space is occluded by the lights of intelligibility and sense of the saying, said, professed, profession, intention and so on.

Given these conditions, certain promises must fail. In fact, it is necessary that the promise to profess the truth fail, since it is unable not to leave the possibility of meaning to the other. Rather than 'under-promise and over-deliver', acts of language both over-promise and over-deliver. Excess is the name of every language game. Not only is there always some-to-be-translated, but every saying cannot escape the fact that there is always some-to-be-said that remains. So long as there is more than one and the necessity of faith, not only can "never promise in halfway fashion, one always has to promise too much, more than one can keep" (MdM 166), but also this:"A promise cannot be kept, it cannot even be made in all its purity. As if it were always linked to the departed other, as if it were therefore not linked." (MdM 150)

This is what constitutes the in-finite conditions for any act of language as promise; the pledge of a promise is specifically to what is mortal. On these conditions Derrida deems the promise an act of faith; but he prefers to call 'promise' even more straightforwardly "*act*, only an act, quite simply an act. An impossible act, therefore the only one worthy of its name, must be worthy of the name of the other, 'made' in the name of the other [or: 'given in the name of the other'; *donner de l'autre nom de l'autre*]" (MdM 150). Each act of language is a promise which is given and made in the name of the other; as such it is under in-finite conditions of mortality that foreclose the ability of the promise to enclose itself. As a promise-act, language cannot guarantee either its meaning or translation. Therefore: "Who knows what we are doing when we *donnons au nom de l'autre*?" (MdM 150)

Language, as promise, entails engagement. Language engages the speaker with others in faith, regardless of any modality of engagement for or against. At bottom, every act of language affirms the possibility of more than one at the very least. Language demands the possibility of 'subjects' who profess the sharing of a fundamental faith of one that there is the other. This promise remains open from the event of its non-original genesis. On these grounds, Werner Hamacher surmises the following: "[l]anguage is the medium of futurity" (Hamacher 1999, 192). "And a promise that no longer expects what it waits for: there where, striving for what is given to come, I finally know how not to have to distinguish any longer between promise and terror" (MOP 73).

4.5.2 The Necessity of Destinerrancy

Nietzsche could not have determined what would happen when he wrote and signed the note which stated 'I have forgotten my umbrella' (see # 4.4.3). This torment

of irreducible futurity in language is what Derrida dubs the "postal principle" (PCa 176). Language as an act is a sending unable to arrive in any determinate sense; the possibility of arrival must include non-arrival. In her reflections on Derrida's work, Catherine Malabou notes the following about the "postal principle": "Every address made to the other, and consequently every correspondence, every apostrophe *can always not arrive*, or miss its addressee" (Malabou 2004, 16). For the possibility of arrival to remain possible, "a letter can always not arrive at its destination. Its 'materiality,' and 'topology' are due to its divisibility, its always possible partition. It can always be fragmented beyond return" (PCa 444). Nietzsche's note could just as easily have been lost to oblivion. "And without this threat," of the possibility of no arrival and no determination, "the circuit of the letter won't even have begun." (PCa 444).

Giving language destination, like any act of destination, is itself a matter of setting the co-ordinates of limits, margins, parerga, for example in the context of some space. Saying is said into oblivion in the sense that there is no necessary or causal relation between saying and meaning or expression and indication. Only in a series of calls and responses is it possible to verify or falsify that a message has arrived at its destination. Until then, as long as that destination cannot be assured by the sender, the message cannot be constituted as such by that sender (Wills 2005, 50). In truth, the possibility of arrival requires that the destination is not predestined (PCa 245). Otherwise, there is no reason to presume there was any reason to send at all.

At first glance, it seems that Derrida hyperbolizes the logic of sending to its limits with the 'postal principle'. Upon reflection, however, the notion of currency itself and the possibility of the global financial system depends upon this principle. In brief, it

would be a genuinely apocalyptic 'day of reckoning' if every note sent out into the world by every nation would reappear. Stephen Goodchild's reflection on capitalism and religion traces the origin of the destinerrant bank note, the tract which carries the credibility, credit and credo of the nation from whence it was sent who-knows-where. In 1694 the Bank of England was formed by the middle-classes' Act of Parliament to provide a permanent loan of 1,200,000 pounds at 8% interest to King William III for his wars of religion; its security guarantee was the same as it is for all national banks today: the King's promise to make good through taxation. Fiduciary oaths and promises are the fundament of national currency. Citing John Kenneth Gailbraith's historical account of money, Goodchild finds the following destinerrant and postal nature of currency: "There was a chance also that the note would continue its passage from hand to hand and never be returned for collection. The loan which led to its emission would earn interest and in due course be repaid. The note meanwhile would continue its rounds. Against the original coin that allows the original loan, no claim would ever be entered".[2] This non-arrival of the bank note leads directly to the essence of modern banking by fractional reserve. And further, as Herman Daly remarks, the possibility of modern wealth - which is virtual wealth (Soddy, 1926) - requires the non-arrival of money: "Virtual wealth is measured by the aggregate value of the real assets that the community voluntarily *abstains* from purchasing in order to hold money instead. In order to escape the inconvenience of barter, everyone must hold money, which could be exchanged by the individual for real wealth, but is not" (Daly 1999, 147). The point is that destinerrance and faith are the ungrounded fundamentals of contemporary material existence for human beings.

[2] J.K. Galbraith 1975, 20 in Goodchild 2007, 8.

Following from this are more profound implications, if the possibility of what is called the subject arises from the fiduciary jointure of one and another by an act of language. Derrida's radical empiricism emphasizes the basic conditions in which philosophy takes place: acts of language sent and destined to others who cannot say with certainty that they know anything for certain. Language not only acts according to a fundamentally adestinal teleology; it also works by anonymity. Iterability already explains why there is no proprietary language act, but the destinerrancy following from the postal principle obliges the reiteration of this point. Derrida knows this all too well from his numerous speaking engagements. This is an experience of the academia:

> I prefer to tell you right away: I do not know to whom I am speaking [...] and since you find this intelligible, it becomes at least possible to demonstrate that, beginning with the first sentence, my lecture has not purely and simply missed its destination [...]. Although I do not know you or can barely see you while I am addressing myself to you, and although you know me very little, regardless of the trajectories and translations of signs that we address to each other in this twilight, what I have been saying, as of a moment ago, arrives at you. It comes to meet you and reaches you. Up to a certain point it becomes intelligible to you. (PIO 345-6)

All of this is to demonstrate that the originary state of sending for any act of language must be destinerrant; it must be issued in faith without any assurance of its intended meaning or destination. Empirically speaking, this state of affairs could not be otherwise. Were it not, the entirety of all things associated with Nietzsche's signed fragment would have to have been annihilated upon their arrival.

4.5.3 Faith, Promise, and Destinerrancy: Deconstruction

Once upon a time, Derrida sent a "Letter to a Japanese Friend" on the tenth of July, 1983. Derrida's intention was to explain what he meant to philosophically accomplish in general, and what is meant by 'deconstruction' in particular. Two points

are noteworthy. One is that although sent from one Jacques Derrida to some Japanese friend, a potentially unlimited number of someone else's have also read the letter. The other is that there is no indication whatsoever that Derrida's intention corresponds with anyone's reading of that letter. "I recognize, my dear friend, that in trying to make a word clearer so as to assist its translation, I am only thereby increasing the difficulties: 'the impossible task of the translator' (Benjamin). This too is what is meant by 'deconstructs' " (JF 4). Derrida himself knew that it was necessary to write precisely because the letter would fail on these and likely other accounts.

'Deconstruction' itself is a destinerrant missive, a term which imposed itself upon Derrida (JF 2), that he has "never liked and one whose fortune has disagreeably surprised me" (EoU 123). Derrida has been unable to control or influence the texts in which the term has appeared. In his *Memoires for Paul de Man*, Derrida reserves judgment upon how his colleague understood the term (MdM 73). This can only be the case, because Derrida never claimed that 'deconstruction', or any other term, was 'outside' of the text in general with some specific destiny. The citationality of language itself demands this. For this reason, Derrida states that there is no 'deconstruction' in the singular (EtC 300); there are only deconstructions in the plural. At one point, Derrida did attempt to generalize what the practices of deconstruction might entail: either a demonstrative or ahistorical study of logico-formal paradoxes, or, a more historical or anamnesic reading of texts with meticulous interpretations and genealogies. (FLa 21)

The "Letter to a Japanese Friend", whose careful steps invoke as much of the methodological and conceptual background for the term 'deconstruction' as possible, eventually runs up against its limits. At some point it is necessary ('*il faut*') that every

term's terminology must terminate without any calculable assurance of having finally accomplished itself. It is for this reason that Derrida remarks:

> *Of Grammatology* questioned the unity of 'word' and all the privileges with which it was credited, especially in its *nominal* form. It is therefore only a discourse or rather a writing that can make up for the incapacity of the word to be equal to a 'thought.' All sentences of the type [...] [*S* is *P*] *a priori* miss the point, which is to say that they are at least false [...] one of the principal things at stake [...] is precisely the delimiting of ontology and above all of the third person present indicative: *S is P*. (JF 4)

If deconstruction is 'something', it is something self-reflexively operational within the conditions of language amid an order other than representation. This is demonstrated by the dictionary entry, which preceded any mention by Derrida, of the reflexive verbal form *se déconstruire*: where 'to deconstruct itself' is an altering from within that entails a loss of construction. In any case, Derrida has reiterated the term and given it citation in repeated missives sent all over the world, fully aware of, and prepared for, the fact that, situated 'inside' text, they are out of control. Derrida fundamentally affirms this destinerrant 'postal' promise.

Explanations of 'deconstruction' typically discuss Heidegger's term *Destruktion*, in particular with regard to Heidegger's interpretation of Nietzsche's proposal for reevaluation. Derrida himself finds that the work of Nietzsche, Benjamin and Heidegger carry a modality of affirmation within their works that is also carried within his own work. "However negative, however destructive one's account of the history of the West may have become at this time, something is calling thought from the future - it is this call that makes both the passage via destruction, and an affirmation within this destruction, absolutely necessary." (N 219)

Simply on the grounds of his understanding of language does Derrida take this to be the case, where language acts are conditioned by iterability, promise, and faith. For this reason Derrida's 'destruction is affirmation' departs significantly from Jean-Paul Sartre's preface to Franz Fanon's *Wretched of the Earth*, wherein destroying makes a subject becoming more itself as a sovereign subject in doing violence to others (Fanon 2004, xlviii). This is because Derrida finds in these incalculable promised-to others a fundamental affirmation of the future.

Firstly, Derrida notes that "Nietzsche's demolition, his reversal of all values, his critique and genealogy are *always* made *in the name of a future* that is *promised"* (N 225). Derrida cautions against Heidegger's approach to Nietzsche, with the historicist presumption that the pre-Socratics were somehow more authentic (WD 40). Doing so would selectively dismiss aspects of Nietzsche's thought, such as the umbrella aphorism (# 4.4.3). In order to do so, Derrida finds an affirmation in Heidegger's thought which exceeds its tendency to undercut its own authority by appealing to foundations:

> To save Nietzsche from a reading of the Heideggarian type, it seems that we must above all not attempt to restore or make explicit a less naïve 'ontology,' composed of profound ontological intuitions acceding to some originary truth, an entire fundamentality hidden under the appearance of an empiricist or metaphysical text. The virulence of Nietzschean thought could not be more completely misunderstood. On the contrary, one must *accentuate* the 'naiveté' of a breakthrough which cannot attempt a step outside of metaphysics, which cannot *criticize* metaphysics radically without utilizing it in a *certain way* and put to the point where, the content of the Nietzschean discourse being almost lost for the question of being, its form regains its absolute strangeness, where his text finally invokes a different type of reading, more faithful to his type of writing: Nietzsche has *written what* he has written. He has written that writing - and first of all his own - is not originarily subordinate to the logos and to truth. (OG 20)

Heidegger's relation to 'deconstruction' is not primarily via *Destruktion* (destruction) and *Abbau* (dismantling) (S 115). Derrida later would confirm his early

work while clarifying his assessment of *Destruktion* (R 173n.14). Heidegger's *Destruktion* does not oppose logocentrism or *logos*, since it is an attempted operation in the name of a more 'originary' reinterpretation of *logos* than classical ontology or ontotheology. Derrida fundamentally resists all intimations or indications that philosophy could bring metaphysics to an end. There is no after, post, death of [...], completion, surpassing, or end of metaphysics. "One will find no trace of such a vocabulary in my texts. This is not fortuitous [...] and it is not without enormous consequence." (R 173n.14)

Alternatively, Derrida finds a fundamental affirmation of the future in Heidegger's thought. In *What Is Called Thinking?* (*Was heißt Denken?*) Derrida notes an eschatological orientation, free of any determination, whose 'not yet' is precisely that which provokes thinking: "Most thought provoking is that we are still not [*immer noch nicht*] thinking" (Heidegger 1968: 4; in H 256).

Derrida connects this provocation of thinking with the 'not yet' which is to be elucidated. The title of Heidegger's essay already announces this affirmation within its terms. Derrida parses the 'is called' (*heißt*) from *heißen*, to call, precisely without determining what or who is called: "But *heißen* also means or first calls, invites, names: *jenen willkommen heißt*, bids welcome to someone, addresses a word of welcome to someone" (H 256). *Was heißt Denken?* is a question sent by Heidegger out into oblivion for a response. Derrida thereby reads the title as an affirmation which opens onto the question of the question (see # 4.1.1): "For there to be a question it is first of all necessary that there would be acquiescence, a 'yes'" (H 257). Thus, already in Heidegger's work

there is ‘voice’ which accentuates a certain form of affirmation of faith which Heidegger himself overtly attempts to avoid and occlude.

The nature of this affirmation is very specifically distinguished from any conventional appropriation of *Destruktion*: “Deconstruction is above all the reaffirmation of an originary ‘yes.’ *Affirmative* doesn’t mean *positive* [..] No, there is no demolition any more than there is positive reconstruction, and there is no ‘phase’.” (PaM 154). Because repetition is the primordial possibility for language, every act of language carries the affirmation of repetition. And since from within language it is impossible to determine some originary first ‘yes’, this affirmation carried within every act of language is also a positive response to repetition. This is how any act of language carries a double affirmation (N 247). Drawing upon Heideggerian terminology, in order to call Heidegger’s thought away from any nostalgic quest for the question , “We must make the best of the aporia, into which we, finite and mortal, are *thrown* and without which there would be no promise of a path. It is necessary to *begin by responding*. There would thus be, in the beginning, no first word.” (WoW 24)

Whence follows something like ‘deconstruction’: “This immediate duplication is the source of all possible contamination - that of the movement of freedom, of decision, of declaration, of inauguration - by its technical or technical double” (N 247). An irreducible and ineluctable space comes to pass between the two affirmations because their affirmations are neither identical nor equivocable. This is proposed as a heterogeneity within language whose difference establishes the fundamental opening for meaning that resists all closure. This difference, a Nietzschean *agon* carried within each

act of language, is the general economy in the productive play of forces that enables the work of language.

4.5.4 The Necessary Conditions of Affirmation for Philosophy

So what is affirmed? The primordiality of repetition, and repetition itself. Iterability is affirmed. This is almost nothing. In fact, this is nothing if 'facts' are the only 'things' that can be affirmed, since they are representable. Derrida's first attempted representation of this duplicitous affirmation was with the locution '*différance*', the saying of which silently affirms the repetition of both phonematics and graphematics. *Différance* does describe a general economy and a general structure. Hent de Vries find that '*a*' of *différance* "not only draws attention to the 'production' and movement of temporal and spatial displacements; it marks the 'conflictual' aspect of this process." (de Vries 2005, 639) As such, the point of 'neographisms' (P 3) such as différance is to highlight the agon at the heart of meaning.

Saying '*différance*' itself does not determine what is affirmed in this case. If the law of contradiction obtains in this context, then this is one example of language being at war with itself. But if the law of contradiction obtains, then some final solution ought to take place. This would entail that all conflictual affirmations in language ought be resolvable. So far, this is not the case. It would seem for Derrida that other structures and conditions are *de facto* more primordial and therefore supersede the law of contradiction *de jure*. Rather than pursue a thoroughgoing application of the law of contradiction, Derrida first considers what follows from what he believes to know as the basic conditions for language. It is not a simple application of a 'yea-saying' programme in order to affirm the double affirmation already and always at work in language. It does

not simply follow from the recognition of this originarily affirmative condition that philosophical reflection is thereafter restricted to noting and affirming whatever is. Philosophical reflection is not brought to an acquiescent standstill or some humiliated silence once faced with the structures and conditions of language. Rather than an absolute either-or determination that says 'yes' or 'no', both of which are nihilisms of either willful ignorance or willed destruction, there is a response which is not restricted to the positive. It is possible to enunciate 'perhaps', "indeed a *perhaps* that cannot as yet be determined as dubitative or skeptical" (PoF 37). Derrida explains this further in a gloss that summarizes Nietzsche's *Genealogy of Morals*:

> Up to now philosophers have always believed - and this prejudice constitutes them - in the logic of opposition or contradiction, that two contradictory things cannot get along with each other - hence the contradiction or dialectic, which will try to reconcile these contraries. Now, however, philosophers must not only learn to welcome contradiction as such, learn to understand that contradiction is not really contradictory; we must also come to accept a logic of 'perhaps' in which the so-called contradiction is neither this nor that, but perhaps something which the so-called contradiction is neither this nor that, but perhaps something else. This *loci* concerns chance and the future. The future can only be of the nature of 'perhaps', so philosophy has never been able to accept the future [...]. (N 225)

Launching from Nietzsche's meditations on the 'dangerous perhaps', Derrida proposes a way for philosophical reflection to live on amid its acknowledged conditions. 'perhaps' is a way of reflecting upon counterfactuality with a futural modality of possibility. It can signal a thinking of what remains to be thought, done or lived. And so, every time that Derrida makes the remark "if there is one" (PoF 37-38), this is not a skeptically nihilistic ascesis from all possible positive claims, but an enunciation of this sort of 'perhaps'.

The notion of the 'perhaps' in this proposal is one which takes seriously the fact that any thesis of existence or position necessarily faces limits which question the certainty, clarity and distinction of 'is', 'there is' or 'exists'. The modality of 'perhaps', therefore, is a commitment to saying that is also critically aware of its conditions of indetermination and undecidability with regard to meaning. Philosophical saying in the modality of 'perhaps' cannot program itself, become dogmatic, or enforce a necessity. It is in this way that philosophical saying can respect the postal principle, sending out proposals 'inside' text. That is, 'perhaps'-saying is a philosophical practice which is conscious of its overdetermined conditions. Derrida believes that this practice is an alternative to practices which attempt to dominate, or resign to abdicate, the possibility of meaning, since from the position of saying itself meaning appears to be impossible.

> This experience of the 'perhaps' would be that of *both* the possible *and* the impossible, of the possible *as* impossible. If all that arises is what is already possible, and so capable of being anticipated and expected, that is not an event. The event is possible only coming from the impossible. It arises *like* the coming of the impossible, at the point where a *perhaps* deprives us of all certainty and leaves the future to the future. This *perhaps* is necessarily allied to a *yes*: 'yes, yes' to whoever of whatever comes about. This *yes* is common to both the affirmation and the response; it would come even before any question […] *Perhaps* keeps the question alive, it guarantees, perhaps, its survival, its living-on […]. (PaM 74)

As was stated above (# 3.1.3), Derrida elaborates the conditions and terms for truth-telling. He does so by way of a series of content asceses. The first condition imposed by Derrida is that truth-telling can only tell truths about language. The second condition is that truth-telling about language cannot concern what is represented by language. The third condition is that truth-telling can only promise to tell a truth about language, but forsakes the possibility of determining whether any truth was told. This is because, of necessity, confirmation of the intention to have told the truth must fail. At

most: perhaps there was a truth, if there is one. "The rap of the 'perhaps' not only effects a catastrophic inversion […] it provokes the avowal of the opposite, the confession of an error that is not foreign to the truth. This is perhaps truth itself, a superior or more profound truth." (PoF 50)

4.5.5 The Content of Affirmation: *Khōra*

Again, what can then be affirmed? What could possibly be the topic of philosophical reflection given all the strictures Derrida thinks philosophy is subjected? Again, the answer is almost nothing. A splendid example of this is Derrida's reflections on *khōra*, from Plato's dialogue *Timaeus*, which have received a great amount of attention from those who consider the theological ramifications of Derrida's thought.[3] Derrida's reflections on *khōra* take place throughout his career: the term was first introduced in *Plato's Pharmacy* (1981), and then in two essays ostensibly on religious topics, *How to Avoid Speaking: Denials* (1987) and *Faith and Knowledge* (1998). Derrida also mentions *khōra* in one of his last publications, *Rogues* (2005).

In *Rogues*, Derrida equivocates *khōra* with *différance* and then goes on to rhetorically ask whether their significance is more than simply nothing, despite seeming to 'be' nothing. "No politics, no ethics, and no law can be, as it were, *deduced* from this thought. To be sure, nothing can be *done* with it. And so one would have nothing to do with it. But should we then conclude that this thought leaves no trace on what is to be done-for example in the politics, the ethics or the law to come?" (R xv) In *On the Name* Derrida had noted: "There is *khōra*; one can even ponder its *physis* and its *dynamis*, or at least ponder these in a preliminary way. But what *there is*, there, is not […] this *there is*, which, by the way, *gives* nothing in giving place or in giving to think" (ON 96). *Khōra*

[3] Caputo 2006, Hart 2000, Kearney 2001, Rayment-Pickard 2003.

would seem to be a name which refers to the other of representation. (see # 3.2.2 & 3.2.2.4 passim)

A Platonic treatment of '*khōra*' construes it as a device with the heuristic function of gesturing towards genesis and origins as the possibility which is impossible to represent. Something like *khōra*, here thought of as an absolute beginning, is desired by phenomenological and empirical inquiries alike for some ground of certainty. *Khōra* can only be postulated as some kind of ideal according to this construal. Derrida's proposals concerning '*khōra'* could be taken as a 'here's your philosophical back against the wall' thought-experiment that forces itself upon the most ethereal of regulative ideals. Perhaps there is something about this which is correct, but only partially. How does *khōra* thought have anything to do with politics, ethics and law?

An indication should be taken from what Derrida says *khōra* 'does': "Simply this excess is nothing, nothing that may be and be said ontologically. This absence of support, which cannot be translated into absent support or into absence as support, provokes *and* resists any binary or dialectical determination, any inspection of a philosophical *type*, or let us say, more rigorously, of an *ontological* type" (ON 99-100). *Khōra* provokes and resists binary and dialectical determinations of the ontologizing type. Why is the agency ascribed to *khōra* that of provocation and resistance? Derrida claims that *khōra* defies spatiality and temporality. *Khōra* is the non-place (ON 107) because the whole cannot totalize itself (ON 84). "*Khōra* is anachronistic; it 'is' the anachrony within being, or better: the anachrony of being. It anachronizes being" (ON 94). At first glance, these would seem to be logical paradoxes borne of the discussion about the origins of the universe in Plato's *Timeaus*, where the possibility of determining

the 'whole' cannot be accomplished by a member of that whole. The indication of Derrida's 'proper' sense of *Khōra* partially resides in the paradox above: a member cannot take place outside the whole. Or, there is no 'outside' text (see # 4.4), if all thinking entails textuality.[4] This leads to the proposal that, perhaps, Derrida effectively reinscribes the subject by way of saying '*khōra'*. Saying anything about the subject, if there is one, is *khōra* -talk. Subjectivity is precisely this kind of screen whose emptiness or erasure makes possible the registration and reflection of others.

When Derrida proposes that *khōra* be kept holy, sacred and preserved from harm, this is a call to respect the very singularity of the subject. "This very singular impropriety, which precisely is nothing, is just what *khōra* must, if you like, *keep*; it is just what *must be kept for it,* what *we* must keep for it. To that end, it is necessary not to confuse it in a generality by properly attributing to it properties which would still be those of a determinate existent" (ON 98). That *khōra* is 'there' only by virtue of giving place to whatever is other can be taken as an indication of Derrida's construal of the subject as that which receives determinations without possessing them, which does not absolutely possess anything, whose giving place to plurality can sustain contrariety and contradiction without their negation.

4.5.5.1 As with *Khōra*, so too for 'Subject'

> Neither this nor that, but perhaps something else. This locus concerns chance and the future. The future can only be of the nature of 'perhaps', so philosophy has never been able to accept the future […]. (PoF 37)

> One cannot even say of it that it is *neither* this *nor* that or that it is *both* this *and* that. It is not enough to recall that *khōra* names neither this nor that, or, that *khōra* says this and that. The difficulty declared by Timaeus is shown in a different way: at times *khōra* appears to be neither this nor that, at times

[4] See M. Boutin, "L'inouï l'indécidable selon Castelli et Derrida," 827.

> both this and that, but this alteration between the logic of exclusion and that of participation […] stems perhaps only from a provisional appearance and from the constraints of rhetoric, even from some incapacity for naming. (ON 89)

Derrida's 'nonnames' provoke the thinking of the term, the limit. Hence Drucilla Cornell's name for Derrida's thought: the philosophy of the limit (Cornell 1992). Derrida's ambition is to think about that which is unnamable, that is, that there are names. Derrida's radical empiricism is borne of this sort of reflection: the fact that there are names demands a modality of thinking that exceeds them. An exorbitant discourse is required; but this is not attained by some kind of step 'outside', 'beyond', 'after' or 'post-' naming. The play that makes possible nominal effects does not reside outside the text of naming. The play that makes possible nominal effects takes place amid nominal effects. This is the space of the unnamable, an unnamable space from within language, nominality itself, from whence to begin. In this case, the nominal is a function of iterability and double affirmation.

Undoubtedly one of Derrida's objectives in his *khōra*-talk is to submit a proposal for thinking the facticity of philosophy's groundless grounds which makes the actual world possible. But perhaps another objective is the creation of a commentary on 'the subject'. The aporias of genesis and the double affirmation which makes for iterability are conditions amid which beginnings are only possible by responding; such responses take place without the presumption or privilege of the first word. The conditions are those of being questioned. In other words, 'the subject' comes to pass in a *khōra*-like fashion, taking place and making space only as a function of having been put into question. At the centre of 'the subject', if there is one, is the form of the question. (see # 4.1.1)

From this follow important possibilities for reconsidering politics, ethics, and law. *Khōra* is reflected upon along with other terms Derrida provides in supplementary chains – e.g., island, promised land and desert (FK 7). These are Derrida's proposals for obliquely approaching the being-in-question of 'the subject', since the possibility of saying 'perhaps there is the subject' is a function of doubly affirming having been put into question. For Derrida, this is a viable possibility for thinking of the subject from within subjectivity. Understandably, a shift in the construal of subjectivity will perhaps entail significant alterations in other topics of philosophical reflection.

Derrida's analysis advocates neither the abandonment nor destruction of philosophy. The point of tracing the limits of philosophical discourses is a matter of affirmation and reinscription. The limits of philosophy are not the grounds for certainty, but the 'place' where palintropic experience comes to pass. At the limits the philosopher discovers the truth of having been put into question. This is the precipice of decision, a place whose madness is not irrationality, but the '*il faut*' injunction to 'begin again'. Finding oneself for want necessarily undergoes the anachrony of starting over again. Philosophy must therefore 'begin again' under the conditions of such a peculiar affirmation. Such beginnings start with 'perhaps' rather than with nostalgic Heideggerian genealogies, or analytically dry experiments under controlled conditions. Philosophy necessarily fails to pose problems head-on quite simply because it is philosophy itself which ought to assume the position of being in question.

4.5.5.2 Affirmation of Subjectivity

"The 'yes' of the *affirmation* is not reducible to the positivity of a *position*. But it does, in fact, *resemble* a performative speech act. It neither describes nor states anything;

it engages by responding" (WAl 301n.3). The 'yes' is pronounced by a subject whose element as a 'who' is not finally determinable; this is quite simply because the form of the subject prior to such response is that of absolute openness. The subject, whose form according to Derrida is response, does not take place 'outside' text. This entails *khōra*-talk in order to understand the form of the subject: "If there is nothing outside the text, this implies, with the transformation of the concept of text in general, that the text is no longer the snug airtight inside of an interiority or an identity-to-self […] but rather a different placement of the effects of opening and closing." (Di 35-36)

The outcome of Derrida's rigorous ascesis is therefore not nothing. Instead, the almost-nothing upon which his reflections arrive is an antagonistic resistance that runs parallel to self-same subjectivities, and this defies the radically empirical rigours of aporia and paradox in relation to timing and spacing. Rather than arriving at a clear and distinct self-identifying *ego* as the *a priori* starting point of philosophical reflection, Derrida's starting point is the groundless grounds of language. "The 'yes' of the *affirmation* is not reducible to the positivity of a *position*. But it does, in fact, *resemble* a performative speech act. It neither describes nor states anything; it engages by responding." (WAl 301n.3) And so, "it is out of this dislocated *affirmation* [thus without 'firmness' or 'closedness,' (Derrida's editorial note)] that something like the subject, man, or whoever it might be can take shape" (Pts 261). The origins of the subject, if there are any, is the responsibility to respond, "which consists in calling as much as in responding to the call, and always in the name of a singular solitude" (PoF 39). This is called thinking. If it is perhaps anything and not nothing, the subject is this: "that 'yes, yes,' that answers before even being able to formulate a question, that is responsible

without autonomy, before and in view of all possible autonomy of the who-subject." (Pts 261)

This proposal resolves the question of what constitutes singularity according to Derrida. "That which defies anticipation, reappropriation, calculation – any form of pre-determination – is *singularity*. There can be no future as such unless there is radical otherness, and respect for this radical otherness." (TfS 21) The nature of that 'singular solitude' is not that of an untouchability obtained by virtue of some modality of sovereignty. This singularity is a function of being called into question. In other words, singularity comes to pass by being put into text, with all the attendant double-binds of paradox and resultant aporia that this entails. The 'place' of the subject is its possibility, as the experience of the repetition of an originary experience that is neither 'subjective' nor 'human' according to the metaphysically conventional understandings of those terms. The 'subject' would be an already repeating repetition. If there is such a thing, the subject "can only be difference, that is to say alterity, or trace" (Pts 261). In effect, Derrida's reflections on language arrive at a proposal for the subject as a singularity at once weak in absolute effects and irresistible in capacity for possibility. It is for this reason that, in the discussions of violence and sovereignty to follow, the capacity for possibility accorded to this 'subject' differs in relation to the conventional understanding of possibility as *potentia*. Therefore, the 'everything' in Derrida's remark, "everything begins from the question mark (*Fragezeichen*) when one interrogates the essence of language" (OSp 129n.5), can be legitimately reflected upon with a considerably augmented scope.

C H A P T E R F I V E

DERRIDA ON PHILOSOPHY AND VIOLENCE

'Violence' as such is not a thing; it takes place, violence happens, but the taking-place of violence is not itself some thing. Violence is neither entirely conceptual nor empirical. Violence can happen in one or in the other or in both orders of sensibility and intelligibility. As a result, it is difficult to determine the species or genus of violence once and for all. To think 'violence' in the singular seems practical, but it is not entirely practicable.

If Derrida's thought cannot be entirely characterized as a meditation on linguistics, despite the constant and recurrent theme of language, then perhaps this is because a substantial portion of Derrida's reflections on language are better characterized as reflections on violence. Derrida repeatedly reflects on violence perhaps because the fact that there is violence among humans is a scandal for philosophy. As much as evil might be a problem for God's legitimacy, so too is violence philosophy's problem of legitimacy. The relevant question is whether reason is the right of the strongest (more on this # 6).

Philosophers have produced various theodicies and defenses for the prevalence of violence among humans. For example, Theodor W. Adorno reconciles himself to violence as unavoidable because of temporality. The temporal requires constant destruction, inherent to its concept (Adorno 1987, 361). But the destruction that obtains for this concept resonates throughout all concepts, insofar as any concept, particularly in

a claim to trans-temporality such as ‘universal,’ requires temporalization’s constant destructive movement. This sort of ‘greater good’ argument, where concepts cannot help but involve violence, simply implicates philosophy with violence.

Alan Wood asserts that “[n]onviolence is another name for the responsibility of philosophy” (Wood 2005, 28). ‘Good’ philosophy ought not to do violence or be characterized as violent. It should not be enough to exonerate or justify philosophy for whatever violence it might do or might be done in its name. This presumption about philosophy as nonviolent derives from the assumption that all philosophical claims ought to be compossible. If the principle of contradiction is taken as actual and adequate to govern the nature of all possible worlds and whatever may be conceived by philosophers within them, then doing philosophy without violence ought to be a live possibility. If the law of contradiction governs philosophy and intractability is the grounds of violence then what philosophers do and what goes on in the name of philosophy should not qualify as violent. The historical prevalence of intractability and violence among humans despite the abiding presence of philosophy and philosophers could indicate that a key philosophical principle cannot consistently find instances by which it might be verified or proven as adequate to actuality.

The problem is not solved quickly by determining that violence is not a thing. Somehow, violence comes about. Somehow violence takes place, and it does make sense to say ‘there is violence’ or ‘that is violent’. Derrida’s thought can be characterized as a sustained reflection on violence because he believes that violence is a scandal philosophy can neither escape nor finally justify. Derrida also insists that the responsibility of philosophy is to mitigate violence. While he claims that philosophy cannot extricate its

practices from violence, he does not advocate the abandonment of philosophy. While he may criticize philosophies and philosophers for their naïveté vis-à-vis awareness of their involvement in violence, he does not determine that the practice or its practitioners ought to be abandoned. For example, philosophers' beliefs in dogmas and doctrines grounded on the principle of contradiction are naïve, but this does not make grounds for doing away with them.

5.1 Violence and Philosophy

Derrida finds the general state of affairs for doing philosophy includes several forms and layers of violence, some of which are avoidable, and others not. Avoidable violence should be avoided, and the utmost care should be taken in proceeding with the unavoidable sort. Derrida's proposal is for philosophers to proceed with the least violence: "I am not sure that violence is an evil, and I would prefer to oppose various sorts of violence to one another rather than opposing violence to non-violence." (TfS 90)

Throughout his career, Derrida insists on this point, first in the course of his criticisms of the proposals forwarded in *Totality and Infinity* by Emmanuel Lévinas. There Lévinas determines violence as follows: "interrupting the continuity of a being" (Lévinas 1969, 21). The violence of metaphysics is its logic of ontology, according to Lévinas, interrupting all unique identities in order to assemble them into an objective order of sameness. This establishes a kind of peace that Lévinas wishes to resist, one where "[t]otality absorbs the multiplicity of beings" (Lévinas 1969, 222). Lévinas means for his proposal of the 'face' to decisively outflank and defeat metaphysics and the ontology of war with a "subject insoluble into objectivity, and to which exteriority would be opposed" (Lévinas 1969, 290). The face, proposed as primordial to ontology, would

practice a nonviolent speech, rather than violent language: “Speech refuses vision, because the speaker does not deliver images of himself only, but is personally present in his speech, absolutely exterior to every image he would leave. In language, exteriority is exercised, deployed, brought about” (Lévinas 1969, 296). Lévinas thinks that his proposal has avoided violence altogether by eschewing language (same, objective) for the speech of the face (uniquely present).

What follows includes Derrida’s response to Lévinas’ proposal. Suffice to say for the moment that for Derrida: “A speech produced without the least violence would determine nothing” (WD 147). For him, Lévinas overlooks an “irreducible zone of factuality, an original, transcendental violence, previous to every ethical choice, even supposed by ethical nonviolence” (WD 125). Derrida’s understanding of violence is operational throughout his works and is therefore one way of characterizing his philosophy. Derrida insists that discursive violence is the very possibility of any act of language (WD 125). Something like ‘contradiction’ can be sustained precisely amid limits and sources that are heterogenous prior to any law that determines contradictions as non-compossible. Lévinas shares a dogmatic insistence on compossibility and noncontradiction with the history of Western philosophy, which Derrida challenges fundamentally. A certain kind of violence is at the root of speech and language. Acts of language require negotiations of resistances: at one level violence is inevitable, and at another violence can be substantially reduced. There is no absolute freedom from violence, just as there is no absolute homeostatic condition of unified totality towards which all things infinitely or eschatologically tend.

Violence, according to Derrida, is not something like an earthquake which damages the interests of humans or of some conceptualized good. Violence is a matter of difference and differentiation. As such, violence is an unavoidable constituent of the general structures of possibility. Without difference, there is nothing but the 'One'. By virtue of difference, however, there is plurality. On this plurality, Derrida will agree with Lévinas. According to Derrida, however, the preservation of difference and differentiation is the preservation of the future. Therefore, Derrida would have it that violence be preserved. This is not to say that any and all forms of violence are permitted in Derrida's estimation of the state of affairs. Derrida makes a distinction between violence and brutality, construing brutality to be that which "does not open the future, does not leave room for the other […] brutality homogenizes and effaces singularity." (TfS 92) Rather, the violence of differentiation is a function of plurality, whereas the violence of brutality is a function of plurality-effacement. There are philosophies that are notably brutal in their violence, but also naïve as to their understanding of violence.

Violence is not a thing *per se*, it is an experience. Empirical violence is abrupt, allowing no opportunity for response or mediation. Conceptual violence may very well be that much more abrupt, if not absolutely irruptive, since the notion of mediation remains intact while response may well be precluded.

Violence is rather familiar; and yet it is not widely understood *prima facie* to be something desirable. Violence is taken to be something to be avoided or reduced by persons and societies. Proximity to the 'world's only remaining superpower' does not sufficiently avoid or reduce violence in Canadian society. For example, half of Canadian women have survived at least one incident of sexual or physical violence, 29% have been

assaulted by their spouses, 1, 397 sexual assaults per day take place in Canada, and 42% of Canadian women feel 'totally unsafe' while walking in their own neighbourhood after dark (O'Donovan 2007, 111-3). Such familiarity of violence ought to be a scandal for philosophy, and this is ground enough to ask by what or upon what philosophical practices and their outcomes ground themselves. Are they informed by the 'reason of the strong', whereby practices and their outcomes are accomplishments of brute force? Is the philosophical argument that 'has reason' (*avoir raison*) over others *ipso facto* 'right' or 'correct'? If so, then the practice of philosophy is brutally agonistic, antagonistic, and violent. Or, if this is only one way of practicing philosophy among others, might there be some philosophical practice that eschews violence? Derrida discretely parses his understanding of violence throughout his career and might answer the last question positively. He would continue, however, with a qualification: philosophical practice can eschew violence, but not avoid it entirely.

Lévinas' work is the origin of only a small part of Derrida's abiding concern with violence. His concern is to establish how his 'subject', likened to *khōra* (see # 4.5.5), is capable of welcoming events, inventions, and monsters. The capabilities of this subject, if there is 'one', endows the practice of philosophy with responsibility. This responsibility does not eschew violence absolutely; rather, responsibility is taken by through a disposition towards violence disabused of the naïveté that violence is at work within any philosophical practice. It is worthwhile considering whether or not Derrida is a non-violent philosopher, if non-violence is not equivocable with no violence. Derrida's non-violence is borne of a responsibility for violence that refuses to offer any clean-conscience excuse, alibi or rationalization of itself.

5.2 Distinctions about Violence

Derrida engages the topic of violence repeatedly throughout his works. This concern is brought forward early in his career with *Violence and Metaphysics*, a long essay on Emmanuel Lévinas' *Totality and Infinity,* and with his treatment of Claude Lévi-Strauss' *Tristes tropiques* in *Of Grammatology*. Some time later he would engage Walter Benjamin's *Critique of Violence* in *The Force of Law*.

Common among these works is Derrida's insistence that physical violence is a mundane construal of a phenomenon significantly more varied than that. By engaging with the thematics of these authors, Derrida insists that violence is not simply transgressing a tribal taboo by revealing an enemy's proper name to an outsider, the oppressions of totalitarian governance, the social disruptions of general strikes, or enforcement of the law by police action. Beyond all of these physically instantiated forms is a phenomenality of violence that requires critical attention. Derrida wishes to propose and demonstrate a non-violent philosophical practice which does not avoid violence entirely, but self-critically practices the least violence.

5.2.1 *Arché*-violence, Second Violence, Tertiary Violence

Derrida proposes that there is an originary violence from whence mundane violence comes. This originary violence is a condition rather than an option. That is, Derrida postulates a violence that is unavoidable if anything is to take place. He calls it "*arché*-violence", from whence comes, "what is commonly called evil, war, indiscretion, rape; which consists of revealing by effraction the so-called proper-name, the originary violence which has severed the proper form its property and its self-sameness." (OG 112)

Discourses on violence regularly concern themselves with what Derrida designates as tertiary violence, namely physical violence. This is the concern of Lévi-Strauss, Lévinas and Benjamin. Physical manifestations of violence share in the violence of *arché*-violence, as their practice does involve thinking the unique within some system or structure (OG 112). *Arché*-violence has to do with physical assault as much as the violations of relation and the discursivity of language acts. The tertiary violence does commit to the goal of the mastery of presence. Physical manifestations of violence are done by agents in order to coerce, compel or otherwise force some other into submission, incapacitation or destruction.

To think this is all there is to violence is naïve. The mastery of presence is physically accomplished by violence, but also by what Derrida designates as the second violence. This is the violence that, in order to master presence, conceals the fact of *arché*-violence, which itself is the very loss of mastery over presence. This is the second violence that is practiced by metaphysics, to which Lévi-Strauss pays no attention, whereas Benjamin and Lévinas do. The second violence of metaphysics is the bold-faced assertion of grounds and foundations, i.e. presence, where in fact *arché*-violence has ensured that there is no such state of affairs. The second violence papers over the yawning hiatus that opens with the "obliteration of the proper is the originary violence itself" (OG 110). Second violence claims that it actually begins as though *sui generis* something determinate. It is the violence of the signature.

This second violence is accomplished by language, "which consists in inscribing within a difference, in classifying" (OG 112), as though the inscriptions and classifications were incorrigibly actual and intrinsically sound of themselves. This is the

violence required to accomplish the delusion, which is also unwittingly paralytic, that presence is mastered. This second violence effectively removes from consideration what Derrida elsewhere calls the blind-spot of metaphysics (WD 259). Second violence accomplishes the conviction that there is masterable presence, "*around* which can be organized the representation of meaning, that it is the *point* at which destruction, suppression, death and sacrifice constitute so irreversible an expenditure, so radical a negativity - here we would have to say an expenditure and a negativity *without reserve* - that they can no longer be determined as negativity in a process or a system" (WD 259). That is, the accomplishment of the second violence is the occlusion of *arché*-violence, setting in place the presumption for mastery that will justify the instantiations of tertiary violence.

Arché-violence is the loss of the proper itself. Derrida cannot but make this proposal as a mythic one. If there was, in some beginning, the loss of the proper itself in the very moment of recognition, this is irretrievable and irrecoverable. No reduction or suspension can return to a time *T* that would be a pure moment without violence. Instead, the myth of *arché*-violence in his early texts provides the grounds for his thinking about iterability and affirmation in his later texts.

To accept that there is the obliteration of the proper as the condition of recognition is to forego the possibility of there being absolutely no violence. It also entails a loss of naïveté that presence can be mastered. With the postulation of *arché*-violence Derrida boldly asserts that the conditions of actuality involve a basic violation of presence whose necessity is of the '*il faut*' sort. Practices that occlude this necessity cannot avoid the second violence, and they have no safeguard against tertiary violent

practices. Critical awareness of something like *arché*-violence, according to Derrida, invites a form of always-already culpable responsibility that can provide a means of tempering the second violence and avoiding tertiary violence. In this way, Derrida proposes a practice of lesser violence (more on this # 5.4).

5.2.2 Founding Violence: Walter Benjamin

Derrida's reflection on Benjamin's *Critique of Violence* can be taken as the introduction of a typological distinction into the earlier categories of second and tertiary violence. Derrida draws upon the logic of Benjamin's distinction between divine and mythical violence to correlatively propose founding violence and conserving violence. Founding violence institutes and positions the existence of the law; conserving violence maintains, confirms, and insures the law. With this correlation, Derrida's use of the term 'law' does not only mean the juridical order, but representation of *nomos* in general by language. If *arché*-violence is the obliteration of the proper in which origin is lost, then the instantiations of orders and their continued claims to order will entail violence in their ultimately groundless representations.

> *The profound logic of this essay* [Benjamin's] *puts to work an interpretation of language - of the origin and experience of language - according to which evil, that is to say lethal power, comes to language by way of, precisely,* representation (*the theme of this colloquium*), *that is to say, by that dimension of language that is* re-presentative, mediating, thus technological,utilitarian, semiotic, informational - *all powers that uproot language and cause it to decline, to fall far from, or outside of, its originary destination. This destination was appellation, nomination, the gift or the call of presence in the name.* (AoR 259)

The conditions for the possibility of language rest upon something like '*arché*-violence'. Another word for these conditions would be '*arché*-writing'. This is not the original writing of a pure language, such as Benjamin refers to in "*The Task of the*

Translator" (1996, 257), which would provide the ultimate foundation of all languages. The presumption behind that sort of originary writing or language is the possibility of pure translation and the end of the babble of Babel/Bavel. This would be an ur-language, perhaps spoken by God. Derrida's proposal about *arché*-language and its corresponding violence is "the originary violence of language which consists in inscribing within a difference, in classifying […] To think the unique *within* the system, to inscribe it there, such is the gesture of *arché*-writing: *arché*-violence" (OG 112). If God is the proper name of the most singularly and exemplary unique, the very iterability of 'God' is another writing lesson in the nature of *arché*-writing. Elsewhere, Derrida remarks on this very possibility: "And the proper name of God (given by God) is divided enough in the tongue ['Bavel'], already, to signify also, confusedly, 'confusion.' And the war that he declares has first raged within his name: divided, bifid, ambivalent, polysemic: God deconstructing." (TBa 170)

The instantiation of *arché*-writing by means of *arché*-violence, in the effacing of the originary and proper name of the unique sets forth a necessity that any claim to orderliness, ontology, law, logic, *arché* or foundation be an instance of 'second violence'. The first saying of such a claim is the founding moment wherein that law takes place and is suspended. "*This moment always takes place and never takes place in a presence*" (FLa 36). The first act of language that enunciates the law of an order takes place within an aporetic structure in which every subject is caught in advance. This is the act of originary violence.

Benjamin's discusses what he dubs mystical, or divine violence. This violence, according to Derrida, "is in fact the only one that allows us to conceive the homogeneity

of law or right and violence, violence as the exercise of *droit* and *droit* as the exercise of violence. Violence is not exterior to the order of *droit*. It threatens it from within." (FLa 34) Up against the limit of a founding moment is the taking place of the mystical. Derrida defines the mystical elsewhere as having to do with that silence "not exterior to language", wherein whatever is said can be turned back onto or against the very phenomena at the origin of every institution (FLa 14). The situation within which an order takes place is the *topos* of the mystical limit, beyond which there is not *nomos,* but only its sheer potential in *arché*-writing and *arché*-violence.

The phenomenality of mystical violence is 'divine' because it appears as sovereign. Its claim is theological. It postulates itself in its originary announcement as *the* foundation, the taking-place of order, horizon, and economy. But this violence does not owe itself to a more primordial economy that also declares and delimits itself. It is violence because the declaration requires the occlusion and effacement of the indistinction between itself and the notion of foundation. Derrida carries over Benjamin's claims about the effacing nature of divine violence, which situates it at 'the limit', since its work is to establish an economy where there was no such limitation. Divine violence works to create a space, sphere, or horizon of activity within which the capacity for tertiary violence is potentiated. Divine violence creates the zone or space within which order obtains. It establishes both the *oikos* and the *nomos* of a restricted economy.

The upshot of this distinction intended by Benjamin is also followed by Derrida: if divine violence allows for the recognition that whatever economy obtains has not come to pass by virtue of any prior foundation or necessity, then whatever order it establishes is

necessarily a coercively violent production. The general economy of differences and relations organized under the horizon, or gathered into the space, of some order, is necessarily violent. This is a necessity in which what takes place can only come about non-absolutely. The originary effort of divine violence that inaugurates an order cannot but come to pass by violently ordering what previously was ambivalent and without order. And yet, the order established by divine violence cannot make an enduring or absolute claim for itself. (more on this in # 6.3)

It suffices to note at this point that the event of divine violence as second violence is itself an exception to the very order that is brought to pass. The inaugural and originary nature of divine violence, as Derrida affirms of Benjamin, must not accord with the order that it brings about. Divine violence is not another kind of violence among others, i.e. some form of tertiary violence. Relative to the economy that it brings to pass, divine violence stands as the dissolution of the linkage between its violence and the relations of the economy brought about. (Agamben 1998, 65)

For Derrida, Benjamin's description of divine violence draws towards an argument for the least violence (more on this in # 5.4). Insofar as any economy has an inception, it is not independent from violence, but rather it is intimately bound up with violence. Any order and its economy necessarily finds its originary event to be lacking vis-à-vis that order's economy. This violence is inaugural, because an economy is not yet in place at the instant of its becoming economic, it cannot comprehend itself. (Bennington 2001, 204)

The upshot is that a critique of violence such as Benjamin's does not entail the disposal of violence towards a state of affairs without violence (no-violence). "These

moments, supposing we can isolate them, are terrifying moments" (FLa 35). Such violence, although not taking the physically empirical form of tertiary violence, is legible and intelligible precisely because it is not alien to law.

