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Abandonment and Retreat: Power Beyond Sovereignty in Derrida, Agamben, and Heidegger

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Abstract

Abandonment and Retreat: Power Beyond Sovereignty in Derrida, Agamben, and Heidegger

By Ajitkumar Matthews Chittambalam

The question of a power beyond sovereignty imposes itself amidst the ruins of the political catastrophes of the last century, where modern forms of politics reveal their most terrifying consequences. This dissertation brings together the work of Jacques Derrida and Giorgio Agamben, two philosophers who seek to think sovereignty at its furthest limits, and the possibility of a power beyond its domain. I track the proximity and distance between Agamben and Derrida by pursuing their thought under the headings of *abandonment* and *retreat*, respectively, terms that denote how for both thinkers, the question of a power beyond sovereignty involves a confrontation with the thought of Martin Heidegger. Derrida and Agamben make their originality legible by departing from Heidegger's thinking of the abandonment of Being and ontological difference; yet, as I show, they must both contend with Heidegger's own attempt to think beyond sovereignty in his later notion of *Ereignis*, the event of appropriation.

This dissertation argues that the difference between Derrida and Agamben is underwritten by two irreducible but indissociable senses of abandonment. Is the abandonment of sovereignty the abandonment that sovereignty authorizes, an abandonment that remains sovereignty's most surreptitious and appropriative mode of operation? Or is it a fleeing or abdication from sovereignty, a retreat that is not simply decreed or commanded, but one that deposes sovereignty itself? I propose that Agamben's work is characterized by a desire to rigorously separate these two senses of abandonment, to mark a difference between a privation that is bound to sovereign power, and a destituent potential that has been released or freed from the sovereign ban; what the dissertation treats as the *experience of the im-potential*. Derrida, on the other hand, will never cease to identify an undecidable contamination between both senses of abandonment. For Derrida, as I demonstrate, a power beyond sovereignty is irreparably torn between a hyper-sovereign potency and a force that renders this potency vulnerable; the *experience of the impossible*. Tracking the margin of difference between these two experiences allows the dissertation to respond to the question that impels its investigation: *is a different experience of power possible?*

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Acknowledgements

It is the standard practice of the dissertation format that the 'Acknowledgements' is a marginal text, one that has not been granted the dignity of a page number and is presented outside the frame of the work. However, the thinkers that form the heart of this dissertation would suggest that what is supposedly supplementary makes possible the work's proper body. Everything about the questions of the gift, debt, and the impossibility of restitution that appear as themes in the project bear on the insufficiency of these brief pages to do justice to the mentors, friends and family without whom I would not have been able to complete this dissertation.

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Introduction

One of the most pressing and insistent problems in contemporary philosophical and political thought is the question of sovereignty. In this dissertation, I bring together the work of Giorgio Agamben and Jacques Derrida given that these two philosophers, more than any other contemporary figures, have sought to think sovereignty at its furthest limits, and perhaps, more importantly, what lies 'beyond.' But the question of a power or force 'beyond' sovereignty poses significant problems. On the one hand, the necessity of this thought imposes itself amidst the ruins of the political catastrophes of the last century and our present, where modern forms of sovereignty reveal their most terrifying consequences. But on the other hand, is it possible to think of a beyond of sovereignty that does not accede to what is simply a hyper-sovereignty; a sovereignty more monstrous and appropriative than sovereignty itself? This project will attempt to elaborate this problem by tracking the proximity and distance between Agamben and Derrida, and pursuing their thought under the headings of *abandonment* and *retreat*, respectively, terms whose similarities and differences circumscribe the very problems at issue in this project. Is the abandonment of sovereignty the abandonment that sovereignty authorizes, an abandonment that remains sovereignty's most proper and potent mode of operation? Or is it rather *abandoning sovereignty* in the sense of a fleeing or abdication from sovereignty, a retreat that is not simply decreed or commanded, but one that overtakes and deposes sovereignty itself? And can we ever separate these senses of abandonment?

If it is possible to articulate the orientation of the project in a single thesis, it is this: Agamben will suggest that a separation of the above two senses of abandonment is possible, and his work is characterized by an attempt to rigorously mark the difference between a privation that is bound to sovereign power and a destituent potential that has been 'released' or 'freed' from the sovereign ban. In the course of our investigations, we will come to call this new power the *experience of the impotential*. Derrida, however, will never cease to identify a contamination between both senses of abandonment. A sovereignty beyond sovereignty is always torn between a hyper-sovereign potency, and a force that renders this potency vulnerable; what we can designate, after Derrida, the *experience of the impossible*. The aim of this project is to track the margin between these two experiences of power, which in turn will come to bear on the category of experience itself.

In many ways, however, this dissertation will only offer a preliminary investigation towards an articulation of the more immediate political consequences signaled by these questions. Consequently, the dissertation simply stands as a kind of self-chronicling of an attempt to better understand the work of Derrida and Agamben. My principal focus here will be to elaborate the difference between Derrida and Agamben precisely around the question of ontological difference as it is elaborated in the thought of Martin Heidegger. Both Derrida and Agamben will measure their own thought, and make their own originality – with all the problems that this word invokes – legible in a certain confrontation with Heidegger, as if it is the latter's work, more than any other, that provides the contour against which Derrida's and Agamben's work is oriented. The terms *abandonment* and *retreat*, therefore, are shorthand for a series of

terms in the work of both thinkers that acknowledge Heidegger's thought, but in very different ways also seek to diverge from it. Derrida's early formulation of *différance* – and all the "nonsynonymous substitutions" that speak to the same issue in his work (DF 12) – configures itself as a *departure* from ontological difference, a departure, however, that cannot be thought of in any straightforward way as an *advance*; though for that matter, cannot be simply be thought of as a retreat either, if the latter is only conceived in its opposition to advancement. Derrida's retreat will be characterized by an adestinal drifting, a co-implication of possibility and impossibility that is something other than the sovereign gesture of a determined *step*[1] in whatever direction. This thinking that departs from ontological difference imposes itself throughout Derrida's corpus, marking even, as we will see in Chapter 1, his very last seminar, *The Beast and the Sovereign, Volume 2*.

For Agamben, the crucial concept that organizes his work in the *Homo Sacer* series – the series that has placed him at the center of contemporary critical thought – is *abandonment*, which denotes, for him, the original political relation. This thinking of abandonment – and the *ban* – derives clearly if not explicitly from Heidegger's *Seinsverlassenheit*, the abandonment of beings by Being. Therefore, when Agamben claims to think *beyond abandonment*, or what he calls *abandonment without relation* or *abandonment as such*, he, too, will propose to think beyond ontological difference as the relation-separation between Being and beings. Unlike Derrida, however, and though there are certain points in Agamben's work which resist this tendency, Agamben will

[1] The question of the step, or what Heidegger calls the 'step back' out of metaphysics is an important theme in his *On Time and Being*, and numerous other places in his work. See, for example, OTB 30-31. Derrida, in a text on Maurice Blanchot, plays on the word *'pas'* as signifying both 'step' and 'not,' indicating a divided and undecidable movement. See Jacques Derrida, "*Pace* Not(s)," in *Parages* ed. and trans. John P. Leavey et al. (Stanford, CA: Stanford University Press, 2010), 11-102.

primarily articulate his thought in terms of a surpassing or an overcoming, or, in a formulation that we will come to see as even more problematic, as a "solution" (HS 48) of what he construes as an insufficiency of Heidegger's thought. This gesture indicates a pivotal point of difference between the approaches of Derrida and Agamben.

However, if Agamben's and Derrida's ambitions are to think 'beyond' Heidegger – to seek a difference more radical than ontological difference, an abandonment more destitute than *Seinsverlassenheit* – then both Derrida and Agamben will have to contend with Heidegger's own attempts to think beyond ontological difference under the heading of *Ereignis*, which we provisionally translate here as the Event of Appropriation. Thus, this project proceeds with the contention that Agamben's and Derrida's respective understandings of *Ereignis* – and the consequences for their own work that they draw from this understanding – will underwrite the proximity and distance between these two thinkers. The margin of difference between them will balance delicately on *Ereignis*; to articulate this in a rudimentary and perhaps even somewhat crude manner for the purposes of this introduction, if for Agamben *Ereignis* does not go *far enough*, then for Derrida, *Ereignis* goes *too far*. But of course, everything we will have to say about the *aimless* character of the *beyond* will thoroughly complicate the question of the interval of departure from ontological difference.

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One of the more peculiar aspects of tracking the differences and similarities between Derrida and Agamben, as we will explore, is that while Derrida's work is a constant – if often veiled and allusive – point of reference for Agamben, Derrida's

engagement with Agamben is very limited. To my knowledge, Derrida only makes two[2] references to Agamben in his published corpus: one, a brief comment in his 2002 text *Rogues*,[3] and second, a much more extended set of criticisms in the context of a seminar course of the same period, *The Beast and the Sovereign, Volume 1*.[4] In this latter text, Derrida's treatment of Agamben is itself puzzling; while his comments remain very trenchant, they are suffused with a palpable sense of annoyance at Agamben's propensity to make grand, sweeping pronouncements, or to position himself as a kind of 'discoverer' of forgotten philosophical or philological motifs. But, moreover, Derrida's reading is almost entirely limited to the introduction of Agamben's *Homo Sacer 1*. Of course, we should note that a frequent 'strategy' of deconstruction is to identify in supposedly introductory or marginal parts of the text – parts considered supplementary to its proper body – assumptions, presuppositions and exclusions that clandestinely ground the very argument to which they are said to be ancillary. But Derrida, in fact, does not pursue such a strategy here; his reading declines to develop the consequences of his criticisms of the early passages of Agamben's work in light of its major theme that we are pursuing here: the question of abandonment. This treatment is uncharacteristic of the committed, patient, and meticulous attention that Derrida often gives to texts under his watch, and this lack of attention is underscored by the fact that Derrida obscures several points of

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[2] There is a third reference in which Derrida includes Agamben as one of several scholars that he thanks for their help in trying to track down the provenance and accuracy of the phrase, "O friends, there are no friends," commonly attributed to Aristotle; see Jacques Derrida, *Politics of Friendship*, trans. George Collins (London: Verso, 2005), 225 n.10. Agamben responds to this acknowledgement by suggesting that Derrida did not fully take into account Agamben's findings; see Giorgio Agamben, *What is an Apparatus? and Other Essays*, trans. David Kishik and Stefan Pedatella (Stanford, CA: Stanford University Press, 2009), 26-28. I am indebted to Geoffrey Bennington for alerting me to this reference.

[3] Jacques Derrida, *Rogues: Two Essays on Reason*, trans. Pascale-Anne Brault and Michael Naas (Stanford, CA: Stanford University Press, 2005), 24.

[4] Derrida primarily engages with Agamben in Session 12, which is devoted to a reading of *Homo Sacer* (see BS1 305-334), but also advances several criticisms of Agamben in Session 3 (see BS1 92-95).

similarity between Agamben's work and his own, and omits to respond to what in *Homo Sacer 1* is a pointed and compelling challenge to deconstruction. As we will elaborate in Chapter 3 of this project, Agamben will call for an "entirely new conjunction of possibility and reality, contingency and necessity" and a "new and coherent ontology of potentiality" (HS 44); this is, in many respects, exactly what Derrida will have tried to pursue throughout his corpus, most evidently in his thinking of the *necessary possibility of contingency*. Thus, part of the task of this dissertation is to imagine how Derrida may have read these passages from *Homo Sacer 1* and elsewhere, to locate the points in Agamben's texts that open themselves to deconstruction, and to collate and mobilize what in Derrida's work offers itself as a formidable response to Agamben.

Though I will address important commentary on Derrida and Agamben throughout the three main chapters of this dissertation, a few issues deserve mention here. There is a remarkable absence of any sustained discussion of how Agamben's more immediately political notion of abandonment is oriented towards Heidegger's thinking of ontological difference, *Seinsverlassenheit* and *Ereignis*, and we can mark this absence in two bodies of relevant scholarship. One the one hand, major commentaries on Agamben which offer detailed examinations of his reading of Aristotle do not consider Agamben's subsequent comments on the question of ontological difference and *Seinsverlassenheit*.[5] On the other hand, recent philosophical-political work which takes ontological difference in Heidegger as an explicit point of departure does not refer to Agamben at all.[6] This omission is particularly conspicuous in Kevin Attell's 2014 text *Giorgio Agamben: Beyond the Threshold of Deconstruction*, which is an intensely cogent and otherwise

[5] For a more detailed account of these sources, please see Chapter 2, FN 19.
[6] Also see Chapter 2, FN 19.

extraordinarily comprehensive attempt to track the influence of Derrida on Agamben's thinking in light of the former's claim of progressing beyond deconstruction. Indeed, as early as 1982, Agamben declares that

> [a]lthough we must certainly honor Derrida as the thinker who has identified with the greatest rigor…the original status of the *gramma* and of meaning in our culture, it is also true that he believed he had opened a way to surpassing metaphysics, while in truth he merely brought the fundamental problem of metaphysics to light. (LD 39)

However, Attell's work, quite strangely, even while expressly discussing *différance*, does not acknowledge how it is an attempt to think a difference more 'originary' and radical than ontological difference. Furthermore, Attell will astutely note that even while Agamben's work has received a great deal of commentary, "there is a still more fundamental concept that…has not received as much attention in discussions" which is none other than the concept of *abandonment*. Attell asserts that abandonment is a "a sort of first political-philosophical principle….the groundwork for Agamben's political theory…[and] among all of Agamben's political terms, it is the most evidently 'deconstructive' in its derivation and function" (GAB 127). Though my project fundamentally concurs with this point, it suggests that the stakes of this proximity – and the margin of difference that it ultimately reveals – must contend with how Heidegger's thinking of ontological difference, *Seinsverlassenheit* and *Ereignis* pervades the heart of Derrida and Agamben's discussions, a vital point of reference that Attell does not explore. This omission in turn bears on how Attell will almost always accept Agamben's

own pronouncements of overcoming deconstruction. This gesture of *progressing beyond* organizes the entirety of Attell's text and is indicated in the title itself: *Beyond the Threshold of Deconstruction*. Yet despite Attell's sensitive and diligent analyses of both thinkers, nowhere in his work does he submit the notions of the *threshold* or *beyond* to any critical scrutiny. As a result, Attell deprives himself of the means of recognizing the points in Derrida's texts that would constitute a response to Agamben's contentions, and thus of formulating a critique of Agamben's work. Though I will not be able to pursue an extended reading of Attell's text in this project, I hope that my preliminary analyses will prepare the ground for a more critical response to his work in the future.

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If, at the conclusion of this dissertation, I turn to a discussion of the eponymous protagonist of Herman Melville's short story *Bartleby, the Scrivener*, it is because one significant impulse of this project has been to ask, what it means, *today*, to be a *guardian of abandonment*, or a *hero of retreat*. I take this last phrase from Hans Magnus Enzensberger's short, magnificent 1989 essay of the same name, wherein the author seeks to describe "a hero of a new kind, representing not victory, conquest and triumph, but renunciation, reduction and dismantling."[7] Enzensberger continues:

> The *non plus ultra* in the art of the possible consists of withdrawing from an untenable position. But if the stature of the hero is proportional to the difficulty of the task before him, then it follows that our concept of the heroic needs not only

[7] Hans Magnus Enzensberger, "Heroes of Retreat," *Granta*, February 2 1990, https://granta.com/the-state-of-europe-christmas-eve-1989/. I am indebted to Angelika Bammer for introducing me to this text.

> to be revised, but to be stood on its head. Any cretin can throw a bomb. It is 1,000 times more difficult to defuse one.[8]

I write this introduction in the aftermath of witnessing the *event* (but when did this event begin? when will it end?) of the election, in the United States, of a man who might call himself a 'hero of retreat,' a figure who comes to demolish the architecture of the present political conjuncture. Of course, granting this man this epithet would be a grotesque caricature or mutation of what Enzensberger wants to think, but this perversion does pose anew the question of what the difference between the throwing of a bomb and the defusing of one might mean. For Enzensberger, the retreat is not – is *especially not* – destruction or annihilation. Rather, here are the words he uses to describe this ambiguous and scarcely delimitable movement, this step back, or step (not) beyond[9]: *renunciation, reduction, dismantling, denial, defusing, surrender*; Enzensberger even refers twice to the 'heroes of deconstruction'.[10]

We do not know if Enzensberger was thinking of Derrida here, though everything the former says reminds us that deconstruction is always already a political event, an event of the political. Enzensberger also refers, without naming, to a "German philosopher" who suggests that the task of the future would "no longer be one of improving the world but of saving it," and it is of course Heidegger that he has in mind.[11] Derrida, at times, will seek to align deconstruction with Heidegger, but at others will resist both

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[8] Enzensberger, "Heroes of Retreat."
[9] See FN 1
[10] Enzensberger, "Heroes of Retreat."
[11] Enzensberger, "Heroes of Retreat."

> Benjaminian "destruction" or Heideggerian "*Destruktion*." It is the thought of difference between these destructions on the one hand and a deconstructive affirmation on the other that has guided me. (FOL 298).

Derrida, even more adamantly and vigilantly than Enzensberger, seeks to maintain the difference between deconstruction and destruction: "If deconstruction were a destruction, nothing would be possible any longer" (NEG 16). Yet there is also a promise of future work to be done. In his 1989 text "Force of Law," he refers to the insistence of the thematic of destruction in Carl Schmitt, Benjamin and Heidegger, and in a footnote "anticipat[es] a more ample and coherent work" in comparison with deconstruction, a work that, to my knowledge, is not to be found in his currently published corpus if it were indeed ever undertaken and completed (FOL 292 n.46). In a 1993 interview, he does not speak of Schmitt, but of Heidegger, Benjamin and Nietzsche; I can think of no better passages to read in this moment, and these are the very passages that impel my attempts to extend the work of this dissertation:

> To take up again the three thinkers Nietzsche, Heidegger, and Benjamin, it is quite clear that something is happening at the end of the nineteenth century and the beginning of the twentieth for thinking to want to affirm the future. 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. What do I mean by this? Before setting up tribunals or criticizing particular discourses, schools, movements, or academic tendencies, one must first admit that something is perhaps happening to humanity

> in the crossover from the nineteenth to the twentieth century for affirmation, for an affirmation of the future or of an opening onto the future, to be marked within a discourse of apparent destruction or mourning….Now, why is it that any opening onto the future, both yesterday and today, passes through what looks like a destruction, a negative destructuration? Nor is it simply these three thinkers, either. However important their thought may be, they are symptoms of, spokesmen for something that is taking place in the world –at least in the West– that causes affirmation to be carried through by a devastating upheaval, a sort of revolution that cannot proceed without destruction, without separation or interruption, or without fidelity….So, my question is the following: why is it that this reaffirmation can have a future only through the seism of a destruction? But this is hardly a question; rather, it is the experience of *what is taking place,* of the revolution that bears us along. (NEG 219)

Derrida himself, perhaps more than any other figure, would remind us that the 'crossover from the nineteenth to the twentieth century' is not a historical or historiographical marker, an event that has been concluded. Rather, everything we are encountering today – 'both yesterday and today' – suggests that this event has by no means exhausted itself. Something remains or returns – what Derrida calls *restance* and *revenance* – of this event.

And so future work on the heroes of retreat might draw on all these texts. Walter Benjamin's thought moves unpredictably between destruction and retreat; for example, from the notion of 'divine violence' that organizes his 1921 text "Critique of Violence"[12]

[12] See CV 248-252.

or the 'destructive character' elaborated in an essay of same name from 1931[13] to his 1940 text[14] on the concept of history where he suggests that unlike the claims of Marx, who described revolutions as the locomotive of world history, revolutionary action would rather be like the activation of the emergency brake on a train leading only to despair. We would here also have to compare Benjamin's thinking of the difference between law-creating and law-preserving violence in the "Critique of Violence" with Heidegger's recurrent theme of the creation and the preservation of Being. For example, throughout his reading of Heraclitus's Fragment 53[15] in the mid-1930s, Heidegger is confronted with the issue of how to translate father (*panton*) and king (*basileus*) – creator and preserver – so that they are not heard only in their anthropological (and androcentric) forms; in 1935's *Introduction to Metaphysics*, Heidegger translates *basileus* as *waltender Bewahrer*, the prevailing or ruling guardian[16] or the "preserver that holds sway."[17] Heidegger will also refer to the importance of the preservers of Being in 1935's "The

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[13] See Walter Benjamin, "The Destructive Character," *Walter Benjamin: Selected Writings, Volume 2, Part 2, 1931-1934*, ed. Michael W. Jennings et al., trans. Edmund Jepchott (Cambridge, MA: Belknap Press of Harvard University Press, 1999), 541-542.

[14] See Walter Benjamin, "Paralipomena to 'On the Concept of History'," *Walter Benjamin: Selected Writings, Volume 4, 1938-1940* ed. Michael W. Jennings et al., trans. Harry Zohn (Cambridge, MA: Harvard University Press, 2003), 402.

[15] Gregory Fried and Richard Polt offer a "conventional translation" – in contrast to Heidegger's own rendering – of Heraclitus's Fragment 53 as "War is the father of all and the king of all, and it has shown some as gods and others as human beings, made some slaves and others free" (IM 65 n.4).

[16] Derrida translates *waltender Bewahrer* variously as prevailing, ruling, reigning, or governing guardian. On Derrida's commentary of this translation, see Jacques Derrida, "Heidegger's Ear: Philopolemology (*Geschlecht IV*)," in *Reading Heidegger: Commemorations*, ed. John Sallis, trans. John P. Leavy Jr. (Bloomington: Indiana University Press, 1993), 205 and 208. Ten years later, in his final seminar *The Beast and Sovereign, Volume 2*, Derrida returns to the word *Walten*, but strangely not to *Bewahrer*. I would also suggest that this idea of guarding or preservation in Heidegger should be read in conjunction with Derrida's discussion of preservation in the context of the latter's later thought on autoimmunity. Though I cannot elaborate on this point here, a more detailed investigation of the Heidegger's translation of *baslieus* in Heraclitus's Fragment 53 would have to take into account Heidegger's comments on this passage in his 1933 lecture course (see Martin Heidegger, *Being and Truth*, trans. Gregory Fried and Richard Polt [Bloomington: Indiana University Press, 2010], 72-74) and his winter 1934-1935 lecture course (see Martin Heidegger, *Hölderlin's Hymns: "Germania" and "The Rhine,"* trans. William McNeill and Julia Ireland [Bloomington: Indiana University Press, 2014], 112-13). Also relevant here is Derrida's discussion of the 'guardians of the law' in his text on Kafka (see BTL 214-15).

[17] Gregory Fried and Richard Polt translate *waltender Bewahrer* as "preserver who holds sway" (IM 65).

Origin of the Work of Art,"[18]; or speak of the 'shepherd' of Being in 1946's "Anaximander's Saying," [19] a thought that we would need to evaluate today – perhaps in spite of how Heidegger wants us to hear that word – in light of Michel Foucault's discussion of 'pastoral power'.[20] Common to this array of references would be to ask the question of the *guardians of abandonment*; if Being is nothing but abandonment, retreat, withdrawal, then Heidegger too would be talking about a kind of *hero of retreat*. Though I can only hint at this point here, everything about Heidegger's (and Benjamin's, and Schmitt's, and perhaps even Nietzsche's) texts – and the *time* in which they emerge – is relevant to the recent event of this election, and would provoke us to keep asking: *what is the difference between exploding a bomb and defusing one*?

Yet I do not want to connect too quickly this dissertation with the immediacy of this current political event. Not only for reasons of weariness and a certain despondency of the moment, but perhaps, more importantly, to resist the demand that inevitably follows, from philosophers and political theorists, to urgently reflect on the *today* that confronts us. This demand, this disguised desire for analgesia, is often asked to resolve itself in two forms. One is the historicizing gesture that seeks to place the event in its 'proper context,' as if the question of this event could be circumscribed in or to appropriated to its place of belonging, organized within its scene of occurrence. The other form taken by this demand is the call for the new; the declaration that the thinking that has borne us thus far is no longer sufficient. I do not mean to diminish this call; it

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[18] See Martin Heidegger, "The Origin of the Work of Art," in *Off the Beaten Track*, trans. and ed. Julian Young and Kenneth Haynes (Cambridge: Cambridge University Press, 2002), 40: "Just as a work cannot be without being created, just as it stands in essential need of creators, so what is created cannot come into being without preservers."

[19] See AF 262: "Preservation as the protection of being belongs to the shepherd."

[20] See Michel Foucault, *Security, Territory, Population: Lectures at the Collège de France, 1977-1978*, trans. Graham Burchell (New York: Palgrave Macmillan, 2007), *passim*.

necessarily pushes us towards the event. But it may also be important to subvert these forms, to ask different questions. To think the event – to think the event of this election – as neither the effluvium from some political corpse nor the unfathomable singular occurrence of a terrifying miracle would require, as Derrida might say, thinking the event and the machine together.[21] If there is a question of today, it perhaps is nothing other than the question of *the today*, of the presence and immediacy, but also the banality and repeatability, of the event. Thus, the 'deconstruction of presence': this term that many contemporary thinkers might consider a worn-out or devalued philosophical currency would, *today*, if we are to think the event, *this event*, still have a future.

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Chapter Summaries

Chapter 1: Derrida, Originary Violence, and the Retreat of Ontological Difference

In this chapter, I will attempt to track Derrida's thought of ontological difference in various iterations across his corpus, and essential to this task will be to understand its fundamental relation to what he will refer to as an originary violence, bellicosity or power. Why will violence come to dominate the thinking of ontological difference in both Heidegger and Derrida? What is the link between this originary violence or prevailing power and a more specifically politico-theological concept of sovereignty, what we commonly *understand* or *recognize* as power and violence? And why do both

[21] See Derrida's essay "Typewriter Ribbon: Limited Ink (2)" in Jacques Derrida, *Without Alibi*, trans. and ed. Peggy Kamuf (Stanford, CA: Stanford University Press, 2002), 72-74.

Heidegger and Derrida connect these questions to 'Western' metaphysics, with an anticipation of the closure of its epoch?

I will attempt to pursue these questions in close readings of four different Derrida texts spanning from his earliest work to his final seminar, arguing that his engagement with Heidegger maintains both a formidable consistency but also some vital differences. This chapter progresses in anticipation of the exposition of Agamben's thought in Chapter 2 where he will leave us with the enigmatic conclusion that Heidegger will not, despite all his advances, succeed in thinking the relation between Being and beings outside the structure of abandonment, which, for Agamben, is synonymous with sovereignty. In view of a comparison with this contention of Agamben, I attempt to show that an enduring preoccupation of Derrida's work will be to demonstrate that ontological difference is insufficiently deconstructed and that there remains a difference that would be prior and more originary; what Derrida comes to call *différance*. Here, much like Agamben, we find Derrida thinking the limits of power and sovereignty in the company of Heidegger; but unlike Agamben, Derrida will not only think the question of the *abandonment* of Being, but the subsequent *oblivion* of Being in the epoch of metaphysics. This is what Derrida will call the retreat of Being, or more accurately, *retrait*, referring both to the retraction of Being and its retracing in the text of metaphysics. Pursuing these questions will prepare the ground for a more direct comparison of the work of Agamben and Derrida in Chapter 3.

Chapter 2: Sovereignty in Abeyance: Agamben, Abandonment, and Impotentiality

The second chapter focuses on Agamben's work under the heading of abandonment. I try to show, on the basis of some key passages in *Homo Sacer* that have been almost entirely overlooked in response to his work, how Agamben will attempt to think the abandonment of bare life in the *polis* in correspondence to the abandonment of beings by Being as described by Heidegger. This sense of abandonment is in turn based on Agamben's attempt to think beyond the opposition of potentiality and actuality in Aristotle by foregrounding the concept of impotentiality, which he configures not as an incapacity or impossibility, but a capacity *not-to*, a self-withholding or self-privation. I trace how this reading organizes Agamben's arguments in *Homo Sacer* and some associated texts, and how it reveals the extent of Agamben's ambition: to assert that a new thinking of politics requires a rethinking of ontology itself. In particular, I devote attention to reconstructing Agamben's arguments across several texts as well as elaborating the canonical readings of Aristotle the better to understand Agamben's departure from them. I also open a critical response to Agamben by arguing that despite his pronouncements, his attempt to think of a power or potentiality that has "cut the knot" or "released" itself from sovereignty still remains tethered to perhaps the most formidable trope of sovereignty itself, that of a pure and unconditional originarity (HS 44).

Chapter 3: *Ereignis,* Inoperativity, Iterability: Heidegger, Agamben, and Derrida Beyond Ontological Difference

The third chapter proceeds from an intimation that the series of terms that both thinkers advance as departing from ontological difference – for Agamben: *inoperativity, destituent potential, deactivation etc.*; for Derrida: *différance, iterability, destinerrance*

and so on – bear comparison precisely because they are, in a certain way, underwritten by a confrontation on the question of *Ereignis*. Heidegger's attempts to think Being without relation to beings, to think the destining essence of Being without regard to its epochal destinies, provides us with a kind of 'matrix' with which we can track the proximity and distance between Derrida and Agamben. Both chains of concepts above speak to questions of propriety-impropriety and appropriation-expropriation, but they do so in a significantly different manner. To put it perhaps too directly in the interests of this summary, Agamben's thought will strive towards what he calls a *proper improper*, or an *abandonment as such*; a proper destitution or deactivation of potentiality that divests it of all actuality. Agamben mobilizes Heidegger's *Ereignis* in developing this notion of a generic or destituent potentiality, and insofar as Agamben insists that Heidegger insufficiently thinks the 'end of the history of Being', Agamben will have positioned himself as going further than Heidegger in thinking the propriety of an appropriation-expropriation that has closed its epochal figures.

Derrida's thinking, on the other hand, is characterized by that which threatens the *as such* in general, thus undermining the propriety of even a *proper improper*, and calling into question the *as such* of Agamben's thinking of an *abandonment as such*. To the extent that Heidegger will configure the unveiling brought about in *Ereignis* as the disclosure of the 'appropriate' manner of the concealment of Being at the end of its history, Derrida will identify in this gesture the temptation of a *restitution* of propriety, a temptation that is all the stronger in Agamben.

The chapter tries to develop these arguments through four sections. First, I attend to some key passages in Heidegger's 1962 work *On Time and Being* to show how

Ereignis provides the site through which we can track the proximity and distance of Derrida's and Agamben's thought. In Section 2, I show how Agamben's work in the *Homo Sacer* series, which contains very little explicit reference to Heidegger, is in fact informed by Agamben's early readings of *Ereignis*. In Section 3, I place Agamben's thinking of *inoperativity* and *destituent potential* alongside Derrida's thinking of *iterability* and *destinerrance* and attempt to underscore that despite some very compelling points of proximity, there remains a margin of difference between the two thinkers on the questions of *presence* and *arrival*. In the final section, which stands as a conclusion to the project, I further reinforce our understanding of the divergence between Agamben and Derrida by turning to the end of Herman Melville's short story, *Bartleby, the Scrivener*. I attempt to parse Agamben's difficult reading of these passages and speculate how Derrida might have read the same passages differently, organizing Agamben's and Derrida's thought under the headings of the *experience of impotentiality* and the *experience of impossibility*, respectively.

Chapter 1:

Derrida, Originary Violence, and the Retreat of Ontological Difference

In this chapter, I want to chart a preliminary expository course through some of Derrida's texts, focusing on his attention to the question of ontological difference in Heidegger. In his early work, in particular, Derrida will acknowledge the vital importance of the difference between Being[1] and beings, but will make his own distance to Heidegger visible by contesting the radicality of this difference. For Derrida, the ontico-ontological difference is insufficiently deconstructed, and there remains a difference that would be prior and more originary; what Derrida comes to call *différance*. Of course, by arguing this, Derrida will not suggest that deconstruction is a development, within the history of philosophy, that comes to supplant Heidegger's text as if offering a more profound or foundational concept, but rather that *différance* enables a thinking of what, within Heidegger's thought of the ontological difference, still adheres to the metaphysical values of priority and originarity.

Yet, if *différance* is not simply an advance or supersession beyond ontological difference, how can we begin to understand, the difference, precisely, between these differences? Perhaps, then not as advance, but *retreat*, a retreat of the retreat that is already announced in ontological difference. But given that Heidegger himself will have thought this retreat of the retreat under the heading of *Seinsvergessenheit*, the oblivion of Being – and what

[1] Throughout this chapter, I will follow the convention of capitalizing the first letter in 'Being' when referring to *Sein* or *être*, and using 'being' or 'beings' as a translation of *Seiendes* or *étant* (though I will also, less frequently, use 'entity' and 'existent', especially in relation to the work of Levinas). However, when quoting from translations which do not use this convention, I will simply preserve the translation as it is, allowing the context to determine whether the reference is to *Sein* or *Seiendes*. I provisionally use this convention for the sake of clarity, but I discuss certain problems of capitalization in Section 4 below.

Derrida will call the *retrait* of Being – our efforts to understand Derrida's claims of difference to Heidegger will prove more challenging. How will this retreat proceed – if we can indeed speak of something like the *proceeding* or *procession* of a retreat? Along what tracks will it retrace its steps? Would this retreat involve erasing one's traces, dismantling the roads or passages of advancement? As we saw in the introduction, to think these different senses of retreat against what Derrida construes as the all-too-destructive destructions of Heidegger's *Destruktion* and Benjamin's *Zerstörung* or 'destructive character' will to be think of a retreat which would not raze the field as it withdraws.

Here, too, we will have to keep in mind Derrida's brief but striking comments on the need to think the effraction of *différance* together with "the possibility of the road and of difference…the history of the road, of the rupture, of the *via rupta*, of the path that is broken, beaten, *fracta*, of the space of reversibility and of repetition traced by the opening" (OG107-108).[2] Derrida's call will compel us to rethink advancement and retreat as other than an *opposition*; to think the originary and irreducible co-implication of tracing and erasure. Though Derrida does not explicitly allude to Heidegger in these comments from *Of Grammatology*, they bear strong resonances to the latter's thinking of *Holzwege* as a path leading to a clearing as well as an effacement of that path. As Derrida asks, in a parenthetical question late in the essay "Différance," regarding his pursuit of Heidegger's thought: "has anyone thought that we have been tracking something down, something other than tracks themselves to be tracked down" (DF 25)?

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[2] Derrida will very briefly echo this comment later on OG 287, as well as in his essay "Freud and the Scene of Writing" in Jacques Derrida, *Writing and Difference*, trans. Alan Bass (London: Routledge Classics, 2001), 269-270. Though highly condensed, these scattered remarks gesture toward a very provocative motif that I will follow here and in Chapter 3.

It is here also that we will have to mark, in anticipation of later chapters of this dissertation, how Derrida's claims are strikingly similar to those by Agamben, who will leave us with the enigmatic conclusion that Heidegger will not, despite all his *advances* –that word imposes itself again–, succeed in thinking the relation between Being and beings outside the structure of abandonment, that, for Agamben, is synonymous with sovereign power.

At the outset of this chapter, it might be valuable to examine a passage from *Positions* that can organize and elaborate the concerns of the following pages, as well as the project as a whole. Reflecting on his early work in an interview in 1972, Derrida maintains that his project

> would not have been possible without the attention to what Heidegger calls the difference between Being and beings, the ontico-ontological difference such as, in a way, it remains unthought by philosophy. But despite this debt to Heidegger's thought, or rather because of it, I attempt to locate in Heidegger's text –which, no more than any other, is not homogeneous, continuous, everywhere equal to the greatest force and to all the consequences of its questions – the signs of a belonging to metaphysics, or to what he calls ontotheology. Moreover, Heidegger recognizes that economically and strategically he had to borrow the syntaxic and lexical resources of the language of metaphysics, as one always must do at the very moment that one deconstructs this language. Therefore we must work to locate these metaphysical holds, and to reorganize unceasingly the form and sites of our questioning. Now, among these holds, the ultimate determination of difference as the ontico-ontological difference – however necessary and decisive

> this phase may be – still seems to me, in a strange way, to be in the grasp of metaphysics. Perhaps then, moving along lines that would be more Nietzschean than Heideggerean, by going to the end of this thought of the truth of Being, we would have to become open to a *différance* that is no longer determined, in the language of the West, as the difference between Being and beings. Such a departure is doubtless not possible today, but one could show how it is in preparation. In Heidegger, first of all. *Différance*…therefore would name provisionally this unfolding of difference in particular, but not only, or first of all, of the ontico-ontological difference. (POS 10)

Though I will return to a more detailed discussion of Derrida's essay "*Différance*" below, there are several points in the passage above that can guide our approach (and announce some vital similarities with Agamben's project that we will examine in Chapter 2). First of all, Derrida will recognize the necessity – an *essential* necessity – of Heidegger's thinking of ontological difference, and so will configure deconstruction as a *passage through* this difference. The cautiousness and hesitation of Derrida's comments betray a fidelity to Heidegger as if it is the latter's thought, more than any other, with which deconstruction will have to reckon. Second, Derrida speaks of a certain sense of the epochality of metaphysics, of its historical horizon and destiny, in a way that suggests that its *closure* – with all the problems that word will evoke – has not arrived but whose anticipation has become visible; is making its presence felt in a spectral fashion. This thought of epochality and closure of what Derrida frequently refers to as *Western* metaphysics is common throughout his early work and very resonant with Heidegger – one thinks, for example, of the exergue of *Of Grammatology* and its similarity with the

opening passages of *Being and Time* – but disappears, at least in its quasi-prophetic formulations, from Derrida's later writings and we will have to attend to this absence as another instance of Derrida marking his difference from Heidegger. In the passage above, Derrida will point to a *différance* that will no longer be contained within the unfolding of Being, seeking instead different resources and languages; yet he will also announce that this departure is not possible 'today' but it is nevertheless 'in preparation.' There is a messianic quality to this claim that we will have to contend with later by asking if the 'today' of his final works, more than thirty years from the 'today' he evokes in the passage above, will have allowed for this departure. Third, and perhaps most importantly for my initial presentation of the proximity of Derrida's and Agamben's thought, Derrida here will configure metaphysics in the language of power, specifically of a power of arrest, of seizure within 'metaphysical holds' or the 'grasp of metaphysics.' If we will seek to unsettle the terms in which Agamben articulates his desire to think Being *released* from sovereignty in Chapter 2, then in this chapter, we should also bring these questions to bear on Derrida's text. Derrida, of course, is meticulous in his awareness of and vigilance against any simple understanding of the inside or outside metaphysics, of the opposition of incarceration and liberation. Yet, as I will try to show, it is when in attempting to think *différance* in its difference from ontological difference that tropes of power, constraint and interdiction will insinuate themselves in his language. So then fourth, and finally, perhaps we should guide our approach to Derrida's work by following his own comments on Heidegger's discourse. Derrida's corpus, perhaps more than any other thinker, is marked by a remarkable consistency, a repeated intensity of

deconstructive gestures; yet we should not mistake that for a homogeneity at all points immune or insusceptible to its own 'capture' by metaphysics.

Summary of Chapter

In the five sections that follow, I will attempt to track Derrida's thought of the ontological difference in various iterations across his corpus. In the first section of this chapter, I focus on Derrida's 1964 essay "Violence and Metaphysics" where, in response to certain challenges and criticisms by Emmanuel Levinas, Derrida will offer a forceful and almost unequivocal defense of Heidegger. In particular, Derrida will maintain the radicality of ontological difference and, following Heidegger, associate it with an originary *polemos* or bellicosity; what Derrida calls, in this essay, a *first violence*. My reading will follow Derrida's description of this first violence as both predication and dissimulation, suggesting that this notion cannot be understood in the register of the ontic, nor with recourse to any secure concepts of priority or violence. Rather, it is a war at the heart of Being; more accurately, *first violence* is Being or ontological difference itself. Tracking Derrida's proximity to Heidegger here will allow us to better emphasize how, just a few years later, the former will come to mark his distance from the latter.

Next, I turn to Derrida's undervalued 1971 text, "The Supplement of Copula," where Derrida will analyze some claims by the linguist Émile Benveniste. It is Heidegger's thinking of ontological difference, however, that will implicitly orient the inquiry. At issue is Benveniste's claim that Greek philosophical thought – and thus all philosophy that is heir to this Greek origin – is determined in a fundamental way by the

resources of the Greek language. Nowhere is this more evident and important than in the word and concept 'Being', which for Benveniste is not supra-linguistic but rather rooted and determined in the language in which it is spoken. As evidence of this, Benveniste points to languages where the verb 'to be' is (supposedly) absent. Contesting this claim in an incisive reading, Derrida will expose how Benveniste will ultimately have to concede that there is schism between the etymological-semantic history of 'Being' and the grammatical function of the copula, and thus 'Being' must be understood as a condition of all predicates without being a predicate itself; nothing other than ontological difference itself. Though in "The Supplement of Copula," Derrida will not reflect on these issues in the context of an originary *polemos*, the exposition will be very resonant of the discussion of predication and dissimulation we pursued in Section 1. However, unlike in "Violence and Metaphysics," Derrida, towards the end of this essay, will identify in Heidegger a tendency to grant a privilege to the *name* and *meaning* of Being, a tendency that betrays, in Heidegger's thought, a certain residue of metaphysics.

