Jacques Derrida and the Theologico-Political Complex

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Abstract

This dissertation investigates the relationship between the theological and the political in

the contemporary predicament by exploring the undervalued political thought of Jacques

Derrida. It examines the complex interaction between religion and politics, especially as it

relates to political authority and community by also paying attention to the conceptions of

language and time at work in the political understandings of and normative responses to

cultural and religious diversity. Through a close reading of Derrida's work on language,

time, religion and politics, I argue that his political thought offers significant resources to

re-think the theologico-political relationship in more complex and critical ways, especially

beyond the radical separation between religion and politics so common in the classical

modern paradigm. The project's central aim is two-fold: first, to offer a theoretical response

to the empirical significance of religions in the public sphere by seeking to further the

understanding of how the political and the theological interacts in politics; and second, to

contribute to current debates on religion and politics in political theory as well as to Derrida

scholarship by offering a politico-philosophical analysis of how his view of the theologico-

political relates, in its various ramifications, to political foundations.

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Chapter 1

Introduction

The relationship between the theological and the political is an old philosophical problem that seems hard to get around. From ancient debates on myth and philosophy, to medieval discussions about reason and faith, to modern theories of sovereignty and toleration up to contemporary liberal secularism and political theology, this problem seems to have accompanied the whole of the western tradition of political philosophy. This dissertation is a study of that relationship today through the critical lenses of Jacques Derrida's political thought. It examines the complex interaction between religion and politics, especially as it relates to questions of political authority and community, by paying particular attention to the role of the function of language and time for political thinking. As such, this is also a study of the underlying notions of language and time and the ways in which their conceptualizations affect the normative responses to cultural and religious diversity.

1.1 The Theologico-Political Complex

What exactly is the problem associated with the nexus between the theological and the political? And what is distinctive about it in the present? While it is difficult to provide a precise definition due the changing forms and conditions in which this relationship has taken and continues to take place, some definition can nevertheless be provided. I understand this problem as referring to how the dynamic connection between religion and politics is implicated in the foundation of political authority, community and knowledge. In spite of its generality, this definition is precise enough to emphasize two of its

persisting features: first, the encircling of central questions of political philosophy; and second the pointing to the sources that structure institutions, practices and orientations of communal life.

Yet, to capture what is distinctive about that relationship today, a closer look at the contemporary predicament is in order. In the last three decades, religion has been at the center of political discourse and practice, and its renewed public significance has led many to talk about a 'return of religion'. Reference to religion and, in many cases, to its violent manifestations, has often been associated with a variety of political events, situations and contexts: the attack of September 11 in the United States; the bombings of Madrid and London, the assassination of Theo Van Gogh in the Netherlands and the Danish cartoon controversy in the early 2000s; the recent conflicts in the Balkans and Middle East; the continued strength of Evangelical politics in North America and that of Pentecostalism in Latin America and Africa; Hindu terrorism in India and Buddhist one in Myanmar; and, most recently the Arab Springs in North Africa, the affirmation of the Islamic State in Iraq and Syria, terrorist actions of the Islamist movement Boko Haram in Nigeria, and the attack to the French satirical magazine Charlie Hebdo.

What these events do suggest about the present link between the theological and the political? While they surely signal that religion is not in decline in modern society, they do not by themselves indicate that there *really* occurred a 'return of religion'. Indeed, in its recurrent use and abuse, the expression 'return of religion' appears problematic for at least two reasons. First, it presupposes the modern theories of secularization and secularism it challenges.[1] It is only because religion was thought to

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[1] See Talal Asad's intervention in Jacques Derrida, 'Above All, No Journalists!' in *Religion and Media*, eds. Hent de Vries and Samuel Weber (Stanford: Stanford University Press, 2001). It is important to

have disappeared from the public sphere, as these theories sustained, that it can 'return'.

Second, as scholars of religion have pointed out, the term 'religion' has a Christian origin and its definition is inscribed in Christian history, whose mark has been globally extended through the world-wide spread of secularization.[2] Thus the general applicability of 'religion' to a variety of non-Christian religious traditions – for example, Buddhism or Hinduism– raises questions of classification and geopolitics that regard the political dimension of the production of knowledge.[3] Keeping this point in mind also helps us not to forget that the modern political discourse about religion developed in relation to the Christian tradition. Indeed, whether in terms of civil religion, tolerance, secularism or political theology, modern thinkers such as Spinoza, Hobbes, Locke, Rousseau, Kant, Hegel, and Nietzsche but also contemporary ones as diverse as Alain Badiou, Carl Schmitt, Leo Strauss, Jürgen Habermas, John Rawls, Charles Taylor, Jean-Luc Nancy, Slavoj Žižek and Talal Asad, have all conceived of the relationship between religion and politics with primary reference to Christianity.

Despite the problems affecting the so-called 'return of religion', scholars have nevertheless attempted to grasp what is peculiar about the contemporary religious phenomena to which this formula refers. For example, in a recent volume entitled *Political Theologies: Public Religions in a Post-Secular World*, Hent de Vries suggests

distinguish here secularization from the secularism. While I recognize that both are contested concepts, whose normative and explanatory values have been thoroughly criticized in recent years, I will generally use them according to their traditional understandings in order to further problematize them: that is, secularism as referring to a normative doctrine prescribing the relationship between religion and politics, and secularization as designating the historical, sociological and institutional modern process of differentiation between the religious and others spheres, such as the economic, political and scientific ones.
[2] See, for example, Talal Asad, *Genealogies of Religion: Discipline and Reasons of Power in Christianity* (Baltimore: John Hopkins University Press, 1993). For more recent explorations on the concept of religion from different disciplines, see Hent de Vries, (ed*.*) *Religion: Beyond a Concept* (New York: Fordham University Press, 2008).
[3] For an impressive historical investigation of this issues see, Tomoko Masuzawa, *The Invention of World Religions Or, How European Universalism Was Preserved in the Language of Pluralism* (Chicago: Chicago University Press, 2005).

that contemporary religious movements do not simply point to the central role played by religions in contemporary politics; religions often inform the responses and resistance to the global spread of western modernization and secularization. They also signal that religions are active participants into the modern processes of globalization, which tends to radicalize the importance of local identities by multiplying the links of religious belongings, thereby displacing the center of communitarian bonds. As a result, de Vries notes, it becomes extremely difficult to grasp the elusive and disperse role religions play in contemporary politics.[4] At the very least, this suggests that contemporary religious phenomena are not susceptible to universally valid systematizations.

Acknowledging these conceptual difficulties, this dissertation employs the term 'theologico-political complex' to capture the distinctive character of the present relationship between the theological and the political in the light of the public persistence of religion. Here the choice of the term 'theologico-political', which was firstly used by Spinoza,[5] is not accidental but indicates right from the start a certain cautiousness about the possibility of simply separating religion and politics, as both the hyphenation and the persistence of religion in politics suggest.[6] It also points to an important connection between Spinoza's and Derrida's approaches to these matters.[7] Further, the addition of 'complex' to 'theologico-political' seeks to emphasize the overdetermined complexity characterizing the contemporary predicament. On the one hand, the 'theologico-political

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[4] Hent De Vries, 'Introduction: Before, Around, and Beyond the Theologico-Political', in Hent de Vries and Lawrence Sullivan (Eds.) *Political Theologies: Public Religions in a Post-Secular World* (New York: Fordham University Press, 2006) 4, 8.

[5] See Baruch Spinoza, *Theologico-Political Treatise*, trans. Samuel Shirley (Hackett Publishing, 2001).

[6] For an insightful articulation and defense of this reading of the hyphenation in Spinoza's use of 'theologico-political', see Willi Goetschel, *Spinoza's Modernity: Mendelssohn, Lessing, and Heine* (Madison: The University of Wisconsin Press, 2004).

[7] For an exploration of the understudied link between Spinoza and Derrida, see Will Goetschel (ed.) 'Rethinking the Theologico-Political Complex: Derrida's Spinoza', *Bamidbar: Journal for Jewish Thought and Philosophy*, Passagen Verlag, 1.2 (2011).

complex' acknowledges the world-wide persistence of religions in the public sphere and

the difficulty of providing universally valid explanations about the nature and political

significance of religious phenomena. On the other hand, it highlights that attending to the

peculiarity of the current predicament requires rethinking not simply the relationship

between the theological and the political, but also *how* that relationship is approached.

Such a rethinking is linked to the critical awareness of the particular character of the

Christian language and horizon that informs the modern discourse of religion as well as

the massive political implications that obscuring or forgetting such a particularity has

provoked and can still provoke. [8]

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[8] I borrow the term 'theologico-political complex' from Will Goetschel adding, however, an important nuance to the use he makes of it. See Willi Goetschel,'Derrida and Spinoza: Rethinking the Theologico-Political Problem', *Bamidbar: Journal for Jewish Thought and Philosophy*, Passagen Verlag, 1.2 (2011): 9 –25; *The Discipline of Philosophy and the Invention of Modern Jewish Thought* (New York: Fordham University Press, 2013), 163–166; and *Spinoza's Modernity: Mendelssohn, Lessing, and Heine* (Madison: The University of Wisconsin Press, 2004)10, 185. For Goetschel, the term 'theologico-political complex', which he traces back to Spinoza's understanding of the hapax legomenon 'theologico-political' occurring in the *Theologico-Political Treatise*, refers to an irreducible entanglement between the theological and the political. According to Goetschel, Spinoza shows that theology and politics shapes each other: while theology provides the traditional resources (myth) through which to secure legitimation and social control, politics relies on a theological schema to ground itself through the appeal to some foundational myth and to transcendence (*Spinoza's Modernity*, 10). Yet, for Spinoza, this connection cuts even deeper: both theology and politics aspire to provide the ultimate criterion for universality, but their problematic attitude towards their own particularity, which they conceal but cannot eliminate, undermines the legitimacy of their claims. As a result the universalism they claim to represent is not simply coercive but, as Goetschel notes, a false one, since it exempts its own particularity from the possibility of critical scrutiny (*The Discipline of Philosophy,* 164). Viewed as different, mutually constituted, particularistic attempts to provide the ultimate criterion for universality, theology and politics cannot be simply and conclusively separated in modernity. On Goetschel's reading of Spinoza, this is what the hyphen indicates in the term 'theologico-political'. What Goestchel seeks to capture with the formula 'theologico-political complex', then, is not a pre-modern condition that modernity left behind, but a problem about competing and yet interrelated claims to universality that require a continued, critical examination according to contexts. ('Derrida and Spinoza: Rethinking the Theologico-Political Problem', 20). Like Goetschel, I employ the term 'theologico-political complex' to highlight the local character and irreducible nexus between the theological and the political, as well as the problem of how to rethink universality. Yet, my use of 'complex' seeks to amplify the recognition of the specific character of the 'theologico-political', with a view to increase the awareness of the political stakes involved in using such a notion across contexts. Since the term 'theologico-political', like 'religion', belongs to the language of Christianity, or is in any case part of the Abrahamic archive, there remain serious theoretical and practical implications in continuing to use it in non-Christian contexts, even after the recognition of its irreducible particularity.

Viewed this way, the 'theologico-political complex' appears in all its philosophical and political relevance. The persistence of religion in politics is not a return to a pre-modern religious order. It is a contemporary global phenomenon that challenges well-established convictions about modernity and the confidence in the legitimacy of the political forms that embody them. Indeed, that religions are both on the side of modernity and on the side of its critics does more than complicate the traditional division between religion and politics. It questions the fundamental philosophical assumptions underlying secular reason and normativity that have allowed that separation to be conceived as possible and desirable in the first place on the basis of a universally valid standpoint. From what geopolitical site is the current discourse about religion and politics articulated? What are the linguistic, epistemological and ontological presuppositions securing the normative center from which to effect the opposition and separation of the theological and the political, reason and faith? How are these presuppositions implicated in the institution and justification of political arrangements about authority and community that confine religions to the margins? These are the central questions guiding this dissertation. I seek to address them in order to offer a theoretical response to the empirical significance of public religions and to the challenge they pose to modern understanding and political forms. This response will not take the form of a normative proposal but that of a critical investigation that aims to expand our understanding of the theologico-political problematics today.

1.2 Jacques Derrida

In order to investigate the 'theologico-political complex', this study turns to the thought of Jacques Derrida. The choice to examine Derrida on this question is motivated by the conviction that his thought provides us with important resources for rethinking the theologico-political relation in more critical terms than usual approaches offer. On the one hand, Derrida questions the oppositional modern logic that separates religion and politics by exposing its problematic presuppositions and its link to Christianity, a tradition in relation to which he positions himself critically while being aware that deconstruction remains inscribed in it. On the other hand, Derrida points to the complex interconnection between reason and an elementary faith typical of but not exclusive to religion, and to the democratic potential of thinking about them as interrelated. His contribution to the study of the 'theologico-political complex' consists in offering the resources to move past the modern paradigm and influential political theories informed by it such as liberal secularism[9] and political theology *à la* Schmitt,[10] which have dominated recent debates on religion and politics in political theory. As such, his thought deserves careful consideration, since it has the potential of bridging this field beyond the impasse in which it has incurred by approaching the theologico-political relationship in pre-eminently separatist terms, despite the continued political significance of religion.

This dissertation attempts therefore to make Derrida's thought productive for recent discussions in political theory, with a view to expand the debate further, while also contributing to Derrida scholarship, especially with regards to the political dimension of

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[9] See for example, Jürgen Habermas, 'Religion in the Public Sphere', *European Journal of Philosophy*, 2006, 14 (1): 1-25; John Rawls, "The Idea of Public Reason Revisited", *The Unversity of Chicago Law Review*, 1997, 64 (3): 765- 807.
[10] See Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty*, trans. George Schwab (Chicago: The University of Chicago Press, 2005).

his thought. Indeed, Derrida's view of the theologico-political has received limited

attention in political theory and there is a lack, in the specialized literature, of

distinctively *political* analysis of how the theologico-political nexus relates, in its various

linguistic, epistemological, ontological and religious ramifications, to questions of

political foundations, most notably of authority and community. This is surprising,

especially if one considers the significance of the theologico-political in Derrida's entire

corpus as well as his continued interest for political questions[11] and for political

dimension of themes that do not appear immediately political.[12] While in his later

writings he overtly focuses on theologico-political themes[13] and political foundations,[14]

his early reflections on question of origins –ontological, temporal and linguistic – already

manifested concerns for the politics behind the onto-theology informing the institution of

philosophical horizons and a deep sensibility for political foundings.[15] As such, Derrida's

early writings too can be considered as symptomatic of a larger preoccupation with the

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[11] The apparent disinterest for political themes in Derrida's early writing is clearly rejected by Derrida himself in *Rogues*, where he affirms his continuous preoccupation with political themes in his entire corpus. See Derrida, *Rogues*: *Two Essays on Reason* (Stanford, CA: Stanford University Press, 2005), 39/64. In this study, double page references to Derrida's texts refer to the English translation first, followed by the original in French.

[12] See, for example, his reflections on the political function of language in *Monolingualism of the Other, or The Prosthesis of Origin*, trans. Patrick Mensah (Stanford: Stanford University Press 1996) and *Limited Inc* (Evanston, IL: Northwestern University Press, 1988). See also his view on the political dimension of time in *Specters of Marx: the State of the Debt, The Work of Mourning and The New International*, tr. Peggy Kamuf (New York: Routledge, 1994).

[13] See Jacques Derrida, *Politics of Friendship*, trans. George Collins (London: Verso, 1997); 'Des Tours de Babel', 'Faith and Knowledge. Two Sources of "Religion" at the Limits of Reason Alone'; 'Interpretations at War: Kant, The Jew, The German'; 'The Eyes of Language: The Abyss and the Volcano' in *Acts of Religion*, ed. Anidjar Gil, (New York: Routledge, 2002); *Rogues*: *Two Essays on Reason* (Stanford, CA: Stanford University Press, 2005); *Specters of Marx: Specters of Marx*.

[14] See Jacques Derrida 'Before the Law', in *Acts of Literature*, ed. Derek Attridge (New York: Routledge, 1992); 'Declarations of Independence' in *New Political Science* (1986) Volume 7.1:7–15; 'Force of Law: The Mystical Foundation of Authority' in *Acts of Religion*, ed. Anidjar Gil, (New York: Routledge, 2002).

[15] Throughout *Of Grammatology*, for example, Derrida criticizes approaches centered on the attempt to ground an entire philosophical system on a fundamental ground ("transcendental signified") and he specifically refers to political foundings as being implicated in such attempts. See his *Of Grammatology*, trans. Gayatri Spivak (Baltimore: The Johns Hopkins University Press, 1974), 112/115. His sensibility for political foundings can be found in other early texts such as 'Signature Event Context' in *Margins of Philosophy*, trans. Alan Bass (Chicago: The university of Chicago Press, 1982).

theological-political problem broadly conceived as a political problem about the

foundation of authority, community and knowledge.[16] Although the political and

religious aspects of his thought have received much attention in recent years, [17] and some

commentators have begun exploring Derrida's view of the secular on the basis of his

writings on sovereignty and religion[18] as well as on Europe's cultural identity,[19] a

political study of how the theologico-political nexus, considered in its multi-dimensional

complexity, relates to political foundations is still lacking. [20] This dissertation seeks to

remedy this lacuna.

  Before proceeding further, it is first useful to briefly delineate the central elements

of the recent debates which this study seeks to contribute to. I do so not in order to

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[16] Derrida, 'Faith and Knowledge'.

[17] For recent perspectives on Derrida's work on politics, see Richard Beardsworth, *Derrida and the Political* (New York: Routledge, 1996); Jonathan Culler (ed.) 'Derrida and Democracy' in *Diacritics* 38 (2008):1–2; Mathias Fritsch, 'Derrida's Democracy To Come', *Constellations* 9.4 (2002): 574–597; Samir Haddad, *Derrida and the Inheritance of Democracy* (Bloomington: Indiana University Press, 2013); Catherine Kellogg, *Law's Trace. From Hegel to Derrida* (New York: Routledge, 2010); Michael Naas, *Derrida From Now On* (New York: Fordham University Press, 2008); Pheng Cheah and Suzanne Guerlac (eds.) *Derrida and The Time of The Political* (Durham and London: Duke University Press, 2009); and Alex Thomson, *Deconstruction and Democracy* (London: Continuum, 2005); for Derrida on religion, see especially John Caputo, *The Prayers and Tears of Jacques Derrida: Religion Without Religion* (Bloomington: Indiana University Press, 1997); John Caputo and Michael J. Scanlon, (Eds) *God, the Gift, and Postmodernism* (Bloomington: Indiana University Press, 1999); Hent de Vries, *Philosophy and the Turn To Religion* (Baltimore: John Hopkins University Press, 1999); *Religion and Violence: Philosophical Perspectives from Kant to Derrida* (Baltimore: Johns Hopkins University Press, 2002); Martin Hägglund, *Radical Atheism: Derrida and the Time of Life* (Stanford, CA: Stanford University Press, 2008); Kevin Hart, *The Trespass of the Sign: Deconstruction, Theology, Philosophy* (New York: Fordham University Press, 2000); Michael Naas, *Miracle and Machine: Jacques Derrida and the Two Sources of Religion, Science and the Media* (New York: Fordham University Press, 2012); and Yvonne Sherwood and Kevin Hart (eds.) *Derrida on Religion: Other Testaments* (New York: Routledge, 2005).

[18] See Michael Naas, 'Derrida's Laïcité' in *Derrida From Now On* (New York: Fordham University Press, 2008).

[19] Mark Cauchi,'The Secular To Come. Interrogating the Derridean 'Secular'', in *Journal for Cultural and Religious Theory*, 10.1 (2009): 1–18.

[20] There are of course several works that deal with various aspects of the theologico-political in Derrida. See for example, Gil Anidjar, *The Jew, the Arab: A History of the Enemy* (Stanford: Stanford University Press, 2003), especially chapter two; Noah Horwitz 'Derrida and the Aporia of the Political, or The Theologico-Political dimension of Deconstruction', *Research in Phenomenology* 32 (2002), 156–177; Naas, *Derrida From Now On,* especially chapters three and seven; Kas Saghafi (ed.) 'Special Issue: Spindel Supplement: Derrida and the Theologico-Political: From Sovereignty to the Death Penalty', *The Southern Journal of Philosophy*, Vol. 50, Issue Supplement 1 (2012) iv–iv, 1–174.

provide a genealogy of the theologico-political but to draw the boundaries of the larger field within which this dissertation places itself.

1.3 Contemporary Political Theologies

Over the last two decades, the relationship between the theological and the political has received a great deal of attention in political theory, especially in connection to the widely accepted acknowledgment of the inadequacy of the old 'secularization thesis' informing traditional sociological theories. Usually attributed to Max Weber, this thesis suggests the progressive privatization and decline of religion under the forces of modernization. The so called 'return of religion' in political discourse and practice has led many scholars to re-examine the relationship between religion and politics, and to re-consider the ways in which religions are implicated in contemporary politics. These efforts can be grouped under the rubric of political theology broadly construed, that is, as referring to a diverse body of reflection characterized by a manifest interest for the intersections between politics on the one hand, and religious and theological traditions on the other.[21]

Given the plurality of approaches and issues investigated under the rubric of political theology, it is therefore difficult to provide a taxonomy. Despite this, Annika Thiem has recently provided a useful map of current discussions.[22] While non-exclusively belonging to one group only, different contributions in political theology can be classified according to whether they discuss the traces of theology in modern politics

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[21] In grouping different contributions in recent debates on religion and politics under the term 'political theology', I follow the recent volume *Political Theologies*.

[22] Annika Thiem, 'Schmittian Shadows and Contemporary Theologico-Political Constellations' in *Social Research. Special Issue: Political Theology?* 80.1 (2013).

and categories, [23] the nature and context in which theories of secularism and

secularization developed,[24] and/or the practices –cultural, economic and political–

developed out of religious traditions and values.[25]

This dissertation addresses and responds to recent contributions that roughly

belong to the first two groups identified by Thiem. The first one refers to a series of more

or less direct responses and engagements with the work of Carl Schmitt from such

authors as Walter Benjamin, Giorgio Agamben and Claude Lefort. Let us consider them

briefly. In *Political Theology: Four Chapters on the Concept of Sovereignty*, Schmitt

raises important questions about the relationship between theology and politics, which he

sees as continuous in modernity. In a famous and widely commented passage he

introduces this point by affirming that "all significant concepts of the modern theory of

the state are secularized theological concepts not only because of their historical

development –in which they were transferred from theology to the theory of the state,

whereby for example, the omnipotent God became the omnipotent lawgiver – but also

because of their systematic structure, the recognition of which is necessary for a

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[23] Giorgio Agamben, *State of Exception* (Chicago: The University of Chicago Press, 2005);
Homo Sacer: Sovereign Power and Bare Life trans. Daniel Heller-Roazen (Stanford: Stanford University Press, 1998); Walter Benjamin, 'Critique of Violence', in Peter Demetz (ed.) *Reflections: Essays, Aphorisms, Autobiographical Writings* (New York: Schocken Books, 1986); Claude Lefort, 'The Permanence of the Theologico-Political' in de Vries, *Political Theologies* (op. cit.); Schmitt, *Political Theolog.*
[24] See Talal Asad, *Formations of the Secular*; Akeel Bilgrami, "Secularism: Its Content and Context," http://blogs.ssrc.org/tif/wp-content/uploads/2013/08/Secularism_Its_Content_and_Context.pdf (accessed February 1, 2014).
José Casanova, *Public Religions in the Modern World* (Chicago: University of Chicago Press, 1994);
William Connolly, *Why I am not A Secularist?*; Jürgen Habermas, *Between Naturalism and Religion*: *Philosophical Essays* (Cambridge: Polity Press, 2008); *An Awareness of What is Missing. Faith and Reason in a Post-Secular Age* (Cambridge: Polity Press, 2010); Tomoko Masuzawa, *The Invention of World Religions*; and Jean-Luc Nancy, *Dis-Enclosure. The Deconstruction of Christianity* (New York: Fordham University Press, 2008). Charles Taylor *A Secular Age*, (Cambridge, MA: The Belknap Press of Harvard University Press, 2007).
[25] William Connolly, *Capitalism and Christianity, American Style* (Durham, NC: Duke University Press, 2008); Philip Goodchild, *Theology of Money* (Durham, NC: Duke University Press, 2009).

sociological consideration of these concepts".[26] For Schmitt, modern politics and its

central categories are structurally informed by theological sources that appear in

disguised legal form. For example, the meaning of sovereignty can be grasped only if

understood through the idea of exception *as* miracle usually attributed to the omnipotence

of God. "Sovereign is he who decides on the exception", he argues, and this decision

"frees itself from all normative ties and become in the true sense absolute" so as to

provide the "point of ascription" or ground that "determines what a norm is".[27] Although

this decision remains "within the frame of the juristic", it cannot be derived from or

subsumed under the norm it exceeds, since the decision is about the applicability of

norms.[28] Schmitt captures here the paradoxical structure of modern sovereignty, whose

complexity depends on the particular relation between exception and norm. The

exception is not outside the juridical order since it is created by the suspension, but not

elimination, of the rule and of its applicability and consequently also of the legal order's

validity. Central to this view is the dialectical relationship between norm and exception:

only by deciding on the exception as something distinguishable from the norm can the

sovereign make the latter applicable in the regular case. The general point of Schmitt's

theory is that unless sovereignty is thought of as a founding force that exceeds the order it

founds in a manner analogous to divine power, it remains unintelligible. And this means,

more generally, that modern politics can be understood only from within a conceptual

framework that makes room for an irreducible transcendence to account for its origin, a

framework that is systematically akin to that of theology. Failing to grasp this point

means remaining confined to an understanding of modern politics, such as the liberal one,

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[26] Schmitt, *Political Theology*, 36.
[27] Ibid, 5,12, 32.
[28] Ibid, 66, 13.

that reduces the state to a beaurocratic organization managing private interests through formal rules that suspend decisions in never-ending discussions.[29] This reduction does not only conceive of politics in pre-eminently instrumental terms but it also impedes a deeper understanding of the conditions of possibility of the political as such.