What Derrida outlines in his study of Benjamin is the impossibility of any order or economy to comprehend itself in a full or complete manner. Derrida's point is neither nihilistic, phyrrically skeptical, or fundamentally negative. Instead, this analysis ties into his understanding of the nature of language as a matter of iterability and affirmation. The possibility of an order's inauguration does take place by violence, but the irreducible necessity and lack entailed by this is also the necessity of continued possibilities of freedom. There is no final order, and therefore no final word. The upshot is exorbitant: within the taking-place of any order there can only be 'more', and the ungrounded ground of every order is one among the many grounds for affirming this exorbitance. There is always more meaning because no economy can close itself off; there isn't any 'outside of the text'.

Tertiary violence manifests this in inaugural violence, as Benjamin's '*Critique of Violence*' recognizes that the general strike is as violent as an assassination due to their shared inaugurality. Physically empirical forms of inaugural violence take the shape of forced resettlement, military coup d'état, political assassination, as well as less dramatic events such as christenings of ships or the affirmation of a wedding vow. However, such inaugural events are not simply characterized as empirical. They open up new futures, realms, and worlds of possibility. They also bring other futures, realms and possibilities to an end. And yet such endings are proleptic of the inaugurated orders as well. The latter's ending, however, is not what is taken to be inaugural. This is to say that the

significance which obtains for inaugural events is not singularly empirical on a physical level.

5.2.3 Conserving Violence

Derrida maintains Benjamin's distinction between founding and conserving violence as a typological dichotomy. No event has its meaning solely in itself; rather, the significance of an act is always pending its confirmation. That is, the significance of an act is a function of its recognition. The possibility of an order's inauguration is therefore a function of its recognition through representation. Founding violence must be reiterated by conserving violence because of the necessary shift towards affirmation and iterability that inheres between founding and conserving. The attempt, by violence, to affirm the economy of a new order by the mimesis of its inaugural form is an attempt to overcome difference that paradoxically establishes difference. The conservation of an order is also a deviation. Violence would seem to be the most effective means of overcoming the pathological necessity that any act affirming an order is supplementary to that order. Violence can attempt to delimit the exorbitant vectors of repetition; but insofar as the affirmation of order is not the inauguration of the order itself, there is a kernel of inaugurality within the attempted act of representation through violence. Benjamin's critique of conserving violence will not be dwelt upon here; it suffices to state that violence cannot be avoided either by the conservation or destruction of any order. There is no non-violent critique, and Derrida presses this issue in his analysis of Lévinas' attempt to propose such a critique.

Before that, it is instructive to take note of Alan Wood's five conclusions on violence and inauguration. (Wood 2005, 41-2) Firstly, the inaugural form of violence is

creative and identity forming. The space of an *oikos* and the *nomos* of its ordering can only come to pass with something like inaugural violence. Secondly, however, inauguration is only a beginning. Inaugural violence faces the fault of its own inaugurality, which lacks the status of an economy without preservation, continuation, and repetition. This brings to pass the continuation of the economy only by the threat of exorbitance inhering in the supplementary nature of its own self-differentiated affirmations. As a result, thirdly, inauguration is not limited to past events. The trajectories of conserving violence cannot limit themselves to the laws of the order which they serve. As differing from the inaugural event, they are inaugural too. Fourthly, therefore, inauguration is not only undecidable insofar as its origins are not stable, clear, distinct and absolute. Inauguration is only the taking-place of second violence to paper-over the abyss of pure possibility Derrida dubs *arché*-violence and *arché*-writing. Additionally, inauguration is undecidable as a future-perfect event. Conservation is necessary if there is to have been any inauguration. That conservation, as noted in the third point, will necessarily carry its own fault and lack of fidelity in differing from what it was meant to affirm. The affirmation of iterability entails the fault of difference. Lastly, and most importantly for Derrida's critique of Lévinas' attempted denial of violence: any judgment of violence involves inauguration and therefore violence. In other words, no judgment of violence is itself without violence. And again, for this reason, Derrida's non-violence finds aspirations to no-violence naïve.

5.2.4 Lévinas and the Possibility of No-violence: Black Light

There is a difference between non-violence and no violence. Non-violence is a disposition towards the least violence. This disposition may entirely eschew physical

violence, but nevertheless make use of psychical or psychological violence. Benjamin's distinction between inaugural and conserving violence, then, is not avoided by a disposition towards non-violence. Neither, also, is Derrida's threefold distinction between *arché*-violence, second violence, and tertiary violence. Non-violence may avoid tertiary violence, but since it is established according to some order of meaning and significance, it avoids neither *arché*-violence nor second violence. The former is the very possibility of outlining the disposition, and the latter is entailed because even non-violence proposes some economy of meaning for signification. Nevertheless, the conservation of that economy requires some violence from whence follow all the self-threatening possibilities of exorbitant trajectories.

In *Totality and Infinity*, Lévinas proposes an articulation of thinking that does without violence and would avoid violence. Among the opening statements is the memorable claim and its urgency: "Everyone will readily agree that it is of the highest importance to know whether we are not duped by morality" (Lévinas 1969, 21). This opens the initial discussion of war and its permanent possibility, which obtains by way of the pejoratively characterized 'black light' of Western phenomenological assumptions about intelligibility. Lévinas describes the violence of this black light by which self-same entities apprehend their others as objects. "Western philosophy has most often been an ontology: a reduction of the other to the same by interposition of a middle and neutral term that ensures the comprehension of being" (Lévinas 1969, 42). Neither Descartes' *cogito* nor Heidegger's *Dasein* avoids this violence, which dupes thought into starting with ontology. This anchors beings in identity, mobilized by false absolutes that set beings over and against each other under a horizon that they take to be neutral and

thereby objective. Peace, in this state of affairs, is only negative: the cessation of outright hostility.

For Lévinas, thinking starts with the ethics of relation based on the analysis of a being's capability for consciousness of 'infinity'. This is the alternative to the violent morality of ontology which begins with 'totality' and ends in 'totality', thereby sacrificing the unique singularity of all beings and enabling the ambivalent moralities which destroy each other remorselessly under a neutral horizon. While Lévinas does not articulate this, the intention of his alternative would be something like 'positive peace', not merely the cessation of hostilities, but the establishment of just conditions that would forego such resorts (Brock-Utne 1997, 151). According to Lévinas, so long as thinking begins with ontology, negative peace will obtain and war will remain constitutive of the horizon. In this sense, Lévinas' evaluation is not unlike that of Thomas Hobbes' political economy in *Leviathan*, which assumes "a model of society which permits and requires the continual invasion of every man by every other" (MacPherson 1962, 42). This is the morality by which Lévinas finds society at the opening of the Cold War to be duped. This is particularly the case considering Europe's two world wars and countless horrors.

By virtue of beginning with ontology, the 'black light' of Western phenomenal comprehension casts warfare - in advance (*'pro-';* see # 2.3.1) - among all over the capabilities of human beings. For Lévinas, "violence is the interrupting of the continuity of a being" (Lévinas 1969, 21). "The negator and the negated are posited together, form a system, that is, a totality" (Lévinas 1969, 41). So long as a being takes its existence to be prior to that of any other and relates to others from this position of sovereignty, its relations to others is war waged on the orders of the sensible and the intelligible, as well

as by the physical, linguistic and other empirical orders. Lévinas proposes that this is entirely avoidable. In short, it is possible to do without violence. Violence is unacceptable to Lévinas, since for him it entails the subjective assertion of the *cogito* or *Dasein* over and against the contents of reality, among which are other (human) beings.

The evil of violence, for Lévinas, is the reduction of the other to the same, the reduction of the other to oneself (Burggraeve 1999, 35). Lévinas' immediate concern in *Totality and Infinity* is with what Derrida would call structuralist totalitarian violence. This is a turn towards the hyperbole of violence in order to make the hyperbole of self-identity come to pass. This is what Derrida calls in Benjamin inaugural violence, a forced entry of form into and upon the world that then affirms itself by conserving violence. The fury of this violence cannot be arrested, since it must face the consequences of self-refutation in the self-differing outcomes of even the most vigorous exertions of violence. This violence attempts to overcome and defy the necessity of finitude that comes about with the differentiation instantiated by any act. For Derrida, violence is that historicism - and historicism is at bottom violence - which attempts to force both the sensible and visible to conform to the order of the invisible ideas.

Alternatively, Lévinas proposes "a non-allergic relation with alterity" (Lévinas 1969, 47). Where the Western philosophical tradition from Parmenides to Plotinus considers separation to be a condition to be overcome (Lévinas 1969, 102), Lévinas proposes the phenomenology of the 'face'. The difference of the 'face' issues forth a phenomenal visibility of 'infinity' unlike Western ontology's 'black light' vision that overcomes others by intelligible violence of idealization, historicism and the physical violence of coercion or destruction. Since the 'face' is a phenomenon of the other which

is not a function of the self's appropriative (violent) capacities, it confronts the desire for self-same totality with infinity. "This infinity, stronger than murder, already resists us in his face, is his face, is the primordial *expression*, is the first word: 'you shall not commit murder.' The infinite paralyses power by its infinite resistance to murder, which, firm and insurmountable, gleams in the face of the Other, in the total nudity of his defenceless eyes, in the nudity of the absolute openness of the Transcendent" (Lévinas 1969, 199). For Lévinas, thinking that attends to the infinity of the face obtains with no violence. This would be not only non-violent, the least violence; this would be a source of which no violence obtains.

Lévinas project is significant because his proposal includes that of thought working between two basic poles unlike the normal self-other relation. '*L'autrui',* the Other, and '*me voici*', the 'me', come to pass according to Lévinas by a not-violent relation of infinity. No originary ontology establishes an economy between the Other and me, since each is infinite vis-à-vis the other. Lévinas' organization of the relationship denies the possibility of determining which comes first, whereas classical philosophical relations would have one subordinated to the other, one justifying the other and as such obtaining a being ontologically primordial to the other. This proposed relation is meant to dislodge his work from the kinds of violence Lévinas finds in the Western tradition.

The otherness of the 'Other' is not the phenomenologically sensible or intelligible other as such but the very alterity of the other. The 'face' also enunciates this experience of alterity, as alterity. The infinity of the face and the Other establishes, according to Lévinas, a refutation of violent appropriation that includes even that of metaphor as the appropriation of another, forcing the generic 'like' or species 'as' upon an Other who,

according to the 'other light' of Lévinas' 'face', is simply not possible. The face of the Other is given by Lévinas as a facticity operative on a wholly other level of empiricity. In this other light, Lévinas attempts to prove that there is something or some source that does not lie, that does not perjure, or risk perjury. Without even the violence of metaphor, Lévinas proposes a thinking of the face which would not lie, perjure, or compromise. The face would only deliver the most really originary point by virtue of which thought might proceed without violence.

5.2.5 Lévinas' Violence and Metaphysics

The appeal to the infinite capability of the face is for Derrida what returns Lévinas squarely within the violence of metaphysics. Most contrary to his project is Lévinas' description of the 'me', or '*me voici*', which presupposes that the alterity experienced is that of an other. Lévinas' proposed valorization of an alternative to ontology remains an ontologization. On the one hand, Derrida asks, " is not the opposition of the *primordial* to the *derivative* still metaphysical?" (MP 63) The postulation of this opposition is a metaphysical movement. And further, no matter which Other, the alterity cannot but appear as the same because of its infinite distinction from 'me'. Or, at least, Lévinas does not articulate what might be the difference between two infinites. Worse, this might commit Lévinas to a genus or species of 'infinite'. In response to this situation, Derrida states categorically: "We only wish to foreshadow that *within history* - but is it meaningful elsewhere? - every philosophy of nonviolence can only choose the lesser violence within an *economy of violence*" (WD 313n.21). Richard Beardsworth explains Derrida's point as follows: "To welcome the other *as* other, *as Autrui*, the other must come into form. *Autrui* is never quite *Autrui*, that is, radically other, the alterity of form,

in being thematized *as Autrui*. Language presupposes being. Thus, the 'as'-structure of being is the very possibility of Lévinas thematizing *Autrui* as non-thematizable." (Beardsworth 1996, 134)

Lévinas does not consider that the alternative thought which he proposes requires violence, whereas it is not without the violence of inauguration and conservation. Furthermore, Lévinas cannot do without *arché*-violence either, since his proposal must come to pass by taking place in acts of language at the very least. Lévinas' cautious thinking, precisely refusing to locate or place alterity in an effort to entirely eschew violence, commits him to effacing the other with infinity. The horns of Lévinas' dilemma to be worked out are the following: "Either their [O/others] difference condemns them to remain forever outside my comprehension, or their sameness reduces them to a factor in my equation." (Manderson 2006, 26)

Lévinas' proposed thinking is criticized by Derrida as in fact entailing violence in its very possibility as well as practicing a certain violence. Lévinas' attempt to eradicate the violence of totality threatens or indeed actualizes *arché*-violence. The opening of ethics is violent. If the infinity of the face of the Other is to mean something, even if it is to take place as an impossible relation, Lévinas' proposal is that this relation without relation brings about an economy with meanings. Derrida addresses Lévinas in *Of Grammatology* on this matter: "There is no ethics without the presence *of the other* but also, and consequently, without absence, dissimulation, detour, *différance*, writing. The *arché*-writing is the origin of morality as of immorality. The nonethical opening of ethics. A violent opening. As in the case of the vulgar concept of writing, the ethical

instance of violence must be rigorously suspended in order to repeat the genealogy of morals." (OG 139-140)

An awareness of what Derrida has to say about violence is perhaps the cause of misrecognitions of Derrida and Lévinas' work as being fundamentally the same. For example, Slavoj Žižek does so in rightly criticizing Lévinas, but mistakenly conflates this problem with Derrida's work. Žižek claims to know, "what is false about Lévinasian-Derridean Otherness: It is the very opposite of this gap in the One, of the inherent redoubling of the One - the assertion of Otherness leads to the boring, monotonous sameness of Otherness itself." (Žižek 2003, 24)

This claim does refer to a genuine problem in Lévinas, but only as a less subtle restatement of the quite developed critique which Derrida articulates in "*Violence and Metaphysics*". In that essay, Derrida criticizes Lévinas' use of the term 'exteriority' as Lévinas' most onto-theological gesture; where *Totality and Infinity* is subtitled as an 'essay on exteriority' and the exteriority in question is that of the 'face', whose phenomenality is infinite. One of Derrida's questions is whether Lévinas can indeed employ "exteriority" without any metaphoricity relative to the other. In such a case, exteriority would be non-spatial; but Lévinas does not articulate how 'exteriority' is without relation to non-exteriority and without any reference to some interiority. If exteriority retains some relationship of difference, Derrida asks Lévinas to articulate what this is, if not spatial.

Given his position on *arché*-violence and second violence, Derrida argues that "the wound and finitude of birth (of the birth) without which one could not even open language, one would not even have a true or false exteriority to speak of […] for one

would never come across a language without the rupture of space, an aerial or aquatic language in which, moreover, alterity would be lost more surely than ever" (WD 112-3). Derrida would later repeat this criticism, despite Lévinas' response to him with *Otherwise than Being: or, Beyond Essence* (1981). Although the infinity proposed does outstrip the restricted economy of totality, "the overrunning of the circle by the gift, if there is any, does not lead to a simple, ineffable exteriority that would be transcendent and without relation. It is this exteriority that sets the circle going, it is this exteriority that puts the economy in motion. It is this exteriority that *engages* in the circle and makes it turn" (GiT 30). Richard Beardsworth's summary is instructive on this point: "The ethical, by being demarcated too much from the ontological, ends up itself ontological *because the limit is not developed*. With the limit between the other and the same articulated, the other ends up as the 'same' " (Beardsworth 1996, 136). That is, Lévinas thinking about infinity and its originary taking-place is indeed 'non-ontological' insofar as it is unrecognizable by conventional Western metaphysics' ontological ordering; but this is only because this infinity is another way of saying *arché*-violence. It is an instance of inaugural violence, whose alterity is occluded by the second violence of metaphysics.

When Lévinas attempts to postulate this violent originary opening of infinity over and against the totality of metaphysics, Derrida finds him falling in the temptation of a "pure heterology of otherness" that is not in fact an alternative to the 'black light' of metaphysics' duped morality, but is that originary opening which "*will ceaselessly call upon 'contradictions'* " (WD 129). Derrida is not skeptical about Lévinas' findings, and yet this emphasis on the 'face' and its infinity participates in the second violence of

metaphysics and the ontological priorizing of presence. This is described by Derrida as follows: "It is the *dream* of a purely *heterological* thought at its source. A *pure* thought of *pure* difference. Empiricism is its philosophical name, its metaphysical pretention or modesty. We say the *dream* because it must vanish at *daybreak*, as soon as language awakens" (WD 151). Derrida's critique of Lévinas demonstrates that there must be some violence, but it may be a lesser violence, "some conceptual or even argumentative mediation of the order of the same - not least for the sake of the Other." (de Vries 2005, 521)

5.3 The Worst Violence

This element of Lévinas' thought, despite demonstrating so much about the violence in Western metaphysics, threatens the worst violence: "when one silently delivers oneself into the hands of the other in the night" (WD 152). By way of Lévinas' contemplation of the violence in the practice of Western metaphysics and the violence of his alternative, Derrida's non-violent position can be articulated. The worst violence is the absolute annihilation of relation. The worst violence is the absolute lack of violence since it is the total cessation of any relation to the other.

Derrida does not deny the history of violence that is an accomplice of Western metaphysics, from Parmenides to Plotinus on through Hegel to Heidegger, which repeats the violence of forcing others into economies and under horizons. Derrida does not doubt the kernel of Lévinas: "Onto-theo-archeo-teleology locks up, neutralizes, and finally cancels historicity." (SMa 74)

> The gathering into the One is never without violence, nor is the self-affirmation of the Unique, the law of the archontic, the law of *consignation* which orders the archive. […] As Soon as there is the One,

> there is murder, wounding, traumatism. *L'Un se garde de l'autre*. The One guards against/keeps some of the other. It protects *itself* from the other, but, in the movement of this jealous violence, it comprises in itself, thus guarding it, the self-otherness or self-difference (the difference from within oneself) which makes it One. The "One differing, deferring from itself." The One as the Other. At once, at the same time, but in a same time that is out of joint, the One forgets to remember itself to itself, it keeps and erases the archive of this injustice that it is. Of this violence that it does. *L'Un se fait violence*. The One makes itself violence. It violates and does violence to itself but it also institutes itself as violence. It becomes what it is, the very violence that it does to itself. Self-determination as violence. *L'Un se garde de l'autre pour se faire violence* (*because* it makes itself violence and *so as* to make itself violence). Only in French can this be said and thus archived in such an *economical* fashion. Now it is necessary that this repeat itself. It is Necessity itself, *Ananké*. The One, as self-repetition, can only repeat and recall this instituting violence. (ArF 78)

The risk of the worst in Lévinas is not that of a structuralist totalitarianism; however it is that of a temptation to economize excess into a totality of the absolutely other (Cornell 1992, 69). In this way, a temptation to theodicy is harbored there which denies signification. This refusal of ontology would risk closing off the possibility of meaning. Further, this emphasis on the infinite otherness of the other risks reducing all others to an absolute identity (Manderson 2006, 30). Derrida therefore presses Lévinas to admit that his work must be read allegorically in order to avert rushing headlong towards the theodical precipice of such risks. "What authorizes him [Lévinas] to say 'infinitely other' if the infinitely other does not appear as such in the zone he calls the same?" (WD 125)

The trouble is that if Lévinas were to think his work allegorically, it would stand bereft of all its phenomenological certainty. Lévinas' '*autrui*'-'*me voici'* relation as he proposes it construes difference as absolutized alterity. Derrida goes further than Žižek's

simple criticism: he finds Lévinas leading towards the affirmation of Hegel's conclusion on absolute identity:

> Does not Lévinas treat the expression *alter ego* as if *alter* were the epithet of a real subject (on a pre-eidetic level)? As an epithetical, accidental modification of my real (empirical) identity? Now, the transcendental syntax of the expression *alter ego* tolerates no relationship of substantive to adjective, of absolute to epithet, in one sense or the other. This is its strangeness. A necessity due to the finitude of meaning: the other is 'absolutely Other' only if he is an ego, that is, in a certain way, if he is the same as I. Inversely, the other as *res* is simultaneously less other (not absolutely other) and less 'the same' than I. Simultaneously more and less other, which means, once more, that the absolute of alterity is the same. (WD 128)

The risk of the worst that Lévinas runs is murderous. Absolute alterity can threaten its own appropriative economy. Only by accessing the positive infinity of God (WD 114) is Lévinas' murderous appropriation of the other by the economy of absolute alterity held back from its worst violence. (WD 107)

Hyperbolizing otherness, according to Derrida, cuts off the capability to negotiate with any actual others. This is a philosophical practice Derrida eschews both in the Western metaphysic's logocentric totality and in the threat of the worst in Lévinas. Derrida insists that there is always some kind of economy at work, there is always a context given or inherited without choice, among which may be mere stones or some other human being, and there is the capacity to analogically determine the difference between stones and others amid this economy. This may be a dissymmetrical recognition between one and the other, but it is recognition nevertheless (WD 126). As dissymmetrical, the difference recognized between one and the other is never neutral or without violence. This is the point made by his distinctions on violence and his interpretation of Benjamin's critique of violence.

Derrida does affirm Lévinas' kernel that alterity is always already possible amid the sameness of any economy's order. The exorbitant is not 'there' as a positive or negative presence. This is where Derrida departs from Lévinas. The chance that an economy's affirmation take a trajectory that exceeds its own proclaimed limits stands present nowhere, not even in reserve as a potency. The requirement for iterability in the preservation of any order simply stands vulnerable to the aleatory without the certainty afforded by the face-to-face.

Derrida's prescription to Lévinas is to not attempt taking leave of metaphysics. Metaphysics cannot be abruptly left behind. There is no post-metaphysics for Derrida. Throughout Derrida's writings, which engage the entirety of the Western tradition extensively, there is the demonstration of a practice that finds a way to write about something that by definition resists every thematization in such a way that it is not overwhelmed by the coherence of the writing itself. Derrida's awareness of *arché*-violence goes about writing in a manner that leaves the unstable second violence as possible, with the greater likelihood of avoiding tertiary violence, i.e. non-violence. If Lévinas does not wish to remain silent either by not writing or by writing incoherently, then he must write in Greek. That is to say, he must make some kind of metaphysical commitment without any naïveté about violence. Derrida finds the potential "in the nature of Lévinas' writings, at its decisive moments, to move along these cracks, masterfully progressing by negations, and by negation against negation. Its proper route is not that of an 'either this […] or that', but of a 'neither this […] nor that'" (WD 90). This is the practice of philosophy Derrida suggests not only to Lévinas, but to

philosophers in general. A philosopher must be installed within the traditional conceptuality, even in order to attempt its destruction. (WD 112)

Derrida's admonishment to Lévinas can be generalized: the ineluctability of metaphysics for thinking entails that thought can think, but not practice, a distinction between violence and something absolutely other than violence. As Derrida notes in his eulogy to Lévinas: "War or allergy, the inhospitable rejection, is still derived from hospitality. Hostility manifests hospitality; it remains in spite of itself a phenomenon of hospitality, with the frightful consequence that war might always be interpreted as the continuation of peace by other means, or at least as the non-interruption of peace or hospitality. Hence this great messianic discourse on eschatological peace and on a hospitable welcome that nothing precedes, not even the origin, might be understood as anything but political irenism" (WoW 95). This is the grounds for characterizing Derrida as non-violent, and it leads into his proposal about the least violence.

5.4 The Least Violence: the Real Centre (see # 4.1) of Derrida's Thought

5.4.1 Violence as Unavoidable

For Derrida thinking can practice non-violence only if it confesses and attends to the unavoidability of some violence. Drucilla Cornell's observation about violence and metaphysics provides a good interpretation of Derrida's position on this question: "We cannot escape representational schemes. Yet, at the same time, we must recognize their inevitable infidelity to radical otherness" (Cornell 1992, 70). With regard to violence practiced by Western philosophy, John P. McCormick notes: "A response to violence with a violence in kind is unacceptable to Derrida. Less violent forms of interaction must be attempted" (McCormick 2001, 401). In attempting to think through this relationship

of least violence, there emerges responsibility. Derrida explains this point, albeit in the context of engagement with speech-act theoreticians rather than with reference to Lévinas. The upshot in what follows, however, remains pertinent also for the latter, since Derrida is discussing the implications of taking iterability, economy and finitude so seriously that something like infinity is rejected as a starting point for philosophical responsibility in the practice of thought:

> [...] the finiteness of a context is never secured or simple, there is an indefinite opening of every context, an essential nontotalization [...] whatever there can be of force or of irreducible violence in the attempt 'to fix the contexts of utterances,' or of anything else, can always communicate, by virtue of the erasure just mentioned, with a certain 'weakness,' even with an essential nonviolence. It is in this relationship, which is difficult to think through, highly unstable and dangerous, that responsibilities jell, political responsibilities in particular. (LI 137)

Derrida's analyses repeat his point about the exorbitance any economy poses by its self-affirmation. For example, Derrida notes in *Of Grammatology* that Rousseau's attempt to separate originarity from supplementarity falls in upon itself. This is because every economy, in conserving itself, is "*inscribed* within a system which it does not dominate" (OG 243). Every thought is inscribed within a system it does not dominate. And no system can dominate itself insofar as it is caught up in the affirmation of itself. For example, Rousseau's authorial intention is disregarded and wiped away. Instead, Rousseau's intention finds itself compelled to say things that it perhaps did not wish to say. The self-critical embrace of this condition is the path towards the heart of Derrida's thought: the least violence.

Recognizing this philosophically empirical fact about how philosophy and metaphysics is practiced enables the perpiscacity for a less violent practice. To follow Lévinas' commitment to no-violence, for Derrida, gravely threatens to obscure this

perspicaciousness. Derrida is advocating a philosophical practice of critically self-conscious violence.

Given what else Derrida has to say about the logocentrism and presence, the problem is that greater or lesser violence is difficult to measure if there are no absolute referents. "If we find ourselves being defined and redefined by our participation in an economy of violence, then the issue will always be what kind of violence […] violence cannot be contained to one side of an opposition, or to one level (e.g. ontological/empirical)" (Wood 2005, 40). This entails the ordeal of the undecidable in deciding upon the least violence. There is no pure or wholly separated option that would give the absolute justification of absolutely eschewing violence. Thus, for Derrida, there is a vigilance associated with the task of discerning the least violence. This point helps to clarify Derrida's reasons for never claiming to be 'postmodern' (see # 3.4.3n.3) or to have done away with metaphysics. His prescription for philosophy finds that, "it is necessary still to inhabit the metaphor in ruins, to dress oneself in tradition's shreds and the devil's patches - all of this means, perhaps, that there is no philosophical logos which must not *first* let itself be expatriated into the structure Inside-Outside." (WD 112)

5.4.2 Reason Disarmed

Derrida advocates nonviolence for philosophy as a disarmament of reason (TfS 63). This disarmament does involve eschewing the teleological orientation of philosophical thought. Derrida is not interested in philosophy if the goal is "*d'avoir raison de l'autre*", where success is not only having "reason" over the other but also "winning out over the other" (R 119). In such a situation, the other is '*arraisonné*', the other has given up and is surrendered, conquered by me. This is the sort of warring

Derrida rejects, and Lévinas would agree. This nonviolent disposition includes disabusing philosophical practitioners of that teleological orientation by which thought tricks itself into having found an end, closed a circle, of having won out over all others.

The notion of least violence in Derrida is at the heart of his philosophy. Alterity only appears to those unarmed against the aleatory: "The occasion, chance, the aleatory, ultimately means exposing ourselves to what we cannot appropriate: it is there, before us, without us – *there* is someone, something, that happens, that happens to us, and that has no need of us to happen (to us). And this relation to the event or alterity, as well as to chance or the occasion, leaves us completely disarmed; and one has to be disarmed" (TfS 63). Derrida takes Lévinas seriously: the violence of totalitarianism is best avoided by changing how to philosophically consider alterity. "One has to accept that 'it' (the other, or whatever 'it' may be) is stronger than I am, for something to happen. I have to lack a certain strength, I have to lack it enough, for something to happen. If I were stronger than the other, or stronger than what happens, nothing would happen" (TfS 64). To seek a strength stronger than the other leads to the violence of totalitarianism. But Lévinas' absolutization of alterity threatens the worst violence of total silence. Therefore, unarmed philosophy obtains where "dialectic consists precisely in dialectizing the non-dialectizable […] a concept of dialectic that is no longer the conventional one of synthesis, conciliation, reconciliation, totalization, identification with itself […] on the contrary […] a negative or an infinite dialectic that is the movement of synthesizing without synthesis" (TfS 33). This is a conjunctive philosophy disarmed by the question (# 4.1.1) of the question, proceeding only by the force of the 'and' (# 3.4).

This sort of position towards *arché*-violence and second violence also has its practical implications with regard to tertiary violence. Derrida's position on the death penalty, for example, is informed by this unarmed practice. "I have always forbidden myself […] to injure or to put to death. It is always by reaffirming the heritage that one can avoid this putting to death. Even at the moment - and this is the other side of the double injunction - when this very heritage, in order to save its life (within its finite time), demands reinterpretation, critique, displacement, that is, an active intervention, so that a transformation worthy of the name might take place: so that something might happen, an event, *some* history, an unforeseeable future-to-come" (FWT 4). The philosophical practice of least violence involves mourning as a matter of creating significance for acts that might be forgotten, or acts that suppose themselves forgotten and so lessen their violence.

The means of disarmament is to attend to the limits of discourse, to affirm iterability, and to bring thinking towards the aporetic and paradoxical. These are non-teleological destinations for philosophical reflection. The point of locating something like contradiction in aporia, for example, is not the demonstration of failure but that of the necessity to understand the deployment of force and violence unique to that text. It is to reflect on the second violence which negotiates the aporia into decisions on authority and legitimacy. The ability to conduct such reflections also enables the capacity to think otherwise. For this reason, Derrida admonishes Lévinas that "language can only indefinitely tend toward justice by acknowledging and practicing violence." (WD 117)

Derrida's philosophy of the limit does not seek to establish poles or boundaries, but to note that on either side of the limit are 'outsides' that make it possible not only to

reverse the state of 'inside-outside', but to hold their ambivalence in an aporetic tension by which exorbitant trajectories might move across from either 'side'. This encourages what Derrida's reflection on what Nietzsche calls the 'dangerous perhaps' (# 4.5.4), which is not unlike the 'dangerous supplement' Derrida shows with Rousseau in *Of Grammatology* (OG 141-64). The workings of differences, such as the supplement as well as the repetition and affirmation entailed by iterability, are Derrida's empirical evidence of the aleatory. These supplementary possibilities are inconceivable to reason. (OG 259) They are impossibilities. The supplementary possibility is, according to reason, an impossibility. The supplement disturbs the certainty of oppositional logic; enmity and hostility are confronted with disarmament rather than frontal attack.

In *Politics of Friendship*, Derrida notes the "dangerous perhaps" in Nietzsche's apostrophe: "And *perhaps* to each of us there will come the more joyful hour, when we exclaim: 'Friends, there are no friends!' thus said the dying sage; 'foes, there are no foes!' *say I, the living fool.*" (Nietzsche 1996, 149) This perhaps is dangerous, first of all because its presence in Nietzsche's other works is occluded in English-language translations. In the French translation of *Beyond Good and Evil*, one can read what the translator claims is not readable in English, literally (PoF 73n.8): "But who has the courage to look on these 'truths' without a veil? Perhaps there exists a legitimate decency before these problems and possibilities, perhaps we are mistaken about their value, perhaps we all thereby obey this will." (PoF 56)

This 'perhaps' obtains at the limits, when thought faces aporia, and when the non-dialectizable is faced by reason unarmed. When this state of affairs is reached, as it regularly does in Derrida's work, the 'perhaps' of the aleatory can take place. In order to

practice the least violence, Derrida asks: "What would rules and laws, contracts and institutions indeed be without steadfast determination, without calculability and without violence done to the *perhaps*, to the possible that makes them possible?" (PoF 67). The possible that makes them possible is the inaugural and second violence. The violence done to the 'perhaps' is the attempt to establish totality for an order. In agreement with Lévinas, Derrida notes that this is the violence of the subject.

That subject, waging war on all others, is the most irresponsible precisely because it eschews the chance of the 'perhaps'. The 'perhaps' is dangerous only to the subject that takes itself to be in and for itself. The irresponsibility of that subject is its inability to make a responsible decision.

> Undoubtedly the subjectivity of a subject, already, never decides anything; its identity in itself and its calculable permanence make every decision an accident which leaves the subject unchanged and indifferent [...]. *A theory of the subject is incapable of accounting for the slightest decision* [...] the instance of the subject, a classic, free, and willful subject, therefore a subject to whom nothing can happen, not even the singular even for which he believes to have taken and help the initiative. (PoF 68)

A subject that assumes presence, that is an ontologizing and idealizing subjectivity, immunizes itself to the dangerous perhaps, and thereby to non-violent thinking. Only a subjectivity "unable to stabilize itself *absolutely* would mean to be able *only* to be stabilizing itself: relative stabilization of what remains *unstable*, or rather *non-stable*. Ex-appropriation no longer closes itself; it never totalizes itself." (ON 270)

The least violence would be a matter of facing aporia unarmed. "Where I am helpless, where I decide what I cannot fail to decide, freely, necessarily, receiving my very life from the heartbeat of the other" (PoF 69). At this point, Derrida' s language is very close to that of Lévinas'. This desire to do the least violence to the other, facing the

aporia and paradox that violence is unavoidable, leads to the perpiscaciousness of Derrida's neologism "*lovance*" (PoF 69). This could be construed as the respect for the other's alterity, the *différance*-in-the-other. This is an unarmed state of affairs, "Providing you open yourself, trembling, on to the 'perhaps' " (PoF 70). This is a modality of thought that takes its norm of decision on the respect for other's alterity. This would be the philosophical vigilance of Derrida's least violence, an awareness of philosophy as historical and as economy: "an economy which in being history, can be *at home* neither in the finite totality which Lévinas calls the Same nor in the positive presence of the Infinite" (WD 117). This is not, however, the charting of a 'middle way' or 'third way' (# 3.3.3), but of an ongoing non-teleological responsibility for thinking and its practice.

To practice thinking with reason unarmed is to make philosophical claims with a vigilance towards the teleological temptation "to say-the-hyperbole [...] through which philosophy tranquilizes itself and excludes madness" (WD 62). This inability to extricate thought from the danger of madness produces the 'trembling' of lovance. Trembling of the sort associated with Søren Kierkegaard or Rudolf Otto presupposes something determinately calculable about the other, even if it is infinity. This trembling is borne of an acute vigilance to the necessity and nature of violence explained according to Derrida's work in the above.

5.5 Derrida on Weakness

In his conversation with Gianni Vattimo, who is well-known for his proposal on "weak thought" (see Zabala 2007), Derrida draws attention to this important characteristic of his writing: "In a great number of my texts you will find a discourse on

weakness. A weakness that can transform itself into the greatest strength [...] one has to be disarmed. The 'has to' says yes to the event: it is stronger than I am; it was there before me; the 'has to' is always the recognition of what is stronger than I" (TfS 63). Namely, the weakness in question is that of the '*il faut*' whose necessity provides the conditions for thinking.

Derrida elsewhere looks upon his prior works, and notes that his approach is 'weak' and 'decelerated' (N 295). He describes forgiveness, if worthy of its name, as impoverished of power. Such a disarmed forgiveness would be unconditional without any reserved or concealed powers of sovereignty (OCF 59). Derrida credits both Nietzsche and Benjamin for helping him develop the notion of "weak messianic force" in *Specters of Marx* (SMa 55). He would later comment on that work: "This spectrality [of the new International in *Specters of Marx*] is very *weak*; it is the weakness of the powerless, who, being powerless, resist the greatest strength" (N 252). He later goes so far as to describe his thinking as proceeding by means of attention to a "weak force" that is a "force without force" (R 86):

> This vulnerable force, this force without power, opens up unconditionally to what or who *comes* and comes to affect it. The coming of this event exceeds the condition of mastery and the conventionally accepted authority of what is called the 'performative.' It thus also exceeds, without contesting its pertinence, the useful distinction between 'constative' and 'performative.' Along with so many other related distinctions, beginning with theoretical versus practical reason, the scientific versus the technical, and so on. (R xiv)

This association Derrida makes between the 'weakness' in question and the key terms of Austin's speech-act theory will be dealt with below (see # 5.5.3). Suffice to say, however, Derrida's later observations upon the practice of thought attendant to his earlier works makes some significant associations.

In his late essay "*Rogues*," Derrida questions the 'right of the strong' in the practice of philosophy. Derrida also claims that "[o]ne must defend the weakest who are pregnant with the future, because it is they who are the strongest" (N 226). That strength of the weak, with which Derrida identifies himself, can be characterized as 'weak force'. The nature of this force is not a potential, however. There is no unactualized capacity standing in reserve, no presence within entities that can be empirically identified as visibly or sensibly 'weak'. Derrida is not idealizing some species, genus or form as weak. To accurately understand what Derrida is claiming, it must be kept in mind that the 'weak' includes supplement, *différance*, hymen, *khōra*, *pharmakon*, and other guiding tropes of Derrida's attention to aporia and limit.

5.5.1 Weak Reason

Derrida is in solidarity with Kant's insights into universality on this aspect of 'weak'. A universal is unconditional. To be without condition, and here is where Derrida departs from Kant in a certain way, is to be vulnerable to the conditions in which the universal finds itself. This is the trembling of lovance and the 'dangerous perhaps'. Derrida construes 'weak force' where unconditional means to be without condition. As such, weak force is universal. To practice philosophy with reason unarmed is to cultivate the sufficient attention to the discrete movements of force and difference in the violence of a discourse.

Derrida is aware that to deploy the term 'weak' also calls upon 'strong', just as Lévinas was not attentive to how 'interiority' must be addressed in an essay on 'exteriority'. Derrida turns to Nietzsche's treatment reversal in *On the Genealogy of Morals*: "When Nietzsche says that the strong have been made slaves by the weak, this

means that the strong are weak, that Nietzsche comes to the rescue of the strong because they are weaker than the weak. In a certain sense, by coming to the aid of strength, Nietzsche is coming to the aid of weakness, of an essential weakness." (N 226)

Reversal is always possible for a philosophy that reflects on limits. This possibility of reversal is both the most disarmed and disarming (N 226), because nothing secures something reversible from reversing yet again. Reason unarmed vigilantly upholds the possibility of reversal as a law of inversion: "This logic of force reveals within its logic a law stronger than that of force. The logic of force reveals within its logic a law that is stronger than this very logic" (N 226). Thus the 'weak force' about which Derrida later speaks is a universal which conditions the place of "*arché*-ethics" and the "law" (N 226). Vigilant attention to the discrete workings of second violence enables the thinking of "the paradoxical situations in which the greatest forces and the greatest weakness strangely enough exchange places" (FLa 7). Another way of stating this is that 'weak force' is the impotence at the heart of power. (Ap 49)

It is important to make clear, at this point, that weak force is not something with which Derrida has decided to arm himself. Rather, weak force is that to which Derrida has decided to be hospitable: in so doing he has exposed his thinking to disarmament, a thinking that can entertain the dangerous perhaps of the aleatory.

Weak force has no capacity for one to overcome another. Weak force, if considered as a so-called potency, is the ability to be unable to become absolute. Drawing upon this weakness in another enables a state of affairs like what Derrida calls "*lovance*": each can potentiate the other. Each can do violence to the other. This violence, however, is not the violence of totality or infinity Lévinas has in mind. This is

a relation both with and without relation, *contra both* Lévinas and Western metaphysics, insofar as neither entirely relates to the other. That is, these are not sovereign forces, entailing that neither is fully presentable to the other. Leonard Lawlor's own conception of weak force follows from these notes on Derrida. "A weak force is an ability to be unable. In other words, it is an ability based in an inability, an inability that can be made active and superlative, a force whose ante can be upped." (Lawlor 2007, 8)

'Force' itself is a term Derrida has always been uncomfortable with, but he judges it to be indispensable: "Recourse to the word 'force' is quite frequent, and in strategic places I would even say decisive, but at the same time always or almost always accompanied by an explicit reserve, a guardedness. I have often called for vigilance" (FLa 7). Derrida's use of the term is specific: "It is always a question of differential force, of difference as difference of force, of force as *différance* (*différance* is a force *différée-différante*)" (FLa 7). This specific quality of force is what allows Derrida to note that the difference between inaugural violence and conserving violence in Benjamin's work is more a function of the typology than an empirical distinction. The empirics of force in relation to time and difference demands this. Every instance of force is a differing movement that itself inaugurates new relations. No deployment of force can conserve or absolutize the state of affairs prior to its actualization. Further, no deployment of force can secure the state of affairs following its actualization.

5.5.2 Weakness and the Aleatory

This is the work of the aleatory in differential relations of force that Derrida already identified with his analyses of Lévi-Strauss and Rousseau: "The passage from one structure to the other [...] that of society for example - cannot be explained by any

structural analysis: an external, irrational, catastrophic factum must burst in. Chance is not part of the system" (OG 258). If structural analytics cannot determine this, then the philosopher must turn towards other means of reflecting upon how the change comes to pass. In line with Nietzsche, Derrida holds that such reflection is ambivalent, although the history of Western thought has associated the aleatory with evil as a privation of presence:

> Negativity, the origin of evil, of society, of articulation, comes *from without*. Presence is surprised by what threatens it. On the other hand it is imperative that this exteriority of evil be nothing or nearly nothing. The little push, the 'slight movement' produces a revolution out of nothing [...]. A nearly nonexistent force is a nearly infinite force when it is strictly alien to the system it sets going. The system offers no resistance; for antagonistic forces play only within a globe. The slight push is almighty because it shifts the globe in the void. The origin of evil or of history is thus nothing or nearly nothing. (OG 257)

Appealing to Benjamin's distinction, it can be stated that the intervention of chance can bring about unforeseen configurations of forces and the differences sufficient to be inaugural and divine in its violence. This is a supplementary outcome that does not reside as an unlocked configuration of presence standing already reserved within present states of affairs. Instead, it is almost nothing and certainly not anything present. "Less than nothing and yet, to judge by its effects, much more than nothing. The supplement is neither a presence nor an absence. No ontology can think its operation" (OG 314). It is not possible for ontology, the classical logos that opposes presence and absence, positive and negative, to think something aleatory like supplementarity. The metaphorical capacity to at least supply some word such as 'supplement' is to the great benefit of metaphysics: "Of course the *designation* of that impossibility escapes the language of metaphysics only by a hairsbreadth." (OG 314)

5.5.3 The Weakness of Acts of Language

The citation of Derrida's reference to speech-act theory is not by chance. He describes the aleatory, chance, as the hiatus that yawns between the constative and the performative. His address to the "States General of Psychoanalysis" held in Paris (2000) makes note of three heterogeneous states, instances or orders, described in terms of speech acts (WAl 277-278). There he describes their 'relation' along a line of disarticulation that can be read alongside elements of his earlier commentaries on violence. Firstly, he notes the order of the constative, which is in line with conserving violence, and comes about from the attempt to normalize orders by means of theoretical or descriptive knowledge. This is the structuralist move of accounting for the totality of knowledge in order to 'keep accounts'. The second order is the presumed opposition of constative to performative in the normal order of what is called 'speech-act theory'. This can be understood on the grounds that performatives are akin to founding violence. Performative speech-acts are not a matter of knowing, describing or even prescription to invent or reinvent law, institutions, statutes, and norms. Thirdly, between constative and performative - or conserving and founding them - is a space. Speech-act theory normally poses a heterogeneity of the constative and the performative, and Derrida notes that this distinction creates a space which cannot be avoided or economized by either: "This discontinuity calls for a leap, this interruption gives a chance, a threatened and threatening chance, wounded or wounding, to responsibility, to what classical humanist philosophers called freedom, or, in a more problematic fashion, the freedom of the subject. This free responsibility will never be deduced from a simple act of knowledge." (WAl 278)

Between the constative-performative or conserving-founding orders of speech acts or violence is the third as the non-order of the im-possible itself. The distinctions which hold this non-order are blurred because it in fact exceeds them. Adapted to Derrida's critique of Lévinas, it can be understood that this is the alterity Lévinas attempts to name infinity, face, Other. But this space is not an order, it is a non-order. Lévinas is correct: in this 'light', the non-order of the aleatory exceeds ontology. But attention to this space as a space and not an order requires a thinking whose reason is much more disarmed than Lévinas' proposition. "Wherever there is law and performative, even if they are heteronymous, there can certainly be event and some other, but they are right away neutralized, in the main, and reappropriated by the performative force or the symbolic order" (WAl 278). Lévinas is correct: the idealization practiced by metaphysic's ontologizing does not respect alterity. But "[t]he unconditional coming of the other, its event without possible anticipation and without horizon, its death or death itself are irruptions that can and must put to rout the two orders of the constative and performative, of knowledge and the symbolic. Perhaps beyond any cruelty." (WAl 278)

Said otherwise: every economy, following the metaphor of speech-act theory suffers the wound of its own weak force. The capability of any economy to effect meaning is a function of weak force. Any speech act, or economy, obtains its conditions of possibility 'grounded' upon what was described in an earlier section as the conditions of promise (# 4.5.1 & 4.5.3). The possibility of an economy depends on its suffering its own impossibility. A philosophical practice of the least violence therefore takes this seriously. Derrida states as much in his commentary on Benjamin:

> Consequently, there is no more pure foundation or pure position of law, and so a pure founding violence, that there is a purely preserving violence.

> Positing is already iterability, a call for self-preserving repetition. Preservation in its turn refounds, so that it can preserve what it claims to found. Thus there can be no rigorous opposition between positing and preserving, only what I will call […] a *differential contamination* between the two, with all the paradoxes that this may lead to. (AoR 272)

5.5.4 Weakness and Metaphysics

To return to Derrida's commentary on Lévinas, sense is now made of why Derrida asks that Lévinas "speak Greek" (5.3.2). If conserving violence is mythic, and thereby Greek, then founding violence is divine, and thereby Jewish. Derrida closes that essay by citing James Joyce: "Jewgreek is greekjew. Extremes meet".[1] Where Greekjew is Jewgreek, these two are distinct but not opposed. Performative is not distinct or opposed to constative, and vice versa. Likewise with founding and conserving violence, which must contaminate each other differantially (FLa 38). If anything, they are structurally bound to each other by 'weak force'; and this is kept in mind by a practice of thinking that is vigilant concerning the 'least violence'. As an affirmation of this, Derrida determines that this is how the aleatory proceeds in a "bastard and violent way in all these filiations," calling them "Judaeo-Greek" in his essay on Benjamin. (FLa 56)

These explanations of Derrida about non-violence, vigilance and weak force also make clear the prescriptions of Derrida's early work, where he claims it is impossible for any philosophical or regional scientific discourse to take leave of the metaphysical concepts which they have attempted to reduce to completely empirical phenomena:

> This necessity is irreducible, it is not a historical contingency; we should carefully consider all its implications. But if no-one can escape it [religious persons, scientists, social scientists and philosophers alike], if no-one is therefore responsible for giving into it, however little, this does not mean that all ways of giving in to it are equally pertinent [that is, there is a 'least

[1] WD 153. – See M. Boutin, "L'inouï l'indécidable selon Castelli et Derrida." In *Philosophie de la religion entre éthique et ontologie*. Ed. Marco M. Olivetti (Padua : CEDAM, 1996), 829.