The third and longest section develops the primary concerns of the chapter in the context of a reading of Derrida's 1968 essay "Différance." For it is in this text that Derrida will most stridently, at least in his early work, mark his distance to Heidegger, suggesting that there remains, within the thinking of ontological difference, a certain "*hope*" or "*nostalgia*" for a "myth of a purely maternal or paternal language, a lost native country of thought" (DF 27). Derrida will contend that what he calls *différance* names a difference more originary and violent than ontological difference. Indeed, it is the question of *naming* – and what Derrida construes in Heidegger as a desire for the proper name or unique appellation of Being – that will be at issue; for Derrida *différance* names

that which can never be appropriated in the *as such*, especially in the *as such* of the *name* itself. In this section, I closely elaborate the main contours of Derrida's essay, but I also suggest that his argument is perhaps even more forceful than he grants by developing the thought of *différance* in terms of the difference between what Heidegger calls, most notably in his texts of the late 1930s, *Seinsverlassenheit* (the abandonment or forsakenness of Being) and *Seinsvergessenheit* (the oblivion of Being). This exploration goes to the heart of the preoccupations of the project in preparation for further discussion in the company of Agamben's thought in Chapter 3.

In Section 4, I turn to Derrida's final seminar (2002-2003), *The Beast and The Sovereign 2*, where he directs his attention to a single word, *walten*, in Heidegger's corpus that will reiterate, more than thirty years later, the concerns articulated in "Différance." *Walten* names a power or violence more fundamental than ontological difference and thus provides, within Heidegger's text itself, a more explicit thinking of *différance*. *Walten* connotes both a specifically socio-political sense of violence, sovereignty and power, as well as a more general, indeterminate sense of reigning or prevailing sway. Derrida's preoccupation with this word, thus, is due to its ability to denote a sovereign power or violence that would not simply be circumscribed within onto-politico-theology under the logic of the sovereign exception or *hyper*-power. As in the previous section, I pursue a reading of Derrida's late seminar with a view to introducing themes and raising questions to which we will return with more focus in the context of Agamben's thought.

I conclude this chapter with a brief discussion of Derrida's comments, from the long quotation from *Positions* above, on a departure from ontological difference and how

while it was not possible in the 'today' of Derrida's interview in 1972, it was nevertheless 'in preparation.' I attend to some other, similar statements that Derrida makes in his early work and ask: what notion of history – or perhaps more tentatively, historical progress – underpins Derrida's scattered comments? For Derrida will be too vigilant to simply proclaim a future emancipation; yet his comments incline toward a thinking of the closure of the epoch of metaphysics and in this regard bear a compelling point of comparison with Agamben. Again, this reading will announce themes that will guide us throughout the dissertation, most notably in our later discussion of Derrida's and Agamben's respective readings of Alexandre Kojève.

1. Predication and Dissumlation as First Violence

In this first section, I want to focus on Derrida's 1964 essay "Violence and Metaphysics: An Essay on the Thought of Emmanuel Levinas."[3] Given my aims in this chapter, it may seem counter-intuitive to start with an essay where, in response to certain challenges by Emmanuel Levinas, Derrida will construct a forceful and almost unequivocal defense of Heidegger's thought, maintaining, in particular, the priority and originarity of ontological difference. However, as I will try to show, this essay will prepare the ground for our later readings of Derrida where his distance from Heidegger is most marked.

[3] "*Violence et Métaphysique*. Essai sur la pensée d'Emmanuel Levinas," was first published in 1964 in *Revue de metaphysique et de morale*, nos. 3 and 4 (1964) and subsequently in 1967 in *L'ecriture et la difference* (Paris: Editions du Seuil, 1967), 117–228.

Derrida's defense of Heidegger – in particular, of the polemical and bellicose nature of ontological difference – is aimed specifically at Levinas's desire to produce a discourse of the other that avoids or circumvents violence. Levinas maintains the possibility of a non-violent relation to the other, one that rejects all symmetrical discourses in favor of a fundamental asymmetry; one where the other is not reduced to the same. For Levinas, the purity of the ethical relation to the other is one that is untainted by law (the realm of adjudication and freedom), rhetoric (the domain of the political), abstraction (the grasp of knowledge and concept), and vision (with its insistence on light and phenomenality). In other words, a relation without power, domination, violence; *without sovereignty*. If Heidegger's discourse is marked by a fundamental bellicosity, Levinas – by counterposing ethics to ontology, justice to freedom – calls for nothing less than a *disarmament* of Being.

Despite Derrida's admiration for the questions Levinas poses, Derrida contests the very possibility of such a relation, and the word 'possibility' is vital for us here. I want to suggest that for Derrida, the opening to the other – for what is an *opening* if not *to the other, of the other* – is the opening of possibility itself. This possibility will emerge with violence, sovereignty, power. The opening of possibility is the opening of power, the very opening of a possible ethicality or (provisional) non-violence. But this possibility is also the impossibility of a pure ethics, an ethics deprived of all violence. When Derrida here will refer to 'lesser violence,' it denotes the possibility of violence in an economy of violence; the greater violence would be the rejection of the opening of possibility itself, a

fundamentally nihilistic violence.[4] Because the relationship to the other is only in history – is history itself, a history always already commenced– it remains contingent, vulnerable, violent. The opening to the other is simultaneously an opening to difference, to language, to violence, to history; these terms, while not being synonymous, will be irreducibly connected to each other. It is only with the avowal and attestation of violence, in the taking responsibility for violence – what we might call the responsibilitization of the opening – does ethics begin.

Let us elaborate this point by considering two passages where Derrida refers to a 'first violence':

> In the last analysis, according to Levinas, nonviolent language would be a language which would do without the verb *to be*, that is, without predication. *Predication is the first violence* [emphasis added - AC]. Since the verb *to be* and the predicative act are implied in every other verb, and in every common noun, nonviolent language, in the last analysis, would be a language of pure invocation, pure adoration, proffering only proper nouns in order to call to the other from afar. In effect, such a language would be purified of all *rhetoric*, which is what Levinas explicitly desires; and purified of the first sense of rhetoric, which we can invoke without artifice, that is, purified of every *verb*. Would such a language still deserve its name? Is a language free from all rhetoric possible? The Greeks, who

[4] There has been considerable debate about this notion of 'lesser violence' in Derrida's essay; and strikingly, Derrida will not use this formulation elsewhere. For a recent, comprehensive overview and critique of various interpretations of this term, see Martin Hägglund, *Radical Atheism: Derrida and the Time of Life* (Stanford: Stanford University Press, 2008), 76-106. For an earlier, powerful reading of this notion in the broader context of Derrida and Politics, see Geoffrey Bennington, *Interrupting Derrida* (New York: Routledge, 2000), 18-33; in particular see 28-30 and 201, n. 29.

> taught us what *Logos* meant, would never have accepted this….there is no *Logos* which does not suppose the interlacing of nouns and verbs. (VM 184)

> The ahistoricity of meaning at its origin is what profoundly separates Levinas from Heidegger, therefore. Since Being is history for the latter, it *is not* outside difference, and thus, it originally occurs as (nonethical) violence, as dissimulation of itself in its own unveiling. That language, thereby, always hides its own origin is not a contradiction, but history itself. In the ontological-historical violence which permits the thinking of ethical violence, in economy as the thought of Being, Being is necessarily dissimulated. *The first violence is this dissimulation* [emphasis added - AC], but it is also the first defeat of nihilistic violence, and the first epiphany of Being. (VM 186)

In reading these two passages together, we understand that the 'first violence' is both predication and dissimulation. Predication (of beings) is dissimulation (of Being). Dissimulation is predication. This double movement of violence marks both the possibility of Being coming to be in beings, but simultaneously its impossibility of appearing *as such*. Both an unveiling and concealment of Being. Both an advance and retreat of Being. The first violence is the *difference* or *differentiation* that allows Being to unfold as a history, as history itself. The words 'difference' or differentiation', however, are themselves insufficient or misleading; precisely why, as we shall see below, Derrida will create the neologism *différance*. Even though Derrida has not yet marked his distance from Heidegger in this way in "Violence and Metaphysics," what will be at

issue between them is the thinking and *naming* of this difference: between *différance* and ontological difference.

How can we think the concept of a *first violence* – of a primary or originary bellicosity – in its irreducible complexity; in a manner that both disturbs the notions of *violence* and *originarity* themselves?[5] This first violence names both coming to presence and perdurance or preservation (both terms that will be vital for us in our later discussion of Heidegger) as well as concealment, abandonment and oblivion. Or, to use terms that organize Derrida's thinking in his essay "Différance," *tracing* and *erasure*. This violence of predication/dissimulation, tracing/erasure, does not come to supervene on a prior agency – or precisely, *being, entity* (*seiendes*) – that would then come to be predicated or be traced; or then be dissimulated or erased. Rather, Being (*sein*) 'is' nothing other than this originary, irreducible contamination or indifference between predication and dissimulation. Furthermore, if predication 'is' dissimulation, if tracing 'is' erasing, then there is no security in an opposition between the violence of bringing-forth or the violence of effacement, nor, indeed, to the very copula 'is' that itself predicates the relation between predication and dissimulation. As such, this *first violence*, will, first of all, violate itself as a violence that can be thought under the heading of a present-being; a violence that shakes the sedimentation of the priority of presence. To think this violence differently, then, one will have to also think the limits of what Heidegger refers to as the

[5] Derrida devotes some very trenchant pages to the question of violence in Part 2, Chapter 1, "The Violence of the Letter: From Lévi-Strauss to Rousseau," in OG, especially 107-118, a discussion which is highly resonant with the claims we are analyzing from VM. I refrain from exploring the passages from OG here because they pursue a thinking of violence in relation to Lévi-Strauss's *Tristes Tropiques* rather than in the context of Heidegger and ontological difference. Nevertheless, despite the absence of a reference to Heidegger in that discussion, the concerns of OG unmistakably reiterate those of VM.

dominance of the 'third person singular of the present indicative' of the verb 'to be', a historical process that is conterminous with the history of metaphysics itself.[6]

Therefore, any anthropological or political notion of war – what we *know* as war, what is *recognizable* as war – can only take place within this fundamental bellicosity, in the wake of the first violence that never appears as such. This first war is not one declared by the sovereign; it is rather the bellicosity within which sovereignty comes to repair a breach. The ontico-ontological difference would be war itself. To the argument that the question of war here is overdetermined and used in an abusive or unjust fashion, a fashion that would supposedly deny the anguish of those who suffer from *real* – the very real, the more real, the all-too-real – wars, a response would be that this concept of war, of wars that are *declared* and *made*, is only a reparatory violence, a violence that hides the original *polemos* of Being.[7] That this model of war – one with a clear distinction of friend and enemy, where the question of the *front* persists in unyielding rigor and indivisible integrity – is already disappearing, already becoming obsolete is not the heralding of the passing of war into a new age, but rather the dissolution of a concept of war that would have always already come too late; the eclipse of a model that was always provisional, always derived. That war was recognized as such, identifiable as such, would already mean the repression or stabilization of a war at the heart of Being.

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[6] The formulation 'third person singular of the present indicative,' is taken from Heidegger's discussion of the grammar and etymology of the word "Being" in Martin Heidegger, *Introduction to Metaphysics*, trans. Gregory Fried and Richard Polt, (New Haven, Connecticut: Yale University Press, 2000); see 55-78 and 96.

[7] The question of *polemos* in Heidegger's thought is the site of much debate, especially in connection to Heidegger's involvement in Nazism; for a comprehensive analysis, see Gregory Fried, *Heidegger's Polemos: From Being to Politics* (New Haven, Connecticut: Yale University Press, 2000), especially 4-14. However, it should be noted that in 186-246 of that text, Fried makes some unfounded and incoherent criticisms of Derrida; for a refutation see Geoffrey Bennington, *Scatter 1: The Politics of Politics in Foucault, Heidegger, and Derrida* (New York: Fordham University Press, 2016), 221, n.40 and 244.

But we also cannot articulate this fundamental bellicosity – a bellicosity that does violence to the fundamental – on the terms of war as we know it. This notion of war needs to be thought without recourse to any anthropology or politics that adheres to metaphysics, even beyond such concepts as a total war or a general mobilization of beings. If the later, narrower sense of war would be the war between beings, a war within the ontic, then this originary violence would be the concealing/revealing passage to the ontic, the war that opens the possibility of war. This first violence is the first defeat of nihilism, as Derrida will write, nihilism here being indistinguishable from an absolute plenitude of meaning:

> This secondary war, as the avowal of violence, is the least possible violence, the only way to repress the worst violence, the violence of primitive and prelogical silence, of an unimaginable night which would not even be the opposite of day, an absolute violence which would not even be the opposite of nonviolence: nothingness or pure non-sense. Thus discourse chooses itself violently in opposition to nothingness or pure non-sense, and, in philosophy, against nihilism. (VM 162)

> Therefore, the thought of Being, in its unveiling, is never foreign to a certain violence. That this thought always appears in difference, and that the same—thought (and) (of) Being—is never the identical, means first that Being is history, that Being dissimulates itself in its occurrence, and originally does violence to itself in order to be stated and in order to appear. A Being without violence would be a Being which would occur outside the existent: nothing; nonhistory; nonoccurrence; nonphenomenality. (VM 184)

When I speak here of a *general mobilization* or *total mobilization* of beings (as well as the question of nihilism), I am, of course, evoking Ernst Jünger and Carl Schmitt whose relation to Heidegger we will discuss in Chapter 3 in the context of *work* and *technology* in Derrida, Agamben and Heidegger. Such a thinking of mobilization will concomitantly pose the question of a demobilization or retreat. Furthermore, we will also have occasion to discuss Carl Schmitt's *terror* at the demise of an identifiable model of war; *terror*, precisely, will name the inability of the stabilization of a concept like 'war on terror.' For our present purposes, however, I want to briefly draw attention to how any question of a total war or total mobilization would still remain insufficient because of the very notion of totality itself. In "Violence and Metaphysics," Derrida will note that Levinas identifies history as synonymous with totality; in contrast, Derrida will argue that history, instead, is the "history of the departures from totality, history as the very movement of transcendence, of the excess over the totality without which no totality would appear as such" (VM 146). Keeping in mind that history is, for Derrida, nothing other than the violence of dissimulation/predication, we can mark the difference between this thinking of violence and all questions of total war and sovereign violence. Such an understanding, as I will develop implicitly in this chapter, but explicitly in Chapters 2 and 3, will impel us to think not simply the limits of what is called, perhaps necessarily but insufficiently, totalitarianism – whose structure, as Agamben notes, forms the *nomos* of modernity – but to also understand how this politico-theological model of violence will both reveal and conceal an originary violence at the heart of Being that unsettles all concepts of the political.

2. In what language is Being said?: Copula, Predication and Ontological Difference

I will now turn to Derrida's essay, "The Supplement of Copula: Philosophy Before Linguistics," published seven years after "Violence and Metaphysics" in 1971, where we begin to see Derrida elaborating his points of difference with Heidegger.[8] I cannot follow all the contours of Derrida's undervalued[9] but vital essay here, but I want to track, in particular, his arguments about the insufficient radicality or originality of the ontico-ontological difference, and thus why Derrida's own thinking of arche-writing, arche-trace, and most specifically, *différance* would precede this difference.

In "The Supplement of Copula," Derrida ostensibly investigates the limits of some claims by the linguist Émile Benveniste, but it is Heidegger who seems to orient much of the inquiry. Derrida here is focusing on Benveniste's contention, addressed in a variety of essays, that Greek philosophical thought is determined in a fundamental way by the resources of the Greek language. By extension, then, all philosophical thought that is heir to this Greek origin bears the imprint of this determination, and more generally, any metaphysics – Western or not – is constrained and dictated by the language in which it is articulated. These contentions, in Benveniste's thought, are impelled by an anti-ethnocentric desire to think the limits of Western metaphysics and to hold open the possibility of engaging with a different metaphysics or philosophy, one that speaks in and from a different language and history that are not marked by a Greek origin. Derrida is

[8] This essay was originally published in 1971 in the journal, *Langages* (24 December 1971)

[9] This essay has received scant critical attention, which is quite unusual given the widespread attention to Derrida's relation to Heidegger. Kevin Attell, in *Giorgio Agamben: Beyond the Threshold of Deconstruction*, provides a very cogent summary of "The Supplement of Copula," but does not elaborate the concerns of the essay so much in relation to Heidegger as to Agamben's reading of Benveniste; see GAB, 59-68. Dana Hollander also offers a useful summary of "The Supplement of Copula," but similarly does not elaborate Derrida's implicit concern with ontological difference in that essay; see Dana Hollander, *Exemplarity and Chosenness: Rosenzweig and Derrida on the Nation of Philosophy* (Stanford: Stanford University Press, 2008), 54-65.

not unsympathetic to this venture, nor will he "gainsay the question asked by Benveniste," but rather attempts to "analyze certain of its presuppositions, and perhaps to pursue, however minimally its elaboration" (SC 188). What Derrida will contest, in particular, in Benveniste's work is a linguistic relativism, or more precisely, a gesture or operation of a 'linguistic reduction'; precisely, a reduction of the provenance and trajectory of philosophical concepts to the domain of language. The major proposition by Benveniste that concerns us in this inquiry is his contention that the function of the verb "to be" in the Greek language will determine the structure and trajectory of Greek ontology. In this sense, philosophy is relegated or 'reduced' to a second-order problem; linguistics, by thinking the 'grammar and etymology' of the word *being* in the Greek language will be then able to think the whole of Greek ontology, and it is here that the reference to Heidegger will be significant.

Though Benveniste does not explicitly refer to Heidegger, Derrida sees in Benveniste's claims an implicit confrontation with Heidegger's thought. If, as Heidegger so stridently states in *Being and Time*, all ethnological or anthropological knowledge will not have asked the first question of Being and are intrinsically inadequate to pose or think this question, then Benveniste's contentions would constitute a refutation of Heidegger's project.[10] And it is here that Derrida will develop a provisional, cautious, defense of Heidegger, one that might seem, at first, incongruous with the claims I am advancing in this chapter. But, as I shall try to elaborate, Derrida, after showing the apparent divergence between the projects of Heidegger and Benveniste, will conclude

[10] See Martin Heidegger, *Being and Time*, trans. Joan Stambaugh (Albany, New York: State University of New York Press, 2010), for example, §11 (49-51) on 'Primitive Dasein' and §49 (237-239) on the 'Existential Analysis of Death'.

"The Supplement of Copula" by specifying the point of complicity between them, thus opening deconstruction's own difference to both philosophy and linguistics. This draws us to the equivocation of the second half of the title of Derrida's essay, "Philosophy before Linguistics." On the one hand, the 'before' can be read in the sense of *facing*, appearing before the judiciary of linguistics, linguistics being a new science that is aiming to reduce and delimit philosophy's reign within linguistics' own disciplinary boundaries. On the other hand, the 'before' can be read as an assertion of philosophy's originality, its priority in its relation to linguistics. As I will try to show, Derrida's difference from both Benveniste, and even more significantly for the purposes of my investigation, from Heidegger, is marked by Derrida's refusal to chose or decide on one of the two senses of 'before.' If linguistics is here marked by the name Benveniste, Derrida is vigilant in showing how any attempt at a linguistic reduction of philosophy will inevitably seek recourse to concepts that are thoroughly philosophical, not least the concept of *language* itself. But conversely, Derrida will not be interested in seeking to re-instate philosophy in its sovereign place, dispatching with the late-comer lingusitics that threatens to usurp philosophy's rightful priority. It is here that we must direct our focus.

What draws Derrida's attention is Benveniste's argument that "Being" is not a supra-linguistic quality, but rather "fundamentally rooted in a very specific language," in this case, Greek (SC 196). As support for this argument, Benveniste will claim that the verb 'to be' is not present in all languages, citing, as one example, the Ewe language of Ghana and Togo. But Benveniste will immediately have to qualify this claim, because as he shows, the function of the verb 'to be' is distributed among several different verbs in

the Ewe language. Here, Derrida argues, Benveniste will acknowledge a distinction between the verb "to be" and the function of the copula, but will not reflect on the consequences of this admission:

> If "to be," at least as a copula, does "not actually signify anything," because it unfolds its extension to infinity, then it is no longer linked to the determined form of a word, or rather, of a name (a name in the Aristotelian sense, which includes nouns and verbs), that is to the unity of a *phone semantike* armed with a content of meaning. Is it not, then, an impossible or contradictory operation to define the copula's presence in one language and its absence in another? (SC 196)

One can almost begin to anticipate Derrida's argument here; if the copula is not reducible to language but is a non-lexical operation – the power of predication itself – then how will recourse to a history and structure of a particular language prove exhaustive in identifying its presence or absence in that language? And moreover, if, as Benveniste will come to concede, " 'without being a predicate itself, 'being' is the condition of all predicates'," then would not the copula undermine the very opposition of presence and absence that is guiding Benveniste's inquiry (PGL 61, quoted in SC 199)?[11]

On the one hand, the absence of the verbal function of 'to be' cannot be attributed to the absence of a particular word from the totality of language because its predicative function can be assumed by a variety of words. But on the other hand, because the verbal function of the copula signifies nothing determinable but is rather determination itself, predication itself, neither is it the absence of some fixed semantic content. There is thus

[11] This quotation is taken from Benveniste's essay "Categories of Thought and Language" in Émile Benveniste, *Problems in General Linguistics*, Trans. Mary Elizabeth Meek (Coral Gables, Florida: University of Miami Press, 1971), 61. Alan Bass, the translator of Derrida's essay, faithfully reproduces Meek's translation.

a schism between the particular semantic or etymological history of 'Being,' and its grammatical function as a copula. Both within and outside language, both semantic and syntactic, lexicological and uncontained in any given lexicon, the copula is an irreducibly – precisely as that which resists *reduction* to what Benveniste calls language – undeterminable and equivocal concept that opens language to its exterior.

It is here that Derrida will approvingly quote from Heidegger's chapter "On the Grammar and Etymology of Being" from *Introduction to Metaphysics*, and I will reproduce the passage here because it deserves our attention:

> Let us suppose that this indeterminate meaning of Being does not exist and that we also do not understand what this meaning means. What then? Would there merely be a noun and a verb less in our language? No. *There would be no language at all.* No being as such would disclose itself in words, it would no longer be possible to invoke it and speak about it in words. For to speak of a being as such includes: to understand it in advance as a being, that is, to understand its Being. Assuming that we did not understand Being at all, assuming that the word "Being" did not even have its vaporous meaning, there would not be a single word. (IM 82, quoted in SC 199)[12]

Derrida will powerfully comment on this passage:

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[12] The pagination of IM that I use here is from the 1959 translation by Ralph Manheim; Martin Heidegger, *An Introduction to Metaphysics* (New Haven, Connecticut: Yale University Press, 1959). Alan Bass faithfully reproduces Manheim's translation except for using the convention of being and Being for *seiend* and *Sein*; see SC 199, n.31. In all references to IM in this dissertation, I refer to the 2000 Fried and Polt translation. Their rendering of this passage in IM 86 is as follows: "Suppose that there were no indeterminate meaning of Being, and that we did not understand what this meaning signifies. Then what? Would there just be one noun and one verb less in our language? No. *Then there would be no language at all.* Beings *as such* would no longer open themselves up in words at all; they could no longer be addressed and discussed. For saying beings as such involves understanding beings as beings –that is, their Being – in advance. Presuming that we did not understand Being at all, presuming that the word "Being" did not even have that evanescent meaning, then there would not be any single word at all."

> If there were an ethnocentrism of Heideggerian thought, it would never be simplistic enough to refuse to call language (at least in a sense not derived from the philosophical tradition) every non-Western system of signification; these pronouncements must have another aim. If we recall that elsewhere Heidegger distinguishes the sense of "Being" from the word "Being" and the concept of "Being," this amounts to saying that it is no longer the presence in a language of the word or (signified) concept "Being" or "to be" that he makes into the condition for the Being-language of language, but an entirely other possibility which remains to be defined. The very concept of "ethnocentrism" would provide us with no critical assurance for as long as the elaboration of this other possibility remains incomplete. (199)

This "other possibility" that Derrida speaks of elliptically is, I would suggest, nothing other than the possibility of deconstruction. Derrida here offers a seemingly counterintuitive defense of Heidegger, who famously and repeatedly designated Greek and German – and a supposed, privileged solidarity between them – as the most authentic philosophical languages. In claiming that without the word 'Being' there would be no language, it might appear that Heidegger is guilty here of exactly the kind of ethnocentrism that Benveniste's project aims to combat. On this account, Heidegger would consign to the domain of chatter or unformed utterance those languages that would be deprived of the majesty of 'Being.' But, as Derrida argues, given that for Heidegger, it is not the presence of the word or concept 'Being' or 'to be' that determines the status of language *as* language, his comments need to be read as gesturing towards 'another

possibility.' Derrida's argument here seems to be suggesting that there is a certain "universality of the grammatical function of the copula" even if the lexical-semantic function of the word 'Being' has a very determined and delimitable historical content (SC 201).

The problem is compounded when Benveniste acknowledges that even in Indo-European languages, the verb "to be" is omitted in certain situations, such as in the nominal sentence (i.e. a sentence without a verbal predicate or finite verb). Thus it appears that on the one hand, the verb 'to be' is 'absent' in some languages, but more generally, even absent in some operations of languages that have a Greek origin. However, on the other hand, there seems to be a generalized and universal "substitutive equivalence" of verb phrases that come to stand in for the verb 'to be' (SC 200). It is this general substitutability or supplementarity that draws Derrida's attention:

> In all languages, a certain function comes to supplement the lexical "absence" of the verb "to be." In truth, this supplementarity makes good an absence only for those who, like ourselves, practice a language in which the two functions – grammatical and lexical –have "merged" (at least to a certain extent), along with all the fundamental "historical" consequences this entails. Is not, what we perceive, outside the West, as a supplement of absence or as vicariousness in fact an original possibility which comes to be added to the lexical function of the verb "to be" – and thus equally well does without it, indeed even dispensing with any reference to it? And does so even within Indo-European? (SC 201)

What Derrida seems to be arguing here is that there is a general possibility of the absence of the verb ‘to be’ in any language. However, the generalizable function of predication remains (present) in every language, and more generally, constitutes language itself; it is for this reason that we can read the passage from Heidegger above as saying: *without the possibility of predication, there is no language.* The verb ‘to be’ is a particular ontic instantiation that may or may not be present in every language, but in the case of its absence, an equivalent verb-phrase or even syntactic mark will come to take its place. But this should undo every understanding we have of the opposition presence/absence given that the absence of ‘to be’ is absence itself: “In general, is not the semantic value of absence dependent on the lexical-semantic value of "to be" (201)? Benveniste cannot determine the absence of the verb ‘to be’ in a language when it is the sense of ‘to be’ that determines the question of absence in the first place. Thus, there persists in all language – as the foundation of language – a predicative function that cannot be determined within the (ontic) register of absence and presence, in other words, a predicative function that is not itself a predicate. So here, Benveniste has described, perhaps unwittingly and certainly without reference to Heidegger, ontological difference.

Thus, up to this point in the essay, Derrida will rely on Heidegger to resist Benveniste, but then, in the final passages of the essay, Derrida will open up the possibility of a point of complicity between their projects, a point where their “procedures and horizons remain analogous” (203). Derrida’s argumentation here is dense and difficult, but the question seems to turn on the nature of this supplementarity of the copula:

> There is a strong, indeed barely repressible, temptation to consider the growing predominance of the formal function of the copula as a process of falling, an abstraction, degradation, or emptying of the semantic plenitude of the lexeme "to be" and of all lexemes which, likewise, have let themselves dwindle or be replaced. Is not to examine this "history," (but the word "history" belongs to this process of meaning), as the history of meaning, and to ask the "question of Being" as the question of the "meaning of Being" (Heidegger), to limit the destruction of classical ontology to a reappropriation of the semantic plenitude of "Being," a reactivation of the lost origin, etc.? Is it not to constitute the supplement of copula as a historical accident, even if one considers it to be structurally necessary? Is it not to suspect a kind of original fall in the copula, with all that such a perspective would imply?
>
> Finally, why does the horizon of meaning dominate the question of the linguist as well as the question of the philosophical thinker? What desire impels both the one and the other, as what they are, to proceed analogically toward a superlapsarian agency, something before the supplement of copula? (SC 203)

To summarize (too) quickly in anticipation of the major themes of this chapter, Derrida concludes that it is the question of the *meaning of the word* ‘Being’ that motivates and drives both Benveniste and Heidegger. In Heidegger, Derrida will note, referring to the former’s etymological analyses in the *Introduction to Metaphysics*, this privileging of the name of ‘Being’ will dominate, however subtly, the orientation of Heidegger’s thought. If the copulative function points to a general condition of all language, what privilege would the name ‘Being’ have in denoting this function? It is here that Being, naming

ontological difference, would seem to be only a provisional name, one that belies the priority granted to it in Heidegger's corpus. The relinquishment of this name of 'Being' will be where Derrida will begin to mark his distance from Heidegger, as we shall see in the next section.

3. *Différance* and Ontological Difference

I want to now turn to Derrida's famous essay "Différance" where he will attempt, perhaps most stridently in his early work, to demarcate his thought from that of Heidegger. In the compelling final passages of the essay, he asserts that *différance* will name a thinking that is of a prior or more originary difference than that of the ontico-ontological difference in Heidegger. In this sense, as we noted above, this claim – which is posited as a cautious, uneasy provocation rather than a developed argument – might seem to configure this difference from Heidegger as an advance, and that itself is unusual for Derrida given that deconstruction is aimed at not a progressivist conception of the history of philosophy, but of (perhaps I can say all too quickly) a way of engaging with what philosophy has always silently thought but aimed to repress, perhaps most forcefully a repression of difference itself. However, Derrida's work will resist this sense of advancement, and we will have to be attentive to this throughout our analysis.

For now, let us follow Derrida following Heidegger, tracing and re-tracing their steps as necessary, the each doubling or obscuring the trail behind as they proceed. In fact, as we noted above, "Différance" will prove to be about nothing else than tracking, as Derrida will assert towards the end of the essay: "has anyone thought that we have been

tracking something down, something other than tracks themselves to be tracked down" (DF 25)? However, let us begin by attending to the opening sections of the essay where Derrida is formulating the very manner of presentation of this unruly word *différance*, and though he has not yet named Heidegger, it is unmistakable that Heidegger is haunting Derrida's thinking:

> What am I to do in order to speak of the *a* of *différance*? It goes without saying that it cannot be *exposed*. One can expose only that which at a certain moment can become *present*, manifest, that which can be shown, presented as something present, a being-present in its truth, in the truth of a present or the presence of the present. Now if *différance* ~~is~~ (and I also cross out the '~~is~~') what makes possible the presentation of the being-present, it is never presented as such. It is never offered to the present. Or to anyone. Reserving itself, not exposing itself…but without dissimulating itself as something, as a mysterious being…In every exposition it would be exposed to disappearing as disappearance. It would risk appearing: disappearing….*différance is not*, does not exist, is not a present-being (*on*) in any form; and we will be led to delineate also everything that it is not, that is, everything; and consequently that it has neither existence nor essence. It derives from no category of being, whether present or absent (DF 5-6).

Here already, *différance* is announced as what retreats, what reserves itself, as what allows presence to emerge and stand as presence – to perdure – but itself withdraws from presence. It allows for the 'presentation of the being-present' without itself being a 'present-being.' It has neither 'existence nor essence' and 'derives from no category of being.' Given the proliferation of these terms, we can wonder how Derrida will exactly

mark his difference from Heidegger. For the above passage seems likely a remarkably cogent re-statement of Heidegger's thought of the ontico-ontological difference. In Heidegger's thought, as is well known, Being is not a being or entity, but neither is it a thought of beings in general or the very beingness of beings. In his recently published 1964-65 seminars on Heidegger, Derrida will maintain that ontology – here speaking of ontology as a discourse on beings and not Being – "concerns the *on* and not the *einai*"; it concerns the present-being *(on*) but the not the present infinitive *to be* (*einai*) (HQB 20). That which allows beings to emerge as beings, that which allows beings *to be* is itself not a present-being. In this sense Being always withdraws from presence, it is nothing other than this withdrawal and the history of Being is the history of a retreat. For Heidegger, metaphysics effaces the distinction between Being and beings, determining Being as a present being, reducing the thought of Being to a being among others. So what Heidegger calls retreat (*Entziehung*) is always irreducibly doubled; both referring to the retraction of Being from beings, but also the metaphysical retreat from this withdrawal. Metaphysics has forgotten Being's retreat and so determines Being as God, substance, subject, essentially, as sovereign entity. Heidegger's philosophy is an aim to re-open this difference between beings and Being, to make this difference heard.

If this is the case, and my brief portrayal of Heidegger's thought is accurate, then on what grounds would Derrida claim to think *différance* in its difference to the ontico-ontological difference? Right after the passage cited above, Derrida will assert that *différance* is "not only irreducible to any ontological or theological – ontotheological – reappropriation, but as the very opening of the space in which ontotheology – philosophy – produces its system and its history," and here Derrida seems to be echoing Heidegger

even more closely (DF 6). Recalling our discussion of "Violence and Metaphysics" above, we should note that ontotheology – of which all political theologies are a species – is not fundamental, but rather institutes itself as an arrest or stabilization of an original bellicosity. In this regard, then, it would seem that *différance* is synonymous with ontological difference; both naming what Derrida calls in the earlier essay, *first violence*.

For the moment, however, let us pause this question of Derrida's difference to Heidegger in order to follow the former's thinking of *différance* through the course of his essay. *Différance* is first of all a *name*, but as we shall see, a name that explicitly resists its nomination as proper or unique. The name is a rewriting of the difference between the Latin verb *differre* (and the French *différer* which derives from the Latin) and the Greek *diapherein*. The Latin term will not simply prove to be a translation of the Greek, but rather a doubling-differing of its connotations. Whereas *diapherein* refers to the sense of *differing* as an interval, division, separation, a taking of distance (all irreducibly spatial notions), it does not contain the additional Latin sense of *deferring* as the act of "a detour, a delay, a reserve, a representation…the temporal and temporizing mediation of a detour that suspends the accomplishment of fulfillment of 'desire' or 'will' " (DF 8). Derrida will also note that *différer* connotes a sense of allergy or, of vital importance for our investigation, a *polemical* difference. Furthermore, *différance* will be suspended between active and passive senses, between agential production or causality and the passion or suffering of the patient (DF 9). Thus, in this singular word *différance*, there is a concentrated economy of sense – spatialization, temporalization, *polemos* – given to instability and dissemination.

Derrida will then proceed to think *différance* in its relation to the classical model of the sign, which has always stood for –been a *substitute* for – the present 'thing itself.' In the absence of the (present) thing, the sign marks a detour and delay in promise of a substantial encounter, precisely, the encounter of the *substance* itself. Derrida is here referring to his roughly contemporaneous work *Of Grammatology* and *Voice and Phenomena* where this secondariness of the sign is shown to be more originary than the supposed origin itself, where presence differed and deferred is constitutive of the present, the very presence of the present.[13] Perhaps the most important reference in this essay is Derrida's reiteration of his reading of Saussure in *Of Grammatology*. Saussure, Derrida recalls, installs the arbitrary and differential character of the sign at the very foundation of semiology, opening up all its concepts to deconstruction, not least the very concept of foundation itself. The relationship of the arbitrary and the differential are important given that the system of signs are constituted by the intervals of difference between each other and not by their own substantive plenitude: "The elements of signification function due not to the compact force of their nuclei but rather to the network of oppositions that distinguishes them, and then relates them one to another" (DF 10). The most radical consequences of Saussure's claim that language is constituted through differences is that, rather than differences indicating the plurality or dispersion of discrete terms – each enclosed on themselves in a fullness or coherence of meaning – difference here names *differences without positive terms*. This conclusion gives rise to some of the more famous claims from Derrida's early work, in particular that, "essentially and lawfully," concepts are inscribed in a chain whose meaning only gains coherence and a relative

[13] See, for example, OG 7-8, or Derrida's compelling claims on "the two ways to erase the originality of the sign" in Jacques Derrida, *Voice and Phenomenon: Introduction to the Problem of the Sign in Husserl's Phenomenology* (Evanston, Illinois: Northwestern University Press, 2010), 44.

stability within a *play* of elements of this chain; and this play simultaneously secures this coherence (given that a certain stabilization of this play is necessary for meaning) but threatens to undo this stability into the equivocation and dissemination of meaning (DF 11). This play is nothing other than the differing-deferring movement of *différance*, of which Derrida comments, "If the word 'history' did not in and of itself convey the motif of a final repression of difference, one could say that only differences can be 'historical' from the outset and in each of their aspects" (DF 11).

Derrida, as he did in "Violence and Metaphysics," will again stress – evoking Freud and Nietzsche as precursors of Heidegger – the relationship of difference, writing, history and violence; violence here being spoken of in terms of breaching and forces. The thinking of breaching is particularly important in Derrida's early work and emerges from his reading of Freud's concept of *Bahnung*. This word, translated by Derrida into French as *frayage* (though Derrida will also on occasion use variations of the verb *entamer*), is perhaps best rendered into English as 'breaching' – rather than "facilitation," which is James Strachey's translation in the *Standard Edition* – in order to denote the violent effraction of a pathway within the psyche, the very act of leaving a memory trace. We should note that this concept or quasi-concept remains not just an 'internal' problem in Freud's own work (Freud will repeatedly gesture towards the indeterminateness or undecidability of this concept in the *Project for a Scientific Psychology*), but also an 'external' problem in terms of its translations.[14] Or more precisely, the relationship between the internal coherence of a concept and the external problem of translations, transcriptions and displacements actually dramatizes the very problem that *Bahnung* is

[14] See *The Standard Edition of the Complete Psychological Works of Sigmund Freud, Volume 1 (1886-1899)*, trans. and ed. James Strachey (London: The Hogarth Press, 1950), 301.

supposed to name: the relationship of an interiority to what is outside, thought both in terms of the violence of a breach and the facilitation of permeability. *Breaching* is a vital motif in Derrida's thinking of *différance*, and recalls our discussion, in the context of "Violence and Metaphysics" in Section 1, of the violence of the relation to the other as *opening*. This thought of breaching or effraction (the senses of infiltration and contamination are also resonant here) are recurrent across Derrida's early works; across some scattered remarks, in *Of Grammatology*, for example, he will strikingly suggest that *breaching* connects the history of writing with a history of the road (of a path broken through a forest), the history of agriculture (of furrows created by the ploughshare that opens nature to a general culture or cultivation) and the question of incest (as the general breaching of culture into nature within the problematic set out by Lévi-Strauss).[15] *Breaching* consolidates the questions of fundamental bellicosity, the opening to the other, tracing and erasure in a register borrowed from Freud and Nietzsche.

Therefore, the orientation of "Différance" leads us to believe that Derrida is confirming and elaborating across different texts and thinkers the question of ontological difference – texts that in some cases (for example, Freud and Saussure) Heidegger would certainly have resisted consulting – but not fundamentally marking a difference from this question. Now, however, let us turn to the final pages of this essay where Derrida will assert that though in a certain sense, "*différance* is certainly but the historical and epochal *unfolding* of Being or of the ontological difference[,]…are not the thought of the *meaning* or *truth* of Being, the determination of *différance* as the ontico-ontological difference,

[15] See OG 287-288; further references are contained in Note 2 above.

difference thought within the horizon of the question *of Being*, still intrametaphysical effects of *différance*?" (DF 21). Derrida continues:

> The unfolding of *différance* is perhaps not solely the truth of Being, or of the epochality of Being. Perhaps we must attempt to think this unheard-of thought, this silent tracing: that the history of Being, whose thought engages the Greco-Western logos such as it is produced via the ontological difference, is but an epoch of the *diapherein*. Henceforth one could no longer even call this an "epoch," the concept of epochality belonging to what is within history as the history of Being. Since Being has never had a "meaning," has never been thought or said as such, except by dissimulating itself in beings, then *différance*, in a certain and very strange way, (is) "older" than the ontological difference or than the truth of Being. When it has this age it can be called the play of the trace. The play of a trace which no longer belongs to the horizon of Being, but whose play transports and encloses the meaning of Being: the play of the trace, or the *différance*, which has no meaning and is not. Which does not belong. (DF 22)

In Heidegger's discourse, Derrida seems to suggest, there still remains an adherence to think Being in terms of *epochality*, *meaning* and *truth*, all concepts which are granted pertinence only within the history *of Being* and metaphysics itself. How would these concepts then be wrenched in service of thinking the very opening of this history, that which opens the play of signification within which meaning and truth find coherence? Derrida is at pains to note that this is not a question of dispensing with the ontological difference, but rather proceeding through its passage.