In a complex and controversial way, Benjamin engages Schmittian themes. In *The Origin of The German Tragic Drama*, he highlights the importance of sovereignty for his method and object of philosophical inquiry.[30] In *Critique of Violence*, he recognizes the decisive role that transcendence plays in structuring the political by acknowledging the metaphysical character of the sovereign decision, which, however, does not solve the "ultimate insolubility of all legal problems".[31] Similarly to Schmitt, who sees in the decision the grounding criterion to distinguish norm from exception and thus what lies somehow outside the law (the exception), Benjamin seeks for a criterion that can firmly distinguish law and violence and what is prior to the law. This criterion is divine violence which brings to light the internal connection between law and violence and "mere life" as the object of juridical violence.[32] However, unlike Schmitt, Benjamin does not seek to maintain the internal link between law and violence by incorporating the violence of the decision into the juridical order. Nor does he want to retain the possibility of distinguishing norm from exception. In the *Theses on the Philosophy of History* he argues that, in the present, the exception has become the rule and that the "real" state of exception is a task to be brought about by comprehending the undecidability between

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[29] Ibid, 63.
[30] Walter Benjamin, *The Origin of German Tragic Drama*, trans. John Osborne (London: Verso, 2003). For a discussion of the relationship between Schmitt and Benjamin on sovereignty, see Samuel Weber 'Taking Exception to Decision: Walter Benjamin and Carl Schmitt', *Diacritics* 22 (1992): 5–18.
[31] Benjamin, *Critique of Violence*, 243, 247.
[32] Although commonly translated as violence the term Benjamin uses is *Gewalt*, which in German can mean also public force, legitimate power, and authority. Ibid, 250.

exception and norm in order to oppose Fascism.[33] Instead, Benjamin wants to distinguish

law and violence by amplifying their difference to the point of severing their link. He

does so by appealing to divine violence, which is an altogether different type of violence

in that it does not seek to impose or preserve the law but to depose it, thereby placing

outside the juridical order the violence that traditional legal philosophies (natural and

positive law theories) associate with the law.[34] Benjamin seeks to prove the possibility of

human action whose objective is not establishing another system of law through violence,

but a type of communal living that is without law and state sovereignty.

  Addressing both Schmitt and Benjamin in *Homo Sacer: Sovereign Power and*

Bare Life and *State of Exception*, Agamben combines the formal analysis of sovereignty

with the interrogation of the link between politics and life exposed by Benjamin and

developed by Michael Foucault.[35] Like Benjamin, but unlike Schmitt, Agamben sees no

dialectic between exception and norm in contemporary politics and considers the

exception as intimately linked to the regulation of "bare life".[36] Like Schmitt, he

recognizes the paradoxical structure of sovereignty and the exception as a reality that is

located both outside and inside the juridical order. Yet, he extends this view further by

interpreting the relationship of exception and norm in terms of a "ban" or abandonment.[37]

The exception is included in the legal system through its exclusion as an actualisable

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[33] "The tradition of the oppressed teaches us that the 'state of exception' in which we live is the rule. We must arrive at a concept of history that corresponds to this fact. Then we will have the production of the real state of exception before us as a task" in Walter Benjamin, 'Theses on the Philosophy of History' in Harry Zohn (trans.) and Hannah Arendt (ed.) *Illuminations: Essays and Reflections* (New York: Schocken Books, 2007), 257.

[34] Benjamin, 'Critique of Violence', 252.

[35] See especially Michael Foucault *Society Must Be Defended: Lectures at the Collège de France, 1975-1976* trans. David Macey (New York: Picador, 2003); *The Birth of Biopolitics: Lectures at the Collège de France, 1978-1979* trans. Graham Burchell (New York: Palgrave Macmillan, 2008); *Security, Territory, Population: Lectures at the Collège de France, 1977-78* trans. Graham Burchell. (New York: Palgrave Macmillan, 2007).

[36] Agamben, *Homo Sacer*, 12; *State of Exception,* 2.

[37] Agamben, *Homo Sacer*, 28.

reality in the regular functioning of the norm.[38] The ban designates precisely a situation in

which something is included through exclusion. Understood this way, the sovereign

exception constitutes the possibility (or "potentiality" as he calls it) of the law to

"maintain itself in its own privation, to apply in no longer applying". [39] What is at stake in

the exception is a law that is "in force without significance", namely a situation in which

the norm is in force but has no meaning because its actual application is suspended.[40] The

distinctive character of Agamben's view is that the state of exception represents a

topological and not simply a spatio-temporal figure of seemingly transcendent features,

as in Schmitt. It regards a juridico-political space whose organization and validity rely on

the concrete exclusion of some human beings from the class of legal persons and their

simultaneous inclusion into the legal order as mere living bodies. These bodies are

subject to the sovereign's arbitrary power of death over bare life but remain "hidden from

the eyes of justice".[41]Agamben employs the Roman figure of *homo sacer* to exemplify

this excluded category by the sovereign ban. *Homo sacer* is he who can be killed without

legal consequences but not sacrificed and thus he who is abandoned by both divine and

profane law in virtue of his exclusion from the sanctioned forms of both.[42] In late

modernity, the paradigmatic *homo sacer* is the victim of the Nazi camps, an individual

deprived of any legal protection and yet incorporated in a space regulated by the law. In

contemporary politics, *homo sacer* is a figure that concerns us all since the exception has

become the norm.[43] For Agamben, however, the specter of totalitarianism is not the only

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[38] Ibid, 18.
[39] Ibid, 28
[40] Ibid, 51.
[41] Ibid, 37.
[42] Ibid, 82.
[43] Agamben, *State of Exception*, 36; *Homo Sacer*, 115.

political option arising from normalization of the exception. He considers Benjamin's

idea of deposing the law as opening up another type of politics, if read in conjunction

with the latter's statement in an essay on Kafka: "the law which is studied but no longer

practiced is the gate to justice".[44] This new politics would consist not so much in the

elimination of the law as in the liberation from its customary use; no more imposition of

the law or sovereignty over bare life but the deposing of the law and overcoming of

sovereignty in view of disclosing new possibilities for communal life. In a prophetic

manner, Agamben announces a future in which "humanity will play with law just as

children play with disused objects". [45]Analogous to a time in which the messianic

fulfilment of the law or of a Marxian prediction has occurred, this time would belong to a

new epoch that does not only break with state sovereignty as the "fundamental horizon of

all communal life" [46] but that is also closer to justice by standing at "the gate that leads to

it".[47]

 Although not directly reacting to Schmitt, Claude Lefort's classic essay "The

Permanence of the Theologico-Political?" is also a relevant contribution to debates about

the theological sources structuring modern politics. Positing the permanence of

theological themes in modern politics as a question, Lefort indicates the reactivation of

religious elements through new forms of representation as an irreducible possibility that

haunts modern politics, especially in time of crisis.[48] While modern democracy breaks

with a theological model of justification since no one has a privileged access to

transcendence to claim the rightful occupation of the "empty place" of power, its debt to

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[44] Agamben, *State of Exception*, 63.
[45] Ibid.
[46] Agamben, *Homo Sacer*, 11.
[47] Agamben, *State of Exception*, 64.
[48] Lefort, 'The Permanence of the Theologico-Political?', 150.

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religion needs to be recognized. Religion provides the model for a transcendent mode of instituting the spatio-temporal configuration of social relationships.[49] This recognition redresses the disavowal of a "hidden part of social life" but does not grant religion the power to structure the political by occupying its center. It only allows for religion to offer an "imaginary" expression of the attempt to make sense of the "unavoidable" and "ontological" difficulty of making sense of the institution of modern democratic power.[50]

Central to this scholarship is the attention to the ways in which the theological remains implicated in the conceptualization of the political and of central categories of political thinking such as political authority, sovereignty, law and community. The contributions briefly surveyed above expose, in different ways, the dependence of the political on some form of transcendence. While disagreeing with the politics Schmitt builds on this insight, both Benjamin and Agamben accept the fundamental premise of his theory of sovereignty based on an inescapable externality exemplified by the decision in and on the exception, though they seek to move away from law and sovereignty altogether. Lefort cannot avoid recognizing the "primary datum" of a theological schema to grasp the ontological reality of democracy.[51] Political theology, in these reflections, designates therefore a mode of analysis that illuminates the non-dispensability of a theological framework for thinking about modern politics. The central contribution of this scholarship consists in emphasizing the paradox affecting the foundation of the political together with the extra-legal and extra-political nature of the framework informing its concepts and institutions. Its greatest limitation consists in attempting to reach, and not simply point to, what lies outside the political thereby risking to close possibilities about

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[49] Ibid, 159.
[50] Ibid, 150, 187.
[51] Ibid, 182.

its shapes and direction from outside it. The "point of ascription" constituted by the decision in Schmitt cannot afford a normative vacuum of such proportion as to leave the political excessively undetermined, since doing so would allow for too much space to chaos, anarchists, communists or liberals. Similarly, there is a question as to whether the deposition of the law bringing man closer to justice indicated by Benjamin and advocated by Agamben does not remain too ambiguously implicated in some form of messianism capable of moving toward justice and thus appearing to 'know' where justice lies, and whether the imaginary role left to religion in modern politics hypothesized by Lefort does not require some 'higher' point of view capable of conclusive demystifications.

The second body of reflection relevant to this dissertation is a larger and more diverse one that focuses on the public role of religions by revisiting theories of secularization, secularity and secularism from different methodological perspectives. Thinkers such as Jürgen Habermas, Charles Taylor, Jean-Luc Nancy, William Connolly, and Talal Asad have been among the most influential in this strand of scholarship in contemporary political theology.

Jürgen Habermas has been in recent years a prominent figure who has revisited traditional secularism by examining the public role of religions and their democratic potential. Habermas contends that traditional secularism is inadequate today because it cannot account for the persistence of religions in political life and it unfairly excludes religion from the public sphere. The main reason for this failure is due to the "secularization thesis" which has lost its explanatory force.[52] The global visibility of religions brought about by media, by increasing immigration fluxes and by religions'

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[52] Jürgen Habermas, 'Faith and Knowledge' in Eduardo Mendieta (ed), *The Frankfurt School on Religion: Key Writings by the Major Thinkers* (New York: Routledge, 2005): 327–37.

renewed public influence in national politics, has provoked a change in consciousness in many modern societies.[53] These societies now understand themselves as "postsecular", that is, as societies "epistemically adjusted to the continued existence of religious communities."[54] This shift in consciousness, in turn, has opened up decisive normative questions regarding how citizens should understand themselves in view of balancing shared citizenship and cultural difference, especially in contexts in which secular and religious convictions conflict. In order to respond to these challenges without giving in to a *modus vivendi* that renounces a model of wide constitutional legitimation, Habermas proposes a post-metaphysical, post-secular alternative that is more inclusive of religion.[55] His proposal takes seriously the common genealogy between reason and faith and prescribes a cooperative learning process between the two that, while keeping them separate, emphasizes the significance of translating religions' moral insights into the secular domain, with a view to foster social cohesion and political legitimacy. [56]

Similarly to Habermas, Charles Taylor has taken issues with the secularization thesis. In *A Secular Age,* he rethinks the secular age of the modern Christian West by moving past the traditional secularization narratives that focus on the retreat or progressive decline of religion. He offers instead a phenomenological account of the conditions of belief characterizing modern spiritual life. For Taylor, the central problem with such narratives is that they overlook the significance of what he calls the "immanent frame". Referring to a self-sufficient, natural order that enables living moral and spiritual

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[53] Jürgen Habermas, 'What Is Meant by a Post-Secular Society? A Discussion on Islam in Europe' in *Europe: The Faltering Project*, trans. C. Cronin (Malden, MA: Polity, 2009): 59–77, 63 –64.
[54] Jürgen Habermas, 'Religion in the Public Sphere', *European Journal of Philosophy*, 2006, 14 (1): 1-25, 15.
[55] Habermas,'An Awareness of What is Missing', 20.
[56] Ibid, 17.

experience in a context of mutual contestation, this frame represents a key feature of

modern secularity; it constitutes the modern "context of understanding" or the

"unquestioned background" conditioning all thought and experience, secular and

religious.[57] The reason why traditional narratives miss the importance of the "immanent

frame" is that they rely on a view of secularization as a "subtraction" story, namely as a

story that is able to identify the natural human condition once the subtraction of illusory

(religious) beliefs occurs. [58] These accounts advance a one-sided view of modern

secularity that emphasizes "changes in belief, as against those in experience and

sensibility".[59] What these accounts fail to acknowledge are the cultural changes produced

by modernity, especially how modernity opened up a space for the constant composition

and recomposition of belief and unbelief in a context of mutual contestation. For these

reasons, Taylor contends that modern secularity cannot be conceived as the progressive

subtraction of religion. It is a story of "not only loss but of remaking"; it is the result of a

long and complex process characterized by multiple forces and options that pluralize the

way in which human beings respond to their ethical and spiritual experience.[60] For

Taylor, this shift from traditional secularization narratives allows for a

reconceptualization of secularism, without limiting though its universal scope,[61] as a

position that focuses primarily on issues surrounding pluralism characterizing modern

societies rather than religion only. His proposal seeks to "balance" equality and liberty

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[57] Taylor, *A Secular Age*, 3, 565.
[58] Ibid, 571.
[59] Ibid, 573.
[60] Charles Taylor, 'Afterword: Apologia pro Libro Suo' in Warner, M. et al. (Eds.) *arieties of Secularism in a Secular Age* (Cambridge, MA: Harvard University Press, 2010).
[61] Charles Taylor, 'Modes of Secularism' in Bhargava, Rajeev. (ed) *Secularism and its Critics* (Delhi: Oxford University Press, 1998), 31.

while maintaining neutrality towards *any* position, religious and non-religious.[62]

Although this balancing requires the use of an "official", neutral language for legislative,

administrative and judicial decisions, the same neutrality is not necessary in the domain

of public deliberation.[63]

Jean-Luc Nancy too has investigated modern secularity by undertaking what he

calls the "deconstruction of Christianity". [64] Opposing the traditional view of

secularization as implying the emancipation of modernity from (Christian) religion,

Nancy investigates the reasons and ways in which God reappears in secular societies

despite the proclaimed "death of God".[65] His hypothesis is that modernity is a

continuation of Christianity and not its overcoming. Both are characterized by rejection

and evolution: as Christianity denied natural religion and "departed from religion" –to

use Marcel Gauchet's terminology Nancy refers to – so modernity denies Christianity and

relies on the possibility of self-transcendence.[66] What is distinctive about Christianity is

that it constitutes itself by "self-surpassing".[67] Structured by a tension between religious

integralism and its dissolution through openness and adaptation to a secularizing world,

Christianity manifests an essential historicity and openness characterized by the

possibility of constant renewal.[68]This is what the revelation is about, for Nancy, who

extrapolates out of it a philosophical kernel: not the announcement of an end, a content to

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[62] Charles Taylor, 'Why we need a radical Redefinition of Secularism', Mendieta, E. and VanAntwerpen, J. (Eds.) (2011) *The Power of Religion in The Public Sphere*, New York: Columbia University Press, 2011), 37.
[63] Ibid, 50.
[64] Jean-Luc Nancy, 'The Deconstruction of Christianity' in *Dis-Enclosure. The Deconstruction of Christianity* (trans.) Bettina Bergo, Gabriel Malenfant, and Michael B. Smith, New York: Fordham University Press, 2008), 139 –157.
[65] Ibid, 143.
[66] Marcel Gauchet, *The Disenchantment of the World: A Political History of Religion* (Princeton, N.J: Princeton University Press, 1997).
[67] Jean-Luc Nancy, 'The Deconstruction of Christianity', 141.
[68] Ibid,144.

be realized, but the proclamation of a permanent possibility of self-transcendence that

impedes closure or fulfillment. In this context, the "deconstruction of Christianity"

represents the attempt to illuminate what has remained unthought at its core and is more

"archaic" than Christianity itself since it allowed the latter to be possible as a form of

self-surpassing. [69] Nancy names this element an "*absolute transcendental opening*", a sort

of condition of possibility of opening and self-transcendence that is not an origin or

essence itself since it ruptures any horizon oriented towards fulfilment.[70] Nancy's project,

then, involves re-thinking the relationship between Christianity and modernity beyond

their mere opposition and discontinuity and reinventing "what secularity means".[71] This

task is particularly urgent since it represents the only alternative to the possibility of

"hyperfascism" intrinsic to the 'return of religion'.[72]

William Connolly is another prominent figure of this strand of political theology,

and one of the first thinkers who revisited secularism. In *Why I am not a Secularist?* he

offers a critique of the dominant, liberal model of secularism exemplified by John Rawls

and Jürgen Habermas.[73] For Connolly, such a model is problematic for two reasons. First,

it tends to disavow the religious values, national traditions and sensibilities from which it

historically emerged and from which it constantly drew in order to function.[74] Second, it

excludes from political life religious and metaphysical perspectives in order to maintain a

self-sufficient public sphere that represses "the visceral register of intersubjectivity" by

focussing solely on reason and rational argument.[75] In contrast to this model, Connolly

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[69] Ibid, 143.
[70] Ibid, 145.
[71] Nancy, *Dis-Enclosure. The Deconstruction of Christianity*, 5.
[72] Ibid.
[73] William E. Connolly, *Why I am Not a Secularist?*, 19, 4.
[74] Ibid, 19, 32.
[75] Ibid, 32.

proposes to refashion secularism by paying more attention to the sensible, pre-rational dimension of public discourse and the democratic potential it offers in terms of creative and flexible sources to address the pluralism, complexity and becoming of political life.[76]Affirming the contingency and contestability of all positions, Connolly seeks to move beyond the traditional model in which one particular understanding of thinking and ethics occupies the "authoritative place of public discourse". [77]He advocates for a type of secularism informed by on the one hand, an ideal of deep pluralism seeking to include "a deep plurality of religious/metaphysical perspective into public discourses" [78]and, on the other hand, by an "ethos of engagement" fostering a "critical responsiveness" to a multiplicity of perspectives.[79] Rooted in the comparative contestability of all positions, this alternative model does not reject rational deliberation but offers an "existential basis to democratic politics" that better addresses the becoming and diversity of contemporary politics through its emphasis on negotiations over the appeal to uncontestable, rational criteria to adjudicate public disputes.[80]

Talal Asad is the last relevant thinker of this second strand of political theology worth considering. In *Formations of the Secular*, he develops an anthropology of secularism that exposes some key unexamined assumptions of secularism and re-contextualizes its understanding within the regulative power of the modern state and its colonial expansion. By unpacking the contingent conditions and coercive processes that made secularism a universal project of modernization, Asad clarifies the connection between secularism's global relevance and its hegemonic position. The central feature of

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[76] Ibid, 159.
[77] Ibid, 38.
[78] Ibid, 185.
[79] Ibid, 9.
[80] Ibid, 36, 39.

Asad's analysis is the distinction between 'secularism' as a political doctrine and the unexamined epistemological category of the 'secular'. This category is particularly relevant for theoretical and historical reasons. Theoretically, the 'secular' provides the necessary epistemological background for knowing the social reality on which secularism relies, including a particular way of defining how politics and morality relate to each other such that "religion becomes essentially a matter of (private) belief."[81] Historically, the 'secular' refers to both a specific context and a normative view: it is a concept that emerged in the early modern period characterized by the development of the secular state through processes of modernization and colonization and was tied to a narrative of freedom prescribing emancipation from religious experience. Viewed through a more complex understanding of the 'secular', secularism appears to be more than a discourse about peaceful coexistence and toleration. It emerges also as an "enactment" of the modern state to construct and maintain political identity through the imposition of homogeneous images of religion, politics and selfhood that provide the universal standards of modern life for non-modern people.[82] Asad illustrates this point by showing the central role the state played in modern Egypt in redefining the Islamic religious tradition, and more generally an entire form of life, by secularizing the Sharia so that ethics and law could became modern, namely separated from religion.[83]

Although different in orientation and method, the perspectives of this second and more genealogically oriented body of reflection share the task of revisiting modernity as a project marked by the separation of religion and politics. Political theology, in this case, designates an attempt to rethink the very idea and logic of secularism and secularization.

[81] Asad, *Formations of the Secular*, 205.
[82] Ibid, 5, 14.
[83] Ibid, 253–256.

As whole, the significance of this scholarship is two-fold: first, it offers a critical attitude toward the central assumptions of secularism and modernity; second, it provides more refined normative responses to religious and cultural diversity. What remains problematic in this body of reflections, however, is that it leaves unexamined a key modern assumption at work in traditional theories of secularization and secularism, namely the idea of secularization as a translation of theological idioms and categories into secular one and of religious idioms themselves. Further, this scholarship, except perhaps for Asad, does not sufficiently challenge the dominant, separatist modality of approaching religion and politics. What does the recognition of a common genealogy between reason and faith or of the complex continuity between religion and modernity do to the way in which secularism is redefined or secularization reconsidered? Does this recognition in any way alter the 'secular' approach to secularism (Habermas and Taylor) or the philosophical one to secularization (Nancy)? What are the stakes and political implications of translating theological idioms into a secular language (Habermas) or of extrapolating the philosophical kernel of theological traditions (Nancy)? Does the reliance on an insufficiently thematized view of translation signal that the separatist and oppositional modern paradigm cuts deeper than it appears? And how is translation connected to the negotiation of contestable positions (Connolly) or used by forces that made secularism possible and hegemonic (Asad)?

This study of the 'theologico-political complex' through Derrida's political thought places itself broadly between these two strands of scholarship in political theology. It seeks to integrate the interrogation of the theological features that keep reappearing, however opaquely, in the understanding of modern politics with

genealogical investigation. I suggest that the critical import of Derrida's approach to the 'theologico-political complex' consists in combining these two modes of analysis, which are joined in his quasi-transcendentalism.[84] Derrida's quasi-transcendentalism refers to a historically inflected philosophical thinking that proceeds through formalizations as in the transcendental tradition since Kant, but that also maintains a genealogical focus on the irreducible historicity *within* which formalizations take place. By investigating in this way how the theologico-political nexus relates to political formations, Derrida's quasi-transcendentalism puts limits to the possibility of reaching a vantage point from where to address, understand and respond to the theologico-political relationship. A central claim of this dissertation is that by placing irreducible relationality at the heart of his approach to religion and politics, but also language and time, Derrida enables us to think about the political *together* with the religious and thus to think about the theologico-political relation *as* a relation. In particular, he shows that some theological dimension, but not theological in any traditional sense, cannot be strictly excluded from the political domain. This feature is maximally exemplified by his insistence on an elemental faith that reason and religion share and which informs a structure of promissory affirmation, or what he has called in his later writings "messianicity without messianism" that is central to the foundation of both politics and knowledge.[85] Derrida's perspective, I argue, radicalizes the interconnection but reflects at the same time the distinction between the theological and the political to the point of unsettling attempts that seek to solve or end up circumventing the theologico-political relationship. These include revisitations of liberal

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[84] For a standard discussion of Derrida's quasi-transcendental approach, see especially Rodolphe Gasché, *The Tain of the Mirror* (Cambridge, MA: Harvard University Press, 1986) and Geoffrey Bennington, 'Derridabase' in Geoffrey Bennington and Jacques Derrida, *Jacques Derrida* trans. Geoffrey Bennington (Chicago: The University of Chicago Press, 1999).
[85] See especially Derrida, 'Faith and Knowledge', 56/30; *Specters of Marx,* 74/102.

secularism (Habermas), decisionist political theologies (Schmitt), deconstructive inquiries privileging transcendental concerns (Nancy), phenomenological approaches seemingly neutralizing the theological side of the theologico-political relation (Lefort) as well as more critical political theologies that ambiguously privilege theological sources (Benjamin) or embrace an however secularized messianism (Agamben). Since this study focuses primarily on Derrida's view of the 'theologico-political complex', the engagement with the approaches just mentioned will be limited and in any case oriented towards the illumination or further clarification of Derrida's position when needed. This is not to suggest that a more sustained engagement with these perspectives would not be helpful or at times necessary to clarify his thought as well as central issues of contemporary debates. It is only to suggests that the main focus of this dissertation is the reconstruction of Derrida's view on the basis of *his* own writings.