> violence']. The quality and fecundity of a discourse are perhaps to be measured by the critical rigor with which this relation to the history of metaphysics and inherited concepts is thought through. This is about a critical relation to the language of the human sciences and a critical responsibility of discourse. About posing expressly and systematically the problem of the status of a discourse borrowing from a heritage the resources necessary for the deconstruction of that heritage itself. A problem of *economy and strategy*. (WD 282)

5.5.5 Weakness and the Unconditional

This would be a thinking that is hospitable to the unconditional. This would amount to a thinking of universality that is without condition. In Derrida's address to a conference on the humanities at Cornell University, entitled '*The University Without Condition*', this notion is further outlined. A principle of unconditional resistance is one dimension of the university without condition. A universal university. This would resist state powers, the phantasm of individisible sovereignty, economic powers, media powers, ideological powers, religious powers, cultural powers, "in short, to all the powers that limit the democracy to come" (WAl 205). Thinking that is universal and without condition thinks with vigilant attention to the space of the aleatory, "the place in which nothing is beyond question, not even the current and determined figure of democracy […] theoretical critique […] the authority of the 'question' form" (WAl 205).

Derrida calls this unconditionality an "invincible force of the university," the order of "abstract and hyperbolic invincibility" that, by virtue of this *virtus*, the university is made weak and vulnerable. This unconditionality exposes the impotence of the university as fragile and defenseless. "Because it is a stranger to power [all the powers mentioned above: political, economic, religious, cultural, etc.], because it is heterogeneous to the principle of power, the university is also without any power of its

own" (WAl 206). The status of absolute independence without condition is one of total exposure and vulnerability to unconditional surrender.

This would be among the clearest statements of Derrida on just what a philosophical practice of the least violence which attends to weak force entails. No doubt, this state of being 'without condition' is one which risks being occupied, co-opted, taken over, and given to suzerainty. Derrida asks: "Can the university (and if so, how?) affirm an unconditional independence, can it claim a sort of *sovereignty* without ever risking the worst, namely, by reason of the impossible abstraction of this sovereign independence, being forced to give up and capitulate without condition, to let itself be taken over and bought at any price?" (WAl 206)

The following paragraph from Derrida's address to the "*States General of Psychoanalysis*" is worthwhile citing in its entirety to conclude Derrida on this point:

> […] it is indeed necessary that there be reference to some unconditional, an unconditional without sovereignty, and thus without cruelty, which is no doubt a very difficult thing to think. It is necessary for this economic and symbolic conditionality to constitute itself. The affirmation I am advancing advances itself, in advance, already, without me, without alibi, as the originary affirmation *from which* and thus *beyond which* the death drive and the power, cruelty, and sovereignty drives determine themselves as 'beyond' the principles. The originary affirmation, which advances itself in advance, lends rather than gives itself. It is not a principle, a princedom, a sovereignty. It comes then from a beyond the beyond, and thus from beyond the economy of the possible […] One cannot justify a pacifism, for example, and the *right* to life, in a radical fashion, by setting out from an *economy of life*, or from what […] under the names of a biological constitution or an idiosyncrasy. This can only be done on the basis of a *sur-vival* that owes nothing to the alibi of some mytho-theological beyond. (WAl 276)

The living-on of the originary affirmation at the 'heart' of Derrida's thought is (de)centred on a least violence that promises the chance of futures. To practice

philosophy in this manner is the opening beyond sovereign mastery. Of these aleatory futures, Derrida states: "Their possibility is always announced as the experience of a non-negative im-possible" (WAl 276).

5.6 Violence and History

Western metaphysics has not and does not take history seriously. The problem of evil gains its traction on these grounds. It also gains its intractability on this as a common ground. The problem is both prosecuted and refuted by means of claims which take the past and the future as extensions of a present which is fully present. Evils are taken to be actual events of the past which provide a clear and present danger to any claims of theism in the present. Present evils are taken to accomplish the same. And likewise, so too are future evils thought to refute theism. Theists will take past evils to be fully accessible too. These, and any present or future events, are somehow integrated into a linear program which connects them to a redeemed future state of affairs. All of this is taken to be clearly and distinctly accessible.

Derrida's critique of the metaphysics of presence includes the claim that this sort of thinking about time and actuality is anything but serious. It relies upon the principle of contradiction, "the cornerstone of all metaphysics of presence" (WD 217), which includes the difficult claim that defines time as nonbeing. History cannot be taken seriously, if one of its fundamental constituents is determined as nothingness. "As soon as being and present are synonymous, to say nothingness and to say time are the same thing" (MP 51). To take history seriously means to grasp as a radically empirical fact that the majority of what is lumped under the general term 'history', in any extension or

modality is irretrievable and yet real. Any discourse that refuses to acknowledge this is some form of historicism.

Historicist is a position which claims to ground itself upon that which has no antecedents or few contemporaries. Historicist discourses variously purport that there are wholly present beginnings from whence whatever follows is neither a spontaneous nor accidental outcome. Historicism presupposes that temporal modalities are synchronic, and that thought is capable of spanning temporality by means of some pure diachronic position. A historicist position attributes to itself an 'origin' from whence other positions may be clearly recognized and distinctly comprehended.

Historicisms postulate an *arché* whose status is argued to be, *prima facie, a priori*. This *arkhein protéron* is the half-open position from which thought begins from that point onwards. Whatever preceded it is without position. Whatever follows it can be positioned. Whatever is recognizable gains that status by virtue of its being integrated into a teleology governed vis-à-vis this position. A philosophy which claims its achievements stand outside the frame of any history is not serious; and yet, "there is nothing more philosophical than the interruption of historical memory, and philosophers continually outdo one another in advocating ahistoricism." (TfS 66-67)

Derrida argues that to take history seriously is to undo historicism; to that extent it is correct to claim that Derrida sets about undoing philosophy-as-usual. One means of doing so is to demonstrate the irreducible gap between *arkhein* and *protéron*. The demonstration of this gap results in the introduction of indeterminacy to upset certainty and assurance of 'first things'.

5.6.1 Finitude

To take history seriously is to take finitude seriously. If finitude resists absolute synchrony and diachrony, then finitude is a key to reconsidering metaphysics. Metaphysical thinking that denies finitude occludes the inaccessibility to presence as the result of temporality. Metaphysics normally does this by idealization. Rather than continuing on the assumption of the presence of the living present, taking finitude seriously would have to discern that what is primordial to these presumptions is not presence. Supplementarity and the forces of difference do not trace through themselves deductively, positively, empirically, necessarily or by entailment to an ur-ground of original foundation.

Taking history and finitude seriously is not skeptical suspension of everything. Instead, positivism and skepticism each in their own way lack seriousness with regard to finitude. The loss of the "reassuring *other* surface of the positive" (WD 259) is borne of refusing to see the forces of difference at work. There is always at least one other surface. The possibility of one surface entails the taking place of an other surface. The metaphysics of presence would require some theory of privation in order to understand this, but such a strategy is not a necessity. To determine some absence as the other surface of presence is only one among a non-finite supplementary chain of names for that other surface. According to Derrida, it is more serious to recognize that the impossible-possible has already taken place. Forces and their differences take place, and amid their various contradictions no metaphysics of absolute presence is feasible. That is, what takes place and is therefore possible is, from a presence-positioned metaphysics, taken as impossible.

5.6.2 The History of Reason

For reason to give account of itself, historically for example, would be a lie and thereby the history of a lie. Thinking about reason lies if it claims to be capable of supplying an account of its own origins. This is an unacceptable situation, however, because then there is no primordiality for reason.

At most, reasoning might think a first event, but this will be a thinking of the limits of reason, since the possibility for that event would be beyond reason. As it were, the primordiality proper to reason would have to be recognized by reason as an impossibility *qua* other than reason. In this sense, it is unreasonable to think any account of origins 'outside' of reason. A member of a set cannot be the origin of that set; or, as Derrida would puts it, "if there is a historicity of reason in general, the history of reason cannot be the history of its origin (which *already* demands the historicity of reason in general), but must be that of one of its determined figures" (WD 40). Unless, however, it could be reasonable for thinking to somehow lie to itself. The acceptability of such a lie would be the thinking of the impossible that makes reason possible. In this sense, any reasoned attempt for reason to be responsible for itself is a lie, which begins from 'within' the 'limits' of reason itself.

Normally, metaphysics requires the refusal of contradiction. According to Derrida this will amount to a denial of finitude, where contradiction is the registering of intractable difference. In his reflections on Jan Patočka's work, Derrida points to a doubly contradictory condition faced by thought which aspires to be reasonable. First, reasoning must face something secret about historicity in general. Namely, thought is responsible for its historical inheritance. The practice of reasoning inevitably entails

accepting a host of conditions that are unconditionally given and without the possibility of a response to the donor or donee. Language is but one example of that without which thought cannot do without. Thought cannot think conditions prior to language; therefore, thought cannot provide an account for language outside of language. Language thereby holds a secret from thought that is heterogeneous to reason. This is an excessive beginning without which thought cannot do, despite the demand that to be reasonable, thought must take responsibility for its beginnings (GiD 6). Secondly, Derrida finds Patočka forced to account for "the secret of an orgiastic mystery that the history of responsibility must break with"(GiD 6). This 'break' is the demand that reason establish some starting point that is recognizably proper to the order of reasoning itself, rather than associated with the mysteriously secretive conditions to and from which thought might return. This is the responsibility Western metaphysics takes as its vocation: to inaugurate an autonomously generated origin. This 'break' would accomplish a freedom from secrecy for the sake of self-propriety.

Derrida's contends that "[t]his history will never come to a close. Any history worthy of the name can neither be saturated nor closed" (GiD 7). These two conditions are projects which aim at overcoming two kinds of death. The first is death as absolute loss in the form of non-knowledge, and death in the form of finitude. "Derrida's work is one long attempt to show how loss and death haunt everything, but most especially the writings of those thinkers who believe they can cheat death" (Dooley & Kavanagh 2007, 22). A thought capable of overcoming loss and death would be able to do away with the aleatory phenomenality of memory, inheritance and the future. This would entail the worst violence.

Derrida understands the work of philosophy to be an impossible vocation of inaugurating and then preserving some identity. This is the task of reasoning an absolute position for thinking. Derrida formulates the challenge of this task as follows:

> In the *classical* structure of their concept, a science, a philosophy, a theory, a theorem are or should be *intrinsically* independent of the singular archive of their history. We know well that these things (science, philosophy, theory, etc.) have a history, a rich and complex history that carries them and produces them in a thousand ways. We know well that in diverse and complicated ways, proper names and signatures count. But the structure of the theoretical, philosophical, scientific statement, even when it concerns history, does not have, should not in principle have, an intrinsic and essential need for the archive, and for what binds the archive in all its forms to some proper name or to some body proper, to some (familial or national) filiations, to covenants, to secrets. It has no such need, in any case, in its relationship or in its claim to truth - in the classical sense of the term. (ArF 45)

'Archive' is Derrida's manner of referring to the history of any given thought. A thought capable of cheating death would include the accomplishment of the absolute archive, since nothing would contradict it. Such a thought must propose and construct an archive without relation to any primordiality. The most successful archive would be one whose structure and contents are bereft of any historicity or finitude. Such an archive would be absolutely transcendent. Truths would be gathered in their restricted totality without relation to the finite actualities amid which they were realized. This archive would purport to present, fully and without the mediation of unnecessary contingencies, the truth of the truth. It would fulfill the condition of reasonable epistemic access in all its presentations, freed of any historical or genetic obfuscation that normally marks knowledge as finite. An example of this would be the successful completion of a 'theory of everything' which also includes itself.

As soon as this classical structure is challenged, then it is possible that proper names, signatures, proper bodies, filiations, covenants and secrets all come into play. "By incorporating the knowledge deployed in reference to it, the archive augments itself, engrosses itself, it gains in *auctoritas*. But in the same stroke it loses the absolute and meta-textual authority I might claim to have. One will never be able to objectivize it with no remainder" (ArF 68). A perfected archive would no longer be an archive, since it would be absolutely transcendentally comprehensive of all temporality. It would disappear from sensibility and visibility. It would have no future, since in relation to this perfection, there would be no future. A perfected archive would then also no longer be an archive because it would be inaccessible. There would be no temporal conjuncture not already comprehended by it from which it could be accessed. Such difference from the archive would be *prima facie* excluded. There would be no location outside such an archive from which to access it. The difficulty and madness of the absolute archive is that if it accomplishes itself without remainder, then this archive is inaccessible.

5.7 Derrida's 'Weak Thought': Hauntology

> To haunt does not mean to be present, and it is necessary to introduce haunting into the very construction of a concept. Of every concept, beginning with the concepts of being and time. That is what we would be calling here a hauntology. Ontology opposes it only in a movement of exorcism. Ontology is a conjuration. (SMa 161)

Ontology is hauntology. Metaphysics is hauntological. Whatever is taken to be fully present is, in fact and empirically, spectral. To presume otherwise quickly leads to more violence. This is what Derrida wishes to be understood: any act of language, which is the modality by which metaphysics and ontology accomplishes its representation, does not present some fully-present thing, but only the trace or remains of a ghost. The

abstraction of metaphysics from reality is the practice of what Derrida takes to be a truth elaborated in *Of Grammatology*'s reflection on Ferdinand de Saussure: meaning 'is' the relations of differences. As Werner Hamacher notes: "Every speech act which inaugurates something new, calling to life a subject, a contract or the Communist Party, posits something under the conditions of reality which has heretofore not existed: it therefore calls to life a thaumaton, a monster or a specter. Performatives, one could translate Derrida's thoughts, spectralize" (Hamacher 1999, 191). The possibility for the experience of meaning is grounded in the impossibility of presence. Derrida's hauntology is a non-idealized ontology, which makes his proposal hardly an ontology at all.

Hauntology: "We will take this category to be irreducible, and first of all to everything it makes possible: ontology, theology, positive or negative onto-theology " (SMa 51). Insofar as an act of language promises meaning, it is ghost-talk. Hauntology is the science of ghost-talk. Every logic of control: ontology, theology, positive or negative onto-theology - is founded upon hauntology of irreducible spectrality of promise; this is because every logic of control rests upon the conditions of language. "Speculation always speculates on some specter, it speculates in the mirror of what it produces, on the spectacle that it gives itself and that it gives itself to see. It believes in what it sees: in representations […] In this sense, speculation is always theoretical and theological" (SMa 146). This association of the theoretical and the theological discerns that there must be an extent to which each is equivocable with the other. To theologize is to theorize; theorizing is always somehow theological. The 'somehow' is the common spectral ground from whence the conceptual frameworks are postulated.

When metaphysics conceptualizes, i.e. posits some ontology, the results are performative specters. Concepts are not fully-present things, but ghostly apparitions. "To haunt does not mean to be present, and it is necessary to introduce haunting into the very construction of a concept" (SMa 161). This ghostly attribute facilitates diachronic transcendence, precisely by virtue of obtaining bereft of synchrony or position. It is not so much that concepts are exhaustible or expendable, but that their nature is 'weak' with respect to presence. According to Derrida, "a spectral response (thus informed by a *techné* and inscribed in an archive) is always possible. There would be neither history nor tradition nor culture without that possibility." (ArF 62f.)

When Derrida characterizes his reflections as the inhabitation of ruins, he is referring to metaphysics itself. "Ruin is not a negative thing. First, it is obviously not a thing" (AoR 278). Western philosophy is not grounded upon pure presence. Rather, it is inhabited by haunting. Every logos is not grounded on a basic and singular foundation, but upon iterability. Iterability is the modality of hauntology. If every experience is a haunting, then the most basic experience is of repetition.

The future shares the status of ontological particularity with every other structure that is almost-nothing. Derrida denotes this by the qualifier, 'if there is such a thing'. For any thing that is qualified by the uncertainty of 'if there is such a thing', there is a relation to finitude. For Derrida, to take finitude seriously is to take seriously all those things of which philosophy is uncertain, that of which it must be qualified as 'if there is such a thing'. Things which are certain are not philosophically compelling for Derrida, and Derrida wagers that philosophy is not driven by those things of which there is certainty. Philosophy seeks certainty as a wager against uncertainty. Perhaps, at some stage in

development of philosophical acuity, supposed uncertainties are dispensed with by establishing their actual certainty. In all likelihood, and this can be claimed of Derrida with certainty, this sort of philosophical accomplishment is not fundamentally satisfying.

The upshot of hauntology is that the ghostly is a factor in any relationship; that is, hauntology obtains amid differences. Ontology-cum-hauntology is not about the relation of 'real' entities whose presences are fully present to each other. "What happens between two, and between all the 'two's' one likes, such as between life and death, can only *maintain itself* with some ghost, can only *talk with or about* some ghost" (SMa *xviii*). One is represented to the other only by re-membering the inheritance of the other. The practice is that of language acts whereby one reaffirms the promise of the other by choosing to sift among the remains of the other. If the relation to whatever there is in the spacing of one moment could not possibly be all that there is, then 'spectral' appropriately names whatever there 'is'. There is some remainder resting somewhere that is an extra, a surplus, which is simply not inherited by that event.

A further upshot of hauntology is that the practice of metaphysics which takes finitude and history seriously will be a practice of mourning. All mourning, or in other words, all ontologization, depends upon the condition of language. Hauntology is a least violent ontology that resists the temptation to idealize the remains as fully present and absolutely re-membered things. Metaphysics deals with ruins and remains, rather than 'reals', whether they are of a sensible or intelligible. The stuff of metaphysics - whether the 'what is', 'there is' or 'consciousness of' - is not something that could be reconstructed into a positive presence, either empirical or psychical (SMa 9). The history of metaphysics is a an occlusion of the fact that "all ontologization, all semanticization -

philosophical, hermeneutical, or psychoanalytical - finds itself caught up in this work of mourning, but, as such, it does not yet think it" (SMa 9). This practice of mourning constitutive of metaphysics employs language to work its performative transformations of remains into that which is believed to be something. "What happens between two, and between all the "two's" one likes, such as between life and death, can only *maintain itself* with some ghost, can only *talk with or about* some ghost [s'entretenir *de quelque fantôme*]."(SMa *xviii*)

Derrida's prescribes the adoption of hauntological thinking as a way of understanding the world which has a greater possibility of leading to consequences other than the conditions which currently obtain in today's 'world'.

> So it would be necessary to learn spirits. Even and especially if this, the spectral, *is not*. Even and especially if this, which is neither substance, nor essence, nor existence, *is never present as such*. The time of the 'learning to live,' a time without tutelary present, would amount to this, to which the exordium is leading us: to learn to live *with* ghosts, in the upkeep, the conversation, the company, or the companionship, in the commerce without commerce of ghosts. To live otherwise, and better. No, not better, but more justly. But *with them*. No *being-with* the other, no *socius* without this *with* that makes *being-with* in general more enigmatic than ever for us. And this being-with specters would also be, not only but also, a *politics* of memory, of inheritance, and of generations" (SMa *xviii-xix*)

The spacing of the public space is what makes possible ontology, theology, positive or negative onto-theology (SM 51). The public space is the space for testimony.

Derrida's refusal and scorn for proposals, titles and notions about 'post-' designations is born of his position on inheritance, memory and hauntology. There is no simple 'after-philosophy' (TfS 10). These are born of historicist idealizations. To take history seriously is to resist the folly of 'the end of metaphysics' or 'after metaphysics'. To take history and finitude seriously is to make a commitment to practicing philosophy

from 'within' rather than post-, after, or beyond. "One cannot use a ruler to measure itself any more than one can use a balance to weigh itself" (Balkin 1994a, 12), and metaphysics must therefore affirm the inhabitation of its ruins. The only instance in which Derrida made any such claim was during one of his last public lectures. Despite resisting doing so over so many years, he ventured calling the last 200 years "post-Kantian modernity." (R 80)

A responsible account of history can only begin by developing the capacity to think by way of other headings. This is a question of the question rather than a question of programming the correct problem to be posed. "Like every history, the history of culture no doubt presupposes an identifiable heading, a *telos* toward which the movement, the memory, the promise, and the identity, even if it be as difference to itself, dreams of gathering itself: *taking the imitative, being out ahead, in anticipation (anticipatio, anticipare, antecapere)*. But history also presupposes that the heading not be *given*, that it not be identifiable once and for all." (OH 17-18)

The affirmation of the unique is the affirmation of finitude, which is also affirmative of the future. A serious history never rules the aleatory out from the future. A serious history takes its chances by saying 'yes' not once, but repeatedly, in order to affirm being haunted. History, taken seriously, is inaugural. By way of the acts of language by which it obtains, the significance of what emerges from any history is a function of whatever possibilities it opens or closes (Wood 2005, 37). To take history seriously avoids the fallacy of historicism by way of opening thought to the arrival of the future as not-yet determined. A certain messianic modality, without messianism, is the basic demand Derrida makes for those who wish to take history seriously. "To believe in

the horizon as such, to believe in its 'promise', whatever the empirico-historical failings of the inscriptions of this promise in the world, is, as Derrida has recently put it, 'messianist'." (Beardsworth 1996, 64)

The result of this sort of claim is the imposition of the future already within the midst of any consideration of what has come to pass. "And this is the day before us, to come, or more ancient than memory itself" (SMa 275). This imposition is made on the radical-empiricist grounds that the future, what is to-come, is already immanently fixed within what has come to pass. Such a hauntological method does the least violence and takes history most seriously.

CHAPTER SIX

SOVEREIGNTY AND THE APORIA OF DECISION

6.1 No 'turn'

Political thinking, according to Derrida, implicitly structures all philosophy and thought on the subject of philosophy (SMa 92). Indeed, Derrida understands his works as fundamentally political: "there never was in the 1980s or 1990s, as sometimes has been claimed, a *political turn* or an *ethical turn* in 'deconstruction', at least not as I experience it. The thinking of the political has always been a thinking of différance and the thinking of différance always a thinking *of* the political" (R 39). In another instance of retrospect, Derrida notes: "A 'philosopher' [...] would be someone who analyzes and then draws the practical and effective consequences of the relationship between our philosophical heritage and the structure of the still dominant juridico-political system that is so clearly undergoing mutation" (ARSS 106). "Every philosophical colloquium necessarily has a political significance [...]. Essential and general, this political import nevertheless burdens the *a priori* link between philosophy and politics, aggravates it in a way, and also determines it when the philosophical colloquium is announced as an international colloquium." (MP 111)

Morag Patrick's estimation of Derrida's work is just this: "From the opening pages of 'Violence and Metaphysics' the political bearing of Derrida's work is as much in evidence as the ethical" (Patrick 1997, 118). Derrida's critique of Lévinas did affirm not simply that ethics is as much first philosophy as ontology, but that there is something

about the political which also challenges the primoridality of ethics and ontology. This is the basis of the "unbreachable responsibility" (WD 80) announced by Derrida in '*Violence and Metaphysics*'.

6.1.1 Is Derrida Apolitical?

These claims strike Derrida's English-language critics as strange, since their accusations have often been that Derrida's philosophical practices are distinctly apolitical. For this reason, his work has been dismissed as lacking substance and import for today's world. For example Anne McClintock and Rob Nixon (1986) discuss Derrida's proleptic epitaph of South Africa's Apartheid laws: '*Racism's Last Word*,' (PIO 377-386). Their reading of Derrida is quite close, noting that "*le dernier mot du racisme*" - racism's last word - intimates that Apartheid is the last vestige of Western politically institutionalized racism, and that it is the apogee of institutionalized racism in terms of the orientation and organization of a state. What they do not notice is that Derrida is also drawing upon his 1968 essay, "The Ends of Man" (MP 109-36), which also proleptically claims that humanism had met its apogee and failure in the Cold War politics of the late 1960s.[1] In short, McClintock and Nixon find that Derrida places too

[1] In his opening to a lecture in New York in October 1968 at an international colloquium on "Philosophy and Anthropology" (the text of the opening is signed as 'written' [typed] on May 12, 1968) Derrida writes: "Let me be permitted to speak in my own name here. […] When I was invited to this meeting, my , my hesitation could only end when I was assured that I could bear witness here, now, to my agreement, and to a certain point my solidarity with those, in this country, who were fighting against what was then their country's official policy in certain parts of the world, notably in Vietnam […] And yet it would be naïve or purposely blind to let oneself be reassured by the image or appearance of such a freedom. It would be illusory to believe that political innocence has been restored, and evil complicities undone, when opposition to them can be expressed in the country itself […] That a declaration of opposition to some official policy is authorized, and authorized by the authorities, also means, precisely to that extent, that the declaration does not upset the given order, is not *bothersome*. This last expression, 'bothersome,' may be taken in all its senses. This is what I wished to recall, in order to begin, by speaking of the *form of democracy* as the political milieu of every international philosophical colloquium. And this is also why I proposed to place the accent on *form* no less than on *democracy* […] to the writing of this text, which I date precisely from the month of April 1968: it will be recalled that these were the weeks of the opening of the Vietnam peace

much within the purvey of 'apartheid', at the cost of historical circumspection, and that his use of the word 'apartheid' as a concept transcendentally elides historical particularities. For this reason, Derrida's reflection on 'apartheid' is taken to lack "strategic worth." (McClintock & Nixon 1986, 154)

This critique appeals to a certain transcendental power by which the 'salient' particularities of a history are gathered into one view. McClintock and Nixon find their analytical acuity to be superior by virtue of an enhanced historical selectivity. A more strategically useful reflection, then, would integrate "discursive, economic, political and historical analyses" that would refuse to attribute a monolithic racial ideology to South Africa. That capacity, however, requires an even greater transcendental situatedness vis-à-vis South Africa. It also supposes that Derrida could have written a piece whose effect would have not merely promised that apartheid would someday end, but a piece that would effectively bring apartheid to an end. McClintock and Nixon wanted Derrida not only to promise a future without an ideology of separateness, but to effect it. As a result, their critique elides the critique of transcendentals made by Derrida. 'Apartheid' is not merely a 'watchword'[2] as the last word and end for what was at that time taking place within South Africa's borders. Derrida's proleptic epitaph is not only reserved for that political entity; Derrida is calling for the end of all that goes on in the name of 'separateness', which is the literal translation of 'apartheid'. Derrida finds prolepsis in the manner that one state's racist policy came to an end by the exhaustion of the

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talks and of the assassination of Martin Luther King. A bit later, when I was typing this text, the universities of Paris were invaded by the forces of order - and for the first time at the demand of a rector- and then reoccupied by the students in the upheaval you are familiar with. This historical and political horizon would call for a long analysis. I have simply found it necessary to mark, date, and make known to you the historical circumstances in which I prepared this communication. These circumstances appear to me to belong, by all rights, to the field and the problematic of our colloquium" (MP 113-114).

[2] PIO 378; McClintock & Nixon 1986, 142.

conceptualization of politics as the interaction of sovereign, i.e. separate, states in a global economy. Sovereignty, according to Derrida, is the autonomy and omnipotence of the subject, individual, or state. (WAl 243)

6.1.2 Separateness and Metaphysics

Derrida's last word on racism promises the end of 'separateness'-based politics as well as the sovereign political subject. This includes the attendant metaphysics which always requires organized violence against historical particularities. This position follows on his 1968 declaration on the end of the separateness of 'man' as a being who claims transcendental superiority over all other 'things':

> A radical trembling can only come from the *outside*. This trembling is played out in the violent relationship of the whole of the West to its other, whether a 'linguistic' relationship (where very quickly the question of the limits of everything leading back to the question of the meaning of Being arises), or ethnological, economic, political, military, relationships, etc. Which does not mean, moreover, that military or economic violence is not in structural solidarity with 'linguistic' violence. But the 'logic' of every relation to the outside is very complex and surprising. It is precisely the force and the efficiency of the system that regularly changes transgressions into 'false exits'. (MP 135)

The apartheid regime did eventually come to an end some time after the publication of Derrida's meditation on separateness. The end of apartheid, according to Derrida, would take place with the end of white South African sovereignty.

As a particular manifestation of the metaphysics of sovereignty, of separateness, "racism always betrays the perversion of the human as a talking animal" (PIO 379), which is an animal who, by acts of language such as 'apartheid' attempts to mark a transcendental difference from 'other' things, such as blacks in this case. The conditions of 'talking' requires a continual re-marking of difference whose iterability inevitably leads to contaminations rather than preservations of separateness. These transgressions

threaten the separateness, unless they can again be re-marked, by another act of language, as 'false exits'. For example, each iteration of laws precisely in order to preserve the apartheid régime did not bring to an end the need for more laws. Derrida's point is that these performances of separation are undone by their own logic as attempts to preserve a teleology of sovereignty in spite of the necessity of relation.

McClintock and Nixon's history lesson is not a substantive critique of Derrida's deployment of apartheid as a watchword. Instead, they simply give further demonstrations of the self-defeating linguistic accretions by which the South African whites attempted to preserve their state. Derrida's flaw, in their perspective, is a portion of what he meant to say: there is a continuity between apartheid as state policy and 'apartheid' inherent within the history of state sovereignty, which is conceptualized by an ontological separation of man from not-man, the human from the not-human, and other metaphysical oppositions. The conditions of this historical particularity is the separation of the white citizen from the non-white not-full citizen. Such declarations of separation retain adherences to the discourses of totalitarianism. (MdM 244)

This is one among many cases in point developed throughout Derrida's works. Derrida is drawing attention to a homological chain: the apartheid policy, state's attempts to inaugurate and preserve its sovereignty, the conceptualization of states as sovereign entities, and the ontology of Western metaphysics which determines actual entities either as transcendentally or atomistically non-divisible, and hence sovereign. The privileging of presence referred to by Derrida (OG 12) manifests itself here as a sovereign teleology, demonstrates the continuity of Derrida's works. It also helpfully explains Alex Thompson's observation: "The hyperbole and hysteria attendant on the dissemination of

Derrida's work in the English-speaking world has stemmed not from the lack of a political dimension, but from the fact that the political implications of deconstruction are so excessive and disconcerting as to be almost unrecognizable" (Thomson 2005, 2). Derrida's critique of South African apartheid is fundamentally grounded in his critique of Western metaphysics.

6.2 'The Political' and 'Politics'

Derrida's works are normally concerned with the political. And so, these works do not avoid politics. The political is that which gathers and founds the general conditions for the restricted forms of politics; the political provides the possibility to conceptualize sovereignty, which makes possible the gathering of thought and action in the politics of sovereignty. Politics is concerned with establishing normative relations between subjects and their others, such as South Africa's apartheid legislation. When the political is restricted by a metaphysics that establishes subjectivity vis-à-vis an ontology of primordial separation from and against others, the energy is supplied for such legislation. This inhuman 'energy' of the political is enables the human creation of politics. (Goodchild 2007, 74)

Said otherwise in French, *la* politique involves discourses on politics as a structural condition for *le* politique, which involves the immediate strategies and forms of contestation. This distinction does not obtain as clearly in English. *Le* politique is what usually passes for 'politics'; to engage in politics is to enter into agon, strife, and struggle. *La* politique generally obtains even in the absence of politics; political inventions and innovations can be inaugurated without the horizon of an already determined politics.

The structural conditions inaugurated establish the possibility of their conservation by enunciating differences, setting limits, and practical enforcements.

The political is the energy which founds the conditions for politics. Politics is then the genre of discourses which elaborate some politic that normatizes the relations of political subject and its others. Derrida articulates his understanding of the political through his readings of metaphysics. Much of what passes for metaphysics is also the practice and formation of a politic. The metaphysical debate is regularly a discourse on what belongs and what does not, what relations can obtain and which cannot. Metaphysics also involves communities who decide what is admissible and what is to be excluded from their community. Metaphysics obtains its rigour by virtue of such politics of gatesmanship. Derrida sets out to highlight the importance of the political (Beardsworth 1996, 19), from which politics emerge, rather than to make some final declaration on what politic should win the day. His works, by Geoffrey Bennington's summation, "do not provide a theoretical model for politics so much as it strives to keep open the event of alterity which alone makes politics possible and inevitable, but which political philosophy of all colors has always tried to close." (Bennington 2001, 207)

A critique of metaphysics always entails pronouncements about the political, which is inseparable from politics. This is because the practice of doing metaphysics includes the practice and formation of politics. Metaphysical pronouncements on contents, limits, borders, margins, form and structure are also political determinations. Logic is normally thought to obtain rigour by virtue of its politic of gatekeeping. Reason is normally thought to be rational only once a politics of exclusion has segregated rational thought from what is irrational, and the philosophical from the nonphilosophical. Only

within these normatizing strictures is it possible to determine something as 'apolitical'. Only that which rests after the work of politics is finally determined as 'apolitical' *per se*. Derrida's proleptic epitaph for South African apartheid is apolitical only if sovereignty, either as a transcendental privilege over not-white men or history, is taken as normative.

"Derrida's insistence and characteristic wish [is] to pass through the transcendental in order to recognize the law of contamination and begin to think through its ethico-political consequences" (Beardsworth 1996, 20). He pursues the implications of his 'law of laws' not outside the text where no concept, its metaphor, and metaphysical claims can remain singularly metaphysical. "There is nothing outside of the text" (OG 158), is not the restatement of genetic fallacy; it states that the network of relations with a text will always be mediated and will never be complete. The very conditions for concepts are founded in the necessary contamination of the transcendental 'meta' with that which is transcendentally incapacitated: the finitude of light (*phos*) and existence (*physica*). 'Immanence' might be one way of describing this, but with the difficulty that the one proclaiming 'the immanent' often supposes the possibility of being 'transcendent'. Neither one escapes the other, which is why Derrida is not satisfied with Platonisms and Monisms. His most powerful example is that of philosophy's inability to escape from language. There is no purely immanent or transcendent language. And so, if one cannot escape the other, they are bound by a law of contamination. There is no pure 'inside-text' or 'outside-text'.

On the grounds of the political does politics make differences evident. What this distinction reveals is that the structural conditions of the political do not necessarily establish any particular politics as normative or primordial. Only if there is a single

account of the political is there a singular politics. Only if there is a solitary thinking of the political is there only one teleology for politics. This kind of thinking, singular and teleological, is the work of political theology. As political, political theology presupposes an origin and destination for politics. Rather than secure politics, however, reflection on political theology opens onto the possibility of unsettling political origins and destinations. Anyone doing this, in turn, unsettles the trajectories and ends of politics-as-usual. This helpfully explains why Simon Critchley's criticism, that the "worst thing" about Derrida's works is the refusal of politics (Critchley 1992, 200), is so profoundly mistaken. Derrida does not 'refuse' politics; rather he does demonstrate the resistances to thinking within the strictures of politics-as-usual.

Derrida's works unsettle politics by bringing the political to attention. For example, if iterability as the condition for meaning requires that the origin and destination of any act of language cannot be secured, then politics loses its determinacy in the political. Aside from reflecting on apartheid and the events of May 1968, Derrida finds that the ramifications of his thinking for the political also touch actualities in politics such as the state of Europe's future, the continuation of the Enlightenment, the international and global political orders, the lives of imprisoned intellectuals - whether in Prague (1981) or America (Mumia Jamal Abar), the establishment of 'cities of refuge' for writers, the rights of illegal immigrants in France (*les sans papiers*), the 'reconciliation' of so many official government apologies, the abolition of the death penalty, and the problem of rogue states.

Derrida, it is argued here, only considers 'machines' as possible candidates for sovereignty. Only the *mékhané* is sovereign. That which is *ex machina* is capable of

effecting affects in economies without itself being economized. The political is ultimately for Derrida one way of naming that space within which conceptualization takes place. For him Plato's term *khōra* also is the spacing within which things and their relations come to pass. *Khōra* and the political, however, gesture to the spacing of things rather than the things themselves. There is no 'political' or '*khōra*' itself. In brief, sovereignty is of politics and not essentially of the political. Sovereignty, if it were possible, comes to pass within the space of the political, but the space of the political is not itself sovereign among other things. It is for this reason that Derrida can ask whether the political is a universal translating machine (PoF 196). As a 'universal difference facilitator', the political is actually almost nothing. If its candidature as sovereign is actual, this sovereignty is one that makes space for the coming to pass of what is its other: politics. On the grounds of this argument about the political Derrida rejects sovereign teleologies in politics and metaphysics.

According to Derrida, the political as universal lacks any teleological orientations. Thereby, any determinate politics is also found to be radically lacking any fundamental teleology. This is necessary on the same conditions as thinking and language. This, in turn, founds the necessity for doing politics. So long as it remains without determinate destiny, politics remains. If there were a finally determined political programme, there would be no more politics. That would amount to the termination of politics. The space of the political, which makes for the coming to pass of politics, is what Derrida describes as the undecidability of the 'perhaps' (see ## 5.4.2 & 5.7). This sovereignty is of a different kind, one that would reinscribe the political:

> It was then a matter of thinking another historicity – not a new historicity or still less a 'new historicism' but another opening of event-ness as historicity – that

> permitted one not to renounce, but on the contrary to open up access to an affirmative thinking of the […] promise: as *promise* and not as onto-theological or teleo-eschatological program or design. Not only must one not renounce the emancipatory desire, it is necessary to insist on it more than ever, it seems, and to insist on it, moreover, as the very indestructibility of the 'it is necessary' [*il faut*]. This is the condition of a re-politicization, perhaps of another concept of the political. (SMa 75)

In this way Derrida's thought can be understood as a reinscription of the political in order to open the possibilities for inventive politics. "The aporia of the *event* intersects with, but also capitalizes or overdetermines, the aporia of *decision* with regard to the *perhaps*. There is no event, to be sure, that is not preceded and followed by its own *perhaps*, and that is not as unique, singular and irreplaceable as the decision with which it is frequently associated, notably in politics" (PoF 68). Sovereign separateness, according to Derrida, is effectively undone by the aporia of decision. Politics as the exercise of sovereign determination is precisely the sort of teleo-logic which today is overdetermined by events rather than determinant of them. "Undecidability in no way alleviates responsibility. The opposite is the case. We cannot be excused from our own role in history because we could not know so as to be reassured that we were 'right' in advance" (Cornell 1992, 169). If there is no such thing as 'sustainable sovereignty', then politics and the political must be reinscribed.

Where 'perhaps' is the modality of the political, Derrida holds that affirmation is the preeminent form of politics (SMa 35). More specifically, Derrida is interested in politics that affirms the political, the preservation of space for politics. This politics of affirmation is the modality of working from within and inhabiting the structures one is aware of, but not so as to determinately preserve the trajectory of the present. This politics of affirmation refuses to be annihilated by current politics, nihilism or

destruction. It is on these grounds that Derrida promised not only the end of South African apartheid before its time, but also the end of the concept of sovereignty which enabled such politics in the first place.

6.3 Sovereignty and the Task of the Philosopher

Foundational to Derrida's criticism of the *status quo* in philosophical practice is what could be called the paradox of sovereignty. This paradox connects the difficulties of Western metaphysics with those of its politics. Each manifests repeated attempts to establish a state of sovereignty whose capability is twofold: to be transcendent of any condition, and to produce effects within finitude. This is the objective, for example, of the unmoved-mover, the *cogito*, or the transcendental ego. The paradox is that only that which is 'almost nothing' can affect conditions and finitude without being affected itself. Anything more substantive cannot be actual without having its being affected. In other words, nothing outside the text can affect the text without already being affected by the text. Only the almost-nothing of this law of laws is on the margins or at the limits of the text. But it would be nothing without text. It is the 'text without text' whose necessity is that there be 'more than itself'. The negative capability of this sort of unarmed helplessness is terrifying for those who would think that any ontology fundamentally requires an unaffected sovereign.

The modern conception of sovereignty is not only part of a political theology, but sovereignty itself is a "theological phantasm" which has helped produce the most traumatic and cruel events of today (WAl 244). This phantasm has very empirical outcomes in terms of state actions, economic powers, media powers, ideological powers, religious powers, and cultural powers. "A 'philosopher' [...] would be someone who

analyzes and then draws the practical and effective consequences of the relationship between our philosophical heritage and the structure of the still dominant juridico-political system that is so clearly undergoing mutation." (ARSS 106)

The teleology of sovereignty enables politics that perpetrate cruelties, traumas, structural violence, and genocides. The phantasmic nature of sovereignty obtains because of its insistence upon unaffected purity. Sovereignty, if there is any, would be pure and unaffected by history; a pure concept, sovereignty would be life in its pure state (AnIA 391). According to Derrida, "*it is necessary to deconstruct sovereignty, more precisely, the phantasm - thus a certain fable and a certain 'as if' - of the political onto-theology of sovereignty. But without simply losing the horizon of its unity, sovereignty divides two or three times. Its concept has been constantly displacing itself throughout history"* (WAl xix). In other words, sovereignty must undergo a reinscription if it is to cease being a support for the worst evils.

Derrida's foregrounding of the political is meant to unsettle the politics of sovereignty. "The deconstruction of the concept of unconditional sovereignty is doubtless necessary and under way, for this is the heritage of a barely secularized theology […] the value of sovereignty today is in thorough decomposition" (WAl 207). Derrida is the advocate of an unconditional sovereignty: a sovereignty without condition, at least without the conditions of today. Ultimately, Derrida wishes for a form of secularization unlike that of *laïcization*. For Derrida, the renunciation of conventional sovereignty and its teleology would open the way towards a different understanding of power politics, "in short, to all the powers that limit the democracy to come" (WAl 205). "Performativity is still found, like the power of language in general, on the side of the

sovereignty that I would like, however difficult this may see, to distinguish from a certain unconditionality in general, an unconditionality without power." (WAl 301n.3)

6.3 Sovereignty in Question

If 'sovereignty' remains in this construal of politics, it is not sovereignty as mastery but as a capability to be put into question. Such a sovereignty is capable of other headings than its own. One shortcoming of today's politics is that its sovereignty is a 'rogue' form. "The agency that decrees the absolute punishment [...] must logically be in a position to determine absolute responsibility" (Lingis 2000, 45). The modern state possesses both of these capacities in its absolute right, as well as this responsibility in the form of the duty to institute law. And yet, conventional state politics willingly affords itself the liberties of the former while seeking to mitigate the latter. The result is an international 'order' which is more truthfully an ad-hoc collection of Westphalian rogues.

"What is 'coming to pass' or 'happening' today in techno-science, in international law, in ethico-juridical reason, in political practices and rhetorical strategies? What happens when we put to work within them the concept and the name of *sovereignty*, especially when this concept and this name, in the power of their heritage and of their ontotheological fiction, appear less legitimate than ever?" (R xiii) The logic of sovereign teleology today locks states and their agents into ever more precarious positions. The fact is that sovereignty is being overrun by numerous forms of global capital. It is increasingly less credible to think of globalization as an 'international' phenomenon because the compromise of 'nation' is fundamental to its events and processes. To ground the axiomatics of responsibility in the sovereignty of the subject, be it state or person, is also decreasingly credible. This is one of sovereignty's ironies:

not only is it vested with foundations of morality, law, politics, and human rights, but also it provides the most unshakable alibi for refusing responsibility and opting rather for non-relation. The Apartheid-régime in South Africa is but one example.

According to today's politics, the essence of sovereignty is its exceptional indivisibility and propriety. This sovereignty demands that there be a proper graphical place with an absolute border. As a result, the universal aspirations of democracy and the exclusionary demands of sovereignty make for strange and disconcerting results. "Authority, far from being abolished by democracy, recurs in a disguised form where its power is unlimited. The nature of such power in the contemporary world remains a theological-political problem." (Goodchild 2007, 33)

6.3.2 Theologico-political Secularism and Sovereign Nations Today

Jürgen Habermas also thinks that Derrida either refuses politics or is confused about politics. Somewhat akin to McClintock and Nixon, Habermas accuses Derrida of neglecting to draw upon empirical social research and consequently to be not sufficiently specific (Habermas 1997, 161-210). Derrida's challenge to the presupposition of invariable conditions for politics, such as sovereignty, is taken by Habermas to entail an abandonment of the subject (Habermas 1997, 167); Derrida has retreated to theology rather than having engaged the theology of the political. Furthermore, Habermas does not take the difference between the political and politics to entail that the former is prior to the latter, not subject to its ontology; therefore for him the political is neither foundationally nor programmatically determined. Instead, he argues that Derrida is proposing grammatology as the new political science. (Habermas 1997, 180)

In his defense, at a conference table shared with Habermas, Derrida emphasized a different reading of his works: "The fundamental concepts that often permit us to isolate or *pretend* to isolate the *political* […] remain religious or in any case theologico-political" (AR 63). Politics-as-usual naïvely claims that the *res publica* is founded and preserved by a secularized and 'neutral' horizon. This is to claim that there is one politics, with one teleology emanating from one source of the political. One profound result of this naïveté is that the deployments of force in the name of so - called secular politics - such as more than 15 000 NATO bombing missions over Yugoslavia from March 24 to June 9 1999 - is taken to be justified and legitimate, and thereby perhaps not even violent.

Derrida argues that the singular ordering of politics according to 'sovereignty' and 'state' are the most powerful and oppressive forms of 'cultural takeover' at work in today's world. Violence can go almost without restraint when it is borne of a construal of the political as singular and politics as determinate in form. The stipulations made about language and procedure by the Frankfurt Critical School's regarding openings of political space are effectively coercive: they cannot accept proposals of other headings. Derrida directly refers to Habermas on this point when he states:

> Under the pleading for transparency (along with 'consensus,' 'transparency' is one of the master words of the 'cultural' discourse I just mentioned), for the univocity of democratic discussion, for communication in public space, for 'communicative action,' such a discourse tends to impose a model of language that is supposedly favourable to this communication. Claiming to speak in the name of intelligibility, good sense, common sense, or the democratic ethic, this discourse tends, by means of these very things, and as if naturally, to discredit anything that complicates this model. It tends to suspect or repress anything that bends, overdetermines, or even questions, in theory or in practice, this idea of language. (OH 54-55)

In a 1995 essay, Derrida decries the atrocious 'wars of religions' whose figures are those of evil and the worst. He places 'wars of religions' in the suspension of inverted commas because they are organized today by the discourse of a political theology of sovereignty and states. For this reason he rhetorically asks whether or not warmaking and military interventions by Western countries are wars of religion (AR 63). The atrocities prosecuted in the name of democracy are enabled by conventionally idealized sovereignty. "The hypothesis would not necessarily be defamatory, nor even very original, except in the eyes of those who hasten to believe that all these just causes are not only secular but *pure* of all religiosity" (AR 63). When it comes to the political theology of the sovereign state, Derrida opts to withhold his belief: "The stranger speaks badly of evil; he no longer believes in the sovereign, neither in sovereign good nor sovereign evil" (WAl 279). Derrida is a practicing atheist in this specific respect: a theologico-political atheist who refuses to think that the political and politics are singular in origin and *telos*.

This is how Derrida is *at once* political and apolitical. His critics are partly correct, since the prescription is for a practice of philosophy whose primary constituents entail a critique of sovereignty.

> Thinking's task today is to tackle, to measure itself against everything making up this program of contamination. This program forms the history of metaphysics, it informs the whole history of political determination, of politics as it was constituted in ancient Greece, disseminated throughout the West and finally exported to the East and South. If the political is not thought in this radical sense, political responsibility will disappear. (N 237)

Derrida calls philosophers to political and legal responsibility. Where ethics, so forcefully determined by Lévinas, is the matter of the singular relation between singularities, politics is the matter of plural relations among many singularities.

6.3.3 Derrida's Appropriations of Carl Schmitt

Derrida's claim about the theological essence of modern politics is what he acknowledges as correct in the thought of Carl Schmitt. Many of Derrida's most recognized later works contain substantial engagements with Schmitt's thought (FL 1992; PoF 1997; FK 1998). Schmitt's reflections on modern politics rests upon the following claim: "All significant concepts of the modern theory of the state are secularized theological concepts" (Schmitt 1985, 36). Schmitt seems to have seen something correctly: many of the seemingly intractable problems of modern politics are, as Derrida writes, "*theological-political, like all the concepts plastered over these questions.*" (AR 46)

Schmitt's seminal work on political theology takes into account the last 400 years of European history as a reaction to the turmoil of the sixteenth century. What some took to be the widening of a secular political order whose teleology would be a rational society, Schmitt took to be a minimally productive appeal to another set of values which were hoped to be 'higher'. Schmitt argued that the state cannot sufficiently define the political; the political is that which makes the state and its politics possible. The modern state and its reliance upon sovereignty is not the outcome of rational necessity, but simply one possible outcome of the political. For Schmitt, the rise of the state flows from a pure potentiality that resides amid the socius. The political, then, is that potentiality at work in

human decisions which organizes some plurality of subjects. The political then introduces a supplementary energy which can either threaten or strengthen.