Derrida's key exposition here is his brief and difficult reading of Heidegger's *Der Spruch des Anaximander* (*The Anaximander Fragment*). In this text, Heidegger reiterates – as I mentioned above – this complex relation of the Being of beings, and I beg the patience of the reader as I reproduce three paragraphs of Heidegger's text given their importance to not just this chapter, but to the chapters ahead. I will work my way through these paragraphs, pausing the exposition to try to highlight the exact point at which Derrida will mark his difference from Heidegger:

> The grammatical form of the enigmatically ambiguous genitive [the Being of being] names a genesis, an origin of what is present from out of presencing. Yet, along with the essence of each of these, the essence of this origin remains hidden. Not only that, but even the relation between presence and what presences is still unthought. From earliest times it has seemed as though presence and what is present are each something for themselves. Unintentionally, presence itself became something present. Represented in terms of something present it became that which is above everything else that is present and so the highest of beings that are present. As soon as presence is named, it is already represented as a present being. Fundamentally, presence as such is not distinguished from what is present. It is taken to be only the most universal and highest of present beings and hence as one of them. The essence of presence together with the difference between presence and what is present remains forgotten. *The oblivion of being is oblivion to the difference between being and the being.* (AF 274-275)

At this point, everything Heidegger is saying largely accords with our analysis of Derrida's early texts. For example, Heidegger will demarcate presence and what presences, yet note that within the epoch of metaphysics, what presences emerges as a present-being, the most excellent or highest of all beings. Metaphysics will be an epoch of representation and nomination where beings appear before a subject; within this epoch, Being can only be *represented* as a present being. What has been forgotten or rendered into oblivion within this epoch is the 'essence' of presence, which is nothing other than the difference between what presences and what is present, in other words, ontological difference; *presence's essence is constituted by difference*. Thus, the forgetting of Being is the forgetting of difference. Heidegger continues:

> But oblivion to the difference is by no means the result of a forgetfulness of thinking. Oblivion of being belongs to that essence of being which it itself conceals. It belongs so essentially to the destiny of being that the dawn of this destiny begins as the unveiling of what presences in its presence. This means: the destiny of being begins with oblivion of being so that being, together with its essence, its difference from the being, keeps to itself. The difference collapses. It remains forgotten. Though the two elements of the difference, that which is present and presencing, disclose themselves, they do not do so as different. Rather, even the early traces of the difference are extinguished through presencing, appearing as something present and emerging as the highest of beings that are present.
>
> Oblivion to the difference with which the destiny of being begins – so as to complete itself in such destiny - is not a deficiency. Rather, it is the richest and

> broadest event in which the world-history of the West achieves its resolution. It is the event of metaphysics. What now *is* stands in the shadow of the destiny of oblivion of being that has already preceded it. The difference between being and the being, however, can be experienced. (AF 275)

Here, I want to withhold briefly Derrida's own analysis of this passage and instead try to anticipate his thinking by referring to some points of terminology and translation that Derrida does not discuss in "Différance," nor, to my knowledge, elsewhere in his currently published corpus. I do so to suggest that Derrida's argument is perhaps even more forceful than he acknowledges, and I attempt to develop it in a direction that is vital for my discussion of Derrida and Agamben in Chapters 2 and 3. O*blivion of being* here is the translation of *Seinsvergessenheit* (from *vergessen*, to forget), but should be kept distinct from what Heidegger calls *Seinsverlassenheit*, often translated as the *abandonment of Being* (from *verlassen*, to abandon; *forsakenness* is also connoted here). Heidegger only uses the former term in the *Anaximander* text, but both terms are the focus of much discussion in his *Contributions to Philosophy* and some other texts of that period, and we will return to this in Chapter 3. For now, let us note that *Seinsverlassenheit* refers to Being's abandonment of beings; it is the presencing (*Anwesen*) that allows beings to come to presence *(Anwesendes*) while itself receding; or quite simply, exactly what we have been calling *ontological difference*, or even more straightforwardly, *Being 'itself'*, since Being is nothing other than the history of Being, Being's difference from beings. It is this very abandonment that resists Being from simply being another being, another present-being. *Seinsvergessenheit*, on the other

hand, refers to the forgetting of the ontological difference in that 'richest and broadest event' that is metaphysics in which the 'world-history of the West reaches its resolution'.

Now it is important to note Heidegger's assertion that the oblivion of Being does not supervene on a pure or primary abandonment (but what would 'pure' or 'primary' abandonment mean?; this is the question that haunts the dissertation), but rather that abandonment gives itself to oblivion. This oblivion of the ontological difference belongs to Being itself given that Being conceals itself *through its unconcealment as beings*. In this sense, the occultation of difference carried out by the oblivion of Being is 'doubled,' proceeding from Being's (own) (self-) occultation in its abandonment from beings. While to strictly adhere to Heidegger's terminology, this movement is configured as the oblivion of abandonment, it also seems accurate to describe it as an abandonment of abandonment or an oblivion of oblivion.

But if this is the case, why would abandonment (or ontological difference, or simply, Being) be granted such a priority in many places in the Heideggerian text? Consider, for example, some comments Heidegger makes in the *Contributions to Philosophy (of the Event)*[16]:

> The *forgottenness of being* does not know anything of itself; it supposes itself to be in touch with "beings," with the "actual," to be close to "life," and to be certain of "lived experience," since the forgottenness of being knows only beings. Yet in this way, in such presencing of beings, they are abandoned by being. The *abandonment by being* is the ground of the forgottenness of being. The

[16] This particular text was not published as part of Heidegger's *Gesamtausgabe* until 1989 so Derrida would certainly not have seen it during his early work; yet Derrida's intimations of the drift of Heidegger's thought seem to be corroborated by the *Contributions*. See the "Translators' Introduction" for further publication details; CTP xv-xvi.

> abandonment of beings by being gives them the appearance that they themselves, without needing anything else, are now there to be grasped and used.
>
> …Yet even the forgottenness of being (in each case according to how it is determined) is not the most original destiny of the first beginning; rather, that is the abandonment by being, which perhaps was most veiled and denied by Christianity and its secularized successors. (CTP 90-91)

On what basis would Heidegger privilege *Seinsverlassenheit* over *Seingsvergessenheit*, of abandonment over oblivion, ontological difference over the erasure of this difference? How would *Seinsverlassenheit* come to be the 'ground' or 'most original destiny'? Would not it perhaps be that the 'ground' is not the abandonment of beings by Being, but a more generalizable sense of abandonment that marks the difference between Being's abandonment, and an abandonment of that abandonment? Or to put it differently, would ontological difference perhaps give way to a 'prior,' more general difference, a pre-originary difference, a difference that marks the difference between *Seinsverlassenheit* and *Seinsvergessenheit*, a difference between ontological difference and the erasure of that difference? If so, what would be the 'name' of this difference? Could it be named? Or as Heidegger contends in the passages we cited from the *Anaximander* text above, "as soon as presence [Heidegger is using 'presence' in this sense as synonymous with what presences, Being] is named, it is already represented as a present being" (AF 275). And if, for Derrida, it is *différance* (or in different contexts, *arche-trace*, *arche-writing*) that will come to name this pre-originary difference, how does it escape this problem of naming?

Let us try to elaborate these difficult issues by returning to "Différance" and following Derrida's elaboration of the word *trace* (*Spur*) in the second paragraph from the *Anaximander* passage above. The term *trace*, of course, is one that Derrida will take on and radicalize in his early writings. The difference between Being and beings, the abandonment of beings by Being, has been forgotten by metaphysics, consigned to oblivion without leaving a trace: "early traces of the difference have been extinguished" (Heidegger, AF 275); "[t]he very trace of difference has been submerged" (Derrida, DF 23). But given that ontological difference, as *difference* rather than presence, is already a trace, then the oblivion of beings would refer to "a disappearance of the trace of the trace" (DF 24). But what is the nature of this disappearance? As Heidegger notes in the passage above, the trace that 'is' ontological difference is obliterated "through prescencing, appearing as something present and emerging as the highest of beings that are present" (AF 275). The trace (of ontological difference) disappears into presence, as presence; prescencing destroys the trace in presence itself. The trace is paradoxically destroyed by being made to emerge in presence; by being made to emerge in presence, the trace *as trace*, *qua trace* is destroyed. But the entire question of 'presence' now needs to be rethought given that presence is nothing but the *trace of the erasure of the trace* (the trace of the 'destroyed' trace of ontological difference), which is simultaneously *the erasure of the trace of erasure* (the 'destruction' – in presence – of the trace of the destruction of ontological difference). It is not the case that there is first a trace, and subsequently erasure, but rather a trace is constituted by erasure itself. The consequences of this thinking are that the concepts of presence/absence, tracing/erasure are irreducibly contaminated in a "structure of generalized reference":

> The erasure of the early trace (*die fruhe Spur*) of difference is therefore the "same" as its tracing in the text of metaphysics. This latter must have maintained the mark of what it has lost, reserved, put aside. The paradox of such a structure, in the language of metaphysics, is an inversion of metaphysical concepts, which produces the following effect: the present becomes the sign of the sign, the trace of the trace. It is no longer what every reference refers to in the last analysis. It becomes a function in a structure of generalized reference. It is a trace, and a trace of the erasure of the trace. (DF 24)

Given that the oblivion of Being is what opens the history of metaphysics, we should note that none of this signifies a contradiction – or at least, we can proceed "without granting any pertinence to such a contradiction" – of Heidegger's initial comment about the destruction of the 'early trace' of ontological difference:

> The "early trace" of difference is lost in an invisibility without return, and yet its very loss is sheltered, retained, seen, delayed. In a text. In the form of presence. In the form of the proper. Which itself is only an effect of writing.
>
> Having stated the erasure of the early trace, Heidegger can therefore, in a contradiction without contradiction, consign, countersign, the sealing of the trace. A bit further on [here Derrida is citing Heidegger's *Anaximander Fragment*]: "However, the distinction between Being and beings, as something forgotten, can invade our experience only if it has already unveiled itself with the presencing of what is present *(mit dem Anwesen des Anwesenden)*; only if it has left a trace

> *(eine Spur gepragt hat)* which remains preserved *(gewahrt bleibt)* in the language to which Being comes." (DF 24-25)

The oblivion of what presences is preserved in the text of metaphysics as presence because here there can be no rigorous determination between erasing and tracing; the trace is both "the monument and the mirage" (DF 24). But this presence is only the effect of writing, because as we know from Derrida's earlier exposition, language is constituted by differences without 'positive' terms. Therefore, what is present in a text, what, of Being, remains *legible* or open to *comprehension* in the text of metaphysics is a trace/erasure. It is on this point that Derrida makes legible his own difference from Heidegger by asking the *name* of this irreducibility of tracing/erasing:

> Does not the *dis* of *différance* refer us beyond the history of Being, and also beyond our language, and everything that can be named in it? In the language of Being, does it not call for a necessarily violent transformation of this language by an entirely other language?
>
> …It is certain that the trace…escapes every determination, every name it might receive in the metaphysical text. It is sheltered, and therefore dissimulated, in these names. It does not appear in them as the trace "itself." But this is because it could never appear itself, as such. (DF 25)

The difference that Derrida will mark with Heidegger is to resist what the latter calls "Heideggerian *hope*," which is the "quest for the proper word and the unique name," "the alliance of speech and Being in the unique word, in the finally proper name" (DF 27). Derrida will locate in this hope a glimmer of the privileging of propriety, authenticity and

originarity that he will never cease to attempt to identify – and mark his distance from – in Heidegger's work. Therefore, *différance* for Derrida names that which can never be appropriated in the *as such*, either hypostatized in terms of a present-being, or, in fact, in the *as such* of the *name* itself. Rather, *différance* is that "which threatens the authority of the *as such* in general," which means that it menaces, perhaps 'first' of all, its very own proper essence and proper name (DF 25). Insofar as *différance names*, it remains metaphysical and so caught within the oblivion of Being. To this extent, any attempt to 'define' *différance* as the ontological difference would be to determine *différance* within metaphysics:

> For us, *différance* remains a metaphysical name, and all the names that it receives in our language are still, as names, metaphysical. And this is particularly the case when these names state the determination of *différance* as the difference between presence and the present (*Anwesen*/*Anwesend*), and above all, and is already the case when they state the determination of *différance* as the difference of Being and beings. (DF 26)

It is for this reason that Derrida can claim that *différance* 'precedes' the question of Being, given that for Derrida, "*différance* has no name in our language" (DF 26). This unnamability proceeds not from a contingent inability to find this name in some event of revelation or a language outside Western metaphysics, but rather because "there is no *name* for it at all, not even the name of essence or of Being, not even that of '*différance*,' which is not a name, which is not a pure nominal, unity, and unceasingly dislocates itself in a chain of differing and deferring substitutions." (DF 26)

4. *Walten* and Originary Violence

In Chapter 3, following an analysis of Agamben's work in Chapter 2, we will return to "Différance" to pick up some threads of Derrida's analysis. We will then have occasion to reflect on some elements of Derrida's essay that I have not pursued in this chapter, including what Derrida calls the "epoch of the *diapherein*" (DF 22); an important footnote marking a "future itinerary" of thinking *différance* together with Heidegger's notion of *Ereignis* (DF 26, n.26); and perhaps most importantly, Derrida's comments on Heidegger's translation of Anaximander's term *to khreon* as *Brauch* (usage) along with Derrida's discussion of Heidegger's rendering of Anaximander's *dike as* Fug (adjoining/enjoinment) in Derrida's later text *Specters of Marx* (See DF 25 and SM 27-35). I reserve this discussion in order to introduce it in the company of Agamben's own reflections on Heidegger's *Anaximander Fragment* in the former's most recent text, *The Use of Bodies*, which provides an apposite context to bring the thinking of Agamben and Derrida into conversation. Furthermore, we will continue elaborating Derrida's complex passages on the co-implication of tracing and erasure in terms of his later discussion of Heidegger's notion of the *als-Struktur* (the *as such*), where Agamben's comments on Heidegger offer a trenchant counterpoint. These investigations will also allow us to examine several notable commentaries such as Oliver Marchart's powerful and compelling *Post-Foundational Political Thought*, which, despite taking Derrida, Heidegger and the question of ontological difference as points of reference, do not emphasize the intensity with which Derrida will attempt to deconstruct ontological

difference and the consequences of this deconstruction for what we are tentatively calling 'the political.'

At this point, however, I would like to turn to Derrida's last seminar from 2002-2003, *The Beast and The Sovereign 2*, where he directs his attention to a single word in Heidegger's corpus, *Walten*, that will take up, more than thirty years later, the concerns articulated in "Différance."[17] The term *Walten* is one whose significance Derrida will claim to recognize only late in his career, [18] yet it proposes to re-organize his entire reading of Heidegger. Though Derrida's discussion of this word is wide-ranging, my particular interest is in how *Walten* gestures to a power or violence more fundamental than ontological difference, and thus provide, within Heidegger's text itself, a more explicit thinking of *différance*.

What does this enigmatic word mean? As Derrida notes, *Walten* connotes a "reigning and sovereign potency," a dominating, prevailing, ruling, governing power or violence (BS2 32). However, the French translation (and furthermore, in our context, English translation) of Heidegger's text "banalizes, neutralizes and muffles" *Walten*, leaving it "abandoned to its neutrality, even its non-violence, a certain abstract innocence" (BS2 32). This 'banalization' is not entirely unjustified, because *Walten* also connotes a more indeterminate or general sense of power; but what provokes Derrida's interest is the failure, by translators, to recognize the possibility of the violent insinuations of this word. The question that emerges then is how "the passage is made

[17] Derrida's major discussions of *Walten* occur in Sessions 2, 9, and 10 of BS2.
[18] This claim is not entirely accurate; in at least two other places in his published corpus – both from the late 1980s/early 1990s – he will acknowledge the importance of this word, though will not invest the same significance to (as well devote time to a close reading of) *walten* as in BS2. See Derrida's "Force of Law," trans. Mary Quaintance in *Acts of Religion*, ed. Gil Andijar (New York: Routledge, 2002), 234 and 262-264, in particular; and "Heidegger's Ear: Philopolemology (*Geschlecht* IV)," trans John P. Leavey Jr. in *Commemorations: Reading Heidegger*, ed. John Sallis (Chicago: University of Chicago Press, 1993), 203-213, in particular.

from the general and quite indeterminate, in any case open sense of *Walten*, to the properly socio-political sense" (BS2 32). It is important to note that throughout his seminar, Derrida will not *decide* on one sense of this word or the other; rather, it is a question of letting the different senses be heard everywhere this word appears. The more violent connotations of *walten* evoke a decidedly political context, but in Heidegger's text, *Walten* will also designate a power that is not simply of the domain of the onto-politico-theological but a shaping and prevailing power thought in a more radical sense. This power *beyond*, *before* or *after* – we are not yet sure how to deploy these terms – sovereignty, then, speaks to the questions at the heart of this dissertation.

Before I proceed, then, I will introduce two points of reference to both the discussion above and that to come. First, I want to briefly anticipate the investigation of Agamben's work in Chapters 2 and 3. For Agamben, the political sense of abandonment – as the fundamental power of sovereignty – is thought in its *correspondence* with the abandonment of beings by Being rather than, as for Derrida, in terms of a *passage* between a more general sense and a restricted sense. What is the difference between these two approaches? Here I want to announce a provisional claim that I will only fully justify later: Agamben will try to think what he calls 'the original political relation' in its correspondence with an 'original' ontological relation, concluding, ultimately, that neither of these relations can escape the structure of abandonment that characterizes sovereign power. Derrida, however, will attempt to think a power that from within the history of Being – which is nothing but the history of the 'metaphysical constitution of

onto-theology'[19]– will do violence to the very concept of an *originary* sovereignty, and will do so by passing through the text of metaphysics; this passage or effraction through the onto-politico-theological field provoking the thinking of the advance and the retreat – and the retreat of the retreat – that we are pursuing. It is for this reason that Derrida is less concerned with establishing any *determinate* final meaning of *Walten*, but allowing the disseminatory force of this word to open up the question of sovereignty itself.

As a second point of reference, let us recall our discussion of the 'first violence' or 'original bellicosity' in Section 1, where we examined Derrida's defense of Heidegger against certain charges by Levinas. We noted that this original bellicosity – which Derrida will identify, in that early work, with ontological difference – is to be thought prior to what we *recognize* as war, that is, war in its historical, anthropological and politico-theological manifestations. This thinking of war cannot be thought in terms of *beings*; not even what we referred to as a *total war* or *general mobilization* of beings, but it cannot be thought without reference to it either. We are attending to the same issue in Derrida's reading of *Walten* here. For Derrida, *Walten* will not simply *name* a power that equivocates between different senses; it will also *mark* or *trace* a point of instability that will re-orient Derrida's reading of Heidegger. *Walten* cannot simply be thought of as politico-theological violence, but cannot be thought without reference to it either, and so this unruly word will operate as a trace both within and outside the text of metaphysics.

So what exactly is this force or power that *Walten* represents? Derrida writes in a powerful passage:

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[19] I am using Heidegger's formulation from his second lecture in Martin Heidegger, *Identity and Difference* (Chicago: University of Chicago Press, 2002), 42-74; this text is vital for Derrida's reading of *walten* in Sessions 9 and 10 of BS2.

> *Walten produces, bears, brings about, opens* (all these words are not strictly relevant and are all inadequate for *Walten*)…the ontico- ontological difference and thus does not yet belong to either Being or beings. *Not yet* is not a chronological question about time, nor a logical question about order, but it designates a sort of pre-difference, or even an in-difference to ontological difference, a pre-indifference that is nonetheless interested in difference and which prepares or precedes, outside the order of time and logical causality, the difference that it is not yet—or that it is without yet being. If it were a force or a violence, it would be nothing, but a nothing that is not nothing, a nothing that is not a thing, nor a being, nor Being, but which forces or efforces or enforces (as one might say, forcing the English), the difference between Being and beings. The *Walten* resembles this neuter which is neither this not that, neither positive nor negative, nor the dialectic, which neither is nor is not Being nor a being, but beyond or this side of Being and beings. (BS2 191)

This designation of *Walten* as a pre-originary difference, a difference prior to ontological difference, will seem here to be exactly what Derrida, some 35 years earlier, would call *différance*. It answers to the call that Derrida makes in that earlier essay to "prepare, beyond our *logos*, for a *différance* so violent that it can be interpellated neither as the epochality of Being nor as ontological difference" (DF 22). *Walten* accedes to this violence-beyond-violence, a violence that would breach the onto-politico-theological concept of violence itself. But the senses of *prevailing* or *reigning* violence on which Derrida insists in his late seminar are perhaps, at first glance, not entirely congruent with

the earlier essay, and let us pause to reflect on this point. In "*Différance*," Derrida contends:

> It is the domination of beings that *différance* everywhere comes to solicit, in the sense that *sollicitare*, in old Latin, means to shake as a whole, to make tremble in entirety…. [*D*]*ifférance* is not. It is not a present being, however excellent, unique, principal, or transcendent. It governs nothing, reigns over nothing, and nowhere exercises any authority. It is not announced by any capital letter. Not only is there no kingdom of *différance*, but *différance* instigates the subversion of every kingdom. Which makes it obviously threatening and infallibly dreaded by everything within us that desires a kingdom, the past or future presence of a kingdom. And it is always in the name of a kingdom that one may reproach *différance* with wishing to reign, believing that one sees it aggrandize itself with a capital letter. (DF 21 – 22)

There are several points to note in this remarkable passage in conjunction with our reading of *The Beast and the Sovereign 2*. First, though in the above passage Derrida's discussion of capitalization is not only meant literally, Derrida will often capitalize the first letter of *Walten* when he is speaking of the infinitive in *The Beast and the Sovereign 2*, almost as if his own excitement at discovering the word and its potential to re-orient his lifelong thinking of Heidegger grants *Walten* a special status. However, Derrida's discussion in the above passage should urge us to resist this tendency of privileging *Walten* and resist it even perhaps against Derrida's own temptations to the contrary. *Walten* does not become another master-term or proper name, but yet operates as trace, marking a(n) (point of) irreducible dissemination. This is precisely why we belabored the

issue of the equivocation of the word *Walten* above; and I also refer to the first footnote of the chapter where I raise some issues regarding the convention of translating *Sein or être* into the capitalized 'Being,' while denoting *Seiendes* or *étant* as 'beings.'

Second, the issue of capitalization, command and reigning gives us pause in the context of Derrida's seemingly enthusiastic use of these senses of *Walten* in *The Beast and the Sovereign 2*. In the early essay, he seems to resists characterizing *différance* in terms of any thinking of sovereignty or prevailing. Regarding *différance*, Derrida will note in a powerful phrase, "(t)here is nothing kerygmatic about this 'word,' provided that one perceives its decapita(liza)tion" (DF 27). *Différance* points to both decapitalization and decapitation. This thinking will occupy us in Chapter 3, but here, let me briefly note that Derrida, throughout his corpus from earlier texts like "Before the Law" and *Specters of Marx* to his 1999-2001 *Death Penalty* seminars, will acknowledge that the decapitation of the king/father never destroys sovereign power, but spectralizes it, distributing and multiplying its effects; this is a thought that, as we shall see, brings him into some proximity with Foucault.[20] We can also apply this insight to the question of decapitalization: Derrida is well aware that while *différance* will always attempt to resist its designation as some type of master word or unique appellation that asserts a sovereign command over the conceptual field, the text of metaphysics will exert a powerful force of re-appropriation over this word.

These insights can help guide our understanding of *Walten*. Though Derrida does not quite formulate it in these terms, perhaps what this singular word gives us to think is that sovereign violence is a haunted by another violence, a violence that attempts to undo

[20] See, for example, Derrida's reading of Freud's *Totem and Taboo* in BTL 197-199.

sovereignty itself. How should we think of this other violence; what is its nature of holding sway? Would it simply be a hyper-sovereignty, a more redoubtable and appropriative sovereign power? In a certain sense, Derrida will seem to suggest this, asking what *Walten* calls us to think:

> Does that call on us to go beyond all sovereignty, or only onto- theological sovereignty—those are the questions that await us, along with the agency of *Walten,* which…is both foreign or heterogeneous, excessive even, with respect to this ontic and therefore theological or theologico- political sovereignty, and that nonetheless, and by that very fact, perhaps constitutes an ontological super-sovereignty, at the source of the ontological difference. (BS2 208)

> Now, having recalled this more than summarily, if I am insisting so much on the word *Walten*…this is because these occurrences [of *Walten*] seem without doubt to appeal to a sovereignty of last instance, to a superpower that decides everything in the first or the last instance, and in particular when it comes to the *as such,* the difference between Being and beings…but which appeals to a sovereignty so sovereign that it exceeds the theological and political—and especially onto-theological—figures or determinations of sovereignty. *Walten* seems to be so sovereign, ultra- sovereign, in sum, that it would further be stripped of all the anthropological, theological and political, and thus ontic and onto- theological dimensions of sovereignty. (BS2 278-279)

As in our discussion of "Différance," I will suspend our analysis of *Walten* here so that we can resume it with more force in the context of Agamben's work in Chapter 3. For

our present purposes, however, we can provisionally conclude that Derrida has located, in *Walten,* a term in Heidegger's corpus which seems to refer to a difference more violent than that of the ontico-ontological difference. However, in many ways, our investigation will only now begin by asking after the consequences of this thinking of difference in relation to the political. *Walten* names a power that compromises sovereignty, or perhaps more accurately, names sovereignty's power of self-compromisation, the power to violate itself in advance (or *retreat*); what Derrida, as we will discuss, refers to as *autoimmunity*. In a certain sense, this power can always present itself as a hyper-sovereign agency. But there will also be a sense in which this power will remain anarchic and insurrectionary, irreducible to any thought of the Same or One that is sovereignty. These senses of *Walten* cannot be severed or delineated in absolute fashion, denoting a fundamental contamination of any thinking of power. It is this sense of contamination that haunts Derrida's account that will allow us to later mark the difference between Derrida and Agamben's thought of a power 'cut off' or 'released' from sovereignty.

5. Departures: The Last and First Writing of an Epoch

In this concluding section of the chapter, I want to return to a comment by Derrida in the long passage from *Positions* that we cited at the start of the chapter: "we would have to become open to a *différance* that is no longer determined, in the language of the West, as the difference between Being and beings. Such a departure is doubtless not possible today, but one could show how it is in preparation" (POS 10). We noted the vaguely messianic quality of the claim, but in light of Derrida's assertion that there is

"nothing kerygmatic" about *différance*, it is worthwhile briefly elaborating this *departure* from the languages and resources of 'the West' in preparation for a longer discussion, in Chapter 3, of Derrida's and Agamben's reading of *Ereignis* and the 'end of the history of Being' (DF 27).

Why is the move beyond Heidegger configured by Derrida as a *departure*? Does this departure connote both *advance* and *retreat*? How will we ever know when such a departure has commenced, when it leaves behind its work of *preparation*?

The assertions by Derrida in *Positions* are very resonant with claims that he makes in the Exergue and Chapter 1, "The End of the Book and Beginning of Writing," of *Of Grammatology*. Here too, he will speak in what I am tempted to call *world-historical* terms of both the sway of logocentric metaphysics and an impending closure of this epoch.[21] While such a *closure* – such a *limit* or *margin* – would have always already traversed metaphysics, Derrida notes a certain historical acceleration, in the time of his writing, that brings it to the fore:

> This inadequation had always already begun to make its presence felt. But today something lets it appear as such, allows it a kind of takeover without our being

[21] Though, to an extent, Derrida formulates this epochal thinking less stridently in his later work (and we will reflect on this change in Chapter 3), another notable example, to which we will later return, is in his 1987 text *Of Spirit*, trans. Geoffrey Bennington and Rachel Bowlby (Chicago: Chicago University Press, 1991). In resisting moralistic and self-righteous criticisms of Heidegger's attempt to 'spiritualize' National Socialism, Derrida will argue that "one cannot demarcate oneself from biologism, from naturalism, from racism in its genetic form, one cannot be opposed to them except by reinscribing spirit in an oppositional determination….The constraint of this program remains very strong, it reigns over the majority of discourses which, *today and for a long time to come*, state their opposition to racism, to totalitarianism, to nazism, to fascism, etc" (39-40, emphasis added). Further on in the text, Derrida adds, "I do not mean to criticize this humanist teleology. It is no doubt more urgent to recall that, in spite of all the denegations or all the avoidances one could wish, *it has remained up till now (in Heidegger's time and situation, but this has not radically changed today)* the price to be paid in the ethico-political denunciation of biologism, racism, naturalism, etc. (56, emphasis added). Here, Derrida seems to be speaking in more pessimistic tones about the possibilities of a departure from metaphysics but nonetheless gestures to a sense of historical transformation that is resonant with our discussion here.

> able to translate this novelty into clear cut notions of mutation, explicitation, accumulation, revolution, or tradition. These values belong no doubt to the system whose dislocation is today presented as such, they describe the styles of an historical movement which was meaningful – like the concept of history itself – only within a logocentric epoch. (OG 3-4)

A little further on in that text, in speaking of Heidegger's gesture of 'crossing out' the word Being, Derrida will offer an implicit, elliptical prefiguration of all the concerns he will pursue regarding tracing and erasure in "Différance":

> That deletion [of crossing out] is the final writing of an epoch. Under its strokes the presence of a transcendental signified is effaced while still remaining legible. Is effaced while still remaining legible, is destroyed while making visible the very idea of the sign. In as much as it de-limits onto-theology, the metaphysics of presence and logocentrism, this last writing is also the first writing. (OG 23)

Mutation, explicitation, accumulation, revolution, or tradition: in all these scattered comments, can we detect in Derrida a struggle to think – to put it somewhat clumsily – historical progress, one in which the grasp of a certain metaphysics will, if not be released, at least made to shake and tremble? A historical process of emancipation that is able take aim at the foundations of metaphysics; taking aim, perhaps, at the very concepts of 'foundation' and 'emancipation' themselves? But if the 'today' of Derrida's 1972 interview does not permit a departure beyond the ontico-ontological difference, what of the 'today' of, say, thirty years later? Does this opening beyond metaphysics, merely 'in preparation' in 1972, emerge as full-fledged and decisive today? And of what does the 'making possible' of such a departure consist; what sense of *power* or *possibility* would

breach beyond ontological difference? Would Derrida here be close to a certain Marxist position – or perhaps a Marxian-Heideggerian perspective – where a certain acceleration of technological developments and forces of production bring into being the material conditions for some type of revolutionary, emancipatory praxis?

This question of the 'making possible' of the departure is vital given that Derrida's own work aims to develop and enable such a departure, perhaps for Derrida himself. For what enables Derrida, thirty years after his comments in "Différance," to recognize in Heidegger's *Walten* a force that would accede to a difference more violent than ontological difference? These questions raise issues that we cannot fully develop here, but we can provisionally ask: what does it mean to configure the work of a thinker in terms of development, advancement, trajectory? All these words seem problematic. If Derrida is able to recognize, or perhaps more precisely, *read* – in the sense given to that term by Derrida himself – in Heidegger the flaring of a word that did not appear to him thirty years earlier, then Derrida's own descriptions of deconstruction will resist allowing us to simply configure this reading as one indebted to the inspiration, intellect or effort of the reader. But neither can we submit Derrida's recognition of *Walten* to a sociological-historicizing reading, where his recognition, late in his career, is simply the effect of certain material conditions; the effect of a historical *unveiling* or transformation of which Derrida would simply be a manifestation.

Thus, the call to think a difference beyond ontological difference, in both Derrida and Agamben will force us to contend, in addition to the inventory of terms that we are exploring, with the very idea of this *call* as well. We will have to pursue these questions

implicitly in Chapter 2 in the preliminary exposition of Agamben's work, but then with more explicit attention in Chapter 3.

Chapter 2:

Sovereignty in Abeyance: Agamben, Abandonment, and Impotentiality

Towards the end of *Homo Sacer*: *Sovereign Power and Bare Life*, the first volume of his *Homo Sacer* series[1] and the work which, in the context of post-September 11th, 2001 and the (so-called) War on Terror, attained a wide and, as of today, still proliferating readership, Giorgio Agamben summarizes, in a stark and decisive fashion, the primary thesis of his inquiry: "The original political relation is the ban" (HS 181). This claim is a fundamental, insistent thesis across Agamben's work, but in particular, the *Homo Sacer* series, which sets itself no less ambitious a task than to think what he will

[1] This series comprises nine texts across more than twenty-five years of research. I list them here in the order and numbering system configured by Agamben: I: *Homo Sacer: Sovereign Power and Bare Life*, trans. Daniel Heller-Roazen (Stanford: Stanford University Press, 1998); II.1: *State of Exception*, trans. Kevin Attell (Chicago: University of Chicago Press, 2005); II.2: *Stasis: Civil War as a Political Paradigm*, trans. Nicholas Heron (Stanford, CA: Stanford University Press, 2015); II.3: *The Sacrament of Language: An Archaeology of the Oath*, trans. Adam Kotsko (Stanford, CA: Stanford UP, 2010); II.4: *The Kingdom and The Glory: For a Theological Genealogy of Economy and Government*, trans. Lorenzo Chiesa and Matteo Mandarini (Stanford, CA: Stanford UP, 2011); II.5: *Opus Dei: An Archaeology of Duty*, trans. Adam Kotsko (Stanford, CA: Stanford UP, 2013); III: *Remnants of Auschwitz: The Witness and the Archive*, trans. Daniel Heller-Roazen (New York: Zone Books, 1999); IV.1: *The Highest Poverty: Monastic Rules and Form-of-Life*, trans. Adam Kotsko (Stanford, CA: Stanford UP, 2013); IV.2: *The Use of Bodies*, trans. Adam Kotsko (Stanford, CA, Stanford UP, 2016).

There has been a measure of speculation and perhaps overdetermined focus on the order of the series, compounded by the fact that they have been published and translated out of the original order. However, 'out of order' seems only provisionally accurate; Agamben has not in fact written the texts in the order set out in his initial plan; furthermore, some texts contain pieces written as much as fifteen years apart; and finally, Agamben recently revised the order of this series with the publication of its final volume, *The Use of Bodies*. Furthermore, it should be noted that several works that precede this series (for example, "On Potentiality"), but also contemporaneous works (such as *The Time That Remains*) are vital points of reference and development of many of the themes of this series and are thus the focus of my analysis in this chapter and others. As such, for my purposes in this dissertation, I simply would like to think of this work in a more expanded sense of *series*; a more-or-less loosely connected collection of texts that explicitly and implicitly repeat and return to certain insistent themes, one of which is the question of the *ban* and *abandonment*. When the order of the texts is pertinent to my discussion, I include information in the text or notes. For a discussion of the conjecture about the order of this series, see the following entry on Adam Kotsko's, – a major translator of Agamben – blog: https://itself.wordpress.com/2015/08/26/the-order-of-the-homo-sacer-series/

call, among other phrases, "Western politics," or, more strikingly, "the historico-political destiny of the West" (HS 182).[2]

Almost every term of Agamben's terse formulation – 'the original political relation is the ban' or, as he puts it in *The Use of Bodies*, the ban is "the fundamental political relationship" (UB 236) – will deserve our attention throughout this chapter. The brevity of this statement perhaps reveals to us that all the concepts of the political that we take as commonplace deserve to be rethought; and this, after all, is Agamben's aim. The question of the ban as *original* provokes a rethinking of the very notions of the origin, foundation, ground themselves. In contrast to metaphysical notions of the origin as plenitude, here Agamben construes the origin as a foundational destitution. The *political* and *relation* are similarly unsettled in that notions of the political *arkhe*, signifying both the commencement and commandment of the political community in terms of the gathering and binding of law, decree or contract, is instead thought by Agamben as a relation of forsakenness. Even the word *is* deserves scrutiny; as we saw in Chapter 1, the question of predication, of the presencing of a privation, will force us to think differently the question of the *ontos* in relation to the political.

But the term, of course, that gives my chapter its title and orientation, is *abandonment*, from which Agamben derives his thinking of the *ban*. The term 'abandonment' is one that emerges through a reading of Jean-Luc Nancy's essay, "Abandoned Being"[3]; both Agamben and Nancy are referring to Heidegger's discussion

[2] Variations of these phrases abound throughout *Homo Sacer 1*, other texts in this series, as well as other work by Agamben.
[3] Jean-Luc Nancy, *The Birth to Presence*, trans. Brian Holmes & others (Stanford: Stanford University Press, 1993), 36-47.

of *Seinsverlassenheit*, a term that appears most frequently in his work of the late 1930s.[4] As I attempted to show in the introduction and the previous chapter, Heidegger's fundamental provocation of the difference between Being (*Sein*) and beings (*Seiendes*) is configured, most notably in his *Contributions to Philosophy (Of the Event)*, as *Seinsverlassenheit*, an abandonment or forsakenness of beings by Being that, within the epoch of metaphysics, is consigned to *Seinsvergessenheit*, an oblivion or forgetting of this ontico-ontological difference. Beings are abandoned by Being; beings are both deprived of Being yet bear the trace of this deprivation. There are a proliferation of terms in Heidegger's discourse that speak to this abandonment: perhaps most importantly, in the early Heidegger, *Geworfenheit*, thrownness, and, as we saw in the last chapter, *Entziehung* and *Entzug*, retreat or withdrawal (*Entzug* is also the word Heidegger uses to translate Aristotle's *steresis*, privation). Furthermore, *Seinsverlassenheit*¸ while appearing with less frequency in Heidegger's corpus after the 1930s, is closely associated with a word that does in fact become increasingly vital in his later thinking of technology: *Gelassenheit*, often translated as releasement or letting-be. Deriving from the same root, *lassen* – meaning, most straightforwardly, to let or allow – as *verlassen*, *Gelassenheit* is deployed by Heidegger to describe a stance or position of both equivocality and equanimity towards technology or machination (*Machenschaft*). *Gelassenheit* offers itself as a stance other than the *Gestell* (often translated as positionality or enframing) of technology, and a way to think beings not in terms of a *Bestand* (standing reserve) but rather in their constitutive openness to Being.

Though I will discuss these terms in much greater detail in the third chapter in the context of a more focused reading of Heidegger, this highly abbreviated summary is

[4] See, most importantly CTP, especially 87-132

intended to orient my analysis of Agamben with a view to the chapters to come. For even if the references to Heidegger in *Homo Sacer*, the text which will occupy us the most in this chapter, are brief, dense and allusive, Agamben's ambition lies both in thinking the – supposedly – delimited question of political sovereignty under the heading of the abandonment of beings by Being; but also attempting to think a politics beyond this abandonment. In reading some key passages in *Homo Sacer*, passages whose significance have, quite strangely, not been taken into account in much of the commentary on his work,[5] we will begin to see how what seems to be an ostensibly political discussion takes abandonment and its possible 'overcoming' – *Seinsverlassenheit* and *Gelassenheit*– as its fundamental points of reference.

Furthermore, we will also pursue these readings in the context of our discussion, in the prior chapter, of Derrida's insistence on the Heideggerian "*hope*" and "*nostalgia*," of what he describes in "Différance" as a metaphysical residue within the thinking of the ontico-ontological difference that remains to be deconstructed (DF 27). Here, the proximity of Agamben's venture to that of Derrida is unmistakable; both will use this notion of a retreat or abandonment as a point of departure, but attempt to think it in view of a radicality or a beyond that, as they both argue, is in some ways closed off in Heidegger. Yet, as we have never ceased to stress throughout, it is the very nature of this 'beyond', the configuration of this adventure or voyage of philosophy in excess of its limits, that is exactly at question. As we saw with Derrida in the previous chapter, *différance* is meant to think a difference whose violence is greater than that of the ontico-ontological difference, a force of dispersion and dissemination that would not yield to any

[5] I point to these absences in some important works of commentary on Agamben in greater detail in n.19 of this chapter.

proper name. Derrida will then, late in his career, locate in Heidegger's corpus the term *walten* that accedes to such a force; a power that is not yet and no longer characterizable within an onto-politico-theo-logical thinking of sovereignty as *exception*. *Walten* will name something other than a sovereignty that adheres to a power thought in terms of an *ekstasis*, an ex-cessive or ex-ceptional power, a super- or hyper- power; and, in turn, *walten* will provoke a rethinking of all these notions of power. As I hope to show with Agamben, his call to think the political relation in terms other than the ontico-ontological difference is strikingly similar to Derrida's claims, and while we will seek to differentiate their projects with more precision in Chapter Three, the exposition here will mark some points of intense and profound proximity.

But before we proceed, given that I am attempting to think through Agamben's work under the heading of *abandonment*, we may also introduce some other points of caution. What does it mean to think of a philosopher's work under a single heading? And specifically, what would it mean to say that Agamben's thought is a thought of *abandonment*? Is *abandonment* a concept in all that it entails; rigor, determinability and assurance? Or is it something more obscure, more precarious, something, following Heidegger, I am venturing to call a *thinking*? Perhaps these questions cannot be answered at the outset. And I will not attempt a pre-definition of Agamben's specific sense of abandonment – given that the reader will already arrive at the text with a pre-definition, and these general senses will communicate with the specificity of *abandonment* in Agamben's text – but rather allow the thinking of abandonment to emerge within the course of the text. Which means that we will have to be alert not just to the explicit use of the word *abandonment* in Agamben (and its correlatives: the *act* of

abandoning, the *status* of the *ban*), but seek out its presence in advance and in the afterlives of these explicit uses. Because, as I will try to show, in Agamben, abandonment offers itself as nothing less than a rethinking of presence; abandonment maintains a relation to absence in the 'form of a non-relation.' This enigmatic sense of a relation maintained in its privation or destitution is what we will try to understand.

Agamben gestures towards these problems in the foreword to the last volume in his *Homo Sacer* series, *The Use of Bodies*. In declaring this project over, he asserts that it is an "investigation that, like every work of poetry and of thought, cannot be concluded but only abandoned" (UB xiii). The term he uses to denote the end of the work – *abandoned* – resists thinking of, precisely, *the end*, in terms of completion or finality, as an achievement of a *telos*. Rather, the reader is enjoined to think of the end otherwise than a complete presence or absence, but rather in terms of an abeyance, suspension, withdrawal, retreat, desistance or remission; an *abandonment*.

And if this is the case, then my attempt to think through Agamben's work under the heading of abandonment is tied to two possible senses. The first is a perhaps unavoidable, inescapable risk of configuring this thinking as a reduction or organization of the oeuvre of a philosopher under a single master term, placing *abandonment* at the head or heading, at the capitalization or ascent to command of the entire field. The other sense, which is already present in the first one, is that *abandonment*, as putting into question the very concepts of relation, attachment, correspondence, will, in its very capitalization, force a rethinking of the questions of command, order, sovereignty, as well as the very field, ground, *topos*, the very being-under or being-beneath over which the heading watches. These two senses have been haunting our investigation so far, and

rather than simply being methodological concerns, dramatize the very problems of sovereignty that we are pursuing.