In articulating how Derrida's view of the theologico-political relates to political questions of authority and community, this study seeks to highlight the importance of his thought for political theory and practice, and to respond to the recurrent criticism that Derrida's thinking does not constitute *political* thinking.[86] Nancy Fraser offers the clearest articulation of this view. In her discussion of Derrida's reflection on law and political authority, she argues that the extent to which deconstruction remained focussed

[86] One of the first formulations of this criticism comes from Simon Critchley who emphasizes deconstruction's inability to "thematize the questions of politics" as questions about empirical struggle and conflict as well as to account for political judgment and decision given its insistence on undecidability. See his *The Ethics of Deconstruction: Derrida and Levinas* (West Lafayette, Ind.: Purdue University Press, 1999), 190. See also Catherine Zuckert, *Postmodern Platos* (Chicago: The University of Chicago Press, 1998). For works that that speak against skeptics of Derrida's 'political' thinking, see for example, Pheng Cheah and Suzanne Guerlac (eds.) *Derrida and The Time of The Political*; Catherine Kellogg, *Law's Trace. From Hegel to Derrida* (New York: Routledge, 2010). For earlier writings emphasizing the political dimension of Derrida's work, see Geoffrey Bennington, 'Derrida and Politics' in *Interrupting Derrida* (New York: Routledge, 2001); *Legislations*: *The Politics of Deconstruction* (London: Verso, 1994). For examples of how deconstruction has been used in political theory, see especially Judith Butler, *Excitable Speech: A Politics of the Performative* (New York: Routledge, 1997); Chantal Mouffe and Ernesto Laclau, *Hegemony and Socialist Strategy. Towards a Radical Democratic Politics* (London: Verso, 1985).

on quasi-transcendental thinking as a thinking about the enabling conditions of normative

judgments and political practices, "it will never get to ethics or politics". Fraser refers to

Aristotle's understanding of politics as being a "matter of those contingent but

warrantable normative judgments" about "historically and culturally variable practices

and institutions" to suggest that Derrida's thinking is not political thinking.[87] By 'simply'

invoking the authority of Aristotle and of a normative understanding of politics rooted in

a long metaphysical tradition, Fraser's view seems to repeat a protective gesture towards

the canon of political philosophy and the understanding of what 'politics' *is* and *should*

be. Affirming this is not to oppose or underestimate Aristotle's view, nor to undermine

the authoritative role of the tradition of western political philosophy. Nor it is to overlook

that both Aristotle and the western tradition of political philosophy are also in Derrida's

greatest estimation. Instead, it is to highlight a certain impulse towards uncritical

guardianship that has marked this tradition and that has been implicated in the exclusion

and marginalization of other philosophical traditions from within and without, as

forcefully demonstrated, for example, by Jewish, Feminist and Black philosophies on the

one hand, postcolonial, Islamic, African, Latin-American political theory, on the other. It

is precisely this impulse, together with the exclusive power ascribed to the tradition and

to a certain semantic stability of its key concepts, that Derrida seeks to question through a

more critical inheritance.[88] As I shall mention below and briefly discuss in chapter two,

inheritance, for Derrida, is not a passive activity but a task that requires an active and

critical attitude towards the past to let it live on in a new way. A genealogical

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[87] Nancy Fraser, 'The Force of Law: Metaphysical or Political?" in *Cardozo Law Review* 13 (1991): 1325 –
1331, 1326 –7.
[88] See, for example, his complication of the concepts of 'philosophy', 'political philosophy', 'politics',
'political' and 'ideology in his 'Marx & Sons' in Michael Sprinker ed. *Ghostly Demarcation: A Symposium
on Jacques Derrida's Specters of Marx* (London: Verso, 1999), 215 –217.

investigation of the metaphysical presuppositions of key concepts of the western

philosophical vocabulary is a central component of this task. As Geoffrey Bennington has

suggested, Derrida's inheritance of the traditional category of 'politics' consists in a

critical genealogy of its metaphysical underpinnings with a view to open that category to

the very contingency, historicity and difference Aristotle and Fraser say politics (should)

focuses on.[89] It is for this reason that Derrida resists *simply* embracing Aristotle's

conception of 'politics'. Acknowledging Derrida's unconventional approach and his

hesitation to conceive of his political writings as works of 'political philosophy',[90] this

dissertation suggests that his thinking is political not simply because of his sustained

reflections on traditional political categories such as democracy, sovereignty, law, justice,

and political authority to mention a few. It is so also because his quasi-transcendentalism

illuminates the irreducibly political character of the conditions in which a political

grammar and categories (such as 'politics') organizing communal experience and

perceptions are established in the first place. As I will make clear in chapter four, these

are the stakes of the 'theologico-political complex' that Derrida's quasi-

transcendentalism exposes together with the means – which are often military, political

and economic – employed in order to make such grammar and categories relevant and

authoritative. Reaching a sort of metapolitical level to expose its irreducible political

nature, Derrida's quasi-transcendentalism is in an important sense a form of political

thinking. While perhaps this is not 'orthodox' political thinking, it is a type of thinking

from which traditional political thought and theory can benefit, especially because it

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[89] Geoffrey Bennington, 'Derrida and Politics' in his *Interrupting Derrida,* 18 –33.
[90] See Note 54.

empowers them with the conceptual sources that help democratize and pluralize the right of guardianship about the truth of politics and its production.

1.4 Notes on Method and Chapter Outline

In articulating Derrida's view of the 'theologico-political complex' I engage in both exegetic and analytical readings that seek to expound Derrida's reflections on issues of language, time, religion and politics as they relate to the theologico-political relationship, with a view to explore the role this relation plays in the foundation of political authority and community. While I explain Derrida's view of these issues to illuminate the logic of relationality at the heart of his take on the theologico-political, I also seek to push this logic further and show its implications and significance for rethinking secularism, democracy and political normativity. These exegetic and analytical readings will involve also engaging in interpretative and critical strategies that sympathize with the traditions of the Cambridge School of political thought and twentieth century hermeneutics (in its Gadamerian version) but that also seek to go beyond them. My interpretation of Derrida shares with that School a sensibility for the historical context in which a text is immersed and to which it reacts, and with hermeneutics the open-ended character of interpretation.[91] Very minimally, I indicate in chapter three the historical context of deconstruction to highlight precisely the irreducible historicity of Derrida's thinking. In chapter two, I emphasize the centrality of endless interpretation in his thought. Yet, unlike these traditions, I will not seek to grasp the true meaning of the text by focussing

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[91] Michael N. Forster, 'Hermeneutics' in In Brian Leiter and Michael Rosen (Eds.), *The Oxford Handbook of Continental Philosophy* (Oxford: Oxford University Press, 2007), 30 –74.

on the author's intentionality.[92] Instead, I will seek to extend the meaning(s) of the text(s) by attending to Derrida's exposure of the limits affecting the reconstruction of authors' intentions through the determination of the context and conventions in which words are pronounced,[93] and to his idea that meaning is importantly, but not exclusively or conclusively, 'produced' by those who inherit a text by interpreting it. [94]

Employing this composite reading strategy, I begin the investigation, in chapter two, by foregrounding Derrida's view of language as central to the study of the 'theologico-political complex'. Here I focus on the political and particularistic features of language and the predicament of translation to highlight the problematic features of universalist political theories employing a view of language as a neutral tool, especially those seeking to solve the theologico-political relation by way of secularization as translation of sacred idioms into a secular one. I also articulate Derrida's alternative view of language by emphasizing its significance for rethinking critically the theologico-political relationship. Chapter three examines Derrida's view of time as it connects to political thought. In particular, I analyse his critique of political teleology, and the traditional understanding of time that informs it, in order to elucidate the exclusionary features of teleological approaches to religion and politics. Focusing on Derrida's view of non-teleological time and thinking, I then articulate his notion of the 'messianic' as political thought and illuminate the potential it offers for rethinking the theologico-political nexus, and more generally issues of pluralism and difference. In chapter four, I

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[92] The reconstruction of meaning through an emphasis on authorial intention given the constraints of his or her context of reference is a central objective of Quentin Skinner's method. See, for example, his 'Meaning and Understanding in the History of Ideas' in his *Vision of Politics* (Cambridge: Cambridge University Press, 2002), 57 –89. Intentionality is also central to Hans Gadamer's hermeneutics despite the emphasis he puts on the limits of subjective consciousness. See his *Truth and Method* (London: Continuum, 2011).
[93] Derrida, 'Signature Event Context'.
[94] Jacques Derrida, 'Otobiographies. The Teaching of Nietzsche and the Politics of the Proper Name' in *The Ear of The Other*, trans. Peggy Kamuf (New York: Schocken Books, 1985).

articulate Derrida's view of the secular through a focus on how the theologico-political

relationship factors in the foundation of political authority. Here I emphasise his

arguments as to why the theological and the political are irreducibly interrelated and thus

they cannot be separated as in that tradition of the Enlightenment that considers the

secular domain as a self-enclosed political reality. I argue that Derrida's understanding of

the secular as theologico-political opens up new possibilities precisely because it

approaches reason and religion as interconnected. In order to illustrate Derrida's view of

political community in the context of the 'theologico-political complex', chapter five

explores his notion of 'democracy to come'. By illustrating how Derrida's perspective

draws and yet takes distance from the traditional theological framework that has informed

many understandings of democracy, I suggest that his perspective offers the resources to

think about political community beyond secularism. In chapter six, I conclude this study

by connecting the arguments of the preceding chapters and emphasizing Derrida's

contribution to the study of religion and politics today.

Chapter 2

Language and the Theologico-Political Complex

2.1 Introduction

For any reader minimally familiar with Derrida, language represents a central theme that permeates his entire *oeuvre*. From his early work on Husserl [1] and writing[2] up to his later ethico-political essays,[3] Derrida's concern for the key role language plays in philosophical investigation as such is undeniable. For him, language is not simply the particular site from which philosophical questions arise but also one from which philosophical reflection cannot fully depart. Looking at philosophical problems, therefore, requires paying attention to the particular conditions –historical, cultural, political, and idiomatic– affecting the linguistic site in which such problems have been formulated and interpreted, including also the theologico-political problematics at issue in this study.

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[1] Jacques Derrida *Edmund Husserl's "Origin of Geometry": An Introduction*, trans. John P. Leavey, Jr. (Lincoln: University of Nebraska Press, 1989).

[2] Jacques Derrida, *Dissemination*, trans. Barbara Johnson (Chicago: University of Chicago Press, 1981); *Limited Inc.*; *Of Grammatology*; 'Différance', White Mythology', and 'Signature Event Context' in *Margin of Philosophy*; *Speech and Phenomena*, trans. David B. Allison (Evanston, IL: Northwestern University Press, 1973); *Writing and Difference*, trans. Alan Bass, (Chicago: University of Chicago Press, 1978).

[3] Jacques Derrida, *Adieu to Emmanuel Levinas*, trans. Pascale-Anne Brault and Maichael Naas (Stanford: Stanford University Press, 1997); 'Afterword: towards and ethics of discussion', in *Limited Inc*. 'Autoimmunity: Real and Symbolic Suicides –A Dialogue with Jacques Derrida' in *Philosophy in a Time of Terror. Dialogues with Jürgen Habermas and Jacques Derrida* interviewed by Giovanna Borradori (Chicago: The University of Chicago Press, 2003); 'Des Tours de Babel', Ethics and Politics Today', in *Negotiations: Interventions and Interviews 1971–2001*, trans. Elizabeth Rottenberg (Stanford: Stanford University Press, 2002); 'The Eyes of Language: The Abyss and the Volcano', 'Force of Law: The Mystical Foundation of Authority' and 'Faith and Knowledge' in *Acts of Religion*; *The Gift of Death*, trans. David Wills (Chicago: The University of Chicago Press, 1995); *Monolingualism of the Other*; '*Of Hospitality*, trans. Rachel Bowlby (Stanford : Stanford University Press, 2000) 'Otobiographies. The Teaching of Nietzsche and the Politics of the Proper Name', 'Roundtable on Translation' and 'Roundtable on Autobiography' in *The Ear of The Other*, trans. Peggy Kamuf (New York: Schocken Books, 1985); *The Other Heading: Reflections on Today's Europe*, trans. Pascale-Anne Brault and Michael Naas (Bloomington: Indiana: Indianan University Press, 1992); *Rogues*; *Spectres of Marx*.

More specific reasons for focussing on language in an philosophical investigation of the 'theologico-political complex' can be found in two of Derrida's works: 'Faith and Knowledge: The Two Sources of "Religion" at the Limits of Reason Alone' (henceforth 'Faith and Knowledge') and *The Onto-Theology of National Humanism (Prolegomena to a Hypothesis)*(henceforth 'Onto-Theology'). In 'Faith and Knowledge', discussing the global resurgence of religions, he writes:

> Now if, today, the 'question of religion' actually appears in a new and different light, if there is an unprecedented resurgence, both global and planetary, of this ageless thing, then what is at stake is language, certainly –and more precisely the idiom, literality, writing, that forms the element of all revelation and all belief, an element that ultimately is irreducible an untranslatable– but an idiom that above all is inseparable from the social nexus, from the political, familial, ethnic, communitarian nexus, from the nation and from the people: from autochthony, blood and soil, and from the ever more problematic relation of citizenship and to the state. In these times, language and nation form the historical body of all religious passion. [4]

For Derrida, the 'question of religion' is not simply about the relationship between faith and knowledge as the title of the essay seems to announce. It is very much that but not only that. It is above all a question of language, nation and politics since the vehicle of religious beliefs is always an idiom, which is inseparable from its national context and its legal-political boundaries. By affirming this, Derrida is not overlooking that there are, especially today, global religious movements, whose values and beliefs cut across national boundaries. Rather he is pointing to the idiomatic specificity of the language and context in which religious beliefs are articulated and practiced in relation to specifically political and other communitarian bonds that cannot be fully overcome. In 'Onto-Theology', Derrida makes a similar point with regard to what is commonly considered

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[4] Derrida, 'Faith and Knowledge', 44/12.

the secular (i.e. non-religious) domain of philosophy, which he connects to idiom and the

nation. Here he affirms that although philosophy is by vocation universal and reaches

beyond particularity, it "needs to pass through idioms", which are particular, to exist at

all.[5] Like religious claims, philosophical ones are indissociable from questions of national

language and context.

Following Derrida, then, it would seem that a *philosophical* study of the

'theologico-political complex' needs to start from an analysis of language, especially in

its relation to the nation-state conceived as the relevant geo-politico-linguistic context. By

exploring Derrida's understanding of the irreducible political character of language, this

chapter takes as its task such an analysis with a view of providing an analytical

framework to inquire critically about religion and politics today I suggest that his view

has a central significance to rethinking the 'theologico-political complex'. Through a

focus on language's irreducible idiomaticity and the predicament of translation Derrida,

on the one hand, exposes the limits of universalist approaches to the theologico-political

relationship and especially those that seek to solve the theologico-political relation by

way of secularization as a form of translation; on the other hand, he illuminates the

possibilities of an alternative view of language that emphasizes the political and

particularistic character of linguistic foundations, without doing away with the

universalistic aspirations typical of politico-philosophical reflection. This aspect is

particularly brought to light if we interpret Derrida's entire thought as animated by a

politico-philosophical sensibility for questions of political foundings and their

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[5] Jacques Derrida, 'The Onto-Theology of National Humanism (Prolegomena to a Hypothesis)', in *Oxford Literary Review*, vol. 14, no. 1–2 (1992), 3.

constitutive exclusions, a sensibility that plays a decisive role in his analysis of language

as much as it does, as we shall see, in that of time and of politics.

This chapter is divided into four main sections. Focussing on the already

mentioned 'Onto-Theology' and the 1977 debate between Derrida and John Searle on

speech act theory, the first section analyzes Derrida's reflections about the relationship

between context and language in order to emphasize the irreducible national character of

philosophical reflection. I argue that by highlighting the intimate connection between

national context and language, Derrida challenges the idea that philosophical reflection

can employ linguistic categories that can be liberated from traces of politics and power

and this puts significant constraints on universalist approaches to the 'theologico-political

complex'. In order to emphasize explicitly the political function of language, the

remaining sections turns to Derrida's *Monolingualism of The Other, or The Prosthesis of

Origin* (henceforth *Monolingualism*). Section two concentrates on his reflections about

the linguistic human condition by looking particularly at issues such as translation and the

impossibility of meta-language. My aim here is to show how Derrida's reflections

illuminate the limits of approaches seeking to effect a secularization of religious language

by appealing to the secular language of philosophy. Exploring Derrida's reflections on

the politics of language, section three highlights the significance of linguistic foundations

for re-thinking the theologico-political relation. The last section articulates Derrida's

'language of promise' which attempts to resist the homogenizing tendency of all

language by engaging in critical-political practices of interpretation. By elucidating the

nature of the promise at work in this view of language and the type of interpretive

practices it calls for, I illuminate the potential that Derrida's view of language has for thinking critically about the 'theologico-political complex'.

2.2 Language and Context

In Derrida's understanding of language, context plays an essential role. But what is context? What are its boundaries? Perhaps the best place to start in clarifying the question of context beyond the general idea of it as referring to a community of speakers is his 'Onto-Theology, an essay that is part of a cycle of seminars entitled "Nationalité et Nationalisme Philosophiques". [6] Rather than providing a historic-linguistic analysis of a "philosophical nation", Derrida investigates here the aporetic relationship between philosophy, which is by vocation universal, and the idioms in which it is articulated, which are particular and bounded to nations. [7] More specifically, he explores the relationship between on the one hand, the particular national context and idiom in which any philosophy originates and, on the other, the universal nature of philosophical discourse as it is exemplified by some philosophical texts that explicitly appeal to nationality. Here we will focus on Derrida's reading of Fichte's *Address to the German Nation* which exemplifies Derrida's overall point of his seminars.

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[6] For a discussion of Derrida's seminars on 'Nationalité et Nationalisme Philosophiques' see Dana Hollander, *Exemplarity and Chosenness. Rosenzweig and Derrida on the Nation of Philosophy* (Stanford: Stanford University Press, 2008) especially chs. 4-5.

[7] Derrida, 'The Onto-Theology', 3. Usually translated as 'without passage', the term 'aporia' refers, in Derrida's lexicon, to a constitutive and irreducible situation of impasse. In particular, Derrida's aporia is not reducible to a contradiction that can be solved by showing its illusory status through a transcendental approach as in Kant or a dialectical one as in Hegel and Marx. Rather it is best thought of as an experience characterized by a double bind: the conditions of possibility are also conditions of impossibility; that is, what makes something possible does also impede its full realization. See Jacques Derrida, *Aporias: Dying—awaiting (one another at) the 'limits of truth'*, trans. Thomas Dutoit (Stanford: Stanford UP, 1993), 12/20 ff. In the case of philosophy and idiom, the linguistic conditions of possibility of a universal philosophy (idiom) impede philosophy from being purely universal.

The upshot of Derrida's argument is that Fichte affirms German nationality in philosophical terms by presenting a view of the German nation as embodying and representing "the universal and philosophical as such".[8] Derrida reads Fichte as articulating a view of German identity as self-recognition through what Fichte calls "a philosophy that has become clear in itself", one that provides the "mirror" through which the German nation can achieve a transparent self-consciousness.[9] For Fichte, being German is to identify with the telos of developing a certain (philosophical) spirit which is not necessarily linked to the German territory or speaking German as a natural language, but to a certain relation to the language of German philosophy. This view leads to the paradoxical effect that whoever shares the language of this philosophy without being of German nationality is German. As Fichte notes: "Whoever believes in the spirit and in the freedom of the spirit…wherever he may have been born and whatever language he speaks, is of our blood [*ist unser Geschlecht*], he belongs to us and will join us."[10] In contrast, a person of German nationality who does not 'speak' the language of German philosophy is not German.

For Derrida, the determination of philosophical spirit in nationalistic terms is not peculiar to Fichte but participates in a larger phenomenon, namely that of "the structure of national consciousness" which demands that "a nation posits itself not only as a bearer of a philosophy but of an exemplary philosophy, i.e. one that is both particular and potentially universal– and which is philosophical by that very fact".[11] On this reading, nationalism is parasitical onto philosophy because of its essential vocation to universality;

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[8] Derrida, 'The Onto-Theology of National Humanism', 11.
[9] Ibid.
[10] As quoted by Derrida in Ibid, 13.
[11] Ibid, 10.

nationalism is "a philosophy, a discourse which is, structurally, philosophical".[12]

Derrida's point here is twofold: first, no nationalism is untainted by the philosophical

ambition to universality, as it presents itself not simply "as *a* philosophy, but as

philosophy *itself*, philosophy par excellence";[13] second, all philosophy, given its

particular origin but universal ambitions, "always has the potential or the yearning…for

nationality and nationalism".[14]

   For Derrida, to take seriously that potential (risk) requires investigating the aporia

announced above, namely the relationship between nation, idiom and philosophy. In this

regard, he considers philosophy to be necessarily idiomatic and thus he identifies an

ambiguous allegiance between philosophy and idiom. On the one hand, philosophy ought

not surrender to the national and cultural difference carried by an idiom since this 'would

be an aggression or a profanation with regard to the philosophical as such".[15] On the

other hand, it is only because it "can pass through idioms" that philosophy is possible in

the first place and thus cannot be free from the nationalistic risk. In short, philosophical

discourse needs a particular link to a specific idiom to *be* at all, and yet it cannot remain

particular to *be* what it is, namely to reach beyond particularity.

   Besides the aforementioned aporia, Derrida points to a more complex and

profound puzzle regarding the relationship between idiom, philosophical reflection and

the threat of nationalism:

> One can denounce, suspect, devalorise [*sic*], combat philosophical nationalism only
> by taking the risk or reducing or effacing linguistic difference or the force of the
> idiom, thus in making that metaphysico-technical gesture which consist in
> instrumentalizing language (but is there a language that is purely non-

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[12] Ibid.
[13] Ibid, 13.
[14] Ibid, 17.
[15] Ibid, 3.

instrumental?), making it a medium which is neutral, indifferent and external to the philosophical act of thought. Is there a thought of the idiom that escapes this alternative? That is one of our questions. It does not belong to the past but is a question of the future.[16]

We cannot exclude, now and for the future, that the alternative to nationalism is not to be found in the shelter of a supposedly neutral philosophical language. This holds since even philosophy's inherent strive for emancipation from a particular idiom and its embracing of an instrumentalized view of language (language as a mere communicative tool) does not make it free from other forms of nationalism. Indeed, portraying philosophical language as a neutral universal tool does not efface the particular origin embedded in it but, actually, silently obscures it. And this raises the question of whether employing such a type of language yields to a more dangerous form of nationalism, whose force is proportional to the non-appearance of its particularity. In other works which we shall consider below or in subsequent chapters, Derrida discusses this possibility while referring to the global imposition of a dominant 'national' (Anglo-American) language. As the language of "masters, capital, and machine",[17] he sees the Anglo-American idiom connected to what is commonly considered a secular language, namely the language "called technical, objective, scientific, and even philosophical" [18] but also that of putatively non-religious political understandings and forms that remain marked, as we shall see in chapters four and five, by the juridical, theological and political tradition of Christianity. [19] For him, the problem with this type of nationalism is that its linguistic hegemony imposes the homogenization of a "multiplicity of languages, cultures, beliefs

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[16] Ibid, 23.
[17] Derrida, *Monolingualism*, 30/56.
[18] Derrida, 'The Eyes of Language: The Abyss and the Volcano', 202.
[19] See especially Derrida, 'Faith and Knowledge', *Rogues*, and *The Beast and The Sovereign Vol. I*.

and ways of life" within which "a chance for the future is possible". Rather than being a sign of civilization, this homogenizing hegemony represents "the opposite of civilization". [20]

After having connected national idiom and philosophy we are now better equipped to appreciate Derrida's emphasis on the type of context and boundaries within which a philosophical language is established. Derrida calls attention to the "odd logic" informing Fiche's view: on the one hand, Fichte wants to proclaim German philosophy, which elevates life over death, as philosophy as such and non-German philosophy as philosophy of death. On the other hand, he wants to prevent "the dead", those who do not speak the language of German philosophy but may nevertheless speak German, to contaminate its purity. Derrida notes that Fichte wants to secure the link between German nationality and a "certain relation to the language" of German philosophy by preventing or limiting "the dead" to "twist its words" in order to save "the true destinations of words, their living destination which is still exposed to the return of the dead one". [21]

What Derrida finds odd in this logic is not simply that the criteria for membership to German nationality are not, for Fichte, really linguistic since one could 'speak' the language of German philosophy as philosophy of spirit and life without speaking German as a "living tongue". [22] It is rather the fact that Fichte's has to proclaim as dead such 'living' elements of German philosophy as the idiom and the geopolitical context in which the life of *German* philosophy and its language originated and continues to *live* on. In other words, the oddity lies in that Fichte ascribes death where there is life though he

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[20] Jacques Derrida, "Progress is Absolute or There is no Progress" in Mustapha Chérif, *Islam and the West. A Conversation with Jacques Derrida* trans. Teresa Lavender Fagan (Chicago: The University of Chicago Press, 2008), 80–81.
[21] Derrida, 'The Onto-Theology', 14.
[22] Ibid, 15.