What seemed a necessary teleology of the modern state from Hobbes to Hegel is thought to be contingent by Schmitt. According to Schmitt's reflections, no political entity can claim to be universal. This is due to the capacious nature of the political, which supplies the possibility for an entity's politics. No politics can claim to embrace all of humanity or the entire world, and therefore no politics can become universal. It is necessary that politics retain some exclusivity vis-à-vis others in order to remain political. (Schmitt 1976, 53)

Schmitt's reasoning is that an actual political entity presupposes the real existence of another political entity, which is necessarily an enemy. This is the grounds for his claim that there is no politics of humanity, since such a political entity would lack an enemy. Schmitt's anthropocentrism is not unique, but is a general presupposition of Western philosophy. Normally, the only 'others' are those who share qualities with 'man', the talking animal. "When a state fights its political enemy in the name of humanity, it is not a war for the sake of humanity, but a war wherein a particular state seeks to usurp a universal concept against its military opponent" (Schmitt 1976, 54). According to Schmitt, waging war in the name of humanity - or a religion for that matter - reveals the requirement of enmity basic to the nature of politics. Universals are deployed in politics as weapons. Claims to such universals as peace, justice, progress are made out of enmity, in order to deny them from an enemy. A war in the name of humanity allows for the denial of the enemy's humanity. "To confiscate the word 'humanity', to invoke and monopolize such a term probably has certain incalculable

effects, such as denying the enemy the equality of being human and declaring him to be an outlaw of humanity; and a war can therefore be driven to the most extreme inhumanity" (Schmitt 1996, 54). As such, 'humanity' serves imperialist expansion and economic imperialism. This sense of Schmitt's thought is purposely drawn upon by Derrida's critique of Habermas, against the presumption of a rationally unified communicative and discursive practice.

Schmitt concerns himself solely with the political, which infuses politics with its energy. "War follows from enmity. War is the existential negation of the enemy. It is the most extreme consequence of enmity. It does not have to be common, normal, something ideal, or desirable. But it nevertheless must remain a real possibility for as long as the concept of the enemy remains valid" (Schmitt 1976, 33). In this situation, the identity of the enemy is established by the state; since a political entity must establish enemies. These enemies need not be immediately engaged in outright conflict; only the possibility of engagement in violent struggle must be sustained. Derrida's paraphrase of Schmitt's insistence on the enemy is transposed into the grounds for one of the most powerful phrases in Enlightenment metaphysics: "Without an enemy, I go mad, I can no longer think, I become powerless to think myself, to pronounce '*cogito, ergo sum*'. For that I must have an evil genius, a *spiritus malignus*, a deceitful spirit" (PoF 175-6). For Derrida, Schmitt's reflection on the political also reflects the ontology of enmity which energizes so much of metaphysical reflection.

6.3.4 Lévinas and Schmitt

This resonates with Lévinas' evaluation of metaphysics in *Totality and Infinity*: "Violence in nature thus refers to an existence precisely not limited by an other, an

existence that maintains itself outside of the totality. But the exclusion of violence by beings susceptible of being integrated into a totality is not equivalent to peace. Totality absorbs the multiplicity of beings, which peace implies. Only beings capable of war can rise to peace. War like peace presupposes beings structure otherwise than as parts of a totality" (Lévinas 1969, 222). War and peace appear the same from the panoramic perspective of totality as described by Lévinas. In war there is a refusal of commitment to certain others, and metaphysics which presumes ontology as first philosophy would retain this enmity as its starting point, for example reason which identifies itself by a politics of rationality, versus irrationality and philosophy versus the nonphilosophical.

Lévinas' discussion of war waged by the black light of ontology (# 5.2.4) is a politics of xenophobic allergenics: war is the attempt to heal by allergenic exteriorizing of others in order to inaugurate and conserve the coherence of a subject's interiority, which is that of the sovereign state. Metaphysics practices apartheid. Lévinas rightly arguees that this politic is self-defeating. The xenophobic offensive is not the best defence, since it nevertheless requires contact with that which is excluded. Each parry and blow effects precisely what it is supposed to repel, namely contact with the enemy. Lévinas describes the war waged by totality as comprised of attempted murders which comes up short against what he calls 'the face'. "It can aim at only a presence itself infinite despite its insertion in the field of my powers. Violence can aim only at a face" (Lévinas 1969, 225). Lévinas' argument is that warring against any other involves the paradox that the asymmetrical violence intended to effect fatality meets the infinite asymmetry of the face. Derrida's remark is that Lévinas' argument is simply an attempt to 'outgun' *his* enemy by claiming that the face always sends forth the same moral

command: thou shalt not murder (Lévinas 1969, 225). In *Totality and Infinity*, Lévinas argues that metaphysics is forced to be primarily ethical, rather than ontological, in spite of itself. "The for itself, essentially mortal, does not only represent things to itself, but is subject to them." (Lévinas 1969, 235)

In this early work, Lévinas' ethics is proposed as a polemical alternative to the ontological fixation of metaphysics-as-usual practiced by Western philosophers. By virtue of the 'face', Lévinas inaugurates an infinite responsibility whose injunction is pressed upon every subject involuntarily and singularly. This responsibility refutes the primordiality of ontology by means of a normative rejection of rules and order in advance through the encounter of the face. In a radical sense, Lévinas establishes the Humean distinction between 'is' and 'ought' by not only proposing an absolute break between the two, but by absolutizing the 'ought' to the power of infinity. This unique 'ought' inaugurates ethics as first philosophy because openness to the face of the other is determined by Lévinas as the foundational condition of possibility for all thought. Even thinking the is-ought break itself is posterior to the logical primordiality of this possibility.

Perhaps unwittingly, as Derrida notes, Lévinas only reproduces the politics he opposes. This would seem to confirm Schmitt's point: " All political concepts, images and terms have a polemical meaning. They are focused on a specific conflict and are bound to a concrete situation; the result [...] is a friend-enemy grouping, and they turn into empty and ghostlike abstractions when this situation disappears" (Schmitt 1976, 30). For Lévinas' to discuss war, one cannot avoid politics. And metaphysics cannot escape politics of separateness in establishing its concepts.

Schmitt intended for his friend-enemy to function in politics as does good-evil in moral philosophy (Schmitt 1976, 26). His critique of modern political thought is that the universalization of the political subject excludes the consideration of the 'energy' of the political. This he takes to be the friend-enemy distinction. The instructive outcome of his analysis is that the political nature of the subject includes an aspiration to sovereignty whose actualization must be denied if the subject is to retain its energy. Derrida notes this as important: the actualization of subjectivity lacks propriety without others; it is that lack which makes others necessary. The limits of one alone (Western ontotheological metaphysics) or alone-as-other (Lévinas) are where the spacing of subjectivity comes to pass. The capacity for any subject's subjectivity - its energy - depends upon others. The possibility of sovereignty, if this be paradigmatic of the subject, necessarily requires its impossibility. Rather than occlusion by means of appeals to mastery, totality or infinity, taking Derrida's point into account may enable the avoidance of the worst. The sovereignty of 'man,' 'state,' 'subject,' or 'humanity' retain their political energy by pursuing inhumane politics.

6.3.5 Michael Hardt and Antonio Negri on Sovereignty

This last point strikes against the modern conceptualization of sovereignty. As Michael Hardt and Antonio Negri note, the transcendence of sovereignty is meant to be the adequate response to the revolutionary dimension of modernity:

> The realm of potentiality, which had been opened by the humanist principle of subjectivity, is limited *a priori* by the imposition of transcendent rule and order. Descartes surreptitiously reproposes theology on the terrain that humanism had cleared, and its apparatus is resolutely transcendental. (Hardt & Negri 2000, 80)

> Politics resides at the center of metaphysics because modern European metaphysics arose in response to the challenge of the liberated singularities and the revolutionary constitution of the multitude […] In politics, as in metaphysics, the dominant theme was thus to eliminate the medieval form of transcendence, which only inhibits production and consumption, while maintaining transcendence's effects of domination in a form adequate to the modes of association and production of the new humanity. (Hardt & Negri 2000, 83)

Claims to sovereignty are necessarily historicist claims, which entail second and tertiary violence (# 5.2.1). Sovereignty requires making a position into an absolute beginning in the name of procuring authority over whatever follows from its inauguration. Any sovereignty must include the presupposition that the sovereign position is one which is temporally half-open and provides the *arkhein protéron* from whence all other recognizable presents are synchronically organized. Sovereignty is necessarily diachronically transcendent and synchronically immanent. To take reason alone as sovereign entails this, as much as claiming any other sort of sovereignty, such as that which theists do for God.

As Derrida notes, whether it is in the name of reason or religion, "nothing is less sure than a god without sovereignty" (R 114). That said, Derrida's prescription does not amount to something like Lévinas' attempt to overwhelm metaphysics with asymmetry. Instead, Derrida argues for a reinscription of sovereignty, subjectivity, and also God. He claims not only that nothing is less sure than a god without sovereignty, but that this is precisely the kind of god which is needed. It is necessary that there be a god who lacks necessity. In his discussion of the future of democracy and the nature of rogue states, Derrida remarks about this 'new' god: "nothing is less sure than his coming, to be sure. That is why we are talking, and what we are talking about." (R 114)

6.3.6 Michel Foucault's Genealogy of the Sovereign

Sovereignty is derived from the right of the father, *patris potestas*, as "the right to *take* life or *let* live" (Foucault 1990, 136). The right to take life has been translated into two rights of the sovereign. Foucault quotes Samuel von Pufendorf in order to articulate the classical theorizing of sovereignty. (Foucault 1990, 135) The sovereign's right to defense comes about by exposing the lives of its children and slaves to risk. Foucault notes how this is not equivalent to directly causing their death, although their exposure to risk is asymmetric to the sovereign's privilege to continue living. The sovereign could legitimately require that his subjects war on his behalf. If a subject transgresses the sovereign's laws, then by the same right as can the subject's right to life be revoked as the ultimate rejoinder. *Patris potestas* was then a subtraction, where the sovereign's capability was a right of seizure. "Power in this instance was essentially a right of seizure: of things, time, bodies, and ultimately life itself; it culminated in the privilege to seize hold of life in order to suppress it" (Foucault 1990, 136). The important point is what the capacity of the sovereign did not include, namely any generative capacity. Under the classical theory of sovereignty, taking life or letting live does not entail any capacity to give life or make live.

Foucault meant for his genealogy to set into relief the new form of modern sovereignty, which departs from *patris potestas* towards power as a function of administration. The modern sovereign is described by Foucault as a new juridical being. The asymmetry of *patris potestas* is displaced by a more radical asymmetry whose effect is to render all subject's relations to an order of sameness (Foucault 1990, 135). In this sense, Foucault's analysis agrees with that of Lévinas, as he begins with Hobbes'

proposal: each individual possesses a natural right to defend and develop its life - even at the expense of others' lives. This right is ceded to a reinvented sovereign who administers the development of its subjects' lives by means of a "life-administering power" (Foucault 1990, 136). This also reinvents the sovereign's "power of death," which "exerts a positive influence on life, that endeavors to administer, optimize, and multiply it, subjecting it to precise controls and comprehensive regulations." (Foucault 1990, 137)

At the juncture of modernity the sovereign's capacities are conceived to include a power over life. Foucault's goal is to elaborate the "*anatamo-politics of the human body*" (Foucault 1990, 139) and "*a bio-politics of the population*" (Foucault 1990, 139). In modernity the biological and the historical, previously outside the sphere of the sovereign's influence, are now subject to managerial processes. Modern sovereignty is then the organization of power over life as anatomic and as biological, "a power whose highest function was perhaps no longer to kill, but to invest life through and through" (Foucault 1990, 139). This is a substantial shift in the understanding of sovereignty and the capacity of the sovereign.

From Foucault's point of view, modern sovereignty is fundamentally incommensurable with classical sovereignty. The situation is not contrary or contradictory, as there are no lines of continuity that would arrange their relation on horizontal or vertical planes. Comprehending life solely in the domain of value and utility requires the dissolution of classical sovereignty (Foucault 1990, 144). The modern conceptualization of the sovereign and sovereignty shifts to a ubiquitous capacity to effect absolute change within a jurisdiction. In effect, the scope of 'universality' is

greatly expanded to an expectation of unlimited capability. The outcome is positively post-Westphalian, since each sovereign or sovereignty expects its powers to be in principle absolute rather than mutually limiting. Modern power "does not have to draw the line that separates the enemies of the sovereign from his obedient subjects; it effects distributions around the norm." (Foucault 1990, 144)

On the basis of this universality, the modern sovereign does not expose the lives of its subjects in the defense of himself. Instead, the subjects are mobilized by the sovereign on the grounds of ensuring their common natural right to defend their collective lives. They wage war not to defend the sovereign, but to secure their lives from the outset. This reorganization of politics makes way for total war and for the totality Lévinas seeks to refute.

Derrida's concern converges with Foucault's in the realization that the nature of modern sovereignty is administered. Its priority is the calculation and administration of a jurisdiction whose teleology is universalized. The perfect sovereign ought to be capable of mobilizing all things, since all things are subject to its administration. As such, sovereignty requires the capability of exposing its jurisdiction to absolute risk. As Foucault notes, "the power to expose a whole population to death is the underside of the power to guarantee an individual's continued existence." (Foucault 1990, 137)

6.3.7 The Hobbesian-Cartesian Absolute Sovereign

Hobbes' hypothesis for the absolute sovereign is the imaginary brutish state of affairs that would come about were the constraints of social norms removed (MacPherson 1962, 21). In the tenth and eleventh chapters of Hobbes' *Leviathan,* an anthropology is elaborated wherein human are machine-like entities who are informed by and respond to

stimulus-relations. On these grounds the thirteenth chapter introduces the absolute sovereign as the administrator sufficiently capable of directing these machines. Hobbes' proposals are the grounds upon which modern sovereignty would be discovered by Foucault.

As Hardt and Negri note, Hobbes' theory of sovereignty provides the first political and metaphysical solution to the crisis of modernity (2000, 84; more on this # 6.3.8). The clarity and unity demanded by Descartes' experiments is likewise meant to establish the absolute sovereignty of the mind. Reason is granted an administrative sovereignty over the mind and its extensions; what lies outside the Cartesian mind could only contaminate it. Therefore, becoming rational for Descartes requires a politics of separation from that which would bind the mind to the irrational. The possibility of the *cogito* is a politics based on an 'apartheid' policy.

Derrida keenly notes that Descartes overlooks the impossibility that this requirement faces. The possibility of an originary point from whence reason derives, or sets out, cannot be of reason itself. "Whether I am mad or not, *Cogito, sum*" (WD 56; see PoF 175-6). Derrida points out that not only Descartes, but also Foucault requires the silencing of unreason or madness at this necessarily ambivalent point of departure. There can be no reason for that decision at that point in Descartes' experiment. This decision is theological at the moment when this invariably contingent starting point is taken to be absolute. Cartesian rational politics is also a political theology. Descartes' experiment must simply head out from that point without justification. If clear and distinct reason is to persuade itself that it is grounded on reason alone from this point onward, then the truth about its genetic inauguration must be veiled, occluded, and mystified. According

to Derrida, this is the work of theology. The genesis of clear and distinct thought in non-reason must be silenced from every moment thereafter. This requirement effectively makes that genesis is the most archaic and most actual element of every instance of clear and distinct thinking.

6.3.8 Rethinking Modern Sovereignty Today

If politics does reside at, or very near, the presumed centre of metaphysics (Hardt & Negri 2000, 83), then sovereignty and the sovereign are in close proximity to the centre of modern European metaphysics. Thus when Derrida notes the rupture of the 'centre' (WD 278-9) in the discourse of the human sciences, this loss is that of the sovereign subject. This is not a displacement by some more powerful sovereignty such as the infinity of the face proposed by Lévinas. Instead, this is the loss of any orientation for sovereignty and the sovereign because of its totalizing universal aspirations. There is no centre for a sovereignty whose jurisdiction, whether in actuality or in aspiration, is ubiquitous. The liberated singularities of the revolutionary multitude are subjected to administrative domination by the invisible handiwork of absolute sovereigns.

"The political transcendental of the modern state is defined as an economic transcendental" (Hardt & Negri 2000, 86). Modern politics seeks to incorporate, differentiate, and manage.[3] So too did, and does, metaphysics in order to establish a continuous ontological space subjected to administrative capability. The teleology of modern sovereignty consists in incorporating all things into its jurisdiction. Sovereignty should also affirm differentiation, where the celebration of difference is continuous with its neutralization. Finally, sovereignty must manage the differences it has incorporated.

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[3] See Hardt & Negri 2000, 190. – See also Toni Negri, "Et si la multitude l'emportait sur l'Empire?" *Philosophie magazine* (April 2009) : 40-41.

The absence of a centre arises because in such a situation, in metaphysics and politics, "there is no *place* of power – it is both everywhere and nowhere." (Hardt & Negri 2000, 190)

Modern sovereignty is the exercise of proprietary control (Goodchild, 2007, 41). That exertion is nothing unless it is active. In late modernity, sovereignty shifts from the transcendent matter of an entity's attribute to an immanent matter of of an entity's attribute, to an immanent matter of proprietary control within a domain of constant exchange. The capacity to exercise propriety obtains by keeping the jurisdiction mobilized, rather than by demonstrating ownership. Thus, sovereignty today is conceptualized not as the right to expose the lives of subjects to death, but as the combination of executive and legistative powers by which a plurality can be subjected to total management.

However, a shift is underway from the modern conception of sovereignty and the sovereign. This shift is due to bluntly empirical changes in the affairs of sovereign states, where not merely money but credit has become the most basic and highest value. Classical and modern governments could control the bodies of their peoples, but ground beneath them has shifted. Foucault's administrative state of bio-politics is managerially outmaneuvered by the effect of non-national exchanges upon inflation, money supply, and the cost of borrowing. Sovereign states can perform economic interventions, but the success and duration of these are completely outside the ken and control of the governing executive.

In other words, the modern national government is under constant siege by an unrecognizable, unrepresentable and unaccountable enemy. This is not the terrorist

sleeper cell,[4] but the autonomous movements of a world economy that seems to be general rather than restricted. Country economies today are immune to neither external nor internal variables. The possibilities of sovereignty, such as in the exercise of seignorage to rectify short-term economic challenges is severely compromised today. Seigniorage was previously the domain of the sovereign, where money - as a commodity regulated by the cost of its own production - obtained its value from its standardization as an instrument of exchange. The sovereign's control of that standard commodity, normally gold, ensured sovereign control over the economy. Seigniorage is required to maintain the difference between the monetary value of a token and its commodity value in a restricted economy (Daly 1999, 141). Economies are thereby restricted. The introduction of instruments by which interest-bearing debts are capitalized to grant them exchange value combines with the much earlier introduction of banking by fractional reserves and the departure from the gold standard to effectively 'create' money far beyond any borders of control that would determine seignorage. These instruments provide the basis for the new markets of future and derivative trades, both of which only amplify the diminishment of seigniorage and sovereignty.

No country's legal tender today any longer has any nationally determinable value. Siegnorage requires the near or full control of a currency's monetary value, i.e. classical sovereignty. This is even more so not the case today with regard to the mobility of monetary value once it is treated as capital. Sovereignty as control over bodies and wills of human subjects is no longer of absolute consequence. Restricting the mobility of humans, such as is the case with refugees and *sans papiers*, is no longer effective as an exercise of sovereignty; capital flight is far more threatening to any state than population

[4] See Peter Sloterdijk, *Sphären*, vol. 3: *Plurale Sphärologie* (Francfurt-Main : Suhrkamp, 2004), 106-110.

movements. "States may be heterogeneous, but capital is relatively homogenous. Where capital can choose which states it does business with, a state cannot easily choose which capital will benefit its polity." (Goodchild 2007, 62)

Derrida therefore correctly presumes that sovereignty today is more than ever a barely legitimate ontotheological fiction. There may be a heritage to the term, but its forms of power threaten to become largely absent (R xiii). This is problematic, because as Derrida notes, "nothing is less sure than a god without sovereignty" (R 114). The acts of such sovereignty may very well tend towards worsening this situation. One important question, therefore, is whether a god without sovereignty is what is demanded to be thought in politics and metaphsyics.

The sort of rethinking of sovereignty that is required is not that of a simple inversion or cancellation of 'sovereignty'. Inverting or cancelling the direction, influence, or primordiality amid theology, politics and economics leaves all the same processes and calculations intact. Karl Marx's strategy was to invert the relation of politics and religion, where the latter masked the oppressive strategies of the former. Walter Benjamin's strategy was to invert the conceptual relationship outlined by Marx, where theological concepts were politicized in service to a larger political programme. Schmitt's grain of truth was to refuse the purity of these distinctions, and Derrida amplifies this insight. "One would have to dissociate the essential traits of the religious as such from those that establish, for example, the concepts of ethics, of the juridical, of the political or of the economic. And yet, nothing is more problematic than such a dissociation. The fundamental concepts that often permit us to isolate or *pretend* to

isolate the *political* - restricting ourselves to this particular circumscription - remain religious or in any case theologico-political" (FK 25).

6.4 Law and laws

Rethinking sovereignty involves questions of law and the status of laws. Normally, the law and its laws have a sovereign status within the country of their origin. The teleology of a legal framework is that it should provide 'the law of the land'. To ask whether it is possible to reinscribe sovereignty may be a direct flirtation with anarchy. Hobbes' thought experiment about the suspension of the absolute monarch argues that the resulting state of affairs would be that of *conatus essendi*. Each individual would be the enemy of every other: "To this war of every man, against every man, this also is consequent; that nothing can be unjust. The notions of right and wrong, justice and injustice have there no place. Where there is no commmon power [or currency, in this case], there is no law: where no law, no injustice" (Hobbes 1962, 145). The law and its laws are necessary limitations on human proclivities that only obtain their legitimacy if taken as absolute. This is not, however, the manner in which Derrida approaches laws and the law.

Desmond Manderson notes that Lévinas is silent on the law (Manderson 2006, 9). Lévinas rarely mentions the law, as he associates laws with the concept of 'the third'. Lévinas' construal of the face-to-face relationship is necessarily binary: there are only two who relate each to the other as infinitely *alter*. 'The third' is Lévinas' means of describing how alterity-eliding generalizations are made on the basis of the face-to-face. The third is the presumption of another other who observantly generalizes a protocol on

the grounds of what takes place in the face-to-face relation with the other.[5] Lévinas argues that the law ontologizes the position of the third for the plurality of *alter*s. In this manner, what is in actuality a singular ethical relation defies the establishment of precedent is translated into precedent. This translation is without fidelity, and therefore the face-to-face is violent, since the precedent is established in order to be applied to other relations. The ethics of the face-to-face are thereby displaced by law through the third. (Lévinas 1981, 93-7)

According to Manderson, Lévinas makes a common mistake in deciding not to sustain an ethical relationship with the law. Instead, Lévinas determines a generic precedent which presumes how singularities relate to the law. Lévinas ontologizes the law and laws. A mundane treatment of law understands it as simply the application of 'rules,' despite the clear fact that law would not be possible were this its fundament. (Manderson 2006, 9)

Derrida's construal of the political and politics is parallel with his understanding of law (*la loi*) and laws (*les droits*). Unlike Lévinas, Derrida proposes that the law is not primordially ontological or ontologizing. Laws stand before the law, from which they obtain energy to take form. Laws, then, are not final. Laws are interpretations of the law, which itself is without determinate form or example.

As a result, Derrida respects Manderson's non-mundane construal of the law and its laws. Applications of laws based on the law are fundamentally about negotiating relations which, in their singularity, give resistance to the law as the simple application of

[5] Critical of Lévinas on that score is also Paul Ricoeur, *Autrement: Lecture d'autrement qu'être ou au-delà de l'essence d'Emmanuel Lévinas*. Paris : Presses Universitaires de France, 1997.

rules. Instead, the juridical domain is marked by the work of translation, interpretation, and constitution.

The negotiations of laws are nevertheless concerned with the attempt to determine relations by means of drawing boundaries. In her analysis of the etymology of law as *nomos*, Hannah Arendt finds that the work of law is indeed to create limits. Lévinas is correct that laws build and maintain the walls that generally structure relations within a given *polis*. The purpose of laws are to lend stability to these relations by virtue of clearly-marked distinctions. *Nomos* takes its meaning from the dividing hedges or walls within the outer walls of the *polis*, deriving from *nemein*, "which means to distribute, to possess (what has been distributed), and to dwell." (Arendt 1998, 64n.62) *Lex* gathers up *nomos* within a more formal set of relations in order to establish relations where there is no immediate physical connection among the singularities of a society. This is a movement from a general to a restricted economy.

Law, according to Derrida, is about economy: "As soon as there is law, there is partition: as soon as there is *nomy*, there is economy" (GiT 6). *Nomos* deals with the distribution of what is shared; among these are the shared partitions which laws establish among others. Lévinas is correct that laws ontologize relations, but only because laws are the outcomes of a larger economy by which the law recognizes the importance of economy. Derrida calls this the law of participation (GiT 6). A given law therefore fails because it is incapable of participating amid the singularities of some plurality. It does not establish itself amidst their relations. An established law is one that is widely recognized: "The properly *performative* act must produce (proclaim) what in the form of a *constative* act it merely claims, declares, assures it is describing […] as though it were a

matter of recoding *what will have been there*" (LoRe 333-334). Whatever ontology of relations might obtain by way of laws is utterly provisional. Laws stand before the law as much as do those who are subject to laws. Laws, on these grounds, aspire to universality and yet cannot obtain a sovereign status amid their contexts.

For this reason that Derrida claims the following: "Law is, fortunately, deconstructible: it is finitely perfectible" (AoR 104). The economies established by the law are neither fixed nor certain. Laws themselves stand before the law as finite; for this reason, laws cannot simply apply themselves as rules. This establishes a paradox related to the notion of laws as sovereign. For any law to be lawful, it must ascribe to a universality which transcends the vicissitudes of finitude. The law cannot take place in time and cannot be a product of recounting what took place in time. The law of the law, therefore, is that laws exist outside of any determinate conditions. The law of the law is that laws remain without any fixed ontological status. Were it possible to give a definitive account of the law, the law would achieve the status of an absolute necessity without any resistance or negotiation. But then, there would be no more laws.

If this account of the law of law stands, then it also determines that the origin of laws must be a non-origin. The propriety of any law and its subjects cannot be constituted because laws must refuse externality, borders, frames, and horizons. And yet, the constative elements of laws establish walls, limits, and divisions. These are entirely dependent, however, on the performative dimension of the law, which lacks these elements entirely in its unconditional sovereignty. In essence, then, the relationships between laws and the law are those of alterity to each other rather than ontologically coherent generalizations of sameness.

6.4.1 Sovereignty, Law and Laws

Sovereignty is thought to be necessary so that there might be laws. The capacity unique to the sovereign first conceived as the derivative from *patrum potestas* through to the modern form of bio-power is not only that of determining the faring of others. The laws of today's sovereignties must also administer the life of society. For this reason, sovereignty enacts and enforces laws. The problem that faces any sovereign or sovereignty, however, is that the energy whereby laws come to be and by which they are performed is that of the political as law. Each law's energy derives from the possibility of law in the political.

Laws are particular instantiations of the possibility for laws. Each law must misrepresent this condition, however, since the structure of any law is its own tending towards universality. Each law claims to be universal, despite the fact of its inability to legislate its own conditions of possibility. The intentional content of a law is not only to become universal, but to be universal from its first moment. The authority and legitimacy of a law requires the denial of all conditions, including that of time, so that it appears to be sovereign. Laws and their juridical concepts "imply international jurisdictions, contracts, and interstate charters, institutions and courts of justice that are in principle universal" (WAl 50). And yet, any law and its concepts have no sense before their declaration. "Its intentional content, its meaning requires that in its immediacy it must extend beyond the historical, national, geographical, linguistic, and cultural limits of its phenomenal origin. Everything should begin by uprooting. The limits would then appear to be empirical contingencies." (LoRe 337)

This is Derrida's construal of the double bind within which those who would make laws find themselves. The law of any law's propriety is the deracination from its origins and conditions. The moment of a law's taking place, of becoming a law in effect, is also the moment of its taking leave of all placement. Every law practices this paradoxical act of disappearing in its appearance. If not, it is certainly not an authoritative or legitimate law. Derrida insists that in order to be binding there is a paradoxical law of laws' ligature. Laws must appear as though unbound, that is as sovereign. Furthermore, the sovereign and sovereignty must be capable of setting laws although each law itself must deny that it came from the sovereign.

Force is necessary for the establishment and sustained 'life' of laws. Law, as Foucault observes, cannot help but be armed (Foucault 1990, 144). The living-on of any law depends on its capacity to survive over and against whatever may challenge its legality. As a result, laws themselves are matters of violence management. The question is whether violence or the possibility of violence is primordial to law. This is the case because the establishment of justice arrives in a moment of violence not agreed to by a prior legality or justice. The foundations of law are mystical because their origin is groundless in the political, because the law cannot recognize that its origins are extra-legal without putting into question its legitimacy. This asks the question about the infinity that confronts the law should it choose to become responsible for and of itself. The sort of work that would make for at least part of this act of recognition would be a confrontation with the otherness at the foundation of law. That in-finite origin at the foundation of law is also contemporaneous with law.

Derrida notes that the pairing of force and law is paradoxical. The conjunction of force and law also cannot resist the capacity of contamination. Beardsworth aptly summarizes this situation: "No law can be general enough not to be violent, not to engender exceptions or instances of counter-violence which, as the precipitate of the disjuncture between the universal law and its particular application or reality, are appropriately thought of as 'singular'. The undecidable relation between the general and the singular translates in other terms the iterability of the law" (Beardsworth 1996, 25). Any law that relies on repeated deployments of force to conserve itself is a not sufficiently universal law. The point is that the sufficiency of a law is a function of its invisibility, and the insufficiency of a law is a function of its visibility. A law which itself is visible in its operations remains conspicuous, and as a result, it requires further *coups de force* in order to sustain itself. If the violence of the law's origin does not render it invisible, then further law-sustaining violence will be necessary, and as such, its visibility will be too great. (LoRe 334)

6.4.2 Violence and The Law of Laws

Therefore the foundation of any law is necessarily violent. The law is normally construed as the attempt to end violence as injustice or illegal, and yet the law requires violence for its institution. Indeed, in this sense the more the law attempts to enforce itself, the more unlawful it becomes. This is the aporia of the law. Were that aporia done away with, however, the worst violence would come to pass. Hobbes' argument against anarchy is subscribed to in this manner by Derrida. The aporia of law and force produces the conditions of a positive feedback loop (Beardsworth 1996, 23). The requirement of force for the possibility of law reintroduces that which law is supposed to address. The

aporia of law contaminates the purity of law, but not by means of something introduced from some outside or beyond law itself.

These are the issues with which Derrida grapples in his essay "Force of Law: The 'Mystical Foundation of Authority' " (FL; AoR 228-98). Derrida's essay opens an intermediate space between justice and law as *droit*, in order to explain the paradoxical relationship between the conditions of possibility for laws and laws themselves, *la loi des droits* and *les droits*.

The law of laws, according to Derrida, should properly be unconditional. As unconditional, it is not subject to conditions, and so it is foundational. No further regress or tracing could be done. The law of laws simply *is*. But as unconditional, what the law of laws is cannot be determined precisely, because that would constitute its subjection to conditions. The law of laws therefore must appear mystical, even though no mysticism conditions it. The capacities for knowing and knowledge about law, as opposed to laws, are exceeded by its unconditionality

The manner in which Derrida poses this problematic is parallel to the situation of politics vis-à-vis the political, or even of acts of language vis-à-vis language. Derrida is not postulating a regulative ideal, a clear and distinct starting point, a foundation or archaeological ground. These conditions are abyssal and incalculable, and for this reason they demand decision and responsibility. Other postulations would become alibis by which Derrida's and anyone else's thought and reflections would be excused. Derrida thereby places the issues of authority and legitimacy squarely upon whomever acts.

In the philosophical style of questioning, Derrida finds himself immediately upon the brink of an abyss by asking whether force is prior to law. This is a question about the

propriety of authority and legitimacy for any one that would claim the capacity to set forth laws, such as a sovereign or sovereignty. "There are, to be sure, laws that are not enforced, but there is no law without enforceability and no applicability or enforceability of the law without force, whether this force be direct or indirect, physical or symbolic, exterior or interior, brutal or subtly discursive – even hermeneutic – coercive or regulative, and so forth." (AoR 233)

Derrida's innovative observation is that rational reflection must challenge the law precisely on the issue of its nexus with force. Laws are irrational by way of postulating themselves without origin, in spite of all that might proceed or succeed it, in order to obtain as legitimate laws. The institution of law is a concise example of reasoning that must *de facto* lie to itself if it is to have any *de jure* capacities. The binding of law with force is a part of this lie (# 3.1.3).

In his reflection upon '*The Force of Law*', Agamben provides a genealogy of the phrase. In Roman and medieval law, Agamben notes that 'force of law' – *legis virtus* – means: *imperare, vetare, permittere, punire* - to command, to forbid, to allow, to punish. This invoked the generic sense of efficacy as the capacity to bind and unbind. (Agamben 2005, 40). The passage from classical to modern construal of force vis-à-vis law commenced with the French Revolution, where 'force of law' indicate the supreme value of state acts passed by representative assemblies of the people. Article six of the 1791 '*force de loi*' designates the untouchability of the law, which even the sovereign can abrogate or modify. (Agamben 2005, 37)

Agamben notes the import of Derrida's essay: the current legal culture is not always sensitive to the distinction between the efficacy of the law and the force of law. Citing the Italian jurist Rolando Quadri, Agamben remarks that the force of law is: "The position of the law or of acts comparable to it with respect to other acts of the juridical order that are endowed with a force superior to the law (as in the case of the constitution) or inferior to it (such as the decrees and regulations issued by the executive."[6] The 'force of law' determines the separation of the norm's applicability from its formal essence. (Agamben 2005, 38)

6.4.3 Force and Structure

This is not a new question, since Derrida had already posed it in "*Force and Signification*" (WD 3-30). In that essay Derrida questioned the authority and legitimacy of structuralism. He found the structuralist methodology unable to determine the most basic question: is structure contemporaneous or prior to the actualities which are studied? For Derrida, structuralism cannot answer this question and therefore ignores the fundamental play of forces that precedes structure. The possibility of structures, which is the artifice of human analyses, is produced amid differences, and difference are productions of forces at play. The acts of language of a structuralist discourse deny and occlude the conditions for the possibility of structures. Akin to his later remarks on the political, Derrida states: "The relief and design of structures appears more clearly when content, which is the living energy of meaning, is neutralized." (WD 6)

Derrida struggled with the pair 'force and structure' throughout his whole career. The struggle is borne of Derrida's belief that there can be structures that proceed by way

[6] Agamben 2005, 38 quoting Quadri 1979, 10.

of the least violence (see # 5.4). In "*The Force of Law*" he recognizes the truthfulness of Pascal's observation in his *Pensées* (# 125, 34): "Justice without strength is powerless. Strength without justice is tyrannical. Justice without strength is a contradiction because there are always wicked people. Strength without justice is an indictment. So justice and strength must be joined, and for that, what is just must be made strong, or what is strong, just" (Pensées § 125, 34; TS, 19). While not wishing to take the stance of absolute pacifism, Derrida is wholly unconvinced that the best alternative is for reason to proceed by the violence of overwhelming force. This derives from a concern for justice and a belief about whatever is just. That which is just, according to Derrida, should not accomplish itself by the violence of overwhelming force. As with Lévinas, Derrida prefers not to side with forces of totality. Contra Lévinas, however, Derrida wishes to neither forego all force nor appeal to something even more overwhelming.

Derrida presupposes that any law ought to be just. An unjust law must rely upon an escalation of violence. A law whose force is the least violence would be the most universal and unconditional law. Violence substitutes for authority and legitimacy when law does not obtain a sufficiently wide sharing, i.e. when law lacks universality. This could be in terms of distribution of benefits, as in the case of the South African apartheid system, or of distribution of destruction, as with regimes founded on mass killing, or perhaps equivocally the so-called humanitarian or anti-terrorist interventions of late.[7] Such insufficiently just laws must therefore continually deploy violence in order to conserve themselves. This is the conserving violence that Derrida describes by way of Benjamin. As Derrida noted in his reflection on Nelson Mandela:

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[7] See also P. Sloterdijk, *Sphären*, Vol. 3: *Plurale Sphärologie* (Francfurt-Main, Suhrkamp, 2004), 105.

> From then on this violence remains at once excessive and powerless, insufficient in its result, lost in its own contradiction. It cannot manage to have itself forgotten, as in the case of states founded on a genocide or quasi-extermination. Here, the violence of the origin must repeat itself indefinitely and act out its rightfulness in a legislative apparatus whose monstrosity fails to pay back: a pathological proliferation of juridical prostheses (laws, acts, amendments) destined to legalize to the slightest detail the effects of [its injustice] fundamental racism. (LoRe 334)

It is, then, unjust laws which most acutely put into question the relationship between force and law. 'To enforce the law' is to tacitly claim that a law has a legitimate force. Violence in the name of that law presumes its legitimacy. As Pascal noted, whatever force is deployed in the name of that law cannot be extricated from the law itself. That is, if there is no law without enforceability, then no law can be disentangled from force.

The results of this conclusion are twofold. On the one hand, force involves differences and relationships between discrete entities. Force presumes not only binary opposition, but a plural context in which there is a large set of others. Furthermore, force involves differences in time: the time of a law, force, enforcement, and having been enforced are not equivocal. The conditions of plurality demanded by the inextricability of force from law make necessary an incalculability of moments within which the force of law comes to pass. On the other hand, no law comes to pass without violence. Force is unable not to be violent. Violence belongs *a priori* to the law. Violence is necessary for any law, it is not simply an accident external to law. While this state of affairs is universal, it by no means constitutes an alibi, defense, or path towards clean conscience.

In terms of Derrida's presumptions about justice, then, no law is absolutely just. Where the actuality of any law is equivocal with its applicability, applicability is then a matter of enforceability. The enforcement of laws cannot be ultimately just, and yet there

is no justice without the enforcement of laws. " 'At the beginning of justice there was *logos*, speech or language,' which is not necessarily in contradiction with another *incipit*, namely, 'In the beginning there will have been force'." (FLa 10) Laws are unable not to fail justice. And yet it would be a greater injustice if there were no laws. Derrida's insistence is that this paradox and its conditions is foregrounded by the abyssality upon which the least violent and unarmed thinking must proceed (# 5.4). This is consistent with Derrida's earlier explanation of *arché*-violence and *arché*-language in *Of Grammatology* (# 5.2.1). Contrary to what structural linguistics would have, there is no pure language. Contrary to any sovereign politics, there is no pure law. This is a necessity. The contrariety of law and force is also their complementarily; it does not constitute a nihilistic or anarchic ground for the naïve dismissal of either.

In the context of the modern state, the conjuncture of law and force in the form of violence seems a necessity. That necessity need not entail the kinds, amounts and distributions of cruelty witnessed by the modern world. It is as a result of a certain conception of politics, according to Derrida, that there obtains: "an indissociable tie between cruelty and state sovereignty, state violence, the state that, far from combating violence, monopolizes it [...] This monopoly on violence is of a piece with the motif of sovereignty. It is also what will always have grounded the death penalty, the right of the state, the right of the sovereign to punish by death" (WAl 268). This notion of sovereignty is most astutely noted in Max Weber's essay '*Politics as Vocation*', published one month after the inception of the Weimar Republic in October of 1919. Weber remarks upon a primary characteristic of the sovereign state the "monopoly on the legitimate use of force within a given territory" (Weber 1946, 78). These sovereignties,

which presume their imperative is to administer life, gives rise to totalitarian violence. The aspiration of such sovereignty to universality is a logic of total war.

Today's sovereigns and sovereignties appeal to total administration out of their struggle with the aporetic condition of laws' relations to universality. These conditions become acute in the context of democratic politics. The limitation of legitimacy and the impossibility of universal aspiration are brought to attention by the fact that democratic laws are not natural. They are constituted. In a non-democratic political context, the violence of instituting and sustaining law only seems to be more legitimate because laws are more easily presupposed to have originated from a singular source. That ignorant veil of transcendence is rent by the disjointed processes of democratic law-making. A law's universality remains incompatible with a singular source as much as a plural one. If anything, democracy demonstrates that the legitimacy of a law and its force originates from a plurality of singular sources, all of whom are neither in unequivocal agreement with each other nor with all instantiations of themselves.

This is what Alan Keenan calls the paradox of democratic foundation and its dilemmas (Keenan 2003, 26). Namely, a democracy's constituency has no ground prior to its members. They can only come into being as a sovereignty through each's sovereign consent to some form of heteronomous closure, and yet that closure undermines each individual's sovereignty. Further, in order for that democratic constituency to remain a democratic sovereignty, it must repeatedly reconstitute itself. All of this disjointure is compounded over time. A democracy's constituency is neither a sovereignty prior to its event of constitution, nor does it remain so after any such event. Any democratic law, likewise, is subject to these conditions. Democracy therefore

uncovers the abyssal incalculability and profound responsibility at the heart of legitimation of law and its violence. It also questions the sufficiency of contemporary conceptions of the politics, laws and sovereignty. If a democracy and its laws are taken to be the most just form of governance, then the authority and legitimacy of just laws obtain only by virtue of their weak constitution of limited origins and radical openness to reconstitution.

6.5 Legitimacy and Illegitimacy of Sovereignty and Law

Sovereignty establishes the right to right. By virtue of being sovereign, sovereignty holds the capacity to enact a law, enforce a law, and also to arrest the process of a law or dismiss a law. Peter Fenves notes that this capacity, in Kant's Prussia of the eighteenth century, was that of the *Machtspruch*, the 'sovereign sentence', i.e. "The 'saying' (*Spruch*) in which 'power' (*Macht*) expresses itself without recourse or reference to the process and procedures of the 'legal order' (*das Recht*)" (Fenves 2003, 33). In Prussian law, *Machtspruch* was thought to move towards justice that is free of legal procedure and process, an apparently unjust or delayed juridical outcome may be resolved by a pronouncement of the *Machtspruch* sort. By such a means a sovereign could enact justice where it was due. Friedrich Wilhelm I was thus capable of rejecting any legal decision he deemed unjust. *Machtsprüch*e can overrule *Rechtsprüche*, despite the latter's grounding in the former. The *fatum* and *fiat* of sovereignty creates the conditions of truth in this politico-juridical context.

The acts of language from the sovereign that establish the current legal order are beyond the current legal order precisely because they are capable of altering the current legal order. Possessing the force of law, the sovereign decrees the law by virtue of being

exempt from the law and judicial procedure. If a sovereign is not 'above the law', there is no sovereignty. A failed sovereign cannot utter sovereign sentences, and an actual sovereign is outside all law. According to Derrida, "As soon as there is sovereignty, there is abuse of power and a rogue state. Abuse is the law of use; it is the law itself, the 'logic' of a sovereignty that can reign only by not sharing. More precisely, since it never succeeds in doing this except in a critical, precarious, and unstable fashion, sovereignty can only *tend*, for a limited time, to reign without sharing. It can only tend toward imperial hegemony." (R 102)

From a certain legal perspective, every sovereign sentence appears arbitrary and tyrannical. The emergence of the modern democratic state includes the process of parliamentarians wresting the capacity to enact law from sovereigns, so that the state might obtain sovereignty. Fenves finds that "Kant makes an antipathy to *machtsrüche* into the basic mood of a philosophical project that seeks to show the means and manner by which all of us - princes and subjects alike - give laws to nature." (Fenves 2003, 36)

6.5.1 The Problem of Legitimacy

According to the study of *The King's two bodies* by Ernst Kantorowicz (1957), sovereignty was already confronted by a problem of legitimacy. Agamben's re-assessment of Kantorowicz's theory was to show "how legal science is strictly bound to theology in the formulation of one of the cardinal points of the theory of sovereignty: the perpetual character of political power" (Agamben 1999, 66). Agamben finds that the sovereign is firstly the embodiment of *auctoritas*, not solely *potestas*, and that this better explains the corporeal rituals around the actual person of the monarch, particularly at the point of the monarch's death (Agamben 2005, 83). The exercise of *auctoritas*, according

to Agamben, is not directly that of *potestas*. Whereas the body of one magistrate succeeds the other without having to presuppose the immortality of the office, it is not so with the sovereign. Kantorowicz did not identify a problematic with the king's two bodies, but rather construed it as a structure whereby the *dignitas* of the sovereign office does not die. "It is significant that modern scholars have been so ready to uphold the claim that *auctoritas* inheres immediately in the living person of the *pater* or the *princeps*. What was clearly an ideology or a *fictio* intended to ground the preeminence, or, in any case, the specific rank of *auctoritas* in relation to *potestas* thus becomes a figure of law's immanence to life. It is not by chance that this should happen precisely in the years when the authoritarian principle saw an unexpected rebirth in Europe through fascism and National Socialism." (Agamben 2005, 84)

The significance of Kantorowicz's work is its projection of modern concerns about legitimacy upon history, in order to support the legitimacy of the sovereign modern state. In this latter political formation *auctoritas* and *potestas* are construed as emanating from the same source. A fitting genealogy of this relationship legitimates the confluence of force and law in a state apparatus whose essence is construed as non-coercive.

However, with the decline of sovereigns and the rise of state sovereignty, legitimacy emerges as a modern problem. According to Michel de Montaigne's *De la Physionomie*, legitimacy is a concept employed to found the truth of justice, but it is *per se* a fiction or fabulation: "It is said that even our laws are legitimate fictions upon which the truth of their justice is based" (quoted in Ieven 2006, 199). This has not changed since Socrate's answer to Thrasymachus' definition of justice: "Justice is the interest of the stronger" (Plato, 338c). Thrasymachus' definition applies to humans as well as to

animals, plants and asteroids: domination is that which determines order and right. Calculation of justice on these grounds is an ontological affair of determining a hierarchy of beings from the one most capable of dominating others down to those capable of dominating no others, who are in turn the most dominated.

The problem of legitimacy is in the facts of emergence pertaining to any law, because violence is required in order to institute law in the break from a previously non-legislated state of affairs (Ieven 2006, 199). In other words, the modern problem of legitimacy depends upon the abandonment of natural law as normative. Where classical natural law obtains, there is no reason to postulate the inaugurating violence of establishing law. The world is always and already legislated, with no problem of legitimacy. Only with the postulation of a break between a natural and a civil state of affairs does the problem of legitimacy threaten laws.

Modern theories of law do not accept a natural and fluent transition from pre-societal to social human life. "The very emergence of justice and law, the instituting, founding, and justifying moment of law implies a performative force, that is to say always an interpretive force and a call to faith [...] the operation that amounts to founding, inaugurating, justifying law, to *making law*, would consist of a *coup de force*, of a performative and therefore interpretative violence that in itself is neither just nor unjust and that no justice and no earlier and previously founding law, no preexisting foundation, could, by definition, guarantee or contradict or invalidate." (AoR 241).

6.5.2 The Mystical Foundations of Authority

Justice, justification, violence and law converge only in the constellation of violence enacted on behalf of law, both of which are justified because they allegedly

serve justice. Violence, law, and justification are conditioned by justice in this constellation, but none of these three conditions justice. Justice is primordial to law, violence and justification, and it is thereby taken to be their proper destiny. The unconditional status of justice is required so that in the use of violence, there is something beyond violence that serves as its justification. Legitimacy is what provides the link between practice and its conditions. Violence is taking place in the sensible domain, even if it is discursive or psychological, whereas justice has no relation to the sensible except through the mediation of legitimation. "Justification means adjusting one's discourse to history, heritage, epoch, to whatever is, but adjusting it, disadjusting it, adjusting it to what is not yet there, what is not of this world. Justification enjoins, then, that one adjust and that one disadjust in the name of justice, and that supposes, together, history and a break with history, if history means the *totality* of what is or has been" (TfS 90). The authorization and legitimacy of a philosophical, ethical or legal discourse is ultimately grounded upon foundations that cannot present themselves otherwise than as mysterious. The decision about whether to gloss over this fact with a deployment of force - be it rhetorical, mythical, or physical - comes from a decision not capable of reinforcing itself upon any sort of particular injunction other than successive and repeated deployments of force. These reinforcements in fact defer any questioning that might investigate or analyze authority and legitimacy, despite the fact that every call for reinforcement by whichever form of violence witnesses to the limitation of the claim currently in force.

This is the upshot of Derrida's essay on law and force: at bottom and at their inaugural moments, authority, foundation and position of law do not rest upon anything

other than themselves: "they are themselves a violence without ground" (FLa 14). This deflates the ultimately metaphysical opposition 'legal-illegal' which would otherwise legitimate the use of force in the name of law. Likewise, this is the point at which Derrida finds the opposition of foundationalism and anti-foundationalism to be meaningless.