Summary of Chapter

In the first, introductory section I draw on Agamben's short text *Stasis: Civil War as a Political Paradigm*, (the third volume in the *Homo Sacer* series following *Homo Sacer: Sovereignty and Bare Life* and *State of Exception*) where his reading of the work of Nicole Loraux will allow him to restate some of the fundamental themes of this series. I discuss how, in departure from Loraux's work, Agamben will not configure *stasis* as a war within the family, but as an interruption of the passage between *oikos* and *polis*, the family and the state, *zōē* (natural life) and *bios* (political life). I use this frame to introduce an overarching preoccupation of Agamben's work: to think this very passage in terms other than a teleological model of fulfillment that sees the culmination of the development of all natural life in the state (of which Aristotle and Hegel remain important markers). For Agamben, rather, *zōē* does not find its place within the *polis*, but is rather *abandoned* there, and it is the meaning of this latter term that I will try to pursue.

In the next, also somewhat introductory section, I lay out the general structure of Agamben's analysis of the *zōē*, *bios*, and their point of indifference, which he calls 'bare life' (among other terms). I show that Agamben – despite Derrida's brief and ill-tempered criticisms – actually follows a deconstructive logic in showing how the politico-metaphysical opposition of *zōē* and *bios* (and the chains of concepts they respectively imply) obscures a constitutive zone of indistinction between the two.

Through this analysis, this section aims to prepare the frame through which we can measure and track the proximity and distance between the work of Agamben and Derrida, one of the major overarching themes of the entire dissertation.

The next section focuses on the topological thinking that orients Agamben's work in *Homo Sacer* given that 'zone of indistinction' and 'abandonment' are irreducibly concerned with a thinking of place. Some of the questions pursued include: What is the relation of the zone of indistinction to the politically differentiated space of the polis? What is the relation between the state of exception and the political state? What is the space of abandonment? I show that Agamben's task is to think the concept of the *exterior* in a radical way, not as a simple outside to the political field but as an 'inclusive exclusion'; therefore, *abandonment* is something other than *exile*. Further, I argue that the trajectory of Agamben's thought allows us to think the deconstruction of localization, or at least, the disassociation of localization and topology. Within the history of metaphysics, topology is often determined as an ontology or onto-theology by means of localization. To think what is unlocalizable within topology, what gives itself to a dislocation of space would be to think topology otherwise. I show how this thinking allows us to understand what is perhaps Agamben's most (in)famous claim – that is it is the totalitarian space of the camp and not the *polis* that is the paradigm of modern politics – given that for Agamben the camp is an attempt to 'grant the unlocalizable a permanent and visible localization" (HS 58).

I then turn to the first of the two primary sections of this chapter and it is here that the major analyses emerge. Having attempted to exposit the major frame of Agamben's work in the first three sections, I now focus on a more thoroughgoing analysis of the

concept of abandonment. Agamben will attempt to think this concept on the basis of Aristotle's understanding of potentiality and actuality. The full measure of this ambition, which has not fully been taken into account in commentary on his work, is to think political questions in the presence of the most formidable philosophemes of potentiality and being. In Agamben's reading of Aristotle, it emerges that the key to the distinction between potentiality (*dynamis*) and actuality (*energeia*) is the concept of im-potentially (*adynamia*), which, contrary to canonical readings, does not signify impossibility or incapacity, but the *capacity not-to*. It is the capacity of potentiality to withdraw or refrain – to abandon itself, literally – that is the actual 'essence' of potentiality; without this property of privation, all potentiality would immediately pass into actuality. This capacity to *hold in reserve*[6] is really the center of my dissertation and forms both the point of proximity and distance between Agamben and Derrida. Given this importance, I spend a lot of time trying to reconstruct Agamben's arguments in several texts as well as elaborate the canonical readings of Aristotle the better to understand Agamben's departure from them.

If the previous section devoted itself to understanding Agamben's analysis of Aristotle on its own terms, then this final section opens the discussion of the limits and problems with this account in preparation of developing a critical response to Agamben's work in the company of Derrida in the subsequent chapters. In Agamben's discussion of impotentiality, there remains a significant equivocation which forms the point of departure for my investigation. On the one hand, impotentiality characterizes the

[6] I will return to a more thorough and careful discussion of the question of *reserve* in Chapter 3, but want to note here that already, in Derrida's discussion of the detour and deferral of *différance* in the previous chapter, *reserve* imposes itself as a an important, if understated motif. I will seek to elaborate this question of reserve in Derrida and Agamben in connection with Heidegger's notion of *Bestand*, frequently translated as 'standing-reserve' where the issue of the *stockpiling* of power comes to the fore.

relationship of abandonment which leads to the most terrifying forms of modern politics. On the other hand, for Agamben, impotentiality also names a power of freedom and resistance. Agamben will seek to overcome this equivocation by thinking a power which 'cuts the knot' or is 'released' from this sovereign structure of abandonment. Only by thinking this beyond of sovereignty, Agamben argues, will we be free of this ceaseless equivocation or dialectic which ties together abandonment and freedom. But, I ask, how can a power that attempts to sever or liberate itself from sovereignty actually not remain a sovereign power? Will not this force of emancipation or disserverment actually further entrench sovereign power in its attempt to flee it? Will this new power, at its furthest point of release from sovereignty in fact become the most sovereign, the hyper-sovereign? I follow as faithfully as possible Agamben's arguments up to the epilogue of the final volume of the *Homo Sacer* series, *The Use of Bodies* (where he terms this new power 'destituent potential'), but attempt to open his text up to the above questions to prepare for the subsequent chapters of the dissertation.

1. The Movement from *Oikos* to *Polis*

To being to understand this question of abandonment as the original political relation, I would like to turn to some passages in Agamben's *Stasis: Civil War as a Political Paradigm*, which is the third volume in the *Homo Sacer* series following *Homo Sacer: Sovereignty and Bare Life* and *State of Exception*.[7] The first essay of this short text focuses on the work of Nicole Loraux, whose studies of the Greek *polis* provide a

[7] Despite its publication both in Italian and in English translation in 2015, *Stasis* originates in two seminars given by Agamben in 2001, and as such, offers a very important supplement to the issues discussed in the 1998 *Homo Sacer 1*.

point of reference for both Agamben and Derrida, whose references to Loraux in *The Politics of Friendship* we will examine later.[8] In *Stasis,* Agamben will approvingly, thought not uncritically, read the work of Loraux, noting, in particular, the conclusion to her essay "La Guerre dans la famille." In a crucial passage on *stasis*, *oikos*/family and *polis*/city, Loraux writes:

> these notions are articulated according to lines of force in which recurrence and superimposition mostly prevail over every continuous process of evolution. Hence the paradox and the ambivalence, which we have encountered many times. The historian of kinship may find here the occasion to re-examine the commonplace of an irresistible overcoming [*dépassement*][9] of the *oikos* by the city."[10]

In Loraux's provocations, Agamben will find formidable support for his own project, here auto-interpreting, and perhaps revising or reformulating the central themes of his *Homo Sacer* series, in particular, its first volume:

> I believe my recent investigations have shown beyond doubt that the relations between the *oikos* and the *polis*, and between *zōē* and *bios*, which are at the foundation of Western politics, need to be rethought from scratch. In classical Greece, *zōē*, simple natural life, was excluded from the *polis* and remained confined to the sphere of the *oikos*. At the beginning of the *Politics*, Aristotle thus carefully distinguishes the *oikonomos* (the head of an enterprise) and the *despotēs*

[8] See, for example, PF 108-111, n.13, n.15, n.20, n.24, n.25.
[9] The translator of Agamben's text translates *dépassement* as "overcoming"; I note the additional senses of overtaking, exceeding, and surpassing, which will have some important resonances in the readings of Aristotle, Hegel and Heidegger to follow.
[10] Nicole Loraux, "La Guerre dans la famille," *Clio* 5 (1997): 61-62; quoted in SCW 10.

> (the head of the family), who are concerned with the reproduction and conservation of life, from the statesman; and he sharply criticises those who maintain that the difference that separates them is one of quantity rather than one of kind. And when, in a passage that will become canonical in the Western political tradition, he defines the end of the *polis* as a perfect community, he does so precisely by opposing the simple fact of living (*to zēn*) to politically qualified life (*to eu zēn*). This opposition between 'life' and the 'good life' is nonetheless at the same time an implication of the first in the second, of the family in the city and of *zōē* in political life. One of the aims of *Homo Sacer: Sovereign Power and Bare Life*…was precisely that of analysing the reasons for, and consequences of, this exclusion – which is at the same time an inclusion – of natural life in politics. What relations should we suppose between *zōē* and the *oikos*, on the one hand, and between the *polis* and political *bios*, on the other, if the former must be included in the latter through an exclusion? From this perspective, my investigations were perfectly consistent with Loraux's invitation to call into question the commonplace 'of an irresistible overcoming of the *oikos* on the part of the *polis*'. What is at issue is not an overcoming, but a complicated and unresolved attempt to capture an exteriority and to expel an intimacy." (SCW 11-12)

The very difficulty of translating the word *stasis* circumscribes the problems that occupy both Loraux and Agamben. *Stasis* connotes, with an irreducible equivocation, both motionlessness, a standing (from its root, *histemi*, meaning to stand), and, in a seeming – but only *seeming* – opposition, agitation, strife and conflict. The frequent

translation of *stasis* as 'civil war' is not simply an obscuring of the unstable senses of the former word, but also a translation of Greek politics into Roman, which give us both the word and concept of *bellum civile*. In a roughly contemporaneous text to the one cited above, Loraux will strikingly assert that, "we need to invent a language that is not Roman in order to speak of *stasis*."[11] I will return to this comment – one that has striking resonances with Heidegger's discussions in several places, for example, his contention that the Latin *natura* obscures the original, equivocal senses of the Greek *physis*[12] – later, but for our present purposes, it is important to note that what Agamben will go on to contest in Loraux's argument is her contention that *stasis* is an *oikeios polemos*, a war *within* the family. Agamben, suggesting that Loraux does not draw the most radical conclusions from her own investigation, instead argues that *stasis* occupies a place similar to that of the question of 'bare life' in his *Homo Sacer* series, what he will variously call a 'threshold' or 'zone of indifference' or 'indistinction' between *zōē* and *bios*, and by implication, as I will show below, a range of other oppositions, such as *oikos* and *polis*, and *physis* and *nomos.* Rather than a war within the domain of the *oikos*, for Agamben, *stasis* signifies the interruption or caesura of the passage from *oikos* to *polis*, from the family to the state. Powerfully appropriating Loraux's argument, Agamben will find in *stasis* another philosophico-historical (quasi)concept that functions within a chain of figures that Agamben mobilizes in his *Homo Sacer* series – among them *homo sacer*, state of exception, werewolves, angels, the camp – to think this fundamental question of indifference at the heart of Western politics.

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[11] Nicole Loraux, *The Divided City: On Memory and Forgetting in Ancient Athens*, trans. Corinne Pache with Jeff Fort (New York: Zone, 2001), 107.

[12] See "On the Essence and Concept of *Physis* in Aristotle's *Physics* B, I" trans. Thomas Sheehan in Martin Heidegger, *Pathmarks*, ed. William McNeill (Cambridge: Cambridge University Press), 183-230.

Before proceeding to a more comprehensive exposition of Agamben's argument, there are two points of reference – other than, of course, Derrida and Heidegger –that I want to evoke, in connection with the long passage by Agamben cited above, in order to introduce some themes that anticipate and orient later sections of this work. Given that Agamben situates his project within the thinking of the *relation* of family to the city, the first point of reference revolves around his reading of Aristotle. Agamben's discussion of Aristotle, which in actual fact does not occupy nearly as much (explicit) space as his readings of, for example, Foucault or Schmitt in *Homo Sacer*, is decisive for his project. What is notable is that in these passages, Agamben surely has in mind – but does not reference – Aristotle's enigmatic claim early in *Politics* that the city state is "prior in nature to the family (household)" (*kai proteron de te phusei polis e oikia*) (Aristotle, Politics, 1253a, 20).[13] On the one hand, it might appear that this omission exerts some pressure on Agamben's argument; the question of the "by nature" (*te phusei*) would already complicate the distinctions that Agamben is trying to draw between *oikos* and *polis*, *zōē* and *bios*, and most generally, *physis* and *nomos*. But on the other hand, Agamben's point is precisely to expose and reflect on this very lack of clarity, given that his notions of 'indifference' or 'indistinction' seek to specify the very points of dissolution of these political boundaries. What remains most audacious and valuable in Agamben's argument is his attempt to think – as the long passage quoted above reiterates – the relation between the *oikos* and *polis* under the heading of what he will call an

[13] Aristotle, *Politics*, In *Aristotle in 23 Volumes*, Volume 21, trans. by H. Rackham (Cambridge, MA: Harvard University Press, 1944), http://www.perseus.tufts.edu/hopper/text?doc=Perseus%3atext%3a1999.01.0058

'inclusive exclusion' or 'abandonment.' It is precisely this 'space' of abandonment that Agamben will maintain is a 'zone of indistinction'; *difference abandoned to indifference*.

The attempt to think this relation or passage from *oikos* to *polis*, *zōē* to *bios*, and so on, then also gestures towards a second point of reference that will be implicit yet indispensible: that of Hegel's understanding of the 'raising' of the family into the state, but more generally the passage from natural life to ethical life. Though any explicit discussion of Hegel is absent from *Homo Sacer*, it seems unmistakable that in his numerous references to the "historico-political destiny of the West" (HS 182) or the "epochal situation of metaphysics" (HS 188), Agamben is referencing a certain 'epoch' that runs from Plato to Hegel, which, as I noted in Chapter 1, is very similar to certain pronouncements Derrida makes, especially in his early work. [14] This epoch will think – or more precisely *want* to think, the desire of this thought precisely what will impose itself and be betrayed in philosophical discourse – this relation of *oikos/zōē/physis* to *polis/bios/nomos* under the heading of a *dépassement*, an overtaking or overcoming; as the *Aufhebung*, the suppressing-and conserving incorporation of movement of the dialectic. In fact, Loraux's call to think the passage from *oikos* to *polis* in not in terms of an *irrésistible dépassement* but as recurrence and superimposition perhaps already contains a surreptitious allusion to Hegelian thought. In a crucial footnote to his translation of Derrida's "Différance" that explicates Derrida's rendering of *Aufhebung* as *la relève, Alan Bass alerts us to Jean Hyppolite's own use of dépasser*, along with *supprimer* (connoting to suppress or annul) to translate *Aufhebung* (DF 19-20, n.23). Later in this dissertation, I will attempt to extend this discussion by showing how, in the

[14] This reference is very similar to Derrida in his early work, most famously in the opening passages of *Of Grammatology* ; both Derrida and Agamben are in turn echoing Heidegger.

thinking of *physis*, there is an indispensible reference to the question of *movement*, of *kinesis* and *metabole*. In this way, the Hegelian discourse on nature is an immense treatise on movement, of what moves and what is immobile, of what is auto-mobile, self-moving, self-differentiating, self-propelling, and what is petrified, stagnant, ossified. So here this second of point of reference is actually itself doubled, not just to Hegel, but to Heidegger, for it is his ghost that will call for a rethinking between the relation of *physis* and its others in a way that prefigures and anticipates Agamben's ambition; thinking this relation in a way that is both "older" – before the *arkhe* of Platonism – and also "newer," in which questions of the epoch itself reach a limit.

2. Distinction and Indistinction between *Zōē* and *Bios*

At this point, it might be valuable to briefly attend to some of Derrida's severe yet acute criticisms of *Homo Sacer 1* in his late seminar *The Beast and the Sovereign, Volume 1*.[15] One of Derrida's primary contentions is that the divisions and distinctions upon which Agamben relies are never as secure or assured as Agamben's argument requires. For example, with what confidence, Derrida asks, can Agamben claim that there exists – or had existed – a clear and unequivocal distinction between *zōē* and *bios*? Would not an attempt to locate such a division be always already *too late*, given that any such thinking of a distinction would take place in (philosophical, but not only philosophical) languages – French, German, English, for example, languages that inherit and reproduce a certain Greek origin – in which such a distinction between *zōē* and *bios* is condensed and sedimented in the singular noun *life* or verb to *live* (see BS1 305)?

[15] Though Derrida makes some references to Agamben in Session 3 of BS1, I primarily draw on Session 12, which is devoted to a reading of *Homo Sacer*.

Even in Aristotle, as we briefly noted in his claim that the *polis* is *by nature* prior to the *oikos* or the individual, the boundary between *zōē* and *bios* is porous. Agamben, throughout his work, will display an intense focus on and faith in philological and etymological inquiry, perhaps even veering into what Derrida, in some early work, most notably the essay "White Mythology," critiques as 'etymologism': the faith that the "*etymon* of a primitive sense always remains determinable, however hidden it may be."[16] It is in this light that we must read the opening passages of Session 12 of *The Beast and the Sovereign, Volume 1*, where even before he has explicitly evoked Agamben's name, Derrida pointedly seeks to deflate "the grand airs that the lesson givers and the pseudo-experts in this domain [of philology] sometimes take on" (BS1 305). Even the supposed security of what we might think we know about the *logos* grants us no assurance here, as Derrida continues, with Agamben clearly the target of his comments:

> Too unequal to the task, philology, not up to this question, which is more than a question as to meaning and word, between *zōē* and *bios*, between *zoo*logy and *bio*logy, the logic of the *logos* fixing nothing and simplifying nothing…for whoever cares to try to untangle things. (BS1 305)

Derrida's most indicting– and ill-tempered – charge against Agamben is thus a consequence of Derrida's suspicion of the rigorousness of the boundary between *zōē* and *bios*: Agamben will want to establish a set of oppositions in order to argue that his own thinking of indifference at the heart of these oppositions is an original insight. Already here, we might begin to think both the proximity and distance of deconstruction to

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[16] Jacques Derrida, "White Mythology: Metaphor in the Text of Philosophy," in *Margins of Philosophy*, trans. Alan Bass (Chicago: University of Chicago Press, 1982), 211.

Agamben's 'method'. Whereas Derrida will claim that indistinction or the permeability of politico-metaphysical binaries is not discovered by him as a sort of original contribution to the history of philosophy but rather that this indifference is already at work within the oppositions that philosophy seeks to distinguish and keep apart, the tone and tenor of Agamben's work clearly positions Agamben as a kind of 'discoverer' of lost or forgotten philosophical, philological and historical figures that name an indifference that has not been thought as such. Hence, in the reading of Aristotle, for example, Derrida suggests that Agamben will have privileged the points in Aristotle's text which maintain a distinction between *zōē/bios, oikos/polis*, but either avoided, ignored or obscured the points at which these distinctions are porous (see BS1 314-315).

Though we will continue to keep Derrida's criticisms in mind, we should note that Derrida's reading of Agamben is somewhat uncharitable, meager and rushed in the sense that it only comments the introductory passages of *Homo Sacer*, and does not acknowledge Agamben's more substantial developments in the body of the text. We should also note that a frequent 'strategy' of deconstruction is to identify in supposedly introductory or marginal parts of the text – parts considered supplementary to the proper body of the argument – assumptions or exclusions that surreptitiously ground the very argument to which they are said to be ancillary. While in fact Derrida's reading does not develop the consequences of his criticisms of the early passages of his work in light of Agamben's major themes (the questions of abandonment and potentiality that we are pursuing), it actually obscures several points of similarity between Agamben's work and deconstruction. I will attempt to discuss some of these points below.

Part of the difficulty of *Homo Sacer 1* is the proliferation of terms that Agamben will use to express a similar theme, sometimes maintaining distinctions, sometimes using them as synonyms. For example, the initial opposition he sets between *zōē* and *bios* in the reading of Aristotle, becomes the opposition of *life* and *law*, respectively, in the discussion of Schmitt, where 'life' he is used to denote something like *zōē* or natural life, and law stands for *bios* or political life, life already taken up by the law. But despite these variable uses, there remains a fairly consistent separation between the three fundamental groups of concepts that structure this work; a) *zōē*, *oikos*, *physis*, (state of) nature, life itself (which generally refers to biological life, but perhaps most clearly in his discussion of Aristotle, the *fact* of living itself); b) *bios*, *polis*, *nomos*, *logos*, culture/politics, law, form-of-life; juridico-institutional power, in short, the domain of the proper political life; and c) bare life, *homo sacer*, zone of indistinction/abandonment, state of exception, sacred life, the camp. This three part structure follows a fairly classic deconstructive gesture. Within what Agamben construes as an epochal, politico-metaphysical history or destiny of the West which is founded on a supposed division between *zōē* and *bios* (and more generally, between the two chains of concepts listed in 'a' and 'b' above), there remains a space of indistinction or undecidability. This entire metaphysical schema will repress this indistinction in favor of maintaining a fundamental opposition between *zōē* and *bios*, but Agamben, again closely modeling some of Derrida's early deconstructive maneuvers, will seek to expose this indistinction as originary and constitutive, or more precisely, *pre-originary*, before the origin as it is thought by metaphysics. Agamben will track this indifference through various historical iterations like, for example, the figure of Roman jurisprudence – *homo sacer* – which

gives the series its title; or the question of the camp in the twentieth century, which gives rise to Agamben's perhaps most audacious and (in)famous claim that it is the camp and not the *polis* that is the *nomos* of modern politics. What is important to note, and a point that Derrida misreads in *The Beast and the Sovereign, Volume 1*,[17] is that bare life, for Agamben, is not to be confused with *zōē*: bare life is "not simple natural life, but life exposed to death" in the *polis* (HS 88).[18]

In tracking these figures and spaces of indifference, Agamben will demonstrate at least two points. First, what appear to be scattered or unrelated figures – *homo sacer*, the werewolf, the bandit, the camp; marginalia to the proper discussion of politics – in fact form, a coherent and consistent genealogy because of their very marginality and liminality between the metaphysical chains implied by the opposition of *zōē* and *bios*. These are figures that a philosophical or theoretical discourse on politics – much like an actually history of politics, *politics itself* – will try to *exile* or *abandon*. And second, Agamben will seize upon this relation of *abandonment* (a term on which everything depends) and radicalize, without limit, its import; abandonment will name not only the relation of these figures of indifference, but rather the fundamental political relation itself. In a move that is almost "classic" deconstruction, Agamben will show that far from being marginal figures – precisely, figures or spaces on the margins of politics – the space of abandonment will structure the entire political field and destiny of the West. It

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[17] See, for example, BS1 316, where Derrida argues: "All of Agamben's demonstrative strategy, here and elsewhere, puts its money on a distinction or a radical, clear, univocal exclusion, among the Greeks and in Aristotle in particular, between *bare life (zōē)*, common to all living beings…and life qualified as individual or group life" (emphasis added).

[18] See also, for example, HS 106: "This threshold alone, which is neither simple natural life nor social life but rather bare life or sacred life, is the always present and always operative presupposition of sovereignty."

is this claim – the originary question of abandonment – that gives Agamben's work its breadth and ambition, and its almost breathless and apocalyptic tone.

Despite his often frenetic, enigmatic and perhaps discordant catalog of theoretical and political references and allusions (at one point he briefly includes the question of holiday highway deaths as a potential example of *homo sacer* – HS 114), the schema that I have tried to locate within Agamben's text demonstrates a powerful consistency, and what is more, a kind of very informed fidelity to some classic deconstructive maneuvers. To the extent that Agamben will make quasi-prophetic pronouncements such as claiming that the 'decisive event of modernity' is the expansion of this zone of indistinction such that it is coterminous with the *polis*, or that the camp is the *nomos* of the modern, Derrida's criticisms[19] – who remains entirely suspicious of this 'epochal thinking' of modernity in Foucault and even further in Heidegger – seem incisive. But even here, to read Agamben more generously, there remains a kind of unimpeachable rigor to his claims. While it true that Agamben will sometimes insist on a kind of historicist event of a co-founding or co-inauguration of biopolitics (i.e. that biopolitics is both an originary structure of politics *and* a specific historical event proper to modernity) and does not practice the care or vigilance to evaluate these pronouncements, the more compelling, and perhaps more modest, claim – a claim that is very resonant with Derrida's work – is that what we see in modernity or contemporaneity is an intensification or an acceleration of a techno-bio-political program that is always already at work in the history of metaphysics.

[19] On Derrida's criticisms of Agamben's thinking of modernity, see BS1 315-317

Such a reading is both generous and charitable to Agamben's text; it is also a reading, I am well aware, that fortifies and consolidates Agamben's work by seeing in it a resonance with Derrida's own work. However, for all that, I hope not to either force or exculpate Agamben's text, but rather seek to elaborate and extend these themes in the company of Derrida's work and open both works up to a rethinking. Because, setting aside for a moment Derrida's ill-tempered remarks about Agamben's (and Foucault's) historicizing gestures, the reading that Derrida provokes but does not pursue in any determined way is the nature of this zone of indistinction and this thinking of indifference. It is here that we can begin to measure and track the proximity and distance between the work of Agamben and Derrida.

3. The Topology of Indistinction

How do we think of this 'zone' of indistinction? What topological model accedes to this phrase? Among Derrida's comments in *The Beast and the Sovereign, Volume 1* is his concern with Agamben's deployment of the word (and concept) of the *threshold*. In *Homo Sacer*, not only is the word frequently used as synonymous with 'zone of indistinction' and 'state of exception', but in addition, each of the three major parts of the text end with a brief chapter entitled "Threshold," reinforcing the importance of this chain of concepts in Agamben's text (see HS 63-70; 112-118; 181-188). Given this importance for Agamben, Derrida seems to mark a difference between his own work on sovereignty and that of Agamben:

> Always the threshold, then. What is the threshold? And once we say "threshold," THE threshold, the uncuttable and atomic unity of the threshold, one single threshold, we suppose it to be indivisible….[W]hat we are really doing is doubting the existence of a threshold worthy of the name. The threshold not only supposes this indivisible limit that every deconstruction begins by deconstructing (to deconstruct is to hold that no indivisibility, no atomicity, is secure), the classical figure of the threshold (to be deconstructed) not only supposes this indivisibility that is not to be found anywhere; it also supposes the solidity of a ground or a foundation, they too being deconstructible. (BS1 309-310)

Again, while keeping Derrida's cautions in mind, let us try to follow Agamben's argument closely. For Agamben, the zone of indistinction/space of exception/threshold is precisely the space of abandonment that is the original political relation. The issue at hand is to better understand how *zōē,* which is the domain of the *oikos*, becomes incorporated within the *polis.* Agamben's point of departure here is Foucault's theme of biopolitics; yet Agamben is attempting to think it in a more philosophically rigorous way. For if Foucault's thesis is that in the 18th century, biological life is seized upon, instrumentalized and suffused with the political question of power – in short, the *politicization of biological life* – Foucault will be more interested in describing this historical process than thinking the question of politicization itself. What does it mean for biological, natural life to be *seized* or *taken up* or *taken hold* by politics? What is the nature of this *seizure* or *gathering* (and this question of gathering will evoke our discussion in Chapter 1 and anticipate later readings, leading us down a thinking of Heidegger and *logos*)? Agamben's first task then is to think this relation against all

models of teleological fulfillment from Aristotle to Hegel. In fact, *biopolitics* is a name for the incompletion of a politico-metaphysical narrative which sees an overcoming or absorbing of the family in the state. As we discussed in Section 1, so-called natural life does not disappear or find its place within the *polis*; rather its place is *dis-placed*, produced as bare life, at the threshold between *physis* and *nomos*. But what exactly is the relation between this zone of indistinction – the undifferentiated space of bare life – on the one hand, and the politically differentiated space of *zōē/bios*, on the other? What is the relation of a 'zone' of indistinction to a zone of distinction? What is the relation between indifference and difference? Again here, like the question of gathering, we are launched into both a Hegelian and Heideggerian investigation.

Let us follow Agamben's text to see how he both opens and delimits these questions. Agamben notes that the exception is "a kind of exclusion." But here, already announcing his insistent preoccupation with resisting any simple topology, the concomitant task is thinking of the *ex-terior* and the *ex-ception* in a radical way:

> The exception is a kind of exclusion. What is excluded from the general rule is an individual case. But the most proper characteristic of the exception is that what is excluded in it is not, on account of being excluded, absolutely without relation to the rule. On the contrary, what is excluded in the exception maintains itself in relation to the rule in the form of the rule's suspension. *The rule applies to the exception in no longer applying, in withdrawing from it.* The state of exception is thus not the chaos that precedes order but rather the situation that results from its suspension. In this sense, the exception is truly, according to its etymological root, *taken outside (ex-capere),* and not simply excluded. (HS 17-18)

It is notable here that Agamben will assert that this thinking of topology is more complex than the question of internment and interdiction that marks Foucault's thinking in *The History of Madness*. In that text, Foucault will describe the 'great confinement' in the classical age (the late 17th and 18th centuries) wherein the mad, who were previously free to wander, were interned; the circumscribing of what had previously been expelled to the margins of the city within the ambit of the law and new techniques of normalization. The spatial figure that is key for Foucault here is, of course, the asylum, which represents for him a radically new kind of power in the history of politics. But for Agamben, the state of exception that he wants to think is more complex:

> Here what is outside is included not simply by means of an interdiction or an internment, but rather by means of the suspension of the juridical order's validity – by letting the juridical order, that is, withdraw from the exception and abandon it. The exception does not subtract itself from the rule; rather, the rule, suspending itself, gives rise to the exception and, maintaining itself in relation to the exception, first constitutes itself as a rule. The particular "force" of law consists in this capacity of law to maintain itself in relation to an exteriority. We shall give the name *relation of exception* to the extreme form of relation by which something is included solely through its exclusion. (HS 18)

Several points are important in the above two passages from *Homo Sacer*. First is an immense problem that from the outset has haunted our inquiry: how do we distinguish between interdiction and withdrawal? Between internment and abandonment? We will return to these problems through this dissertation. Second, though these passages appear

early in *Homo Sacer*, and though within the exposition at this point Agamben will declare that the relation that he is trying to think will be "give[n] the name *relation of exception*," he will later privilege the thinking of *abandonment*. This refers to the issues I raised above about the difficult proliferation of terms in Agamben's text. On the one hand, they prove difficult tracking for the reader trying to organize various disparate and even perhaps inconsistent uses of terms. On the other hand, staying on the trail of these terms will push us towards the difficult but most audacious thinking of Agamben's work. By implicitly using "relation of exception" as quasi-synonymous with the "relation of abandonment" later in his text, Agamben is drawing a powerful connection between the political thinking of Carl Schmitt (the state of exception) and Heidegger (the abandonment of beings by Being). We will return to this in later sections.

Third, and more germane to the passages from the early part of Agamben's text, let us focus further on the topological strand of thinking that lies across his argument. In thinking this topology, Agamben would no doubt have been aware of Derrida's attempts to think the "zone of indistinction" within the history of metaphysics. In fact, though we will have reason to question this formulation in Chapter 3, we might provisionally construe deconstruction as itself thinking of a space of indifference; within Derrida's corpus terms such as fold, invagination, crypt, *khora*, *retrait* testify to this complex thinking of space. Here a distinction must be made between the question of *topology* and that of *localization*. The radical thinking of topology in both Derrida and Agamben can be construed as a deconstruction of localization, or at least a disassociation of localization and topology. Within the history of metaphysics, topology is often determined as an ontology or onto-theology by means of localization. To think what is unlocalizable

within topology, what gives itself to a dislocation of space would be to think topology otherwise:

> Since "there is no rule that is applicable to chaos," chaos must first be included in the juridical order through the creation of a zone of indistinction between outside and inside, chaos and the normal situation – the state of exception. To refer to something, a rule must both presuppose and yet still establish a relation with what is outside relation (the nonrelational). The relation of exception thus simply expresses the originary formal structure of the juridical relation. In this sense, the sovereign decision on the exception is the originary juridico-political structure on the basis of which what is included in the juridical order and what is excluded from it acquire their meaning. In its archetypal form, the state of exception is therefore the *principle of every juridical localization*, since only the state of exception opens the space in which the determination of a certain juridical order and a particular territory first becomes possible. As such, the state of exception itself is thus *essentially unlocalizable* (even if definite spatiotemporal limits can be assigned to it from time to time)… The link between localization…and ordering…at its center, contains a fundamental ambiguity, an unlocalizable zone of indistinction or exception that, in the last analysis, necessarily acts against it as a principle of its infinite dislocation. (HS 19-20, emphasis mine)

Here, Agamben asserts that if the *polis* or the state is determined through a link between localization (the territory of a state, taken both geographically and in the sense of a political field) and ordering (the question of *nomos*), then the state of exception is the originary or constitutive indifference that opens the possibility of the *polis*. The onto-

theo-topology of the state is grounded or localized by the state of exception which is itself unlocalizable, *essentially* unlocalizable. It is this 'element' of dislocation that, according to Agamben, remains repressed and unthought within the political history of the West.

Given that we are trying to track this thinking of topology, it is worth projecting forward to the end of *Homo Sacer*, where Agamben will make perhaps his most (in)famous claims, claims that brought his work to the center of contemporary political thought in the early 2000s with a stunning sense of relevance to the post 9/11 world. In the concluding section of this work, Agamben summaries the "provisional conclusions" of his inquiry:

> 1. The original political relation is the ban (the state of exception as zone of indistinction between outside and inside, exclusion and inclusion).
>
> 2. The fundamental activity of sovereign power is the production of bare life as originary political element and as threshold of articulation between nature and culture, *zōē* and *bios*.
>
> 3. Today it is not the city but rather the camp that is the fundamental biopolitical paradigm of the West. (HS 181)

We have been progressing towards better understanding the first two points above. The original political relation is one of abandonment; this thought aims to resist all teleological progression from the *oikos* to the *polis*, from the family to the state – a history that we can provisionally mark from Aristotle to Hegel. Instead of development, evolution, growth – all genetic metaphors – Agamben calls us to rethink the relation of natural life to political life as one of abandonment. And given Agamben's claims in his

second conclusion – that are consequences of the first – we might configure the work of the sovereign as not to *rule* or *reign* but to *abandon*.

We will take up these lines of thought below, but it is worth pausing on the third of Agamben's conclusions. Rather than a concern with a originary thinking of the political ("original political relation," "fundamental activity," "originary political element"), Agamben here is concerned to think a new mutation within biopolitics, an intensification of a state of exception that was always already at work within the political field. The state of exception was always at the center; yet one could always treat it as marginal given that the very spaces of abandonment were both geographically and legally at the margins or periphery of the political space. If such a mystification could previously be maintained, for Agamben, today, the proliferation of the space of the camp – a figure with no real historical precursors – means that we need to confront the insufficiency of all philosophies that posit the *polis* or state as the end of politics. As such, the question of 'space' that Agamben wants to think is something different from a determinable *topos*; the apparent opposition of the public space of the city and the desolate space of the camp must be rethought with reference to a generalized, dislocated space of exception. If there is a historicist or apocalyptic thinking within Agamben, it is not at all simple or careless. He argues that in this historical mutation, acceleration or catalyzation of biopolitics,

> the state of exception comes more and more to the foreground as the fundamental political structure and ultimately begins to become the rule. When our age tried to grant the unlocalizable a permanent and visible localization, the result was the concentration camp. (HS 19-20)

Again, I want to note that though any mention of Derrida, and in particular, Heidegger is absent in these passages, Agamben's remarks are unmistakably resonant of these two thinkers. For example, in a parenthetical remark that he makes in *Specters of Marx* to explain his sudden use of the term *ontopology*, Derrida explains, "By *ontopology* we mean an axiomatics linking indissociably the ontological value of present-being [*on*] to its *situation*, to the stable and presentable determination of a locality, the *topos* of territory, native soil, city, body in general" (SM 102-103). Though he only uses the term 'ontopology' once in that work (and to my knowledge does not use it anywhere else) this term concentrates a range of themes that assert themselves throughout Derrida's work, but more to the point, is very relevant to this present discussion of Agamben. In connecting the metaphysics of presence with the political question of territory, Agamben will contend that the concentration camp is the effect of a certain historical localization of the state of exception, and this constitutes not simply a political catastrophe, but the catastrophe of metaphysics itself.

Agamben also stresses that what we are witnessing with the proliferation of the paradigm of the camp is not some reversion or retrogression to a state of nature prior to the political. In other words, we are not confronted with some de-evolution from the political to the pre-political, where all genetic metaphors are reversed in order to construe the emergence of these monstrous politics as a deformation or stunting of proper growth from the family to the state. This kind of thinking is all too present in contemporary discussions of 'failed states' or 'ethno-religious states.' The fear of the Islamic State (Daesh) or of 'the caliphate' is nothing other than this figure of a deformation of the proper emergence of the state. Agamben's thinking refutes this view:

> the processes of dissolution of traditional State organisms…should be viewed not as a reemergence of the natural state of struggle of all against all –which functions as a prelude to new social contracts and new national and State localizations – but rather as the coming to light of the state of exception as the permanent structure of juridico-political de-localization and dis-location. Political organization is not regressing toward outdated forms; rather, premonitory events are, like bloody masses, announcing the new *nomos* of the earth, which (if its grounding principle is not called into question) will soon extend itself over the entire planet. (HS 38)

The proliferation of various historical figures of abandonment in our time is thus not, for Agamben, a portent of a retrogression, but an accelerating disclosure of the original structure of sovereignty. It is to this structure of abandonment that we must now focus our attention.

4. Potentiality (*Dynamis*), Actuality (*Energeia*), Impotentiality (*Adynamia*)

In this section, I would like to pursue a more detailed exposition of Agamben's thinking of abandonment by attending to his reading of potentiality (*dynamis*), actuality (*energeia*) and impotentiality (*adynamia*) in Book Theta of Aristotle's *Metaphysics*. So far, I have tried to show that abandonment, according to Agamben, is the fundamental or original political relation, and have made some preliminary gestures towards understanding this as a structure of inclusive exclusion or as a space of dislocation or unlocatability. I will now turn to a more thoroughgoing inquiry based on two chapters at the end of Part 1 of *Homo Sacer 1* and some other associated essays. These chapters

constitute among the most dense and ambitious claims of Agamben's thought, and the full measure of this ambition has seldom been taken into account in commentary on his work.[20] These passages position *Homo Sacer 1* as not just a powerfully relevant political text, but one that aims to think political questions in the presence of the most formidable philosophemes: questions of potentiality and being in the thought of Aristotle and Heidegger. The readings that Agamben presents of these figures are highly condensed and allusive, yet provocative and idiosyncratic, and firmly appropriated to the context and trajectory of his own project.

How, in the course of a text that foregrounds political questions about sovereignty, does Agamben introduce a discussion of Aristotle and potentiality? The question that launches this inquiry, for Agamben, is of how to think the relationship between constituting (or constituent) power and constituted power. Agamben here is consistent with much contemporary continental thought (both inspired by Derrida and

[20] Though I will address this commentary more substantially in Chapter 3, let me note here that the absence of any sustained discussion of Agamben's insistence on the relation between the political sense of abandonment and Heidegger's thought of the abandonment of beings by Being (*Seinsverlassenheit*) and ontological difference manifests itself in two bodies of scholarship. One the one hand, major commentaries on Agamben which offer detailed examinations of Agamben's reading of Aristotle do not consider Agamben's subsequent comments on the question of ontological difference; see, for example, Kevin Attell's GAB 84-123; Jessica Whyte, *Catastrophe and Redemption: The Political Thought of Giorgio Agamben* (Albany, New York: State University of New York Press, 2013), 97-122; Leland de la Durantaye, *Giorgio Agamben A Critical Introduction* (Stanford: Stanford University Press, 2009), 200-246. Even a text like Mathew Abbott, *The Figure of This World: Agamben and the Question of Political Ontology* (Edinburgh: Edinburgh University Press, 2014), which is explicitly concerned with elaborating the relationship between Agamben and Heidegger, does not pursue the question of ontological difference in *Homo Sacer*. On the other, recent philosophical-political work which has taken ontological difference in Heidegger as an explicit point of departure, such as Oliver Marchart's 2007 work PPT and Alex Thomson, *Deconstruction and Democracy: Derrida's Politics of Friendship* (New York: Continuum, 2005), do not refer to Agamben at all. This absence is striking in particular since both works take into account Philippe Lacoue-Labarthe and Jean-Luc Nancy *Retreating the Political* (London: Routledge, 1997), which is fundamentally concerned with the consequences of Heidegger's notion of retreat/withdrawal/abandonment for the political; Nancy's reading of Heidegger here and elsewhere is a significant point of reference for Agamben's thinking of abandonment.

deconstruction, but also by Italian philosophers[21] who take biopolitics and Marxism as a point of departure) that seeks to recognize the rebellious or insurrectionary nature, the specifically an-archic and a-legal or ill-legal character of constituting power: "constituting power is originary and irreducible…it cannot be conditioned and constrained in any way by a determinate legal system and…it necessarily maintains itself outside every constituted power" (HS 39-40). Constituting power is not illegal and unconstitutional because it violates or transgresses the law or constitution; rather it is illegal and unconstitutional because it precedes and founds the law or constitution and is not, therefore, subject to it. It is a law before law, a violence before violence, a power before the opposition of legitimacy and illegitimacy.