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seeks to protect life through a philosophy that elevates life over death. By emphasizing the oddity of this logic, Derrida exposes what philosophical discourse in general tends to conceal: that is, the strict relationship between philosophy and the particular national context and idiom within which, and on the basis of which, such a discourse is always constructed and thus cannot fully depart from.

So far the political connection between language and context has been kept in the background and it is now time to make it explicit. Derrida takes up this topic in *Limited Inc*, a 1977 collection of essays in which he takes issues with Searle's reading of John Austin's speech act theory. Already in his 1971 essay 'Signature, Event, Context' that initiated the dispute, however, the question of context is significantly considered. In this essay, Derrida engages in a critique of Austin and questions the assumptions underlying speech act theory. Austin's famous work *How to Do Things with Words* called attention to the way in which language is used, beyond describing the world, to produce effects within it.[23] By drawing the distinction between 'constative' and 'performative' linguistic acts, Austin radically departed from the dominant philosophical view of his time (i.e. logical positivism), which viewed language in terms of the relation of linguistic elements to extra-linguistic reality. In particular, he disclosed the social and political aspects involved in the determination of meaning.

Derrida recognizes that Austin's speech act theory enriches our understanding of language as a performative and not simply descriptive phenomenon.[24] Yet he considers it problematic with regard to such questions as the identification of the authors' intentionality, the relationship between meaning and self-consciousness and the

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[23] J. L. Austin, *How to Do Things with Words* (Cambridge, MA: Harvard University Press, 1975).
[24] Jacques Derrida, *Limited Inc,* 13.

understanding of linguistic context.[25] It is not my intention to dwell on these issues and more generally on the relationship between Derrida and Austin, since this would take us too far into technical questions pertaining to philosophy of language and a rich literature already exists on this subject.[26] Instead, I want to focus more explicitly on political aspects, which Derrida emphasizes more extensively in the debate with Searle. In the 'Afterword' to the debate, Derrida links the political dimension of speech act theory and the attempt to fix a linguistic context to the politics of language as a politics of founding.[27] In response to Searle's invocation of speech act rules in questions of copyright, Derrida affirms that "there is always a police and a tribunal ready to intervene each time a rule [constitutive, regulative, vertical or not] is invoked in a case involving signature, events, or contexts".[28] This statement, he explains, emphasizes that the fixing of rules and contexts of utterances involves a policing power of "sanctioning, evaluating and selecting" a "cultural patrimony", an idiom, and rules for communication.[29] The identification of that power, though, is not always straightforward since there are forms of policing that do not manifest themselves in a clearly recognizable manner. Unlike those that appear in the brutality of physical repression, "there are more sophisticated police

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[25] Ibid, 14 ff.

[26] Stanley Cavell *A Pitch of Philosophy: Autobiographical Exercises* (Cambridge, MA: Harvard University Press, 1994); Jonathan Culler, 'Convention and meaning: Derrida and Austin' *New Literary History*, Vol. XIII (1981), 15–30; Stanley Fish, 'With the Compliments of the Author: reflections on Austin and Derrida', *Critical Inquiry*, Vol. VIII (1982), 693–721; Rodolphe Gasché, 'More than a Difference in Style' in his *The Honor of Thinking: Critique, Theory, Philosophy* (Stanford: Stanford University Press, 2006).

[27] By making a reference to his 'Declaration of Independence', where he takes up the issue of political foundings, Derrida says explicitly that what is at work in the fixing of rules and the context of utterances is precisely the structure of performativity that characterizes political foundings. *Limited Inc*, 134–135. We will explore the topic of political founding in chapter four.

[28] Ibid, 105.

[29] On this issue Derrida cites the example of the Académie Française, the 1635 institution established by Cardinal Richelieu, as the official authority in matters of French Language, especially with regard to establishing what constitutes 'good' French. Ibid, 135.

that are more 'cultural' or 'spiritual', more noble".[30] As a result, their political dimension "often dissimulates itself, articulates or translates itself through mediations that are numerous, differentiated, potential, equivocal and difficult to decipher".[31]

Derrida's target here is a type of theoretical discourse which, like speech act theory, introduces, fixes through exclusions and enforces apparently neutral and yet politically charged categories under the guise of mere philosophical reflection. He best summarizes this by asking:

> Once it has been demonstrated, as I hope to have done, that exclusion of the parasite (of divergences, contaminations, impurities, etc.) cannot be justified by purely theoretical-methodological reasons, how can one ignore that this practice of exclusion, or this will to purify, to re-appropriate in the manner that would be essential, internal, and ideal in respect to the subject or its objects, translates necessarily into a politics? Politics of language (which can lead, even if it does not always do so, to violences committed by the state), politics of education, politics of immigration, behaviour with regard to the "foreign" in general etc. This touches all social institutions…All this is political through and through, but it is not only political.[32]

For Derrida, the political dimension of less 'visible' kinds of police is to be located in the values and theoretical articulations informing and participating in different types of politics, including and especially those involved in the institution and preservation of language. The institution and preservation of language in a given territory is intimately linked to the attempt to fix linguistic context by determining rules, conventions and uses of language which are never severed from political interests as it appears, for example, in the imposition of a national language on minority groups or in the support of public institutions that determine what is proper to a given national language (i.e. 'good'

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[30] Ibid.
[31] Ibid.
[32] Ibid, 135.

French).[33] Derrida claims that such an attempt "always remains a performative operation and is never purely theoretical" and "cannot be apolitical or politically neutral"; actually it "is always political because it implies, insofar as it involves determination, a certain type of non-'natural' relationship to others".[34] The instituting of a language as the official medium of communication in a given context establishes a mode for linguistic and social interactions whose non-natural property is illuminated by their political origin. This institution cannot be separated from the type of politics, normative horizon and fictions that are also introduced in the founding of a political community. [35] Anticipating a central theme of chapter four, this last point suggests that the founding moment always involves a justificatory discourse that needs to employ fictional components to re-narrate the origin of political community and make the new established institutions and their language acceptable.

Now, to say that the determination of context is non-natural and involves a fictional component does not imply collapsing certain cardinal distinctions such as that between philosophy and literature as Habermas has argued.[36] On the contrary, it implies recognizing first, that no attempt of linguistic foundation can objectively claim the closure of context. What the fictional components do, in justificatory discourses, is hiding the violence and exclusions of the founding moment that threaten the stability of the new established context. We will discuss this issue at length in chapter four. Second, as a consequence, that fiction remains constitutive of any philosophical reflection about the

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[33] See Note 27.
[34] Ibid, 132, 136.
[35] Ibid, 134.
[36] Habermas, 'Excursus on Leveling the Genre Distinction between Philosophy and Literature' in *The Philosophical Discourse of Modernity: Twelve Lectures*, trans. Frederick Lawrence (Cambridge, MA: MIT Press, 1987).

ideal unity enabling the setting up of criteria for linguistic, political and moral relevance, which are central to linguistic foundations. The attempt to fix a context always occurs within an already existing and yet not fully determined context, whose heterogeneity and incompleteness needs to be obscured and its reality re-narrated for objective claims to have any purchase at all. This situation suggests that there is an "irreducible opening" characterizing context, a sort of unconditionality, whose determination thus always remains structurally incomplete.

> Now, the very least that can be said of unconditionality (a word that I use not by accident to recall the character of the categorical imperative in its Kantian form) is that it is independent of every determination of a context in general. It announces itself as such only in the *opening* of context. Not that it is simply present (existent) elsewhere, outside of all context; rather, it intervenes in the determination of a context from its very inception, and from an injunction, a law, a responsibility that transcends this or that determination of a given context. Following this, what remains is to articulate this unconditionality with the determinate (Kant would say, the hypothetical) conditions of this or that context; and this is the moment of strategies, of rhetoric, of ethics, and of politics. The structure thus described supposes both that there are only contexts, that nothing *exists* outside context, as I have often said, but also the limit of the frame or the border of the context always entails a clause of nonclosure.[37]

The unconditionality at the core of context is to be considered in immanent terms because it never leaves the plane of contextuality, it is not "independent of every determination of a context in general." Yet, this does not mean that unconditionality is limited to a given context but only that it appears *in* the opening of a specific context as conditioned by the specific conditions – historical, linguistic, philosophical and so forth – of the latter. As such, unconditionality appears as intimately related to the event of political foundation and refers to a sort of structural remainder, an excess of context, which in turn was

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[37] Derrida, *Limited Inc*, 152.

determined on the basis of another context and so on in a long series, whose origin cannot be captured and fixed.

Derrida advances here in relation to context a point analogous to the one he makes in his engagement with Plato and Nietzsche on the nature of the text which is important to recall since it emphasizes the idea of excess. With regard to the former, he insists on the text's structural remainder that escapes conscious perception.[38] With regard to the latter, he emphasizes the "heterogeneity of the text" which eludes the possibility of recovering truth, precisely because the text is haunted by what always remains in it.[39] Thus Derrida's claim in the passage above that "nothing *exists* outside context", which he previously connected to his affirmation in *Of Grammatology* that "there is nothing outside text", is not trying to discredit values such as truth and objectivity, saying that linguistic context "exclude(s) the world, reality, history" or claiming that reference is suspended from the 'real' world.[40] As he clarifies, his notion of text is "neither limited to the graphic, nor to the book, nor even to [*sic*]discourse, and even less to the semantic, representational, symbolic, ideal, or ideological sphere". It implies instead reference to 'reality' and such 'real' domains as the "'economic', 'historical', 'socio-institutional'".[41] Rather, through that claim, Derrida affirms that there is no notion of truth, reference and

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[38] In 'Plato's Pharmacy' Derrida says that "a text is not a text unless it hides from the first comer, from the first glance, the law of its composition and the rules of its game. A text remains, moreover, forever imperceptible. Its law and its rules are not, however harboured in the inaccessibility of a secret; it is simply that they can never be booked, in the present, into anything that could rigorously be called a perception". See Derrida, *Dissemination*, 63/71.

[39] Jacques Derrida, *Spurs: Nietzsche's Styles*, trans. Barbara Harlow (Chicago: The University of Chicago Press, 1978), 95/94.

[40] Derrida comments on his famous phrase from *Of Grammatology* in these terms: "That [there is nothing outside text] does not mean that all referents are suspended, denied, or enclosed in a book, as people have claimed, or have been naïve enough to believe and to have accused me of believing. But it does mean that every referent, all reality has the structure of a differential trace, and that one cannot refer to this 'real' except in an interpretative experience. The latter neither yields meaning nor assumes it except in a movement of differential referring. That's all". See *Limited Inc*, 148.

[41] Ibid.

objectivity that is not already constituted from within a determined context and the "movement of recontextualization" and 'production' of remainders it implies, and thus that there are limits to the possibility of *conclusively* establishing both truth and reference.[42] Derrida once again makes it clear that his work does not reject the value of truth or deny that language refers to an outside reality.[43] On the contrary, he emphasizes that "the value of truth (and all those values associated with it) is never contested or destroyed in my writings, but only re-inscribed in a more powerful, larger, more stratified contexts".[44]

To return to the issue of policing, what exactly is Derrida's position on the police and the tribunal? Is the attempt to fix a context and the policing and enforcing of linguistic rules necessarily oppressive? Derrida clarifies that, pointing out the implications of the police and the tribunal whenever rules are invoked, is primarily a matter of structural irreducibility. Unless reference is fixed by "pragmatically determined situations" which involve also politico-institutional elements authorizing particular ways of using language, there would be no possibility of understanding and thus of 'meaningful' communicative interaction.[45] This means that it is essential to recognize that the political character of fixing a context: without it, one could neither speak, communicate nor do anything else.[46]

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[42] Ibid, 136, 148.
[43] The place in which 'truth' and 'reality' are most explicitly connected in Derrida's writings is his 1986 intervention in a discussion on South African apartheid in *Critical Inquiry*. It is there that he speaks of the need "to call a thing by its name", "to be attentive to what links words to concepts and to realities", and of the "massively present reality" of apartheid. See Jacques Derrida 'But, beyond... (Open Letter to Anne McClintock and Rob Nixon)' trans. Peggy Kamuf in *Critical Inquiry*, Vol. 13, No. 1 (Autumn, 1986), especially pp. 160–163 as referred to in *Limited Inc*, 150.
[44] Ibid, 146.
[45] Ibid, 150.
[46] Ibid, 136.

An appreciation of this point can counter the worry of those who consider Derrida a sceptic in ethico-political matters.[47] Derrida does not offer a pessimistic diagnosis or cynical analysis of modernity, which consider reason and philosophy as mere instruments for political domination. Instead, he acknowledges an undeniable feature of the practice of contextualization without surrendering to it. For him, the fundamental question for philosophical reflections on language and policing is "not whether a politics is implied (it always is), but *which* politics is implied in such a practice of contextualization" (my emphasis).[48] By recognizing an irreducible but necessary policing aspect whenever rules are invoked, Derrida advocates for a certain critical vigilance so that the politics instituting and preserving language does not end up being politics as policing the type of values, ideals and rules about which language use can be part of communal life.

Summarizing the argument on language and context so far, Derrida insists that language is always conditioned by geo-political elements and communities of speakers, which delimit the context of utterances and set the rules for meaning that are never severed from those which establish criteria of moral and political relevance. He shows that it is always within particular national communities that the boundaries of language, including the language of philosophy, are framed. By questioning the purely neutral character of language, Derrida challenges the idea that philosophical reflection employs linguistic categories that are shielded against political determinations. He also shows that such apparently neutral categories are always contingently grounded in the political order and normative forces that have authorized them in the first place.

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[47] See for example Thomas McCarthy, 'The Politics of the Ineffable' in *Ideals and Illusions* (Cambridge, MA: MIT Press, 1991), 111.
[48] Derrida, *Limited Inc.*, 136.

The significance of this point for thinking about the 'theologico-political complex' must be emphasized. Derrida's exposition of the intimate relationship between national context and idiom on the one hand, and philosophy on the other, puts limits to a universalist type of thinking about the theologico-political relationship. The clearest examples of this type of thinking in contemporary debates on religion and politics are the political theories of Jürgen Habermas and John Rawls which appeal to a neutral and universally accessible language to solve public disputes.[49] If philosophical language necessarily retains certain elements of the idiom it employs, and this obviously applies also to the language of public reason these authors articulate, it cannot be invoked as a neutral and universal medium for the legitimate adjudication of public disagreement with the good conscience that subtle nationalistic features are not also at work. Put otherwise, one could say that the traces and interests of political identity are irreducibly involved whenever an appeal to a putatively universal (philosophical) language is invoked for the impartial and neutral resolution of public disputes or justification of political arrangements. From Derrida's point of view, forgetting or refusing to see this point is both philosophically deficient and politically irresponsible, given the exclusionary implications connected to this blindness. It is philosophically deficient, because it fails to consider constitutive political features of philosophical language. It is politically irresponsible since a philosophical language that pretends to be universal, while retaining the mark of the particular context in which it developed, risks making the exclusion of difference as a structural effect of its functioning. Indeed, elevating such a language to a universal plane and using it as a tool to extrapolate the semantic kernel of different languages cannot but discriminate against particular perspectives that challenge the

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[49] Jürgen Habermas, "Religion in the Public Sphere"; John Rawls, "The Idea of Public Reason Revisited".

specific values and features informing universal language. The force of this

discrimination is not negligible and is proportional to the blindness a language so

conceived presents about its own irreducible ties to a specific context and idiom.

Examples that speak to this point are numerous. Perhaps the strongest case is represented

by indigenous groups in Canada who have often denounced the illegitimacy and non-

universality of the secular language used in the justification of imposed laws and policies,

which have over time contributed to erode their specific culture, values and religion.

2.3 Translation, Secular Language and Secularization

The linguistic human predicament constitutes the second significant feature of Derrida's

view of the political character of language. In his view, translation plays a central role

and represents a core theme of his entire corpus.[50] For our purposes, though, we will

concentrate primarily on *Monolingualism*, which is arguably the most political text about

translation and the human linguistic predicament. In the opening of this text, Derrida

makes the following stunning claim: "I only have one language and that language is not

mine"; the rest of the book can be considered an attempt to demonstrate what this

announces.[51] To support this claim, he uses a particular mode of inquiry the grasping of

which is central to understand his overall argument. Derrida undertakes an

autobiographical exercise as a way of philosophically working through his own

experience, and not simply experience as such. This mode of inquiry is distinct from

traditional philosophical demonstrations that strictly abide by rules of logic and clearly

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[50] See especially Jacques Derrida, 'Des Tours de Babel', 'The Eyes of Language: The Abyss and the Volcano'; *Monolingualism; Limited Inc*; 'Semiology and Grammatology'; 'Roundtable on Translation'; 'Autoimmunity: Real and Symbolic Suicides –A Dialogue with Jacques Derrida' in *Philosophy in a Time of Terror; The Beast and The Sovereign Vol I.*
[51] Derrida, *Monolingualism*, 1/13.

determinable conceptual distinctions that seek to articulate the universal features of a phenomenon in general. Early in the text, Derrida anticipates and neutralizes objections such as logical inconsistency and performative contradiction[52] indicating that they do not apply to his way of proceeding since his is a form of demonstration in the manner of exemplar attestation or testimony.[53]

For Derrida, exemplar attestation is a way of reflecting on a general philosophical problem and its universal character from and through the particularly determined predicament in which thinking takes place and in the awareness that the articulation of a philosophical problem retains irreducibly *particular* features. The autobiographical narrative that informs exemplar attestation is therefore not accidental, but it is a conscious choice to talk about what one is doing by doing what one is talking about. Rather than demonstrating "logically", autobiographical narration restages a predicament and asks for believing that what one says is true, which is not the same as giving the truth.[54] To this mode of reflection, performative contradiction or logical inconsistency became irrelevant charges since testimony takes place within the order of credit, and not that of knowledge and truth.

If the specific conditions in and from which philosophical investigation takes place are so central to exemplar attestation, Derrida's particular predicament needs to be spelled out at the outset before we look in more details at his main argument. His point of departure is his experience of living in and through the French language as a 'non-

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[52] Habermas, 'Excursus on Leveling the Genre Distinction between Philosophy and Literature'.
[53] Derrida affirms the following: "I therefore venture to present myself to you here, *ecce homo*, in parody as the exemplary Franco-Maghrebian" and adds "as regards so enigmatic a value that of attestation or even of exemplarity in testimony here is a first question that, the most general one, without shadow of a doubt. What happens when someone resorts to describing an allegedly uncommon 'situation', mine, for example, by testifying to it in terms that go beyond it in a language whose generality takes on a value that is on some way structural, universal, transcendental, or ontological?". Derrida, *Monolingualism*, 19–20/39–40.
[54] Ibid, 9/24.

French' person. In spite of speaking French, the only language he knows, Derrida considers himself to be an "*aphasic*" self; the language he speaks is not his, especially with regard to questions of history, memory, and identity.[55] Lying in the background here is the Franco-Maghrebian Jew from Algeria as the exemplary figure who was deprived of French citizenship and subjected to colonial policies.[56] To this individual, an interdiction has taken place that has impeded the appropriation of the French language as a mother tongue. The interdiction has also cut off the self from the possibility of accessing non-French cultures and languages (Arabic, Berber, and Hebrew) spoken in its environment, and thus has impeded access to models of identifications that could resonate with the social and natural landscape of that self's lived experience.[57] Indeed, the language this self speaks originated from a distant place, France, representing the source of norms, values, models, and rules that are at odds with the Algerian context.[58]

To this monolingual self, the French language is both familiar and alien. It is familiar since it is the only one in which self-formation occurred, and thus is, in some sense, constitutive of its selfhood. It is alien since such a language always refers to an elsewhere where it originated, thereby occasioning a complex relationship of belonging and excluding that leads to a desire to reconstruct an original idiom through which self-identification can occur. Yet this idiom cannot be found. This monolingual self is in fact in a situation in which he "no longer has any other recourse", he has no language that can

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[55] Ibid, 61/117.

[56] Ibid, 14/31–32. Derrida describes this as "one of the earth shattering Algerian experiences of my existence". See Derrida, "To Have Lived, and to Remember, as an Algerian', *Islam and The West*, 29

[57] Ibid, 61/118.

[58] In one of his last public intervention, Derrida affirms that "one could go forever –some have already begun to do so here and there –in recounting what we were told, indeed, about the history of France, meaning by that what was taught in school under the name of the history of France, an unbelievable discipline, a fable and a bible, but a semipermanent indoctrination for the children of my generation: not a word about Algeria, not a single word about its history and geography". See Derrida, "To Have Lived, and to Remember, as an Algerian', *Islam and The West*, 29

provide him with a stable source of identification that he can consider his own origin *in*

language.[59] All he has are "target languages" (*langues d'arrivé*) that are in a relation of

translation with each other. These are called 'target' or, as Bennington has suggested,

'arrival' languages not because they have arrived somewhere but because they are

languages without a clearly identifiable origin or destination. [60] Placed in a situation of

arrival and animated by a desire to recollect its own self in language, the monolingual self

seeks to reconstitute a source language (*langue de départ),* to invent what Derrida calls a

"first language that would be, rather, a *prior-to-the first language*" destined to translate

the memory of a source language which was never available.[61] In the absence of a source

language, a "first language" can only be invented on the basis of a desire activated by

being in that very situation.

The predicament of arrival constitutes the cardinal point around which Derrida's

view of the linguistic human condition is construed and thus requires further

investigation. Understanding why in such a position there are only target languages in a

relation of translation might allow us to appreciate how Derrida emphasizes the political

aspects associated with speaking and possessing a language. Early in the text, he

introduces two apparently antinomical propositions:

> 1. We only ever speak one language –or rather one idiom only.
> 2. We never speak one language only –or rather there is no pure idiom.[62]

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[59] Ibid.

[60] Geoffrey Bennington 'Double Tonguing: Derrida's Monolingualism', in *Other Analyses. Reading Philosophy* (Electronic Book, 2008), 152–182.

[61] Derrida, *Monolingualism*, 61/117.

[62] Ibid, 8/23.

How should we interpret these propositions? The first one indicates that we always speak only one language because that is what we *can* do. The monolingualism that titles Derrida's work can be taken here as referring to language as the only faculty or ability to communicate, the medium in and from which we communicate. Regardless of whether one speaks different natural languages there can be only one language as medium. If this were not the case, (i.e. if there were two languages as medium) there would have to be another faculty to make their synthesis possible.

For Derrida, the impossible duplicity within language as medium indicates the absence of metalanguage. Following Heidegger, he considers the existence of a metalanguage impossible. [63] He notes: "But whatever remains insurmountable in it (monolingualism) … is quite simply that 'there is language', a 'there is language which does not exist', namely that there is no metalanguage, and that *a* language shall always be called upon to speak about *the* language –*because* the latter does not exist". [64] Precisely because "there is language", namely the medium we call language in which we live and communicate, it is not possible to reflect at the metalevel or about "the language" without already relaying into "a language"; and this indicates that metalanguage "is [a] language which does not exist". To put this differently, because we always already speak at least *a* language, the possibility of metalanguage would be parasitical on that language, which is to say that the very idea of *meta*language makes little sense.

Of course, one can conceive of metalanguage in a weaker sense, namely as a 'formal language', characterized by some kind of logico-formal relationships between signs. In this sense, one can still talk of *meta*language since this 'formal language' could

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[63] Ibid, 69/129. See Martin Heidegger, 'The Way to Language' in *On the Way to Language*, trans. Peter Hertz (San Francisco: Harper & Row Publishers, 1982), 111–138.
[64] Ibid, 69/129.

be seen as transcending natural languages without for this reason being also transcendent. Clearly this is the view held by many thinkers in the tradition of 'analytic philosophy' including Habermas, who thinks that a formal-pragmatic analysis of language does not lead to transcendent instances but merely reconstructs something which is necessarily inherent in language.[65] Granted this, however, two outstanding questions remain which emphasize Derrida's point on metalanguage: which language does one use to reconstruct a 'formal language' and affirm its presence across natural languages? How and to what extent, if at all, can such a language be severed from the idiom and context in which is articulated?