Derrida moves away from the invocation of the mystical foundations of authority to which Pascal and Montaigne appealed as means of upholding the sovereignty of the emergent modern state. Their problem was that which Agamben finds in Kantorowicz: how a sovereign corporation might possess *auctoritas* and *potestas* without itself having a body such as that of a sovereign? Furthermore, this sovereignty must be the locus of both *Macht* and *Recht*; this is represented in German by '*Gewalt*', which means violence, force, and power as well as authority and control. This requires an appeal to the mystical because if the moment of justice is the founding of an institution, then that moment of justice is also interruptive of any prior economy and order. The law of laws is that the sovereignty of a law requires that it is not justified by any prior law. The law of laws is that any law's foundation must be an-*arché*-ic. This is the irrationality of law and sovereignty: "The operation that amounts to founding, inaugurating, justifying a law (*droit*), making law, would consist of a *coup de force*, of a performative and therefore interpretative violence that in itself is neither just nor unjust and that no justice and no previous law with its founding anterior moment could guarantee or contradict or invalidate. No justificatory discourse could or should insure the role of metalanguage in relation to the performativity of institutive language or to its dominant interpretation" (FLa 13). Following from this is the mystical demand that law and sovereignty require a

metaphysic. The modality by which law and sovereignty can ascribe to themselves legitimacy and authority is via metaphysics. Metaphysics ascribes legitimacy and authority to itself in the disavowal of inscription, i.e. in the denial that space and time are ineluctably part of its processes. Derrida demonstrates that writing constantly contaminates transcendence and immanence (OG 10); so too does force contaminate transcendance and immanence for any law.

6.5.3 'Law-gic': the Law of Laws

Given the above, the distinction between justice and law is not a logically regulated and masterable one (AoR 250). Laws come to pass through the undecidable negotiation of the abyss of law. As such, the experience of the law is a specular paradox in which the conditions for any law becomes a matter of constant reflection. Part of the partitioning economy of any law (GiT 6) entails the ambivalence of reversability. A law comes about amid the spacings and differences of their contexts, which thereby affords positions vis-à-vis that law. "There is no law without a mirror. And in this properly reversible structure, we shall never avoid the moment of admiration" (LoRe 331). Derrida's essay "The Laws of Reflection: Nelson Mandela, In Admiration" was written in l987, prior to the end of the Cold War, but after apartheid's last word, as it were. Here Derrida again recalls that politics and law are necessarily matters of theoretical reflection. All great politicians are people of reflection. (LoRe 331) Such reflection depends upon the finite conditions upon which laws and politics are constituted.

What is the logic of legal and political reflections, then, if they necessarily are never fully actualized? It is a logic whose concepts and construal matter quite literally come to pass by way of legitimized fictions. Indeed, Derrida's investigations about these

matters is meant to press the same point. In *Force of Law* he asks: "What is a legitimate fiction?" (FLa 13) The answer to this question partly comes from another text contemporaneous with "*Force of Law*". *Given Time, I: Counterfeit Money* (1992) reflects on the question and possibility of truth, among other things (see # 3.1.3). This is a particularly acute question for philosophers, many of whom desire that their acts of language be true. In questioning this desire, which he does not think to be wrong-headed, Derrida reflects upon Charles Baudelaire's short story *La Fausse Monnaie*, and unequivocally states that "Everything is act of faith, phenomenon of credit or credence, of belief and conventional authority in this text which perhaps says something essential about what here links literature to belief, to credit and thus to capital, to economy and thus to politics. Authority is constituted by accreditation, both in the sense of legitimation as effect of belief or credulity, and bank of credit, of capitalized interest." (GiT 97)

Legal and political domains also share in this condition. In such domains, if the truth of justice is an outcome of legitimacy, what could legitimacy mean? "That a decision cannot become an object or a theme for knowledge is the very site of violence [...]. What precedes the law cannot not be violent for the law" (N 229). That is, the conditions for passing and granting force to any law is that the violence of this coming-to-be and its application not only be rendered invisible, but be determined as non-violent. Only so long as it is believed to be non-violent is that law legitimate. Only within the sphere of a faithful accreditation of a law with legitimacy does the exertion of force by law appear to be non-violent, whereas transgressions of that law appear as violent. It is by this accreditation that a law's violence is legitimated to appear non-violent. And it is

on these grounds that Derrida claims that any law is deconstructible: not because laws are historical artifacts, but because they are credos whose currency is not *de novo, sui generis*, or *ex nihilo*. Laws are therefore legitimated fictional and fabulated counterfeits because they are unable to fully take place within a finite economy. Laws are unable not to be universal; as such, they demand faith. As Derrida states: "counterfeit money is what it is only by not giving itself *as such* and by not appearing *as such*, by not exhibiting its titles. And inasmuch as it obligates, it nevertheless obliges you to wonder again, at least, what is going on and if there is money - true money, counterfeit money, counterfeit true money and truly counterfeit money." (GiT 98)

On these grounds Derrida rejects Kant's rejection of lying (# 3.1.3). "The Kantian definition of the lie or the duty of veracity seems so formal, imperative, and unconditional that it appears to exclude any historical consideration" (WAl 43). This is not of the same order as McClintock and Nixon's rejection of Derrida's reflection on racism's last word (# 6.1.1). Where they accuse Derrida, in essence, of not attending to every historical singularity, Derrida finds Kant to overlook the conditions that limit the truth-telling capacity for any act of language. He quotes the supplementary text "*On the Supposed Right to Lie because of Philanthropic Concerns*" devised by Kant for the *Groundwork for the Metaphysics of Morals* and declaring the absolutely formal duty of veracity: "To be truthful, loyal, sincere, honest, in good faith: in all declarations is, therefore, a sacred and unconditional commanding law of reason that admits of no expediency whatsoever" (WAl 45). Kant claimed that a lie does not merely harm one another, but harms humanity in general, because lying vitiates the source of all other right. To claim the right to lie, according to Kant, discredits all other rights. The threat

of this disclaimer must then be countered with the most powerful argument that Kant can muster. The ligatures of the human socius are ruined if there exists a right to lie. Here Kant sets forth a universal law on lying whose ideal would regulate all practical considerations. Kant does not consider the fact that his legislations are completely lacking in force. All of Kant's laws had no force, whereas Frederick the First's legislations did. The legislations of Frederick's body were not even universal, however, since Kant promptly resumed publishing his previously censored works upon Frederick's death.

Derrida's point against Kant is that, given the limitations of origin upon universality, any law's declaration requires that it lie about its universality. Although lies have the power to harm all humanity in general, the structures by which humans gain their socius historically depends upon their capacity to live with lies and experience the enforcement of these lies. Only by not speaking does one not lie. Yet, in not speaking, a vital social bond is forsaken. This performative violence not only of laws, but of any act of language, is what Derrida calls *arché*-violence (# 5.2.1), remarking that this is not taken into account by Kant. (WAl 51)

Indeed, Kant himself lies in the essay on *Religion within the Limits of Reason Alone*. He does not prove the thesis of radical evil despite his promise to do so (Kant 1996 # 6: 31). In a strange turn of reasoning, He concludes by stating: "We can spare ourselves the formal proof that there must be such a corrupt propensity rooted in the human being, in view of the multitude of woeful examples that the experience of human *deeds* parades before us" (Kant 1996 # 6: 33). It is worth quoting Peter Fenves' observation on this point:

> Kant would transcend the limits of mere reason were he to claim the capacity to know something *bloß durch Vernunft* - and he *must* do so: he *must* overstep these limits if he intends to make good on his promise and deliver a 'proper proof' of the thesis of radical evil on the basis of which a purely rational religion is to be established. Without so much as saying so - and this silence, or this secrecy, is at the heart of this post-critical undertaking - Kant improperly 'proves' the thesis of radical evil […] By declaring that the 'proof proper' has been demonstrated in the previous section without having conducted anything but 'improper' methods of proofs, Kant reveals the secret in secret […] Impropriety is another name for insubordination: human reason does not adopt the proper maxim for its actions, the one maxim that can be maximized to such an extent that it constitutes a universal law of action. (Fenves 2003, 81-2)

Derrida asks where truth concerning limits and boundaries is for Kant? The boundaries here are those of the nation-state, precisely those sorts of post-Westphalian ones under whose jurisdiction and politics Kant's own practice lived. These boundaries are those of sovereignties: in terms of microcosms expected to act as self-contained possible worlds in which the laws determined within their borders do in fact establish the logic of possibility and impossibility that rule within those borders. Laws are expected to obtain universally within the borders of a sovereignty. Regardless of any philosopher's claims about *a priori* logic or other forms of logic, the laws within that sovereign state are those which obtain within that possible world. The fiction of any sovereign state's legitimacy is established as though *ex nihilo*. Those who are subject to these laws are also constituted by the laws from out of nowhere. Regardless of 'who' they were in the first place, once constituted, they are now 'the people.'

> I mean to underscore above all the performativity at work in the very *objects* of these declarations: the legitimacy of a so-called sovereign state, the position of a boundary, the identification or attestation of a responsibility are performative acts. When performatives succeed, they produce a truth whose power sometimes imposes itself forever: the location of a boundary, the installation of a state are always acts of performative violence that, if the conditions of the international

> community permit it, create the law, whether durably or not, where there was none or no longer any law, where law did not yet impose itself or else was not yet strong enough. In creating the law, this performative violence - which is neither legal nor illegal - creates what is then held to be legal truth, the dominant and juridically incontestable public truth. (WAl 51)

In his analysis of the necessity of lies for politics and subsequently laws, Derrida notes the claims of the French government in the words of former President Charles de Gaulle: France was among the Second World War's victors and National Socialist ideology had affected only a small percentage of the French people. Only upon the presidency of Jacques Chirac did this separateness of 'France' from 'evil' fall in the public recognition of the role played by French citizens and governments in undertaking Nazi initiatives without the threat of compulsion. "Six presidents of the French Republic (Auriol, Coty, de Gaulle, Pompidou, Giscard d'Estaing, Mitterand) until now deemed it neither *possible* nor *opportune* nor *necessary*, nor even *correct* or *just* to stabilize it as a truth of this type […] with a kind of signature that would have come to assume responsibility for this truth: France guilty of a crime against humanity." (WAl 46)

"Can one speak of lie, that is, of nonveractiy where the truth cannot be stabilized?" (WAl 49) Derrida wonders what concept of lie would pertain to these questions (WAl 50). These are the sort of questions borne of a philosophical practice very much concerned with the capacity for evils wrought by lies that disabused itself of the naïvely innocent nonsense that there are acts of language completely free of lying, that boundaries can be erected against lying, and that there can be an ultimately justified apartheid policy against that or those contaminated with lying.

What philosophical practice can grasp this necessary binding of law with force, which leads to the most heinous legitimate fictions such as a sovereign state's capacity to

enforce what is produced by revisionist and negationist powers as 'an effect of truth'? While Derrida insists upon "the discussion, the recalling of evidence and witnesses, the work and discipline of memory, the indisputable demonstration of an archive," he also warns that these efforts become prone to revisionism or negationism should they become "by law a truth of state" (WAl 52). Instead, Derrida indicates that legitimate fictions must be recognized for what they are, and that counterfeits demand faith rather than dogmatic skepticism, relativism, nihilism or anarchy. Derrida's reflections on laws and politics binds together faith and knowledge. "To link in a certain way faith to knowledge, faith in knowledge, is to articulate movements that could be called performative with constative, descriptive, or theoretical movements. A profession of faith, a commitment, a promise, an assumed responsibility, all that calls not upon discourses of knowledge but upon performative discourses that produce the event of which they speak" (WAl 209). In Derrida's thought this would be the 'return to religion', which is neither secular nor religious. As Barry Stocker notes, "The point of contradiction in the constitution of law is where we arrive at what is often represented though religion, God and prophets." (Stocker 2007, 326)

6.6 Sovereignty and Democracy

"Context always remains open, thus fallible and insufficient" (SMa xvii). Politics today remains conceptualized through sovereignty. This, despite a shift from the classical conceptions and practices. Democracy in light of sovereignty is a paradoxical conflagration of the governed and the governing; it is a strange mixture of *auctoritas* and *potestas* with those over whom sovereignty must primarily exert its law and therefore also its force. Worse yet, democracy is that form of governance which requires the

constant *potestas* of changing its constitution. It is the form of governance that most strictly demands that the voice of the people form a *Machtspruch* with the capacity to enforce, preserve, or annul any prior *Rechtspruch* (see # 6.5). In Derrida's speech-act theoretical note about faith and knowledge in law and politics, this is to say that when democracy foregrounds the practical conditions of politics, constatives are repeatedly overrun by performatives precisely in the attempt to preserve the former.

The strange demand made by democracy upon politics and law is also the grounds for its legitimacy and its administrative capacities. The decrees of a democracy are to be obeyed without the possibility of an appeal by the parliament to the sovereign, since the grounds is a pre-authorized consent to being governed thus wise. "Indeed, in a democracy, where each consents to be governed by the collective will, there is a capacity for unrestricted domination" (Goodchild 2007, 54).

According to Schmitt, in his reflections upon the crisis of parliamentary democracy in the Weimar Republic, democracy is fated to destroy itself by virtue of this formation of its will (Schmitt 1985, 28). He could not find any differentiation between the process of forming the public will in a democracy and dictatorship because in formal terms democracy is remarkably bereft of a common good; events of democratic rule and sovereignty take their most pure form in freedoms such as the casting of ballots to form 'government' on the grounds of a cumulative power of opinion. Therefore, according to Schmitt, the formal conceptualization of democratic politics is that of a constitutive event which lacks any explicit content. Once the democratic decision has been formed, its sovereign voice lacks any capacity to revisit that decision. It is simultaneously the creation and annulment of political consent. (Schmitt 1985, 25)

Derrida takes Schmitt's critique of democracy seriously enough to propose that insofar as a democracy's laws are increasingly conjoined with the exertion of force, the possibility for that democracy to be just is diminished:

> 'Progress' in arms-technologies and in media - technologies is incontestably causing the disappearance of the site on which the democratic used to be situated. The site of representation and the stability of the location that make up parliament or assembly, the territorialization of power, the rooting of power to a particular place, if not to the ground as such-all this is over. The notion of politics dependent on *this* relation between power and space is over as well, although its end *must* be negotiated with. (N 250)

Derrida's essay on "*The Ends of Man*" makes this point on the heels of the student uprisings in 1968 and the increasing scale of the American government's efforts to save democracy in Southeast Asia. On the one hand, Derrida mentions democracy as the only political state of affairs in which an international colloquium can truly take place (see # 6.1.1n.1), since only a democracy can contain a plurality of languages and nations. And yet on the other, the democracies of 1968 were not sufficient in their concept of democracy (MP 114). This insufficiency of the political and legal to democracy is sustained across Derrida's writings. He concludes that sovereignty and democracy are inseparable and yet in contradiction with one another (R 100). Democracy is not effective without sovereignty; democracy has no power without sovereignty. Sovereignty itself, however, violates democracy since the essence of sovereignty is the capacity to exist, and thereby act, without giving reasons. (R 100)

This is a political and metaphysical problem before which any conception of sovereignty may not escape. Sovereignty entails not sharing power. "A pure sovereignty is indivisible, or it is not at all" (R 101). Sovereignty entails the contraction of all powers as the function of one agent at one instant. Sovereignty always tends, according to

Derrida, towards excessive violence: "Sovereignty can only *tend*, for a limited time, to reign without sharing. It can only tend toward imperial hegemony" (R 102). These conditions are entailed by the requirement that sovereignty come about free of all conditions except those determined by sovereignty alone. Remaining with this construal of sovereignty requires that the status of sovereignty be 'rogue' vis-à-vis all laws including its own. This is a madness from which reason may not be capable of escaping. Were this not the case, then sovereignty would be divisible. Sovereignty is not compelled to share. If a sovereign does share, the status of that sovereignty is put into question. Strangely, then, if democracy is to amount to governance, then the penultimate event of democracy is the self-imposition by a *demos* of a *kratos* over themselves. The elected government is "some oneself, the first, ultimate, and supreme source of every 'reason of the strongest' as the right [*droit*] granted to force or the force granted to law [*droit*]" (R 12). And so, along with Schmitt, Derrida finds that a sovereign democracy always risks becoming indistinguishable from a dictatorship, as was the case in Schmitt's time after the Reichstag fire on the 27th of February, 1933.

With Schmitt, Derrida observes that the democratic model of government has become redundant in modernity (N 250). Democracy, then, is in a difficult situation if it demands sovereignty. Contrary to Schmitt, Derrida takes this not as grounds for cynicism but as a demand for rethinking some fundamental concepts. He finds that the practical problems raised by Schmitt are compounded by contemporary tele-technology and commerce. No geography today remains under the singular jurisdiction of one politic. This is foremost the case among the world's democracies. Rethinking should

then be guided by the unavoidable aporias of law and force which constitute politics as a matter of divided authority. (R 101)

The paradox of sovereignty was most evident, according to Derrida, prior to the end of the Cold War. The universalizing aspirations were accompanied not by the impossibility of that actuality on logical grounds, but on the empirical one of mutually assured destruction. The Cold War witnessed two would-be sovereign powers aspiring for universal mastery over the entire world. A threat watched over this aspiration in the form of the "*fabulously textual*" (PIO 393) possibility of nuclear war. Even though no nuclear war came about, all preparations and discussions of war were those of a nuclear war. Politics was grounded upon what could be anticipated as the terminal showdown between two would-be sovereignties. The end of all things, quite literally, guided the teleology of Cold War politics. Derrida's reflection on this situation was that the teleology of sovereignty would entail the culmination of all that exists in one supremely violent moment. Although both superpowers were ostensibly secular, the ultimate outcome of their politics fulfilled the normally religious vision of an absolute apocalypse. The speed and timing of the apocalypse would not be religious *per se*, but nevertheless analogous to it.

The organizing principle of politics during the Cold War was also phantomatic. Nuclear war could only be spoken of, and yet it was taken quite seriously. For a time, the apocalyptic mythology of a nuclear canopy substituted for the sacred canopy. At the time, these sovereignties were painfully aware of the nature of their weapons' potency without any direct experience of that capability. The peculiarity of Cold War politics, structured so clearly by the Schmittian friend-enemy energy of the political, was that it

was organized by a completely unknown and yet universally feared possibility. The becoming-actual of sovereign ability, in that context, had a high probability of the termination of all possibility for that political form. Politics was organized by a phantom. Nuclear war was something that could only be talked about. The sophistication of nuclear weapons eluded not only the general public, but also their leadership. And yet the actual actions of nuclear war were nearly indistinguishable from the most early modes of warfare: mission, emission, sending, delivery, dispatch (PIO 395). If nuclear war comes to pass, a very real possibility is that there would be no-one and nothing to talk about.

> 'Reality,' let's say the general institution of the nuclear age, is constructed by the fable, on the basis of an event that has never happened (except phantasmatically, and that is not nothing), an event of which one can only speak, an event whose advent remains an invention of men (in all the sense of the word 'invention'), or which, more precisely, remains to be invented. An invention because it depends upon new technical mechanisms, to be sure, but an invention also because it does not exist and especially because, at whatever point it should come into existence, it would be a very great first. (PIO 394)

"Here, for once, there is only *doxa*, opinion, belief. One can no longer oppose belief and science, *doxa* and *episteme* once one has reached the decisive place of the nuclear age […] in this critical place, there is no more room for a distinction between belief and science, thus no more space for a 'nuclear criticism' strictly speaking. Or even for a truth in that sense. No truth, no apocalypse." (PIO 395)

The politics of sovereignty as universalizable was shown, however briefly, to be that of terminal irrationality. That period of politics also demonstrated the paradox of sovereignty: the universality of any sovereignty is to be believed, but not proven. In other words, the sovereign relation must remain without relation in order to maintain a

sustained relation of superiority. The balance of terror which kept the militaries of the superpowers in check, however, no longer obtains. The phantomatics of Cold War politics is instructive:

> All that is over [...]. The stir created by these war mobilizations can be terribly effective, to be sure; concrete, rational, and real, it can define and deafen the entire earth. But it cannot make us forget that we are dealing here with useful projections and ultimate denegations. [...]. Every sovereign state is in fact virtually and *a priori* able, that is, in a state [*en état*] to abuse its power and, like a rogue state, transgress international law. There is something of a rogue state in every state. The use of state power is *originally* excessive and abusive. As is, in fact, the recourse to terror and fear. (R 156)

6.6.1 The Alibi of Sovereignty and the Sovereign

Sovereignty and the state of being sovereign is the lie, perjury and alibi par excellence. As an alibi, sovereignty and being sovereign are absolute appeals to exculpatory avoidance. To be *alius ibi* literally means to be in some other place; providing an alibi defends one before an allegation of the law. In other words, an alibi removes one from the position of having to be before the law. Whoever possesses an alibi is not before the law, but is an outlaw and a rogue. "The allegation of an alibi always has the form of a plea for the defense. It acquires meaning only in an experience that puts into play an incrimination, accusation, guilt, and thus responsibility (judicial or penal, but first of all ethical or political)" (WAl xxvii). An alibi is normally a defense against claims to have failed responsibility by virtue of some topology. The sovereign is necessarily *alius ibi* before the law, since the sovereign's relation to the law is that of primordiality. Or, at the least, alibi is the claim made by the sovereign and by sovereignties. The sovereign is before the law, whereas all others find themselves under the law. Were this not the case, the sovereign would not have sovereignty. Today, this

metaphysics of the sovereign alibi is appealed to in order to exculpate responsibility and to permit a wide range of cruelties. The difficulty, however, is that this state of being sovereign conflicts with the sovereignty of laws.

The sovereign alibi points towards one of the most profound perjuries of sovereignty. Absolute responsibility ought to be without alibi (WAl 282n.4). To have no alibi is to lack the means of topological or meta-topological absolution from a scene of responsibility. Where the most complete form of responsibility is without absolution, sovereignty enables total absolution from responsibility. This is the most irresponsible modality for existing among others.

This condition is not a matter of sovereign decision, either to be responsible or to claim alibi; rather it is constitutive of any attempted sovereignty. A further difficulty, at least from Derrida's perspective, is that sovereignty faces the problem that there is no 'originary' alibi (WAl xxvii). To be without alibi would involve being without topographical or temporal place, it would entail existing outside of all relations as an absolute rogue. This sort of condition is not possible for a sovereign, if sovereignty involves having sovereignty over subjects, topographies and laws within the context of time and space. Conceptualizing perfect sovereignty involves construing a sovereign without relation to anything while having sovereignty over everything. Being without alibi requires non-relation to *topos*, position, thesis, and certainly to any politics or laws. And yet, to claim sovereignty or to be sovereign at least requires an appeal to this condition. Any so-called sovereign or sovereignty fulfills its concept by perjuring itself with a false alibi. It is necessary that sovereignty fundamentally compromise itself.

"The alibi always tells a story of lying. And thus of perjury, every lie being first of all a perjury. But a perjurer will always be able to claim that he neither lied nor perjured: he was simply elsewhere, his mind was elsewhere, and his attention disjointed. His distraction or amnesia, thus his finitude, serves him as an alibi" (WAl xxvi). A complete sovereign alibi, were it possible, would require not only the removal from one given scene, but from all scenes. The fullness of a sovereign alibi would require absolute absolution and relation without relation.

6.6.2 Questioning Sovereignty: the State of Exception

The relationship of sovereignty to law is unbearable for the sovereign. All law, ultimately, is situational. Laws that succeed are those which have legitimacy and can be enforced. Legitimacy and enforcement take place in contextual conjunctures. Vis-à-vis the contamination of immanence and transcendence, the sovereign determines the set of laws and yet is not a member of that set. Furthermore, the sovereign is most sovereign, and perhaps only sovereign, upon the exercise of sovereignty amid those very laws. Sovereignty is exercised most fully through the suspension, intervention or annulment of the sovereign's own laws. This is what Agamben calls the paradox of sovereignty (Agamben 1998, 15). Schmitt identified this as the state of exception, which he thought instantiated and exemplified the pure and formless energy of the political. This, in fact, is the opening sentence of Schmitt's essay on the concept of the political: "Sovereign is he who decides on the exception." (Schmitt 1985, 5)

This paradox is part of the perjury of sovereignty, where the sovereign is simultaneously and contemporaneously inside and outside the juridical order. The sovereign authorizes the order, but as such is thereby capable of suspending that very

order. This legal power to suspend the validity of the law legally places the sovereign outside the law. On these grounds, sovereignty claims its alibi, and this is also what makes sovereignty the "theological phantasm" which is most capable of producing the traumatic and cruel events (WAl 244). Derrida construes this concept as *"the phantasm - thus a certain fable and a certain 'as if'- of the political onto-theology of sovereignty*" (WAl xix), whose nature is presupposed to make and unmake orders. On these grounds, South Africa's apartheid laws made political sense: "That discourse belongs to a whole system of 'phantasms,' to a certain representation of nature, life, history, religion, and law, to the very culture that succeeded in giving rise to this state takeover. No doubt there is also here - and it bears repeating - a contradiction internal to the West and to the assertion of its rights" (PIO 381). Derrida sets out to refute this politics. This is the grounds for his appeal for rethinking that cuts across not only politics and metaphysics.

An alternative version of the paradox of sovereignty is that sovereignty, in setting the order, must declare that nothing is outside the law. And yet this sovereignty produces that which is outside the law. The reason why Derrida attends to Schmitt's reflections on this topic, and Agamben upon Derrida, is that sovereignty marks the limit of not only the juridical order but also of the conceptions of the subject. Sovereignty is an exemplary instantiation, at the very centre of Western thought, of what Derrida calls auto-immunity:

> To protect its life, to constitute itself as unique living ego, to relate, as the same to itself, it is necessarily led to welcome the other within (so many figures of death: differ*a*nce of the technical apparatus, iterability, non-uniqueness, prosthesis, synthetic image, simulacrum, all of which begins with language, before language). It must therefore take the immune defenses apparently meant for the non-ego, the enemy, the opposite, the adversary, and direct them at once *for itself and against itself*. (SMa 141)

Sovereignty and the sovereign mark not only the political but also the metaphysical aspiration of Western philosophical subjectivity. The stable centre that would be capable of determining the order of things, and of extending itself into that order at will, is precisely the most radical disturbance of that order. If there can be only one, then that one cannot tolerate the differences of whatever is other than itself, regardless of whether those others are self-produced.

The state of exception can only be determined by its localization which is an illocalization (Agamben 2005, 24). As a result, the total actualization of sovereignty requires the total destruction of all topology. This, according to Negri and Hardt, is the destination of modern politics as it self excepts its own productions: "The striated space of modernity constructed *places* that were continually engaged in and founded on a dialectical play with their outsides. The space of imperial sovereignty, in contrast, is smooth [...]. In this smooth space of Empire, there is no *place* of power - it is both everywhere and nowhere. Empire is *ou-topia*, or really a *non-place.*" (Hardt & Negri 2000, 190)

Sovereign dictatorship, as opposed to the Roman concept of commissarial dictatorship, is Schmitt's innovation which is meant to make the coordination between the state of exception and the juridical order possible. The teleology of this is to exercise law-making potency so as to create a state of affairs for the creation of a new constitution. By distinguishing between constituent and constituted power - the sovereign dictatorship exercising the former - Schmitt's theory accesses the capacities of founding violence explained by Benjamin's critique of violence (# 5.2.2). The sovereign alibi also obtains by virtue of a constituent power which is itself juridically formless, but

nevertheless the possibility of constitution. As the minimum of constitution the sovereign alibi-exception is inscribed within the law, despite its being essentially exterior to it.

For Agamben, the secret of power of modern governance on the grounds of sovereignty is an essentially empty space without relation (Agamben 2005, 86). Governance is thought to be restored by exceptional action, which in effect ensures that there is no return to law. "Politics has suffered a lasting eclipse because it has been contaminated by law, seeing itself, at best, as constituent power (that is, violence that makes law), when it is not reduced to merely the power to negotiate with the law. The only truly political action, however, is that which severs the nexus between violence and law" (Agamben 2005, 88). The effort to keep the exceptional and the normal situations separate enables one to seep into the other, since they "secretly institute each other." (Agamben 1999, 50)

> The exception is to positive law what negative theology is to positive theology. While the latter affirms and predicates determinate qualities of God, negative (or mystical) theology, with its 'neither… nor,' negates and suspends the attribution to God of any predicate whatsoever. Yet negative theology is not outside theology and actually shown to function as the principle grounding the possibility in general of anything like a theology. Only because it has been negatively presupposed as what subsists outside any possible predicate can divinity become the subject of a predication. (Agamben 1998, 17)

The sovereign state of exception is the most effective and actualized event of good conscience. With all legal determinations deactivated in a context of constituent capacity, the praxis of the sovereign is freed of any juridical distinction. By virtue of the "feigning presence or the simple modalization of presence" comes a naïveté which is capable of allowing sufferings, crimes and tortures nearly uninterpretable in their

violence (FLa 35). By virtue of being absolutely an-archic in presupposing itself to be the origin of the arché, whatever force exerted by the sovereign is non-violent, This good conscience is not necessarily determined to commit horrendous acts, but any act is beyond reproach because it is constitutive of law, order, and the good.

However, this good conscience is excessively violent. Its praxis is constituent of orders and therefore is a practice of inaugural violence and second violence (# 5.2.2). The new law is inaugurated in violence: but the violence also inaugurates a new law. The two are contemporaneous, although tertiary violence may continue to be done in the name of conserving the newly inaugurated law. This is why Derrida is decidedly against "good conscience" (OH 81). The praxis of good conscience takes itself to be sovereign and acts without restraint. Derrida holds out for a lesser violence (# 5.4) done in the coming about of a no less inaugural law, which founds a state comprised without good or clean conscience.

A fundamental problematic for philosophical practice is whether to orient thought according to a teleology of truth. That is, a decision must be made as to whether or not thinking and reflection will be taken to be radically separable from lies, counterfeits, falsehoods and perjuries (# 3.1.3). Where such a policy of separateness is presupposed, determinations of truth will also be sovereign determinations. Outrightly opposed to all lies, such a politics of thought and reflection takes truth to be that which is without the spot or stain of lying. Such a truth teleology tends towards sovereignty, to which it will at the least tacitly ascribe a status of constitutive exception. As noted above: "sovereignty can only *tend*, for a limited time, to reign without sharing. It can only tend toward imperial hegemony" (R 102). The opposition of truth to lies constitutes a politics

that claims the sovereign alibi. For Derrida, as well as Benjamin and Agamben, this is not the preferred option. "The attempt of state power to annex anomie through the state of exception is unmasked by Benjamin for what it is: a *fictio iuris* par excellence, which claims to maintain the law in its very suspension as force-of-law." (Agamben 2005, 59).

Rather than escaping perjury by occlusion, Derrida recommends an alternative: "Ethical, juridical, or political responsibility, if there is any, consists in deciding on the strategic orientation to give to this problematic, which remains an interpretive and active problematic, in any case a performative one, for which truth, no more than reality, is not an object given in advance that it would be a matter of simply reflecting adequately" (WAl 61). In the end, a production of adequate reflection taken to its proper end will not be sovereign.

6.7 Sovereignty and Disjuncture: Derrida and Decisionism

By virtue of its paradoxes, the attraction to sovereignty is its being universally authoritative while not being subject to its own authority (Hodge 2007, 141). Some kind of efficiency or efficacy is thought to obtain if the sovereign is beyond its own authority; despite issuing legislations, the sovereign must be capable of full independence from them. The concept of the sovereign has sustained its place in political as well as metaphysical thought because of its purported combination of legislative and executive capacities. The difference between the sovereign and the exercise of sovereignty instantiates the disjuncture of executive and legislative capacity the concept is thought to unite. This is the structural condition over which the sovereign is not sovereign. This demands at minimum a violent disjunction between the sovereign and its sovereignty. Further, and perhaps more troubling, the sovereign must practice this differing. There is

no sovereignty without this fundamental requirement of performing sovereign acts and their condition of difference from the being of the sovereign *per se*. All laws - that is, all teleologies and economies - must be broken open from the very moment of their genesis. Thus all orders, even if founded by a sovereign, are subject to a basic fragility. For this reason, they are vulnerable to reversal, overturning or nullification. As Derrida notes, "*Violence* of the law before the law and before meaning, violence that interrupts time, disarticulates it, dislodges it, displaces it out of its natural lodging: 'out of joint'. It is there that differ*a*nce, if it remain irreducible, irreducibly required by the spacing of any promise and by the future-to-come that comes to open it, does not mean only (as some people have too often believed and so naively) deferral, lateness, delay, postponement. In the incoercible differ*a*nce the here-now unfurls." (SMa 31)

The sovereign has no alibi from the imperative to decide on legislative and executive matters. Derrida takes advantage of this to set about a reinscription of sovereignty as divided rather than unified. To not decide or hesitate too long, whatever the period, is irresponsible. To decide decisively risks oversight of some crucial consideration that would render the decision capricious or arbitrary. The decision, which can only be a sovereign act, necessarily sunders sovereignty: "The decision is not only always exceptional, *it makes and exception for/of me*. In me. I decide, I make up my mind in all sovereignty - this would mean: the other than myself, the me as other and other than myself, *he makes or I make* an exception of the same" (PoF 69). It is by reflecting on the concept of decision that Derrida begins to reinscribe that of the sovereign.

In his essay on the force of law, Derrida admits to decisionism. Decisionism in its pejorative extreme makes all action arbitrary and divorced from reason: "The ultimately ungrounded nature of human choice is such that all action is endured irredeemably arbitrary and divorced from reason" (McCormick 2001, 396). Decisionism at its worst is the peril of random action without reason. As such, decisionism cannot be recognized as anything but caprice. The paradox of sovereignty is that sovereign decision proves itself not to need law, and thereby creates law. Agamben identifies this by the "principle of infinite dislocation" (Agamben 1998, 20). The existence of the sovereign is the inclusion of chaos within the *arché* by virtue of being an indistinction between inside and outside. The state of exception is the medium of this inside-outside of the political and law. Norm and decision are irreducible to each other and yet converge in the acts of sovereignty. The state of exception suspends or annuls norm, but the issue is the creation of a situation that makes application of the norm possible. (Agamben 2005, 36)

Derrida's "Force of Law" does not reinforce this situation. John McCormick notes the following about this essay: "[It] points out the authoritarianism latent in Western political philosophy and eventually raises the possibility of a justice even *less* decisionistic that [*sic*] the purportedly rational one elevated by the Enlightenment" (McCormick 2001, 397). Accounts of decision outside Derrida's work normally represent a decision-making process wherein cost-benefit oriented rational calculation enables the analysis of information so that options may be formulated to determine the best rendition of an outcome in the decision maker's interests. Decisionism in the pejorative would entail abandoning all calculation.

On the one hand, Derrida appreciates the strange situation established by sovereign decisions. Sovereignty inaugurates order, and as such need not rely on other orders, such as knowledge. On the other hand, sovereignty presupposes the capability to order totally where sovereignty could then determine other orders, such as knowledge. This is where Derrida begins to differ: for him that which is reducible to any order of knowledge is only the implication of the decision. "A decision is an event that is not subsumable under a concept, a theoretical judgment or a determinant form of knowledge [...]. A decision, if there is one, disappears in its appearance [...]. The same thing applies to all concerns closely related to the problematic of a decision. For example, responsibility, freedom, and justice can never form the object of a determinant form of knowledge." (N 229)

Derrida is not claiming that decisions are obscure or occult. Instead, he is proposing a certain concept of decision in order to prevent obscuration and occulting of decisions by such means as appeals to sovereignty. "We ask *ourselves* what a decision is and *who* decides. And if a decision is active, free, conscious and willful, sovereign. What would happen if we kept this word and this concept, but changed these last determinations?" (PoF xi) The division between legislative and executive capacities is safeguarded by the nature of decision itself: "decision must be heterogeneous to knowledge as such [...] if the decision is not to be the application of a rule" (N 231). Derrida appeals to the aspect of sovereignty that challenges the permanence of orders: "if I know, for example, what the causes and effects of what I am doing are, what the program is for what I am doing, then there is no decision; it is a question, at the moment of judgment, of applying a particular causality" (N 231). By the same stroke, however,

Derrida also removes the presupposition of legitimacy from the sovereign. “Even if one knows everything, the decision, if there is one, must advance toward a future that is not known, that cannot be anticipated. If one anticipates the future by predetermining the instant of decision, then one closes it off” (N 231). That is, reflection on a decision is irresponsible if it claims that the decision was outrightly just. A decision requires two or more options, between or among which there must be some hesitation. These elements of decision are annulled only if there is complete prior knowledge. Furthermore, a decision happens once only amid the possibilities of different outcomes. No decision guarantees itself absolutely, and so no decision is just. Instead, as every responsible lawyer and judge knows, the ordeal of the undecidable exists within the decision and continues to exist alongside the actualization of the decision.

Derrida is thereby going about establishing a certain aspect of sovereignty. “When Derrida says that truth cannot be decided, he does not mean that no decisions can be taken with regard to truth. On the contrary, the truth *must* always be decided” (Rayment-Pickard 2003, 147). Precisely because truth is undecidable, those attempting to speak about the truth must make decisions. Nonetheless, this aspect of sovereignty is fundamentally compromised. “The point Derrida is making, is that the question of truth, finally and ultimately, is never closed, completed or finished by any ‘last word’, there is no final word that would be an act of language capable of summing the entirety of truth” (Rayment-Pickard 2003, 147). Derrida’s proposal on decision leaves the ‘decider’ divided rather than unified.

6.7.1 Sovereignty and the Possibility of Justice

Derrida's thesis in "Force of Law" is that the possibility of justice depends not on the compossibility of justice and law, but on the successful maintenance of their in-compossibility. It would be reassuring if justice and law formed a binary distinction whose oppositional functioning were logically regulated and permitted mastery. Were it so, the sovereign could make decisions without threatening the very order established by those decisions. Instead, for Derrida there are three ineluctable aporias faced by anyone who determines laws or decides upon laws. These aporias cannot be glossed by any onto-theological phantasm because aporias refuse the possibility of "clean consciences." (GiD 25)

Firstly, decisions simultaneously preserve and destroy laws. Without decision, there is no law; but each decision makes law. The legitimacy of laws, then, depends aporetically on their continual revisioning and re-versioning. A just decision appeals to that aspect of sovereignty which is from beyond the law in order to be a decision proper (AoR 252). The decision must be free, and not the application of a rule, program, or calculation. This decision, however, lacks the safety of rules, programmes, and calculations in the conventional politics of sovereignty. The decision is without alibi. "It follows from this paradox that there is never a moment that we can say *in the present* that a decision *is* just (that is, free and responsible), or that someone *is* a just man - even less, 'I *am* just'." (FLa 23)

This lack of clean conscience brings forth a second aporia: every decision is always haunted by uncertainty. Every decision is deprived of absolute justification: prior to the decision, it was not just. After the decision, it is not just. The decision itself is

spectral. "The undecidable remains caught, lodged, as a ghost at least, but an essential ghost, in every decision, in every event of decision. Its ghostliness deconstructs from within all assurance of presence, all certainty or all alleged criteriology assuring us of the justice of a decision, in truth of the very event of a decision." (AoR 253)

Lastly, decisions face the aporia of time. Decisions, to be just, must be timely. Timeliness is required in order to maintain the legitimacy of a law. Because of this impatience, the instant of the just decision rends time and defies dialectics. "Even if time and prudence, the patience of knowledge and the mastery of conditions were hypothetically unlimited [i.e. even if there were God], the decision would be structurally finite, however late it came - a decision of urgency and precipitation, acting in the night of nonknowledge and nonrule" (AoR 255). This urgency obstructs the horizon of knowledge, "a horizon is both the opening and the limit that defines an infinite progress or a period of waiting." (FLa 26)

Elsewhere, Derrida notes that a certain modality of negative theology or hyper-atheism of a certain apophatics is necessary for there to be decision: "I cannot think the notion of the way without the necessity of deciding there where the decision seems impossible. Nor can I think the decision and thus the responsibility there where the decision is already possible and programmable" (ON 83). This requires something other than an ascesis opposed to sovereignty. Derrida proposes a reinscription of sovereignty that is only possible in being divided.

6.7.2 Decision and Loss of Sovereignty

Derrida elaborates on the implications of these observations about decision for sovereignty in *The Politics of Friendship*. Foremostly, the nature of decision thereby

requires the possibility of failure (PoF 219). A decision constitutes an absolute risk rather than an alibi. "The instant of decision must remain heterogeneous to all knowledge as such, to all theoretical or reportive determination, even if it may and must be preceded by all possible science and conscience. The latter are unable to determine the leap of decision without transforming it into the irresponsible application of a programme, hence without depriving it of what makes it into a sovereign and free decision - in a word, of what makes it a decision, if there is one" (PoF 219). The decision itself is not something demonstrable to others. If a decision is heterogeneous to all knowledge, how can I or others be certain that a decision was taken? The nature of decision demonstrates that not an in-dividual unity is the source of decision. Decision entails division, not only amid options but within the decider. "*A theory of the* [undivided, or in-dividual] *subject is incapable of accounting for the slightest decision*" (PoF 68). As a result, Derrida finds that his reflection on decision denies a firm ontology of decision as well as one for whomever decides. Neither exists in the order of being present within a strictly delineated order, since that would inscribe both into rule-bound programmatics. "What there is, if there is one or any, *is* not necessarily. It perhaps does not *exist* nor ever *present* itself; nevertheless, there is one, or some; there is a change of there being one, of there being some. Perhaps - although the French *peut-être* is, perhaps, with its two *verbs* (*pouvoir* and *être*), too rich" (PoF 39).

What follows from these reflections on sovereignty and its various paradoxes, is that the very instant of being-sovereign is also that in which something like absolute sovereignty is ruled out of the question. The sovereign is the one who can make the exception, i.e. to decide without condition. However, in deciding, the unconditionality of

sovereignty is entirely compromised. Decision, at the bare minimum, requires difference. The possibility of sovereignty is also its impossibility because sovereign acts precipitate what is described as 'divided singularity' below. (see # 6.7.3)

Derrida's reinscription of sovereignty has far-reaching ambitions. The effects of reflecting upon decision and sovereignty results in what Derrida calls "a thinking of freedom that calls into question in a deconstructive fashion the thinking of freedom as force, mastery, faculty and so on [...]" (R 42). The scope and extent of this reinscription on thinking is worth quoting here in full:

> In speaking of an ontotheology of sovereignty, I am referring here, under the name of God, this One and Only God, to the determination of a sovereign, and thus indivisible, omnipotence. For wherever the name of God would allow us to think something else, for example a vulnerable nonsovereignty, one that suffers and is divisible, one that is mortal even, capable of contradicting itself or of repenting (a thought that is neither impossible nor without example), it would be a completely different story, perhaps even the story of a god who deconstructs himself in his ipseity.
>
> In any case, such a questioning of sovereignty is not simply some formal or academic necessity for a kind of speculation in political philosophy, or else a form of genealogical, or perhaps even deconstructive, vigilance. It is already under way. It is at work today; it is what's *coming*, what's *happening*. It *is* and it *makes* history through the anxiety-provoking turmoil we are currently undergoing. For it is often precisely in the name of the universality of human rights, or at least of their perfectibility, as I suggested earlier, that the indivisible sovereignty of the nation-state is being more and more called into question, along with the immunity of sovereigns, be they heads of state or military leaders, and even the institution of the death penalty, the last defining attribute of state sovereignty. (R 157-158)

6.7.3 Hospitality, Sovereignty and Divided Singularity: Host and Guest

The reinscription of sovereignty as a divided singularity can be understood through Derrida's reflections on hospitality. Such a divisible sovereignty with the capacity to responsibly decide without alibi comes about by way of a capacity for

responsible hospitality. Derrida capitalizes upon the fact that 'host' and 'guest' in French can both be denoted by the term '*hôte'*.

In '*Hostipitality,*' Derrida overviews Émile Benveniste's study of the Latin term *hospes*, which Benveniste divides between *Hostis* and *Potis*. The latter in Sanskrit , depending upon the inflection, entails 'master' or 'spouse', where the Greek *posis* yields not only 'husband' but also the root forms for master, sovereign, and potentate. The point is that the host only offers hospitality on the basis of being master of the home: "He who offers hospitality must be the master in his home, he (masculine first of all) must be assured of his sovereignty over the space and goods which he offers or which he opens to the other as stranger" (H 260). As such, Derrida proposes the following "implacable law of hospitality: the *hôte* who receives (the host), the one who welcomes the invited or received *hôte* (the guest), the welcoming *hôte* who considers himself the owner of the place, is in truth a *hôte* received in his own home. He receives the hospitality that he offers *in* his own home; he receives it *from* his own home - which, in the end, does not belong to him. The *hôte* as host is a guest." (WoW 41)

The paradox sovereignty faces with decision is related to this paradox of hospitality, which is revealed by the ambivalence between host and guest: in order to be a host, the host must be master of the home; but precisely in acting as master of the home, the host gives the stranger as guest a place. And precisely acting as master of the home who gives place to the guest who remains in that home compromises the host's mastery. That is, the possibility of being host is bound up in the necessity of losing the mastery over the home-economy described above in terms of sovereignty.

> [...] the law of identity which de-limits the *very* place of proffered hospitality and guards authority over it, guards the truth of authority,

> remains the place of the guard, that is to say of the truth: therefore limiting the gift offered and making of this limitation, that is the *being oneself at home with oneself*, the condition of the gift and of hospitality. It is at the same time the principle, it could be said, the aporia, of the constitution and of the implosion of the concept of hospitality […] This implosion or if you prefer this auto-deconstruction being already in place. (H 245)

There are at least two conditions for being host in offering hospitality; the host must be the master of the home, and the host must also be willing to, as master, be visited by a guest whose attribute is an always-already partial absence and otherness which undoes this mastery. This capacity of the host-master to compromise 'his' mastery of the home, is indeed the height of mastery as the condition by which hospitality is actualized. Furthermore, only by sustaining this masterful non-mastery can hospitality be sustained for any duration. That is also to say that hospitality is actualized by a series of decisions for masterful non-mastery from moment to moment. It must be micrologically understood as a succession of hospitable instants. This is because at any instant hospitality can end: the guest can suddenly become a stranger, or even an enemy. Upon this, the host would return to Schmitt's concept of sovereignty as entailing emnity, such as border defenses and homeland security.

The demands of being host in fact are those of becoming hostage to the guest. Derrida proposes, therefore, a hyperbolic expectation of the host: "My hypothesis or thesis would be above all that this necessary aporia [of hospitality] is not negative; and that without the repeated endurance of this paralysis in the contradiction, the responsibility of a hospitality, a complete hospitality, there where we still do not know or ever know what it is, would not have any chance of coming to pass, of coming, of making or allowing to welcome." (H 258)

Derrida discusses the valences of '*hôte*' in his closing remarks to '*The Ends of Man*', with regard to the possibility that, with the end of humanism and structuralism, there might be a possibly new way of relating to others on grounds that do not presume the hostile capacities of mastery and sovereignty: "Are we to understand the eve as the guard mounted around the house or as the awakening to the day that is coming, at whose eve we are? Is there an economy of the eve? Perhaps we are between these two eves, which are also two ends of man. But who, we?" (MP 136)

Here Derrida is proposing the reinscription of sovereignty as a capability for hospitality not without hostility, but with the least violence (# 5.4). Derrida's hyperbolized construal of hospitality does not establish an opposition between pure and impure hospitality. This hospitality of reinscribed sovereignty would enjoin the double bind of hospitality. On the one hand, welcoming an other who is not yet identified or identified with; an other who is not the same and is without filiations - which is to say, an other who remains a stranger - this is not even a stranger-who-is-not-yet-familiar: instead, this is to welcome as possibly familiar an other about whom there is nothing known, i.e. determinable. This is a hospitality which accepts the other as a stranger. On the other hand, hospitality requires that everyone has their way of welcoming strangers. Protocols, gestures, conventions and languages of welcome vary. These need to be practiced not in order to guard the eves - the horizons of a given *arché*'s order - but to offer hospitality to the stranger. The capability of sovereignty is to invite the stranger to become guest. This invitation is necessarily transformative of the stranger, since it specifically locates and singles out a particular other to be translated, recognizably, from stranger into guest. The

double bind is between welcoming the stranger and inviting the guest: one respects otherness, the other seeks familiarity.