A significant point of reference for this discussion is Walter Benjamin's "Critique of Violence," a dense, enigmatic text that has given rise to an extensive body of – often conflicting – commentary, and it is hard to overestimate the importance of this text for Agamben. Benjamin, in the pursuit of producing a critique of violence – in trying to think violence's limits and isolate and delineate its essential character – will highlight the fundamental tension between law-creating violence and law-preserving violence, or in other words, the opposition between constituting power and constituted power. Benjamin's critique of liberal parliamentary democracy consists in showing how it has forgotten or effaced this originary violence in the name of an irenic or pacifist conception of politics:

[21] See, for example: Michael Hardt and Antonio Negri, *Empire*, (Cambridge, MA: Harvard University Press, 2000), especially 22-41; Paolo Virno, *A Grammar of the Multitude*, trans. Isabella Bertoletti et al. (Boston, MA: Semiotext(e)/Foreign Agents, 2004); Robert Esposito, *Bios: Biopolitics and Philosophy*, trans. Timothy Campbell (Minneapolis, MN: University of Minnesota Press, 2008), se especially 13-44.

> the origin of every contract also points toward violence. It need not be directly present in it as lawmaking violence, but is represented in it insofar as the power that guarantees a legal contract is in turn of violent origin even if violence is not introduced into the contract itself. When the consciousness of the latent presence of violence in a legal institution disappears, the institution falls into decay. In our time, parliaments provide an example of this. They offer the familiar, woeful spectacle because they have not remained conscious of the revolutionary forces to which they owe their existence. Accordingly, in Germany in particular, the last manifestation of such forces bore no fruit for parliaments. They lack the sense that a lawmaking violence is represented by themselves; no wonder that they cannot achieve decrees worthy of this violence, but cultivate in compromise a supposedly nonviolent manner of dealing with political affairs. (CV 243-44)

Though we will return to this essay later, we should note how these passages from Benjamin hint at the fraught trembling or oscillating of this text. On the one hand, it demands consciousness of and responsibility for founding violence; on the other hand, in critiquing the ‘detour’ of ‘deferral’ of violence that parliamentary structures attempt, it becomes accomplice to the unleashing of a ‘pure’ violence across the political field. But for our present concerns, if liberal politics, as Benjamin notes, will attempt – unsuccessfully – to efface constituting power in the shadow of the constituted order, the opposite position of preserving the constituting power as a 'sovereign transcendence’ to constituted power is also untenable. We might formulate this thought in a seemingly self- evident manner: constituting power *constitutes constitution,* and more precisely, constituting power is *nothing other than the constituting of constitution*. Or in

Agamben's terms, "constituting power still possesses no title that might legitimate something other than law-preserving violence and even maintains an ambiguous and ineradicable relation with constituted power" (HS 40). Constituted power 'owes its existence,' as Benjamin asserts, to constituting power, but constituting power does not reside apart from the very order it constitutes. This is what Agamben will refer to frequently as – with a term that we need to question – "the paradox" of sovereignty (see, for example HS 40-41).

The key problem exposed by this discussion is, as Agamben argues, "not so much how to conceive a constituting power that does not exhaust itself in constituted power…as how clearly to differentiate constituting from constituted power, which is surely a more difficult problem" (HS 41). If, on the one hand, constituted power is the totality of the order that exists, the entirety of the political field, yet on the other hand, constituting power is not another existent power – neither a transcendental power that exists apart from constituted order, nor another empirical political power – how are we to effect this differentiation? How would we maintain a space of thinking what is not simply reducible to the totality of the constituted order, or put differently, how do we hold space for that which opens or resists the totalization of the constituted order?
It would seem here that the thought of constituting power needs to be *ex-cessive* with respect to the totality of the constituted order, but cannot be thought without reference to it.[22] The questions we are pursuing evoke the discussion of the topology of sovereignty above, and it is for this reason that Agamben will disagree with attempts – from Carl Schmitt to Antonio Negri – that attempt to differentiate constituting power from sovereign power, given that both powers exceed the fundamental juridical rule yet remain

[22] On the question of *totality*, see Section 1, Chapter 1 above, and Chapter 3 below.

in relation to it: “the symmetry of this excess attests to a proximity that fades away into indistinction” (HS 43).

It is here then that Agamben announces the scope of his task. The above passages already gesture towards the necessity of thinking the distinction between constituting (or sovereign) power and constituted power in a way that clearly evokes Heidegger’s thinking of the ontico-ontological difference, the difference between Being and beings. Agamben here makes this link explicit by arguing that “the unresolved dialectic between constituting power and constituted power opens the way for a new articulation of the relation between potentiality and actuality, which requires nothing less than a rethinking of the ontological categories of modality in their totality” (HS 44). For Agamben, this constitutes a ‘move’ from political philosophy to “first philosophy” or “politics…returned to its ontological position” (HS 44).[23] This ‘movement’ or ‘returning’ (and we will have to later ask about the significance of these gestures) is the point of departure for Agamben to open his analysis of the relationship between potentiality (*dynamis*) and actuality (*energeia*) in Aristotle.

In the introductory presentation of this reading, Agamben will suggest that for Aristotle, though potentiality precedes actuality, it remains subordinate to it. Yet, this initial claim seems to be Agamben echoing conventional or canonical understandings of Aristotle, since he pursues a reading that puts this hierarchy in doubt, insisting, a little further on in the text, that “it is never clear, to a reader freed from the prejudices of tradition, whether Book Theta of the *Metaphysics* in fact gives primacy to actuality or to potentiality” (HS 47). Despite the supposed canonical primacy of actuality, Aristotle will

[23] It is this very discussion by Agamben that has not been given the importance I am suggesting it deserves in commentary on his work; see n. 19 above.

always maintain the existence of potentiality in order to demarcate his position from that of the Megarians, who argue that potentiality exists only in actuality. The question then, for Aristotle, in Book Theta of the *Metaphysics*, is to think the modes of potentiality's existence, and this existence must be thought in its difference to actuality; perhaps we might call it potentiality's *hesitation* or resistance to pass into actuality. In order to isolate and think rigorously the concept of potentiality short of actuality, the mode of existence of potentiality Aristotle must think is the "*potentiality not to* (do or be)" or impotentiality (*adynamia*) (HS 45). Agamben elaborates this impotentiality: "This potentiality maintains itself in relation to actuality in the form of its suspension; it is capable of the act in not realizing it, it is sovereignly capable of its own im-potentiality" (HS 45).

In an essay that predates *Homo Sacer 1* by two years, "On Potentiality," Agamben elaborates this sense of potentiality. Here, Agamben suggests that a possible way of launching this inquiry into potentiality is to ask about the meaning of the verb *can*; what does it mean to say 'I can' or 'I cannot' (OP 177)? Agamben here briefly supplements his reading of Aristotle's *Metaphysics* by turning to *De Anima (On the Soul).*[24] Agamben will argue against a conventional reading of the question of sensibility and intelligence in Aristotle as simply 'faculties of the soul.' Even the very term *aesthesis* (sensibility), Agamben argues, denotes activity (rather than capacity) in its suffix *–sis*: "How can *aesthesis* exist in the state of *anesthesia*?" (OP 178) Here too, Agamben will conclude that potentiality is not a simple *steresis*, privation or deprivation, but rather "the existence of non-Being, the presence of an absence" (OP 179). Or more specifically, it means *to*

[24] Aristotle, *On the Soul*, trans. J.A. Smith (Oxford: Clarendon Press, 1931), http://classics.mit.edu/Aristotle/soul.html; see 417a 2-15; 417b 15-25.

have a privation. Agamben is arguing here that potentiality retains a relation to its own non-being, a type *command* of its own incapacity, "*capable of [its] own impotentiality*" (OP 182).

How then does potentiality pass into actuality? The key moment here for Agamben is Aristotle's claim that "a thing is said to be potential if, when the act of which it is said to be potential is realized, there will be nothing im-potential (that is, there will be nothing able not to be)" (Metaphysics, 1047a, 24-26; quoted in HS 45). I maintain Agamben's rendering of this sentence here to show its difference to fairly standard translations: "A thing is capable of doing something if there is nothing impossible in its having the actuality of that of which it is said to have the potentiality" (Tredennick)[25]; "And a thing is capable of doing something if there will be nothing impossible in its having the actuality of that of which it is said to have the capacity" (Ross).[26] At issue here is the meaning of the phrase *ouden estai adynaton*; Agamben's idiosyncratic reading here purports to go against what "the usual and completely trivializing reading maintains, 'there will be nothing impossible' (that is, what is not impossible is possible)" (HS 46). Instead, Agamben insists that the phrase is better understood as 'there will be nothing im-potential', where *adynaton* is understood as not impossibility or incapacity – as in the lack of a potentiality – but rather the potentiality or capacity *not-to*.

Before pursing Agamben's analysis, let us try to follow the context of this 'trivializing reading' for a moment, the better to highlight Agamben's departure from it. For the moment, I am less interesting in adjudicating if the canonical reading is

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[25] Aristotle, *Metaphysics*, in *Aristotle in 23 Volumes*, Volumes 17-18, trans. by Hugh Tredennick (Cambridge, MA: Harvard University Press, 1933), http://www.perseus.tufts.edu/hopper/text?doc=Perseus%3atext%3a1999.01.0052.

[26] Aristotle, *Metaphysics*, trans W.D. Ross (Oxford: Oxford University Press, 1924), http://classics.mit.edu/Aristotle/metaphysics.html.

accurately described by Agamben or if Agamben's own reading is justifiable than in following and elaborating the full weight of Agamben's argument. Earlier in Book Theta of the *Metaphysics*, Aristotle describes the relationship of potentiality to impotentiality in the following way, in a sentence that is of vital importance to Agamben:

> "Incapacity" and "the incapable" is the privation contrary to "capacity" in this sense; so that every "capacity" has a contrary incapacity for producing the same result in respect of the same subject. (1046a, 31-32; Tredennick translation)

> And 'impotence' and 'impotent' stand for the privation which is contrary to potency of this sort, so that every potency belongs to the same subject and refers to the same process as a corresponding impotence. (1046a, 31-32; Ross translation)

Then to return to *Metaphysics* Theta 1047a, Aristotle elaborates with an example, and here I reproduce the entire passage at the risk of redundancy, given its importance to the investigation ahead:

> Thus it is possible that a thing may be capable of being and yet not be, and capable of not being and yet be; and similarly in the other categories that which is capable of walking may not walk, and that which is capable of not walking may walk. A thing is capable of doing something if there is nothing impossible in its having the actuality of that of which it is said to have the potentiality. I mean, e.g., that if a thing is capable of sitting and is not prevented from sitting, there is nothing impossible in its actually sitting; and similarly if it is capable of being

> moved or moving or standing or making to stand or being or becoming or not being or not becoming. (1047a, 22-28; Tredennick)

> so that it is possible that a thing may be capable of being and not be, and capable of not being and yet be, and similarly with the other kinds of predicate; it may be capable of walking and yet not walk, or capable of not walking and yet walk. And a thing is capable of doing something if there will be nothing impossible in its having the actuality of that of which it is said to have the capacity. I mean, for instance, if a thing is capable of sitting and it is open to it to sit, there will be nothing impossible in its actually sitting; and similarly if it is capable of being moved or moving, or of standing or making to stand, or of being or coming to be, or of not being or not coming to be. (1047a, 22-28; Ross)

In this complex passage, Aristotle will condense the entire problem that we are tracking. Potentiality here names the possibility of being (or walking, in the example), yet that potentiality may not pass into actuality (actual being or walking); thus a thing may be capable of being, yet not be. But just as important, the potentiality of being (or walking) contains the potentiality for not-being (or not walking), yet this may pass into the actuality of being (or walking); thus a thing may be capable of not-being, yet be. As Aristotle has maintained, every potentiality has a contrary impotentiality; the potentiality for being contains a potentiality for not-being (or, in other terms, the *impotentiality* for being). This co-implication of potentiality and impotentiality, as I elaborated above is precisely what allows the thought of potentiality to emerge in its difference with actuality

given that if potentiality did not have its corresponding impotentiality, it would always immediately pass into actuality. It is in this sense that the potentiality to be (or to walk, in Aristotle's first example) need not necessarily result in being (or walking); but the im-potentiality to be (or walk), the potential to *not* be (or *not* walk), may be overcome in the actuality of being (or walking). For the potential for being to proceed into actuality, it needs to set aside its potential for not-being, to suspend the very impotentiality that holds potentiality short of passing into actuality.

In the two translations above, the second example of sitting can be read in what Agamben calls the canonical sense; if a thing is capable of sitting and not prevented (or, in a more difficult formulation in the Ross translation, 'open to sit'), then there is nothing impossible about sitting, i.e. sitting is possible because it is not impossible. But if we are following Agamben, a more precise understanding of this passage is that there is nothing im-potential about sitting; sitting is possible because its potential for not-sitting has been placed in abeyance; quite literally, in the actuality of sitting, nothing of the impotentiality of sitting remains. According to Agamben's argument, in both translations above, the rendering of *adynaton* as "impossible" is imprecise, suggesting incapacity or inability, rather than the capacity or ability *not-to*. Or to put it differently in a way that anticipates our discussion in Chapter 3, even if it is granted that the word 'impossible' is, strictly speaking, not an unjustifiable rendering of *adynaton*, what obscures is our very canonical understanding of what 'impossibility' means. We will have always understood possibility suspended between *capacity, ability, power* and *incapacity, inability, powerlessness*, yet never given space to the thinking of a *capacity, ability, power to desist*. Which means we would have only ever thought potentiality in the shadows of

actuality, potentiality in its diminishment by and subservience to actuality. Though Agamben does not put it this way (and perhaps would resist this formulation for several reasons), I would suggest, in anticipation of a comparison with Derrida in Chapter 3, that Agamben's argument is an attempt to think the modality of possibility outside a metaphysics of presence. Possibility will have always been the (full) presence of a possibility to be actual. Impossibility will have named a (full) absence of a possibility to be actual. *Im-potentiality*, in its attempt to accentuate suspension, withdrawal, abandonment, will be the presence (possibility) of an absence (impossibility). Later, we will have to elaborate this discussion with Derrida's reading of Heidegger, but let us stress here that thinking this sense of im-possibility is Agamben's task and it is precisely for this reason that he asserts that a "new articulation of the relation between potentiality and actuality…requires nothing less than a rethinking of the ontological categories of modality in their totality" (HS 44).

However, we must also be attentive here that, according to Agamben, in the passage from potentiality to actuality – which, as we have seen, proceeds from a setting-aside or suspending of impotentiality – impotentiality is not destroyed, but preserved. Suspension here does not mean destruction; and the difference between these terms constitutes the very concern (or perhaps, more accurately, the obsession!) of this project. How do then do we understand this sense of suspension-as-preservation? This constitutes another difficult part of Agamben's argumentation because of his tendency, as I have mentioned above, to move rapidly through short, dense, allusive passages with sweeping pronouncements. Let us attempt to follow his argument, the extent of which are only a few tantalizing sentences:

> What Aristotle then says is: *if a potentiality to not-be originally belongs to all potentiality, then there is truly potentiality only where the potentiality to not-be does not lag behind actuality but passes fully into it as such*. This does not mean that it disappears in actuality; on the contrary, it preserves itself as such in actuality. What is truly potential is thus what has exhausted all its impotentiality in bringing it wholly into the act as such….Contrary to the traditional idea of potentiality that is annulled in actuality, here we are confronted with a potentiality that conserves itself and saves itself in actuality. Here potentiality, so to speak, survives actuality and, in this way, *gives itself to itself*. (OP 183-184)

Agamben repeats a similar phrasing of this point in *Homo Sacer 1*:

> To set im-potentiality aside is not to destroy it but, on the contrary, to fulfill it, to turn potentiality back upon itself in order to give itself to itself...not as an alteration or destruction of potentiality in actuality but as a preservation and 'giving of the self to itself' of potentiality. (HS 45).

Agamben is drawing the vocabulary of 'gifting' from a quite abrupt reference to a passage in Aristotle's *De Anima*. Again, it should be noted that while his translation of Aristotle here is highly idiosyncratic, and, unlike his rendering of passages from the *Metaphysics*, perhaps even improper and unjustifiable,[27] I will attempt to follow Agamben on his own terms. If the passage to actuality requires the setting aside of potentiality's impotentiality (its own capacity to *not-be*), potentiality actualizes itself, realizes itself in actuality in a sovereign act of self-suspension. To follow Agamben's terminology, potentiality *gives itself* its own actuality: "an act is sovereign when it realizes itself by simply taking away its own potentiality not to be, letting itself be, giving

[27] We will return to this question of Agamben's translation of gift/salvation in Chapter 3.

itself to itself" (HS 46). The trope of a return or a turning back, of a circularity of a self-giving – a palintrope – is significant because potentiality's abandonment in actuality does not constitute a destruction or an absence, but a presence in withholding (we will later need to elaborate this sense of turning by way of comparison to Heiddegger's thinking of *Kehre*). Actuality always contains potentiality by coinciding in totality with the suspended impotentiality, sheltering its *exhaustion*. It is for this reason that potentiality is not destroyed in actuality but *maintained* in actuality, or *survives* or *survives in* actuality.

It seems almost unmistakable, almost transparent, that Agamben is describing a process that is a negation of a negation (the suspension of the capacity not-to), the suppressing-and-preserving lift of the Hegelian *Aufhebung*. Agamben, in the essays preceding the *Homo Sacer* series and in *Homo Sacer 1* itself will certainly not phrase it this way, but in *The Use of Bodies*, the final volume of the series, he will briefly acknowledge that "act is only a conservation and a 'salvation' (*soteria*) –in other words, an *Aufehbung* – of potential" (UB 267). This formulation betrays a certain equivocation in Agamben's understanding of abandonment, and I will move to the final section of this chapter in order to develop some criticisms and questions of Agamben's work. On the one hand, as I mentioned, it is clear that Agamben is using the term abandonment through a very specific lineage, from Heidegger's *Contributions to Philosophy* to Jean-Luc Nancy's essay "Abandoned Being," where abandonment is an irreversible and constitutive condition of being. But on the other hand, in his attempt to think beyond the relation of abandonment, he will configure abandonment as something to be overcome or surpassed. It is to this fundamental equivocation that we must now turn.

5. Towards Destituent Potential

In concluding his analysis of Aristotle's *Metaphysics*, Agamben will declare that in the scene of the determination of potentiality, Aristotle will have "bequeathed the paradigm of sovereignty to Western Philosophy" (HS 45). As we saw in the previous section, what concerns Agamben is the relation potentiality maintains with actuality; rather than signifying its destruction, actuality preserves potentiality in the very form of its absence. This corresponds exactly to the relationship between sovereignty and the state of exception, the latter not signifying the destruction of sovereignty but rather revealing sovereignty's excessive essence as the preservation of its power through its non-application or withdrawal.

Let us also recall that Agamben, in opening the question of sovereignty in its relation to potentiality, announces the necessity of rethinking the ontological categories of modality, arguing that a new politics would require a 'move' from political philosophy to "first philosophy" or "politics returned to its ontological position" (HS 44). Agamben continues:

> "Only an entirely new conjunction of possibility and reality, contingency and necessity, and the other *pathe tou ontos*[28], will make it possible to cut the knot that binds sovereignty to constituting power. And only if it is possible to think the relation between potentiality and actuality differently –and even to think beyond this relation –will it be possible to think a constituting power wholly released from the sovereign ban. Until a new and coherent ontology of potentiality

[28] *Pathe tou ontos* can be translated as "passions of being"; the question of *passion* will be an important part of the discussion in Chapter 3.

> (beyond the steps that have been made in this direction by Spinoza, Schelling, Nietzsche, and Heidegger) has replaced the ontology founded on the primacy of actuality and its relation to potentiality, a political theory freed from the aporias of sovereignty remains unthinkable" (HS 44).

It is important to note here that what Agamben is seeking to elaborate – beyond this connection of a political inquiry on the basis of the fundamental question of *dynamis* itself – seems to be a new ontology that will 'replace' the one that now reigns. The current thinking of politics, one in which natural life is included in political life as excluded, as bare or nude life – or more specifically, *de-nuded* life, life stripped bare as the fundamental activity of the sovereign – can only be overcome with this 'new and coherent ontology.'[29] But how do we understand these theoretical gestures by Agamben: *'new articulation'; 'entirely new conjunction'; 'cut the knot'; 'wholly released'; 'replaced'; 'freed'*? These phrases announcing the new, the originary (the new origin, precisely), the overcoming, the releasing or liberation are remarkably sovereignist gestures mandating a new foundation for politics. Can a thinking 'wholly released' from sovereignty be thought under the heading of a pronouncement of freedom, of a new *arkhe*? Can 'cutting the knot' between constituting power and sovereignty be thought outside of a gesture of sovereign violence or force of disserverment? Could there be any political discourse, or specifically philosophical discourse on politics, that is 'freed from the aporias of sovereignty'? What kind of power or potential would be the object of this

[29] Though, again, we will return to this point in greater detail in Chapter 3, I would like to anticipate certain themes by suggesting to the reader that Agamben's call for a 'new and coherent ontology' might be contrasted with Derrida's call to think what he calls a 'hauntology,' a recognition of a fundamental disjointure that would prevent ontology's aspiration to coherence.

new science? Would sovereignty not always insinuate itself in any thought that attempts to it free itself of sovereignty's grasp?

The proliferating insistence of the above questions attempt to emphasize the difficulty of the task Agamben sets himself in attempting to think a beyond of sovereignty. And given that Agamben will always tend to characterize this beyond in terms of a liberation or overcoming, this venture seems destined to turn back on itself; a thinking that will remain most sovereignist when it is most free from sovereignty. Agamben is well aware of these difficulties, yet he will never stop strenuously announcing the possibility of this project in terms of a new horizon of thought. Later, we will have to measure these apocalyptic-messianic statements against some of Derrida's work, but here, I want to follow Agamben as faithfully as possible. For the force of Agamben's work is not in any 'solution' he finds to this problem (despite his own configuration of his pursuit as such), but in how it provokes and opens a thinking of the most intractable limits of sovereignty, even against the desires of Agamben's text itself.

The most vehement declarations of thinking a politics freed from sovereignty occur in *Homo Sacer 1* and *The Use of Bodies*. That these are the first and last works of the *Homo Sacer* series is not incidental; they reveal, rather, the relentless and unceasing preoccupation of Agamben's work. But in order to better understand Agamben's enigmatic claims of 'cutting the knot' between sovereignty and constituting power, or 'releasing' constituting power from sovereignty, let first turn to two points of reference from Agamben's essays prior to the *Homo Sacer* series. Though they do not use the vocabulary of sovereignty and abandonment that we are tracking here, their discussions

of impotentiality are very resonant with the more overtly political claims advanced in the later works.

As a first reference, let us return to "On Potentiality," where in the concluding passages of the essay, Agamben will not speak of sovereignty, but rather *freedom*: "To be free is not simply to have the power to do this or that thing, nor is it simply to have the power to refuse to do this or that thing. To be free is, in the sense we have seen, *to be capable of one's own impotentiality*, to be in relation to one's own privation" (OP 183). In this essay, Agamben will articulate this possibility of freedom as an essential attribute of the human. This betrays a latent anthropocentrism which grants the human a unique power of impotentiality; other living beings have only possibility and impossibility in the sense of capacity and incapacity, but not the capacity *not-to*. For his part, however, Agamben will later revise this thesis in his 2002 text *The Open: Man and Animal*, and extend this power of impotentiality to all living beings.[30] I will return to this point in the third chapter, but for now, it will suffice to note that Agamben finds in impotentiality the affirmative possibility of freedom.

A second point of reference prior to the *Homo Sacer* series is Agamben's text on Herman Melville's short story *Bartleby* which will again evoke this thinking of freedom. Melville's story has been the focus of a range of contemporary commentary, most famously, perhaps, by Gilles Deleuze and Slavoj Zizek, and Derrida, too, refers briefly to this story in *The Gift of Death*.[31] To (very reductively) summarize Melville's story, the

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[30] See, for example, Giorgio Agamben, *The Open: Man and Animal*, trans. Kevin Attell (Stanford, CA: Stanford University Press, 2004), 9-12.

[31] See Jacques Derrida, *The Gift of Death*, trans. David Wills (Chicago: University of Chicago Press, 1995), 74-76; also see Jacques Derrida, *Resistances of Psychoanalysis*, trans. Peggy Kamuf et al. (Stanford, CA: Stanford University Press. 1998), 24. To my knowledge, these are the only references Derrida makes to Melville's text in his published writings. In Chapter 3 I will pursue further some of the resonances of

narrator, a lawyer on Wall Street of 1850's New York, employs a scrivener named Bartleby. Within the narrative of this story, the task of the scrivener is to duplicate legal documents; quite literally, to copy the law. Bartleby, according to the narrator, begins his tenure with a silent and pallid industriousness, working tirelessly but cheerlessly. Several days into his employ, Bartleby is summoned by the narrator to verify the accuracy of some of Bartleby's copied documents against the original, a directive to which Bartleby offers the inscrutable response, "I would prefer not to." This phrase becomes Bartleby's refrain of resistance to any command, decree or entreaty by the narrator throughout this short story and is the focus of Agamben's essay.

Agamben finds in Bartleby – the "scribe who does not write" – a figure of resistance whose power derives from impotentiality (BC 248). Bartley's refusal – I would prefer *not to* – describes a power whose modality is not that of necessity or the necessity of an impossibility (*I cannot*), nor that of the will or decision (*I will not*), but rather a potential *not-to*. Therefore, for Agamben, Bartleby is a figure that will break with the cycle or dialectic of constituting power and constituted power (or in Benjamin's terms, law-positing and law-preserving violence) which sees all potentiality as exhausted or nullified in actuality. Bartleby's power is *withheld*, held in reserve,[32] a power secreted and deferred; more precisely it is the *power to withhold*, the very power of withholding or holding in reserve itself. Here, impotentiality connects potentiality with contingency, given that all potentiality need not be actualized and so actuality itself is a contingent event. The scribe who does not write does not destroy writing but withdraws it,

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Bartleby, and Agamben's reading of this text, with Derrida's work: writing, duplication, scribes, power, letters, law, etc.

[32] On the question of *reserve*, see n. 6 above, and Chapter 3.

demonstrating that what is written is contingent. Bartleby will reside in a caesura between being and non-being, potentiality and actuality, writing and not writing. Or as Agamben formulates it, Bartleby's refrain is "the *restitutio in integrum* of possibility, which keeps possibility suspended between occurrence and nonoccurrence, between the capacity to be and the capacity not to be" (BC 267).

But is this caesura or suspension not simply what Agamben will later come to call the 'zone of indistinction' between potentiality and actuality? And if this is the case, and if impotentiality is characteristic of 'freedom' in the earlier essays but denotes 'sovereignty' in the *Homo Sacer* series, then would not 'freedom' and 'sovereignty' coincide? And if Agamben's ultimate ambition is to think a freedom or power liberated from sovereignty, how would one begin to distinguish freedom from sovereignty given that they both name a 'zone of indistinction'?

Therefore, despite a strong continuity of themes from the earlier texts to *Homo Sacer 1,* there remain some significant and decisive differences. If impotentiality in the earlier works provides Agamben the ground to think an authentic human freedom – described here in a clearly positive and affirmative sense as a compelling figure of resistance – then in *Homo Sacer 1* it will be synonymous with sovereignty; a particularly rapacious sovereignty that will culminate in the rise of the camp as the *nomos* of modernity. The later, more tempered or somber, reading indicates that both freedom and sovereignty consist in a certain kind of *ekstasis* which maintains a relation to the determined order by abandoning it, holding potentiality in reserve. Thus, there seems to be an equivocation – we might say, more forcefully, an *essential* equivocation – between these senses of ex-cessive powers. Let us recall that, in the passages of *Homo Sacer 1*

analyzed above, that Agamben notes that the key problem in thinking constituting power and constituted power (and by implication, the other pairs of terms Agamben introduces, potentiality and actuality, freedom and necessity) is how to differentiate them in the first place. We saw then, through the investigation of Aristotle, that Agamben locates impotentiality as the threshold or boundary between potentiality and actuality, the principle of a possible differentiation of potentiality and actuality, but also the 'zone of indistinction' between them. Impotentiality names the caesura that allows potentiality to emerge in its withdrawal from actuality, but this site of withdrawal – of abandonment – also testifies to the ultimate indistinguishability of potentiality and actuality. Therefore, impotentiality seems to mark the site of the most terrifying politics of sovereign abandonment but also the possible overcoming or surpassing this politics.
This indistinction will prove the most significant challenge in Agamben's attempt to think a power freed from sovereignty, perhaps even marking the very impossibility of that thought.

Let us then turn to the epilogue, which is based on a lecture given in 2013, of the final volume in his *Homo Sacer* series, *The Use of Bodies*. Here, as if in the last words of a more than twenty-year investigation, Agamben will introduce a new term – *destituent potential* – that marks yet another attempt to think power or potentiality beyond the relation of abandonment. Yet let us recall, as I noted in the opening passages of this chapter, that Agamben, in the preface to *The Use of Bodies*, declares that the project of *Homo Sacer* has been *abandoned.* Agamben will resist thinking of this volume as the culmination or denouement of a philosophical project, its arrival at a promised *telos* or destination. And so the epilogue almost reads as if it is a preliminary or initial attempt to

think of a power free from sovereignty, or perhaps more accurately, as a return or restatement which, rather than offer any firm conclusions, reintroduces the most implacable problems and difficulties of this venture. Almost as if in rebuke to his more frequent, strident statements to the contrary, there is a sense that the task of this project all along has not been so much to make *progress* or *headway* – as if philosophy was the *advancement* of a front – but rather a preoccupation, or perhaps even an obsession with or compulsion towards the same object.

In this epilogue, Agamben will assert that neither constituting power (or constituent power, as the translator of the new volume renders it) nor sovereignty can circumscribe the horizon of this thinking: "access to a different figure of politics cannot take the form of a 'constituent power' but rather that of something that we can provisionally call 'destituent potential' " (266). Alternatively, we might say that destituent potential is the name for constituting power when it has been released from sovereignty. But throughout this text, Agamben will never quite provide a definition or rigorous concept of destituent potential, giving us, instead, passages that are both provocative and haunting, but also sometimes abstruse and elusive. Destituent potential will be approached through its differentiation from constituting power. Agamben will elaborate in a long passage that deserves our attention:

> A power that has only been knocked down with a constituent violence will resurge in another form, in the unceasing, unwinnable, desolate dialectic between constituent power and constituted power, between the violence that puts the juridical in place and violence that preserves it….The paradox of constituent power is that as much as jurists more or less decisively underline its

> heterogeneity, it remains inseparable from constituted power, with which it forms a system. Thus, on the one hand, one affirms that constituent power is situated beyond the State, exists without it, and continues to remain external to the State even after its constitution, while the constituted power that derives from it exists only in the State. But on the other hand, this originary and unlimited power—which can, as such, threaten the stability of the system—necessarily ends up being confiscated and captured in the constituted power to which it has given origin and survives in it only as the power of constitutional revision….constituent power is what constituted power must presuppose to give itself a foundation and legitimate itself. According to the schema that we have described many times, constituent is that figure of power in which a destituent potential is captured and neutralized, in such a way as to assure that it cannot be turned back against power or the juridical order as such but only against one of its determinate historical figures. (UB 266-267)

We should note several important points in the passage. First, whereas if Agamben premised the horizon of a emancipatory project on a constituting power 'released' from sovereignty in *Homo Sacer 1*, then his commentary on constituting power here is far more pessimistic and somber. The trope of repression/liberation is deployed here in its most despondent form: constituting power is 'confiscated and captured,' 'captured and neutralized,' trapped in an 'unceasing, unwinnable, desolate dialectic'. While Agamben does not deny that this power can be reversed and deployed against one of the 'determined historical figures' of a constituted order (for example, against a particular historical regime, one that is more-or-less totalitarian, or more-or-less colonial),

constituting power cannot be turned against the very structure of sovereignty, can never sever the relation of abandonment with respect to the order it will found. Constituting power will always then be a power of 'constitutional revision' of the constituted order, and given that he will describe this power of revision in terms of an impoverishment or insufficiency ('survives in it only…'), Agamben will reveal here a decidedly revolutionary or apocalyptic element or desire of his thought. Thus, constituting power will not be redeemable or recuperable; or put differently, given that Agamben will connect the political destiny of the West with its history of metaphysics, politics and philosophy cannot look to constituting power for its redemption. The horizon of constituting power will always end – or more precisely, abandon 'itself'– in the order of the state. Let us stress the sense of abandonment here, recognizing that constituting power, as I showed above, is nothing other than the structure of the ban. It abandons, withdraws from constituted order as its essential mode of being; constituting order abandons itself, is abandonment itself. Hence constituting order will never sever its connection to the sovereignist structure of abandonment.

So, again, the question imposes itself: how does Agamben attempt to think the limits and the overcoming of this structure? It is here that the reference to Heidegger becomes important and Agamben reveals exactly how much of the trajectory of his investigation in the *Homo Sacer* series follows in Heidegger's wake, or perhaps more accurately, attempts to grapple with the inheritance of Heidegger. It is to the next chapter that we must now turn to pursue a more thoroughgoing investigation of Agamben's interpretation of Heidegger, in particular, in the company of Derrida, whose work also

bears an attempt – but, as we shall see, a very different one that of Agamben –to contend with the Heideggerian text.

Chapter 3:

Ereignis, Inoperativity, Iterability: Heidegger, Agamben, and Derrida Beyond Ontological Difference

Introduction

At the conclusion of Chapter 2, we are left with Agamben's enigmatic notion of 'destituent potential,' or what he calls almost synonymously, *inoperosita*, translated most frequently as 'inoperativity,' but sometimes rendered as 'inoperativeness,' 'inoperability,' 'inactivity' or 'deactivation'[1]; however, we have made little progress in understanding specifically how destituent potential or inoperativity is to be distinguished from the ecstatic, politico-theological concept of sovereignty that is characterized by abandonment, the original political relation. We also noted that abandonment – and the chain of words that, in Agamben's corpus, denote the being-in-force of sovereignty in its very withdrawal: state of exception/emergency, zone of indistinction, inclusive exclusion, etc. – is marked by a fundamental equivocation. In certain earlier texts, impotentiality provides the context for Agamben to think an authentic freedom, but in *Homo Sacer 1*, he will assert that no political redemption is to be found in the suspensive structure of sovereignty but "[o]nly [in] an entirely new conjunction of possibility and reality, contingency and necessity" (HS 44). Moreover, for the purposes of this present chapter, we can begin to discern in this equivocation the lineaments of Agamben's reading of Heidegger, for even if Agamben's explicit references to Heidegger in the *Homo Sacer* series are sparse,[2] they mark, as I will try to show, the most crucial point of departure for

[1] For a concise discussion about the issues of translating *inoperosita*, see Sergei Prozorov , *Agamben and Politics: A Critical Introduction* (Edinburgh: Edinburgh University Press, 2014), 33.
[2] The last volume of the *Homo Sacer* series, *The Use of Bodies*, is the only text in this series – and moreover, among his later work – to contain any extended engagement with Heidegger. However, in this

the thinking of destituent potential/inoperativity. On the one hand, Agamben, following Heidegger, will characterize abandonment as originary; as a constitutive and irreversible condition of Being. But on the other hand, in seeking a "new and coherent ontology of potentiality (beyond the steps that have been made in this direction by Spinoza, Schelling, Nietzsche, and Heidegger)…[that] replac[es] the ontology founded on the primacy of actuality and its relation to potentiality," Agamben will call for "a political theory freed from the aporias of sovereignty" (HS 44). As I hope to show, it is the very equivocation – the very indeterminacy of this thinking of abandonment – that Agamben will try to arrest in seeking a stable concept of destituent potential or inoperativity.

Therefore, our preliminary question in this chapter is: how exactly will Agamben 'cut the knot' or 'release' destituent potential or inoperativity from constituent power; and what do we make of these gestures of disseverment themselves? Or formulated differently, how do we understand destituent potential as the *remainder* or *remnant* of constituting power once it has been divested of sovereignty? How will destituent potential or inoperativity mark the foundation of a 'new and coherent ontology of potentiality.'? In *Homo Sacer 1*, Agamben will devote only a very brief but compelling paragraph to the concept of inoperativity. Yet this concept can justifiably be said to be the most important of his work given that it is in *inoperativity* that Agamben will try to make his own thought legible in its difference from a tradition of the thinking of abandonment of which, as saw above, Heidegger's thought is configured as the latest – and perhaps last – and most vigilant, if still insufficient, attempt. In this way, Agamben

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volume, Agamben does not explicitly return to his discussion of *Ereignis*, but is rather more concerned with *Dasein* and turns his attention to the question of the human and the animal, and presence-at-hand (*Vorhandenheit*) and readiness-to-hand (*Zuhandenheit*). Of course, all these aspects bear on Heidegger's later thought of *Ereignis*, and I hope my present project is a preliminary investigation in view of picking up some of these themes for inquiry in future work.

positions himself as assuming the task of thinking a new ontology of potentiality, and in doing so, of conceiving of a way to 'surpass' metaphysics.

However, as we will see, Agamben's reading of Heidegger will almost always also be a confrontation and critique of Derrida's own reading of Heidegger. And so we have to ask about the sense of rivalry, of a dispute between heirs of Heidegger, this latest father of the tradition; a dispute between an elder inheritor and a younger claimant. Though I do not have space to elaborate on these – perhaps more speculative – comments here, let me simply say that this question of inheritors or *guardians* of Heidegger would need to be taken up within the itinerary of the future project that I outlined in the Introduction. That this scene of inheritance is complicated by connotations of fidelity, of the patriarch, and the androcentrism of bequest would require us to think sexual difference within the question of the guardians or 'shepherds' of Being, not least because it is Heidegger, Derrida and Agamben themselves who make *inheritance* a theme of their work. And this line of inquiry is especially crucial because if Agamben declares his thought to be one that goes 'beyond the steps' made by Heidegger, then we need to evaluate his pronouncements in the company of Derrida's work, where, as we saw in Chapter 1, the problem of the 'beyond' insinuates itself most potently in the latter's relationship to Heidegger.

For the purposes of this chapter, however, let us note that this series of concepts in Agamben – *destituent potential, inoperativity, deactivation, means without ends* – will preoccupy us because they bear comparison with a series of terms in Derrida's work: *différance*, as we saw in Chapter 1, and, as I will try to show in this chapter, *iterability* and *destinerrance*, primarily, but also *exappropriation*, *cinders*, *spectrality*, among

others. This series is what Derrida will refer to as "nonsynonymous substitutions," a formulation that I will initially suggest is useful to denote Agamben's terms as well, but will turn out to be precisely a point of difference between these two thinkers (DF 12). For now, let us point out that if these series of terms mark, respectively, Agamben and Derrida's attempts to think 'beyond' Heidegger – to seek a difference more radical than ontological difference, an abandonment more destitute than *Seinsverlassenheit* – then both Derrida and Agamben will have to contend with Heidegger's own attempts to think beyond ontological difference under the heading of his enigmatic, almost untranslatable term, *Ereignis*. As I hope to show, it is Agamben's and Derrida's respective readings of *Ereignis* – and the consequences they draw from it throughout their thought – that in many ways underwrites their fundamental differences, and will enable us to formulate a deconstructive 'response' to Agamben. And moreover, this thinking of the 'beyond' of ontological difference will prove to be nothing other than thinking the limits of the metaphysical concept of the *limit*, of the *threshold*, and the *boundary* marking the inside-outside within which the notion of a 'beyond' maintains its coherence.

To begin our exploration of these issues, let us return, once again, to some crucial passages in *Homo Sacer 1*. It is worth pointing out here that in the epilogue to *The Use of Bodies*, when reflecting on the abandonment of the *Homo Sacer* series, Agamben will draw attention to and quote these very passages from *Homo Sacer 1*, which lends support to the weight I am placing in them, and compounds the recursive or repetitive sense of Agamben's inquiries. Again, as we noted, in terms of the actual extent of Heidegger references, they only constitute a few powerful passages in *Homo Sacer 1*, but their claims reverberate throughout the text, tracing a contour against which Agamben's work

is silently oriented. Agamben will, on the one hand, declare that Heidegger's philosophy is one of the "rare but significant attempts to conceive of being beyond the principle of sovereignty," and assert that "[i]n the Heideggerian idea of abandonment and the *Ereignis*, it seems that Being itself is likewise discharged and divested of all sovereignty" (HS 48). But on the other hand, for Agamben, Heidegger's name also marks a failure to think beyond the sovereign structure of abandonment, noting that "[t]his is the direction in which the late Heidegger seems to move, *if still insufficiently*, with the idea of a final event or appropriation *(Ereignis)*" (HS 61, emphasis mine); or declaring, later, in *The Use of Bodies* that "Heidegger's thought starting from the *Beiträge zur Philosophie*[3] is the attempt—grandiose but *certainly unsuccessful*–" to think abandonment without sovereignty under the heading of *Ereignis* (UB 145, emphasis mine).