Going back to Derrida, the significance of his position on metalanguage should be emphasized. Rejecting the possibility of metalanguage means to speak against the transparency of language, namely the human capacity to achieve full clarity about language itself. In which language is the question of language raised? This is the fundamental question Derrida asks. If language is, in one of its most significant aspect, the medium in which we live, it is not fully graspable by highly formalized languages such as those of natural science or philosophy. This holds since the formalizations typical of these types of inquiry are made possible in the first place through an already available natural language, a language for which language as medium represents merely a capacity for language or communication without nevertheless having any *meta* status. So conceived, language cannot thus be taken as an object of study like other objects of scientific and philosophical inquiry without being uncritical of one's own constitutive limits. In other words, to say that there is no metalanguage means to affirm that there is

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[65] Habermas 'What is Universal Pragmatics', *On the Pragmatics of Communication* ed. Maeve Cook (Cambridge, MA: MIT Press, 2000). I owe this point to Adrian Atanasescu.

no particular language, including the formalized language of philosophy that can reach a privileged position for judging all forms of language. Any attempt to reach self-clarity or transparency so as to grasp the insurmountable conditions of linguistic communication and interaction is already mediated by the natural language employed for reflection, no matter which degree of de-contextualization has already been reached.[66] As seen in our discussion of language and context, philosophical language is conditioned by the particular historico-political determinations in which the boundaries of natural language have been framed and thus it cannot fully emancipate itself from the particularity of the idiom philosophy employs to function.

The second proposition illustrates that we never speak only one language because the latter is not pure and thus not self-identical. For Derrida, there is a constitutive division within the apparent unity of language. Commenting on Abdelkebir Khatibi's notion of 'active division' in a mother tongue, Derrida remarks that such a notion signals an internal split, a self-differentiation within a mother tongue, which illuminates both a non-identity within language and its inaugural multiplicity.[67] Inaugural, here, does not refer to an original event, one occurred *at* the origin since, as we have seen, Derrida seeks to undermine any attempt to recover any undivided origin. Rather, it points to a past situation that cannot nevertheless be reduced to an origin. The impossible self-identity and unity within language indicates two things: first, that linguistic identity is always self-differentiated internally. As he notes elsewhere, "in the case of culture, person,

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[66] In *Postmetaphysical Thinking*, while acknowledging the contingency of language, Habermas affirms that the validity conditions for mutual understanding "cannot be gotten around", thereby identifying elements that are elevated to a metalevel and that thus escape context. See his *Postmetaphysical Thinking*, trans. Willem M. Hohengarten (Cambridge, MA: MIT Press, 1992), 139 –140.

[67] Ibid, 8/22. On the internal division of language, see also Jacques Derrida 'Me–Psychoanalysis' in *Psyche: Invention of the Other Volume 1* (Stanford: Stanford University Press, 2007), 129–142/145–158.

nation, language, identity is a self-differentiating identity, an identity different from itself, having an opening or gap within itself".[68] The gap or self-differentiation within identity points to a certain element of incalculability and secrecy, or more simply of singularity. Indeed, if identity is not easily identifiable, it cannot be counted according to a common standard and thus something of the inner elements of identity remains secret or not accessible, hence its singularity. [69] Second, that there cannot be a source or original language as such. The origin of (any) language is always already displaced, always already referring elsewhere, to something other than itself. It is a source that is always already contaminated and in the plural. For Derrida, then, the attempt to investigate what it means to speak a language as a mother tongue eludes the possibility of recovering an original unity within language and identity. On the contrary, speakers always already start with a situation of translation since language as medium is always already occupied by a multiplicity of natural languages. In his words: "For this double postulation, We [*sic*] only ever speak one language… (yes, but) We [*sic*] never speak only one language is not only the very law of what is called translation. It would also be the law itself as translation".[70]

But what does it mean to say that the linguistic situation human beings always already find themselves in is that of translation? And why would this be relevant to the 'theologico-political complex'? Answering these questions, and elucidating the problematics they circumscribe, requires momentarily departing from Derrida's

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[68] See Jacques Derrida, *The Other Heading: Reflections on Todays' Europe*, trans. Pascale-Anne Brault and Michael Naas (Bloomington, Indiana University Press, 1992), 9 –11/15–17 as mentioned by Derrida in 'The Villanova Roundtable. A Conversation with Jacques Derrida' in John Caputo ed. *Deconstruction in a Nutshell. A Conversation with Jacques Derrida* (New York: Fordham University Press, 1997), 14.
[69] Ibid, 13–14.
[70] Derrida, *Monolingualism*, 10/25.

Monolingualism and making a digression to look at other works in which he explicitly shows the question of translation to be central to the nature of language, the possibility of metalanguage and the theologico-political relationship.

In 'Des Tours de Babel' Derrida concentrates on the biblical story of the tower of Babel and Walter Benjamin's essay 'The Task of the Translator' as a way to challenge the possibility of transparent translation as it has been traditionally understood, namely the transparent interpretation of linguistic signs in one language with the equivalent in some other language, where each language is regarded as having unity and self-identity.[71] Our focus, for the moment, will be limited to the exploration of Derrida's position on translation, and not on what the task of 'good' translation requires. Derrida's view of translation rests on a notion of undecidability at the core of language that regards the possibility of fixing reference. This is particularly evident with the word 'Babel' associated with the biblical story, which provides a narrative for illustrating the difficulties one faces in the attempt to account for the origin of language. According to the general reading of that story, God punishes human beings for their attempt to build a tower as high as the heavens and to give themselves a unique name in a tongue they could impose universally. By proclaiming his name and destroying their tower, God scatters the uniqueness of a single people and multiplies their tongues. However, Derrida reads the story as referring primarily to God's name and its translation: "And the war that he declares has first raged within his name: divided, bifid, ambivalent, polysemic: God's

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[71] In this essay, Derrida ascribes this view of translation to the linguist Roman Jakobson, whose 1959 essay *On Translation* he briefly discusses. Ibid, 110.

deconstructing".[72] What happens with God's act is the dissemination of his proper name that now comes always in a divided form "Babel, Confusion".[73]

At issue here is the problem of how to make sense of the word 'Babel', which has an undecidable meaning since it functions as both "proper name and common noun".[74] 'Babel' refers to the translation of God's proper name and to 'confusion', namely the confusion occurring among human beings with the multiplication of their tongues. But, besides confusion, Derrida underscores that undecidability shows God's angry act as making translation both "necessary and impossible". [75] If translation is made necessary to determine the relationship between the word 'Babel' and its reference, it is also impossible given the undecidability of whether 'Babel' belongs to a proper name or a common noun. This undecidability, though, does not impede translation *tout court* but only its full accomplishment. Actually, it reveals that for translation to occur a decision on what to exclude, in the passage from one language to the other, is always required.

Central to Derrida's argument is that the equivocation about what is signified by 'Babel' is inaugural since that word is already a translation made by whoever wrote Genesis.[76] Indeed, not even the original translator speaking the language of Genesis had an original model to solve the puzzle affecting the relationship between word, meaning and reference. He notes that recourse to the formula 'Babel, Confusion' "at best reproduces approximately and by dividing the equivocation into two words there where [*sic*] confusion gathered in potential, in all its potential, in the internal translation, if one

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[72] Ibid, 108.
[73] The full quote reads: "YHWH disperses them from here over the face of all earth. They cease to build the city. Over which he proclaims his name: Bavel, Confusion, for there, YHWH confounds the lip of all earth, and from there YHWH disperses them over the face of all the earth". Ibid.
[74] Ibid, 109.
[75] Ibid.
[76] Ibid.

can say that, which works the words in the so called original tongue".[77] In the original

translation, in fact, the proper name retained its uniqueness since it remained untranslated

and thus, as such, somehow external to either the translating or translated language. And

yet, 'Babel' was translated as signifying the linguistic confusion affecting a human

community, thereby inscribing itself within language as a common noun.

For Derrida, the implication following from the inaugural translation of the Bible

is that the model of transparent translation does not apply to the Babelian story. The pair

'Babel, Confusion' does not elucidate transparency of meaning at the core of the term

'Babel' but illuminates a structural semantic undecidability. The non-applicability of a

transparent model of translation, in turn, illuminates the violence involved in the

understanding of language that model presupposes. The constitutive and inaugural

contamination affecting the proper name, which also prompts undecidability about what

'Babel' stands for, exposes the linguistic violence involved in the attempt to ensure both

the unity of language and its universal dominance in a predicament characterized by the

always-already-there of a multiplicity of natural languages. As Derrida remarks, in the

attempt to establish a name for themselves and thus also a universal language and unique

genealogy, "the Semites, want to bring the world to reason, and this reason can signify

simultaneously a colonial violence (since they would thus universalize their idiom) and a

peaceful transparency of the human community".[78] However, God's imposition of his

own name as a proper name "ruptures the rational transparency but also interrupts

colonial violence or linguistic imperialism".[79] By destining the Semites to translation,

which is both necessary and impossible, God opens the way to "universal reason", which

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[77] Ibid.

[78] Ibid, 111.

[79] Ibid.

"will no longer be subject to the rule of a particular nation" while at the same time limiting "its very universality: forbidden transparency, impossible univocity".[80] In doing so, God makes it possible that translation "becomes law, duty and debt, but the debt one can no longer discharge".[81]

To put this more pointedly: by dispossessing any particular idiom of the possibility of exhausting universal reason and language (as medium), God deprives any linguistic community of an ideal and transparent model of translation. Thus God destines human beings to being-with-others-in-translation, that is, to a dutiful condition of indebtness to what has been left out in the act of translation and that cannot be cleared. Derrida could be seen as offering a reformulation of the Heideggerrian *Mit-Sein*.[82] Because human beings always already find themselves in a predicament of translation, which can never be transparent and thus complete, the linguistic human condition is one in which linguistic differences are to be constantly negotiated intralinguistically and interlinguistically as best as possible. Hence the non-dischargeable character of the debt.

The paradigmatic idea of translation emerging from the Babelian story presents a general multilayered significance and a more specific one for the 'theologico-political complex'.[83] First, translation appears as intimately connected to the task of philosophy. The job of universal reason is translating differences in as non-univocal a way as possible. Intervening in a 'Roundtable on Translation' in 1979, where he commented at length on the exemplar importance of the Babelian story for all discussions on translation,

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[80] Ibid.
[81] Ibid.
[82] See Martin Heidegger, *Being and Time. A Translation of Sein und Zeit*, trans. J. Stambaugh, (Chicago: University of Chicago Press, 1996), section 26.
[83] For a brief but clear overview of translation in Derrida, see Jonathan Roffe, 'Translation' in *Understanding Derrida* (Eds.) Jack Reynolds and Jonathan Roffe (NewYork/London: Continuum: 2004), 103–112.

Derrida affirms "the origin of philosophy is translation" to indicate that "philosophical discourse cannot simultaneously master a word meaning two things at the same time and which therefore cannot translate without an essential loss".[84] The resolution of semantic undecidability that characterizes and limits translation equally affects and limits philosophy too. Philosophy, to function at all, does in fact need to draw the semantic contours of its objects as stably as possible. Although this settles undecidable questions in one direction or another, it does not dissolve undecidability as such. Second, translation is not a transparent operation but always involves a certain degree of transformation: it modifies the unstable relationship word-reference-meaning in order to carry over (from Latin *translatio* means carrying over or across) meaning into another language where that relationship is reconstituted *only* at the expenses of a fundamental loss.[85] In the passage from one language to the other, meaning undergoes a significant modification that is related to its compliance to the new linguistic context and its rules, the determination of which, as seen, is never a neutral matter. Finally, translation emerges as a political problem. While social life requires translation as way of negotiating differences and acknowledging singularity, the predicament of translation indicates that a transparent translation is impossible and that the reduction of difference to one universal standard requires violence, exclusions and imperialism. [86]

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[84] Although before making this statement, Derrida refers to his 'Plato's Pharmacy' where the word *pharmakon* was shown to be caught by undecidability between two possible translation (as 'remedy' and 'poison'), the word 'Babel' can fit this structure too. See 'Roundtable on Translation', 120/159–160.
[85] On the question of translation as transformation, see especially 'Semiology and Grammatology' in Jacques Derrida, *Positions*, trans. Alan Bass (Chicago: The University of Chicago Press, 1981), 20/31.
[86] On the philosophical and political significance of translation, see also Catherine Kellogg, 'Translating Deconstruction', *Cultural Values*, Vol. 5 No. 3 (2001): 325 –348. Here she goes as far as suggesting that, what is at stake in translation, is precisely how we think about the nexus between philosophy and politics (327).

To highlight the more specific significance of translation for the 'theologico-political complex', we need further elaboration and look at Derrida's 'The Eyes of Language: The Abyss and the Volcano' first, and then to 'Faith and Knowledge' and 'Above All, No Journalist!'. In the 'The Eyes of Language: The Abyss and the Volcano', Derrida reads an exchange between Gershom Scholem and Franz Rosenzweig regarding the Zionist's attempt to secularize biblical Hebrew into a modern idiom, and he challenges the idea of secularization as translation. In particular, he rejects the hypothesis that there could be a secular metalanguage, a neutral medium allowing the passage from sacred to profane language, translating one into the other.

Derrida comments on the (German) language in which Scholem's letter is written, which also happens to be the mother tongue in which both Scholem and Rosenzweig think and speak about the relationship between sacred (ancient Hebrew) and profane language (modern Hebrew). He asks whether one can "speak a sacred language as a foreign language"[87]. This question raises the fundamental point of which language one can use to speak of language in general and of sacred language in particular.[88] Derrida risks the hypothesis that there could be a 'third' language, a sort of neutral medium allowing the passage from sacred to profane language, translating one into the other. However, rather quickly he questions this possibility: "What if, in fact, there were no third language, no language in general no neutral language within which were possible in order to take place within it [*dans la quelle serait possible, pour y avoir lieu*] the contamination of the sacred and the profane, the corruption of names, the opposition of

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[87] Derrida, 'The Eyes of Language: The Abyss and the Volcano', 199.
[88] Ibid, 190.

the holy and the secular?"[89] Further, Derrida denies that this third language can be a possibility for Scholem for whom "there is only sacred language", which for him (Scholem) means that the secularization of language "does not exist; it is but a *façon de parler*, a manner of speaking".[90]

For Derrida, Scholem's resistance to the existence of secularized language does not simply call into question the distinction between sacred and profane language. It above all questions the very notion of secularization as a form of unproblematic translation of a sacred idiom into a secular one. As Derrida notes, "there is no real secularization [*il n'ya pas de secularisation effective*], is what this strange confession (Scholem's) suggests, in sum. What one lightly calls 'secularization' does not take place [*n'a pas lieu*]. This surface effect does not affect language itself, which remains sacred in its abyssal interior".[91] Scholem's resistance suggests that secularized language is epiphenomenal to sacred language since the former is simply a manner of speaking and thus its apparent metalinguistic character is only a rhetorical effect. This effect is crucial to Derrida's own perspective since he sees this applicable to all languages considering themselves objective and neutral, secular in fact: "We must not try to hide this from ourselves; this effect is massive enough to concern, in principle, the totality of the language called technical, objective, scientific, and even philosophical".[92]

Derrida thus seems to agree with Scholem in maintaining that "there is no metalanguage. Secular language as metalanguage, therefore, does not exist in itself; it has

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[89] Ibid, 200.
[90] Ibid, 201.
[91] Ibid.
[92] Ibid, 202.

neither presence nor consistency of its own".[93] His rejecting the possibility of metalanguage is intimately linked to that of a neutral medium in which one can talk of language from a position of non-contamination and non-translation between sacred and secular language. If this holds, the possibility of secularization as a form of translation of sacred idiom and categories into secular one is exposed as deeply ambiguous and problematic.

So conceived, Derrida's view has significant implications for contemporary perspectives on the 'theologico-political complex' as diverse as those of thinkers like Carl Schmitt and Jürgen Habermas.[94] In *Political Theology*, Schmitt notoriously advances the thesis that modern political categories are secularized version of a theological heritage and conceives of sovereignty as the secular analogue of the miracle in theology.[95] This view employs a rather ambiguous notion of secularization according to which it is possible to translate Christian theological idiom and categories into the secular language of legal theory by retaining *simply* theology's systematic structure while operating outside it in order to guarantee the complete autonomy of the political. In his recent writings on secularism and religion, Habermas subscribes to a form of secularization as translation.[96] He advocates for the need of translating religious language into the secular one of public reason, a language that is universally accessible to all citizens and that is to be employed in public life whenever fundamental political questions require

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[93] Ibid.

[94] This applies also to Connolly's recent revisitation of secularism. The 'ethos of engagement' informing his refashioned secularism puts a strong emphasis on the significance of negotiating differences in a model that does not renounce rational deliberation but opposes the appeal to fixed criteria. Yet Connolly pays little attention, if at all, to the problematics of translation, which addresses precisely the negotiation of differences. See Connolly, *Why I am not A Secularist?*

[95] Carl Schmitt, *Political Theology*, 36.

[96] I do not intend to suggest this is the only meaning of secularization at play in Habermas but the one I take issue with.

legitimation.[97] As such his view relies on the possibility of a neutral secular language that lies, freestanding, in a condition of non-contamination and translation precisely because it is accessible to all citizens independently of the language they speak, natural or religious.

Derrida's view opposes all these positions. By acknowledging translation as the inaugural linguistic human condition affecting also the relationship between sacred and secular languages, his view puts limits on the possibility of philosophical (secular) reductionism in the form of secularization *à la* Schmitt.[98] Actually, Derrida believes that the modern concept of secularization, like that of the secular which I will discuss in chapter four, remains religious, that is, tied to the Christian tradition and thus particular.[99] In this way, his perspective equally puts limits on the viability of a neutral language that could remain unaffected by the predicament of translation so that it can be invoked to *impartially* settle public disputes as in Habermas. Indeed, if the predicament of translation points to the impossibility of metalanguage and the complexity surrounding interlinguistic translation, the notion of secularization as implying a 'simple' translation appears as highly problematic with respect to both theoretical concerns and practical questions of political legitimacy. At the very least, Derrida's view calls for a substantial rethinking of secularization so conceived.

But the question of 'simple' translation is not the only issue that Derrida's reflections on secularization as translation bring to the fore. His reflections also expose the politics of translation that has characterized the spread of globalization of which

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[97] Habermas's proposal about translation is similar in nature but not in scope to John Rawls's idea of proviso [See Rawls, 'The Idea of Public Reason Revisited']. For Habermas, translation applies primarily to the formal public sphere of institutions and not also to the informal one of public deliberation as in Rawls.
[98] For a similar point, see also Cauchi, 'The Secular To Come', 11.
[99] See Jacques Derrida, 'Open Discussion' in Paul Patton and Terry Smith (Eds), in *Jacques Derrida: Deconstruction Engaged: the Sydney Seminars*, (Sydney: Power Publications, 2006), 241.

secularization is a central element. Indeed, Derrida considers that secularization as translation involves more than translating a sacred idiom and categories into secular ones. It also involves translating various sacred idioms into the idiom of Christian religion. Let us therefore see, briefly, how he approaches this matter.

In 'Faith and Knowledge', Derrida recognizes the Latin and Christian origins of the term 'religion' (*religio*) and the problems involved in using it to designate religious phenomena in general.[100] This emerges already from the opening of the essay: "How 'to talk religion'? Of religion? Singularly of religion, today? How dare we speak it in the singular without fear and trembling, this very day? And so briefly and so quickly? Who would be so imprudent as to claim that the issue is both identifiable and new?"[101] Derrida is particularly interested in the language in which the question of religion is posed. As with the question raised above with regard to language (in what language is the question of language raised?), the question of the language of religion concerns the translatability of (proper) names. "Here we are confronted by the overwhelming question of the name and everything done 'in the name of': questions of the name or noun 'religion', of the names of God, of whether the proper name belongs to the system of language or not hence its untranslatability but also iterability".[102] For Derrida, this situation suggests that whenever we talk about religion in the language of *religio* "we are already speaking Latin." [103] And this means, as a consequence, that perhaps we do not know what religion

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[100] For an excellent and illuminating discussion of Derrida's position on religion, especially as it appears in 'Faith and Knowledge', and to which my exposition is generally indebted, see Michael Naas, *Miracle and Machine*.

[101] Ibid, 42/9.

[102] Ibid, 46/15.

[103] Ibid, 66. As Derrida clarifies in the essay, we refers to "We European", namely the participants to the conference in which the first part of this essay was presented. Yet the 'we' can be extended to the West and the way the modern discourse of religion has used this category to refer to an essential human phenomenon. Ibid, 70/53.

is. For as long as the question is posed in these terms, our knowledge would seem to be always already mediated by a specific name, 'religion', which is used as a generic noun to translate a variety of religious phenomena. But, Derrida asks, "what if religion remained untranslatable?"[104]

Before considering how this possibility has been circumvented in the modern discourse of religion, it is useful to briefly clarify how Derrida understands that process of globalization within which such discourse and its translating practices have occurred. Instead of using the term globalization, Derrida uses the French term *mondialatinisation* commonly translated as globalatinization.[105] With this term he seeks to emphasize the nature, stakes and significance of what is too often made to pass as the worldwide extension of universal principles and the political forms that embody them.[106] For him, what is made worldwide is not some universal principle but the "juridical-theological-political culture" of Christianity and its Latin language through the use of media, and through the imperialist imposition of political understandings and institutions (such, for example, international law, sovereignty and citizenship) that have inherited a specific "religious substratum".[107] While Derrida recognizes that Latin is no longer spoken, he contends that its Christianizing function continues today through Anglo-American, the language that dominates international institutions and politics.[108] The stakes behind this imposition concern the access to the means through which one gives sense to the world, to that lived reality commonly understood as 'world' *(monde* in French, hence the

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[104] Ibid, 67/48.
[105] For an insightful discussion of Derrida's view of globalatinization, see Gil Anidjar, 'Of Globalatinology,' *Derrida Today* 6.1 (2013): 11–22; Naas, *Miracle and Machine*, especially chapter 2.
[106] "We are not speaking here of universality; even of an idea of universality, only of a process of universalization that is infinite and enigmatic". Ibid, 66/47
[107] Ibid, 79/66, 64/43.
[108] Ibid, 67/47.

preference for *mondialatinisation* to globalatinization), which, Derrida notes, remains "a Christian concept"[109] with a Christian history .[110] And since technology and means of telecommunication are central in determining the sense of what 'world' means and what its spatial-temporal limits are, the relevant stakes here regard the struggle to access and control them. [111] The significance of this determination is not simply conceptual or virtual, but is connected to the legitimation of current international juridico-political norms and institutions.

But what is the role played by translation in all this? In 'Above All, No Journalists!', Derrida clarifies that translation plays a key role in defining the semantic and politico-legal space of the modern discourse of religion. Translation is the operation through which a determinate, unifying horizon for conceptualizing religious phenomena as 'religion' has been established. This has been possible, among other things, by the use of media and telecommunication, which propagated and used 'religion' as a sort of metalinguistic name for translation. As he notes, "media function as the mediatisation between *religions*, in the name of *religion*, but above all in the name of what in Christianity is called *religion*". [112] What distinguishes Christianity from other religions, and especially the other Abrahamic religions, is precisely its relationship with media and

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[109] Derrida, 'Above All, No Journalists!', 66.

[110] Derrida 'Faith and Knowledge, in 76/62. Samuel Weber, the translator of Derrida's essay, emphasizes the problem of translating *mondialiatinisation* as globalatinization. The problem lies precisely in substituting 'world (*monde*)' with 'globe'. Not only are these two terms not coextensive, but Derrida emphasises that since the concept of 'world' has a Christian formation, it helps to better emphasize the role Christianity plays in the process of globalization in a way that the more 'neutral' term 'globe' does not. For a discussion of the significance of Derrida's reflections on 'world' for understanding globalization, see Naas, *Miracle and Machine*, 58 ff.

[111] Ibid, 79/66.

[112] Derrida, 'Above All, No Journalists!', 89.

thus also with processes of translation and universalization. [113] Unlike Judaism and Islam, which prohibit the mediatisation, translation and publicity of Abraham's secret, Christianity promotes the mediatisation of the good news, namely the death of God and thus the possibility of universal salvation.[114] And if one considers that the incarnation is a form of mediatisation, a making visible of God, as he suggests, then Christianity appears constitutively related to media. [115] This, in his view, is also supported by the fact that "the Christian religion is the only one in which prayers are not only filmed or photographed, as in other religions, but where prayer itself partakes of the act and process of photography or of filming".[116] While Derrida, in this last claim, problematically reduces Christianity to its Protestant strand, his larger point is that the unprecedented use of media and television that characterizes contemporary religions is a form of translation as Christianization and of Christianization as translation. It is a phenomenon in which specific understandings about the nature and functioning of what is called 'religion' are translated in the mediatic language of Christianity.