The construal of this sovereign hospitality in Derrida's work, from 1968 to 2005, remains concerned with borders, limits and eves. Nevertheless, this reinscribed sovereign hospitality is meant to practice a vigilance that would match that of the most hyper sensitive border guards. However, this limit alone is not monologically hostile vigilance with hyper active immunitory defense systems. Nor does Derrida think it any more hospitable to construct the buffer of a demilitarized zone. Instead, he draws upon Benjamin's religious language of the messianic in order to characterize the borderline practices of this reinscribed sovereignty (# 3.7).

In order to make his point, Derrida offers a distinction between invitation and visitation. Outrightly hostile hospitality attempts to exercise invitation-only sovereignty, whereas the least hostile hospitality opens its borders to visitation. "The visitor is someone who can come at any moment, without horizon of expectation, who comes by surprise like the Messiah. Anyone can come at any moment. It is like this that one speaks of the visitation which is the arrival of the other […] and that no one is there is to pose the conditions of the coming" (H 264n.13). This sovereignty emphasizes the development of welcoming capacities.

Only a sufficiently sovereign host has the capabilities to accomplish this practice:

> Therefore he waits for anyone at all, any newcomer and welcomes the newcomer in pressing him to enter as a liberator […]. If there is a horizon, this is not what phenomenologists call the horizon of expectation since it is anybody at all. He waits without waiting. He waits without knowing for whom he waits. He waits for the Messiah. He waits for anyone who will be able to come. And he will have him at his table. And he presses for him to come, he who has no means of making him come more quickly. He waits for him impatiently as a liberator. This is certainly a kind of Messiah. (H 253-254)

Derrida draws upon the religious language of the messianic at this point to press a question on the political, rather than on religion. "Where are the borders between the 'already' and the 'not yet'? Between politics and the non-political?" (WoW 82) The not-yet as 'non-political' is the invention of peace that would be more than merely the cessation of hostilities among enemies, but an unconditional actualization of hospitality to the non-enemy, i.e. stranger-as-guest, by a host whose subjectivity is actualized as a divided sovereignty.

6.7.4 Practicing Reinscribed Sovereignty: the Risk and Danger of Derrida's Proposal

Derrida is not naïve to occlude the risks run by this sort of practice: "The arrivance of the other who can come at any moment without asking my opinion and who can be well intentioned or who can be the worst: the visitation can also be invasion by the worst. And conditional hospitality must be open without a horizon of expectation, without anticipation, for any surprise visitation. I close this parenthesis, but evidently it should count for a lot." (H 264n.13)

In terms of philosophical practice, with which Derrida is concerned, the reinscribed sovereignty does neither presumptively claim truth-content of itself nor make itself capable of instituting a policy of immunization or separateness against would-be outsiders. This reasoning does not welcome the other on its own grounds, as a kind of 'principle of sufficient reason'. This does not entail, however, that reason is unable to welcome with reasons. The point is that reason's reasons are ultimately unarmed: one cannot reasonably have reason (*avoir raison*) over and against another. Phrased

otherwise, the divided-singularity-sovereign is disabused of the claim that its own contents are free of counterfeits, lies, perjuries, half-truths, and false starts. To return to the monetary examples above (see ## 4.5.2 & 6.3.1), the practice of seigniorage within any border is not the creation of true currency as opposed to false currency. Currency obtains its status on the grounds of credit. At the border-limits of reason alone are the lively operations of faith. The practice of the philosopher is not governed by truth, but by what is trusted in exchange: "It obligates you first of all to wonder what money is: true money, false money, the falsely true and the truly false - and non-money which is neither true nor false, and so forth" (GiT 87). What gains currency in thought is a matter of hospitality.

One implication of the above is that philosophical practices and presuppositions should not be oriented by conventional sovereignty. This would include the re-construal, for example, of truth and of concept (# 3.1.3). The praxis of such thought is that of a reason unarmed. In other words, Derrida is potentiating the abstractive powers of reason - which he thinks should be acceptable to all parties - to proceed without the assurances of sovereign immunity.

All of this is not without risk or danger. What Derrida is suggesting is far from the assurances or security of programmes, systems of control, or organizational frameworks. The readiness at which this immanent undecidability can provoke thought is "[*f*]*or the best and for the worst, without the slightest assurance or anthropo-theological horizon*" (FK 19). All constitutive elements of reason, religion and state are subject to the sollicitation of this proposal. To seek the principle of sufficient reason for any of them is to risk venturing upon what is at bottom groundless. Derrida is asking that

thought step knowingly over the abyss of *arché*-violence rather than presumptively mask over that most unstable situation with second violence of proper names, language, and concepts (# 5.2.1).

This is not a modest proposal. In fact, what Derrida is suggesting is terrifying. Derrida is advocating for groundlessness: "*In uprooting the tradition that bears it, in atheologizing it, this abstraction, without denying faith, liberates a universal rationality and the political democracy that cannot be dissociated from it*" (FK 19). This is to say that for Derrida, atheism is the refutation of what has been described as classical reason and modern sovereignty. Derrida proposes divisible sovereignty as the alternative to both the theists and the would-be atheists. Atheism is reinscribed to critique not only to the theist's God, but also to the atheist political sovereignty borne of the Western philosophical tradition. The third footnote of the preface to Derrida's first major publication states this position, proposal, and ambition quite clearly:

> Here I do not mean those 'theological prejudices' which, at an identifiable time and place, inflected or repressed the theory of the written sign [...]. These prejudices are nothing but the most clearsighted and best circumscribed, historically determined manifestation of a constitutive and permanent presupposition essential to the history of the West, therefore to metaphysics in its entirety, even when it professes to be atheist. (OG 323n.3)

The reversal of idealism - such as might be the case with theism with practical developments in empirical existence as asserted from David Hume to Paul Draper - simply practices ontotheology differently. Reversal and negation are only elements of, but not substantive objectives, for adequate reflection.

The politics of the debates over theism-atheism remain lodged within the conception named by Schmitt as the friend-enemy distinction: it functions in politics as

does good-evil in moral philosophy, since the state is not a sufficient definition of the political (Schmitt 1985, 26). Schmitt held that only opposition to an enemy establishes the political energy necessary for a sovereign state. Surrendering sovereignty is thus the loss of enemies, depoliticization (Schmitt 1985, 38). The politics of the theism-atheism debate pick up this mentality, which turns out to state conventional philosophy's rule of contradiction: "All political [and classically philosophical] concepts, images and terms have a polemical meaning. They are focused on a specific conflict and are bound to a concrete situation; the result [...] is a friend-enemy grouping, and they turn into empty and ghostlike abstractions when this situation disappears" (Schmitt 1985, 30). Only a divided and vulnerable conception of sovereignty could provide hospitality to the ghosts who arrive upon the abandonment of philosophical praxis as polemics. As Schmitt astutely notes, "all significant concepts of the modern theory of the state are secularized theological concepts" (Schmitt 1985, 47). Derrida's proposal is not to establish a more absolute apartheid against the theology of a wholly secularized thinking, but to elicit the possibilities that arise when this abyss and its paradox are faced without denial.

Derrida cautions against the sort of reflection whose hostile mastery creates what amounts to "an available set of rule-governed procedures, methods, accessible approaches" (PIO 15). This creates a realm in which nothing is exemplary, there is danger in something becoming exemplary; in a realm in which there is no sovereign, there is the greatest risk of totalitarian aspirations to sovereignty; in a realm in which there are only singular examples, the worst is the effacement of those singularities by means of postulating an exemplary example. That exemplarity, given the conditions described by Derrida, would only come about by means of doing violence to the

multitude of singularities. This would be a violence which neither negotiates nor takes into account the singularity of each one. Such is the violence Lévinas noted as 'totality,' whose vigilantly hostility levels all others to the order of the same (# 5.3).

Derrida admits that the proposals iterated in his works does not provide a level of security or immunization similar to conventional politics:

> Beyond the worldwide computer and the dialectic of strategic or economic calculations, beyond state-controlled, national, or international agencies, beyond the juridico-political or theologico-political discourse, which henceforth serves only to maintain good conscience or denial, it was, it will have to be, it is necessary to appeal unconditionally to the future of another law and another force beyond the totality of this present […]. Will it succeed? Will it make of this very thing a work, an oeuvre? Nothing can be guaranteed here, by definition. (PIO 385-386)

If politics is a science having to do with arithmetic, calculus and algorithmically repeatable universal postulations, then Derrida is not political (# 6.1.1). Experiments with the impossible cannot have anything to do with that sort of politics, grounded upon political science and taken to be a 'triumph'. That is, political science's politics is about closing circles to be added to a collection of those which are already closed. Derrida does offer no equations, numbers, formulae, chemistry, and therefore no science for politics. As Bill Martin observes of Derrida's works, "the numbers just aren't there" (Martin 1995, 135). Derrida discusses counting and numbers repeatedly, but offers none for actual consideration. When dealing with the incalculable, according to Derrida, counting is the conjunctive practice which brings reflection to the abyssal and aporetic precipice of decision. The actual decision must take leave of counting in order to act, since more counting can always be done.

The sovereignty of politics and philosophy which does not take itself to be performing the accreditation of its own counterfeit productions posits itself with auto-

justifying acts of language Derrida dubs "*egodicy*" (GiD 62). This 'justification of the ego' is homologically filiated with theodicy. As Thomas Saine notes, the two terms are not rigorously distinct from each other: "In a very real sense, every philosophical system that attempts to deal with the essence of things, with the meaning of existence and of the universe, can be called a theodicy. Although, strictly speaking, the word denotes the 'justification of God,' 'God' can be understood, in more general terms, as the highest principle governing the particular philosophy under discussion" (Saine 1997, 87). Egodicy is the practice of dissolving singularity into the medium of the concepts employed in reflection (GiD 61). In other words, language is the domain of ethics, law and politics, not of absolute responsibility or decision (# 4.4). Language is what justifies, explains, programs, determines, and calculates. Normally, this is considered to be the very nature of responsibility. A well-deliberated and highly determined act is understood to be responsible. If those deliberations and determinations can be made generally known to anyone interested, this is normally understood to be highly responsible. Derrida's proposal appears to be reprehensibly irreponsible in this regard.

Egodicy is what Derrida understands to be regularly practiced in ethics. This practice depends upon the paradox of sovereignty too: "The absolutes of duty and of responsibility presume that one denounce, refute, and transcend, at the same time, all duty, all responsibility, and every human law. It calls for a betrayal of everything that manifests itself in the order of universal generality, and everything that manifests itself in general, the very order and essence of manifestation: namely, the essence itself, the essence in general to the extent that it is inseparable from presence and from manifestation" (GiD 66). Egodicy is one attempted way out of the paradox of

sovereignty. This way out carries forth the presumption of being free of faith if knowledge of truth can be demonstrably certain.

The temptation of egodicy is another version of the temptation of theodicy, and atheism is the mimetic reversal of theism. Both require the assumption that there may or may not be a sovereign and undivided God whose acts are unconditional and universal. Derrida restates this temptation: "Knowing is temptation [...] to believe not only that one knows what one knows (which wouldn't be too serious), but also that one knows what knowledge is, that is, free, structurally, of belief or of faith - of the fiduciary or of trustworthiness" (FK 30). In this respect, Derrida is in agreement with the thesis of Kant's argument against theodicy: "We call this 'the defending of God's cause,' even though the cause might be at bottom no more than that of our presumptuous reason failing to recognize its limitations" (Kant 1996 # 8 : 255), the immodest claim of access to a position outside of knowledge. Put otherwise, the temptation of knowing is to claim that there is an outside text (see # 4.4). Tacit to such a claim is that one has access to, or can stand outside, the text. That would be the position of the sovereign, free of all its paradoxes of becoming actual. This would require the possibility of a position outside of, and beyond all the conditions of language. As such, this would be the actualization of the capacity to exceed phenomenality and go beyond its limits. No doubt, such a temptation claims for itself access to a pure appearance of some 'thing' that in fact must not be any thing and not in any way accessible by any act of language. According to Derrida, this would be to have access to either pure life or pure death; both of which are ultimately the same if purity requires abstinence from actuality. Ascription to this sort of temptation is unreasonable from Derrida's point of view because it is quite simply meaningless. Such

claims deny their actuality from language. This is what negative theologizing aspires toward, but cannot accomplish.

Derrida's antagonism towards structuralism (# 4.1) in his early works reinforces this critique of egodicy. The structuralist egodicy could be defined as follows: "Structuralism aims to explain particular events or units of meaning in terms of underlying structural laws. According to this methodology, individual units of meaning are not to be understood as self-enclosed identities, but according to their interrelationship within the totality of structural laws that determine them" (Dooley & Kavanagh 2007, 31). Structuralist discourses understand language as a formal system of relations. The reference to specific things is held to be contingent, whereas the system of relations that makes reference to specific things possible, and therefore meaningful, is held to be necessary. The structuralist egodicy is precipitated at the point of claiming, as does theodicy, the grasping of totality for itself: "[...] structuralism above all insists upon preserving the coherence and completion of each totality at its own level [...] it is to refuse to relegate everything that is not comprehensible as an ideal type to the status of an aberrational accident. The pathological itself is not the simple absence of structure. It is organized. It cannot be understood as the deficiency, defect, or decomposition of a beautiful, ideal totality. It is not the simple undoing of *telos*." (WD 26)

No matter the '-dicy', the intent is to mask over the abyssal *arché*-violence of differences and their forces (# 5.2.1). These discourses are productions of an anxiety about language that is expressed in language (WD 3). "It is not a lesser province of the social science called history to have a privileged concern, in the acts and institutions of man, with the immense region of somnambulism, the *almost-everything* which is not the

pure waking state, the sterile and silent acidity of the question itself, the *almost-nothing*" (WD 4). Egodicy and theodicy are borne of the refusal to welcome sovereign hospitality as the problem and of presuming instead the singular position and capacity to pose questions to others.

Every question that is indeed a question and not a rhetorical device has the curious ontological status Derrida characterizes as 'almost-nothing'. Derrida is rather dogmatic with regard to what properly counts as a question, despite its being almost-nothing. A question arises not from the *telos* of a determined research program, rather from the possibility that obtains amid or between the differential relations between concepts, meanings, or structures of knowledge.

Derrida nearly commits to François Lyotard's notion of the *différend* on this count (Lyotard 1988, 13), since these differential relations are not ones to which a question is put in order to resolve their difference into a unity; instead, the difference is irresolvable and thereby forms an aporia, double bind, or hiatus. This is the almost-nothing origin of the question as almost-nothing. The ontological peculiarity of the question solicits, or makes tremble the relation of its constituents and the knowledge thought to inform the relation.

A question that is 'almost nothing' cannot be thought of by hostile sovereignty because questions can threaten structures and relations rather than reinforce them. Hospitality is required so that a question might set everything into motion and thereby reveal the forces of difference amid relations (WD 6). In other words, a question puts the certainty of relations, particularly those of sovereignty and host-mastery, into suspension. Rather than serving as a means of overcoming difference towards a dialectical unity,

Derrida's notion of the question serves to suspend just that sort of economy and teleology that is presumed to neutralize difference. Put otherwise, an actual question is an almost-nothing that preserves by difference radicalizing it.

Derrida finds that the overwhelming emphasis on form practiced by structuralist discourses of knowledge effectively neutralizes the attentiveness to force and difference (WD 4). Whereas structuralisms find clarity in privileging form over content, Derrida finds in such a somnambulism borne of a naïveté regarding the conditions that make the construction of forms possible. Derrida accuses structuralism of being a "reflection of the accomplished, the constituted, the *constructed*. Historical, eschatological, and crepuscular by its very situation." (WD 5) It is for this reason that Derrida understands structuralisms to be theological, in spite of the fact that atheism often claims to have undermined the superstructures of theological and religious false presumption. The idealism of theism preserves notions about differences of force in its hierarchies, whereas mundane atheism schematizes and spatializes relations under the horizon of a field divested of force, where "meaning [is] rethought as form; and structure is the *formal* unity of form and meaning," which establishes a "neutralization of meaning by form." (WD 5)

The paradox of sovereignty reiterates how any act of language is the transformation of meaning into language as a restriction of that meaning. Instantiation, if it is to be actual, takes place amid differences without a sovereign unity of presence. The writer and the speaker both force meaning through a restricted passageway of idiom that is responsible for meaning; and yet neither says it all, nor says the truth and nothing but the truth (see # 3.1.3). The restriction of meaning marks a radical betrayal of absolutes,

such as 'truth', which is necessary for actualization. The decision to act confronts the urgency and divisiveness of having to choose. Every decision is always never enough, and at once too much (WD 9). Both egodicy and theodicy are forms of alibi which purport to secure idioms against the radical fact that anything in-context can always fail. (WD 12)

> To write is not only to know that through writing, through the extremities of style, the best will not necessarily transpire, as Leibniz thought it did in divine creation, nor will the transition to what transpires always be *willful*, nor will that which is noted down always infinitely *express* the universe, resembling and reassembling it. It is also to be incapable of making meaning absolutely precede writing: it is thus to lower meaning while simultaneously elevating inscription. The eternal fraternity of theological optimism and of pessimism: nothing is more reassuring, but nothing is more despairing, more destructive of our books than the Leibnizian Book. (WD 10)

6.8 On the Way to Justice: the Theo-egodicy of 'the Book'

'The Book' is equivocal with the undivided sovereign in the sense that neither can be accomplished today. "I think the form of the systematic, encyclopedic or circular book is impossible; and in *Of Grammatology* I start off by saying: that's it, no more books" (TfS 81). Derrida cites Leibniz' theodicy in the context of challenging 'books', as the dream of the universal totality that would found and preserve the stability of works in language by means of a theological assurance. This assurance would be a pure language capable of translating all other languages; that pure language, as a whole, would constitute 'the Book'. That Book would be sovereign. 'God' thereby becomes "that which imprints every human course and recourse with its secondarity, the passageway of deferred reciprocity between reading and writing." (WD 11)

Something like 'the Book' cannot be accomplished without the destruction of paradox and aporia. This is because 'the Book' would be the instantiation of the 'last

word.' Were this to come about, its passing would be the end of all things and the completion of some egodicy or theodicy. Were the Book to come about, which is to say - were undivided and unconditional sovereignty to be actualized, there would also be the end of conversation. This silence would be the worst violence, far worse than the violence of ongoing conversations that never accomplish pure and full expressions of meaning in acts of language. More generally speaking, actions as non-full expressions of intention would come to an end.

6.8.1 Sovereign Idiosyncrasy and Conversation

Derrida asks whether 'to respond' has an opposite (ON 15). That is, Derrida is skeptical as to whether 'the Book' and undivided sovereignty can indeed be actualized in any given context, since that could be the opposition to response. And yet 'not responding' remains a form of response. If there is no opposite to response, then Derrida has located the weak force of a structural law of participation which radically compromises the indivisibility of sovereignty. No actual entity is able to not respond to the provocation of another.

Another way of stating this is that the idiosyncrasy of the sovereign is not an option; the sovereign is not that entity entirely capable of mastering its adequacy as the center and origin of its world. Idiosyncrasy marks its ontological structure, since such mastery requires absolute loneliness. This is what Derrida calls the 'predeconstructive subject': "One could put the subject in its subjectivity on stage, *submit* it to the stage as the *idiot* itself (the innocent, the proper, the virgin, the originary, the native, the naïve, the great beginning: just as great, as erect, and as autonomous as, *submissive*, etc.)" (ON 260). The sovereign would be a mute, if not a deaf-mute. Since the sovereign alone is

capable of the exception, and the exception would be absolutely unique, then the sovereign alone can acquire the predicate of the purest of idiots. Even in this there is no sovereignty if the idiot can be recognized and named as such. The absolute idiot-sovereign would not know of others, and others would not know this one.

Derrida's proposal for a divided sovereignty capable of hospitality is that modality which would be capable of conversation. His stipulation on the condition for conversation is that this is not a monolingual conversation. The requirement is for a capacity to host the idiom of the other's language within what is presumed to have been one's own idiom and language. It is a departure from idiosyncrasy toward the capacity to be inhabited by another's idiom. However, Derrida is so convinced of this; therefore he proposes multilingual conversation as the criterion for what counts as justice:

> To address oneself to the other in the language of the other is, it seems, the condition of all possible justice, but apparently, in all rigor, it is not only impossible (since I cannot speak the language of the other except to the extent that I appropriate it and assimilate it according to the law of an implicit third) but even excluded by justice as law (*droit*), inasmuch as justice as right seems to imply an element of universality, the appeal to a third party who suspends the unilaterality or singularity of the idioms. (FLa 17)

A unilateral or singular idiom would be a pure language. It seems plausible to presume that a language can be pure, i.e. sovereign, since language comes from beyond those who find themselves amid language. The notion that a language, or language in general, is sovereign arrives by way of noting that acts of language come to pass without the actors' knowing for certain whether they are masters of it. If anything, "My language, the only one I hear myself speak and agree to speak, is the language of the other" (MOP 25). If there is monolingualism, it is that of some other since language originates from elsewhere. No one gives language to oneself. That is, there is no

sovereign language actor. Every act of language is performed as though from a heteronomy of a language (MOP 39), and thereby it could be presumed that language itself is sovereign. Further to this point, the experience of language is passive. The heteronomy of language, as it comes from another and originates from elsewhere, arrives unannounced and without invitation. In other words, the possibility of language demands hospitality to be inhabited by some language. In this way, the practice of divided sovereignty is an already familiar and widely-shared phenomenon. Language must arrive from some who knows where beyond and be welcomed.

Derrida astutely observes that to his knowledge, no one owns language. Language exists asymmetrically, since it comes from some other and returns to some other. Language is never owned by any one, but is always kept by the other, "Coming from the other, remaining with the other, and returning to the other" (MOP 40). Good speech and good writing represents a Master who is never to be found. The Master that denotes mastery of a language is always elsewhere; good speech and good writing gains this appellation passively by the grant of the Master. It is thereby tempting to suppose along side this 'Master' something like 'the Book', which would contain all language within itself. This set, comprised of the totality of language, would then be sovereign. While this can be imagined, a brief moment of reflection reveals that it is illogical on the grounds that the possibility of declaring a set requires some 'outside the set', which would rob such a 'Book' of its totality.

Derrida's succinct demonstration of this seemingly universal condition is given in his essay *Monolingualism of the Other; or, The Prosthesis of Origin*, as follows: "I only have one language; it is not mine" (MOP 1). He notes that it is possible to state this

phrase in good English, or in good French. However, the one who makes this statement is confessing to a condition that affects not only all acts of language, but also permeates all possibilities for thought and reflection. The statement gestures towards the radical fact that meaning is not expressed *sui generis*. The coherence of the statement is in its self-dividing claim. Firstly, the capacity to make this claim presumes a certain fundamental knowledge of language. Secondly, it is on the grounds of this knowledge that absolute mastery must be renounced. In other words, this is another instance of the paradoxical loss of sovereignty in being sovereign: it requires divided sovereignty to ground this claim.

The resolution to this condition, however, must not be that there is a pure language or a sovereign agent who does master language in the mastery of the infinite universe. Language will never be 'owned' by any one. No one has owned language without being an idiot. While it seems as though language always precedes any acts of language, it is not as though there is a 'Book' of language that contains the set 'language' in totality.

What borders then enframe language? What is properly inside versus outside of language? Where are these borders and limits to be 'located'? Furthermore, what could be a proper example of the crossing point, the *topos* of transgression, by which the inside and outside of a natural language would become apparent? If inter-subjective comprehension of meaning is proffered as a criterion, it is certainly not a reliable one for Derrida. Gestures, non-linguistic enunciations, and all sorts of speech acts can be quite meaningful while not conforming to the grammar, syntax, and semantics of a natural

language. These so-called non-linguistic signs are nevertheless part and parcel of idiom. And so long as idiom is part of language, so are they.

These observations reinforce the earlier points made about borders, limits, and eves (# 6.7.3 & 6.7.4) vis-à-vis the capacity to practice policies of hostile vigilance against counterfeit, impure, unwelcome or non-serious acts of language(lies, half-truths, counterfeits, perjuries, false exits, and so on). These conditions put undivided sovereignty into question. Derrida presses this questioning, which seems like 'almost nothing' but in fact breaks open self-containment towards hospitality. He marks two further seemingly non-compossible propositions in that essay:

1. We only ever speak one language.
2. We never speak only one language. (MOP 7)

Derrida then radicalizes the propositions:

1*. We only ever speak one language - or rather one idiom only.
2*. We never speak only one language - or rather there is no pure idiom. (MOP 8)

Their antinomy does not obtain by virtue of a failure in either of the two propositions, but arrives in the space between the two propositions. It would seem as though there were nothing between them, but only almost so. They are inseparable precisely by way of their contradiction. Or their relationship is that of a relation without relation. This 'almost nothing' relation without relation puts the sovereignty of anyone who uses language into question. In particular, Derrida is taking seriously the construal of logic as the set of rules that govern what can and cannot be said. Normally, the philosopher's deployment of logic would put others into question. Instead, in this case, the sovereignty of logic and those who would use it as a power are questioned. The notion of speaking a 'language of my own' entails an investigation of that so-called 'I' which purports to own

its identity and its language. If it is necessary to master a language in order to possess it, then how is mastery measured or ascertained?

Therefore, one's own language is definitively not one's own. This is an analytic *a priori*: language is given from beyond any one; as such one's own language is never one's own, and there is no reason for this. The surrender to the language of the other is necessary, however, *a priori*. Derrida then formalizes a correlative of these two sets of propositions:

a. There is no such thing as *x*.
b. There is nothing but *x*. (MOP 21)

If clear and distinct reflection requires actual entities about which thought can be certain, then the outcome of Derrida's paired propositions is that thought must do without language. Identification is not synonymous with identity: the former may go on indefinitely without involving the latter. The rule of contradiction would demand that either *P* or not-*P*. Either there is language or there is not. The upshot of Derrida's argument is that there is not 'one' language that could be determined as a self-contained set or entity. Language is not, according to the logic of that rule, real: "There is no metalanguage, and [...] *a* language shall always be called upon to speak about *the* language - *because* the latter does not exist" (MOP 69). Language, even if there were 'one', could not be accounted for since there is no position to make determinations about language outside of language. The act of identifying all that is proper to one language cannot overcome the incalculable a-unicity and a-totality of language in general. The oneness of a language escapes arithmetic countability and accountability. Derrida concludes, therefore, that all language is incalculable. Therefore, any language user must undergo the ordeal of the undecidable. This is the universal necessity of aporia.

6.8.2 Derrida's Departure from Schmitt, towards 'Justice'

At this point, Derrida's opposition to egodicy and theodicy departs from others:

> Each time I open my mouth, each time I speak or write, I *promise*. Whether I like it or not: here, the fatal precipitation of the promise must be dissociated from the values of the will, intention, or meaning-to-say that are reasonably attached to it […] It [the promise] is the 'there must be a language' (which necessarily implies: 'for it does not exist,' or 'since it is lacking'), 'I promise a language,' 'a language is promised,' which at once precedes all language, summons all speech, and already belongs to each language as it does to all speech. (MOP 67)

This gathering and promising capacity is the basis on which Derrida departs from Schmitt's analysis of political energy (see # 6.3.3). The energy is not that of the friend-enemy opposition that requires the polemical presumption of undivided sovereignty. The energy is in the form of a promise that exceeds all the aspirations of propriety-universality, exclusiveness, separation, purity. The energy of this promise threatens all egodicies and theodicies without yielding or delivering any determinate content of its own. (MOP 68)

The implications for laws and politics are profound. Language cannot be the object of propriety. The language of the other could very well be the language of the other 'within', particularly if there is no opposite of response. This demonstrates a fundamental breach of any claim to undivided sovereignty. The so-called sovereign must practice the vulnerability of Derrida's hospitality of language, even in making the declaration of that so-called sovereignty. "This is necessary, this possible hospitality to the worst is necessary so that good hospitality can have a chance of letting the other come, the *yes* of the other no less than the *yes* to the other" (WoW 35). The general structure of possibility to 'welcome' that reason first establishes by rationally welcoming

the infinite is not a fact of reason's own or self-proper acting. Not only is every act of speech or writing a gesture of this divisibility, but also all idioms.

Returning to Derrida's reflections on '*The Force of Law*', that force is neither the capacity to take life or let live of classical sovereignty nor the capacity to administer life of modern sovereignty. Instead, this is the energy of the 'almost nothing' which animates the forces between differences rather than determining the structure of differences themselves. The 'law' is the law of this force.

As stated above (# 6.4.2) laws fail when they are unable to be enforced. On this count, Derrida's location of the paradoxical and aporetic conditions which structure the possibilities for reflection and thought are successful laws. Their force, however, is a weak force of negative capability from which derives no sovereign and sovereignty. Laws themselves cannot not be subject to these paradoxical and aporetic conditions. The result is that no law other than those of paradox and aporia can be universal.

"Justice would begin with this perjury" (WoW 33). The formulation of laws, insofar as they take place by means of language, cannot accomplish the universality to which they aspire. Indeed, any given law is already and always compromised by the singularity of its own coming to pass in-context amid differences. No law is unto itself. Therefore, Derrida claims: "Law is not justice. Law is the element of calculation, and it is just that there be law, but justice is incalculable, it demands that one calculate with the incalculable; and aporetic experiences are the experiences, as improbable as they are necessary, of justice, that is to say of moments in which the *decision* between just and unjust is never insured by a rule." (AoR 244)

Derrida's reinscription of 'justice' as distinct from 'law' involves a practice which unfurls the questions put to metaphysics and politics. Relative to the tradition of Western philosophy, this outworking of questioning puts the normative practice of philosophy itself 'in the dock'. This is the proper relation to justice according to Derrida. All attempted egodicies and theodicies, which are theological, find themselves in this position of being in question. Justice according to Derrida then amounts to "the sensitivity to a kind of essential disproportion that must inscribe excess and inadequation in itself" and denounces "the good conscience that dogmatically stops before any inherited determination of justice." (AoR 248)

6.8.3 Justice as Out-of-joint

Derrida maintains that his works are entirely concerned with the political, provided that 'political' be understood as that which radically establishes the possibility for the doing and undoing of any particular politics. More specifically, Derrida's concern with the political is consistently focused on the ways in which sovereignty finds itself undone by the paradoxes and aporias which condition the possibilities for action in the world. This sollicitation of politics-as-usual, whose oscillations undo the unity of sovereignty, confronts the presumed justice of politics and laws with what Derrida understands as 'justice'.

The bar Derrida sets for justice is impossible. Justice is an aporia, since it is not directly experienced as a presence (AoR 244). Justice is, however, not possible without the experience of an aporia that calls for justice. When everything goes according to plan, particularly when future and past are understood as experiences of the extended present, there is no experience of the aporia justice 'is'. When things are not going well,

when the time is out of joint such that past, present, and future are undergone as interruptions, then the yawning aporia of justice is experienced.

This leads to a strange set of conditions. For Derrida, justice is unjustified. There is no '*diké*' to which one can appeal to stabilize justice. "I oppose this concept of justice-as disjunction, as 'being out of joint,' as what is always already 'out of joint' - to what Heidegger says of *dike* that he opposes (and, in a certain sense, rightly so) to what one commonly calls *justice*" (N 230). On more than one occasion Derrida critically cites Martin Heidegger's analysis of the Anaximander Fragment (1975) in order to argue how 'justice' is essentially a matter of divisibility as opposed to joining and bringing-together, also to Heidegger's '*Fug*'.

> Beyond right, and still more beyond juridicism, beyond morality, and still more beyond moralism, does not justice as relation to the other suppose on the contrary the irreducible excess of a disjuncture or an anachrony, some *Un-Fug*, some 'out of joint' dislocation in Being and in time itself, a disjointure that, in always risking the evil, expropriation, and injustice (*adikia*) against which there is no calculable insurance, would alone be able to *do justice* or *render justice* to the other as other? A *doing that would not amount only to action and a rendering* that would not come down just to restitution. (SMa 27-28)

Derrida's construal of justice resists attributing to it any sovereign status in terms of politics-as-usual. This is because Derrida resists the outcomes of understanding justice as joining or bringing-together. To think that justice fills up ontological wholes risks construing every imposition of order as a *de facto* instantiation of justice. Every instance of imposition of order might be the institution of a law, but this is not necessarily equivocal with, or co-extensive with justice. On these grounds, Derrida insists that a distinction must be made if 'justice' is to possess an integrity of its own that is separable from laws and politics. That integrity, however, is not an indivisible sovereignty but a fundamentally divisible sovereignty.

This sovereignty, if it can be called that, of Derrida's prescription for justice, is that of a fundamentally hospitable sharing and openness. This is also an alternative proposal for what is 'universal' about justice, where 'universal' means that which is shared and is thus divisible and dividual, namely, out of joint: "As soon as justice implies a relation to another, it supposes an interruption, a dis-joining, a disjunction or being-out-of-joint, which is not negative; an out-of-jointness that is not deconstructible, that is justice as deconstruction, as the possible deconstruction of any determined law [*droit*]." (N 230)

Derrida's criticism of Heidegger follows upon the latter's claim that time is justice because only time gathers all things into a whole. In *Holzwege* Heidegger analyzes the Anaximander fragment to find *dike* as of joining, adjoining, accord or harmony (1975, 18). This analysis thereby presupposes a binary opposition where *adikia* is then disjointure: where there is *adikia*, then *dike* is presumed absent. This is the profound working of conventional metaphysics in Heidegger's work. Correlatively, then, *diké* is a determinate presence. Instead, Derrida insists, time is radically other than gathering. Derrida does so in order to rule out the justice as some calculable equality, symmetrizing and synchronic accountability or imputability of subjects or objects. (SMa 23)

Werner Hamacher notes that Derrida and Heidegger agree on the point that time is temporalized by the future (Hamacher 1999, 181). They depart where Derrida asserts that the temporality of time, grounded on such conditions, is not unified. At most, the temporality of the past is only apparently unified. The future, which does not present itself at all, cannot be considered unified. Thus the present, between a non-unity and an apparent unity, is most certainly not unified. If the present were a unity, then it would be

something of a distinctly different genre than the future and the past. "What Derrida is trying to invent is a way of thinking about the world, in its spatiality and temporality, which would be adequate to describe it in its happening; that is in the coming of the unknown which characterizes it as the place of a time which is out-of-joint, which must remain heterogeneous to any history, any physical or temporal science, even to imaginative recreation." (Thomson 2005, 168)

Egodicies and theodicies, the attempted overcomings of the paradoxes which face sovereignty, are justifications Derrida ultimately finds groundless.

> Justification means adjusting one's discourse to history, heritage, epoch, to whatever is, but adjusting it, disadjusting it, adjusting it to what is not yet there, what is not of this world. Justification enjoins, then, that one adjust and that one disadjust in the name of justice, and that supposes, together, history and a break with history, if history means the *totality* of what is or has been. (TfS 90)

Since time itself is disjointed, neither *diké* nor *adikia* is privileged, because the opposition is not sufficiently stable. "It seems to me on the contrary [to Heidegger] that at the heart of justice, of the *experience of the just*, an infinite disjunction demands its right, and the respect of an irreducible dissociation: no justice without interruption, without divorce, without a dislocated relation to the infinite alterity of the other, without a harsh experience of what remains forever *out of joint*" (FWT 81). No justice, then, if sovereignty is actual.

6.8.4 Derrida's Reinscription of Justice

All of this is to say that the thematics of justice are another means by which Derrida insists on divisibility as the fundamental conditions of actuality. "No politics, no ethics, and no law can be, as it were, *deduced* from this thought [of *différance*, *khōra*,

desert]. To be sure, nothing can be *done* with it. And so one would have nothing to do with it. But should we then conclude that this thought leaves no trace on what is to be done - for example in the politics, the ethics or the law to come?" (R *xv*) The point is not to establish some new programme. As Paul Patton notes, Derrida "wants to provide reasons for thinking that criticism of the present is not only possible but desirable, but in a way that does not rely on some implicit teleological or utopian vision of the future" (Patton 2007, 158). Derrida's example with regard to the opening of this chapter is Nelson Mandela, who along with so many others haunted the injustice of South Africa. He did not, however, constitute a frontally direct threat to South Africa's sovereignty. Instead, Mandela inhabited the ruins of its politics and metaphysics in order that justice might come to pass. David Jobling's summation of Derrida on justice is appropriate: "trying to program the future is just what makes revolution go wrong." (Jobling 1998, 309)

For Derrida, justice preserves the instability of structures, particularly those of law, politics and metaphysics. If politics and laws were in continuity with justice, then nothing could be done to challenge the current forms of laws and politics. In such a stable situation, bereft of the solicitous oscillation amid the limits of *diké* and *adikia*, the initiatives of persons such as Mandela would be without grounding in justice. There would be no unjust laws. "We cannot claim to do justice in a political reality without taking this virtual spectrality into account" (FWT 81). Derrida thereby reinscribes a construal of justice that is ineluctably divisible, or phantomatic, so that there might be justice to come, some justice to-be-translated: "I think that the instant one loses sight of the *excess* of justice, or of the future, in that very moment the conditions of totalization

would, undoubtedly, be fulfilled – but so would the conditions of the *totalitarianism* of a right without justice, of a good moral conscience and a good juridical conscience, which all adds up to a present without a future" (TfS 22). On these grounds Derrida concludes that there is a fundamental distinction between law and justice:

> Every time that something comes to pass or turns out well, every time that we placidly apply a good rule to a particular case, to a correctly subsumed example, according to a determinant judgment, we can be sure that law (*droit*) may find itself accounted for, but certainly not justice. Law (*droit*) is not justice. Law is the element of calculation, and it is just that there be law, but justice is incalculable, it requires us to calculate with the incalculable; and aporetic experiences are the experiences, as improbable as they are necessary, of justice, that is to say of moments in which the decision between just and unjust is never insured by a rule. (FLa 16)

6.8.5 Unconditionality of Justice

Justice is unconditional, but in the manner of Derrida's thinking about weak force, negative capability, and the least violence (see # 5.4). Laws *a priori* fail to obtain this unconditionality, and in tending towards it they seek hegemony. This is because justice does not presuppose a horizon such as that of a Kantian regulative ideal that would govern justice and set forth the phantom of its mastery. Instead, "the instant of the *just* decision [...] must rend time and defy dialectics. It is a madness; a madness because such decision is both hyper-active and suffered, it preserves something passive, even unconscious, as if the deciding one was free only by letting himself be affected by his own decision and as if it came to him from the other" (AoR 255). This is the experience of responsibility for decision by way of the hospitality practiced by divided singularity (see # 6.7.3).

From this, several points about the relationship of law and justice can be noted. Firstly, laws are never perfectly just even though justice needs laws in order to be

articulated and enforced. Since justice is necessarily divisible, no law itself can exhaust the scope of justice. For this reason, laws always fall short of justification. There can be no clean conscience of theodicy or egodicy. On these grounds Derrida claims: "One may even find in this the political chance of all historical progress" (AoR 242). Secondly, it can then be asserted that there is always a better possible articulation of justice which can become an actual alternative. Something like the best possible world is ruled out if justice is always excessive of any current order. "Otherwise justice risks being reduced once again to juridical moral rules, norms, or representations, with an inevitable totalizing horizon." (SMa 28)

This does not entail that all laws are necessarily unjust; rather, one cannot make the egodical or theodical claim that justice has been accomplished. "Justice remains, is yet, to come, *à venir*, it has an, it is *à-venir*, the very dimension of events irreducibly to come. It will always have it, this *à-venir*, and always has. Perhaps it is for this reason that justice, insofar as it is not only a juridical or political concept, opens up for *l'avenir* the transformation, the recasting or refounding of law and politics" (FLa 27). Derrida thereby argues to rule out terminal solutions.

6.8.6 Justice and Sovereignty

The implications for sovereignty and the sovereign are radical. No sovereign can be totally just if there is to be any more justice. On these grounds Derrida promised the end of apartheid in South Africa and the end of apartheid-thinking generally. Justice and the future are conjoined by Derrida's understanding that both overflow the ordering of every ontology. Justice overflows necessarily the ontology of the law, "which is always an ensemble of determinable norms, positively incarnated and positive." (TfS 21)

In his essay on Nelson Mandela, *The Laws of Reflection: Nelson Mandela, In Admiration*, Derrida repeats his proposition of what seemed to be an impossibility during the time of Apartheid South Africa. According to Derrida, Mandela had a clear understanding of what threatened that discourse and its laws. Furthermore, and this is Derrida's point, the South African laws and discourse themselves clearly understood that such a threat 'existed' beyond their horizon of control and calculation. The event of the impossible, the end of apartheid, haunted that society and its laws. Accordingly, the society and its laws already carried within themselves a revolution whose justice and inventions would be entirely unrecognizable to the current state of affairs. And yet, the time of this impossibility could not take on any sort of determinacy during the tenure of the apartheid regime. Derrida explains that, instead, Mandela's 27 years in prison haunted apartheid with a justice which threatened to unhinge South African sovereignty. Mandela could clearly and distinctly see that the state was not only verging upon disjointure, but was already out of joint. Were it not, there would be no need to imprison him. Mandela's example shows that the law is governed by a 'specular paradox': "There is no law without a mirror", and the logic of that mirror is that a " 'properly reversible structure' is constitutive of all laws." (LoRe 331) The force in question is 'weak' and thereby the most 'strong': that a law stands before alterity just as singularities stand before a law. "You can recognize an authentic inheritor in the one who conserves and reproduces, but also in the one who respects the *logic* of the legacy enough to turn it upon occasion against those who claim to be its guardians, enough to reveal, despite and against the usurpers, what has never yet been seen in the inheritance: enough to give

birth, by the unheard-of *act* of a reflection, to what had ever seen the light of day." (LoRe 333)

The force of justice exerts itself obliquely rather than directly and without the alibi of conventional sovereignty: "One cannot speak *directly* about justice, thematize or objectivize justice, say 'this is just' and even less 'I am just,' without immediately betraying justice, if not law (*droit*)" (FLa 10). Justice, then, "is always an interpretative force" (FLa 13). This admission in the founding moment of law would allow law to "maintain a more internal, more complex relation with what one calls force, power or violence" (FLa 13). Attending to this justice is the method by which Mandela, Derrida and others practice the least violence.

Where laws presume their subjects, justice does not. Justice is a matter of singularity: "justice always addresses itself to singularity, to the singularity of the other, despite or even because it pretends to universality" (AoR 248). For justice to be just, the formation of subjectivity must remain capable of questioning the law. Since justice involves the founding of laws, the subjects of those laws are not yet determined either: "one would have to ask, to put it very briefly, if the structure of every subject is not constituted in the possibility of this kind of repetition one calls a return, and more important, if this structure is not essentially *before the law*, the relation to law and the experience, if there *is* any, of the law." (ON 256) Instead, repeated divisibility haunts everything radically:

> [...] what I have practiced [...] has always seemed to me favorable, indeed destined (it is no doubt my principal motivation) to the analysis of the conditions of totalitarianism in all its forms, which cannot always be reduced to names of regimes. And this in order to free oneself of totalitarianism as far as possible, because it is not enough to untie a knot through analysis (there is always more than one knot and the twisted structure of the knot remains very resistant) or to

> uproot what is finally, perhaps, only the terrifying desire for roots and common roots. (MdM 243)

6.9 Deconstruction and the Possibility of Justice: Justice and *Différance*

Derrida's reinscription of justice (# 6.8.4) and democracy in the future as to-come construes both as actively differing from the world's current state of affairs. Any law necessarily and ineluctably differs from, and defers to, both justice and democracy. This is the spacing of *différance* where, by the possibility of invention, laws come about. It also establishes the conditions for the possibility of justice. A law could always have been otherwise. Each instance of a law is also otherwise than every other instantiation identified with law. This differing also entails that each law is possibly otherwise. Therefore, the application of the law, in order to be just, must be a decision that faces the possibility of its being otherwise.

These decisions are not neutral, they are interventions. The space in which decisions on law take place is almost nothing. Indeed, by Derrida's construal, justice 'is' that nothing, the space of *différance* within the limits of representation and expression. So far as *différance* points towards an always open structuring for the conditions of any structure, it has something to do with justice.

> It is there that differ*a*nce, if it remains irreducible, irreducibly required by the spacing of any promise and by the future-to-come that comes to open it, does not mean only (as some people has too often believed and so naively) deferral, lateness, delay, postponement. In the incoercible differ*a*nce the here-now unfurls. Without lateness, without delay, but without presence, it is the precipitation of an absolute singularity, singular because differing, precisely [*justement*], and always other, binding itself necessarily to the form of the instant, in *imminence* and *in urgency*: even if it moves toward what remains to come, there is the *pledge* [*gage*] (promise, engagement, injunction and response to the injunction, and so forth) [...]. No differ*a*nce without alterity, no alterity without singularity, no singularity without here-now. (SMa 31)

The spacing of justice is that of a condition of absolute respect for each singularity in its singularity (Thomson 2005, 29). This sort of respect and responsibility is possible on the grounds of a reason unarmed and naked before its limits. Such a reason, capable of thinking the possibility of justice, is not characterized by mastery, but rather by 'divided singularity' by, "the finite experience of non-identity to self, as the underivable interpellation inasmuch as it comes from the other, from the trace of the other, with all the paradoxes or the aporia of being-before-the-law" (ON 266). The difficult implication of this is that Derrida's 'justice' cannot guarantee or assure any determinate outcome. The possibility of justice, in this case, does not necessarily yield an alternative more just than earlier positions. Meike Bal articulates Derrida's justice as a modest proposal: "Slightly better is all you can hope for" (Jobling 1998, 267).

The American legal theorist Jack Balkin disagrees with this aspect of Derrida's thinking about justice. In order for Derrida's work to have something to do with justice as a rhetorical practice, Balkin argues that it must be conducted on the grounds of an antecedent commitment to transcendental value that is beyond the reach of positive norms of human law, culture and convention (Balkin 1994b, 394). In other words, for Balkin, justice must not only stand outside the text but it must also have normative import for the text. 'Text' in this case, would be 'the world'. Balkin can argue this on the grounds of Derrida's stated intentions: "In no case do I want deconstruction to be used to denigrate, injure, or diminish the force or the necessity of a movement" (FWT 7). Or, when Derrida reflects on the criticisms of his friend Paul de Man, he writes the following statement which would seem to propose a normative ground for justice:

> [...] it was easy to recognize axioms and forms of behavior that confirm the logic one claims to have rid oneself of: purification, purge, totalization, reappropriation,

> homogenization, rapid objectification, good conscience, stereotyping and nonreading, *immediate* politicization or depoliticization (the two always go together), *immediate* historicization or dehistoricization (it is always the same thing), immediate ideologizing moralization (immorality itself) of all the texts and of all the problems, expedited trial, condemnations or acquittals, summary executions or sublimations. This is what must be deconstructed, these are a few points of reference [...] in the field open to this research and these responsibilities that have been called, for two decades, deconstructions (in the plural). (MdM 240-1)

According to Balkin, this quotation demonstrates that Derrida advocates the employment of this force in the form of "deconstructive arguments of rectification or amelioration" for "a normative purpose" (Balkin 1994b, 395). "Derrida's arguments simply make no sense unless he is relying on a transcendent idea of justice, which human law only imperfectly articulates" (Balkin 1994a, 9). Without this capacity, Balkin finds that Derrida's work amounts to no more than "the discovery of polysemy and other instabilities of meaning in various conceptual schemes" (Balkin 1994b, 395). Indeed, such a situation would have the effect Habermas accused Derrida of: simply building up "the refuse heap of interpretations" (Habermas 1997, 183). According to Balkin, *Of Grammatology* too makes this point: there Derrida offers an argument that reveals something about speech and writing that he believes to be overlooked and underappreciated in Western philosophy.

Balkin is partly correct. Although he oversimplifies Derrida's first groundbreaking work as an argument about "a better and a worse way to analyze the relationship between writing and speech" (Balkin 1994b, 396), Derrida does think that his philosophical practice is a better way of thinking. The better way is demonstrated in the italicized emphases Balkin omits from his quotation of Derrida. Balkin overlooks that Derrida fundamentally takes issue with the "*immediate*", since this is what is italicized in

the text which supposedly states Derrida's normative grounds for justice. If anything, it is this 'immediacy' that - Derrida insists - 'must be deconstructed'. Practices that emphasize immediacy do not respect alterity; the haste by which philosophical or political legislations expect singularities to stand before them, and the manner in which that demand renders singularities contingent, is that which Derrida wishes to criticize. The immediacy which Derrida resists would arise precisely as a result of some antecedent programmatic commitment beyond the reach of any conditions. Such a desire for declarations of separation are sovereign alibis, and precisely this is what is shared by the various discourses of totalitarianism. (MdM 244)

Balkin also does not note that Derrida's explanation continues: "I think deconstructions *do have a relation*, but an altogether other relation, to the substance of the problems we are talking about here. To put it in a word, they have always represented, as I see it, the at least necessary condition for identifying and combating the totalitarian risk in all the forms already mentioned" (MdM 242). The capacity to 'stand before' amid a space affected by the differences and forces of alterity is the possibility for justice. This does not, however, secure the certainty that there is or will be justice. Rather, the 'there is' puts each law into question as a matter of justice.