What exactly, for Agamben, would mark Heidegger's insufficiency or failure, a failure, then, that Agamben himself would implicitly claim to redress? Everything seems to hinge on this notion of *relation*, specifically the relation that is maintained *in* and *as the ban*. Earlier in *Homo Sacer 1*, Agamben introduces the concept of the ban in the following way:

> The ban is a form of relation. But precisely what kind of relation is at issue here, when the ban has no positive content and the terms of the relation seem to exclude (and, at the same time, to include) each other? What is the form of law that expresses itself in the ban? The ban is the pure form of reference to something in general, which is to say, the simple positing of relation with the nonrelational. In this sense, the ban is identical with the limit form of relation. A critique of the ban will therefore necessarily have to put the very form of relation into question, and

[3] *Contributions to Philosophy*

> to ask if the political fact is not perhaps thinkable beyond relation and, thus, no longer in the form of a connection. (HS 28-29)

The form of law that expresses itself in the ban, is what Agamben will call a "being in force without significance," the very structure of abandonment that we have been elaborating (HS 54). The ban is the potentiality of the law to maintain itself in privation – its impotentiality – and as such names the excessive character essential to sovereignty. The law, at its limit in the ban, *relates*, remains in *relation* with its subjects even when it is 'empty,' when it does not signify any positive or determined content. But then what would it mean to 'put the very form of the relation in question', to think 'beyond relation'? Agamben elaborates a little later in the text in another passage that he will quote sixteen years later in *The Use of Bodies*:

> [T]o think both a "constitution of potentiality" entirely freed from the principle of sovereignty and a constituting power that has definitely broken the ban binding it to constituted power….one must think the existence of potentiality without any relation to Being in the form of actuality – not even in the extreme form of the ban and the potentiality not to be, and of actuality as the fulfillment and manifestation of potentiality – and think the existence of potentiality even without any relation to being in the form of the gift of the self and of letting be. This, however, implies nothing less than thinking ontology and politics beyond every figure of relation, beyond even the limit relation that is the sovereign ban. Yet it is this very task that many, today, refuse to assume at any cost. (HS 46-47)

Attempting to unpack and elaborate this passage and several that follow, and placing it in conversation with Derrida's work will form the basic orientation of this chapter.

Though Agamben, in the *Homo Sacer*, series, will only make very veiled, difficult, and sweeping references to this point, what I want to show is that when Agamben refers to thinking 'beyond every figure of relation' and 'without relation to Being in the form of actuality,' and especially, 'the gift of self and of letting be,' he is both evoking and challenging Heidegger's notion of *Ereignis*. As we shall see in the next section, *Ereignis* is Heidegger's attempt to think Being "without regard to the *relation* of Being to beings," – Being no longer veiled in epochal figures – and in doing so will reevaluate the categories of the *gift* (the *es gibt*, the *there is* or *it gives*) and the *letting be* of presence (*lassen, letting*) (OTB 24, emphasis, mine).

But let us also briefly anticipate the development of this chapter by noting here that foremost among the 'many,' that for Agamben, who 'today, refuse to assume' the task of thinking beyond every figure of the relation, is none other than Derrida. Agamben's critique of or disagreement with Heidegger will also always be a critique of and disagreement with Derrida's reading of Heidegger, in particular around the question of *Ereignis*. Furthermore, as we will soon see again with Heidegger, the question of the *today* imposes itself once more. For now, however, let us mark that Agamben will audaciously and unequivocally assert that both Heidegger's thinking – and therefore, implicitly, Derrida's reading – of *Ereignis* will "push the aporia of sovereignty to the limit but still do not completely free themselves from its ban" (HS 48); will attempt to think the very limits of abandonment "without any way out of the ban being envisaged" (HS 58). In a formulation that we will come to understand as troubling and problematic, thinking beyond every figure of relation, thinking the "dissolution of the ban," is for Agamben of the order of a "solution of an enigma" (HS 48). The name of this 'solution'

for Agamben will be *inoperativity*, to which he devotes, in *Homo Sacer 1*, only these difficult and enigmatic lines:

> Everything depends on what is meant by "inoperativeness." It can be neither the simple absence of work nor (as in Bataille) a sovereign and useless form of negativity. The only coherent way to understand inoperativeness is to think of it as a generic mode of potentiality that is not exhausted (like individual action or collective action understood as the sum of individual actions) in a *transitus de potentia ad actum*[4]. (HS 61- 62)

So it is to a more detailed thinking of inoperativity, destituent potential, deactivation – an abandonment *without relation* – that we must now turn. In the first section of this chapter, I focus my attention on some key passages in Heidegger's 1962 work, *On Time and Being*, which contains some of his most important later thinking of *Ereignis*. My aim is to elaborate Heidegger's text in order to prepare the ground for our investigation of Agamben's and Derrida's work later in the chapter. In Section 2, I first turn to Agamben's early work which contains several extended readings of *Ereignis*, especially as Heidegger formulates it in *On Time and Being*. I then proceed to elaborate the concept of *relation* as it appears in *Homo Sacer 1* and *The Use of Bodies* and attempt to show how it informs Agamben's concepts of inoperativity or destituent potential. In Section 3, I place Agamben's thinking of *inoperativity* alongside Derrida's thinking of *iterability* and *destinerrance*. I show that despite some very powerful points of proximity, there remains a margin of difference between the two thinkers on the question of *presence*. The final section stands as a provisional conclusion to the chapter, as well

[4] 'Transition from potentiality to actuality'

as the project as whole. Here, I elaborate the differences between Agamben and Derrida by revisiting the end of Herman Melville's short story, *Bartleby, the Scrivener*, attempting to parse Agamben's difficult reading of these passages and imagining, in the wake of our investigations, how Derrida might have read the same passages differently. I then end with a brief postscript on a possible future direction for this project.

1.1 Heidegger, *Ereignis* and the Experience of Oblivion

To elaborate Heidegger's late thinking of *Ereignis*, I want to examine some key passages from his 1962 lecture, "On Time and Being," and a summary of an associated seminar (I should note here that the summary was written by Alfred Guzzoni, but edited and supplemented by Heidegger himself; I will follow Agamben, who refers extensively to both lecture and summary, in treating this as Heidegger's text).[5] I should also point out here that while *Ereignis* becomes a vital term for Heidegger's later thought from his *Contributions to Philosophy* (which are a collection of notes from 1936-1938) onwards, there are significant developments in his thinking of *Ereignis* in his work from the 1950s and 1960s. Though I cannot elaborate on these developments in any detail here, I want to suggest that these differences come about with his late thinking of technology. This later thinking is not to be understood under the models of *representation* and *objectivity* – both classical metaphysical themes – which characterize his work on machination (*Machenschaft*) in the mid-to-late 1930s, but rather in terms of enframing or positionality

[5] The two texts are "Time and Being," (OTB 1-24) and "Summary of a Seminar on the Lecture 'On Time and Being'" (OTB 25-54). I will treat both texts together and refer to them in by using the title of the book, *On Time and Being* (OTB). In treating these texts together, I follow Agamben, who in LD, especially 99-106, and HHE, especially 128-137, considers them essentially as a continuous text.

(*Gestell*) and the standing-reserve (*Bestand*) which, for Heidegger, signifies that technology now has a different orientation to metaphysics. We will return to this point when discussing the question of the 'epochs' of Being below. My present aim, however, is not to produce an exhaustive account of Heidegger's important text, nor to engage with the enormous, daunting and sometimes conflicting body of commentary[6] on Heidegger's later thought, but rather, to highlight some passages from *On Time and Being* which provide the site for the differences between Agamben and Derrida to emerge. As such, my reading of Heidegger is already guided and influenced by Derrida's and Agamben's interpretations, and I will intersperse their commentary of Heidegger's text when it is helpful to the exposition.

A central thread in *On Time and Being* revolves around the German expression, *es gibt*, which literally means 'it gives' but signifies, idiomatically, 'there is'. If 1927's *Being and Time*, and, more broadly, the constellation of Heidegger's early work following this text, sought to think *es gibt Sein* with the accent on *Sein*, Being, the emphasis in the later lecture is to attend to the *es gibt*.[7] In *es gibt Sein*, 'there is being,' we are meant to hear, as Derrida notes, "Being is not, but there is Being"; in accordance with what we tried to develop in Chapter 1, this phrase urges us to resist thinking of Being as being-present or a present being, as some*thing* that accedes to the 'what is' (GT 20). The 'there is' is an 'it gives,' which does not mean that Being 'is' an 'it' that (then, subsequently) gives, but rather that Being's essence consists in giving, sending, granting.

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[6] Two useful sources that provide an overview of Heidegger's concept and the attendant commentary are Daniela Vallega-Neu, "Ereignis: the event of appropriation," in *Martin Heidegger: Key Concepts*, ed. Bret W. Davis (Durham, UK: Acumen, 2010), 140-154; and Richard Polt, "Ereignis," in *A Companion to Heidegger*, ed. Hubert L. Dreyfus and Mark A. Wrathall (Malden, Mass: Blackwell Publishing, 2005), 375-391. Neither text, however, refers to Derrida or Agamben's reading of Heidegger.

[7] At several points in the text, Heidegger makes it a point to think the difference between *Being and Time* and *On Time and Being*; see especially, 9-11 and 27-33.

Or in terms that we have been pursuing, Being is *lassen*, a letting, or *verlassen*, an abandoning.

But how do we understanding this shift of accent to the *es gibt*? What remained unthought or inadequate in the earlier iterations of es *gibt Sein*? Heidegger asserts at the outset of the lecture, that to think the *es gibt* is to

> think Being without regard to its being grounded in terms of beings…[which] becomes necessary because otherwise, it seems to me, there is no longer any possibility of explicitly bringing into view the Being of what *is* today all over the earth." (OBT 2).

As we proceed below, let us hear the 'today' of Heidegger's claim – an index of urgency that insinuates itself throughout Heidegger's text – and note that his *today* of 1962 is not so far from Derrida's *today* of 1968's *Of Grammatology* or 1972's *Positions* on which we spent some time in Chapter 1. If, for Derrida a departure from ontological difference via *différance* is not yet possible in 1972, but in preparation, we then have to ask about Heidegger's own attempts to think beyond what he will call the "metaphysical character of ontological difference" in 1962 (OTB 33). How will Heidegger's own attempts at a departure from ontological difference compare with those of Derrida? We will also have to take into consideration Agamben's attempt to think beyond every figure of relation, and how it is the task that he claims, in his *today* of 1998, 'many refuse,' but presumably, Agamben does not. What enables the opening of a 'beyond' of ontological difference in Agamben's *today*, and how does it bear comparison with both Heidegger's and Derrida's *todays*? These questions will continue to reverberate throughout our investigation.

To return to our primary question: what does it mean to think Being without regard to beings? As we discussed in Chapter 1, in the epoch of metaphysics, Being's withdrawal from beings is consigned to oblivion such that the distinction between Being and beings is effaced. *Seinsvergassenheit*, thus, can be thought as the erasure of the erasure of Being, a concealing of Being's own self-concealing essence. And because the oblivion of Being – which, Heidegger notes, "constitutes the essence of metaphysics" (OTB 29) – will have only given Being to be thought in the shadow of beings, the call to think the *es gibt*, then, is a call to think Being *out* of oblivion, *out* of metaphysics. A little later in the text, Heidegger again will emphasize the call to think Being "without regard to the *relation* of Being to beings" (OTB 24, emphasis mine) and here the question of *relation* bears comparison with Agamben's discussion of relation in the passages we reproduced above:

> To think Being without beings means: to think Being without regard to metaphysics. Yet a regard for metaphysics still prevails even in the intention to overcome metaphysics. Therefore, our task is to cease all overcoming, and leave metaphysics to itself. (OTB 24)

> [T] the phrase "to think Being without beings"…is the abbreviated formulation of: "to think Being without regard to grounding Being in terms of beings." "To think Being without beings" thus does not mean that the relation to beings is inessential to Being, that we should disregard this relation. Rather, it means that Being is not to be thought in the manner of metaphysics, which consists in the fact

> that the *summum ens*[8] as *causa sui*[9] accomplishes the grounding of all beings as such[.]…But we mean more than this. Above all, we are thinking of the metaphysical character of the ontological difference according to which Being is thought and conceived for the sake of beings, so that Being, regardless of being the ground, is subjugated to beings. (OTB 33)

Thinking beyond the 'metaphysical character of ontological difference' requires, to inflect our exposition with Agamben's vocabulary, thinking Being otherwise than in *the ban* of beings. This other thinking of Being – Being without relation to beings – is what Heidegger proposes to do under the heading of *Ereignis*. As both Derrida and Agamben note, this word is extremely difficult to translate, and as such I will follow their practice of using the original German term.[10] In English, it has been rendered as *Enowning*[11], *Event*[12], *Appropriation*, and *Event of Appropriation*[13] (among other terms); all of these phrases testify to the intersection of several connotations, the most important of which, for the purposes of our chapter, are those of propriation (appropriation, de-propriation, expropriation and Derrida's neologism, *exappropriation*) and the question of the event, or more specifically, the of the event-ness of the event, the occurring of occurrence, the taking-place of what takes place. The word *Ereignis* means, most straightforwardly,

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[8] 'The highest being'
[9] 'The cause of itself'
[10] See, for example, Derrida's brief but helpful discussion on the connotations of *Ereignis*, a word that remains "so difficult to translate," in Jacques Derrida, "The *Retrait* of Metaphor," in *Psyche: Inventions of the Other, Volume I*, trans., Peggy Kamuf and Elizabeth Rottenberg (Stanford, California: Stanford University Press, 2007), 61.
[11] Parvis Emad and Kenneth Maly render *Ereignis* as 'Enowning' in their translation of Martin Heidegger, *Contributions to Philosophy (from Enonwning)* (Bloomington, Indiana: Indiana University Press, 1999).
[12] Richard Rojcewicz and Daniela Vallega-Neu render *Ereignis* as 'Event' in their translation of Martin Heidegger, *Contributions to Philosophy (Of the Event)* (Bloomington, Indiana: Indiana University Press, 2012).
[13] Joan Stambaugh renders *Ereignis* as, depending on context, 'Appropriation' and 'Event of Appropriation' in her translations of OTB and Martin Heidegger, *Identity and Difference* (New York: Harper and Row, 1969).

event, but Heidegger wants us to hear an etymological resonance with *eigen* (own, proper), and this is intended to invoke the entire question of *eigentlich* (properly, authentic) and *uneigentlich* (improperly or non-properly, inauthentic) from *Being and Time*. Though I hope a more precise and elaborate understanding of *Ereignis* will emerge as we proceed through the chapter, let us provisionally think of *Ereignis* as an event that *returns* Being to itself, to its own, its proper; that allows Being to be thought otherwise than in its oblivion in the epoch of metaphysics.[14] Yet, as we will see below, because what is revealed in this event of return, this event of (re)appropriation, is nothing but the truth of Being – Being's (own) (self-) concealing essence – this event is also one of expropriation (*Enteignis*). Thus, in the thinking of *Ereignis*, Heidegger maintains, the notion of what is proper or ownmost is unsettled because "the character of return" (OTB 27) of this thinking "must be understood as a recollection of something which has never been thought" (OTB 30).

I ask the indulgence of the reader as I reproduce a long, vital passage in which Heidegger reflects on how his later thinking in *On Time and Being* departs from *Being and Time*. This passage concentrates all the questions we will pursue in the chapter and, I suggest, will form a kind of 'matrix' through which we can read the proximity and distance between Agamben and Derrida.

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[14] Again, I want to emphasize the provisional nature of this 'definition' which is primarily in view of our later exposition of Agamben and Derrida's work. In fact, 'Being' may no longer be a good name for what is described in the thinking of Ereignis. In his Le Thor seminar of 1969, which we will refer to later and in fact reflects back on *On Time and Being*, Heidegger suggests that "there is no longer room for the very name of being." See Martin Heidegger, *Four Seminars*, trans. Andrew Mitchell and François Raffoul (Bloomington, Indiana: Indiana University Press, 2003), 60.

The experience which attempts to find expression for the first time in *Being and Time* and which in its transcendental manner of questioning must still in a way speak the language of metaphysics has indeed thought the Being of beings and brought it to a conceptual formulation, thus also bringing the truth of beings to view, but in all these manifestations of Being, the truth of Being, its truth as such, has never attained to language, but has remained in oblivion. The fundamental experience of *Being and Time* is thus that of the oblivion of Being.

The oblivion of Being which is manifest as not thinking about the truth of Being can easily be interpreted and misunderstood as an omission of previous thinking, in any case as something which would be terminated by the question about the meaning, that is, the truth of Being when that question is explicitly adopted and followed through. Heidegger's[15] thinking could be understood, and *Being and Time* still suggests this – as the preparation and beginning of a foundation upon which all metaphysics rests as its inaccessible ground, in such a way that the preceding oblivion of Being would thus be overcome and negated. However, for the correct understanding it is a matter of realizing that this previous non-thinking is not an omission, but is to be thought as the consequence of the self-concealment of Being. As the privation of Being, the concealment of Being belongs to the opening up of Being. The oblivion of Being which constitutes the essence of metaphysics and became the stimulus for *Being and Time* belongs to the essence of Being itself. Thus there is put to the thinking of Being the task of thinking Being in such a way that oblivion essentially belongs to it.

[15] In the “Summary of a Seminar,” Heidegger is referred to in the third person.

> The thinking that begins with *Being and Time* is thus, on the one hand, an awakening from the oblivion of Being-an awakening which must be understood as a recollection of something which has never been thought – but on the other hand, as this awakening, not an extinguishing of the oblivion of Being, but placing oneself in it and standing within it. Thus the awakening from the oblivion of Being to the oblivion of Being is the awakening into Appropriation.[16] The oblivion of Being can first be experienced as such in the thinking on Being itself, on Appropriation.
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> … Thus Heidegger's thinking would be the movement away from the openness of beings toward openness as such which remains concealed in manifest beings. (OTB 29-30)

I want to attend to a particularly difficult point that we broached in Chapter 1 but that bears reiteration and elaboration here. For Heidegger, the failure to think the truth of Being is not to be configured as an omission or oversight of previous thinking; an omission that can then be redressed once the question of Being is 'adopted and followed through.' Heidegger here seems to be resisting impulses to conceive of the thinking of *Ereignis* as simply a *destruktion* of what consigns to oblivion and a recovery of some sort of originary memory wherein the oblivion of Being would be 'overcome and negated'; the task is not 'extinguishing oblivion.'[17] Rather, the self-concealing nature of Being gives itself to (its) (own) oblivion; and I here ask the reader's indulgence to bear with our

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[16] Joan Stambaugh renders *Ereignis* as 'Appropriation' in her translation of OTB

[17] To anticipate the direction of this chapter, despite Heidegger's elaboration, Derrida will continue to identify a privileging of priority and originarity in the former's discourse. See, for example, Jacques Derrida, *Memoires for Paul de Man,* (Revised Edition), trans. Cecile Lindsay et al. (New York: Columbia University Press, 1989), 140-141. "Can memory without anteriority, that is to say, without origin, become a Heideggerian theme? I do not believe so. With all the precautions that must be taken here, we cannot erase from the Heideggerian text an indispensable reference to originarity[.]"

somewhat convoluted uses of parentheses given that, as we shall soon see, it is the question of the 'it-*self*' or the 'ownness' of Being that is precisely at issue.[18] The oblivion wrought by metaphysics does not supervene on a full or fully present memory which is then given to forgetting, but rather Being (itself) is a (self-) concealing, a (self-) withdrawal. Being forgets itself, or more precisely is *forgetting* itself. Let us revisit a sentence from his *Anaximander* text where Heidegger formulates this decisively: "Oblivion of being[19] belongs to that essence of being which it itself conceals" (AF 275). As such, the essential forgetting of Being is what gives itself to a historical forgetting of Being in the epoch of metaphysics. Being, as oblivion-abandonment, gives (itself) over to metaphysical oblivion. Or, to advance a perhaps more provocative formulation that we will return to below, metaphysical oblivion *capitalizes* on the (self-) oblivion-abandonment of Being to constitute what Heidegger refers to as the 'event' of metaphysics, "the richest and broadest event in which the world-history of the West achieves its resolution" (AF 275).

However, these two senses of forgetting – Being's (own) (self-) abandonment-oblivion, and the oblivion of ontological difference in the epoch of metaphysics – are not of the same order. If we can allow a psychoanalytic vocabulary to insinuate itself here, while metaphysical oblivion can in a certain sense be understood as *repression,* Being's (own) (self-) concealing is something that has no precedent within any philosophical, psychological, or psychoanalytic categories of forgetting. Let us note here that both

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[18] I will continue to use these formulations in contexts where questioning the 'self-' of Being is important to the argument

[19] Since the Julian Young and Kenneth Haynes translation of this text does not capitalize the first letter of 'being' when referring to *Sein,* I will maintain their rendition. Young and Haynes address their decision in the "Translators' Preface" of Martin Heidegger, *Off the Beaten Track,* trans. and ed. Julian Young and Kenneth Haynes (Cambridge: Cambridge University Press, 2002), x.

Derrida and Agamben will not fail to acknowledge this point. For example, for Derrida, the giving of Being, *as* giving, in order *to be* giving, must be "an absolute forgetting – a forgetting that also absolves, that unbinds absolutely" (GT 16). *If giving is to be giving, it must forget itself*: any preservation of the trace of the gift will immediately incorporate it into an economy of exchange and restitution and thus annul its very status *as gift*. Agamben, too, will describe Being's (own) abandonment-oblivion as

> the pure and absolute self-forgetting of Being[.] We cannot speak of there being something (Being) that subsequently forgets itself and conceals itself. Rather, what takes place is simply a movement of concealment without anything being hidden or anything hiding, without anything being veiled or anything veiling[.] (HHE 131).

I emphasize this proximity between Derrida and Agamben, because as we shall see, even though neither will neglect to think the radicality of this forgetting, the consequences that they draw from it will be significantly different. The question – a seemingly paradoxical, impossible, question – that will determine the different trajectory of Derrida's and Agamben's thought is one that also haunts Heidegger here: what is left after absolute forgetting? In what almost seems like a contradiction, Heidegger emphasizes, more subtly in *On Time and Being* but more forcefully in the *Anaximander Fragment,* that absolute forgetting always leaves a *trace* (see OTB 29, AF 275).

This difficult contention raises a number of questions. What does it mean that *absolute* forgetting leaves a trace? While leaving a trace can, in a certain philosophical-psychoanalytic model, be understood within a topography of displacement (or

misplacement), what would leaving a trace mean in the context of an oblivion so radical that no available model of forgetting accedes to it? And so then in what sense can we understand the very *absolute* or *radical* character of this absolute forgetting? Or to put it differently: if Being's (own) (self-) oblivion – the concealment that characterizes Being's own self-essence – is of a forgetting so radical, an absolute destruction of the archive, why is it not simply *nothing*, the complete and utter annihilation of every memory?[20]

This is precisely what Derrida calls in *Given Time* the "impossibility or the double bind of the the gift" and devotes several cogent, beautiful lines to this problem:

> And yet we say "forgetting" and not nothing. Even though it must leave nothing behind it, even though it must efface everything, including the traces of repression, this forgetting, this *forgetting of the gift* cannot be a simple non-experience, a simple non-appearance, a self-effacement that is carried off with what it effaces. For there to be gift event (we say event and not act), something must come about or happen, in an instant, in an instant that no doubt does not belong to the economy of time, in a time without time, in such a way that the forgetting forgets, that it forgets *itself*, but also in such a way that this forgetting, without being something present, presentable, determinable, sensible or meaningful, *is not nothing*. (GT 17, latter emphasis, mine)

Let us interject a passage from the earlier *Anaximander* text – one that we did not attend to in Chapter 1 – to read in the company of the passages from *On Time and Being*

[20] This thinking of destruction bears thinking in relation to Jacques Derrida's thinking of a 'remainderless destruction' in "No Apocalypse, Not Now: Full Speed Ahead, Seven Missiles, Seven Missives," in *Psyche: Inventions of the Other, Vol. I*, trans. and ed. by Peggy Kamuf et al. (Stanford, CA: Stanford University Press, 2007), 387-409. The question of *what remains*, cannot be submitted to the order of presence, and so 'remainderless' both indicates that *presence does not remain* and also that *what remains is not present*.

above in order to bring into relief the arc of Heidegger's thinking and better elaborate this issue of an 'absolute forgetting':

> The difference between being[21] and the being, however, can be experienced as something forgotten only if it is unveiled along with the presencing of what is present; only if it has left a trace, which remains preserved in the language, to which being comes….Only when we experience historically what has not been thought – oblivion of being – as that which is to be thought, and only when we have pondered at length what has been long experienced, may the early word[22] perhaps speak in later recollection. (AF 275-276)

To approach our questions about the sense in which absolute forgetting should be understood, let us examine several repeated formulations by Heidegger in the passages above: "fundamental experience…[is] of the oblivion of Being" (OTB 29); "difference between being and the being…experienced as something forgotten"; "experience historically what has not been thought – oblivion of being – as that which is to be thought" (AF 275). How can forgetting *be experienced*? What *is* an *experience* of oblivion?

This experience is nothing other than the impossible experience of the *trace*. Let us also then compare: "the truth of Being, its truth as such, has never attained to language" (OTB 29); with "the difference between being and the being, however, can be experienced as something forgotten only…if it has left a trace, which remains preserved in the language, to which being comes" (AF 275). The truth of Being has never attained to language *as such*, but rather only *as a trace* of its obliteration, *as a trace which both*

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[21] *Sein*, see FN 12 above

[22] In speaking of the early word of Being, Heidegger is referring to his translation of *to khreon* in Anaximander's fragment as *Brauch* (usage). See here Derrida's comments on this passage on DF 25.

marks and erases the as such of the truth of Being. We can read *experience of forgetting* – as with so much of Heidegger and Derrida's work – where the genitive 'of' is doubled. The trace, as itself a trace of an erasure, is what – within the oblivion of metaphysics – gives itself to *experience*. This trace is not the truth of Being *as such*, but, at the risk of assimilating this too closely to Derrida's own reading, is a *simulacrum* of Being's (own) (self-) erasure that gives to experience the chance of thinking Being. But on the other hand, as an experience of forgetting in the sense of a forgotten experience, experience *as* forgetting, forgetting *as* experience, the trace points to the impossibility of experiencing the *as such* of the truth of Being, an impossibility that haunts every experience.

Everything is concentrated here in the question of *what remains*, and we will take this up in more detail in the sections on Agamben and Derrida. In the context of Heidegger, however, let us note, that the 'absolute' or radical' quality of forgetting is not *despite* the fact that it leaves a trace but *because* it leaves a trace. To simply identify this radical sense of forgetting with a remainder-less destruction, with a complete annihilation or a nihilistic violence would be to replace a 'metaphysics of presence' with a 'metaphysics of absence', to substitute an ontology of present beings/being-present with an ontology of absent beings/being-absent, which, in fact, would introduce no *difference*, allow no *difference* to be legible.[23] To think, precisely, *difference* in its radicality, then, would be to think what in oblivion gives itself neither to complete presence or absence.

1.2 The epochs of Being; the disclosing of concealment; the appropriate expropriation of *Ereignis*

[23] See FN 20 above for Derrida's notion of a 'remainderless destruction.'

The final task in this section remains to ask: if Heidegger's thinking would be, as we saw in the long passage reproduced above, the "movement away from the openness of beings toward openness as such which remains concealed in manifest beings" (OTB 30) then what exactly is revealed in the returning of Being to (its) (own) (self) abandonment from oblivion; what is revealed in this event of appropriation-expropriation, in *Ereignis*? To offer a provisional response that will guide us throughout this chapter, what is unconcealed in *Ereignis* is the very concealedness of Being, what is disclosed is the originary occulted-ness of Being; the *traces* or *cinders* of Being's (own) originary (self-) forgetting. What gives itself to thinking is the 'truth' of Being, whose essence is concealment. The concealment of Being also means: the sending of Being, the sending-and-keeping essence of being. It is this very essence that is not kept *as essence*, not kept *as concealment* – as the truth of Being – in the oblivion of metaphysics, but rather kept *as presence*, as a present-being or a being-present. This is why, as Heidegger notes, *Ereignis* is both appropriation in the sense of Being's return to itself, and also expropriation (*Enteignis*) because what is disclosed is *lethe*, concealedness itself: "Appropriation is in itself *expropriation*" (OTB 41). Yet, the expropriation of *Ereignis*, its disclosing of concealment, is not the concealment wrought by the various forms of covering in the epoch of metaphysics, but is rather its "own way of concealment proper to it" (OTB 41). It is this thought of a *proper expropriation* that will deserve our focus.

One can detect in this complex interplay of proper-improper, appropriation-expropriation a kind of oscillation between the weight given to each 'side' of these pairs of terms. While at times it seems that Heidegger himself resists granting privilege to either side, at others, his thinking appears to tend towards a fundamental propriety, and I

want to suggest that this is the case with *Ereignis*. Though appropriation-expropriation in *Ereignis* remains inextricable, in describing a *proper* mode of expropriation, Heidegger seems to favor the *propriety* of expropriation, rather than the *expropriation* of every propriety.

To ask again more slowly: what grants this expropriation its propriety? What would be the difference between a proper way of expropriation and an improper one? Let us retrace our steps with Heidegger's difficult argument. Early in his lecture, Heidegger notes:

> In the beginning of Western thinking, Being is thought, but not the "It gives" as such. The latter withdraws in favor of the gift which It gives. That gift is thought and conceptualized from then on exclusively as Being with regard to beings.
>
> A giving which gives only its gift, but in the giving holds itself back and withdraws, such a giving we call sending. According to the meaning of giving which is to be thought in this way, Being – that which it gives – is what is sent. Each of its transformations remains destined in this manner. What is historical in the history of Being is determined by what is sent forth in destining, not by an indeterminately thought up occurrence.
>
> The history of Being means destiny of Being in whose sendings both the sending and the It which sends forth hold back with their self-manifestation. (OTB 8-9)

Let us try to better understand Heidegger's terms: Being's *history*, *destiny*, *epochs*. The various "epochs of the destiny of Being," *capitalize*, to use a term we advanced earlier, on Being's (own) (self-) concealment (OTB 9). These epochs of the destiny of Being

each conceal or forget – appropriate-expropriate – Being in their own way. The epoch of metaphysics, that 'richest and broadest' epoch, does not fundamentally refer to the "span of time of occurrence" of metaphysics (OTB 9). If this were so, then Heidegger's reference to an epoch from Plato to Hegel in the opening passages of *Being and Time*, for example, – as well as Derrida's and Agamben's own references to this epoch – would be nothing other than a historical or historiographical marker. Rather, Heidegger's sense of epoch is drawn from the Greek *epoche*, meaning holding-back or withdrawal. As such, the epoch/*epoche* of Being is the "actual holding-back of itself in favor of the discernibility of the gift, that is, of Being with regard to the grounding of beings," (OTB 9) or, in a different formulation later in the text that speaks to the same point, "self-withdrawal of what is sending in favor of the destinies, given in sending, of an actual letting-presence of what is present" (OTB 41). The epoch of Being is the (self-) holding-back, (self-) withdrawal or (self-) retreat of Being's sending, gifting, *destining* 'essence' in favor of *what is sent forth* in destining; the withdrawal of the *es gibt* in favor of the *es gibt Sein*.

As such, *epoch* refers to the manner of the holding back, the manner of the concealment of the destining, "the fundamental characteristic of sending" (OTB 9). When Heidegger refers to the 'epoch' of metaphysics, he refers to the 'mode' of destiny or destination of Being, the very contours in which the sending of Being manifests itself. In metaphysics, as we saw, this mode of sending is oblivion, specifically the oblivion of the difference between Being and beings. In a fundamental way, then, because in each epoch Being's (self-)concealing essence is veiled over by different *historical figures*, different modes of forgetting, concealing – what Heidegger refers to here as "obscuring

covers" (OTB 9) – Being is both *appropriated* and *expropriated* differently in each epoch. Appropriated because Being is capitalized, put to 'work,' differently in each epoch. But also expropriated, because the truth of Being remains occulted, is "more and more obscured in different ways" (OTB 9).

Here, our brief remark about Heidegger's late thinking of technology at the start of this section can help clarify matters. To proceed entirely too quickly, the mode of appropriation of *Machenschaft* in Heidegger's thought of the 1930s is through the representation and objectivity of Being as beings, which accords with the oblivion characteristic of metaphysics (its forgetting of the abandonment of beings by Being through which beings are marked).[24] From the late 1940s onwards, however, what Heidegger describes as the enframing/positionality (*Gestell*) and the standing reserve (*Bestand*) of modern technology is a 'mode' of appropriation that has eclipsed representation and objectivity, and so is already something other than the destiny of metaphysics. Though we cannot expand on this point with the detail that it deserves, the epoch of metaphysical oblivion gives itself over the *Bestand* of modern technology, which both contains more "danger" than metaphysical oblivion but also a "saving power."[25] What Heidegger is describing then, is an *epochal transformation*, and the "sequence of epochs in the destiny of Being is not accidental, nor can it be calculated as necessary" (OTB 9). Heidegger reinforces this point, when, in *On Time and Being*, he notes that *Gestell* has a 'Janus Head':

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[24] See, for example, CTP 87-113.

[25] See Martin Heidegger, *The Question Concerning Technology and Other Essays*, trans. William Lovitt (New York: Harper and Row, 1977), 28 and *passim*.

> Between the epochal formations of Being and the transformation of Being into Appropriation stands Framing[26]. Framing is an in between stage, so to speak. It offers a double aspect, one might say, a Janus head. It can be understood as a kind of continuation of the will to will, thus as an extreme formation of Being. At the same time, however, it is a first form of Appropriation itself. (OTB 53)

And here, the call to think Being *without relation* to beings, the letting-presence *without relation* to presence, is brought into relief. If Being's own withdrawal, its *epoche*, has been consigned to various forms of historical forgetting; if the trace left by Being's own concealing essence was further covered in historical figures of oblivion; then *Ereignis* names the appropriation of Being to itself, which, by revealing its self-concealing essence, is an *expropriation proper to Being* and not just to its epochal figures. Whereas in the epochs of Being, Being is appropriated-expropriated in the manner proper to the epoch, that propriety is merely 'epochal' and not appropriate to Being itself. In *Ereignis*, Being – that which 'It sends', that whose essence is sending – reveals the concealment proper to it: "Only the gradual removal of these obscuring covers – that is what is meant by 'dismantling'[27] – procures for thinking a preliminary insight into what then reveals itself as the destiny of Being" (OTB 9).

As such, *Ereignis* is not to be thought of as a new epoch of Being, one that comes to replace metaphysics, but an event that puts an ends to the sending of epochal Being itself. Heidegger here suggests that "the history of Being is at an end for thinking *in* Appropriation"; rather what is thought in *Ereignis* is what *gives* history, what is "itself unhistorical, or more precisely without destiny" (OTB 41). Heidegger continues:

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[26] Joan Stambaugh translates *Gestell* as 'Framing.'
[27] Stambaugh translates 'Destruktion' as 'dismantling'.

> Metaphysics is the oblivion of Being, and that means the history of the concealment and withdrawal of that which gives Being. The entry of thinking into Appropriation is thus equivalent to the end of this withdrawal's history. The oblivion of Being "supersedes" itself in the awakening into Appropriation.
>
> But the concealment which belongs to metaphysics as its limit must belong to Appropriation itself. That means that the withdrawal which characterized metaphysics in the form of the oblivion of Being now shows itself as the dimension of concealment itself. But now this concealment does not conceal itself. Rather, the attention of thinking is concerned with it. (OTB 41)

As we saw in the long passage we cited earlier in this section, Heidegger configures the end of the history of Being as the "awakening from the oblivion of Being to the oblivion of Being," which is also "the awakening into Appropriation" (OTB 30). The proper *expropriation* of *Ereignis* means that what gives, sends, destines is thought without reference to the gift, the arrival, and the destiny.

And if *Ereignis* is to be understood as an "end of the history of Being," how exactly is this end of history to be thought (OTB 40; see 40-42 and 49-50)? As we turn to Agamben's work, the lure of a proper or appropriate expropriation will continue to haunt this question. In a passage that will be vital for us, Heidegger notes:

> Appropriation withdraws what is most fully its own from boundless unconcealment…. [I]n that sense it expropriates itself of itself. Expropriation belongs to Appropriation as such. By this expropriation, Appropriation does not abandon itself – rather, it preserves what is its own. (OTB 22-23)

Though we will continue to elaborate these issues, let us anticipate the direction of this chapter by pointing out that Derrida will always be concerned with what he construes as a privileging – however subtle – of a fundamental propriety, of an expropriation *as such* within Heidegger's thought. It is for this very reason that we are belaboring our parenthetical formulations regarding Being's 'itself-ness' and 'own-ness.' In a very vital footnote in his essay "Différance," a footnote he will almost entirely reproduce more than twenty years later in his 1991 text *Given Time*, Derrida will mark "the necessity of a future itinerary – that *différance* would be no more a species of the genus *Ereignis* than Being." (DF 26, n.26).[28] Derrida will demarcate his own attempt to think beyond ontological difference under the 'name' of *différance* from that of Heidegger's *Ereignis* precisely by resisting what Derrida views as the latter's temptation towards propriety; *différance*, on the other hand, is "that which threatens the authority of the *as such* in general" (DF 26). Furthermore, as we shall see in our reading of the texts collected in *The Post Card*, if for Heidegger, the *proper* expropriation of *Ereignis* means that the what-gives is thought without reference to destiny, Derrida will insist that to think destining without destination will compel us to rethink the very idea of a coordinated sending-and-arrival of Being. Rather, *the arrival, the event* is marked by a contamination, a fundamental impropriety, an *improper* expropriation. Let us hold these thoughts in reserve and now turn to Agamben.

[28] Derrida reproduces this footnote in a footnote in Given Time (see GT 127-128, n.12). Though, to my knowledge, he does not pursue an extended reading of *On Time and Being* in his published corpus, the question of appropriation-expropriation is insistence across his work, suggesting that the 'future itinerary' that Derrida specifies in 1968 continues to guide him. However, in another footnote in *Given Time*, Derrida points to "the second volume of this work, when we approach a reading of *On Time and Being* and related texts," but, as far as I know, this text has not been published (GT 20, n.10).

2.1 Agamben's early reading of *Ereignis*

In referring to an 'end of the history of Being,' and a 'returning' of Being to its own element, we are almost patently inflecting our understanding of *Ereignis* with a Hegelian thinking of the resolution of difference in the Absolute. Heidegger himself, in *On Time and Being*, is at pains to distinguish *Ereignis* from the Absolute, as if it is the Absolute, in its very (apparent) proximity, that appears to most challenge and threaten Heidegger's elaboration of *Ereignis*.[29] Though we cannot explore the ramifications of this point here, it is notable that both Derrida and Agamben will pursue their readings of *Ereignis* in the company of Hegel; Agamben, as we shall see below, will do so in a more thematically immediate manner, but Derrida, too, will develop his poetic reading of *Ereignis* in terms of ashes, cinders, and an 'all-burning' in reference to Hegel.[30]

To better explore Agamben's understanding of *Ereignis,* I want to turn to some of his early work from the 1980s, specifically his important 1982 book *Language and Death: The Place of Negativity,* an essay from the same year which reiterates some similar material, "**Se*: Hegel's Absolute and Heidegger's *Ereignis*," and, much more briefly, a 1988 essay "The Passion of Facticity." In this early work, even though Agamben has not yet developed his notions of abandonment and inoperativity, his more

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[29] See for example, OTB 26-28: "Although in point of fact Hegel is in a way further from Heidegger's concern than any other metaphysical position, the illusion of an identity, and thus of a compatibility, of the two positions intrudes itself in an almost compulsory manner" (OTB 26-27); and, especially, OTB 48-54: "A similarity with Hegel seems to exist here which must, however, be regarded against the backdrop of a fundamental difference" (OTB 50). Though I cannot develop this in detail here, let us briefly note that a significant point of difference consists in the thinking of finitude in the relation of man to the Absolute in Hegel and *Dasein* to *Ereignis* in Heidegger: "for Hegel man is the place of the Absolute's coming-to-itself, that coming-to-itself leads to the overcoming of man's finitude. For Heidegger, in contrast, it is precisely finitude that comes to view-not only man's finitude, but the finitude of Appropriation itself" (OTB 49).

[30] See for example, Jacques Derrida, *Glas*, trans. John P. Leavey, Jr. and Richard Rand (Lincoln, NE: University of Nebraska Press, 1986), 167 (left column) and 242 (left column); *Cinders*, trans. Ned Lukacher (Lincoln, NE: University of Nebraska Press, 1991), 46; *Points…: Interviews 1974-1994*, trans. Peggy Kamuf et al. (Stanford, CA: Stanford University Press, 1995), 207-210.

elaborate readings of Heidegger clearly prepare the way for the dense and sweeping comments that we examined in *Homo Sacer 1*.