But if translation is the means through which Christianity has actively travelled and still travels by globally shaping the language for naming and interpreting religious phenomena, it is also the one through which it has passively done and continues to do so. Translation, Derrida claims, is the medium through which a non-Christian religion names or presents itself on the international stage as a 'religion' in order to gain universal

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[113] For Derrida, the unicity of Christianity, especially with regard to translation, emerges even more decisively if one contrasts it with Islam, which is so attached to literalness of the language of the Qur'an to impede its translation. Ibid, 88.
[114] Ibid, 58.
[115] Ibid, 58. In an illuminating essay, Gil Anidjar illustrates how Derrida's discussion of the relationship between Christian religion and media signals a certain asymmetry between Christianity and religion. While Christianity refers to the Christian religion it also exceeds it since it also stands for "that which expands the domain of religion/s by its very mediatic nature" (17). See Anidjar, 'Of Globalatinology'.
[116] Ibid, 76.

visibility and legitimacy.[117] This phenomenon does not suggest that non-Christian

religions such as Islam, Judaism or Buddhism do not have "a universal vocation" of their

own. It only suggests that when any so-called religion presents itself internationally as

'religion' it inscribes itself in a political and semantic space that is already under the

hegemony of Christianity and its conception of universality, which "today dominates

both philosophy and international law". [118]

Taken together, Derrida's reflections on religion expose the politics of translation

at work in modern discourses of religion and secularization. On the one hand, this politics

is essential to control the language, interpretative schemas and institutions of the

international space by imposing a universalism marked by specific Christian traits. On the

other hand, it is a vehicle for gaining visibility, agency and legitimacy within such a

space at the price of becoming, in some sense, Christian. By putting emphasis on the role

translation plays in the process of globalization, Derrida illuminates the massive political

stakes involved in the question of secularization as translation –stakes that any critical

investigation of the 'theologico-political complex' cannot avoid to consider. In doing so,

he also opens up a space for thinking about religion and politics at some distance from

the Christian tradition. Indeed, while Derrida admits that deconstruction too operates

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[117] Ibid, 74. Although Derrida does not mention that for a religion to present itself as 'religion' since the modern period means, as Asad has shown in *Formations of The Secular*, to present itself as a privatized religion, this is what his argument implicitly assumes.

[118] "To present oneself on the international stage, to claim right to practice one's own 'religion', to construct mosques there where churches and synagogues is to inscribe oneself in a political and ideological space dominated by Christianity, and therefore to engage in the obscure and equivocal struggle in which the putatively 'universal' value of the concept of religion, even of religious tolerance, has in advance been appropriated into the space of a Christian semantics. All these religions are doubtless religions with a universal vocation, but only Christianity has a concept of universality that has been elaborated into the form in which today dominates both philosophy and international law. There is in St Paul a concept of cosmopolitanism, a concept of world citizen, of human brotherhood as children of God, etc., which is closer to the concept of universalism as today dominates the philosophy of international law than are other figures of universalism, even of cosmopolitanism (Stoic, for example)". Derrida, 'Above All, No Journalists!', 74.

within the Abrahmic traditions, and that is 'more closely related to Christianity than to Judaism and Islam," he also claims that it (deconstruction) opens up a way beyond Christianity.[119] The critical force of his reflections on the politics of translation suggests that the latter go in this direction, as testified by the use made of them by recent studies focussing on non-Christian contexts.[120]

So, what does this digression add to our discussion about the two apparently antinomic propositions that Derrida introduces in *Monolingualism*? This much can be affirmed: the linguistic human condition is one of arrival where the medium we call language is always already occupied by a multiplicity of natural languages, which are in a relation of translation that is irreducible. The non-originality of the arrival implies that none of these languages can serve as a source language, and that recourse to a metalevel is not available for an objective determination of meaning, unless a forceful politics of translation makes it appear to be the case. This is particularly evident in questions of religion and secularization. To be in a position of arrival, then, does not mean that one can translate two languages by oneself, as if one could recur to a 'third', neutral, secular metalanguage that would allow going from language A (French or biblical Hebrew) to language B (Arabic, Berber or modern Hebrew). Doing so would still presuppose all the assumptions (the possibility of an original language that fully occupies language as

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[119] See Derrida, "Epoché and Faith: An Interview with Jacques Derrida". In *Derrida on Religion: Other Testaments*, ed. by Yvonne Sherwood and Kevin Hart (New York: Routledge, 2005) 33. Derrida's relation with Islam and Judaism is complex. For remarks on his own 'Islamic' background, see Derrida 'To Have Lived, and to Remember, as an Algerian', *Islam and The West*. For focussed remarks on his otherwise dispersed references to Judaism, see Derrida 'Abraham, the Other,' in *Judeities: Questions for Jacques Derrida*, Bettina Bergo et al. (eds), trans B. Bergo and M. B. Smith (New York, Fordham University Press, 2007).

[120] See Arvin-Pal Mandair, *Religion and the Specter of the West: Sikhism, India, Postcoloniality and the Politics of Translation* (New York: Columbia University Press, 2009). Worth of mention, even if not focussing specifically on Derrida's view of translation but on deconstruction more generally in non-Christian contexts, is also Abeysekara Ananda, *The Politics of Postsecular Religion. Mourning Secular Features* (New York: Columbia University Press, 2008). I thank Ruth Marshall for having called my attention to these texts.

medium; the possibility of metalanguage; the possibility of transparent translation) so far rejected. All one can do is to acknowledge substitution, namely attesting that an operation of transplanting has taken place within language as medium: the language one speaks is "a substitute for a mother tongue".[121]

In a long note on Arendt, Derrida expands on this point by remarking that the mother tongue refers both to the place of language or language as medium and the unique and singular experience of the relation to one's own language.[122] Like any mother, the mother tongue is unique and irreplaceable and thus it can only be substituted but her place cannot be appropriated. Yet because of substitution, the mother tongue as linguistic medium cannot be anymore 'mother' to what has been put in her place. Once substitution occurs the relation to one's own language is not that of being-home or of belonging but of being "hostage" to one's own language.[123] Therefore reflecting on the linguistic human condition requires seeing oneself as being, in some sense, a prisoner of language.

2.4 The Politics of Language

What does the foreignness to one's own language suggest about the relationship between language and its owner/speaker? More specifically, what is the nature of that possession? Derrida believes that no one can fully possess or master language in virtue of language's constitutive features. For him, language is characterized by a structure of alienation that defines its peculiarity. This is "a type of originary 'alienation' that institutes every language as the language of the other" and thus indicates "the impossible property of

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[121] Derrida, *Monolingualism*, 42/74.
[122] Ibid, 85–89/100–108.
[123] Ibid, 20/40.

language".[124] Two terms need clarification here: originary and alienation. Rather than pointing to a pure origin from which a unitary identity emerges, the term 'originary' refers, like 'inaugural', to what is temporally prior but cannot nevertheless be reduced to an origin. As for 'alienation', it does not signal an ontological lack. As Derrida notes, this "alienation appears like a lack" but "lacks nothing that precedes or follows it".[125] Alienation represents instead the condition of possibility for the play of substitutions ongoing within the medium we call language, a play that can be seen from a position of arrival (in the case of Derrida the play of substitution could refer to French substituting Arabic, Berber or Hebrew). From that position, the institution of language makes it appear *as if* a source language has been alienated by a target one. But this is not possible since, in that situation, there are only target languages.

Besides pointing beyond ontological concerns, the structure of alienation indicates that language cannot be owned. As we have seen, Derrida's reflections on language as medium point towards the impossibility of metalanguage. Because language as medium always manifests itself in a plurality of languages, which are already in a relation of translation, there is no particular language that can claim a vantage meta-point or natural access to that medium so as to legitimately have claim to its full possession. This impossibility shows that language as medium cannot be naturally owned, and thus it is always "of the other". As Derrida notes, "the *of* signifies not so much property as provenance"; it indicates that the only language one speaks is coming from the 'other',

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[124] Ibid, 63/121.
[125] Ibid, 25/47.

where 'other' refers to a source that escapes the full possession of an individual speaker or community. [126]

By emphasizing that language comes from the 'other', Derrida illuminates the conventional nature of language and discloses the political and oppressive features associated with its institution and with any attempt to exhaust language as medium. If language can never be naturally possessed, the attempt of fully appropriate it involves a degree of force that signals the presence of a politics of mastery inscribed within language (and culture) itself.

> Because the master does not possess exclusively, and *naturally*, what he calls his language, because whatever he wants or does, he cannot maintain any relation of property or identity that are natural, national, congenital, or ontological, with it, because he can give substance to and articulate [*dire*] this appropriation only in the course of an unnatural process of politico-phantasmatic constructions, because language is not his natural possession, he can, thanks to that very fact, pretend historically, through the rape of a cultural usurpation, which means always essentially colonial, to appropriate it in order to impose it as "his own". That is his belief; he wishes to make others share it through the use of force or cunning; he wants to make others believe it, as they do a miracle, through rhetoric, the school, or the army. It suffices for him, through whatever means there is, to make himself understood, to have his "speech act" work, to create conditions for that, in order that he may be "happy" ("felicitous", which means in this code, efficacious, productive, efficient, generative of the expected event, but sometimes anything but "happy") and the trick is played, a *first trick* will have, at any rate been played.[127]

Since the other as master cannot possess language naturally he can only appropriate it provisionally and artificially.[128] He can do so only through fictional constructions creating the conditions for drawing relevant distinctions (such as 'felicitous' and 'non-felicitous' speech acts) but has to pretend that these are not conventional, hence the need for cunning and force. Yet his 'pretending' reveals the colonial nature of the entire

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[126] Ibid, 68/127.
[127] Ibid, 23/45.
[128] Like Derrida, who seems to do it deliberately, I use here the masculine to refer also to the gender bias traditionally associated to the figure of the master.

enterprise: the more complete the appropriation of language is sought to be, the stronger is the need for forceful usurpation, and consequently also the need to show that what has been appropriated is one's own exactly because it cannot be.

A central role in this appropriation is played by what Derrida calls the politics of language. As he notes, "every culture institutes itself through the unilateral imposition of some politics of language".[129] This is a politics because, as we shall shortly see, it concerns the institution of the law and the construction of political identity and community. [130] As announced in the discussion of context, the politics of language regards the institution of language and its rules, which are never severed from criteria establishing acceptable political and moral values and thus also from the formation of political identity. This holds to the extent that language enables and regulates all forms of communications and cultural identifications. For Derrida, the monolingualism imposed by the other is characterized by a politics of language that attempts to fix a linguistic context by reducing "language to the One, that is to the hegemony of the homogenous".[131] Through that politics, cardinal distinctions setting up the criteria for epistemic, moral and political relevance are established. This determination requires that differences regarding the proper relationship between words, meanings and objects are reduced to a minimum, if not eliminated, so that reference is fixed and language is made into a clearly identifiable unit, *a* language, a *given* and homogenous one. The fixing of reference occurs in two distinct moments which reveal madness within language. In the

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[129] Ibid, 39/68.

[130] This point emerges also in his 'Force of Law', where Derrida notes that "as is well known, in many countries, in the past and in the present, one of the founding violences of the law [*loi*] or of the imposition of state law has consisted in imposing a language on national or ethnic minorities regrouped by the state". See his 'Force of Law', 249/47.

[131] Derrida, *Monoligualism*, 40/69.

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first one, an entire educational apparatus is forcibly established so that the prevalence of one particular culture and language is instituted. As Derrida notes, "mastery begins, as we know, through the power of naming, of imposing and legitimating appellations".[132] This event displays inherent coloniality within culture, namely the controlling of the means and terms for self-interpretation, and it is in this sense that Derrida's statement "all culture is originarily colonial" is to be understood.[133] In the second moment, as exemplified by the model of "revolutionary France", this originary coloniality is "disguised", through "cunning", as a "'universal' humanism" deployed as "the most generous hospitality".[134] Then, the new established language and culture are internalized and made one's own so that they appear to be the only heritage available: embracing them would look like an "ostensibly *autonomous*" experience.[135]

But this, for Derrida, is mad. It is an instance of an appropriative madness typical of language. The madness consists in the attempt to appropriate language as medium, that site of language uniquely and irreplaceably occupied by the mother tongue. Since the mother tongue as the place of language is irreplaceable, the language of the master gives rise to an appropriative madness that is jealous of the place it seeks to conquer and needs to show that place as fully occupied.

Viewed this way, the politics of language animating the monolingualism of the other is not one among others. It is the first politics, like the politics of founding the law,

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[132] Ibid, 39/68. Derrida refers to the power of naming as early as in *Of Grammatology*. Here he investigates, among other things, naming as central to the nature of language. Naming refers to the power of fixing reference –i.e. the relationship between word, meaning and object–by assigning a specific place, in language, to a sign in order to meaningfully refer to a specific object and its nature. In particular, Derrida emphasizes that this power is characterized by an original founding violence or "arche-violence" that is needed in view of fixing reference in a univocal a way as possible. See Jacques Derrida, *Of Grammatology*, 112/165.
[133] Derrida, *Monolingualism*, 39/68.
[134] Ibid.
[135] Ibid.

which marks the moment when political identity is framed through the identification, classification and unification of cultural items that define membership and participation.

> The monolingualism of the other would be that sovereignty, that law originating from elsewhere, certainly, but also primarily the very language of the Law. And the Law as Language. Its experience would be ostensibly *autonomous*, because I have to speak this law and appropriate it in order to understand it as if I was giving it to myself, but it remains necessarily *heteronomous*, for such is at bottom, the essence of any law. The madness of the law places its possibility lastingly [*à demeure*] inside the dwelling of this auto-heteronomy.[136]

The monolingualism of the other is a form of sovereign imposition seeking to institute the law through a particular language, which admits no others and no internal dissenters, and whose identity is forcefully kept stable in spite of a constitutive impossibility. Like the law with politico-legal relationships, language regulates and enables all forms of cultural expression and identifications and thus needs to provide a clearly identifiable reference. Like the law, language is heteronomous, namely has its source beyond itself and cannot account for its own origin. Finally, like the law, language needs to be internalized and mastered for one to be able to understand it, thereby giving the impression that by employing the language of the law one could be an autonomous agent. The tension between the necessity of autonomy and the constitutive heteronomy of the law becomes indicative of the madness of the law affecting language as well.

The politics of language is therefore of paramount importance to Derrida. Its understanding is an urgent task for political thinking in general and the 'theologico-political complex' in particular, since the stakes behind it are those of linguistic

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[136] Ibid, 39/40.

nationalism disguised as philosophical universalism.[137] For him, investigating the politics

of language is not simply essential to understand such events as colonial Algeria or

revolutionary France but is of general significance today "everywhere the homo-

hegemonic tendency of language remains at work in culture".[138] Today many people are

under the risk of having to yield to the homo-hegemony (in particular the Anglo-

American) of dominant languages, and "learn the language of the masters, of capitals and

machines" [139] but also, as we shall see, of secularism.[140] By emphasizing this risk *today*,

Derrida is not putting forward a naïve and simplistic critique of capitalism, technology,

secularism and the political arrangements that have comes so far with it (democracy, rule

of law and human rights). Instead, he is pointing to the oppressive and colonial

implications involved in the attempt of spreading a dominant language on the globe, one

that is idiomatic, philosophical and secular.[141]

Derrida's view of the politics of language shows that questions of linguistic

foundations have a central significance for thinking about the 'theologico-political

complex', especially about how theologico-political nexus relates to the foundation of

political authority and community. His view is particularly relevant to approaches that

employ a universal and neutral language to universally justify political authority and the

linguistic arrangements that come with it. Together with his view on linguistic context

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[137] This is what Derrida affirms in commenting on his *Monolingualism* and on the inappropriability of language. See his interview on "Language is Never Owned" in *Sovereignties in Question: the poetics of Paul Celan*, ed. Thomas Dutoit and Outi Pasanen (New York: Fordham University Press, 2005), 101.

[138] Ibid, 40/69.

[139] Ibid, 30/56.

[140] While recognizing its Christian roots, Charles Taylor, for example, considers the applicability of secularism, and thus of its language, universal. See his 'Modes of Secularism', 31.

[141] Here Derrida's position can be considered as anticipating Asad's reflections on secularism and colonialism. While in *Formations of the Secular* Asad focuses on secularism in general as a political project of modern expansion, Derrida emphasizes especially the role secular language played and still plays in enabling it in ways that are less perceptible than 'old' political colonialism.

and idiomaticity, Derrida's perspective on the politics of language challenges the idea

that philosophical reflection can employ linguistic categories which can be removed from

political contaminations through critical self-reflexivity so as to provide universally valid

justifications.[142] He shows that to the extent that issues of power and violence are

constitutive of language, apparently neutral linguistic categories are always contingently

grounded in the political framework that has authorized them in the first place. Thus his

specific attention to issues of foundations, which is connected to that for national context

and idiom, sheds light on the dangerous philosophical and political implications of

forgetting or refusing to acknowledge the politically determined character of

philosophical language whenever an amnesic universalism is invoked to regulate the

theologico-political relation.

2.5 A Language of Promise

Derrida's picture of all language as colonial may not be convincing and lead to the

objection of unwarranted generalization. Although there might be a forceful politics

behind the institution of language, this does not necessarily make the latter colonial.

Derrida anticipates this criticism when he cautions that he "would not like to make too

easy the word 'colonialism'". [143] For him, to say that every culture and language is

colonial does not imply that this is all culture and language is or does. Instead, it is an

example of critical self-awareness coming from his traumatic linguistic experience and

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[142] This is arguably the view of language of deliberative democratic theories inspired by the work of Rawls and Habermas. See for example, Amy Gutmann and Dennis Thompson, *Democracy and Disagreement* (Cambridge, MA: Harvard University Press, 1996); James Fishkin, *Democracy and Deliberation* (New Heaven: Yale University Press, 1971); John Dryzek, *Discursive Democracy* (Cambridge: Cambridge University Press, 1990); *Deliberative Democracy and Beyond. Liberals, Critics, Contestations* (Oxford: Oxford University Press, 2000). Simone Chambers, *Reasonable Democracy: Jürgen Habermas and the Politics of Discourse* (Itacha: Cornell University Press, 1996).
[143] Ibid, 39/68.

not from the concept of language itself. [144] This awareness regards the oppressive features

that remain inscribed in language beyond its institution and which are implicated in the

forgetting of the heteronomy of language's origin(s) and in the lack of receptivity towards

difference.

From this critical self-awareness Derrida develops what he calls a 'language of

promise' which, more than a language, is a way of thinking about language. This type of

language is intimately connected to the only one language we ever speak, the universal

language as medium that the first proposition we analyzed above talks about. The

promise refers, in a first sense, to the performative dimension at work in all language.

> Each time I open my mouth, each time I speak or write, I *promise*. Whether I like it or not…The performative of the promise is not one speech act among others. It is implied by any other performative, and this promise heralds the uniqueness of a language to come.[145]

This passage introduces a key philosophical point of Derrida's view of language, that is

also crucial to his political thought: the idea of a performative promise informing a

structure of promissory affirmation, or what he calls in his later works "the messianic" or

"messianicity without messianism" to which the "to come" of the quote explicitly

refers.[146] While a more detailed treatment of this issue will occur in chapter three and

four, it is important introduce its central features in order to offer a preliminary

clarification of the notion of promise.

For Derrida, any time there is a linguistic act a performative act of promise, a sort

of elemental faith, is also at work, one that engages others through a believing that

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[144] Ibid, 26/50.
[145] Ibid, 67/126.
[146] See especially Derrida, 'Faith and Knowledge', 56/30; *Specters of Marx,* 74/102.

exceeds conscious intentionality and is internal to the very act of address. [147] But why is this a unique speech act and in what sense? An essay that is particularly helpful to clarify these questions is 'A Number of Yes'. Here Derrida illustrates the logic of this promise through the structure of repetition inherent in language, a structure of double yes referring to both response and affirmation. Every time one opens one's mouth, he notes, a first 'yes' is affirmed and immediately followed by another yes: "Let us suppose a first *yes,* the archi-originary *yes* that engages, promises and acquiesce before all else. On the one hand, it is originarily, in its very structure, a response. It is *first second*, coming after a demand, a question, or another yes. On the other hand, as engagement or promise, it must *at least* and in advance be tied to a confirmation in another [*prochain*] *yes.*"[148] The first 'yes' responds to a preceding predicament posed by the already being-there-with other speakers, to use an Heideggerrian terminology, and thus also of language;[149] the second one affirms the promise of confirming the first 'yes' in the future. That is why Derrida claims that this unique performative is one of both promise and memory, one in in which there occurs both a promise to remember and a remembering of the promise.[150] Its uniqueness consists in being an act of believing deprived of content, an act that affirms an engagement to others *in* language but that does "not state anything", and which therefore

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[147] Derrida, *Monolingualism*, 67/126.
[148] See Jacques Derrida, 'A Number of Yes in *Psyche: Inventions of the Other, Volume II* (Stanford: Stanford University Press, 2008), 231–240/639–650, 239/648–649.
[149] The reference to Heidegger, here, is not accidental but is made by Derrida in the context of his reflections on the *yes* that occur also in other places. For example, in *Of Spirit*, while discussing, in a long footnote, the essence of language and its relation to the promissory faith, Derrida affirms that Heidegger's *Zusage* –referring to the accord or consent given in the promise– can be read as the *yes* at issue here, that is, as an implicit assent to language, a sort of "pre-originary pledge [*gage*] which precedes any other engagement in language" but that always "engages *in* language". See Derrida, *Of Spirit. Heidegger and The Question,* trans. Geoffrey Bennington and Rachel Bowlby (Chicago: The University of Chicago Press, 1989), 130/148. Similarly, in 'Faith and Knowledge', Derrida affirms that Heidegger's *Zusage* ("accord, acquiescing, trust or confidence") is not alien to an elemental faith that belongs to a "common experience of a language and a 'we'", a faith that "would constitute the condition of *Mitsein*", namely the being-with typical of *Being and Time*. See Derrida, 'Faith and Knowledge', 96, 98/93,96.
[150] Ibid, 240/649.

relates to other statements "silently".[151] This silence indicates that, although it can be exposed through philosophical analysis, this performative cannot be made an object of knowledge since no act of language could make explicit *in* language what it presupposes (i.e. the promissory affirmation as double yes) in order to function.[152]

So conceived, then, the promise inherent in this linguistic performative constitutes an affirmation of implicit engagement with other speakers that represents a quasi-transcendental condition of possibility (what Derrida calls "archi-engagement") of social bond as well as of other performatives, which can have meaning only against a background of implied social relationships and engagements *in* language.[153] In other words, the promise at issue here is presupposed not simply in the experience of communication but also that of social relationships since it takes place along with them without nevertheless appearing as such. Although it resembles a unitary, ontological ground couched in the language of transcendentalism, the performative 'yes', Derrida notes, does not let "itself be reduced to any ultimate simplicity" precisely in virtue of its duplicity.[154]

Viewed through this understanding of the promise affecting all language, Derrida's 'language of promise' presents a universal character. It connects all singular idioms through a promissory structure that affects all language and yet it resists translating them according to a universal standard since the promise lacks a determinate content. As such, a 'language promise' constitutes another monoligualism "but entirely

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[151] Ibid, 238/636.
[152] "Any ontological or transcendental statement presupposes the *yes* or the *Zusage*. Thus it can only fail to make it its theme. An yet, it is necessary –*yes*– to maintain the ontological-transcendental exigency in order to uncover the dimension of a yes that is neither empirical nor ontic, which does not fall within a science, an ontology or regional phenomenology, or, finally any predicative discourse." Ibid 239/637. This statement should be read in conjunction to Derrida's discussion of Heidegger's *Zusage*.
[153] Ibid.
[154] Ibid, 239/640.

other than the language of the other as the language of the master or colonist, even though, between them, the two may sometimes show so many unsettling resemblances maintained secret or held in reserve".[155] Unlike the language of the master, Derrida's language of promise' "neither yields nor delivers any messianic or eschatological *content*" or promise of emancipation. This monolingualism would be the *first language* one seeks to invent from the position of arrival in the absence of a given one. It is a language which 'resembles' that of the colonist since it is characterized by the structure of alienation discussed above, and thus it is subject to the colonial implications of all language. However, by recognizing the impossible appropriation of language as medium as well as its being marked by the predicament of translation, a 'language of promise' can resist the homo-hegemony typical of the master's language. It *can* do so to the extent that it conceives of the promise deprived of any messianic content and be able to reduce, at least in principle, the risk involved "in becoming or wanting to become another language of the master", a risk that the structure of promise seeking to deliver a teleological content implies.[156] The challenge, here, consists in how to have "*uniqueness without unity*",[157] namely how to respect the singularity of idioms and identities and yet to resist a full translation that would yield linguistic nationalism.

> Where neither natural property nor the law of property in general exist, where this de-propriation is recognized, it is possible and it becomes more necessary than ever occasionally to identify, in order to combat them, impulses, phantasm, "ideologies", "fetishizations", and symbolics of appropriation. Such a reminder permits at once to analyze the historical phenomena of appropriation and treat them *politically* by avoiding, above all, the reconstitution of what these phantasms managed to motivate: "nationalist" aggressions (which are always more or less "naturalist") or monoculturalist homo-hegemony.[158]

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[155] Derrida, *Monolingualism*, 62/118 –119.
[156] Ibid.
[157] Ibid, 68/127.
[158] Ibid, 64/121–122.

The articulation of a 'language of promise' constitutes a politicization of language as it springs from the self-critical recognition of the historico-political character of language and thus of the remainders at work in any linguistic foundation. Associated with an awareness of structural remainders, the notion of promise indicates the ever present possibility of repoliticization and reconstitution of language in more inclusive terms, which follows from the recognition of its inaugural politicization as well as from the universal vocation of the promise itself.