McCormick's observation supports this correction of Balkin: "Simply because Derrida refuses to mechanically collapse the legal and the just in an immediately practical or programmatic way does not mean that his deconstruction forsakes justice" (McCormick 2001, 398). Derrida insists that such a collapse is interminably resisted on the grounds of *différance*, which has always had to do with the preservation of irreducible

alterity. So long as the forces of différance continue to work, the possibility that affairs are changing already now or may change in the future is preserved.

Justice inheres in the necessity that laws be deployed as acts of language. Since no law is sovereign and thus cannot secure itself from any and all contexts, it is subject to iterability. Indeed, laws rely upon iterability and the force of law is a modality of that necessarily destinerrant affirmation. Insofar as *différance* points towards an always open structuring for the conditions of any structure, it has something to do with justice. Teleologies are at the very least half-open by virtue of this; therefore they betray their own possibility of closing whatever relations they presume to encircle. Thought which considers this must admit that nothing is ever finished, final, or done.

As Richard Beardsworth puts it: "The aporetic relation between law and singularity repeats the law of law. Only in refusing to give access to itself does the law - conceived since the modern invention of democracy in terms of 'generality' - speak, not to the particular (the fictional generality of democratic law to which all have access as particulars), but to the *singular*" (Beardsworth 1996, 41). So long as the singular is not co-extensive with the sovereign there is the radical intractability of incommensurability which Derrida associates with the possibility of justice. Balkin's partial correctness extends into Derrida's understanding of the non-neutral nature of any text. Every act of language is, according to Derrida, political:

> This is inevitable; one cannot do anything, least of all speak, without determining (in a manner that is not only theoretical, but practical and performative) a context [...]. Once this generality and this *a priori* structure have been recognized, the question can be raised, not whether a politics is implied (it always is), but which politics is implied in such a practice of contextualization. This you can then go on to analyze, but you cannot suspect it, much less denounce it except on the basis of another contextual determination every bit as political. In short, I do not believe that any neutrality is possible in this area. (LI 136)

The more accurate understanding of justice as the absolute respect for singularity would take the following practical form: "to take this limitless context into account, to pay the sharpest and broadest attention possible to context, and thus to an incessant movement of recontextualization" (LI 136) - in other words, to give attention to differences and their forces. This is an unending vocation. "That will seem surprising or disagreeable only to those for whom things are always clear, easily decipherable, calculable and programmable: in a word, if one wanted to be polemical, to the irresponsible." (LI 137-8)

"Justice as the experience of absolute alterity is unpresentable, but it is the chance of the event and the condition of history" (FLa 27). To take history seriously is to experience absolute alterity and respect its unpresentability. The chance of such an event is the chance of justice. The experience of justice is the experience of history.

CHAPTER SEVEN

THE RECONSTRUAL OF THE PROBLEM OF EVIL

David O'Connor's conclusion regarding the discourse on the problem of evil is that there is no such thing as the problem of evil; what does exist "is less a duel than a mime, for the weapons yielded on each side are incapable of inflicting any wounds" (O'Connor 1987, 441). At the close of chapter one (# 1.4.3), there was no demonstrable conclusion to the debate between the two construed generally 'sides'. The role of this 'problem' - at least within the Anglo-American philosophy of religion - is formative. It is often deployed in order to set the stage for how to derive claims from religious sources, as well as how to evaluate those claims.

On the one hand, Michael Martin (# 1.1) presents the arguments from evil cumulatively as a last line of attack by atheism against religion in general. The arguments from evil will defeat theism in the event that demonstrations of contradictions among God's attributes, inconsistencies in the concept of God or a critique of the teleological argument does not successfully displace theism from the realm of rationally plausible beliefs (Martin 1990, 334). Martin grounds this unfriendly negative atheist position on an indirect inductive argument from evil. Namely that if a theory has not proven convincing in the past despite alterations and only allows for further slight alterations and not a radical reconstrual, that theory is in all likelihood one that ought to be abandoned (Martin 1990, 360). On the other hand, the capability for radical reconstrual does not seem to be a necessary question according to those who defend theism. Peter van Inwagen's construal of an equally indirect inductive defense is that of,

"a story that, according to the teller, may or may not be true, but which, the teller maintains, has some desirable feature that does not entail truth - perhaps (depending on the context) logical consistency or epistemic probability (truth-for-all-anyone-knows)" (van Inwagen 2006, 7), would seem to secure theism from Martin's requirement (# 1.4.1). On the grounds of this defense, evils may not necessarily be the sort of problem for non-theists as they are for theists. That is, the arguments from evil might pose a problem which is more significant for atheologians and atheist philosophers, who decide, as did J.L. Mackie, theism is positively irrational. (Mackie 1990, 25 - # 1.2)

Following the grounds of Martin's proposal, the irresolvable 'mime' sustained within this discourse perhaps demonstrates that a wider radical reconstrual is indeed necessary. This is pointed to by van Inwagen's observation about the difficulty facing the 'sides' in this debate: "sadly, every known argument for a substantive philosophical position is a failure - by the most literal (by the most possibility-of-success-friendly) possible criterion of success and failure" (van Inwagen 2006, 160n.5). He infers that the arguments and counterarguments from evil will fail for the same reason that every other substantive philosophical argument fails. This question of failure is the starting point from which a reconstrual on the discourse began in chapter two. The elaborations of Derrida's work in the preceding chapters can be brought to bear on this matter, with attendant explanations about evils, problems, and reconstruals.

7.1 The Arguments from Evil

The tack chosen by the arguments from evil is to favor so-called natural evils such as Rowe's fawn (see # 1.2.3) or the mere notion of a dysteleological event. It is worth noting that the expressions 'natural disaster' and 'natural evil' are decidedly modern

constructs. The logical problem of evil construes these as purely gratuitous evils, perhaps in order to formally avoid the existential and phenomenological incoherence entailed by evils.

The logical argument from evil (see # 1.2) carries the notion of natural evil prior to the evidential argument (see # 1.4). It challenges the compossibility of God and evils on the grounds of first setting aside the primordiality of God relative to the existence of the world itself. "When the existence of God is accepted prior to any rational consideration of the status of evil in the world, the traditional problem of evil is reduced to a noncrucial perplexity of relatively minor importance" (Pike 1990, 52). If God is the absolute genetic origin, then evils are already gratuitous. In the logical version of the argument this gratuity is itself the problem on the grounds that a maximally excellent being ought not to effect a universe with any such ateleological 'gaps'. The maximal excellence of God is taken to entail a capacity to effect, if not function as, the radical origin of all the actual world's events. If even one of the actual world's events can be thought to have gone unquestionably wrong, then the maximality and the excellence of that God is put into question. The problem of evil is indeed "the argument from evil" (Howard-Snyder 1996, xii) against the existence of God. The evidential and probabilistic arguments from evil sustain this notion of gratuitous evil as ontological peculiarity vis-à-vis entailments from theism for the state of the world and its furniture.

This charts the direction of the discourse towards questioning God by way of a shadowy and unquestioned notion of gratuitous evil. As far as concepts or universals are concerned, God has been up for questioning, but evils have not. The significance let on by the argument from evil is such that even one dysteleological gratuity is capable of

discrediting, if not destroying, a metaphysical framework. Gratuity as the tipping-point criterion for failure might not threaten theism exclusively. This 'perfect evil' allows for a relatively simple and weak argument to unsettle a more robust framework of arguments. Gratuity is like a gift given anonymously without the possibility of tracing whence it came. The mere possibility of such anonymity can solicit any metaphysical framework whose orientation is towards criteria of unicity and completeness.

The 'gift' of gratuitous evil is meant to interrupt the circle of economy. Much less than coming to pass for the purpose of a future good, the perfect evil serves to neither cause nor set the conditions for further evils. The perfect evil is absolutely bereft of morally sufficient justification. Derrida's observation is instructive: "It cannot be gift as gift except by not being present as gift. Neither to the 'one' nor to the 'other' " (GiT 14). The gift of evil from nowhere obtains a donor if theism is true. This is the case if the argument is based upon a narrow negative or a narrow positive atheism. If this evil is not caused by any finite agent, and given that God is the only immortal agent to be considered, the only other possible origin for this evil is God whose omnipotence brings to pass all global and local affairs. The coherence of theism then fails since essential omnipotence and absolute goodness of God conflict. If God does not exist, then these evils are restored to the status of absolutely anonymous and purely gratuitous gifts of nonsense. Such evils only retain their gratuity if the argument from evil succeeds.

Somehow, evils resist the unicity and totality of metaphysical frameworks. Somehow, evils pose problems. The structure of the various arguments from evil actually place evils as that which is prior. At least one evil is granted without question, and thereby puts some theistic claim into question. This seems to make sense. Evils

wound and throw human beings and their reasoning into question. Evils are whatever remains to be thought. Evils are construed, even as natural evils, as the very things which resist thought. As Derrida notes, that which resists does so in advance. If the resistance were not primordial in this manner, there would be no problem. He insists that only that which resists and remains to be thought is the proper starting place for thought (WAl xxxii-xxxiii). If evils are indeed gratuitous, their gratuity is in part a matter of their antecedent being. Gratuitous evils have already come about. Rowe's supposition actually demands this (see # 1.2.3). Only if evils wound are they problems. "The wound consists precisely in claiming to discover and to master meaning, in claiming to suture or to saturate, to fill this emptiness, to close the mouth" (SQ 167). As gratuitous, the most evil evils in question would be those which prevent saturation, engender emptiness, and open the mouth.

Debates about the plausibility of God's existence are based on the acceptability that it is highly probable and confirmable that there are natural evils having taken place in the actual world. Rowe's fawn is intended to be just such an evidence. "Suppose in some distant forest lightning strikes a dead tree, resulting in a forest fire. In the fire a fawn is trapped, horribly burned, and lies in terrible agony for several days before death relieves its suffering" (Rowe 2006, 263). Key to this supposition is that this even need be only plausible. And yet, the evidential arguments from evil (see # 1.4) follow the contours of a consequentialist conception of evil: something is evil if and only if it generates outcomes that do not maximize whatever is taken to be an indicator of value. Evil is that which produces a large amount of disvalue or negative utility. The idea of an entirely gratuitous natural evil is thus the outcome of the attempt to defeat the possibility

of any sufficient reason for such an evil. This is supposed to provide a rational, although not deductive conclusion. Strangely, however, the fawn's demise is set within an economy precisely by way of the evidential argument from evil. The gift of its suffering and death is put to work, and as such is no longer a pure gift. While this might be hair-splitting, it is an outcome of the focus on 'being' that leads towards "utilitarian and exploitative attitudes towards nature and things in the world" (Patrick 1996, 7). That is, the evidential and probabilistic arguments nevertheless set evils within a teleological framework.

7.2 Natural Evil Revisited: The Problem of Natural Language

The evidential argument of evil (see # 1.4) assumes that that the probability of at least one localized event which upsets a set of global claims. The matter of formulating just what the natural evil is taken to be has not been seriously considered. The examples of gratuitous natural evils have largely been custom-made for posing a problem against theism. The notion of gratuity can be potentiated, however, with the consideration of Derrida's claims. Indeed, Derrida radicalizes the extent to which there is gratuity.

Derrida asks for serious consideration of the conditions for thinking: "There is no metalanguage, and that *a* language shall always be called upon to speak about *the* language-*because* the latter does not exist" (MOP 69). As was argued in chapter two (see # 2.2.2), the task of philosophy involves that of translation which does not accomplish itself with any finality. "Rather, it is a question of determining the possibility of *meaning* on the basis of a 'formal' organization which in itself has no meaning" (MP 134). The outcomes of philosophical practice, in line with van Inwagen's claim, cannot meet a criterion of absolute success. There is no metalanguage on the subject of language (MdM

96-97); as a result, the notion of a proprietary argument is not possible. Thinking is always done as a guest in some language, translating that language into idiom.

Rowe's contention about gratuity stands and falls with the outcomes of Derrida's reflections on philosophy and language. Rowe's claim no longer makes sense: "Whatever evil might be considered, therefore, is one that is in abundance such that even a possible world without humans would entail the actuality or logical possibility of that evil" (Rowe 1990, 126). The argument from evil only obtains in possible worlds with humans; possible worlds 'without' humans can only be considered in the context of a language capable of 'touching' those possible worlds. Ineffability only enters into a reflection on evil on the grounds of language, not because no humans exist in a possible world. This ineffability is not on account of the possible absence of humans; rather, it is a function of all language acts which are subject to failure.

Atheologians and atheist philosophers are no more prior to language than anyone else. The entire lot is placed after language, before which they can be questioned. The metaphysical proposition 'God', face-to-face with the empirical statement that there is 'an evil,' is simply a concatenation of these two genera, 'metaphysicality' and 'empiricality.'

The global logical argument from evil is confronted by the fact that there is always some gratuity to-be-translated (see # 2.2). Thus, the impossibility of saying it all comes to pass in any world that can be touched by language. Each local event of this gratuity appears as purposeless to any claim having to do with the truth-lie opposition. (see # 3.1.3)

The scandal of philosophy is both the inability of a philosophical discourse to speak the other's language (WD 89) and the fact that philosophy is spoken and written in a natural language (ON 219). There is no singularly philosophical language; instead, its formalizations and abstractions are comprised within a context over which there is no ultimate propriety. This means that philosophical languages are more or less well defined and coherent subsets within natural languages, or rather within the uses of natural languages (ON 225). Translation among these uses, however, is "an always possible but always imperfect compromise between two idioms" (FLa 5). Philosophical practice depends, therefore, on gratuities: "Within a so-called natural language, so one that cannot be totally formalized, where is the frontier between ordinary usage and philosophical usage?" (PaM 77)

The very possibility for constructing the arguments from evil depends upon a structural condition of language that permits translation and citation. This is how theism is found in the context of arguments from evil. Derrida's proposal about the "postal principle" (PCa 176) helps demonstrate the gratuitousness of language, since citations or even entire texts do not necessarily remain at or arrive upon their destinations. Instead, whatever touches language is capable of being "fragmented beyond return" (PCa 444). Derrida construes this as a necessary threat (PCa 444), particularly for the possibility of philosophy. Philosophy of religion would lack the opportunity to contemplate the problem of evil were it not that religious language finds itself expatriated outside its 'normal' structure into one that, from that position, seems entirely gratuitous. This possibility is grounded upon Derrida's observation of a general formal condition of "an incompleteness of the structure" (TBa 166). Any act of language involves the renewal,

reproduction, and reintroduction of some formalizing economy, but also the same of some supplement which the operation of formalization was trying to reduce. (TrP 2)

The problem of language is that if language is the only recourse to the unity of life and ideality, then it is impossible to absolutely exclude the empirical, which is 'death' in relation to ideality, from any account of life. (SPh 10ff.) Language is at war with itself in the case of any attempt to determine ideality. That there is always some to-be-translated is a non-determinable resistance to representation. So long as theism's claims cannot free themselves of language, the more radically does gratuity sollicit (see # 2.1) the stability of its claims. The deferral of any termination of a philosophical debate into a definite conclusion is a function of these conditions.

7.3 Theism's Problem with Language

Religious claims take place in language before they are translated into formalized claims by philosophers. Not being able to avoid language entails the deferral of any definitive or final iteration of a belief or claim. Instead, the condition for enunciation is that of repetition: "Writing [and it is argued any act of language] is not what it is unless it *adds to itself* the possibility of being *repeated* as such" (Di 168). And so, the citation of religious claims by philosophers of religion is made possible by their iterability. On these grounds, the contentions that the arguments from evil leave religion in general unaffected are not valid. The movement of religious claims from doctrinal networks of symbols and myths into restricted theism is possible as a function of iterability. But it is also because the future of any text is not closed (LI 31) that arguments from evil cannot effect determinate closure.

The mistake of theism, according to Derrida, only takes place in the procedure of theodicy (see # 6.8). Ontological unity and teleological destiny for all things is a claim which cannot be sustained, given what Derrida takes to be the *a priori* conditions for thinking about justice. 'Justice' cannot guarantee or assure any determinate outcome. The possibility of justice, in this case, does not necessarily yield an alternative more just than earlier positions. "Justice as the experience of absolute alterity is unpresentable, but it is the chance of the event and the condition of history" (FLa 27 – see # 6.9).

The state of the world's affairs and its furniture concerns Derrida with a radical gratuity that opens the possibility for justice. This is grounded on an argument about time as spacing, which introduces a dysteleological orientation into the structural conditions for reality. "In the incoercible differ*a*nce the here-now unfurls. Without lateness, without delay, but without presence, it is the precipitation of an absolute singularity, singular because differing, precisely [*justement*], and always other, binding itself necessarily to the form of the instant, in *imminence* and *in urgency*: even if it moves toward what remains to come." (SMa 31 - see # 6.9)

On these grounds, the argument from evil would only be correct if it were an argument that absolute sovereignty entails the impossibility of justice. The arguments from evil need to articulate a stronger sense of gratuity and dysteleology in order to effectively upset theism. Derrida's reflection on justice, whose imperative is that teleological closure ought to be refused, is the very place to begin. "I think that the instant one loses sight of the *excess* of justice, or of the future, in that very moment the conditions of totalization would, undoubtedly, be fulfilled – but so would the conditions

of the *totalitarianism* of a right without justice, of a good moral conscience and a good juridical conscience, which all adds up to a present without a future." (TfS 22)

"As soon as justice implies a relation to another, it supposes an interruption, a dis-joining, a disjunction or being-out-of-joint, which is not negative" (N 230). According to Derrida, being is not a matter of presence but of relation. Being is a function of conjunction with at least more than one other within a general context. If anything, this is a 'natural law'. But this 'being-with' condition for any actual entity leads to a general condition of justice as aporetic and is not directly experienced as a presence (AoR 244). From the vantage of Derrida's thought, any claim about justice is radically contingent: "No justice without interruption, without divorce, without a dislocated relation to the infinite alterity of the other, without a harsh experience of what remains forever *out of joint*" (FWT 81). These assertions are actually in-line with van Inwagen's indirect inductive defense of theism (see # 1.4.1); so long as the eschatological and apocalyptic closure of the universe by God's absolute justice can be done without.

7.3.1 Lemming Theism and Evil

Arguments from evil, if the notion of gratuitous evil is to be sustained, need to give a deeper consideration to the possibility and extent of gratuity. For metaphysics, the most 'natural evil' actually entails some 'almost nothing' which affects conditions and finitude without being affected itself (see # 6.8.3). An actually profound evil, more profound than what happens to Rowe's fawn in a forest (see # 1.2.3), would be one that visits perplexity upon both philosophy and religion as well as forces thinking to confront its limits. Derrida's analyses confront all metaphysics with the fact that such thinking is grounded upon properly reversible structures rather than absolutes (LoRe 331). This is

not a call for nihilist skepticism, but demonstrates a desire for roots and destiny that can be terrifying in its implications (MdM 243). Instead, the possibility of reversibility reveals that neutrality and disinterest is not possible for acts of language. (LI 136)

This is why evils visit perplexity upon both philosophy and religion. Evils, if that is what they are, must be negotiated within history. Only through language can this take place. The problem of evil sets this situation into bold relief, because its dilemma is the confrontation of a maximally excellent metaphysical claim with mere immanence. The mirror-effect of the problem of evil is less that transcendent claims are not reflected in the affairs of the world, but that immanence and contingency are already reflected within transcendent claims. This firstly takes the form of the problem of language, which demonstrates the fundamental and ineluctable lack necessary for the transcendent claim to be made. (see # 4.4.2)

Most philosophical projects set about adopting or constructing a set of terms, defending the adequacy of those terms, and then practicing application to translate such phenomena as texts, discourses, histories, or events. The adequacy of such terminal projects meets with difficulties in the movement from so-called natural language into the specialized language of the discourse. How are the distances bridged by the movement from evil in ordinary language, to evil in phenomenological discourse, to evil in legal theory, to evils as construed in the philosophy of religion? This question is one of 'translation' (see # 2.2), since the term in question does not really go from one natural language to another: evil recognized in all the cases, evil is not a 'homonym' or 'synonym' across these contexts. (PIO 134-5)

The Anglo-American philosophers of religion in particular have not given attention to elaborations about evil. If "physical suffering has probably changed little over the centuries" and the victims of evil do not suffer something that is "culturally constructed" (Eagleton 2003, xiv), then why is this the case? The difficulty is that 'evil' covers a wide semantic field of negative experiences and notions (see # 1.1). A disruptive fact about the term is obtained in this aspect of gratuity. The '*plus d'un*' (see # 3.3.1) conditions for the meaning of 'evil' entail that the adequacy and justification of this term is not de-terminable. Without access to an *a priori* concept, the communication of the term is necessarily one of translation and idiomatics. Evil-talk, much like God-talk or any other, entails terminological movements from general openness to meaning towards context-specific restricted deployments of the term.

Terminological considerations such as Derrida's call into question each terminological moment in its singularity. This exposes a terminological crisis (Agamben 1999b, 208-209) of 'folds' or 'hymens' (Di 220 & 229) for thinking about terms. This is one starting point for the refutation of theodicy. Theodicies are impossible not because of mortals' limited epistemic access to divine knowledge, but because each deployment of a term is a decision whose path is not programmable. The degree of terminological crisis is directly related to the degree of certainty by which a terminological decision is deemed neutral.

This terminological crisis affects the entire discourse on the problem of evil. The movement from general to restricted postulation of what counts as evil is not decided outside the philosophy of religion context. There is nothing inevitable about the terminological process from general, over-determined, non-limited possibility to the

restrictions of an idiom such as Rowe's fawn. The determinations of evil can be taken in good faith, but not with clean or good conscience. No alibis secure the decisions of any discourse about evil, since this movement from general to restricted can be otherwise.

Terminological crisis removes clean conscience from the process of reflection. However, evils ought to be nothing other than evil, *prima facie*. There should not be anything trivial about them, so as to be forgettable. In the general determinations of ordinary language, the construal of evil does not cohere if evils are not wholly evil. "If there is a problem with evil, it must be because of the *kind* of concept it is" (Garrard 2002, 323). Evils ought to be more complex than wrongdoings, once it is granted that the inscrutability, puzzlement and disruption of comprehension of thought are due to complexity, not to sheer chaos.

Silencing is the mark of an evil (Garrard 2002, 331). As such, the term should signal some higher intensity than wrongness, badness, and the like. Evils as pure gratuities happening in forests seem to miss this aspect of what counts as 'evil'. This is the problem of lemming the problem of evil. The eminent resistance to transcendence that is presupposed of evils, particularly in the discourse on this problem, reinforces Derrida's observations about idiomatics and language. Evils, if they are supposed to radically trouble metaphysics such as theism, can only resist formalization and idealization to an excellent degree. However, this should not be so because evils would be forgettable.

The work of translation by which the problem of evil is granted its *lemmata* must not have necessary outcomes if what happens is an actual translation from religious to philosophical idiom. The necessity of translation is 'grounded' in its impossibility (TBa

171); while commentary, explanation, and paraphrase is not translation *per se* (TBa 172), these strategies that approximate potential meanings are in no way equivocal. The translation of religious claims into logical statements is not a pure translation. This could be an excuse for the overestimation of certain capabilities espoused by philosophers of religion, but it is by no means an alibi for a defense of theism itself.

As philosophy of religion formalizes religious claims, the resulting *lemmas* themselves are not equivocally substitutable for that towards which they gesture and indicate. Each lemma is, in fact, an ambivalent entity relative to that to which it gestures. The ambivalence of the premise on 'evil' in this problem is possibly greater than those pertaining to theism. The titular capacity held by 'evil' opens a wide semantic space, and the assembled set of terms offered by the philosophical premises could be arranged otherwise, with other terms, and with other valences of meaning. This is to say that if the task of translation is bereft of any ideal or pure language, confirming van Inwagen, no problem posed in language can get a complete solution with absolute finality.

Apophasis is the reduction *par excellence* in the name of the most excellent (see # 3.6). If the lemmata from the problem of evil have to do with theism, which postulates the existence of a most excellent being, then they are foremost examples of apophatics. Each premise in the problem of evil is an act of language that simultaneously denies and affirms its meaning by enunciating one link amid an incalculable chain of supplementary ways of saying otherwise that are negated in the event of saying. Only in denying this condition are these premises failures, each one considered in itself. The question of compossibility does not arise. Thus, a claim such as Martin's only points to the generally apophatic condition of language. No act of language can acquit itself entirely, or provide

itself an alibi (WAl 36). Theism cannot finally obtain for itself an alibi which would avoid Derrida's list: "half-lies, quarter-lies, lies that are not altogether lies because they slide very quickly into the shadow zone [...] between what is useful and what is harmful to the other" (WAl 35-36). The discourse on the problem of evil is a mime because it rehearses failures and wounds that are ineluctable for its claims.

The problem of lemming is summarized well by Jeff Kosky's note about the philosophy of religion. If philosophers of religion are not practicing translation, then they are without relation to the object of their study (Kosky 2000, 113). Only by way of translation is there access to theism and evil. Confronted with the distinctly probable claim by Derrida, "There is some to-be-translated" (TBa 188), philosophical translation towards formal and universalizable concepts is a work of partial successes in the form of idiomaticities rather than pure expressions. In other words, however the lemmata of the problem of evil are translated, the matter cannot be strictly delimited to questions of truth-telling and contradiction.

The problem of evil imperfectly formulates a problem of translation in two mutually complicating manners. Lemming the premise on 'evil' is the most difficult, since it entails a movement from one or across many singular instances into an idiomatic instance of some language. There is some-to-be-translated remaining with regard to the premise that states: 'there is evil'. While this half-truth need not be constituted in its entirety to threaten theism, it does demonstrate the fact that the other two lemma themselves are also already tints of theism with some remaining to-be-translated. The movement from general to restricted economies in the formulation of the 'problem' throws questions of robust contradiction into question.

7.3.2 God - 'and' - Evil

The problem of evil is not a demonstration against compossibility, but more a demonstration of how terminological productions do not separate, purify or exclude. The lemmata of the problem only form a dilemma (see # 2.4) by virtue of the capacity for language to move heterogeneous others into proximity with each other. 'Theism' and 'evil' can be conjoined by 'and', and no known power is capable of preventing this from being done repeatedly. Enumeration can also perform this action, counting 'three' amid the premises of the problem of evil, and thereby bringing them into proximity with each other. As Derrida notes: "Without the 'meaning' of some 'and', nothing would happen." (EtC 299)

Mackie's quasi-logical rule is needed to bridge what are revealed as enthymemes in the problem of evil. Due to the problem of lemming, the premises themselves are not complete. This lack of completion produces an ambivalence, which is resolved by Mackie with the introduction of a further restriction of the economy taking place amid the lemmata: "that a good omnipotent thing eliminates evil completely" (Mackie 1990, 26). That is, it is necessary to restrict the economy amid the premises of the problem of evil in order to obtain something like a contradiction and a problem of compossibility. The capability of 'and' to exceed ontological order and put terms into proximity does not establish sufficient restriction of economy for a 'problem' to obtain.

From this perspective, the discourse on the problem of evil over the last 50 years demonstrates foremostly the power of 'and'. The universal conjunctive capability of 'and' to effect provisional relations in language are what are demonstrated. The capability of 'and' does not, however, effect any means of overcoming theism, just as it

cannot effect the overcoming of 'evil' . The power to facilitate proximity is without condition, but without any necessity or force requiring an equally indefinite sustain of proximity other than the acts of language which perform that propinquity. It is for this reason that the problem of evil is a paradox. Paradox depends on this capacity for conjunction that does not violate the *lemmata* or their proximity. The intractable 'mime' of the 'problem' (O'Connor 1987, 441 - see 1.4.3) resists the completion of dialectical circles and pure translation. And so, it could be said of the problem of evil: "It will be figured, figurable. It will have the figure of an opposition and will always let itself be parasited by it." (MdM 137)

Derrida's conjunctive construal of philosophy, his logic of 'hyphenated construction' (Nancy 2007, 216 - see # 3.4.3), emphasizes the *cum* of conjunctions as perennially provisional and unstable. The conjunctions performed with 'and' are contingent. It is only because of this contingency that 'and' is capable of overcoming distances. There is no termination of that distance of the poles thereby conjoined.

The capability of 'and' solicits the law of contradiction. The foundational premise of metaphysics and the power of rationality are shaken but are not terminated by it. The problem of evil demonstrates, from this perspective, how the relation between so-called transcendence and immanence is only thinkable in the context of spacing that is a contamination of both. The problem of evil conjoins two kinds of premises, transcendent and immanent. The distinctness of the premises is their contradiction, but also their preservation. The calculation of their difference entails that this calculation can continue. Indeed, *S* must not be *P* for the possibility of numbering. Or, a number is unable to not to be itself. This is the power of number which itself resists pure and simple quantification

(PoF 21). Thus, as for any so-called metaphysical opposition, so too for the relations among the problem of evil's premises: their proximity poses the problem of constantly trying to think their interconnectedness. The work of the 'and' requires the thinking of this, and not simply in terms of contradiction.

7.4 Derrida's Unfriendly Atheism

Unfriendly atheism is also positive atheism "in the sense of disbelief in an all-knowing, all-powerful, all-good, completely free, disembodied being" (Martin 1990, 334). Rowe's paradigmatic evidential argument from evil specifically engages theism. "Surely there must be some point at which the appalling agony of human and animal existence as we know it would render it unlikely that God exists" (Rowe 2006, 312). Rowe suggests that humans ought to make reasonable judgments as to what an omnipotent being can and cannot do, particularly with regard to what a wholly-good being would seek to accomplish with respect to good and evil in the universe (Rowe 1990, 162). In essence, Rowe is phrasing otherwise Mackie's quasi-logical rule "that a good omnipotent thing eliminates evil completely" (Mackie 1990, 26). God ought to be capable, it is inferred, of exercising an unstoppable sovereignty over the affairs of the world.

Arguments from evil ask a sovereign landlord for *Machtsprüche* (see # 6.5) that would override the world's state of affairs. Particularly the probabilistic form of the argument from evil (see # 1.4.2) asks the question: if God made this stone (the earth, the world), then why cannot God lift it? That is, why is God not above the law, outside the law, a rogue sovereign? If theism is to succeed against such an argument, the theistic God would need to be demonstrated as capable of enacting a state of exception. Theism

would need to explain and admit this: "a *fictio iuris* par excellence, which claims to maintain the law in its very suspension as force-of-law." (Agamben 2005, 59)

If theism rightly describes God as the sovereign of the universe, then God ought to be capable of any caprice imaginable for the benefit of that world. Even if those caprices are benevolent actions, they are what are expected from imperial hegemony. Abuse of law is the logic of conventional sovereignty (R 102). The arguments from evil are asking that there be a sovereign managerial tyrant, whose office does not die because of this sovereign's Kantorowiczian immanence to life. Theism is presumed to be in favour of just this sort of metaphysical politics, whereas Thrasymachus said, "Justice is the interest of the stronger." (Plato, 338c)

If theism requires a sovereign, then Derrida is a vigorously positive atheist. Derrida's atheism, however, is an a-teleologism: his 'theism' refers not only to the theist God, but also to the atheist political sovereignty borne of the Western philosophical tradition. Derrida is resolutely interested in solliciting the "theological prejudices" borne of "enthusiasm for presence" (OG 323n.3). His insistence since his earliest works is to make trouble for what he calls a metaphysics of presence. "Privation of presence is the condition of experience, that is to say of presence" (OG 166). From this global positive atheism comes the insistence that there is no final grounding for thinking and no ahistorical set of conventions and modes of association that transcend specific languages. There is nothing 'outside' of language that would be accessible to language in order to predestine its course.

Derrida's atheism, if he has one, is robust. For example, the discussion immediately following his oral presentation of *Différance* reiterated his refusal of

theology (ODD 84); when later pressed on the issue Derrida insisted that *'différance'* "blocks every relationship to theology" (P 40). The same would therefore go for all words and concepts that supplement that neologism across Derrida's texts. "These prejudices are nothing but the most clear-sighted and best circumscribed, historically determined manifestation of a constitutive and permanent presupposition essential to the history of the West, therefore to metaphysics in its entirety, even when it professes to be atheist." (OG 323n.3)

The idealism of theism preserves notions about differences of force in its hierarchies. Normal positive atheism schematizes and spatializes relations under the horizon of a field divested of force, where "meaning is rethought as form; and structure is the *formal* unity of form and meaning," which establishes a "neutralization of meaning by form" (WD 5). The hypothesis of indifference, such as forwarded by Paul Draper (see # 1.4.2), is borne of a certain empiricist metaphysics that presumes the stability and determinacy of presence. Draper is certain that the hypothesis of indifference, grounded as it is in the science of evolution, is a threat to all theists (Draper 2004, 45). A justification of atheism, which is the title of Martin's book (1990), is just as much a alibi which purports to secure idioms against the radical fact that anything in-context can always fail. (WD 12)

Derrida's atheism refutes the presumption of permanency and finality. This kind of presumption is largely at work in the arguments from evil. What theism is forced to concede is what atheism would wish to possess. "Knowing is temptation [...] to believe not only that one knows what one knows (which wouldn't be too serious), but also that one knows what knowledge is, that is, free, structurally, of belief or of faith - of the

fiduciary or of trustworthiness" (FK 30). Draper's probabilistic argument from evil is done in the pursuit of a more restricted economy among the premises within which a contradiction can be established. His quasi-logical rule is the hypothesis of indifference: "neither the nature nor the condition of sentient beings on earth is the result of benevolent or malevolent actions performed by nonhuman persons" (Draper 1996, 13). Greater probability of this hypothesis is supposed to establish sufficient contradiction with religious belief in general.

Derrida's 'atheism' is generally against alibis (see # 6.6.1). An excuse from responsibility is the difficulty Derrida would have with theism. "The allegation of an alibi always has the form of a plea for the defense. It acquires meaning only in an experience that puts into play an incrimination, accusation, guilt, and thus responsibility (judicial or penal, but first of all ethical or political" (WAl xxvii). Language that poses itself as auto-justifying is dubbed "*egodicy*", whereby there is some "justification of the ego" (GiD 62). Egodicy (see # 6.8) is the practice of dissolving singularity into the medium of the concepts employed in reflection (GiD 61). An alibi is thereby obtained in having no more to be questioned. Egodicy, whatever the alibi, is supposed to effect the capacity to put others into question while avoiding being questioned.

Derrida would concur with the rejection of theism where it supposes that a world-making sovereign is necessarily *alius ibi* before the law, since the sovereign's relation to the law is that of primordiality. This would be a rogue-God who, as Rowe partly notes, permits cruelty. A responsible God with actual relations to the world shares in the absolute responsibility humans share. This is a state of being as without alibi (WAl 282n.4). Responsibility for the world, if this is what theism determines God to be,

involves the rejection of total absolution from responsibility. The conjunction effected by the problem of evil is a demonstration of that responsibility Derrida construes. Even the most excellent being, if there is one, is subject to the powers of 'and' to be proximal to evils. No "originary" alibi (WAl xxvii) can escape this capability for conjunction. The only state in which alibi is avoided is that of being without topographical and temporal relation. This would entail death. Death is the only possibility that is outside of all relations. Any possibility for relation entails responsibility without alibi. On these grounds Derrida insists that God, if there is one, cannot 'be' without being culpable.

The 'machine' that makes the problem of evil possible is that of the 'and' (see 3.5), the reinscribed 'religion' described by Derrida presses the point (# 3.5.2). The conditions for concepts, 'God' for example, cannot escape that the possibility of their existence requires their transcendental incapacitation. 'God' does not exist outside this possibility of being marked by, and implicated amid limits; otherwise the conceptualizations related to 'God' are historicisms *par excellence*.

This 'machine' that performs the conjunction of two theistic lemmata with one lemma on evil affects the possibilities of argumentation also for atheologians and so-called atheists. That "[t]here is nothing outside of the text" (OG 158 - see # 4.4) not only threatens the sovereignty of theistic concepts, but also incalculably defers any closure of argumentation on this problem. "That will seem surprising or disagreeable only to those for whom things are always clear, easily decipherable, calculable and programmable: in a word, if one wanted to be polemical, to the irresponsible." (LI 137-8)

The network of relations amid a text, in this case the problem of evil, is always mediated and will never be complete. This problem is not a problem, as O'Connor and

van Inwagen rightly note (see 1.3.2). The problem of evil is the conjunction of theism and some claim about evils. The philosopher's task is: "to take this limitless context into account, to pay the sharpest and broadest attention possible to context, and thus to an incessant movement of recontextualization." (LI 136)

7.6 The Predatory Law of Contradiction

The capability of 'and' to effect the conjunction of the problem of evil both makes possible and resists claims about contradiction. J.L. Mackie's argument (see # 1.2) presents the logical problem of evil as a narrow positive unfriendly atheist argument. The logical argument from evil concerns itself with the possibility of incoherence of the trilemma (see # 1.1). This incoherence is taken to amount to sheer contradiction upon the introduction of a quasi-logical premise which potentiates what is missing from the primary enthymemes. The logical argument from evil follows 'logic' as the analytical investigation into the grammar of a given proposition to determine what can and cannot be said (Phillips 2005, 7). Logic thus construed deals with logical truths and necessities in contrast to contingent, i.e. factual, matters. The deciding matter, then, is whether the arguments are able to "stand up to the canons of logic" (Howard-Snyder 1996, xii). These canons otherwise provide determinations for thinking that are decipherable, calculable and programmable. These canons are deployed in order to determine a structure of exclusion that is no less teleological than that of theism.

The logical problem of evil is a matter of compossibility within an economy that is not only restricted, but often presupposed to be closed. The logic pursued is meant to expel illogic to the exterior of what is rational. There should be, on logical grounds, a means of excluding the nonphilosophical. And yet for Derrida there is no simple "after-

philosophy" (TfS 10), nor nonphilosophy (OG 19). Derrida's atheism goes further than simply the exclusion of theism as logically incompossible. The teleology of analytic logic has as robust a politics of separateness as the presumed oneness of the theist God. In the name of the 'end' of all that goes on in the name of 'separateness' (see # 6.1.2), the literal translation of 'apartheid' also includes the metaphysical oppositions of interior and exterior that functionalize the distinctions between the philosophical and the nonphilosophical.

The failure of this structure is demonstrated by Nelson Pike's observation that "no such contradiction obtains" (Pike 1958, 120), even according to the so-called canons of logic. To establish the logical contradiction, Pike proposes that logical contradiction in the three premises may be determined "by consulting the logic (or usage rules) of the terms 'omniscient,' 'all-powerful,' 'good person' and 'evil' (Pike 1958, 116). Through the terminological creation of rules, Pike proposes a criterion of morally sufficient reason (Pike 1990, 41), which itself is another quasi-logical maneuver in the name of 'logic' but is in fact compelled by the capabilities of the 'and'.

It was noted that Mackie's criterion in fact establishes a predatory conception of goodness already operative in Mackie's argument (see # 1.4): "From these it follows that a good omnipotent thing eliminates evil completely" (Mackie 1990, 26). The notion of contradiction, in this case, is construed as a thoroughgoing enmity against all that is 'not-P'. 'God' thereby seeks and destroys evils, should they exist. 'God' entails the vigilant violence of a war in which 'the One' is against any form of otherness contrary to God's own. As Schmitt notes, war "nevertheless must remain a real possibility for as long as the concept of the enemy remains valid." (Schmitt 1976, 33).

According to Derrida, an actual entity is thereby – if and only if actual – situated within the spacing of the political. This ineluctably entails relations to others by virtue of the weak force of 'and' (see # 3.4), of '*plus d'un'* (see # 3.3.1). Actuality only takes place amid the two limits, or sources, of representation and the unrepresentable. In other words, only amid life *and* death – not one *or* the other – is there actuality, not on account of one *or* the other. Any actual entity is subject to these conditions, amid which there is the possibility of politics.

A predatory conception of goodness presupposes Schmitt's conception of politics as always structured by the relation to an enemy (see # 6.8.2): God, if good, must have an enemy, namely, evil. Indeed, Schmitt did put his friend-enemy distinction in parallel with the good-evil distinction of moral philosophy (Schmitt 1976, 26). The logical argument from evil (see # 1.2), and even the evidential and probabilistic arguments (see # 1.4) depend upon this distinction of enmity and its presupposition. The law of contradiction is borne of but one kind of politics available in the space of the political. This is because of a latent presumption of here-now presence for an actual entity presupposed at work in these arguments. They presume, along with Schmitt, that the actuality of an entity thought turns into an empty and ghostlike abstraction when the situation of friend-enemy disappears. (Schmitt 1976, 30)

The notion of God's goodness vis-à-vis evil in the arguments from evil against theism presupposes a politics of xenophobic allergenics of separateness. God wages war on evil(s). If God is actual, then in order to inaugurate and conserve the coherence of God *per se*, God is expected to campaign against evil and establish this politics. Hatred is then viewed as basic for such coherence *per se* because it provides the degree of evidence

necessary for affirming the kind of certainty based on it. Moral sufficiency, in this case, depends upon God's capacity to wage war and sustain a robust form of sovereignty. The war waged by God could come to an end, and with it the possibility of absolute cessation of violence and eternal peace, once victory has been secured. Unless this is the case according to the arguments from evil, God is not compossible with evils.

The discussion of war cannot avoid politics. And metaphysics cannot escape a politics of separateness in establishing its concepts. In politics, as in metaphysics, the dominant theme is to maintain the effects of transcendence as a form of domination adequate to the modes of association and production of some new humanity.[1] The presumption at the root of the arguments from evil is that theism must presuppose an ideal state of affairs in which absolute peace obtains. So long as this does not seem to be the case, then theism is contradicted.

Derrida's trouble with contradiction was stated: sentences of the type 'S is P' "*a priori* miss the point, which is to say that they are at least false. […] one of the principal things at stake […] is precisely the delimiting of ontology and above all of the third person present indicative: S *is* P" (JF 4). The arguments from evil suppose the position of the third person present indicative, so that contradiction would then be observed from outside the relations in whom contradiction obtains. However, there is no outside context upon which this claim could be performed. This might bar the legitimacy not only of theism's claims, but also of the current arguments from evil.

Even the hypothesis of indifference wagered by Draper cannot avoid presupposition of freedom from the region upon which he wagers. Draper asks, "whether or not any serious hypothesis that is logically inconsistent with theism explains some

[1] Hardt & Negri 2000, 83. – See # 6.3.5.

significant set of facts about evil or about good and evil much better than theism does" (Draper 1996a, 13). At bottom, the probabilistic argument from evil depends upon the same exclusionary and predatory structures as the logical argument. Richard Otte rightly notes this much: "Draper's reason to reject theism is not because of anything internal to theism, but is because of something external to theism: there is a better alternative that is inconsistent with theism" (Otte 2004, 29). The point of inconsistency is potentiated, repeatedly, to entail absolute enmity. Thus Draper offers a hypothesis of indifference meant to predate upon theism: "It is a threat to all theists, including those who firmly believe all of the many theological and historical claims […] of Christianity." (Draper 2004, 45)

Undoubtedly, theistic claims of the form *S* is *P* are half-truths if not lies (see # 3.1.3). The claims of religions no less than those of philosophers are borne of the crisis of decision. This situation is faced by all terms in the *lemmata* of the problem of evil. Derrida insists that no claim escapes this condition, particularly the following: "No ethics, no law or right, no politics could long withstand, precisely in our culture, its [the lie] pure and simple disappearance" (WAl 37). Truth claims, if thought to be universal, are at least false. There is always some to-be-translated (see # 2.2). Lemming, or the problem of language, cannot be terminated at a definitive point with final justification. On the sort of rigorous conditions of the 'canons of logic', it is impossible to sufficiently 'say-it-all'. In such conditions, the theistic *lemmata* run up against the constitutive limits of language. If language cannot acquit itself, then there is no alibi by which language would avoid perjury (WAl 36). In this sense, the problem of evil only enunciates in another form what already conditions all conjunctions of philosophical premises.

The need for enemies is rebuffed by the current state of the discourse on the problem of evil. It is an intractable "pseudo-problem" according to David O'Connor (1987, 446), so long as it is not a confrontation between positive unfriendly atheism and restricted theism. This could be a result of the naïve pairing of religion in opposition to reason, which obscures the potential to think the conditions and structures of both (FK 5). In this oppositional relation 'religion' functions as a metonym - as does 'theism' - that stands for the credibility of all religions. Both are fallacies of composition. Derrida's proposal should be considered seriously: "Instead of opposing them, as is almost always done, they ought to be thought *together*, as *one and the same possibility*: the machine-like and faith" (FK 48). This can begin, perhaps, by thinking 'God' and 'evil' together. Amid the limits, rather than beyond the near-equivocable conditions of life or death, God can be brought into proximity with evil and without evil.

Derrida's work is heuristic for the problem of evil insofar as the capability to conjoin two premises is not the ground for making claims about eternal positive peace. Rather, "War or allergy, the inhospitable rejection, is still derived from hospitality. Hostility manifests hospitality" (WoW 95). The possibility of 'war' amid the *lemmata* is necessarily real, but not itself a necessity. Derrida instructively demonstrates that locating something like contradiction may well be the discovery of aporia. The ultimate intractability of 'God' and 'evil', for example, is not the demonstration that one must war upon the other to an apocalyptic end. The failure to reconcile two in proximity of each other is an important failure, whereby "language can only indefinitely tend toward justice by acknowledging and practicing [violence]." (WD 117). "I am not sure that violence is an evil, and I would prefer to oppose various sorts of violence to on another rather than

opposing violence to non-violence" (TfS 90). Following this example, then, the point is not to eradicate the violence of difference. Instead, there is a philosophical responsibility of philosophy to mitigate violence. Avoidable violence should be avoided, and the utmost care should be taken in proceeding with the unavoidable sort. This might be 'logically inconsistent' for many in the discourse, but perhaps this is precisely the sort of 'radical reconstrual' by which a renewed problem of evil discourse might proceed.

The problem of evil need not preoccupy itself with waging total war for total peace, or for the absolute eschewal of violence. Rather, responsibility is taken by through a disposition towards violence disabused of the naïveté that violence is at work within any philosophical practice. Given that the lemmata are not repetitions of the same phrase, it is not surprising that what takes place amid them is what Derrida calls an "irreducible zone of factuality, an original, transcendental violence, previous to every ethical choice, even supposed by ethical nonviolence" (WD 125). The problem can be construed, by Derrida's lights, as a suggestion for a choice. The opening towards that choice, facilitated by the proximation of 'and', is arché-violent (see # 5.2.1). The problem of evil does point towards the nonethical opening of ethics, "a violent opening." (OG 139-140)

That opening, however, ought to remain open. And indeed it currently does. The opening for decision precipitated by the problem of evil brings to pass violence which is the very possibility of any act of language (WD 125). In any matter of difference and differentiation there is an unavoidable violence constituent of the general structures of possibility. Were this not the case, as Derrida argues *contra* Lévinas, there would be nothing but the 'One', or absolutely nothing (see # 5.3).

Derrida's 'atheism' construes the very iterability of 'God' as another writing lesson in the nature of *arché*-writing. The possibility of an order's inauguration does take place by violence. If violence threatens any order from within (FLa 34), then it should be of no surprise that theism carries this same liability within its metaphysics. And while the arguments from evil correctly argue against the denial of this liability, such arguments cannot presume that their discourse free of such internal threats. The founding violence of any order, for it to be an order, must reiterate itself. These acts of conserving violence practice the mimesis that threatens the order with its own allergenics.

The problem of evil would, according to Derrida, not propose a pure heterology of otherness - God versus evil - but an originary opening which "*will ceaselessly call upon 'contradictions'*." (WD 129) The discourse on the problem of evil ought to abandon what amounts to "the *dream* of a purely *heterological* thought [...]. A *pure* thought of *pure* difference" (WD 151). This is risked by the Draper's probabilistic version (see # 1.4.2) perhaps the most; yet it is as non-serious as that which it means to attack.

7.4.2 Necessary Failures

Construed according to Derrida's positions, the arguments from evil announce the experience of necessary failure (ODD 89) to which all metaphysics is subject. "That it can always fail is the mark of its pure finitude and its pure historicity. If the play of meaning can overflow signification (signalization), which is always enveloped within the regional limits of nature, life and the soul, this overflow is the moment of the attempt-to-write" (WD 12). Theism attempts to write 'God', and fails.