In *Language and Death*, Agamben asks, in a manner that very clearly anticipates *Homo Sacer 1* even if not its specifically political vocabulary, if metaphysics itself has rigorously attempted to think the structure of sovereignty as abandonment:

> Is there an attempt within metaphysics to think its own unthinkable, to grasp, that is, the negative foundation itself?...The Absolute is the mode in which philosophy thinks its own negative foundation. In the history of philosophy, it receives various names: *idea tau agathou* in Plato, *theoria, noeseos noesis* in Aristotle, *One* in Plotinus, *Indifference* in Schelling, *Absolute Idea* in Hegel, *Ereignis* in Heidegger; but in every case, the Absolute has the structure of a process, of an exit from itself that must cross over negativity and scission in order to return to its own place. (LD 92)

Now the succession of thinkers that he named is somewhat resonant with the list that he offers in *Homo Sacer 1* ("beyond the steps that have been made in this direction by Spinoza, Schelling, Nietzsche and Heidegger" – HS 44), and certainly all these thinkers are crucial for Agamben throughout his work. We see here an incipient yet coherent concern with the limits of metaphysics, and, as we noted before, in both series of thinkers, Heidegger is the latest – but also, in a significant way, the last – figure. Furthermore, Agamben will almost always think *Ereignis* in the company of the Absolute; this proximity is much more elaborately adduced in the early work, but let us note that while Hegel is explicitly absent from *Homo Sacer 1*, we see a certain glimmer of his effect through the brief but crucial reference to Kojève in Agamben's single

paragraph on inoperativity that we reproduced above.[31] Though he is well aware of Heidegger's efforts to differentiate *Ereignis* and the Absolute, Agamben will stress the proximity of these ventures precisely in this notion of a "cross[ing] over negativity and scission in order to return to its own place" (LD 92). I would suggest that an impulse that is consistent throughout Agamben's readings of *Ereignis*, from his earlier work to the *Homo Sacer* series, is to emphasize, against Heidegger's protestations, that the similarity between *Ereignis* and the Absolute is more pronounced than Heidegger would concede:

> Heidegger often compares the thought of Ereignis to Hegel's Absolute. This comparison – which is certainly the sign of a proximity that, for Heidegger himself, constitutes a problem – always has the form of a differentiation that aims to minimize the common traits between the two notions. (HHE 128)

This structure of an exit and return – so resonant with Hegel – is exactly what we were pursuing in Heidegger in the previous section, and marks Agamben's remarks here and in a related essay of the same year, "**Se*: Hegel's Absolute and Heidegger's *Ereignis*." In both works, Agamben takes the "Indo-European theme **se*" as a point of departure, arguing that "it can be said to determine the fundamental philosophical problem itself, the Absolute" (HHE 116). The reflexive *se*, for Agamben, "indicates what is proper" and makes its presence felt in its relationship to the Greek *autos*, the Latin *ipse*, the German *selbst* and the English *self* (HHE 116). Agamben pursues an obscure but compelling etymological analysis[32] which suggests that the Absolute, in its relationship to *se*, can be linked to senses of what is both *proper* (Agamben here is exploiting a variety of connotations: custom, accustoming, habit, habitation, habituation, dwelling) and what is

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[31] See HS 61-62

[32] See HHE 116-117 and LD 92-93

separated from itself (as in the Latin *secede*, referring to secession) such that the overall sense of absolute contains a thinking of *absolution*,[33] an

> idea of a process, a voyage that takes off, separates from something and moves, or returns toward something….that which, through a process of 'absolution,' has been led back to its ownmost property, to itself, to its own *solitude*, as to its own *custom*. (LD 92)

What is important for us to pursue in Agamben's reading of Heidegger is the former's attention to the sense of propriety that the latter intends for us to hear in *Ereignis*. For Agamben, in *Ereignis*, when the history of Being reaches its end, the sending of Being is "revealed as the Proper" (LD 102). But this Proper, for Agamben closely following Heidegger, is also an expropriation (*Enteignis*) because what is unconcealed is a concealment; a concealment that does not conceal itself, that "is no longer veiled in historical figures" (LD 102). Variations of this formulation appear with a quite unremitting intensity in Agamben's work on *Ereignis*, indicating that what is most important for him is to identify this notion of the end of the history of Being as synonymous with the end of Being's epochal-historical figurations: "exhausted its historical figures" (LD 102); "no longer veiled in an epochal figure and thus, without any historical destiny" (LD 104); "exhausted all its historical figures and has returned to itself" (HHE 126); "the absolved is no longer concealed in its figures" (HHE 127); "exhausted its figures (the figures of its oblivion) and revealing itself as pure destining without destiny and figure" (HHE 131); "Tradition, which covered over what was

[33] This idea of *absolution* in Agamben's work warrants comparison with Derrida's comments on 'absolute forgetting' that we examined in the previous section: "So we are speaking here of an absolute forgetting – a forgetting that also absolves, that unbinds absolutely" (GT 16).

destined in figures, now shows itself for what it is: an untransmissible transmission that transmits nothing but itself" (HHE 133).

Thus, for Agamben, what is revealed in *Ereignis*, is what he will call, in his 1988 essay "The Passion of Facticity," the "*properly improper,*" a phrase that closely echoes Heidegger's thought of the 'appropriate expropriation' (POF 202). Let us examine two brief passages where Agamben is speaking of the appropriation of Dasein to Being in *Ereignis*:

> If what human beings must appropriate here is not a hidden thing but the very fact of hiddenness, Dasein's very impropriety and facticity, then "to appropriate it" can only be to be *properly improper*, to abandon oneself to the inappropriable. Withdrawal, *lethe*, must come to thinking as such; facticity must show itself in its concealment and opacity. (POF 202).

> Human beings do not originally dwell in the proper; yet they do not (according to the facile suggestion of contemporary nihilism) inhabit the improper and the ungrounded. Rather, *human beings are those who fall properly in love with the improper, who – unique among living beings – are capable of their own incapacity.* (POF 204)

Despite the resolutely anthropocentric (and unexamined androcentric) overtones of Agamben's early work, what is crucial for us to note is that Agamben is gesturing towards is a post-metaphysical situation where Being's historical figures have been exhausted; and at the end of this history of Being, in *Ereignis*, man is return to his proper impropriety. And it is here that Agamben's reading of *Ereignis* takes on its most Hegelian- Kojèvean inflections because it is only in the thinking of a destining without

destiny, a sending without destination that, for Agamben, "can metaphysics think *ethos*, the habitual dwelling place of man" (LD 103). Only in *Ereignis* – to refer to the quotation we reproduced at the start of this section – can metaphysics "grasp" its "own unthinkable" and in doing so, surpass itself (LD 92). In this *ethos* – the returning of the *se* of the *Ereignis* and the Absolute to its *properly improper* habitation or dwelling – man will be left with a "praxis that has *nothing* to do" (HHE 135).

It is in this destituent praxis that we can recognize the emergent contours of what Agamben will only later, in his *Homo Sacer* series, refer to in the terms we have been tracking: *destituent potential, inoperativity, deactivation, means without ends, generic mode of potentiality*. We can therefore ask, as we did with Heidegger: what distinguishes the *properly* improper from what would be an *improperly* improper? For Agamben, this question hinges on his understanding of the notion of *relation*. *Ereignis* has closed all its epochal figures and so its expropriation – which is nothing other than the 'first' expropriation of Being, Being's own self-concealing essence – is appropriate to it. The end of figuration signifies that Being is now *without relation* to beings. *Ereignis* would thus seem to provide Agamben with the impetus to think the possibility of abandonment "beyond every figure of a relation" (HS 47), "abandonment…as such" (HS 60), abandonment in its own, proper destitution. Let us now, in the wake of this elaboration of Agamben's early reading of *Ereignis*, return to the passages from *Homo Sacer 1* that have posed us the greatest difficulty.

2.2 *Ereignis* and the notion of *relation* in the *Homo Sacer* Series

As we proceed to the more patent political terminology of *Homo Sacer 1*, let us remind ourselves, in passing, that, for Agamben, the relation of potentiality to actuality, the relation of Being to being and the relation of law to life in the form of the ban are to be treated, in their 'correspondence' to each other, as essentially synonymous (see HS 46).[34] It is for this reason that Agamben can assert that it is Aristotle's structure of potentiality-impotentiality-actuality that "bequeath[s] the paradigm of sovereignty to Western philosophy" (HS 46). To recall our discussion in the Introduction to the project, Agamben here is very close to Derrida, who, in his text on Kafka, asserts much the same: "law, another name for Being, Being, another name for law" (BTL 206). And so let us also keep in mind – as a whisper accompanying our more immediate themes – our brief discussion of Heidegger's distinction of the 'creating' and 'preserving' of Being, for example, in his repeated analyses of Heraclitus's Fragment 53, and its proximity to Walter Benjamin's discussion of law-creating and law-preserving violence. Though this is beyond the present scope of this project, the identity of Being and the Law evoke a range of themes for which our present discussion is hopefully a preliminary investigation.[35]

In order to better understand Agamben's description, in *Homo Sacer 1*, of destituent potential/inoperativity as a potentiality *without relation* to actuality, let us review our earlier analysis of Agamben's difficult and idiosyncratic reading of Aristotle in light of our current discussion of *Ereignis*. As we exposited in Chapter 2 but is worth reiterating here, in Agamben's view, for Aristotle to demarcate his position from that of

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[34] "For the sovereign ban, which applies to the exception in no longer applying, corresponds to the structure of potentiality, which maintains itself in relation to actuality precisely through its ability not to be." (HS 46)

[35] See the Introduction to this Dissertation for further discussion on this point.

the Megarians, who argue that potentiality exists only in actuality, Aristotle needs to think potentiality's *own potentiality not to* pass into actuality: "if potentiality is to have its own consistency and not always disappear immediately into actuality, it is necessary that potentiality be able not to pass over into actuality, that potentiality constitutively be the potentiality not to (do or be)" (HS 45). In other words, in order to think the mode of potentiality's existence, in order for it *to be* potentiality and not immediately actuality, potentiality reserves itself, holds-itself-back from passing into actuality: "the potentiality that exists is precisely the potentiality that can not pass over into actuality" (HS 45). Thus, *dynamis* is always already *adynamia*. It is only in this way that potentiality can be isolated and thought rigorously, be thought in its *difference* from actuality.

But if impotentiality provides the 'mechanism' to reserve or hold-short potentiality from its realization in actuality, then how do we conceptualize the passage from potentiality to actuality? It is then that we examined the difficult but vital formulation from Aristotle which Agamben renders as "A thing is said to be potential if, when the act of which it is said to be potential is realized, there will be nothing im-potential (that is, there will be nothing able not to be)" (*Metaphysics*, 1047a, 24-26 quoted on HS 45)." Crucial to our parsing of Agamben's argument is the specific understanding of the phrase '*ouden estai adynaton*' which, for Agamben, does not mean 'there will be nothing impossible' but rather 'there will be nothing im-potential'. For Agamben, Aristotle's claim is not 'what is possible is that which is not impossible,' as is understood by more canonical readings,[36] but more precisely, 'what is possible

[36] We adduced the sense of impossibility of the canonical readings of Aristotle by reproducing two translations of this passage: "A thing is capable of doing something if there is nothing impossible in its having the actuality of that of which it is said to have the potentiality" (Tredennick); "And a thing is

(potential) is that which has no more impotentiality.' Impossibility here is not considered a pure passivity or incapability, but rather as *impotentiality,* the *potentiality not-to*.

Therefore, for Agamben, what is potential can realize itself, can pass over into actuality only when it "sets aside" (HS 46) its own impotentiality, or "exhaust[s]" (OP 184) its impotentiality in bringing itself into the act. Yet, at issue is the nature of this 'setting aside,' or 'exhaustion' which Agamben maintains is not a destruction of impotentiality, but rather its preservation in actuality. As such, it seems that Agamben here is describing something like a suspension of the suspension, or, more accurately, a negation of the negation that characterizes the *Aufhebung* of the dialectic. Agamben will describe it in precisely these terms in his epilogue to *The Use of Bodies*: "act is only a conservation and a "salvation" (*soteria*)—in other words, an *Aufhebung*—
of potential" (UB 267).

It is for this very reason that Agamben refers to the passage of potentiality to actuality – in which potentiality suspends its own impotentiality – as potentiality's "letting itself be" or "giving itself to itself" (HS 46, see also OP 184). In juxtaposing the vocabulary of *Aufhebung* with gifting and letting-be, Agamben is clearly – if not expressly or in any detailed way –suggesting that Heidegger's thinking of Being, insofar as it does not sever the relation with beings, is nothing other than a repetition of the Hegelian dialectic. Being, then, for Agamben, would be entirely caught within this (metaphysical) structure of abandonment. Agamben advances this point in several striking and recurrent formulations:

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capable of doing something if there will be nothing impossible in its having the actuality of that of which it is said to have the capacity" (Ross).

> Potentiality (in its double appearance as potentiality to and as potentiality not to) is that through which Being founds itself *sovereignly*, which is to say, without anything preceding or determining it (*superiorem non recognoscens*) other than its own ability not to be (HS 46)
>
> "[P]otentiality and actuality are simply the two faces of the sovereign self-grounding of Being. Sovereignty is always double because Being, as potentiality, suspends itself, maintaining itself in a relation of ban (or abandonment) with itself in order to realize itself as absolute actuality (which thus presupposes nothing other than its own potentiality)." (HS 47)
>
> Potential and act are only two aspects of the process of the sovereign autoconstitution of Being, in which the act presupposes itself as potential and the latter is maintained in relation with the former through its own suspension, its own being able not to pass into act. (UB 267)

For Agamben, Being 'grounds' itself by suspending itself and only appearing in metaphysics as beings. Let us note the insistent vocabulary of commencement and inauguration that Agamben uses here: '*founds* itself sovereignly,' 'sovereign *self-grounding*,' 'sovereign *autoconstitiution*'. Agamben underscores that ontological difference is nothing but beings in the ban of Being, and to the extent that Heidegger's (early) thinking of ontological difference maintains this relation of the ban, Being is to be understood as entirely caught within a metaphysics of sovereignty. And given that Agamben asserts that this suspensive structure is nothing other than metaphysics's own

negativity returned to itself (see LD 92, for example), then the ontological difference – Being in relation to beings – would remain, as the later Heidegger of *On Time and Being* would concur, of a "metaphysical character" (OTB 33). Being, for Agamben, is a certain rhythm of potentiality-impotentiality passing into and withholding itself from actuality as beings. *Rhythm* might appear here as a somewhat awkward word, and while we certainly cannot treat it as an overt theme, let us retain its faint resonances as we proceed given that Derrida seems to be close to Agamben when he refers to the sending-and-withdrawing of Being to its destinies – which, in Agamben's terms is the giving-and-suspending of potentiality to actuality – as "[t]he *epokhe* and *Ansichalten*[37] which essentially *scan* or *set the beat* of the 'destiny' of Being" (PC 65, emphasis mine).

It is at this point that we might arrive at a better understanding of Agamben's notion of *relation*, or more specifically, the "limit-form of the relation" that is the ban (HS 29, UB 268). What does this recurrent, insistent formula that dominates Agamben's thinking in the *Homo Sacer* series mean: "potentiality maintains itself in relation to actuality in the form of its suspension" (HS 45); "maintains itself in relation to actuality precisely through its ability not to be" (HS 46); or "maintaining itself in a relation of ban (or abandonment) with itself" (HS 47)?

Let us once again recall that, impotentiality, *adynamia*, for Agamben, becomes the key point from which the entire apparatus of potentiality and actuality can be considered. All potentiality is also, originarily, impotentiality or the potentiality-not to; and so we can suggest that the mode of potentiality's existence is privation; and it is only

[37] *Ansichhalten* can be thought of as a 'holding-oneself-back,' 'holding-to-itself' or 'holding-itself-in' (of Being).

through this privation that it maintains a relation to actuality. Impotentiality is that 'limit form of the relation' that both constitutes the *separation* between potentiality and actuality, and *through this separation*, constitutes the *relation* between them. On the one hand, in offering a power of desistence that prevents all potentiality from immediately being realized, it grants potentiality and actuality their respective coherence and guards the stability of their conceptual demarcation. But, on the other hand, impotentiality, in its very function as that which separates potentiality and actuality, also ties them together, binds them in a *relation*; impotentiality is the very 'border' or 'boundary' which is both an index of division and the site of transaction.

Yet, let us also note that, insofar as it is the boundary that separates and relates potentiality and actuality, then impotentiality is also the *zone of indistinction* or *state of exception* between potentiality and actuality: "At the limit, pure potentiality and pure actuality are indistinguishable, and the sovereign is precisely this zone of indistinction." (HS 47); "Yet the empty form of relation is no longer a law but a zone of indistinguishability between law and life, which is to say, a state of exception" (HS 59). The implication here is that Being constitutes both its separation from and relation to beings through its very retreat, and thus forms a 'state of exception' between them. Though Agamben does not develop this point, nor do we have the space to pursue this investigation here, what we should note is that on this account, Heidegger is very close to Carl Schmitt, and thus the thinking of ontological difference would correspond to the sovereign structure of the exception that Schmitt describes in his *Political Theology*. Thus, ontological difference could not only be described as having a "metaphysical character," (OTB 33) but specifically an onto-politico-theological character.

2.3 Impotentiality and Abandonment *without relation*

In the wake of our above exposition, Agamben's call to think abandonment 'beyond relation' comes into focus. If, for Agamben, the canonical reading of Aristotle has always privileged actuality to potentiality, and potentiality is always maintained in relation to actuality through impotentiality, the task is to think a *potentiality without relation to actuality*, or more precisely, a *potentiality not-to, an impotentiality without relation*; an impotentiality not conditioned to its own actuality.

Let us elaborate this point by revisiting a passage by Aristotle that is vital for Agamben, and I will once again reproduce Ross's and Tredennick's respective translations below:

> Every potentiality is impotentiality of the same and with respect to the same (Metaphysics, 1046a, 32, quoted and translated by Agamben, HS 45)."

> "Incapacity" and "the incapable" is the privation contrary to "capacity" in this sense; so that every "capacity" has a contrary incapacity for producing the same result in respect of the same subject. (1046a, 31-32; Tredennick translation)

> And 'impotence' and 'impotent' stand for the privation which is contrary to potency of this sort, so that every potency belongs to the same subject and refers to the same process as a corresponding impotence. (1046a, 31-32; Ross translation)

The sense of *relation* in this passage is insistent: 'impotentiality of the same in respect of the same'; 'contrary impotentiality…in respect of the same,' 'same process as a corresponding impotence.' Every impotentiality only *corresponds* to its own potentiality, and is a *means* related to the *proper ends* of (its) (own) actuality. But if impotentiality is always tethered to its own potentiality-actuality; if it is simply a *means* for the passage of potentiality to its proper *ends* in actuality; if it is only *operative* with regards to its proper potentiality-actuality; if impotentiality is never *destitute* given that it is always conserved-preservation-saved in the passage to actuality, then how are we to read Agamben's terms: *means without ends*, *inoperativity*, *destituent potential*? Thinking an *impotentiality without relation*, an *abandonment beyond relation*, it would seem, would require thinking an impotentiality detached, unmoored or untethered from every actuality, an impotentiality that has closed its historical figures and is at the 'end of history.'

And so here, the profound influence of Agamben's early reading of *Ereignis* comes to bear on his *Homo Sacer* project. As the relation – the zone of indistinction – that constitutes the separation between potentiality and actuality but is simultaneously the site for the passage of the former into the latter, impotentiality must be understood as a type of appropriation-expropriation. Impotentiality is the relation that *appropriates* potentiality to actuality by, as we saw, passing into it fully, by conserving itself in actuality. But impotentiality also *expropriates* potentiality-actuality in preventing potentiality from always immediately passing into actuality. Impotentiality expropriates in the manner corresponding to its own potentiality-actuality by – in its very suspension or privation, its very capability not-to – holding firm the *relation* between potentiality and actuality. Therefore to think this impotentiality *without relation*, what the early Agamben

calls the 'properly improper' and what Heidegger calls the 'appropriate expropriation'; to think what is referred to in *Homo Sacer 1* as "abandonment…as such" (HS 60) would be to think *inoperativity* or *destituent potential*: "a generic mode of potentiality that is not exhausted…in a *transitus de potentia ad actum*" (HS 62).

It with this exposition in mind that we should examine another difficult passage from *The Use of Bodies* that occupied us previously. As we saw in Chapter 2, Agamben is translating the terms of potentiality-impotentiality/actuality into constituent violence/constituted violence:

> The paradox of constituent power is that…this originary and unlimited power—which can, as such, threaten the stability of the system—necessarily ends up being confiscated and captured in the constituted power to which it has given origin and survives in it only as the power of constitutional revision.
>
> ...[C]onstituent is that figure of power in which a destituent potential is captured and neutralized, in such a way as to assure that it cannot be turned back against power or the juridical order as such but only against one of its determinate historical figures. (UB 266-67)

The crucial term in this passage is 'constitutional revision,' which is nothing other than impotentiality. Impotentiality can only, precisely, *revise*, the relations between constituent power (potentiality) and constituted power (actuality) but never sever the link between them. Impotentiality, which is a destituent potentiality or inoperativity that has been 'captured and neutralized' within the sovereign structure of abandonment, can only be turned against one of its 'determinate historical figures,' one of its *actualizations*, or, in Heidegger's terms, one of the *epochs of Being*. But this *turn* – and we do not have

space here to do more than hint at the resonances of this word in conjunction with Heidegger's thinking of *Kehre* – is not against the 'judicial order as such', against the *relation as such*; constitutional power's expropriation is not appropriate to it but delimited in advance. For Agamben, "to think a purely destituent potential," is to think an inoperativity "that never resolves itself into a constituted power" (UB 268). A destituent potential released from constituent power is what he called more than thirty years earlier in his reading of *Ereignis*, "pure *self-destining without destiny*" (HHE 131).

2.4 Agamben's criticisms of Heidegger

In the exposition above, I have endeavored to show the vital importance of Agamben's earlier readings of Heidegger in understanding the dense and allusive passages that form the heart of the former's *Homo Sacer* series. But if Agamben's reading of *Ereignis* seems to so clearly impel his thinking of inoperativity, how do we understand his decisive but unelaborated claims that Heidegger's late thinking remains "insufficien[t]" (HS 61) or "grandiose but certainly unsuccessful" (UB 145)? In *Homo Sacer 1* and *The Use of Bodies*, the categories of 'gifting' and 'letting' will prove to be problematic because, for Agamben, Being's 'self-grounding,' self-founding,' or 'autoconstitution,' is nothing other than Being's relation to beings in the form of the ban. As we saw above, the withdrawal or suspension of Being in favor of beings is Being's 'gifting' of itself to itself or the 'letting-be' of Being in the ban of beings, and is, as such, entirely within the structure of sovereignty that Agamben has been elaborating: "an act is sovereign when it realizes itself by simply taking away its own potentiality not to be, letting itself be, giving itself to itself" (HS 46). It is for this reason that Agamben

declares, in a difficult passage we marked, in this chapter's introduction, as providing the orientation for our investigation:

> [O]ne must think the existence of potentiality without any relation to Being in the form of actuality – not even in the extreme form of the ban and the potentiality not to be, and of actuality as the fulfillment and manifestation of potentiality – and think the existence of potentiality even without any relation to being in the form of the gift of the self and of letting be. This, however, implies nothing less than thinking ontology and politics beyond every figure of relation, beyond even the limit relation that is the sovereign ban. (HS 47)

In *The Use of Bodies,* Agamben reiterates the inadequacy of the categories of *gifting* and *letting* for what he is trying to think:

> If Being is only the being "under the ban"—which is to say, abandoned to itself—of beings, then categories like "letting-be," by which Heidegger sought to escape from the ontological difference, also remain within the relation of the ban. (UB 268)

But given our analysis of Heidegger's late thinking above, Agamben's sweeping claims seem unfounded on at least three counts. First, let us once again pay attention to Agamben's language of the commencement and inauguration of Being: "Being founds itself sovereignly" (HS 46); "sovereign self-grounding of Being" (HS 47); "sovereign autoconstitution of Being" (UB 267). Even if such a thinking was ever attributable to the early Heidegger, in *On Time and Being,* he unequivocally seems to counter Agamben's claims by denoting that in *Ereignis,* in a passage we examined above, Being is not to be thought as the '*summum ens* as *causa sui*,' the highest being as cause of itself:

"Being is not to be thought in the manner of metaphysics, which consists in the fact that the *summum ens* as *causa sui* accomplishes the grounding of all beings as such (OTB 33). Second, and moreover, even if it could be considered that Heidegger's early, brief references to the gift are still construed within ontological difference – as the relation between Being and beings, between the gifting and the gift – then the later Heidegger's express focus on the *es gibt* of the *es gibt Sein*, of the *giving* instead of the "discerniblity of the gift," also seems to deflate Agamben's criticisms in advance (OTB 9).

But thirdly, and perhaps most strongly, Heidegger's late thinking is very emphatic in showing how *letting* departs from ontological difference. In *On Time and Being*, Heidegger clearly marks a difference in two senses of letting-presence (*Anwesenlassen*), and we should note here that Joan Stambaugh's translation is quite misleading since it omits entirely the italics that are present in the German text between "*Anwesen*lassen" and "Anwesen*lassen*."[38] In the first sense, letting is understood with regards to the being, ontically, to what is present. The emphasis here is on the letting-presence of the present. The second sense is where the emphasis is on letting itself; letting thought explicitly along the lines of the *es gibt* as the giving that holds itself back in the giving. The second sense is more profound, and bears on what cannot be thought within the grammar of ontology: "*Only because there is letting of presence, is the letting-presence of what is present possible*" (OTB 37). Heidegger, in his Le Thor Seminar of 1969, attends to any possible misunderstanding of exactly these passages from *On Time and Being*, and asserts that letting-*presence* "is grasped ontically so that the emphasis lies upon the fact

[38] The passage in question in the original German text is in Martin Heidegger, *Zur Sache des Denkens (Gesamtausgabe Band 14)* (Frankfurt: Vittorio Klostermann, 2007), 45-46. For the English translation by Joan Stambaugh which does not contain italics, see OTB 36-37.

of being" whereas in *letting*-presence, "[p]resence is no longer emphasized, but rather the *letting* itself"[39].

It seems here then that Heidegger's elaborations expose Agamben's criticisms in the *Homo Sacer* series as somewhat feeble and hasty. So instead, let us attend to a reference by Agamben, in his 1982 text *Language and Death*, to a passage in the seminar summary in *On Time and Being* where the entire weight of his dissatisfaction with Heidegger seems to lie. Heidegger here is attempting to demarcate *Ereignis* from the Absolute:

> The discussion on Hegel gave occasion to touch anew upon the question of whether the entry into Appropriation would mean the end of the history of Being. A similarity with Hegel seems to exist here which must, however, be regarded against the background of a fundamental difference. Whether or not the thesis is justified that one can only speak of an end of history where – as is the case with Hegel – Being and thinking are really identified, remains an open question. In any case, the end of the history of Being in Heidegger's sense is something else. Appropriation does contain possibilities of unconcealment which thinking cannot determine. In this sense, one cannot say that the destinies are "stopped" with the entry of thinking into Appropriation. But one must nevertheless consider whether one can still speak in such a way about Being and the history of Being after the entry, if the history of Being is understood as the history of the destinies in which Appropriation conceals itself. (OTB 49-50)

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[39] Martin Heidegger, *Four Seminars*, trans. Andrew Mitchell and François Raffoul (Bloomington, Indiana: Indiana University Press, 2003), 59.

Agamben's disquiet stems from, in particular, Heidegger's tentative comments on the persistence of the 'destinies' of Being, and thus a certain hesitation about the question of the 'end of the history of Being.' Agamben identifies in this passage the "ambiguous" (LD 104) character of *Ereignis*, which does not seem to completely sever the relation of Being to beings; that does not think sufficiently what he will only later come to call inoperativity. This in turn bears on Heidegger's somewhat ambivalent perspective on metaphysics in his late text:

> This means that the history of Being as what is to be thought is at an end for the thinking which enters the Appropriation – even if metaphysics should continue to exist, something which we cannot determine. (OTB 40-42)
>
> To think Being without beings means: to think Being without regard to metaphysics. Yet a regard for metaphysics still prevails even in the intention to overcome metaphysics. Therefore, our task is to cease all overcoming, and leave metaphysics to itself. (OTB 24)

These comments bring into relief Agamben's desire to 'surpass' metaphysics and think, "a coherent ontology of potentiality" and a "political theory freed from the aporias of sovereignty" (HS 44). Towards the beginning of this section, we noted the intensity with which Agamben's designations for the 'end of historical figures' imposed itself on his early texts. In comparison, we should acknowledge the litany of formulations that marks the *Homo Sacer* series: "beyond relation" (HS 29); "power released from the sovereign ban" (HS 44); "constituting power that has definitively broken the ban binding it to constituted power" (HS 46); "beyond every figure of relation" (HS 47); "Being of abandonment beyond every idea of law" (HS 59); "a politics freed from every ban" (HS

59) “abandonment freed from every idea of law and destiny” (HS 59) “project of an ontology and a politics set free from every figure of relation” (UB 268).

The vocabulary of *emancipation*, *new foundations* and *the beyond* multiply and accumulate throughout Agamben’s work suggesting that, unlike for Heidegger – and perhaps even more strongly, unlike Derrida – a register of *overcoming* haunts Agamben’s work. For he will never stop thinking of the possibility of an *event* that will come to bring about an end of history such that ‘man’ can be returned to his properly improper dwelling in which all work is rendered inoperative. Exploring the patently messianic impulses in Agamben’s thinking – which tend to be amplified in his later work – is beyond the scope of my project, but we can prepare the ground for such an investigation by now turning to a discussion of the question of the *act* and the *event* in the company of Derrida.

3.1 Iterability and the force of rupture of the mark

To begin exploring the issues of potentiality, actuality and inoperativity in the company of Derrida, I want to first turn to his work *Limited Inc*, which contains a 1971 essay, “Signature Event Context,” in part on John Austin’s speech act theory, and a 1977 response, “Limited Inc a b c…,” to some criticisms of the earlier text by the analytic philosopher John Searle.[40] Now it may indeed seem strange to focus on these texts – which do not explicitly refer to Heidegger, or to Aristotle, for that matter – yet I suggest

[40] The two texts that I will refer to from Limited Inc are “Signature Event Context,” translated by Samuel Weber and Jeffrey Mehlman (LI 1-24) and “Limited Inc a b c…,” translated by Samuel Weber (LI 29-110). A subsequent translation of “Signature Event Context,” by Alan Bass, was included in Jacques Derrida, *Margins of Philosophy*, trans. Alan Bass (Chicago: University of Chicago Press, 1982), 307-303.

that they contain some passages that are very germane to our discussion because they constitute, in effect, a rigorous thinking of the relationship between potentiality and actuality, a distinction that Derrida wants to call into question. And this is a vital impulse in this text because Derrida is interested in precisely, speech *acts*, the actualization of spoken or written marks or signs in a given context, and the value of *presence* that is bound up with this question: "the value of the act…, like that of event, should be submitted to systematic questioning. As in the entire philosophical tradition that supports it, this value implies that of presence which I have proposed to defer to questions of differential [*différantielle*] iterability" (LI 58)

This section of the chapter takes as its point of departure the intimation that, at least initially, Agamben's thought of inoperativity appears to be remarkably close to Derrida's thinking of *différance* and the trace, but more importantly and immediately in this context, to *iterability* and the mark. Let us spend some time exploring this proximity by examining what Derrida calls the *force of breaking* or *rupture*, the *structural possibility* of every mark or sign to break with its given context. Crucial to our discussion is Derrida's description of three 'essential predicates' that determine the concept of writing, though of course Derrida's aim is to show that these predicates of written communication are just as valid for oral communication – indeed, for language in general – and, more radically, are characteristic of any determination of *experience* itself (see LI 10)[41]. These three essential predicates will form the basis for what Derrida calls the *iterability* of the mark.

[41] "And I shall even extend this law to all 'experience' in general if it is conceded that there is not experience consisting of *pure* presence but only of chains of differential marks" (LI 10).

First, the written sign is a mark that "does not exhaust itself in the moment of its inscription," and can be iterated and function in a context different to the scene of its production, and in the absence of the "empirically determined subject" who authors this mark (LI 9). This question of the *non-exhaustion*, or more precisely, the *non-exhaustability* of the mark is vital for our discussion.

Second, Derrida asserts that a mark always bears a *force of rupture*, and it is worth reproducing Derrida's powerful argumentation here:

> [A] written sign carries with it a force that breaks with its context, that is, with the collectivity of presences organizing the moment of its inscription. This breaking force [*force de rupture*] is not an accidental predicate but the very structure of the written text….[T]he sign possesses the characteristic of being readable even if the moment of its production is irrevocably lost….[,] i.e. abandoned it to its essential drift….[B]y virtue of its essential iterability, a written syntagma can always be detached from the chain in which it is inserted or given without causing it to lose all possibility of functioning, if not all possibility of "communicating," precisely. One can perhaps come to recognize other possibilities in it by inscribing it or grafting it onto other chains. No context can entirely enclose it. Nor any code, the code here being both the possibility and impossibility of writing, of its essential iterability (repetition/alterity). (LI 9)

And third, Derrida will connect this thinking of the force of rupture to what he refers to as *spacing*, a term that clearly resonates with the spatializing (differing) and temporalizing (deferring) movement of *différance*. Let us note, in particular, that the argument Derrida is making is not only that the mark – which, as we saw with our

exposition of Saussure in Chapter 1, is only a 'difference without positive terms' – breaks with the differing-deferring of the elements of the chain in which it is inscribed, thus rendering it available for 'use' in other contexts. Rather, Derrida's contention, more forcefully and radically, is that the mark disengages or detaches, it ruptures or breaks "*from all forms of present reference* (whether past or future in the modified form of the present that is past or to come)" (LI 9-10, emphasis mine). We will return, in particular, to this third predicate below.

In order to show how this argument bears on our prior discussion of Agamben, I want to understand each thinker through the other's terminology and contexts. I realize that I may be slightly forcing Derrida's and Agamben's language in this comparison, but not, I would suggest, in a way that unfairly contorts or distorts their arguments. Let us recall here all that we have discussed about inoperativity/destituent potential as a 'generic mode' of potentiality that has closed all its historical figures, all its *relation*s to actuality. What is the 'mode' of existence of this potentiality? As we saw, it is nothing other than *impotentiality*, privation, but not a privation that is tied to any particular potentiality-actuality, but rather the deactivation of every actuality. Inoperativity names that which deactivates potentiality's totalized enclosure in any figure of actuality "without simply destroying it but by liberating the potentials that have remained inactive in it in order to allow a different use of them" (UB 273).

I want to suggest, at least initially, that what Derrida is elaborating here seems quite resonant with Agamben's discussion of potentiality and actuality, and in Derrida's notion of the *iterability* or detachability of the mark, we find something very similar to the *inoperativity* of actuality or a destituent potentiality. The mark is *destituent*,

precisely, because it abandons every context, every actuality. What Derrida is describing seems to be nothing other than the mark's potentiality to be 'actualized' in a variety of contexts or figures, and what allows this, to recall Agamben's phrase, 'different use' of the mark is precisely the *force of rupture* that divests it from every actuality. In a certain sense then, a mark can be rendered *inoperative* and that is precisely the mark's *possibility-potentiality,* or more precisely, its *destituent potential*: for "what would a mark be that could not be cited" (LI 12)? Inoperativity characterizes the mark; the mark is detachable in the scene of its production; and this detachability does not supervene on the mark, but is an essential predicate of it. This force of rupture means that no context can *exhaust* this mark, no actuality can saturate and constrict the 'potentiality' of the mark: the mark "can break with every given context, engendering an infinity of new contexts in a manner which is absolutely illimitable" (LI 12). The mark can be *grafted* onto new contexts for different uses; and let us stress Derrida's very deliberate term *graft* that indicates the hybridization, contamination, and originary abandonment-detachment of the mark.

Let us also, in turn, 'translate' Agamben's thinking of inoperativity in the terms in which Derrida describes the essential predicates of the mark. First, in attempting to think destituent potentiality's *inexhaustibility* – in a double sense: destituent potential as a potentiality or impotentiality that is not *exhausted* in the passage to actuality but that instead *exhausts* or *survives* all its determined historical figures, i.e., all its historical *contexts,* its historical scenes of *production* or *work* (*energeia*) – Agamben is very close to Derrida's thinking of a mark that does not exhaust itself in the moment of its inscription-actualization. This is precisely what Agamben describes as "a generic mode

of potentiality that is not exhausted…in a *transitus de potential ad actum*" (HS 61). This mode of potentiality is also (its) (own) impotentiality, but not an impotentiality that – in suspending itself to allow the passage from potentiality to actuality – passes into actuality in the scene of realization as a salvation, preservation or conservation. Rather, this generic mode of potentiality/inoperativity has a capacity to withhold, to place itself in suspension, to reserve or resist its actualization. In that sense, Agamben attempts to think the question of the *reserve* of inoperativity outside of dialectical fulfillment.

Second, destituent potentiality contains a force of rupture; a force of what Agamben calls 'deactivation' or 'inoperativeness'. This force of rupture deactivates every actuality and renders available potentiality for different uses other than the scenes of actuality to which they were intended or conditioned; they remain open for, precisely, other possibilities or potentialities as *grafting*. In emphasizing what he calls, variously, the 'generic' or 'destituent' quality of this (im)potentiality, Agamben seems to be striving to think, much like Derrida, the 'essential' or 'structural' quality of this force of rupture.

But it is in Derrida's third point – the relationship of this force of rupture/iterability to spacing/*différance* – that we may begin to parse a difference between him and Agamben, a difference that has been haunting our entire exposition. For Agamben, inoperativity is what divests potentiality of its actuality, and makes potentiality available for different use, for grafting, in future contexts. Yet Agamben will never question the reliance of his entire thinking of potentiality and actuality on the value of *presence*. Let us recall here that Derrida's point is not simply that a mark can break from its present actualization to be re-activated in future (present) contexts, as if breaking

from one *presence* to another, "from the collectivity of presences organizing the moment of its inscription" to another collectivity of presences in the future (LI 9). Rather, Derrida's more radical point is that the mark breaks "from all forms of present reference (whether past or future in the modified form of the present that is past or to come)" (LI 9-10). Derrida identifies in the mark an inability to be exhausted in the *presence*, the fully contained *present* of any actuality. The mark reserves itself by dividing itself, by differing and deferring the 'instant' of its actualization, keeping in abeyance the possibility, or precisely, the *potentiality*, for reinscription. The mark deposes the presumed 'now,' the purported immediacy of its scene of production; it *detaches* itself and opens out onto the future. The deposition of the 'now' of actuality does not render the mark available for a future 'now'; rather, that the very immediacy, the very presence of actuality can be deposed signifies that there never was a 'now' that answered to the *stigme of a point* (see p 49).

It is here that Agamben, despite his frequent and sweeping criticisms of Derrida, will show himself to be a much less rigorous thinker of potentiality-actuality than the latter. By this I do not mean to level a vague, ill-tempered charge against Agamben; I hope my patience with his analyses show their immense acuity and insight. Rather, by evoking this notion of rigor, what I mean to suggest is that Agamben does not take rigorously the consequences of his own insights. If Agamben already shows, with great care, that impotentiality is the site of 'indistinction' or 'indifference' between potentiality and actuality, would it not be the case that the most radical consequences of this demonstration is that what we understand as potentiality and actuality can no longer be thought in their presence but requires a new thinking of ontology? Now, Agamben will

call, in a passage that has occupied us previously, for “an entirely new conjunction of possibility and reality, contingency and necessity” and a “new and coherent ontology of potentiality” (HS 44). But for Derrida, another thinking of possibility and reality, contingency and necessity will not accede to the grammar of an ontology, and perhaps even more forcefully, put pressure on what we understand of the ‘new’ and ‘coherent’ themselves.

3.2 *Destinerrance* and the non-arrival of actuality

To further explore how Derrida’s thinking departs from that of Agamben, let us attempt, in perhaps a slightly recursive way, to understand the Derrida’s argument in more detail by interspersing some material from *Limited Inc* with his 1980 work *The Post Card*. Our particular task is to elaborate the stakes of Derrida’s now quite famous contention that a ‘letter does not always arrive at its destination.’ The most immediate context of this claim is Derrida’s disagreement with Jacques Lacan, but the significance of this thought is felt throughout the fairly disparate texts gathered in *The Post Card*, and comes to bear, as we shall see, very closely on the question of the sending and destiny of Being. And it is in this sense that the full weight of Derrida’s argument is sometimes not acknowledged. Across these texts, everything that Derrida suggests about the undeliverability of the letter is meant to be heard in its double sense – both as written sign and as article of correspondence – and as such is very resonant with everything we have been saying so far about the mark in *Limited Inc*.

Let us try think of Derrida’s argument as proceeding in four ‘stages’ or ‘steps’. I want to immediately acknowledge that this is a perhaps unduly schematic interpretation

of Derrida's work given that it is scattered across the texts collected in *The Post Card*; and this scattering is not simply incidental to the argument but dramatizes the very issues at hand. I hope, nevertheless, that it is a schema that will have expository value and economically condense the questions we are tracking in view of comparing it with Agamben's thinking.[42] Derrida's argument proceeds somewhat like this: First, we know from what is familiar (though this 'familiarity' will turn out to be the source of all unfamiliarity, all homelessness, the uncanny, *unheimlich*, itself) that letters do sometimes go astray, that the intentions animating certain scripts are 'mis-read', that marks used in a certain context can be torn from their 'proper' scenes and used elsewhere: "a letter does *not always* arrive at its destination" (PC 489); "it *can happen* that a mark functions without the sender's intention being actualized, fulfilled, and present" (LI 57, emphasis mine).