As a quasi-transcendental figure, Derrida's 'language of promise' reconfigures the relationship between particularity and universality since it conceives of them as correlated but irreducible to a final synthesis. As such, it resists a type of universalism that is oblivious of its past and of the particular conditions in which it originated. Whereas the universal (transcendental) structures the process in which the particular can seek a more general and inclusive reach, the particular constitutes the empirical and ineffaceable conditions of possibility of the universal, thereby impeding pure formalizations. In this way, Derrida's 'language of promise' can resist a type of homo-hegemonizing and static universalism that, in pretending to be neutral, hides more or less deliberately its particular origin and blocks the potential of new interpretations. Instead of sanctioning the end of universalism *per se*, this resistance opens the way to a conditional and provisional universalism, which is dynamic and aware of the infinite possibility of reconstituting itself in less oppressive terms.

So conceived a 'language of promise' maintains a 'critical intimacy' with both promise and hegemony, the demarcation of which needs constant negotiation. [159] For Derrida, the contamination between these elements characterizes such a language but not metalinguistically, which means that contamination only impedes a clear-cut distinction between promise and hegemony. Although a 'language of promise' has always a threatening colonial face, it *can* resist the attempt to exhaust the medium of language or placing itself at some objective metalevel by recognizing the structural undecidability and limits that being-in-translation entails. Rather than constituting an impasse, undecidability marks a chance that is both "poetic" and "political". [160] It is poetic because it involves a creative moment that can open up a possibility for new linguistic understandings and ways of being against a background of undecidability. It is political because it requires taking a decision about which reminders to analyse and how to interpret them.

This last point raises an important question, that of interpretation and its political dimension, which is, in a sense, the central question of deconstruction conceived as the analysis of "what *remains* to be thought" (my emphasis)".[161] Without entering into a topic that could be the subject of a single study in itself, let us briefly consider Derrida's position on interpretation especially as he develops it in his engagement with Nietzsche and then connect it to his view of a 'language of promise'.[162] Recall that Derrida sees

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[159] I borrow "critical intimacy' from Spivak, who uses it to distinguish Derrida's style from the 'critical distance' typical of Enlightenment thinkers. See Gayatri Shakravorty Spivak, *A Critique of Postcolonial Reason: Toward a History of the Vanishing Present* (Cambridge, MA: Harvard University Press, 1999), 425.

[160] Derrida, *Monolingualism*, 62/119.

[161] Derrida, *Limited Inc*, 147.

[162] For a discussion of Derrida's relationship to Nietzsche and interpretation, see Ernst Behler, *Confrontations. Derrida, Heidegger, Nietzsche*, trans. Steven Taubeneck (Stanford: Stanford University Press, 1991); Alan Schrift, *Nietzsche and the Question of Interpretation: Between Hermeneutics and Deconstruction* (New York: Routledge, 1990). For a critical view of Derrida's relation to Nietzsche, see

Nietzsche's writings as pointing to the "heterogeneity of the text", one in which truth escapes the conscious control of the author.[163] This feature of the text emerges especially from Nietzsche's treatment of woman and the plurality of meaning associated with her (mother, daughter, sister, old maid, wife, prostitute and so on) and points to an undecidability about what the true identity of woman is and, more generally, about the possibility of a conclusive determination of meaning.[164] For Derrida, the impossibility of fixing meaning undermines the hermeneutic project of recovering the truth *of* and *in* a text, thereby keeping the activity of interpretation open and dynamic.[165] This, though, does not imply abandoning the value of truth or true meaning but only taking seriously the "structural limit" of the text and pushing interpretation "to the furthest length possible" in the awareness of the likelihood that such a limit opens the text up to itself.[166]

It is from this background that Derrida develops a view of interpretation as an active, affirmative and an open-ended operation that punctures the hermeneutic horizon and impedes semantic closure and totalizations. Interpretation seeks to show that a given truth is less stable than what it appears to be, not only because it is subject to the differential dynamic of the signification process but also because it arose, as truth, in the world, and thus is constrained by contingent historical conditions.[167] Viewed this way,

Michael Haar, 'The Play of Nietzsche in Derrida.' in David Wood (ed.) and Will McNeill (trans.) *Derrida: A Critical Reader* (Oxford: Blackwell Publishers, 1992), 52 –71.

[163] Derrida, *Spurs*, 95/94.

[164] Ibid, 101,103/ 101–102.

[165] Ibid, 107/106.

[166] Ibid, 133/132.

[167] For a concise overview of Derrida's position on the process of signification see his 'Semiology and Grammatology', 26/ 37–38. Essentially, Derrida considers the process of signification as a formal "play of differences" in which each sign refers to other signs in a system that has no ultimate referent and that is conditioned by the particular context in which meaning is determined. This means not simply that every sign is constituted in relation to other signs of the system. It also means that meaning cannot be conclusively established since no sign refers only to itself and is marked by the traces of other signs, which add difference to it, and by those of the power and history characterizing linguistic context. This

Derrida's active interpretation emerges as a form of *critical* practice that exposes the limits of a text in terms of instability of meaning and thus of what can be conclusively claimed about its truth. Such limits, though, are not limitations but show that undecidability is the starting predicament of philosophical investigation and interpretation, and not the beginning of its end. The motive behind sustaining undecidability is not to downplay the importance of making rigorous distinctions or to affirm the indeterminacy of meaning.[168] Nor is it to warrant wishful readings since interpretation does not require departing from the text altogether[169] or embracing the rhetoric of free play.[170] Rather it is to call the attention precisely to those fissure points in which distinctions break down, are called into question, and thus provide an opening at the interior of the text itself.

But if interpretation is a critical practice, it is also a *political* one to that seeks to re-activate what is left out within a given text or tradition. This aspect emerges especially in *Otobiographies. The Teaching of Nietzsche and the Politics of the Proper Name*, where Derrida employs the metaphor of the ear (from the Greek *otos*, hence otobiography) to emphasize the political role of receivers in interpretation. He claims that by receiving or 'hearing' the text in a certain way, and sometimes much after the text has been written, the receivers also produce it.[171] In this way, they are also in some way responsible for the text's signature and the meaning they assign to it, a meaning which cannot therefore be

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impossibility renders the process of signification differential and dynamic, namely open to different and never ending determinations of meaning.

[168] Derrida, *Limited Inc*, 126 ff, 148.

[169] Derrida, *Positions*, 63/86.

[170] Derrida 'Structure, Sign and Play in the Discourse of the Human Science', 293/428, *Limited Inc*, 115.

[171] Derrida, 'Otobiographies', 50/71 ff.

immediately equated to the author's intention.[172] Receivers have not simply a political responsibility for the reading(s) they offer of a text or tradition but also, and most importantly, for what has been left out of them as remainder, which can be rescued in view of generating new understandings and ways of being.

But how is the rescuing of this remainder, which is precisely the one marking the promise of (a) language (of promise), to be performed if the grasping and affirmation of *truth* is not an option? Derrida hazards the thought that the text is "an utterance-producing machine that programs the movement" and that draws together opposing forces into a set of complex relationships.[173] The difficulty of interpretative practices lies precisely in disentangling that set from *given* linguistic and historico-political determinations. And this means that the 'machine' in question does not program in teleological terms in order to deliver a promised meaning as the language of the master pretends to do. Instead, it does so in a non-teleological fashion. As Derrida says: "'The programming machine' that interests me here does not call only for a decipherment but also for transformation –that is, a practical rewriting according to a theory-practice relationship which, if possible, would no longer be part of the program".[174]

Viewed in this light, the type of interpretation called for by a 'language of promise' appears even more clearly as a transformative political activity. Rather than reinforcing by reaffirming a pre-established semantic destination, interpretation calls for a critical selection, a decision, a filtering, which transforms by revisiting and re-writing

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[172] "The effects or structures of a text are not reducible to its 'truths', to the intended meaning of its presumed author, or even its supposedly unique and identifiable signatory". Ibid, 29/44.
[173] Ibid.
[174] Ibid, 30/45.

what lives in the text as a trace.[175] This selection, though, does not licence *any* decision nor does it imply blindness to the specificity of judgments. Rather it requires decisions that need to pass "through thought", decisions that "are *actions of thought*".[176]

For Derrida, the deciding aspect involved in selecting and identifying the movement of the machine requires that one especially scrutinize founding events and texts of a tradition if the relapse into dogmatism is to be avoided. Doing so is not simply a question of deciphering signs but, above all, one of political intervention and responsibility. As Derrida suggests, "our interpretations will not be readings of a hermeneutic or exegetic sort, but rather political interventions in the political rewriting of the text and its destination".[177] Examples of this re-writing in Derrida's work are numerous and some of them will be explored in later chapters of this study. For the moment, suffice to mention how his interpretative interventions attempt to re-interpret the philosophical tradition by raising the stakes of what is inherited.[178] Derrida considers given philosophical concepts and then disjoin them from their sedimented understandings in order to show instability of meaning and potential for transformation. Common associations such as those of citizenship and nationality, democracy and indivisible sovereignty, hospitality and citizenship are just a few examples he analyzes to emphasize, the masculine, theological and exclusionary features of citizenship, democracy and hospitality respectively.[179]

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[175] On the decision involved in interpretative practices see also Derrida, *Specters of Marx*, 18/40, 128/168.
[176] Jacques Derrida, 'Nietzsche and the Machine', in *Negotiations: Interventions and Interviews 1971–2001* (Stanford: Stanford University Press, 2002), 215–256.
[177] Derrida, 'Otobiographies', 32/48.
[178] For a recent and illuminating discussion of interpretation as a political practice of inheritance so conceived, see Haddad's *Derrida and the Inheritance of Democracy*.
[179] Derrida, *Politics of Friendship*; *Of Hospitality*; *Rogues*.

The implications that follow from Derrida's view of interpretation can be seen already at play in the context of interpreting and reinterpreting Nietzsche's writings and language. Derrida is very clear in emphasizing that the interpretative practices he proposes do not set out to neutralize the anti-democratic parts of Nietzsche texts that were appropriated, not accidentally, by the Nazi regime.[180] Rather, they seek to disconnect Nietzsche's texts from Nazi's interpretations in view of highlighting the openness of such texts as well as the fact that Nietzschean politics might not necessarily be fascist.[181] Such practices seek, in other words, to navigate the contaminations the machine produces in the awareness of the ever present risk that transformative readings are not immune to danger.

The significance of Derrida's view of interpretation in connection to a 'language of promise' lies in the potential it offers to a critical thinking of the 'theologico-political complex' as far as language and politico-linguistic foundations are concerned. A 'language of promise' reconfigures the approach to language by unsettling any teleological narrative that pretends to fully exhaust language as medium and provide a universal standard to deal with the theologico-political relation. Through its receptivity to memory and founding exclusions, such a language retains a critical attitude towards its origins and allows for questioning of the most sedimented and authoritarian authority, an authority that often forgets or conceals the violent moment of its institution. This attitude

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[180] "One might wonder why the only institution that ever succeeded in taking as its model the teaching of Nietzsche on teaching will have been a Nazi one"[*sic*]; "There is 'nothing absolutely contingent about the fact that the only political regimen to have effectively brandished his [Nietzsche] name as a major and official banner was Nazi". Ibid, 24/39, 31/46.

[181] "I do not say this in order to suggest that this kind of 'Nietzschean' politics is the only one conceivable for all eternity, nor that it corresponds to the best reading of the legacy, nor even that those who have not picked up this reference have produced a better reading of it. No. The future of the Nietzsche text is not closed. But if, within the still open contours of an era, the only politics calling itself –proclaiming itself– Nietzschean will have been a Nazi one, then this is necessarily significant and must be questioned in all of its consequences." Ibid, 31/46–47.

fosters the acknowledgement that any telos, even in its regulative form, is never free from the possibility of turning authoritarian. Taking seriously the potential of a 'language of promise' implies believing that even the most genuine emancipatory commitment is not safe from the risk of oppression and thus also recognizing the provisionality and contestability of one's own position. So conceived, then, a 'language of promise' is not so much an effort to provide a new and more fundamental ground but it represents instead an experimental effort to provide a critical way of thinking about linguistic assumptions and the role they play in framing the limits and possibilities of the ways in which the theologico-political relationship is understood, addressed and normatively dealt with. If we accept, as mentioned at the outset, that the 'theologico-political complex' is contextual, and thus subject to temporal and historico-political variations, the conditional and dynamic universalism advocated by a 'language of promise' represents a resource that political thought cannot afford to ignore.

Chapter 3
The Time of Political Thought: Towards a Messianic Political Thinking

3.1 Introduction

The previous chapter offered an analysis of the political function of language as a way to provide a first step towards a critical framework for thinking about the 'theologico-political complex'. It explored the limits and possibilities for rethinking that relationship through the investigation of Derrida's reflections on the political character of language and translation. In this chapter, I add to that framework an examination of time and its relation to political thinking. Although turning to time in the context of this study might seem an odd choice, I hope to show the crucial significance of connecting time, political thinking and the theologico-political relationship. I pursue this by exploring Derrida's reflections on time and political thinking, which expose how different understandings of time present epistemological and ontological assumptions that are implicated in the type of normativity at work in political theories responding to the theologico-political problematics. Challenging a well-established view of time as a linear succession of unitary moments and some key political teleologies informed by it, Derrida illuminates how a 'messianic' conceptualization of time offers a significant potential for a more critical understanding of the 'theologico-political complex'.

This chapter is divided in three sections. Section one examines Derrida's reflections on the traditional conceptualization of time and draws some implications for political thinking in general and for study of the 'theologico-political complex' in particular. I argue that his view exposes the limits and exclusionary features of

teleological modes of thinking informed by the traditional understanding of time, modes that address the theologico-political relation by seeking to establish what is most original between faith and reason. The next two sections are devoted to the examination of Derrida's notion of the 'messianic'. Investigating possible alternatives to teleological thinking about the 'theologico-political complex', section two explores the notion of the 'messianic' as it is articulated in *Spectres of Marx*. I suggest that the 'messianic' can be interpreted as a type of non-teleological political thinking informed by a diachronic understanding of time that resists the resolution of the theologico-political nexus and is more receptive to difference. In the last section, I bring to the fore the relationship between the 'messianic' and the 'theologico-political complex'. By illustrating that messianic thinking does not endorse the binary logic reason/faith or theological/political typical of modern secularism, but conceives of them as interrelated, I argue that Derrida provides us with a more complex understanding of the theologico-political problematics.

3.2 Time, Political Thinking, and Teleology

Time is among Derrida's central concerns in deconstructing canonical texts of the western philosophical tradition. It is a theme implicitly at work in almost all of his writing dealing with other philosophical topics and is explicitly explored in *Given Time*, '*Ousia* and *Gramme'* and *Specters of Marx*.[1] For the purposes of this chapter, however, we will limit our focus to his essay 'Différance' where Derrida succinctly presents the substance of his view and then move to the analysis of *Spectres of Marx*. In this way, we will be in a position to explore the connection between time, political thinking and the

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[1] Derrida, *Given Time: 1. Counterfeit Money*, trans. Peggy Kamuf (Chicago: University of Chicago Press, 1992); '*Ousia* and *Gramme* Note on a Note from *Being and Time'*, in *Margins of Philosophy*.

'theologico-political complex'. Before doing so, some preliminary observations about his approach to time are in order.

Overall, Derrida's position on time consists in articulating a perspective that radicalizes human finitude by going beyond the quest for an original, unitary and atemporal ground or root (in Latin the adjective *radicalis* means 'having root') as in the traditional understanding of time usually associated to Aristotle.[2] Following Heidegger, Derrida takes issue with that view, which conceives of time synchronically, as an infinite series of successive moments that connect past, present and future, and that can allegedly be grasped as pure, undivided temporal units.[3] Derrida finds this view problematic since it subscribes to what he calls the metaphysics of presence, a type of metaphysical thinking based on the conviction that origins or grounds can be immediately accessed as distinct from the conditions (temporal, political, linguistic, socio-economic etc.) in which they occur and from the process of becoming characterizing experience.[4]

In his essay 'Différance', Derrida challenges the synchronic understanding of time and illustrates how time is historicized by the spatial mark of its passage, or 'trace'.[5] The 'trace' accounts for a synthesis between time and space and allows for a more complex understanding of the nature of a temporal unit.

> In constituting itself, in dividing itself dynamically, this interval is what
> might be called *spacing*, the becoming-space of time or the becoming-
> time of space (*temporization*). And it is this constitution of the present, as
> 'originary' and irreducibly nonsimple, (and therefore, *stricto sensu*
> nonoriginary) synthesis of marks, or traces of retentions or pretensions
> (to reproduce analogically and provisionally a phenomenological and

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[2] For an elucidation of the term 'radical' and the use Derrida makes of it to unsettle the quest for unitary roots, see his *Specters of Marx*, 231 n. 9/152.

[3] Derrida, *Given Time*, 8/19.

[4] Derrida, *Limited Inc*., 236.

[5] My exposition here is indebted to Martin Hägglund's illuminating analysis of the trace as spacing in *Radical Atheism. Derrida and the Time of Life* (Stanford, CA: Stanford University Press, 2008), 18 ff.

transcendental language that soon will reveal itself inadequate) that I propose to call arche-writing, arche-trace, or *différance*.[6]

In this passage, Derrida gives an account of the minimal unit of time in terms of 'trace'. He emphasizes that for such a unit to be possible it must be visible and enduring in time. Temporal endurance, in turn, needs to be archived to be recognizable in time, and in spite of temporal flow: it requires a spatial inscription (the becoming-space of time), a 'trace'. However, for there to be a trace in the first place, which can be recognized only after its spatial inscription, space has to be related to the flow of time and therefore be temporalized (the becoming-time of space), otherwise no *after* would be possible for recognizing such a 'trace'.[7] The becoming-space of time and the becoming-time of space is what Derrida calls spacing (*espacement*).

The notion of 'trace' is central to Derrida's view of time. It provides an account for an 'originary' synthesis between time and space and it allows him to expose the limits of thinking about time as a succession of undivided and clearly identifiable units. For, if the spatialization of time makes that synthesis possible, the temporalization of space disallows the possibility of an indivisible ground that is not itself exposed to division and impurity.

The novelty and significance of Derrida's view of time consists in moving past the metaphysics of presence.[8] By emphasizing that mental contents available to human understanding at any particular moment are not so easily separable from the conditions in

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[6] Derrida, 'Différance', 13/14.

[7] Ibid.

[8] It should however be noted that Derrida does not seek to break *tout court* with metaphysics. In his 'Structure, Sign and Play in the Discourse of Human Sciences' he questions any simple exit from metaphysics and indicates that the tendency towards it is intrinsic to abstract thinking and language. See his *Writing and Difference*, 280/412; see also his *Position*s, 19/29. For brief, clear account of Derrida's position on metaphysics, see Christopher Norris 'Metaphysics' in Jack Reynolds and Jonathan Roffe (Eds) *Understanding Derrida*, 14–25.

which they appear and always contain something from a previous experience, Derrida illustrates that any such content cannot be purely grasped.[9] The 'trace' indicates that contamination is the predicament human beings always already find themselves in. What one can aspire to find in the search for origins is ambiguity, deferral and contamination of the purity of mental representations: *différance*.[10] In other words, by articulating time through the notion of 'trace', Derrida reconfigures the hierarchical dualism between the transcendent and the immanent, the transcendental and the empirical, the intelligible and the sensible. The 'trace' signals the limit point in which these pairs are silently related in such a way that there is no sharp line distinguishing the one from the other so that their demarcating line remains undecidable.

So conceived, Derrida's view of time has crucial implications for the understanding the 'theologico-political complex'. If undecidability characterizes the inaugural moment of reflection, the possibility of establishing what is most *original* between the theological and the political, faith and reason, is undermined. But what is also undermined, through the exposure of the potential for exclusion involved in the

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[9] A more comprehensive illustration of this point would require including and exploring Derrida's view of iterability and signification process, but doing so would divert us from our focus on time. For the purposes of completeness, though, it is worth mentioning them very briefly. For Derrida, iterability refers to repetition as the possibility of written sings to endure in time, and thus to be legible at all, beyond their original context and in the absence of their author(s). The possibility of travelling across time and contexts suggests that repetition contains the constitutive possibility of alteration and differentiation resulting from the mediation effected by the contexts in which meaning is produced. See his 'Signature Event Context'. This view connects with his understanding of the signification process as one in wich the meaning of a sign is always differential and impure since it contains traces of its relationship with other signs and is conditioned by the power and history characterizing linguistic context . See Derrida, 'Semiology and Grammatology'.

[10] In Derrida's vocabulary, *différance* is neither a proper word nor a concept. Overall, it is a term that seeks to convey the double sense of difference and deferral of the French *différer* as well as a spatial and temporal connotation that affect the instable relationship between meaning and reference. While difference refers to the differing meaning of any sign 'produced' by the traces of its relationship with other sings, deferral refers to the infinite delay in the final determination of the sign's meaning. Such a determination cannot occur precisely because each sign cannot refer to or function as an ultimate referent since it is constituted only *in relation* to other signs. As such, *différance* points to the limit of pure idealization. For Derrida's most focused discussion of this term, see his 'Différance', 1–28/1 –30.

effort of dissolving constitutive contamination, is political teleology conceived as a mode of thinking that attempts to provide solid normative foundations on the basis of a pure telos, whose *immediate* grasping would require solving undecidability. Indeed, once the clear identification of telos is undermined by the thematization of time, the movement towards its actualization or approximation is derailed. We will come back to the limits of political teleology shortly.

If at this point it is not already apparent what time has to do with political thought, it might be helpful to make that explicit. For Derrida, western political thought has uncritically inherited and relied upon the same metaphysical assumptions about time and, as such, it is subject to the same challenge he poses to philosophical discourse at large. In his political writings, Derrida shows that canonical understandings of political categories such as sovereignty, law, self-hood, democracy[11] but also political community, equality, friendship[12] as well as history, state, and citizenship[13], have been informed by such assumptions. I cannot present here all of Derrida's arguments in support of this claim since this is beyond the scope of this chapter. It is sufficient to briefly mention the paradigmatic example he uses to illustrate the metaphysics of presence lurking behind political thinking: sovereignty. As I shall discuss at length in chapter five, Derrida shows how throughout much of the history of western political thought, the nature, extent and justification of political authority has often been implicated in some metaphysical, atemporal dimension characterized by the quest for transcendent foundations and purity of ideas to justify the political order .[14] Sovereignty is the concept which has performed

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[11] Derrida, *Rogues*.
[12] Derrida, *Politics of Friendship*.
[13] Derrida, *Specters of Marx*.
[14] Derrida, *Rogues,* 17/38, 101/144,157/215–216.

that function since it has been conceived as being immune to the alteration and differentiation brought about by time (and language) in virtue of its exceptional status that places it before, above and beyond the law.

What is significant for our discussion, in the example of sovereignty, is the emphasis Derrida puts on the connection between time and political thinking.[15] In particular, his insistence on the trace-character of time, and the logic of contamination it implies, has important implications for political normativity. By making explicit the relationship between time and political thinking, Derrida is able to question, and expose the limits of, past modes of political thought that are informed by teleological thinking and the foundational conception of reason associated to it. By teleological thinking, I refer here to a type of thinking guided by a telos to be realized or approximated and that fixes an ideal horizon of expectation. This type of thinking is associated with a foundational view of reason precisely because the latter is considered as capable of purely grasping ideas in consciousness that are unaffected by temporal variations, and more generally, by the contingent conditions in which idealization takes place.

The modes of political thinking Derrida has in mind are the political teleologies of Kant, Hegel, and Marx.[16] Despite their differences, these teleologies retain the temporal form of a future present, of projecting into the future a "modality of the *living present*" that anticipates what is to come on the basis of a telos grasped in its purity.[17] The problem with these modes of reflection concerns the types of normativity they produce once ideas about human nature and political community are supposedly grasped

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[15] For a recent discussion of the relationship between time and political thinking in Derrida, see *Derrida and The Time of The Political*.

[16] Heidegger's epochal thinking is also mentioned as part of the teleologies Derrida criticizes. Derrida, *Specters of Marx*, 93/125.

[17] Ibid, 81/111.

in consciousness in pure terms and then posited as grounds providing either the substantive standards for critically evaluating current society and bringing about a new one (as in Hegel's historicization of Spirit in the modern state or as Marx's advent of communist society), or the platform wherefrom developing procedural conditions for the justification of political arrangements (as, for example, in Kant and in Neo-Kantian political philosophy). For Derrida, these types of normativity, which we can call 'substantive' and 'regulative' depending on whether the telos in question is to be realized or approximated, display problematic features and need to be challenged.