Derrida is categorical in holding that any actual entity who indeed makes decisions cannot claim to be just (FLa 23) or to have clean conscience (GiD 25). Any decision, including that of what possible world might be actualized, must be haunted by uncertainty and untimeliness. Derrida insists that decision requires the possibility of failure (PoF 219); decisions come to pass by virtue of risks that are without alibi. A decision negotiates its attendant aporia: "The instant of decision must remain heterogeneous to all knowledge as such, to all theoretical or reportive determination, even if it may and must be preceded by all possible science and conscience." (PoF 219)

On these grounds Derrida's most striking Kantian injunction can be understood: "*if there is* a categorical imperative, it consists in doing everything for the future to remain open […] it is the value of the other or of alterity that, ultimately, would be the justification [of this imperative]" (TfS 83). That is, the preservation of radical evil is the avoidance of the worst. Derrida never discusses 'good and evil', despite repeatedly discussing threat, crisis, danger, or the worst. It is not because Derrida eschews ethics or ontology, but because he is concerned with preserving the opening which itself provides the possibility of action. Prior to decision and agency, the conditions of the ethical, is the possibility of their opening, which has neither to do with decision or agency. From the point of the ethical, that opening is nothing. If anything, the opening is reflected upon as the madness of Kantian radical evil prior to decision and action. The ontological decisions about what is 'good' or 'evil' follows upon the ethical decision, and so is thrice removed from this opening.

In order to preserve the possibility of the ethical and the ontological, even the possibility of total closure must remain open: "The threat *is* the promise, in the sense that

the threat threatens the promise. There would be no experience of threat, of danger, unless there was the promise [...]. The threat is the promise itself, or better, threat and promise always come together *as* the promise. This does not mean just that the promise is always already threatened; it also means that the promise is *threatening.*" (N 255)

The temptations of egodicy and theodicy would have it that they are not merely a promise but a guaranteed certainty for the ethical and the ontological. According to Derrida, "Teleology is, at bottom, the negation of the future, a way of knowing beforehand the form that will have to be taken by what is still to come." (TfS 20) Both would wish that decisions be already governed by incorrigible rules, programmes, and orders. From Derrida's perspective, such a state of affairs would in fact be the arrival of the worst. Contrary to Kant, he promotes that inscrutable madness towards which Kant's neologism 'radical evil' points. For him, it is the point, but its punctuation is without guarantee. From within the orders of ethics and ontology, this opening presents itself not only as the mad inscrutability of that which is prior to any decision, but also as the maddening unpredictability vis-à-vis the future: "The future *is not present*, but *there is* an opening onto it; and because *there is* a future [*il y a de l'avenir*], a context is always open" (TfS 20). Preserving that opening is Derrida's only imperative. It is his response to the possibility of the worst. Although the worst has not been experienced and is phantomatic, as is nuclear warfare, Derrida nevertheless finds it necessary to make responsible decisions that stand without alibi. The madness of it all is that the worst can only arrive by virtue of responsible openings toward justice that are without alibi.

7.4.3 Sovereignty

Sovereignty is the autonomy and omnipotence of the subject, individual, or state. (WAl 243) The metaphysics of sovereignty takes iterability and contamination to be perversions and threats rather than sources of living-on. This is to say that sovereignty is undone by decision. One who decides is no longer sovereign. If 'God' is absolutely sovereign, then God does not decide. Or if God does, and thus retains sovereignty, it is only as '*idiotes*', i.e. one who has no relation to what is not. That God would be more than a tyrant and would live an idiosyncratic existence that is not shared with any others. This state of absolute oneness is equivocable with death, because living-on necessitates relation. And where there is relation, violence is unavoidable.

Where such idiosyncrasy is the essence of sovereignty, the sovereign would be the one who possesses the capacity to exist and act without giving reasons (R 100). Derrida's argument against theism would be that the contraction of all capabilities into one agent requires also that there only exist one instant of absolute actuality. This idiocy requires the final dissolution of all difference. The eternal now of such an entity would require the annihilation of all difference, and the problem of evil indirectly presses this point.

Since there is difference, and not one life absolutely present only to itself, then such a would-be omnipotentate is a threat who cannot be just to others. "There is something of a rogue state in every state. The use of state power is *originally* excessive and abusive. As is, in fact, the recourse to terror and fear" (R 156). Derrida presses the point that sovereignty is exercised only through the suspension, intervention or annulment of the sovereign's own laws; this Schmitt identified as the state of exception

(Schmitt 1985, 5 - see # 6.3.3). The illocalization performed by the state of exception (Agamben 2005, 24 - see # 6.6.2) is that of rendering others the same. The empire of the sovereign is a non-place (Hardt & Negri 2000, 190). On these grounds, it could be argued that if theism describes an actual entity with a presumption of absolute sovereignty despite its proximity to 'evil' as expressive of that which in actuality differs, then war is indeed entailed.

According to Derrida, the ineluctable difference of conserving violence cannot be avoided by would-be sovereignty. This is a testimony to the impossibility of sovereignty. Each decision and action divides the unity of sovereignty. In any actual instance of more than one, therefore, sovereignty is a phantasm. Actual existence, which requires decision amid difference that cannot be absolutely restricted, denies the capability of existing undivided and without dividuality. "*Its concept has been constantly displacing itself throughout history."* (WAl xix)

7.4.4 The worst

The actualization of absolute sovereignty would indeed bring to pass absolute nonviolence. This would, presumably, also be an absolute condition of morally sufficient reason. The difficulty with this is that historical conditions, if 'actuality' entails existence in time, threatens the separation of X from non-X. Declarations of sovereign separation, where X is opposed to non-X, will retain adherences to the discourses of totalitarianism (MdM 244). The actualization of absolute sovereignty would require an apocalyptic brutality that would enclose the conditions of actuality, such as time. There would be no opening onto the future, nor any room for others. Absolute sovereignty brings to pass the homogenization and effacement of all singularity (TfS 92).

Derrida's arguments sustain radical heterogeneity as well as relation. This ineluctably entails violence. Derrida's proposal is that if violence is unavoidable among actual entities, then what ought to be sought after is the lesser violence (see # 5.4). Although he announced this as a critique of Lévinas, "the worst violence [see # 5.3], which threatens when one silently delivers oneself into the hands of the other in the night" (WD 152), this also stands as a critique of any claim to unicity, oneness or sovereignty. If this is what theism entails, then Derrida rejects it on these grounds: "onto-theo-archeo-teleology locks up, neutralizes, and finally cancels historicity." (SMa 74)

If theism is totalizingly heterogeneous to evil, it is structuralist totalitarianism. Derrida also finds himself compelled to reject 'God', if the relationship between God and evil is indeed predatory. Derrida argues as much against Lévinas: "The positive Infinity (God) - if these words are meaningful - cannot be infinitely Other. If one thinks, as Lévinas does, that positive Infinity tolerates, or even requires, infinite alterity, then one must renounce all language, first of all the words *infinite* and *other*. Infinity cannot be understood as Other except in the form of the in-finite" (WD 114). The murderous risk of the worst run by Lévinas would be that which theism runs vis-à-vis evils if the arguments of evil have construed the affairs correctly.

Derrida's point is that any actual entity with relations in the world must be in-finite (WD 114). This is why his is a "philosophy of the limit" (Cornell, 1992). Only the in-finite actualities, which are amid life and death and not exclusively aligned to either, can exist. This is at the bottom of Derrida's proposed 'hauntology': that which 'is', haunts. "What happens between two, and between all the 'two's' one likes, such as between life and death, can only *maintain itself* with some ghost, can only *talk with or*

about some ghost [s'entretenir *de quelque fantôme*]" (SMa xviii). Amid the 'the ends of man' - or, '0' and '1' - is where actuality takes place. Sovereignty can only actualize itself within this phantomaticity. This duplicity – not a binary duality – is that between which a dilemma takes place.

According to Derrida, then, the pursuit of the arguments from evil are worthwhile insofar as they would instructively sustain vigilant awareness of the necessity that structures actuality amid these limits. This would be attentiveness to the weak force (see # 5.5) of the 'and', which makes the conjunction of the problem of evil possible. The problem of evil, in this light, points towards the necessity of being amid the limits. The 'worst' would be if one of these limits were to be absolutized: absolute life or absolute death. In either case, no more existents because no more difference, differing, delay, and deferral. All that the logical problem of evil takes to be constituent of contradiction, in fact is the grounds for instantiation.

"In order for a context to be exhaustively determinable […] conscious intention would at the very least have to be totally present and immediately transparent to itself and to others, since it is a determining center of context" (LI 18). This is quite clearly not the case. If meaning comes to pass between the event of meaning and the concept of meaning, then the precise nature of meaning itself cannot be represented. Meaning is not without either source, as it shares in both. Therefore, "for structural reasons, it will always be impossible to *prove*, in the strict sense, that someone has lied even if one can prove that he or she did not tell the truth" (WAl 34 - see # 3.1.3). Neither 'God' nor 'not-God' are strictly lies any more than 'I have forgotten my umbrella'. Where faith shares ineluctably in the very possibility of thinking (FK 59-60), 'the movement of faith' does

not entail 'faith in God' (FK 33); but neither does it entail 'not-God'. The profession of a belief and the profession of some knowledge are both professions. "To profess consists always in a performative speech act, even if the knowledge, the object, the content of what one professes, of what one teaches or practices, remains on the order of the theoretical and constative" (WAl 215). Where every profession is at least a half-tint of a lie, it is also a half-truth. A constituent feature of profession is affirmation. "Each time I open my mouth, each time I speak or write, I *promise* [...] the 'there must be a language' (which necessarily implies: 'for it does not exist,' or 'since it is lacking'), 'I promise a language,' 'a language is promised,' which at once precedes all language, summons all speech, and already belongs to each language as it does to all speech" (MOP 67). The professions of theism or atheism both share a common faith in the foundation of profession, the 'yes' of iterability. But neither of these professions can affect closure.

In Derrida's reflections on limits two themes arise with reference to 'evil': 'the worst evil' and 'radical evil'. Evils and whatever is associated with them tend to become indecipherable (WAl 240). In the case of 'the worst evil', Derrida refers consistently to what he considers as the possibility of no further possibilities. He is not discussing Heidegger's conception of death, which comes to pass only for individuals and can do so by natural means, as it were. As the absolute destruction of the possibility of any further possibility, the worst departs from mere death. The coming to pass of the worst is not simply for a singular *Dasein*, but it is that which would totally affect all singularities. Derrida discusses 'radical evil' in two different contextually-defined senses: in one context, he emphasizes 'radical' as a supplement to Immanuel Kant's proposal about the limits of reason alone; in the other, he emphasizes 'evil' as a reference to the capacity for

humans to participate in heinous acts Derrida would then associate with attempts at 'the worst'.

For Derrida, 'the worst' is a kind of violence without limit (ARSS 99) that could always happen (ARSS 153). Neither life nor death could prevent 'the worst', should it come to pass. "There is no alliance of two, unless it is to signify in effect the pure madness of pure faith. This is the worst violence" (FK 65). 'The worst' is not an imaginable hell or a world gone wrong; it is rather the absolute and total apocalypse of the world, because 'the worst' entails the total eclipse of all futurity. 'The worst' as the elimination of meaning comes to pass amid those limits required by the conditions of iterability. (see # 4.2)

Derrida's understanding of Kantian radical evil is invoked when he claims that the worst is also the end of radical evil. The conditions of being for Derrida, such as iterability, are precisely those which make for Kant's radical evil as the disjointed division of all things. "To be 'out of joint,' whether it be present Being or present time, can do harm and do evil. It is no doubt the very possibility of evil. But without the opening of this possibility, there remains, perhaps, beyond good and evil, only as is the worst. A necessity that would not (even) be a fated one" (SMa 29). In other words, something like Kant's proposal about radical evil is necessary for becoming to take place. The worst, however, would be the absolute finality of becoming were it to come to pass.

When Derrida reflects on South Africa's apartheid laws as 'the last word of racism', he invokes this understanding about the worst. As such, this might be Derrida's clearest philosophical pronouncement on evil: "The last: *le dernier* as one sometimes says in French in order to signify 'the worst.' […] It is to the lowest degree, the last of a

series, but also what comes along at the end of a history or in the last analysis to fulfill the law of some process and reveal the thing's truth, here finishing off the essence of evil, the worst, the superlative evil of the essence - as if there was something like a racism par excellence, the most racist of racisms." (PIO 378)

The worst, therefore, is Derrida's superlative evil. All the modalities of 'hyper-' are operative without being said: there is no need to say 'hyper-' in saying the worst. Saying the worst is the most excellent not-saying. The worst is not calculable. The worst would entail the end of language as a result of either pure presence or pure absence. The worst would exceed all calculations of wrongdoing and all orders of evil. The worst is a function of calculation that exceeds all possibilities. In this sense of incommensurability, the worst is that final step beyond the comprehensible order of wrongs and evils.

Derrida's recommendations for avoiding the worst, however, is not that of attempting separations, purifications, immunizations or destructions. There is no other form of 'apartheid' that could definitively and absolutely foreclose another instance of apartheid-like circumstances apart from the worst. Assassinations, carpet bombings, identity cleansings or regulations, nuclear detonations are all attempted final solutions. To counter the worst is to counter unconditional inhospitability with unconditional hospitality (Lawlor 2007, 111). The worst is avoided by taking responsibility without alibi. The assumption of such an inescapable responsibility is an outcome of the justice that there remains some-to-be-translated (# 2.2).

Leonard Lawlor's summary of the worst reinforces what has been described above. The worst would be the absolute state of affairs in which there is only one living being and one unified good (Lawlor 2007, 29). The worst, in other words, would be the

actualization of absolute universal sovereignty. The state of the worst would presume that all things other than the one life were already dead. Apart from the one life, all else would be superfluous and expendable. 'The worst' can be imagined as absolute evil only by beings who are divided aggregates of life and death. The figures of this evil would be, according to Derrida, the thoroughgoing outworking of a rule or program. A rule-bound project brought to its finality would be the destruction of possibility. In terms of philosophy, a thought capable of accomplishing itself absolutely would be such a figure of evil. Derrida details just what would come to pass, were a philosophical discourse to rigorously and programmatically, mechanically, fulfill all of its conditions without compromise:

> Pause for a moment: to dream of what the Heideggarian corpus would look like the day when with all the application and consistency required, the operation prescribed by him at one moment or another would indeed have been carried out: 'avoid' the word 'spirit,' at the very least place it in quotation marks, then cross through all the names referring to the world whenever one is speaking of something which, like the animal, has no *Dasein*, and therefore no or only a little world, then place the word 'Being' everywhere under a cross, and finally cross through without a cross all the question marks when it's a question of language, i.e., indirectly, of everything, etc. One can imagine the surface of a text given over to the gnawing, ruminant, and silent voracity of such an animal-machine and its implacable 'logic.' This would not only be simply 'without spirit,' but a figure of evil. The perverse reading of Heidegger. End of pause. (OSp 134)

If 'the worst' is to be averted, that advocacy for absolutes should be interrupted by division and alterity. Although a violent operation, this is Derrida's proposal for 'the least violence' (see # 5/4). This is what promises salvation for philosophy, language, laws, and justice.

Ambivalence is the founding condition of possibility, and probability. There is no probability without some foundational ambivalence. That is, probability expressed numerically must occupy the range between the poles of 0 and 1, but it cannot occupy the positions of '0' or '1'. This is one expression of what could be understood as Kant's proposal about 'radical evil'. This radical condition is what watches over any possible outcome of whatever comes to pass. This is also what Derrida calls the madness that watches over thinking. The salvation of thinking is precisely that '0' and '1' remain impossibilities, whose work as limits and sources make possible the interminable number of positions amid them.

Derrida's reflection upon Kant's essay about religion and reason affirms and potentiates the latter's proposal about radical evil. "The possibility of radical evil both destroys and institutes the religious" (FK 66). He remarks elsewhere that radical evil is not absolute evil (ARSS 99). If Kant's radical evil is to have anything to do with the actualities normally called evil, such as things having to do with violence, it is only because a proposal about the radicality of the infinitesimal violence to the self is necessary for any possibility. Where Kant was troubled by radical evil as the inscrutable problem of the human will (Kant 1996, 21), Derrida celebrates it as the condition for possibility. "For as soon as reason does not close itself off to the event that comes, the event of what or who comes, assuming it is not irrational to think that the worst can always happen, and well beyond what Kant thinks under the name 'radical evil,' then only the infinite possibility of the worst and of perjury can grant the possibility of the Good, of veracity and of sworn faith." (R 153)

The *arché*-violence described in Derrida's early work (OG 112), is correlative to this radical evil. This is the violence whose radicality renders it ineliminable if there is to be more than one (see # 3.3.1). If this violence were done away with, say in the name of securing the certainty of truth, the absolute elimination of all possible states of affairs would be accomplished. This would bring about an absolute state of no affairs. This radical evil, then, is to be held as sacred according to Derrida. This might be an imperative for violence, but not any kind of violence. Within 'radical evil' the 'least violence' best averts 'the worst' - and if not 'the worst', then 'radical evil' as the forces of *différance* at work; and if 'the worst', then no more 'radical evil'. The basic violence at the basis of *différance*, namely *arché*-violence, is the starting point for all other possible forms of tertiary violence that are known as violence or evils in the moral senses of the terms (see # 5.2.1). The elimination of *arché*-violence would not amount to a panacea, since it would be in fact the 'final solution' of 'the worst'. This is why Derrida can only speak of this sort of evil as "the monstrosity of radical evil, if there is such a thing" (TFI 34). If radical evil is monstrous, it is so only for those who would suppose that the instant of decision or the moment of responsibility is necessarily that of an undivided origin of meaning versus non-meaning. In other words, radical evil is monstrous to those who would have it that the origin of possibility arise from absolute life or death, more likely the former.

Where reason is presumed to entail a division between meaning and nonmeaning, the latter is impenetrably obtuse, oblique, and invisible to the light of reason. This is a moment of genesis, since that very moment of the *cogito* is coterminous with an immediacy of division between meaning and nonmeaning. 'Nonmeaning' is a

designation which can only be made after reasoning has decided upon a critical incision around meaning and nonmeaning. Prior to this decision, then, is the monstrosity of madness. The extent to which reason for Derrida is "*punctuated* by this project of a singular and unprecedented excess - an excess in the direction of the nondetermined, Nothingness or Infinity, an excess which overflows the totality of that which can be thought, the totality of beings and determined meanings, the totality of factual history - is also the extent to which any effort to reduce this project, to enclose it within a determined historical structure, however comprehensive, risks missing the essential, risks dulling the *point* itself." (WD 57)

The point in question is the inscrutable origin of reason Kant calls radical evil. The conditions for the punctuations of such a point are neither unified nor absolute. Derrida's *différance* and iterability can also be understood as synonymous with radical evil. Where dissemination indicates the conditions for meaning, Derrida is not determining the impossibility of meaning, but rather the impossibility of a single unified meaning. The latter would entail the worst. Or, as Derrida stated in an earlier work: "*A voice without differance* [i.e., without dissemination], *a voice without writing, is at once absolutely alive and absolutely dead.*" (SPh 102)

Derrida does not necessarily vouch for radical evil as a good *per se*, but as a necessity for the conditions of possibility for possibilities. "For as soon as reason does not close itself off to the event that comes, the event of what or who comes, assuming it is not irrational to think that the worst can always happen, and well beyond what Kant thinks under the name 'radical evil,' then only the infinite possibility of the worst and of perjury can grant the possibility of the Good, of veracity and of sworn faith" (R 153).

Where Kant discusses radical evil as "the foul stain of our species" (Kant 1996, #6: 38), Derrida finds that Kant's discussion is not complete. "*Kant struggles to account for the rational origin of an evil that remains inconceivable to reason*" (FK 9). Kant holds that radical evil could be overcome by the consistent formulation of good maxims by the will (Kant 1996, #6: 37). Here, Kant's mistake is to describe radical evil as something unified, whereas what Kant refers to is for Derrida neither simply one figure nor something that is given once and for all. Radical evil, according to Derrida's reinscription of Kant's locution, is part of the conditions that inaugurate the possibilities of new figures of meaning at the limits of reason. "'Mad' would be the trajectory of a movement that, having as yet no *telos* or target, must produce its own destination" (WAl 249). Its madness is that of the instant of decision which opens the possibility of something new coming to pass. Radical evil, while neither absolutely good nor evil itself, can give rise to the tertiary violences morality normally dubs good and evil: "Radical evil can be of service, infinite destruction can be reinvested in a theodicy, the devil can also serve to *justify* - such is the destination of the Jew in the Aryan ideal" (ArF 13). Radical evil is the possibility of justice.

> Present existence or essence has never been the condition, object or the *thing* [chose] of justice. One must constantly remember that the impossible ('to let the dead bury their dead') is, alas, always possible. One must constantly remember that this absolute evil (which is, is it not, absolute life, fully present life, the one that does not know death and does not want to hear about it) can take place. One must constantly remember that it is even on the basis of the terrible possibility of this impossible that justice is desirable: *through* but also *beyond* right and law. (SMa 175)

Derrida also discusses 'radical evil' in a manner distinct from Kant's locution. This is the instantiation of tertiary violence, not *arché*-violence (see # 5.2.1). The evils that come to pass by way of morally condemnable violence are borne of the conditions of

possibility for meaning. Tertiary violence is idiomatic and not heteronymous. This is why Derrida can ask the following: "*Where is evil* today, *at present? Suppose there was an exemplary and unprecedented figure of evil, even of that radical evil which seems to mark our time as no other. Is it by identifying this evil that one will accede to what might be the figure or promise of salvation for our time* [...]*?"* (FK 2). Derrida can only propose the figure or promise of salvation on the ungrounded grounds of Kantian radical evil. Even in the context of dealing directly with the event most often appealed to as an instance of the most radical evil, the Shoah, Derrida states: "We are in a realm where, in the end, there are only singular examples. Nothing is absolutely exemplary." (FLa 29) In asking that an exemplary figure of evil be supposed, Derrida himself is already supposing that this is not the case. There is no exemplary figure of evil - instead there are only singular examples of evils. So long as this is the case, the worst is averted and the conditions of radical evil continue.

7.5 Derrida's Friendly Atheism

A sort of friendly atheism is found in Derrida's thought as a result of his discussions of legitimate fictions. O'Connor's analysis of Stephen Wykstra's skeptical defense (see # 1.4.1) shows that it thereby generates six factors that would at least defer the disallowance of theism with regard to evils: "lack of data, complexity greater than we can handle, difficulty in determining what is metaphysically possible or necessary, ignorance of the full range of possibilities, ignorance of the full range of values, and limits to our capacity to make well-considered value judgments" (O'Connor 1998, 203). The defenders of theism respond to arguments from evil with the words, 'apparently, but perhaps not.' So long as theism grants validity to negative evidentialism in order to

sustain itself against an attack in kind, no certain facts are admissible and therefore any strong reply to atheist arguments is impossible.

Derrida's friendly atheism would proceed differently, on the grounds that every positive claim is a fiction that must be recognized as needing to be legitimated. Derrida's demand is for faith rather than dogmatics of skepticism, relativism, nihilism or anarchism. Knowledge is legitimated by 'faith', where it affirms iterability, promise, 'yes' and 'and'. This is a faith that sustains differences in the recognition that representation is a movement from the general economy to a more restricted one. This movement itself is not entirely considered a lie or an error (WAl 30). It remains atheistic insofar as this faith eschews teleologies and closures. Derrida's friendly atheism entertains religious beliefs as productions of a divided and dividing faith that is part of the de-closion of restricted economies.

Derrida reinscribes 'religion' as an expression of the capacity for conjunction in language. This reinscription constitutes an 'atheism' because it is the "eruptive emergence of a new concept, a concept that can no longer be, and never could be included in the previous regime" (P 42). 'Religion' in this case is the perfectible 'machine' (see # 3.5.2) that enables for compossibility with the least violence (see # 5.4). Religion in this case is not sovereign and does not generate claims for sovereignty. It would be a religious practice, then, to announce the problem of evil where this problem conjoins the relationship of two heterogeneous concepts in order to precipitate a decision. "A hyperbole comes along each time to recall and decide this undecidability and/or this *double bind* between X and X: there is X and X, which always comes down to thinking X without X" (EtC 283). Such a 'without' is "the work of a certain 'and' " (EtC 284),

which effects the law of contamination (N 237). The upshot of the problem of evil, then, would not be contradiction but an injunction to think together the ellipse of two seemingly heterogeneous orders by virtue of "*the one hand*" and "*the utterly other.*" (FK 36)

7.5.1 The Response of Religion to Provocation: Naming

"We must make the best of the aporia [...]. It is necessary to *begin by responding*" (WoW 24). Religion, reinscribed by Derrida, is one modality of performing this response. The so-called contradictions sustained by religious beliefs is a function of 'religion'. The hospitality that is given to evils is a matter of radical evil (see # 7.4.4), since it takes place in language. In responding, every decision "is structured by this *experience and experiment of the undecidable*" (LI 116) and is never found to be sufficiently responsible.

Derrida would not disagree that the conjunction of the problem of evil is only possible because, "[e]vil belongs to the syllabus of religion" (McCord Adams 1999, 2). Religions perform the following acts of language of responding to evils by talking about suffering. "The one who says 'it's not going well' already announces a repairing, therapeutic, restorative, or redemptive concern." (WAl 243)

Response, especially responses to evils, holds out for "the possibility of intelligibility" (Neiman 2001, 86). Responding to the provocations of evils is the annunciation and profession of an affirmation that the future is not closed. For this reason, van Inwagen rightly notes that Draper's argument asks for that which theism is not in the position to offer (see # 1.4.3), namely, strong evidence from which it can be deduced that the amounts, kinds and distributions of evils in the world are precisely what

should be expected if theism is true (van Inwagen 1996, 155). To do so, "the evidentialist's statement of the way in which the defender of theism must conduct his defense is therefore overly restrictive." (van Inwagen 1996, 155)

Religious beliefs must profess alongside Rowe, for example, that no known good finally justifies or just permits evils (Rowe 2006c, 275). The problem of evil confronts anyone with an aporia. This problem implies a crisis of decision where the cut between good and evil is not altogether clear. There is a responsibility to do so, but having done so cannot be justified as 'responsible' with good conscience. The friendly atheism arising from this situation is that although a decision in favour of theism cannot but fail to be finally justified, this is nevertheless a response. That religions regularly cross this aporia and decide to co-implicate so-called transcendent claims is not to their detriment. What the problem of evil performs, then, is a phraseology of one path response must take just prior to the decision.

Aporias need not block or paralyze. Derrida argues that aporias can also condition events, by virtue of the fact that an actual event might also be impossible (WAl 74). Aporias, Derrida proposes, create space for thinking without the presumption of totality. "The condition of possibility of this thing called responsibility is a certain *experience and experiment of the possibility of the impossible: the testing of the aporia* from which one may invent the only *possible invention, the impossible invention*" (OH 41). Thus, the decision for theism in the context of the problem of evil is not a final solution that reconciles the sovereign and the particular. The most excellent universal imaginable is subjected to the negative capability of the 'and' confronted through weak force with the particular site of a singular suffering. Given this aporia, no decision is

granted the clean conscience of finality or teleology, and thus it amounts to a kind of friendly atheism that holds open the opting for theism and evils.

Unlike Draper's hostile proposition, this decision does not take place under any so-called neutral horizon, *arché* or order. Derrida's argument is 'atheist' because of his insistence that any decision will not be final. And yet, his position is 'friendly' because it holds open the possibility of any decision as a response to evil.

Such decisions are not choices of the best possible, but the setting into relief of the possible. Derrida's imperative, '*il faut parler*', is part of his friendly atheism. "*Il faut* does not only mean it is necessary but, in French, etymologically, 'it lacks' or 'is wanting'. The lack or lapse is never far away" (ON 76). Religions, theistic ones for example, are part and parcel of this necessity. Indeed, Derrida remarks that 'Babel' names the work of figuring out this necessity in terms of "the incompletion, the impossibility of finishing, of totalizing, of saturating, of completing something on the order of edification, architectural construction, system and architectonics" (TBa 165). That religion responds to evils, and does so without the coherence fitting for logical canons is depending on what is attempted in its performance. The erection of every Babel falls (NLM 187), but cannot be faulted for doing so. At the heart of religion, as response to provocation to aporia, radical evil is:

> The *possibility* of this evil (misunderstanding, failure of comprehension, making a mistake) is in its way a chance. It gives time. So what is needed is the 'it's needed' of the wrong doing and that the adequation should remain *impossible*. But there is nothing negative, ontologically, in this 'what's needed is some wrongdoing.' What's needed, if you prefer, is that *in*adequation should remain *always possible* in order that interpretation in general, and the reply, be *possible* in its turn. Here is an example of the law linking the possible and the impossible. For a faultless interpretation, a totally adequate self-comprehension would not only mark the end of a history exhausted by its very transparency. By ruling out the future, they

> would make everything *impossible*, both the event and the coming of the other, coming to the other - and therefore replying, the very *yes* of the reply, the *yes as* reply. (PaM 89)

Religions regularly name evils. The practice of naming draws upon weak force (# 5.5). The act of naming goes along with the possibility of being able to determine the absolute exemplar. The experience of the name is one of weakness, since there is no discernible or calculable limits of possibilities that haunt and resist that name. Naming therefore traverses the aporia of the incalculable. Names involve decisions confronted by the undecidability of a non-limited set of singular examples among whom no one is absolutely exemplary. Therefore, naming is the experience of becoming a 'differ*a*ntial singularity', since to decide that which is ultimately incalculable without naïveté engenders "a singularity that dislocates or divides itself in gathering itself together to answer to the other." (ON 261)

When Derrida uses the term 'holocaust', he does so in a way that indirectly supports Agamben's condemnation of the term. In his reading of Benjamin's '*Critique of Violence*,' Derrida reflects on a temptation he experienced while reading the text: "The temptation to think the holocaust as an uninterpretable manifestation of divine violence" (FLa 62). And he notes several reasons for choosing Benjamin's text and for proceeding with what is understatedly called "a somewhat risky reading" (FLa 63n. 6). He considers whether the text is haunted in advance by the theme of radical destruction: "It is haunted by *haunting* itself, a quasi-logic of the phantom which […] should be substituted for an ontological logic of presence, absence or representation" (FLa 63n.6). Benjamin interprets the origin and experience of language of representation and communication that uproots language and causes it to decline from its originary destination. Benjamin

criticizes representation as the perversion and fall of language, and Derrida notes how Benjamin's anti-*Aufklärung* tone resonates with the position of Nazism. On account of this, he finds Benjamin's essay 'strange' because it self-contradictorily, and yet astutely, distinguishes founding violence as radically heterogeneous to conserving violence while noting that the latter sometimes represents the former (FLa 63n.6). Derrida surmises that one cannot come to pass without the other, which is the opening for the possibility of justice and the worst (see # 5.2.2).

As Idelber Avelar points out, it is profoundly anachronistic for Derrida to hold Benjamin's 1921 text against the light of the Nazi's final solution (Avelar 2004, 101). Derrida cites Benjamin's: "It strikes privileged Levites, strikes them without warning, without threat, and does not stop short of annihilation. But in annihilating it also expiates, and a deep connection between the lack of bloodshed and the expiatory character of this violence is unmistakable" (*Zur Kritik der Gewalt* 297, quoted in GiT 62). Derrida's risk is to associate these words with the technically bloodless extermination of the Jews. Avelar also recoils against Derrida's claim that this text is too Heideggarian, messianico-marxist and archeo-eschatological. (FLa 62)

The strangeness of Derrida's risky reading can be understood as an anticipation of an objection such as Adelbar's. Undoubtedly, Derrida knows the names 'Benjamin', 'Heidegger' and 'final solution'. And he also knows the dates associated with these names. His strikingly anachronistic reading: "seems to me finally to resemble too closely, to the point of specular fascination and vertigo, the very thing against which one must act and think, do and speak, that with which one must break (perhaps, perhaps)" (FLa 62). Derrida is making a point about the risk of the worst precipitated by the

willingness to calculate up to the aporetic limits that precipitate decision. Benjamin's text is chosen by Derrida precisely because of the text's "polysemic mobility and all its resources for reversal" (FLa 62). Derrida's decision is to risk articulating a reflection on which associations are possible given the undecidability of meaning in Benjamin's text. Benjamin's genius is to write a text which is hospitable and responsible to the possible openness of its pronouncements. Texts guided by dogmatically legal lines of inquiry that are without risk in fact risk naïve complicity with the worst. Benjamin was writing against the latter with his anti-*Aufklärung* tone.

Benjamin's text is found by Derrida to be hospitable to the Nazi final solution, despite preceding it chronologically. Benjamin's text was already haunted by the Nazis, and the text haunts the Nazis today. This is a function of the text's capability to give the final solution a place; or rather, this is a function of Derrida's ability to give the final solution a place within the text's hospitality. The text's iterability includes a precarious capacity for naming: In this case, Derrida has learned how Benjamin's text can be contaminated with the Nazi's final solution. It could just as well be contaminated by some other.

It is this contamin-ability, a response-able *hospis*-ability, that causes Derrida to shudder with terror while reading Benjamin's text. This is not a necessity programmed into the text, but it is due to the text's capacity to name. This demonstrates that the final solution is "such a project" (FLa 61), namely the project of absolutizing representation, the attempt to eliminate the spectral and to exorcise all that haunts so that all which exists is a posivitistic 'there is'. According to Derrida, therefore, the most heinous nihilism is the most strenuous representationalism, which would claim to have being and to be able

to eliminate all non-being. Absolute life is a form of the worst. Derrida names the Nazi's project as a singular event amid a realm of singular examples. Correlatively, this is not and cannot be an exemplary event.

> […] one cannot think the uniqueness of an event like the final solution, as extreme point of mythic and representational violence, within its *own* system. One must try to think it beginning with its other, that is to say, starting from what it tried to exclude and to destroy, to exterminate radically, from that which haunted it at once from without and within. One must try to think it starting from the possibility of singularity, the singularity of the signature and of the name, because what the order of representation tried to exterminate was not only human lives by the millions, natural lives, but also a demand for justice; and also names: and first of all the possibility of giving, inscribing, calling and recalling the name. (FLa 60)

Thinking Nazi philosophy with its others, for example Walter Benjamin, is Derrida's strategy for resisting evils by naming. The opening of the ethical cannot stop some other 'such project' from happening. And yet, the structure of iterability is precisely that which makes it possible to avert other 'such projects'. Only by the practice of naming, and naming well, can the memory of specters be arrayed in order to resist such projects. That practice verges, necessarily, on "specular fascination and vertigo." (FLa 62)

Insofar as a text like Benjamin's facilitates it, since it is only one example among a non-finite set, Derrida asserts a universal and categorical imperative to sustain a means of affirmation of opening: "We must think, know, represent for ourselves, formalize, judge the possible complicity between all these discourses and the worst (here the final solution) [...]. It is this thought that the memory of the final solution seems to me to dictate." (FLa 63)

Naming, for Derrida, therefore constitutes one of the most powerful and basic responses to evils. Firstly, naming is a decision that divides rather than unifies. Naming points to the fact that what there is, is singularity. No evil is all that there is. No name can 'say-it-all'. If naming is possible, there is more than this evil. Therefore, by virtue of the possibility to name, justice is preserved. Name is not all that there was or will be. At this point, naming brings about the larger questions of ethical, juridical, and political responsibility (Pts 262). Secondly, naming makes possible the demand for justice (FLa 60). The practice of naming must give attention to the particularity of each evil. In the case of Derrida's reflection on Benjamin, "each individual murder and each collective murder is singular, thus infinite and incommensurable" (FLa 62). Only from a proper name come such questions as the following: "What is the referent here? Are we making a metonymical usage of this proper name? If we are, what governs this usage? Why this name rather than that of another camp, of other mass exterminations, etc. (and who has answered these questions seriously)?" (Pts 287)

7.5.2 Euphemisms of Evils

When evil is the topic of reflection, a common recourse is made to 'the Holocaust' to demonstrate the failure of theodicies before the heinous exemplarity of evil. It will be proposed that the capacity to name evil creates the conditions upon which it is possible to claim that even heinous evils do not necessarily give right to the last word on evil. The capacity to name is that which allows for taking seriously what is real, and religions do this with exemplarity. It is important that evils be named in their singularity. 'Evil' in general practices a euphemistic irresponsibility that does not take singular evils

seriously. It would be on this count that a religious or philosophical discourse would gravely err.

Euphemism derives from the Greek *euphemein* , 'to adore in silence.' Euphemisms are means of not speaking about something; euphemism is a technique for saying nothing about something, it is a means of not taking something seriously. Agamben is against declaring 'Auschwitz' as 'unsayable,' because the prestige of the mystical should not be conferred upon extermination (Agamben 1999, 32-33). He powerfully notes how those proclaiming the unsayability of Auschwitz should be more careful:

> If they mean to say that Auschwitz was a unique event in the face of which the witness must in some way submit his every word to the test of an impossibility of speaking, they are right. But if, joining uniqueness to unsayability, they transform Auschwitz into a reality absolutely separated from language, if they break the tie between an impossibility and a possibility of speaking that, in the *Muselmann*, constitutes testimony, then they unconsciously repeat the Nazis' gesture; they are in secret solidarity with the *arcanum imperii*. (Agamben 1999, 157)

That said, Agamben mounts a powerful critique of the use of the term 'holocaust' (Agamben 1999, 28-9). This term derives from the Latin *holocaustum*, 'completely burned.' In a brief etymological explanation, Agamben shows that this term was used by the Christian Church fathers to translate all the various kinds of sacrifice in Leviticus and Deuteronomy. *Holocaustum* was employed as a general indicator for the Hebrew sacrifices in two specific contexts. Firstly, it was used as a polemical condemnation of the Hebrew's bloody sacrifices. Secondly, the term was metaphorically extended to identify Christian martyrs with the sacrifice of Christ on the cross. Agamben's point is that the semantic migration from *holocaustum* to 'holocaust' arrived through largely polemical or unsympathetic Christian texts; this was to the extent where, upon Richard

I's coronation in 1189, there was a *holocaustum* of the Jews during the celebrations. "Not only does the term [holocaust] imply an unacceptable equation between crematoria and altars; it also continues a semantic heredity that is from its inception anti-Semitic. That is why we will never make use of this term." (Agamben 1999, 31)

Although Derrida himself uses the term 'holocaust' in his works, he does insist that taking history seriously involves taking proper names seriously:

> [...] in a sense, there is nothing more philosophical than the interruption of historical memory, and philosophers continually outdo one another in advocating ahistoricism. […] All this helps explain why most philosophers came to the conclusion that proper names do not count […] this is true, in a certain empirical context. But as soon as we take proper names and signatures seriously, things change; and taking proper names seriously means taking history seriously: this history of works, of the performative, of language (the fact that philosophy is bound up with natural languages). (TfS 66-67)

It is quite possible to do certain kinds of philosophizing without history; the suspension of the historical factors is then meant to put the transcendent ones into relief. This manner of proceeding is grounded upon the notion that truth is true universally and obtains independently of any contingencies. This is impossible for any discourse that takes evils seriously. Taking evils seriously entails foregoing euphemisms that would attempt to convert innumerable sites of suffering and evil into one word. Evils have to do with history. Any move that would abstract from this basic element of their nature is not serious.

7.6 Names versus Euphemisms: Euphemizing 'God'

Proper names rigorously attend to history; they resist historicism resolutely. The greatest difficulty with proper names is that they are untranslatable, and this includes the language to which any proper name belongs. A proper name can operate amid the syntax

of a language, but it is not bound to the semantics of a language in the same manner as other nominatives. “Taking the proper name seriously means taking seriously the oldest locus of resistance to the authority of translation” (TfS 67). To take seriously the myriad of evils which have come to pass in modernity is a challenge to resist taking the possibility of translation for granted. If taking proper names seriously is to be confronted with resistance to translation, i.e. resistance to dialectic, and if taking proper names seriously is a matter of taking history seriously, then taking history seriously is a matter of confronting that which resists being dialecticized. Proper names introduce alterity into language, and then introduce also the possibility of justice into language because they disrupt the dialectical force of language. Proper names are the parts of language that, in their untranslatability and non-dialecticizable-cum-historical alterity, refer to those who use and create language.

The challenge of this resistance, as Derrida notes, confronts philosophy with the trauma of going without recourse to euphemism. Not to avert the resistance of names in all their propriety is to be disabused by easy access to concepts, theories and schemas that would allow for transcendent claims. Names face thought with the trauma of abyssal aporias. Derrida thinks that this is indeed the state of a ‘living’ philosophy:

> When it is alive in some way, when it is not sclerotically enclosed in its mechanics, the philosophical discourse goes from jolt to jolt, from traumatism, to traumatism [...] a philosophical discourse that would not be provoked or interrupted by the violence of an appeal from the other, from an experience that cannot be dominated, would not be a very questioning, very interesting philosophical discourse. That said, a discourse can also be destroyed by the traumatism. (Pts 381)

The practice of naming threatens euphemisms insofar as it facilitates the technique of repeatability. Leonard Lawlor notes that naming entails several forms of

violence. As was described in Derrida's critique of Lévi-Strauss, Derrida affirms that there is the violence in the act of naming (OG 112). Naming includes not only the violent force of repetition, but also the possibility of death. Naming exerts the forces that restrain as well as those that let-go (Lawlor 2007, 101). Further, naming is always violent since it involves making a singularity a site of repeatability. Repeatability, insofar as it is a basic component of idealization, brings about the possibility of technique (FK 6). In other words, naming does not escape the silences of euphemism. Among acts of language, however, proper names practice the least euphemism.

Insofar as dates constitute proper names, dating is a form of naming analogous to enumeration. Enumeration enables iterability, but also entails spacing. Giving a date to an event is an act of naming, and it takes history seriously. The numerical modality of dating preserves singularity. The universality obtained by means of the enumeration of dates does not accomplish some unity or totality. Instead, totality is substantively divided by the act of dating.

Evils are not experienced as anonymous and substitutable nothings. Furthermore, experiences of evils are easily associated with dates, if not named by them (e.g. '9-11'). Evils must be given place in order to make a response which is proper to them. Evils are of a genre, but each evil is also unique. Naming is a practice of language relevant to evils because the nonuniversality of a proper name constitutes a safeguard against forgetting. A proper name can function either technically or mnemonically in this sense. A name and date are not easily substituted, replaced, or forgotten. Naming and dating can be an act of least violence, partly because doing so entails responsibilities which also demand or recognize a substantial change in the agent who names and dates.

The proper name enables the reception of the other but also obstructs the possibility of determining the essence of the other. "To name is not to represent, it is not to communicate by signs, that is, by means of means in view of an end" (FLa 61). To name brings one immediately, that is to say immanently, upon the phenomenal limits and conditions for the possibility of recognition. Naming is opening. To name *S* as *P* opens the possibility of having not named *S,* but perhaps otherwise as *N*. Naming is an act of promising which promises to open a non-limited set of futures amid which a non-limited set of other names is possible, of which none could be the best of all possible names. To practice naming is to experience the realm of singular examples within which nothing is absolutely exemplary. (FLa 29)

Where the failure to 'say-it-all' is also the ground for the necessity of speaking, the work of term-ing must live on. If the problem of evil brings about a fundamental challenge to the sovereignty of the theistic God's actuality, then thinking about that god must find a manner of living-on amid its limits.

If Derrida rules out absolute sovereignty but does not rule out 'religion', then what sort of god remains?

> In speaking of an ontotheology of sovereignty, I am referring here, under the name of God, this One and Only God, to the determination of a sovereign, and thus indivisible, omnipotence. For wherever the name of God would allow us to think something else, for example a vulnerable nonsovereignty, one that suffers and is divisible, one that is mortal even, capable of contradicting itself or of repenting (a thought that is neither impossible nor without example), it would be a completely different story, perhaps even the story of a god who deconstructs himself in his ipseity. (R 157)

Derrida's reflections on the political lead towards the proposal of a divisible sovereignty that possesses the capacity to responsibly decide without alibi (see # 6.6 &

6.7). Such a 'vulnerable nonsovereignty' is hospitable (# 6.7.3) to the point of deciding to freely give up what is proper to itself. This is the reinscription of a capability for hospitality not without hostility, but with the least violence (# 5.4). Construing his work in this manner does not lead to a panacea without violence. For this reason, Derrida's work has the potential to renew aspects of the discourse on the topic of evil. For such a discourse without alibi, evils are a constant invitation to take history and finitude seriously. (WD 117)

Thinking Derrida's 'religion' alongside divided sovereignty results in a barely-defensible god that does not exercise the force of its laws in order to administrate actuality, life, and society. This is a fiction in need of constant legitimation. And whose force is the weakest and the greatest strength of the universal 'and'. Indeed, when religions aspire to this role in society, they most often lose their legitimacy because such a god is not likely acceptable to either 'sides' of the problem of evil. However, Derrida's suggestion is that only out of such "dislocated affirmation" (Pts 261) responsible responses can take shape. This god might be a euphemism for justice, if it proceeds "with a certain 'weakness,' even with an essential nonviolence. It is in this relationship, which is difficult to think through, highly unstable and dangerous, that responsibilities jell, political responsibilities in particular" (LI 137). Naming such a god in response to evils may well indeed uphold Derrida's injunction regarding metaphysics: "It is necessary still to inhabit the metaphor in ruins." (WD 112)

A god who is unarmed, so weak as to be unable to win out over others, is exposed to what cannot be appropriated. The weakness and the greatest strength of such a postulation is that of saying yes to the event. Such a "weak" and "decelerated" (N 295)

thinking of divinity allows for other problems to emerge. Such a god questions the 'right of the strong' and thus enables the thinking of "the paradoxical situations in which the greatest forces and the greatest weakness strangely enough exchange places" (FLa 7). The possibility of force, of any violence, is that of relation. That which makes relation possible is a law stronger than that of force. "The logic of force reveals within its logic a law that is stronger than this very logic." (N 226)

Belief in this god does not avoid culpability. A god who is never responsible enough (GiD 51) and fails in its responsibilities to the political generality (GiD 70) would be the only possibilities for an actual god. This is a subjection of divinity to the questioning that follows from there being limits that prevent responding to all responsibilities (Wood 2005, 147). Such a vulnerable god could not even totalize itself. While Derrida notes, "nothing is less sure than a god without sovereignty" (R 114), such a god would at least be possibly actual. However, of such a god who lacks necessity: "nothing is less sure than his coming, to be sure. That is why we are talking, and what we are talking about" (R 114). For a god without the ability to expose others to death and who does not claim to be first must be a god who is coming and who cannot accomplish anything by overwhelming violence. Weakened to the point of lesser violence, only capable of being-with ('and'), such a god for whom justice cannot be secured is less sure about permissible forms of violence in general. Such a god would haunt injustice. A hauntologically conceived god would also make sense of the proximity possible for the lemmata of the problem of evil. God can be near evils because this god haunts injustices. "There can be no future as such unless there is radical otherness, and respect for this radical otherness" (TfS 21). This god, proximal to evils, is the still small voice of a ghost

that perhaps is analogous to what Derrida says of the subject, who: "can only be difference, that is to say alterity, or trace" (Pts 261). This weakness of absolute effects engenders an undetermined capacity for possibility, which thereby puts evils into question. Saying alterity is nevertheless violence by which, according to Derrida, "language can only infinitely tend towards justice by acknowledging and practicing the violence within it. Violence against violence. *Economy* of violence [...] a violence chosen as the least violence by a philosophy which takes history, that is finitude, seriously." (WD 117)

For sure, this is not a terribly robust god. This god might only be among the euphemisms for 'justice'. Haunting does not mean being present, but haunting is what happens amid the limits of life and death. "What happens between two, and between all the 'two's' one likes, such as between life and death, can only *maintain itself* with some ghost, can only *talk with or about* some ghost" (SMa *xviii*). In this case, the problem of evil would formulate the conjunction by which evils are haunted by weakness. This, however, is the god which could emerge from a decision provoked by the problem of evil. Responding to evils with this vulnerable nonsovereign god might be one manner of performing Derrida's proposal: "To learn to live *with* ghosts, in the upkeep, the conversation, the company, or the companionship, in the commerce without commerce of ghosts. To live otherwise, and better. No, not better, but more justly. But *with* them. No *being-with* the other, no *socius* without this *with* that makes *being-with* in general more enigmatic than ever for us." (SMa *xviii-xix*)

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