But, and this is our second point, if this *possibility* or *eventuality* or, to use Agamben's word, *contingency* can occur, then something in the very 'structure' of the letter – both as mark and correspondence – accounts for this contingency; this contingency is a *possibility* that is *necessary*. Something, or perhaps more accurately, some *force*, some 'agency' that does not accede to a present-being or being-present – *a non-present remainder* – of the letter *gives itself* to the possibility of (its) errancy. This is

[42] My reading here is indebted to Geoffrey Bennington's inventive short text "Hap," *Oxford Literary Review* 36.2 (2014): 170-174. In this text, Bennington elaborates the consequences of the letter's *destinerrance* through a narrative comprised of text messages. This fragmentary correspondence stages the very scattering and drifting that Derrida discusses and enacts in *The Post Card*. My schematic presentation loses much of the dramatizing of these accounts and presents the argument perhaps as too much of series of 'logical propositions.' Though this has a certain expository value for my project, the question of my schematizing gesture remains open; I possibly have sought to prise the 'pure argument' from its context. Though all exegetical work contains these gestures, I remain a little uneasy about schematizing a work like *The Post Card*, which expressly seeks to foreground and stage a kind of dissemination and scattering. Furthermore, the questions of *staging*, *enacting*, *dramatizing* are all resonant here with our explicit investigation of *actuality*.

precisely what Derrida will call a "structural possibility" (e.g. LI 10), or in a more bold formulation, a "structural parasitism" (LI 17): "Even if this (eventual) possibility only occurred once, and never again, we would still have to account for that one time and analyze whatever it is in the structural functioning of the mark that renders such an event possible" (LI 57).

So, thirdly, and now a more difficult thought that Derrida advances is that even when a letter does arrive, "its capacity not to arrive torments it with an internal drifting" (PC 489). The letter remains haunted by the spectral possibility of its disappearance; its occurrence is tormented or afflicted by its necessarily-possible non-occurrence. This force of rupture of the letter, this very iterability of the mark, Derrida asserts, in a vital passage, "can be recognized even in a mark which *in fact* seems to have occurred only once" (LI 48). Even a mark that appears to be tied to its scene of actualization, even a letter that arrives seemingly intact remains haunted by the essential, spectral, possibility of detachment and dissemination. Derrida underscores this point by insisting on the difference between iteration and "itera*bility*," the latter denoting the letter's *ability* for errancy and duplication even in the supposed absence of iteration itself: "Inasmuch as it is essential and structural, this possibility is always at work marking all the facts, all the events, even those which appear to disguise it" (LI 48).

Now if we halted Derrida's argument at this point, we would fail to contend with the most difficult and radical consequences of this 'structural parasitism,' and it is here, as I hope to show below, that we can elaborate in more detail the margin of difference between Derrida and Agamben. "Seems to have occurred only once" (LI 48): everything turns on this word *seems*, and it is from this *seeming occurrence* that we can proceed to

the ‘fourth step’ of Derrida’s argument. If the letter’s arrival is tormented or haunted by its necessarily possible non-occurrence, then the sense of arrival as a *presence* is “complicated, divided, contaminated, parasited by the possibility of an absence[,]…divided or multiplied in advance by its structure of repeatability” (LI 48). And so the most radical consequence of this haunting or tormenting of presence is that the letter “never truly arrives,” (PC 489) or, in what amounts to the same thing, “arrives elsewhere always several times” (PC 123). Its *actuality* or *actualization* is scattered, both differed and deferred, re-moved and deported spatially and temporally, which means, according to any measure of occurrence as presence – and how else has metaphysics thought actuality?, Derrida would ask – the letter *does not arrive*, “it *must*…not arrive in any way” (PC 123).

However, that the letter does not arrive does not signify a non-experience, and everything here evokes our discussion of an absolute forgetting that leaves a trace – the experience of oblivion – in our reading of Heidegger. The weight of this argument is concentrated in the senses of ‘arrival.’ Derrida’s notion of occurrence is thoroughly complicated by his use of the word *arriver*, which means *to arrive, achieve, to succeed, to happen*. We cannot simply rely here on the model of *arrival as a presence* or *non-arrival as absence*, which, in their adherence to the immediacy of the value of presence, amount to the same. Rather, the letter, Derrida asserts, “takes itself away *from the arrival at arrival*,” (PC 123) or, as he notes in speaking of the event of the law in his text on Kafka, “an event which arrives *at* not arriving, which manages not to happen”

(*événement qui arrive à ne pas arriver*) (BTL 210).[43] I reproduce the original here to show how the singular phrase in French is extended in the English translation to account for the proliferating senses of arrival, achievement, success, occurrence, denoting an irresolvable equivocation. Thus, we are talking here again of a certain experience of loss, of oblivion, an experience that is irreducibly divided between occurrence and non-occurrence, arrival and non-arrival, destiny-destination and an irreducible, adestinal drifting: *iterability* and *destinerrance*.[44]

3.3 The 'logic' of the necessary contingency

How do we understand this irreducible co-implication of arrival and non-arrival, occurrence and non-occurrence? How does Derrida himself, offer, in Agamben's words, a "new conjunction of possibility and reality, necessity and contingency" (HS 44)? Derrida, in *Limited Inc*, will explicitly suggest that he is trying to think a new " 'logic', " and it is notable that he places this word in quotation marks (LI 48). What Derrida is attempting here is to think the relation of contingency and necessity, possibility and impossibility in a thoroughly contaminated way under the headings of *iterability* (as well as *destinerrance*): "iterability undercuts the classical opposition of fact and principle [le droit], the factual and the possible (or the virtual), necessity and possibility. In undercutting these classical oppositions, however, it introduces a more powerful 'logic'

[43] The French version that is translated as BTL is "Préjugés: Devant La Loi," in *La Faculté de Juger*, Jacques Derrida et al. (Paris: Les Édition de Minuit, 1985), 87-139; the phrase in question appears on page 128.
[44] For a cogent reading of this term, see J.Hillis Miller, "Derrida's Destinerrance," *MLN* 121.4 (2006): 893-910.

”(LI 48). This more powerful logic is that of the necessarily-possibility, or the necessary contingency.[45]

The question of a *torment* or *haunting* are crucial here. What does it mean that an arrival, thought in terms of a presence, is *essentially* haunted or tormented? What does it mean to take this tormenting or haunting ‘seriously’? For Derrida, these questions demand the deconstruction of the concept and value of presence. The entire difficulty of Derrida’s thought lies in passing through these increasingly radical ‘propositions,’ but propositions, that are nevertheless the rigorous – and undeniable – consequences of each other: the letter does not always arrive at the destination; the letter, then, must be always capable – necessarily – of not arriving at its destination; even when it arrives, then, it remains tormented or haunted; which means it does not arrive. This can be articulated in terms of the passage – the *dispatch* –from potentiality to actuality, which, for Agamben, is synonymous with the sending of epochal Being: potentiality is capable of not passing into actuality; which means that its potentiality is necessarily always already also impotentiality; even when potentiality passes into actuality, it remains tormented or haunted by its impotentiality; which means that there never really is ‘actuality,’ and thus, no ‘potentiality,’ given that these two terms have never been understood outside of a metaphysics of presence.

It is precisely here that we can observe, despite the proximity of many aspects of their thought, a significant difference between Derrida and Agamben. In terms of our rather schematic and perhaps even crude ‘four-step’ argument, Agamben will accompany

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[45] Geoffrey Bennington notes that *necessary possibility* arguments are “Derrida’s contribution to logic”; “Hap,” 170.

Derrida up to 'step 3' in granting that impotentiality is 'preserved' in actuality, haunting it, in a way. Yet Agamben does not follow through on the consequences of this haunting of actuality. I want to clarify that I am not simply trying to criticize Agamben by mobilizing Derrida against him. Rather, I am trying to suggest that Agamben's own arguments provoke different inferences to the ones he expressly draws. Agamben will concede a certain 'zone of indistinction' or 'zone of indifference' between potentiality and actuality that is marked by impotentiality. But this zone is always contrasted with what is then presumably a *zone of difference*, a zone where the integrity of a threshold guards the purity of difference. In a solitary, startling formulation in *Homo Sacer 1*, Agamben surreptitiously divulges the irreducibility of the contamination of difference: "At the limit, pure potentiality and pure actuality are indistinguishable" and this indistinguishability "is precisely this zone of indistinction" (HS 47). The consequences of this assertion are stark. If pure potentiality is always already pure actuality, then, in fact there is no *pure* potentiality or actuality if by purity we imply *plenitude* and *presence*; which means there is no potentiality or actuality, no potentiality or actuality that accedes to the *there is*. Pure potentiality is always already impure potentiality, pure actuality always already impure actuality. Here Agamben's own formulation should lead him to conclude what Derrida asserts of *iterability*: "iteration in its 'purest' form…is always impure" (LI 53). Yet, Agamben will close off or suppress this thinking. Rather than drawing from the zone of indifference the inference that the concepts of potentiality and actuality cannot be maintained in any rigorous way, Agamben seeks to arrest the instability and equivocation of contaminated differences in the proper impropriety of

inoperativity, which for him is the foundational concept for a "new and coherent ontology of potentiality" (HS 44).

For Derrida, however, this thinking of haunting will lead to him coining, playfully, the term *hauntology* in his 1989 text *Specters of Marx*; perhaps we may add to this, a little ridiculously, *torm-entology*![46] What Derrida is trying to think here is the insufficiency of an ontology – a discourse, as we saw in Chapter 1, on present-beings and being-present, a discourse on "the *on* and not *einai*" (HBQ 20) – to register the consequences of haunting for the question of presence. Unlike for Agamben, whose concepts of inoperativity or destituent potential would inaugurate a 'new and coherent ontology,' for Derrida, the discourse and grammar of ontology – and, furthermore, the discourse and the grammar of the *new* – is inadequate to what he is trying to describe. This is because for Derrida, *iterability*, *destinerrance*, or *différance*, or any of the 'non-synonymous' substitutions that gesture towards a 'zone of indifference' are not stable concepts, nor can they form, a 'foundation' for a new science. There are, exactly, *incoherent,* if coherence denotes the *consistency* or *solidity* of a concept. As Derrida writes, of the tormented letter: "You can no longer *take hold* of it" (PC 123, emphasis mine). Derrida elaborates this sense of haunting in striking passage in *Specters of Marx*, clearly evoking Heidegger:

> 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.

[46] On hauntology, see, in particular, SM 10, 63 and 202

> Ontology opposes it only in a movement of exorcism. Ontology is a conjuration. (SM 202).

Thus , the more "powerful " 'logic' " (LI 48) that Derrida wants to elaborate, what he calls in *Specters of Marx*, the "logic of haunting," (SM 10) is a new 'conjunction,' – precisely what Agamben is striving for – of necessity and contingency in the sense of a *necessary possibility* or *necessary contingency*. This seems to be what Derrida is talking about when he refers to "two senses" of possibility in *Limited Inc* (LI 57). In responding to John Searle – whose criticisms of Derrida are based on Samuel Weber and Jeffrey Mehlman's English translation of "Signature Event Context" –, Derrida emphasizes the difference between *éventualité* and *possibilité* which are both rendered as 'possibility' in the Weber-Mehlman translation. The former, for Derrida, refers to possibility in the sense of contingency, a "possibility qua eventuality," the *being-able to*, the *capability* of the mark to function in the absence of its sender, the capacity for the letter to go astray (LI 58). But that this possibility is *always* inscribed in the mark, leads us to the second sense of possibility, which Derrida designates as "possibility qua necessity" (LI 58): "Once the mark *is able* to function, once it is possible for it to function, once it is possible for it to function in case of an absence, etc., it follows that this possibility is a *necessary* part of its structure, that the latter must *necessarily be such that* this functioning is possible" (LI 48).

But Agamben's word 'conjunction' might be inadequate to describe the relation of necessity to contingency that Derrida is trying to think in the necessary-possibility of contingency or *destinerrance*. Derrida speaks instead of "an irreducible *contamination*

or *parasitism* between the two possibilities" (LI 57, emphasis mine). The consequence of this necessarily-possibility is that

> What makes the (eventual) possibility possible is what makes it happen even before it happens as an actual event (in the standard sense) or what prevents such an event from ever entirely, fully taking place (in the standard sense). (LI 58)

The 'standard sense' of the event that Derrida denotes is nothing other than the classical concept of actuality, actuality thought in terms of presence. What makes actuality possible –that is, potentiality– is what 'actualizes' actuality in advance, before its event, before its scene of production. Which means that in the 'standard sense,' in the sense of a metaphysics of presence, the event – the passage of potentiality into actuality – never 'takes place.' The structural possibility that Derrida is speaking of here is thus the structural impossibility of a passing from a purely-present-potentiality to a purely-present-actuality.

The consequences of this iterability, this structural parasitism, for Derrida, is that the mark, as 'potentiality', "will strive or tend in vain to actualize or fulfill itself, for it cannot, by virtue of its very structure, ever achieve this goal. In no case will it be fulfilled, actualized, totally present to its object and to itself." (LI 56). Derrida insists on this point by speaking of a "certain non-actuality" (LI 57) of the mark, and by questioning, within the supposed passage from potentiality to actuality, the implication of a

> *telos*, which orients and organizes the movement and the possibility of a fulfillment, realization, and *actualization* in a plenitude that would be *present* to

> and identical with itself….[T]he words "actual" and "present" are those that bear the brunt of the argumentation[.] (LI 56)

The mark cannot actualize itself *fully*, which means – given that actuality has only been understood within metaphysics as a full, present actuality – that the *mark cannot actualize itself*. In a striking phrase, Derrida describes the metaphysics of presence as one that "tends to rivet the destination to identity" (PC 192). But the haunting or tormenting of the letter, the force of rupture of iterability is precisely an *un-riveting* force such that the letter "divides itself, *it is valid several times in one time*: no more unique addressee," no more unique actuality (PC 192). It is this very impossible possibility of actuality that Agamben, despite the power of his analyses, will not think.

Thus, the 'metaphysics of presence,' a supposedly outmoded term that has perhaps worn out its effect on us, still shows itself to be remains a formidable and irresistible theme of Agamben's work. It is for this reason that, as we turn to the last section of the chapter, I want to argue that there remains a future for deconstruction; a future for the deconstruction of presence.

4.1 Agamben's reading of Melville: Leibniz's Palace of the Destinies and Bartleby's Dead Letter Office

In bringing this chapter, and the project as a whole, to a provisional conclusion, I want to return to Agamben's reading, from 1993, of the ending of Melville's short story *Bartleby, the Scrivener*. Agamben, as we saw in Chapter 2, turns his attention to *Bartleby* in a quite magnificent, dense and wide-ranging essay. Furthermore, "Bartleby, or On Contingency" contains one of Agamben's earliest descriptions of what he has not

still come to call inoperativity; yet this incipient thought might be the most difficult and provocative elaboration of the concept that has orientated much of his later work. Derrida, to my knowledge, has not devoted any space to an extended reading of *Bartleby* among his published corpus,[47] but containing, as we shall see, references to a Dead Letter Office, the requisition of valuables from the contents of dispatches gone astray, and the burning of undelivered – or undeliverable – correspondence, I cannot help but imagine that these passages would have enthralled him, being so utterly resonant with so many themes in his work. This final section will attempt a better understanding of Agamben's essay, and offer some speculative comments on how Derrida might have read these passages of Melville – and Agamben's own reading of *Bartleby* – differently.

In trying to think how Bartley's refrain of "I would prefer not to" might constitute something other than impotentiality, that is, something other than an impotentiality as always *related* to its own potentiality and actuality, something other than a 'zone of indifference' in between potentiality and actuality, but rather a destituent potential, an impotentiality that has severed its relations and exhausted all its historical figures, Agamben turns his attention to the end of Melville's story. The narrator (the lawyer) hears a 'report,' after Bartleby has left his employ, about the latter's whereabouts. I here reproduce the final, astonishing passage of Melville's story given that any summary would fail to do it justice:

> The report was this: that Bartleby had been a subordinate clerk in the Dead Letter Office at Washington, from which he had been suddenly removed by a change in the administration. When I think over this rumor, I cannot adequately express the

[47] See Chapter 2, n.40 for Derrida's references to *Bartleby*.

> emotions which seize me. Dead letters! does it not sound like dead men? Conceive a man by nature and misfortune prone to a pallid hopelessness, can any business seem more fitted to heighten it than that of continually handling these dead letters and assorting them for the flames? For by the cart-load they are annually burned. Sometimes from out the folded paper the pale clerk takes a ring:—the finger it was meant for, perhaps, moulders in the grave; a bank-note sent in swiftest charity:—he whom it would relieve, nor eats nor hungers any more; pardon for those who died despairing; hope for those who died unhoping; good tidings for those who died stifled by unrelieved calamities. On errands of life, these letters speed to death.
>
> Ah Bartleby! Ah humanity![48]

The narrator, Agamben argues, attempts an interpretation of this 'report' (yet another dispatch, then, within the dispatch of the story) based on a "preexistent pathological disposition" (BC 269): what the narrator describes as 'by nature and misfortune prone to a pallid hopelessness.' As such, the narrator concludes that there is no task 'more fitted' for what I want to here call Bartleby's *condition*. Yet what exactly is Bartleby's condition, if we are to resist reducing it to the domain of psychological explanations? If Bartleby's refrain and tenure at the Dead Letter Office is an indication or symptom of his condition, then what ails or afflicts Bartleby? Though *condition* is a word I am imposing on Agamben's analysis in view of a comparison with Derrida a little later on, Agamben poses this very question by suggesting that the narrator's explanation fails to question the

[48] Herman Melville, *Bartleby* (New York: Bartleby.com, 1999), http://www.bartleby.com/129/

link between Bartleby's refrain and dead letters: "Why does a pallid hopelessness express itself in precisely this way and not another" (BC 269)?

To address this question, I want to highlight what I think is a particularly important point of departure among Agamben's astounding and perhaps even bewilderingly vast array of references and allusions in this essay[49]: Leibniz's famous claim that the actual world, the world that exists, is the 'best of all possible worlds' of an infinity of possible worlds. In presenting his argument in an apologue towards the end of the *Theodicy*, Leibniz extends and reimagines fifteenth-century Italian philosopher Lorenzo Valla's fable about Sextus Tarquinius, the son of the last king of Rome, Tarquin the proud. Sextus Tarquinius's rape of Lucretia, the wife of his cousin Collatinus, is viewed as setting in motion a series of events that lead to end of the Roman monarchy and the commencement of the Republic; this narrative has a number of very compelling connotations that we cannot pursue here. For our present purposes, let us note that in Valla's fable, Sextus Tarquinius visits the oracle of Apollo at Delphi, but is unsatisfied with the future that is foretold for him by Apollo. Apollo responds that he has not ordained this future, but is simply foretelling events that have already been decreed by Jupiter. Leibniz's apologue begins by envisioning Sextus Tarquinius as subsequently visiting the temple of Jupiter at Dodona to ask Jupiter to change Sextus Tarquinius's future. Jupiter refuses and Sextus Tarquinius is abandoned to his fate, but Theodorus, Jupiter's priest, wants further clarification, and is thus sent by Jupiter to his daughter's – the Goddess Pallas – temple in Athens. Theodorus lies down to sleep in the temple, and

[49] Particularly interesting his discussion of Jewish (Abraham Abulafia), Arabic (Ibn Rushd or Averroes) and Persian (Ibn Sina or Avicenna) inheritors of Aristotle. See, BC 246-260.

it is Leibniz's description of Theodorus's subsequent dream that is most pertinent for our discussion:

> Dreaming, he found himself transported into an unknown country. There stood a palace of unimaginable splendour and prodigious size. The Goddess Pallas appeared at the gate, surrounded by rays of dazzling majesty.
>
> … Jupiter who loves you (she said to him) has commended you to me to be instructed. You see here the palace of the fates, where I keep watch and ward. Here are representations not only of that which happens but also of all that which is possible. Jupiter, having surveyed them before the beginning of the existing world, classified the possibilities into worlds, and chose the best of all. He comes sometimes to visit these places, to enjoy the pleasure of recapitulating things and of renewing his own choice, which cannot fail to please him.[50]

Agamben comments on Jupiter's pleasure at his choice of the best of all possible worlds in a quite majestic passage that I reproduce here:

> It is difficult to imagine something more pharisaic than this demiurge, who contemplates all uncreated possible worlds to take delight in his own single choice. For to do so, he must close his own ears to the incessant lamentation that, throughout the infinite chambers of this Baroque inferno of potentiality, arises from everything that could have been but was not, from everything that could have been otherwise but had to be sacrificed for the present world to be as it is. (BC 266)

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[50] Gottfried Wilhelm Leibniz, *Theodicy* trans. E.M. Huggard (London: Routledge and Kegan Paul, 1951), 375

Now, though Agamben does not present it quite this way in his sweeping exposition, the implication is that if Jupiter surveys with pleasure and contentment this mausoleum of events that could have been but are not –this Palace of destitute potentialities – then Bartleby occupies his own Palace of the Destinies – the Dead Letter Office – with an interminable, 'pallid hopelessness.' I would like to attend here to two further passages by Agamben which elaborate his understanding of Bartleby's condition. In this first passage, Agamben, much like Derrida, is playing on both senses of 'letter' (as the written sign as well as the epistolary sense; but this in turn reveals how both are but 'postal' figures):

> There could be no clearer way to suggest that undelivered letters are the cipher of joyous events that could have been, but never took place. What took place was, instead, the opposite possibility. On the writing tablet of the celestial scribe, the letter, the act of writing, marks the passage from potentiality to actuality, the occurrence of a contingency. But precisely for this reason, every letter also marks the nonoccurrence of something; every letter is always in this sense a "dead letter." This is the intolerable truth that Bartleby learned in the Washington office, and this is the meaning of the singular formula, "on errands of life, those letters speed to death." (BC 269)

In briefly responding to readings of Melville's story which views Bartleby as a "Christ figure" (including, for example, perhaps most notably, Gilles Deleuze), Agamben argues that, "if Bartleby is a new Messiah he comes not, like Jesus, to redeem what was, but to save what was not." (BC 270) At this point in his career, Agamben has not yet denominated the notions of inoperativity or destituent potential as such, but it is

unmistakable that this is exactly what he is describing when he aligns Bartleby's refrain with Walter Benjamin's notion of *remembrance*:

> Remembrance restores possibility to the past, making what happened incomplete and completing what never was. Remembrance is neither what happened nor what did not happen but, rather, their potentialization, their becoming possible once again. It is in this sense that Bartleby calls the past into question, re-calling it – not simply to redeem what was, to make it exist again but, more precisely, to consign it once again to potentiality, to the indifferent truth of the tautology. "I would prefer not to" is the *restitutio in integrum* of possibility, which keeps possibility suspended between occurrence and nonoccurrence, between the capacity to be and the capacity not to be. (BC 267)

In a certain sense, then, what Agamben identifies in Bartleby's tenure at the Dead Letter Office is what he finds in *Heidegger's* Ereignis; a potentiality that has suspended its ties to actuality, that has closed its historical-epochal figures. In doing so, Bartleby exposes how actuality is entirely *contingent* – the second term in title of Agamben's essay –, that history could have been otherwise, and that different destinies and destinations are possible. Therefore, inoperativity, by deactivating actuality, returns to potentiality from actuality what appeared to be irrevocable. In redeeming *what was not* – in redeeming dead letters, in *potentialities that are damned and lost in actuality* – Bartleby is not trying to fulfill the supposed *telos* or proper destination of these dead letters. Rather, he is attempting to let these letters return to *use,* or what we might call *circulation without exhaustion,* so that they may find unexpected and un-delimited possibilities, "engendering," to borrow Derrida's description of the force of rupture of

iterability, “an infinity of new contexts in a manner which is absolutely illimitable”(LI 12).

It is in this manner that Agamben seeks to forge a new relationship – a ‘new conjunction’– between contingency and necessity. For Agamben, what is necessary, the “what cannot not be” (UB 276) is what occurs when potentiality takes away its own impotentiality in “letting itself be, giving itself to itself” and passing into actuality (HS 46). The contingent, the “what can be or not be,” then, is “certainly an experience of potential, but of a potential that, insofar as it holds its own impotential or potential-not-to firm, exposes itself in its non-relation to the act.” (UB 276). In other words, Bartleby’s condition is the *experience of impotentiality* as such, or what Agamben refers to as the experience of “*abandonment…as such*” (HS 60 emphasis mine). Thus, in summoning from the sovereign relation of potentiality-actuality the destituent potential that has been “captured and neutralized” (UB 267) therein, Agamben is seeking to retrieve from *necessity* – what has passed from potentiality to actuality – what we might call its *essential contingency*, the essential could-not-have-been or could-have-been-otherwise of every actuality.

5.2 Derrida’s ‘Division of Dead Letters’

What might Derrida have made of the ending of Bartleby’s story, and especially Agamben’s reading of these passages? Over the course of several letters gathered together in the epistolary work “Envois” in *The Post Card*, Derrida relates an account of seeing a faint inscription, on a wall of what appears to have formerly been a Dead Letter

Office (a dead Dead Letter Office, then), which noted that undeliverable letters are "sent to the Division of dead letters" (PC 124). One of the things that captivates Derrida is the word 'Division,' which, in the notice, signifies department, branch, bureau, agency, but for Derrida also indicates *separation* and *removal*; thus, the proliferating senses of the divisibility of missions, the delegation of tasks and scattering of agencies, surrogates, and representatives come to bear on this singular word. Derrida's thrill at this phrase is palpable:

> "Division of dead letters" is a stroke of genius. Myself, I say "division of living letters," and this is what more or less amounts to the same. Everything is played out, remains, wins-and-losses, on the basis of my "divisibility," I mean on the basis of what I call thus (the partition of the letter which works upon the ideality of the signifier like a Principle of Ruin, shall we say)." (PC 124-125)

Let us focus on the theme of division that has echoed through our discussion of Derrida. As we saw above, the final consequence of Derrida's argument is that the letter never arrives, *it takes itself away from arrival at arrival, it arrives in not arriving*. We spoke then of its presence being *divided*, or of what Derrida calls in a provocative phrase that is particularly relevant regarding dead letters, a "fatal partition" (PC 124). The letter cannot arrive because it is fatally divided against itself. Even when it does 'arrive' it arrives scattered, disseminated in time and place; there is no *topos* or *stigme* of its occurrence.

And here the margin of difference between Derrida and Agamben becomes legible. Despite the complexity and care of Agamben's rethinking of the relationship of necessity and contingency through resisting the principle of the irrevocability of the past,

what seems to hinder Agamben's account is his very unquestioned adherence to the categories of 'occurrence' or 'non-occurrence' themselves. For Agamben, as we saw above, the letter –as both sign and correspondence – marks the passage from potentiality to actuality, the occurrence of a contingency. But in doing so, the letter marks the non-occurrence of other possible acts-events such that the events that occur are also themselves ciphers of events that never took place. It is, "in this sense" as Agamben notes, that every letter is a " 'dead letter', " not failing to put the latter phrase within quotation marks (BC 269). The life of 'living letters' also indicate the 'dead letters' that molder in the Dead Letter Office.

But the weight of the difference between Agamben and Derrida is held in the phrase: 'in this sense'. What would it mean that, *in a sense*, contamination has already begun between absence and presence, non-arrival and arrival, life and death? What would it mean to remove the quotations marks around 'dead letters' such that living letters now *just are dead letters*? If *every letter*, as Agamben asserts, bears death 'in a sense,' then is this sense not an 'essential predicate' of every letter?

'In this sense,' for Derrida, would mean that contamination and drifting are already underway and so 'in this sense' would necessarily denote, *in every sense*, at the origin of sense and experience itself. Every letter, in arriving, also does not arrive, it occurs and does not occur. The *division*, for Derrida, runs not between letters that arrive and letters that go astray, but within each letter (itself), its (own) fatal partition. There is no division between arrival and non-arrival, living letters and dead letters; rather within every dispatch, every envoy of Being, every missive that marks the movement from

potentiality to actuality, there is an originary and irreducible contamination of destining and errancy.

I do not want to read Agamben unfairly here; and let us stress that his own analysis approaches a very intricate thinking of occurrence/non-occurrence. When he speaks of every letter as, in a sense, a dead letter, he is trying to denote that every passage from potentiality to actuality is, as we saw above, "the cipher of joyous events that could have been, but never took place" (BC 269). If every letter is haunted by non-occurrence, then Agamben's thinking is very close to thinking every event as itself a *trace of the trace of non-occurrence*; and everything we discussed about the erasure of the trace and trace of the erasure in Chapter 1 bears on this point. Let us also recall that for Derrida, the iterability of mark means that it breaks not just from its present, but "from all forms of present reference (whether past or future in the modified form of the present that is past or to come)" (LI 9-10). Agamben's thinking in this regard is quite complex because if every letter is a cipher of an event that never occurred, he cannot be said to be referring to a present-past or past-present, a past in the 'modified form' of the present that once was. Yet, Agamben's discourse contains an indelible desire for the possibility of a *future* realization or actualization of events, and therein lies an irrepressible messianic characteristic of his work.

5.3 Imagining a Derridean Reading: Presence's postal lures

And it is here perhaps that we can try to speculate on how Derrida might have read, differently to Agamben, those haunting, final passages of Melville's essay, where

Bartleby has moved – through a resistance inaugurated by his refrain, 'I would prefer not to' – from his employ as a scrivener to his tenure, until death, at the Dead Letter Office. For Agamben, Bartleby's time as a scrivener is characterized precisely by having to ceaselessly bring potentiality to its own actuality; an interminable copying of the law, an unyielding duplication and dispatching of Being into beings; nothing other than the maintenance of sovereignty through its *relation of the ban*. Bartleby's labors at the Dead Letter Office, however, for Agamben, would seem to be one in which the protagonist's power has been 'wholly released' from the ban, severed from every form of relation and as such, a power that has eclipsed the state of exception that characterizes every politico-theological figure of sovereignty. In Agamben's reading, Bartleby and the Dead Letter office would be agent and agency of *Ereignis*, guarding this haunted archive of destituent potentialities. The end of the copying of the Law would signify the end of the destinies of Being, where all missives have reached an 'end of history.' Here, with the commencement of the curating of dead letters – of restoring potentiality to the past – Bartleby represents the emergence of a new power. Thus, Bartleby's *condition* would not be psychological, but epochal, or more precisely, the experience of the end of epochal sending; the *experience of impotentiality as such*, the *experience of abandonment as such*. At the end of the history of Being, Bartleby is appropriated to a "*final* dwelling in the proper," (HHE 129) a proper expropriation which returns him to "*ethos*, the habitual dwelling place of humanity" (LD 94). In the Dead Letter Office, Bartleby finds his habitation. There he wields and is wielded by a power of inoperativity, the *properly improper*, a power without work (*energeia*), a praxis with nothing to do, without *telos*.

But, if we could imagine, in the wake of our investigations, Derrida's reading, he would perhaps suggest that Bartleby's work as a scrivener and as a curator of Dead Letters are not quite as different as Agamben might lead us to conclude. Both missions, both the letters of the scribe and the articles of correspondence, involve an interminable duplication, what Derrida, as we have been seeing all along, refers to as the law of *iterability*. This is nothing other than what Derrida, elsewhere calls the "work of mourning," which "is not one kind of work among others. It is work itself, work in general, the trait by means of which one ought perhaps to reconsider the very concept of production" (SM 121). But the interminability of this copying, this work of mourning – contrary to the overtones of its very appellation –would not simply indicate a weary, onerous, and doleful labor. Rather, iterability divides, but its division would grant a chance for possibility, for contingency, for the *event*; for the 'joyous events' of which Agamben speaks. For every duplication introduces difference, or more precisely, *destinerrance*, the necessary-contingency of events to come. In speaking of his use of the botanical term *dehiscence* in the context of iterability, Derrida notes that

> this word marks emphatically that the divided opening…is also what, in a positive sense, makes production, reproduction, development possible. Dehiscence (like iterability) limits what it makes possible, while rendering its rigor and purity impossible. What is at work here is something like a law of undecidable contamination. (LI 59)

Regarding both the copying of the law and the curating of dead letters, Derrida might say, "their potency is *différance*, an interminable *différance*" (BTL 204).[51] This would not

[51] The French text reads "*Leur puissance est la différance, une différance interminable*" ("Préjugés: Devant La Loi," 122). Though we cannot elaborate on this point in any detail, it is noteworthy that Derrida's use

mean, however, that the copying of the law and the curating of dead letters would be the same mission, as if their dependence on a 'common' iterability or *différance* for their condition of both possibility and impossibility rendered them identical. Rather than a single organizing and cohering difference, as Agamben would have it, between an impotentiality held in relation and an inoperativity that has divested itself of all historical figures, for Derrida there would be a differential economy, a scattered multiplicity of "differences, mutations, scansions, structures of postal regimes," a plurality of rhythms and beats of sendings (PC 66). No longer, a singular end of the history of Being that brings about the eclipse of metaphysics; "no longer A metaphysics,…nor even AN *envoi*, but *envois* without destination" (PC 66).

And so Agamben's emphasis on this decisive transition, from the law to dead letters, from the would perhaps appear for Derrida as too coordinated, too decisive, too apocalyptic-messianic, or, as Derrida suggests, in his 1989 text "Force of Law," of some of Walter Benjamin's gestures: "still too Heideggerian, too messianic-Marxist or archeo-eschatological for me" (FOL 298). That Benjamin is a vital point of reference for Agamben in "Bartleby, or On Contingency," as well as his work more generally, is germane to this point. Furthermore, Derrida's suspicion that Heidegger's thought bears the temptation of a restitution[52] is even more strongly applicable to Agamben, since it is precisely in Heidegger's ambivalence about the 'end of the history of Being' or the 'overcoming of metaphysics' that Agamben marks, as we saw above, Heidegger's

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of *puissance*, which indicates a more general sense of force, potency or capability, evokes its comparisons to *pouvoir*, which, especially in the work of Foucault, indicates a more juridico-political sense of power. A compelling trajectory for future work might be to pay close attention to the differences in *puissance/pouvoir* and the Latin *potentia/potestas* as they impose themselves in the original French and Italian of Derrida and Agamben's texts respectively, as well as with the various uses of *Walten/Gewalt/Macht/Kraft* in Heidegger.

[52] See, for example, SM 27-34.

inadequacy for thinking the "*restitutio in integrum* of possibility," the restoration of destining to its properly improper dwelling. (BC 267). In thinking the redemption of the Palace of Destinies in Bartleby's Dead Letter Office, in thinking that 'richest and broadest' event of metaphysics as rendered inoperative in an event of appropriation-expropriation, Agamben would perhaps betray, in Derrida's view, a desire to organize the drifting or *destinerrance* of the letter into "the same great central post office," into a grand architecture of sending; and this would be, for Derrida, the "most outlandish postal lure" of Agamben's thought (PC 66).

For Derrida, then, we might say that Bartleby's condition is not the experience of impotentiality or of abandonment as such, but of what Derrida calls the *experience of impossibility*. If iterability both offers the chance and threat of eventuality, both the exultation and desolation of contingency, then Bartleby's condition is an exposure to nothing other than *exposure* – the openness to the event – *itself*. Bartleby's condition would be a "drifting or disorientation from which one does not emerge" (PC 484), and this would be the fatally divided source of both his 'pallid hopelessness' but also his possible benediction, and an unredeemable, irrevocable, contamination between the two.

Between the *experience of impotentiality* and the *experience of impossibility*, between *worklessness* or *being without work*, and the *work of mourning*¸ then, is where I would begin this project again.

6. Postscript

I want to attend to one issue in this postscript, because as I revise this work, I have to acknowledge my insufficient reading of the question of *time* and the 'now' for

my invocations of the problem of *presence*. Because of a lack of time in the face of an impending deadline, I can no more than introduce, in a very preliminary and cursory fashion, a possible direction for future work. One of the ambitions of Agamben's "Bartleby, or On Contingency," is to resist two principles or problems in what we might call the 'philosophy of logic.' First is that of the "*principle of irrevocability of the past* (or of the unrealizability of potential in the past)" which Agamben traces from Aristotle's comments in *The Nichomachean Ethics* on the impossibility of choice regarding the past, to Nietzsche's similar discussion of the impotency of the will against what was (which only breeds *resentment*) in the context of the eternal return (BC 262). The second is the problem of 'future contingents' which Agamben traces from Aristotle's discussion of the example of the future 'sea-battle' in his *On Interpretation* through Leibniz's *Theodicy* (see BC 263). In contrast to the above two problems, Agamben seeks to "inaugurat[e] an absolutely novel" problem of "past contingents" (BC 267).

One reference, however, that is conspicuously absent from Agamben's essay is Freud, who might provide us with the most evocative thinking of 'past contingents' under the heading of *Nachträglichkeit*, translated variously as afterwardness, deferred action or retrospective causality. For Derrida, *Nachträglichkeit*, remains a crucial point of departure in his deconstruction of presence and discussion of the necessary-possibility. Had I more time with this current project, I would pursue a reading of *Ereignis*, and Heidegger's thinking more generally, in terms of the Freudian *Nachträglichkeit* and try to show how these two themes intersect in Derrida's *The Post Card*, among other places. This seems like a particularly compelling direction also because Derrida, in his final seminar, *The Beast and the Sovereign, Volume II*, is very invested in the significance of

the word *Austrag* in Heidegger's discourse, which Derrida notes, derives from the word *tragen*, meaning to carry or to bear. That *Nachträglichkeit* also contains *tragen* as a root suggests that such a reading might be a way to extend and develop the themes of my current project, which draws to a close with this very brief and preliminary gesture towards such an investigation.

List of Abbreviations for Frequently Cited Texts

AF	Heidegger, Martin. "Anaximander's Saying." In *Off the Beaten Track*, trans. and ed. Julian Young and Kenneth Haynes, 242-281. Cambridge: Cambridge University Press, 2002.
BTL	Derrida, Jacques. "Before the Law." In *Acts of Literature*, ed. Derek Attridge, trans Avital Ronell, 181-220. New York: Routledge, 1992.
BC	Agamben, Giorgio. "Bartleby, or On Contingency." In *Potentialities: Collected Essays in Philosophy*, trans. Daniel Heller-Roazen, 243-274. Stanford: Stanford UP, 2000.
BS1	Derrida, Jacques. *The Beast and the Sovereign Vol. I*. Trans. Geoffrey Bennington. Chicago: University of Chicago Press, 2009.
BS2	Derrida, Jacques. *The Beast and the Sovereign Vol. II*. Trans. Geoffrey Bennington. Chicago: University of Chicago Press, 2011.
CTP	Heidegger, Martin. *Contributions to Philosophy (Of the Event)*. Trans. Richard Rojcewicz and Daniela Vallega-Neu. Bloomington: Indiana University Press, 2012.
CV	Benjamin, Walter. "Critique of Violence." In *Selected Writings, Volume 1, 1913-1926*, ed. Michael W. Jennings and trans Edmund Jephcott, 236-252. Cambridge: Belknap/Harvard UP, 1996.
DF	Derrida, Jacques. "Différance." In *Margins of Philosophy*, trans. Alan Bass, 1-28. Chicago: University of Chicago Press, 1982.
FOL	Derrida, Jacques. "Force of Law: The 'Mystical Foundation' of Authority." In *Acts of Religion*, ed. Gil Anidjar, trans. Mary Quaintance, 230–298. New York: Routledge, 2002.
HHE	Agamben, Giorgio. "**Se*: Hegel's Absolute and Heidegger's *Ereignis*." In *Potentialities: Collected Essays in Philosophy*, trans. Daniel Heller-Roazen, 116-137. Stanford: Stanford UP, 2000.
GAB	Attell, Kevin, *Giorgio Agamben: Beyond the Threshold of Deconstruction*. New York: Fordham University Press, 2015.
GT	Derrida, Jacques. *Given Time 1: Counterfeit Money*. Trans. Peggy Kamuf. Chicago: University of Chicago Press, 1994.
HS	Agamben, Giorgio. *Homo Sacer: Sovereign Power and Bare Life*. Trans. Daniel Heller-Roazen. Stanford: Stanford UP, 1998.

IM Heidegger, Martin. *Introduction to Metaphysics*. Trans. Gregory Fried and Richard Polt. New Haven, Connecticut: Yale University Press, 2000.

LD Agamben, Giorgio. *Language and Death: The Place of Negativity*. Trans. Karen Pinkus. Minneapolis: U of Minnesota P, 1991.

LI Derrida, Jacques. *Limited Inc*. Trans. Jeffrey Mehlmann and Samuel Weber. Evanston, Ill.: Northwestern University Press, 1988.

NEG Derrida, Jacques. *Negotiations: Interventions and Interviews*. Ed. and trans. Elizabeth Rottenberg. Stanford, Calif.: Stanford University Press, 2002.

OG Derrida, Jacques. *Of Grammatology*. Trans. Gayatri Chakravorty Spivak. Corrected ed. Baltimore: Johns Hopkins UP, 1997.

OTB Heidegger, Martin. *On Time and Being*. Translated by Joan Stambaugh. New York: Harper and Row, 1972.

PC Derrida, Jacques. *The Post Card: From Socrates to Freud and Beyond*. Trans. Alan Bass. Chicago: University of Chicago Press, 1987.

PF Derrida, Jacques. *The Politics of Friendship*. Trans. George Collins. London: Verso, 2005.

POF Agamben, Giorgio. "The Passion of Facticity." In *Potentialities: Collected Essays in Philosophy*, trans. Daniel Heller-Roazen, 185-204. Stanford: Stanford UP, 2000.

POS Derrida, Jacques. *Positions*. Trans. Alan Bass et al. Chicago: University of Chicago Press, 1981.

SC Derrida, Jacques. "The Supplement of Copula: Philosophy Before Linguistics." *Margins of Philosophy*, trans. Alan Bass, 175-206. Chicago: University of Chicago Press, 1982.

SCW *Stasis: Civil War as a Political Paradigm (Homo Sacer II, 2)*. Trans. Nicholas Heron. Stanford, CA: Stanford UP, 2015.

SM *Specters of Marx: The state of the Debt, the Work of Mourning, and the New International*. Trans. Peggy Kamuf. New York: Routledge, 1994.

UB *The Use of Bodies*. Trans. Adam Kotsko. Stanford, CA: Stanford UP 2016.

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