One place where this challenge is explicitly articulated is *Specters of Marx*. Here Derrida takes issue with political teleology through the analysis of some of Marx's texts and of Francis Fukuyama's *The End of History and the Last Man.* Starting with Marx, Derrida focuses especially on the figure of the spectre (*revenant*), which refers to the remainder at work in mental representations that unsettles the opposition between presence and absence and enables the distinction between ontology (*ontologie*) and hauntology (*hauntonolgie*), a double bind characterizing Marx's thought.[18] While ontology focuses on pure ideas that reduce the spectral excess to a clearly identifiable mental representation, hauntology seeks to track down what eludes such a pure operation. Viewed this way, the figure of the spectre allows Derrida to show first, the untenability of maintaining clear cut conceptual distinctions since spectres stand for what concepts need to exclude in order to convey the identity of what they signify, which means that concepts are as much about what they exclude as what they represent; and second, it allows him to

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[18] Ibid, 125/164, 213/269.

illuminate the type of metaphysical, atemporal grounding that clear-cut distinctions require.[19]

By pointing to the double bind of Marx's thought, Derrida highlights the metaphysics of presence informing Marx's normative claims and the latter's attempt to articulate a way out from metaphysical thinking, which we shall consider in the next section. While recognizing that there is "*more than one*"[20] spirit of Marxism, Derrida questions the "other spirits of Marxism", those informed by ontological commitments, and points to the intimate connection between metaphysical thinking and a 'substantive' normativity on the one hand, and totalitarianism on the other. [21] Grounding his view on his reading of Marx's *The German Ideology* and *The Communist Manifesto,* Derrida observes that Marx's critique of the Young Hegelians, and of *The German Ideology* more generally, continuously relies on "an ontology of presence" that seeks to bring human consciousness "back to the world of labour, production and exchange, so as to reduce it to its conditions".[22] Marx considers it possible to grasp the most basic root of mental representation through concepts such as 'labor' or 'mode of production', which are elevated to the status of pure origins and thus remain implicated in a questionable metaphysical thinking. Derrida's problem with Marx's ontology concerns the articulation of normative claims in the form of a 'substantive' normativity grounded on putatively

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[19] Derrida claims that Marx's *German Ideology* is focused on the question of the idea, on the 'proper' delineation of what an idea or concept is, and it displays the traditional philosophical attempt since Plato to establish a clear cut distinction between idea and non-idea, between *Geist* (idea) and *Gespenst* (spectre). Yet, as Derrida remarks, since "Geist can also signify 'specter'" the "semantics of *Gespenst* themselves haunt the semantics of *Geist*" (134/175). This haunting indicates that establishing concepts demands the suppression of spectral excess through pragmatic interventions that exceed the philosophical domain.
[20] Ibid, xx/18.
[21] Ibid, 110/145.
[22] Ibid, 110/145, 214/269. This is one of the double binds Derrida sees at play in Marx's gesture, the other being very close to, if not foregrounding deconstruction. This second aspect will be analyzed in the next section.

pure origins. For Derrida, this approach remains "radically insufficient" since it privileges "an *ontological* treatment of the spectrality of the ghost" and inscribes the movement of thinking in a teleological understanding of time and history seeking to actualize a telos: communism as the embodiment of human essence as species-being in a classless society.[23] The target of his criticism here is the dangerous normativity that the companionship between metaphysics of presence and teleological thinking puts into effect. The normativity informed by ideas supposedly grasped in their purity and posited as the ground for the realization of a political teleology can be a recipe for disastrous consequences, as the totalitarianisms of the past century testify.[24]

But the totalitarianisms Derrida mentions are not the only ruinous consequences of ontological Marxism. In the context of this study, the dangerous closure of the political space to religious beliefs and practices, and more generally to difference, is particularly relevant. Derrida's criticism of such Marxism can be taken as a platform for illuminating a distinctively modern approach to the theologico-political problematics, namely the attempt to resolve the theologico-political problematic at a philosophical level. This emerges especially in connecting Derrida's criticism of Marx's position on religion. Notoriously, Marx reduced religion to an illusion rooted in the material conditions of production, which he deemed to be more fundamental than religious consciousness.[25] Derrida's discussion of Marx's political teleology does not simply clarify that this reduction was possible in virtue of Marx's ontology. Above all, it illuminates that Marx's idea that the criticism of religion is the first of all *philosophical* criticism depends to a

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[23] Ibid, 114/150, 128/168.
[24] Ibid, 130/171.
[25] See especially Karl Marx, "Contribution to the Critique of Hegel's *Philosophy of Right*: Introduction" and "The German Ideology" in *The Marx-Engels Reader* (ed.) Richard Tuck (New York: Norton, 1978): 16 –25, 146–200.

large extent on the modern conviction, and desire, that the theologico-political relationship can and is to be solved through the affirmation of the originality and priority of reason over faith. It is because reason is thought to be more basic than faith and preceding it in the foundation of knowledge (and politics) that reason is thought of as capable of unmasking the illusions, which constraint consciousness and, ultimately, philosophical activity. According to our reasoning so far, the tenability of this view depends to a large extent on a questionable understanding of time and teleological political thinking.

The other example Derrida uses in his reflection on political teleology is Fukuyama's *The End of History and the Last Man*. Derrida criticizes Fukuyama for celebrating a version of the 'end of history' discourse informed by a political teleology that considers *liberal* democracy, modelled on the Hegelian view of the state, as the telos regulating the however imperfect realization of the Christian Kingdom of God on earth.[26] Derrida's uneasiness with Fukuyama's perspective lies in the Hegelian version of incarnation it represents but, most importantly, in the unexamined axiomatics on which such view relies and that are at work in a larger trend within influential liberal theories of secularism for which liberal democracy represents the only horizon of the future of democracy. The axiom at issue concern a problematic "*ideal* orientation" informing the narrative of progress of liberal democracy and on a questionable distinction that separates and opposes "empirical reality and ideal finality".[27] Although Derrida mentions it with reference to Fukuyama, the orientation at issue is relevant for Kant's philosophy as well as the neo-Kantian theories of Rawls and Habermas, both of which reject Fukuyama's

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[26] Derrida, *Specters of Marx*, 75/104.
[27] Ibid, 71/99.

(and Marx's) 'substantive' normativity in favor of a 'regulative' one informed by the Kantian model of regulative ideas. [28]

But, first of all, what exactly is Derrida's problem with the "*ideal* orientation"? It is that it establishes and fixes an ideal horizon of expectation on the bases of a purely grasped idea or telos so that whatever exceeds that horizon is excluded, sacrificed or neglected in the name of the horizon itself. In this framework, rational judgments informed by the telos cannot be 'disproved' or challenged by concrete situations that do not measure up with, contrast or differ from it. This holds since the telos in question takes the "form of an ideal finality" so that "everything that appears to contradict it would belong to historical empiricity, however massive and catastrophic and global and multiple and recurrent it might be".[29] Among the empirical evidence contradicting the "*ideal* orientation*" of liberal democracy, Derrida lists socio-economic exclusion, oppression and inequality and, above all, international law the genesis and functioning of which depend on a particular (European) historical culture and its dominating position.[30] These plagues, for him, cannot be tolerated in the name of liberal democracy since "never have violence, inequality, exclusion, famine, and thus economic oppression affected as many human beings in the history of the earth and humanity…never have so many men, women, and children been subjugated, starved, or exterminated."[31]

Although neither Rawls nor Habermas would disagree with Derrida's denunciation of inequality and exclusion, their theories are nevertheless subject to the

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[28] In the *Critique of Pure Reason*, Kant presents regulative ideas (the soul, world, and God) as something that can be thought but not known or experienced. Conceived as 'given' to human beings, these ideas organize judgments about experience in order to guide further investigation. See Immanuel Kant, *Critique of Pure Reason*, eds. Paul Guyer and Allen Wood, (Cambridge: Cambridge University Press, 1999).
[29] Derrida, *Specters of Marx*, 71/99.
[30] Ibid, 100/134 ff.
[31] Ibid, 106/141.

challenges he poses to an "*ideal* orientation" towards liberal democracy. This holds first,

because both Rawls and Habermas fix the horizon of liberal democracy on the basis of a

regulative telos, which sets, more or less rigidly, the future direction and forms of

democracy as *liberal* in spite of resistance from within. [32] The already mentioned case of

indigenous minorities in North America represents perhaps the strongest example

contradicting the present legitimacy of the telos of liberal democracy and its future local

– and perhaps transnational – 'validity', an example that contemporary liberalism has

serious difficulties to come to terms with. But Derrida's challenge also holds if one

considers Habermas' and Rawls' "*ideal* orientation" in the light of their reconstruction of

liberal modernity. The putatively necessary and natural features of a reconstruction

obscures the deep link between the development and maintenance of liberal democracy

and the material condition of its existence on the one hand, and inequality, exclusions and

economic oppression on the other. Indeed, while Habermas seeks to "reconstruct… the

normative self-understanding of modern legal orders" and sees the advent of modern,

rational self-reflexivity as necessary, [33] Rawls provides a naturalizing genealogy that

conceives of the reasonable pluralism characterizing liberal modernity "as the *natural*

outcome of the activities of human reason under enduring free institutions (my

emphasis)".[34] These views, in which liberal modernity emerges as inscribed in a

framework of progress informed by an "ideal orientation", pay little attention to the

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[32] In the case of Rawls, the ideas of a well-ordered society and of citizens as free and equal in the liberal sense constitute together the telos performing the regulative function. See John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993). In Habermas, that function is carried out by the idea of understanding as the telos of communicative rationality, which is intimately connected to constitutional liberal democracy as the 'model' political community. See Jürgen Habermas, *Between Facts and Norms. Contribution to a Discourse theory of Law and Democracy*, trans. William Rehg (Cambridge: MIT Press, 1998).

[33] Habermas, *Between Facts and Norms,* 82; 'Religion in the Public Sphere', 14.

[34] Rawls, *Political Liberalism*, xxvi.

realities that challenge their viability. Both authors reconstruct and justify the development of modern, 'rational' understandings and political arrangements in too linear and ideal a fashion by leaving limited space to the contingent political forces – the colonial expansion of the modern state and international institutions – that have to a large extent enabled those modern understandings and arrangements to develop and prevail by producing, at home and abroad, exclusions and inequalities that continue to occur under the regulative power of international institutions. So while both Rawls' and Habermas' commitment to freedom and equality would put them in agreement with Derrida's condemnation, the "ideal orientation" of their theories appears to philosophically reinforce the historical, political and economic forces that fuel those inequalities and exclusions that question the value and validity of the "ideal orientation" of liberal democracy.

So, what does Derrida's view of time do to a political teleology informed by a 'regulative' normativity? Derrida shows first, that since that type of normativity is committed to the possibility of grasping a pure telos by fixing an ideal horizon of expectation, it halts, as it were, the flow of time and subscribes to the traditional, synchronic understanding of time which opposes and fixes past and future, thereby concealing historical injustice and annulling the contaminating interval between the two that is the present. In doing so, this type of normativity not only overlooks the potential of unrealized, excluded possibilities, it also annuls the possibility that the present matters in its own right and subordinates it to a future that can always and only promise the infinite approximation of the telos. Second, as a consequence, he shows that such a mode of thinking is implicitly complicit with past injustice and present sufferings that are

measured against a redemptive future promising emancipation. Yet, since for both political and logical reasons there is a constant need for 'more' *liberal* democracy, precisely because such a democracy can never be achieved, 'necessary' suffering can be without limits and past injustice might be well forgotten. The dangerous irony, then, is not simply that the benefits of the future are indefinitely deferred while its guiding principle, the telos, is placed beyond the reach of critical scrutiny or even removed from the possibility of failure. It is, above all, that what is supposed to *guide* normative judgments about experience is blind to the role past exclusions have played and to the specificity of particular situations in the present, especially if these situations were to differ from the articulations informed by the idealized final goal. If this holds, a political teleology informed by a 'regulative' normativity appears little receptive to difference, of the past and of the present, and fosters exclusionary practices towards ways of thinking and being that diverge from its predetermined telos.

Religion is perhaps the most evident example of excluded difference and surely an appropriate one for our discussion about liberal teleological responses to the 'theologico-political complex'. Indeed, it is precisely with the global spread of secularism and liberal modernity, which recent studies have connected to a teleological narrative of liberal progress sustained by colonialism,[35] that religious citizens have been unduly excluded from participating to public life. Although Rawls and Habermas have shown more openness towards religion in recent years, their theories do not really appear to be receptive to religious difference for reasons that are connected to their teleological approach to the 'theologico-political complex'. Like the 'ontological' Marx, these thinkers believe that theological and the political need to be kept separate and that reason

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[35] For a recent, powerful discussion of this view, see Talal Asad, *Formations of the Secular*.

has a priority over faith that can be justified through philosophical arguments implicitly informed by a teleological view of time. In their work on religion, this aspect emerges especially when they condition the validity of deliberative democratic processes of legitimation on rational epistemic grounds (i.e. rationally acceptable reasoning) and they prescribe the translation of religious contributions to public life into the language of reason, which is elevated to the rank of the most basic and authoritative ground for solving public disputes. [36]

But what are the grounds for such a prescription and more generally for solving the theologico-political nexus? According to our discussion so far, such grounds are connected to a structural feature of political teleology – whether informed by a 'substantive' or 'regulative' normativity. I have argued that it is a prerogative of teleological thinking, and of the foundational reason associated to it, to establish an ideal horizon of expectation on the basis of a purely grasped telos so that everything exceeding that horizon finds little place to be. The *immediate* grasping of the telos, I have suggested, is connected to the conviction that undecidability about origins, including what is most original between reason and faith, can be solved through a gesture that halts temporal flow. In this context, religion represents an exemplary case of difference that remains structurally excluded by political teleologies and that challnges the priority of a foundational model of reason.

After having expounded Derrida's challenge to political teleologies, we are now in a better position to appreciate the significance of connecting time and political thought. Derrida seeks to show that the commitments to teleology and metaphysics of presence within political thought are exemplary of a modality of thinking that neutralizes the time

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[36] Habermas, 'Religion in the Public Sphere'; Rawls, 'The Idea of Public Reason Revisited'.

of politics and the receptivity to difference. He does so at two interlinked levels: philosophically, he shows that and how teleological thinking fixes time into a rigid framework, which unjustifiably discriminate against ways of thinking, understanding and being that exceeds the rules of the metaphysical tradition. Politically, he illustrates how political teleologies foster practices of exclusion towards 'unfitting' difference and thus contributes to the progressive closure of the political space.

Derrida's view of the time of political thought has decisive implication for the study of the 'theologico-political complex' since it exposes the limits of influential teleological responses to the theologico-political problematics. Derrida shows that the extent to which philosophical understandings of time as longing for origins have informed and inform normative political thinking, institutions and practices, they have promoted and still promote the universalization of a monistic and exclusionary model of political life grounded on ideas allegedly, and yet unwarrantedly, grasped in their purity. In the context of this study, the exclusionary potential of teleological thinking and foundational reason need not be underestimated especially if the latter represented the secular response to the theologico-political problematics in early modernity. Indeed, if one of the key motivations in the modern attempt to separate philosophy from theology was to remedy the intolerance of latter,[37] one might wonder whether this was successfully achieved since a significant level of intolerance previously attributed to religion can also be ascribed to influential modern political theories. As Burke would put it, with the progressive affirmation of modern philosophy over theology the line of succession

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[37] This is one of the themes of Locke's discussion of toleration. It is worth noting, though, that Locke was intolerant of Quakers (who refused to take off their hats to their betters) and atheists (who allegedly would not honor contracts). See John Locke, *An Essay concerning Toleration*, eds. J.R Milton and Philip Milton (Oxford: Oxford University Press, 2006). I owe this point to Ed Andrew.

changed but not the principle of inheritance, since the claim on the most authoritative and basic ground to settle fundamental political questions was transferred from religious faith to secular reason. Although this rather bleak picture emerges forcefully from Derrida's reflections, this is not all he is offering. His analysis of time does in fact point to the need and possibility of thinking about time differently, as 'messianic', and to the potential that a non-teleological approach might offer in reconfiguring our approach to the 'theologico-political complex'.

3.3 The Messianic as Political Thought

How to think of time otherwise? This is the guiding question of this section, which explores Derrida's notion of "messianic without messianism" (henceforth the 'messianic') as it appears especially in *Specters of Marx*.[38] Although introducing it through a direct reference to Benjamin,[39] Derrida claims to have inherited such a notion, as he uses it, from Marx's legacy [40] and presents it in these terms:

> What remains irreducible to any deconstruction, what remains as undeconstructible as the possibility itself of deconstruction is, perhaps, a certain experience of the emancipatory promise; it is perhaps even the formality of a structural messianism, a messianic without religion, even a messianic without messianism, an idea of justice –which we distinguish from law or right and even

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[38] Derrida, *Specters of Marx,* 73–74/102. For discussions on Derrida's 'messianic' in *Specters of Marx*, see Caputo, *The Prayers and Tears of Jacques Derrida*, especially chapter 3; Simon Critchley, 'Derrida's Specters of Marx', *Philosophy & Social Criticism*, 21 (1 995):1–30; Ernesto Laclau 'The Time is Out of Joint' *Diacritics*, 25 (1995): 86–97; Gayatri Chakravorty Spivak, 'Ghostwriting', *Diacritics*, 25 (1995) : 65–85.

[39] Ibid, 69 Note 2/95. After the publication of *Specters of Marx*, however, Derrida clarifies that while Benjamin's 'weak messianic power' is still linked to (Jewish) messianism, his (Derrida's) view of the messianic is "*without* messianism" (my emphasis). See Derrida,'Marx & Sons', 250.

[40] "Now, if there is a spirit of Marxism which I will never be ready to renounce, it is not only the critical idea or the questioning stance (a consistent deconstruction must insist on them even as it also learns that this is not the last or first word). It is even more a certain emancipatory and messianic affirmation, a certain experience of the promise that one can try to liberate from any dogmatics and even from any metaphysico-religious termination, from any messianism". Ibid, 111/146–147

from human rights–and an idea of democracy –which we distinguish from its current concept and from its determined predicates today.[41]

There are two central dimensions to Derrida's 'messianic': one is temporal, and refers to an experience of time as non-teleological or 'without messianism'; the other is ethico-political, and is linked to justice and democracy. In what follows, I consider the temporal dimension and the issue of justice while leaving the discussion of democracy to the last chapter.

The promise Derrida mentions in the passage above refers to Marx's promise of emancipation but not to its determined content. It refers to the structure of promising, to the "being-promise of a promise" that exceeds and precedes Marx's and all other promises and maintains an indeterminate form.[42]As Derrida notes, "whether the promise promises this or that, whether it be fulfilled or not, or whether it be unfulfillable, there is necessarily some promise and therefore some historicity as future-to-come. It is what we are nicknaming the messianic without messianism". In other words, the 'messianic' designates a structure of promissory affirmation that does not promise any particular future but promises the future, it affirms that "it is necessary [that there be] the future (*il faut l'avenir*)".[43]

Thus, thought as "without messianism", the 'messianic' or "quasi-transcendental 'messianism'" as Derrida also calls it, refers to the quasi-transcendental conditions of possibility of messianisms, which all require the necessity of the future to *be possible* at

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[41] Ibid, 74/102. The reception of Derrida's *Specters of Marx* has provoked much debates and criticism in Marx scholarship. See, for example, *Ghostly Demarcation*.
[42] Ibid, 131/173.
[43] Ibid, 91/123.

all. [44] This structure points to an experience of time characterized by an irreducible and yet necessary historical openness to the future, and differentiates the 'messianic' from historical messianism or secular teleologies. The 'messianic' does not announce the event of a Messiah or any other types of final end (for example, the secular teleologies of Hegel or Marx) the arrival of which would halt temporal flow. Nor does it anticipate the coming of events by inscribing them within a predetermined horizon informed by a regulative telos, as in Kantian teleologies. Instead, it proceeds by preserving an undetermined, open relationship to a future that is not preordained by the historical present. Although it apparently keeps deferring the content of what it affirms, the 'messianic' is a type of "affirmative thinking" that asserts the "emancipatory promise as promise", namely the promise that *il faut l'avenir*. [45] Yet, the 'messianic' takes the form of waiting, a "waiting without horizon of expectation or prophetic prefiguration" as Derrida notes elsewhere, [46] because it does not pretend to *see* events as coming, but seeks to take them *as* events.[47]

> It is this latter event-ness that one must think, but that best resists what is called the concept, if [*sic*] not thinking. And it will not be thought as long as one relies on the simple (ideal, mechanical, or dialectical) opposition of the real presence of the real present or of the living present to its ghostly simulacrum, the opposition of the effective or actual (*wirklich*) to the non-effective, inactual, which is also to say, as long as one relies on a general temporality or a historical temporality made up of the successive linking of presents identical to themselves and contemporary with themselves.[48]

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[44] Ibid, 212/267. On the necessary feature of such a possibility see Kellogg, *Law's Trace*, 89; and Hägglund, *Radical Atheism*, 126. Both Kellogg and Hagglund highlight that the 'must' (*il faut*) Derrida emphasizes in connetion to the openness of the future (*avenir*) is not a normative but a logical requirement of temporal experience. For there to be future, the future 'must be possible', namely open to the unforeseenable, otherwise it would be something like a replica of the present or the past.

[45] Ibid, 94/126.

[46] Derrida, 'Faith and Knowledge', 56/30.

[47] It is worth clarifying, though, that the event, for Derrida, is strictly speaking incomprehensible in virtue of its singularity. Yet, for an event to be recognized or named as such, it needs to be comprehended. Abstract language (i.e. 'event') is helpful to this purpose but falls short of capturing the unique character and thus the very nature of the event itself. See Derrida, 'Autoimmunity: Real and Symbolic Suicides', 90.

[48] Derrida, *Specters of Marx*, 87/119.

For Derrida, to think about event-ness means to think of time non-teleologically. It means to move beyond its traditional understanding by distancing oneself from the possibility of clearly distinguishing between presence and absence, identity and difference of self-identical moments contemporaneous with themselves.

To illustrate a different way of thinking about time Derrida discusses the idea of temporal disjuncture found in *Hamlet*. Repeatedly in *Specters of Marx*, he quotes Hamlet's phrase "the time is out of joint" to account for a diachronic experience of time. Hamlet's phrase is occasioned by the appearance of his dead father as a ghost coming back (*revenant*) to the living and asking his son to avenge his death and restore justice according to law as vengeance. For Derrida, Hamlet's phrase does not imply that the temporary corruption of his political community requires rectification through the law as punishment. Rather it interrupts the linear spirit of the inherited law and recognizes that, already in the beginning, in the founding of a law seeking to keep its linear destination, a violent force excluding 'deviators' is at work. In other words, Derrida attributes to Hamlet the ability to have recognized in and through the specter of his *revenant* father an "originary wrong…a bottomless wound, an irreparable tragedy, the indefinite malediction that marks the history of the law or history as law". The tragedy of the originary wrong, whose origin cannot be clearly identified, designates the "spectral anteriority of the crime" whose truth cannot present itself as such but can only be reconstructed *post facto*.[49]

For Derrida, the spectral anteriority of the crime refers to an originary trauma that is intimately linked to political foundations. Although the trauma's actual cause is out of reach, its effects are visible through surviving marks. These are marks of "*a living on*

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[49] Ibid, 24/46.

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(*sur-vie*)", a surviving trace of what has been excluded but intervenes in the living present by unsettling it.[50] That trace takes the form of specters which, as seen, do not appear in the present as presence, as something clearly identifiable. Rather they appear as some "thing" that is difficult to capture because it exceeds knowledge and the distinction between presence and absence, life and death and thus defies "semantics as much as ontology, psychoanalysis as much as philosophy".[51] By intervening in and interrupting the living present, specters desynchronize temporal moments, since they make explicit the *spacing* of temporal succession discussed earlier on, namely the contaminated relationship between temporal units which cannot appear as such to human consciousness. In this way, specters indicate the "non-contemporaneity of present time with itself," which marks the disjuncture of time informing the time of the 'messianic'.[52]

Derrida's appropriation of Hamlet's phrase "the time is out of joint" stands therefore for his response to the traditional view of time and to the metaphysics of presence and teleology undergirding it.[53] In the 'messianic' understanding of time, contamination marks temporal experience since the present is always divided by ghosts that puncture horizons and spectralize concepts, thereby impeding the grasping of undivided temporal units or the likelihood of a pure telos. The disjuncture of time informing the messianic promise illuminates therefore that, by preventing the halting of temporal flow, 'messianic' time impedes also the type of closure performed by fixed horizons of expectation – which, as seen, are also implicated in the attempt to solve the

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[50] Ibid, xx/17.

[51] Ibid, 5/26.

[52] Ibid, 29/52.

[53] As indicated in Note 9, Derrida does not seek to break entirely with metaphysics. Further, as he clarifies in *The Beast and the Sovereign*, his does not seek to overcome the synchronic understanding of time by opposing to it a diachronic one since doing so would reinstitute the oppositions typical of the metaphysical thinking he questions. See his *The Beast and the Sovereign Vol. I*, trans. Geoffrey Bennington (Chicago: The University of Chicago Press), 333.

theologico-political relationship. That is why Derrida affirms that 'messianic' might

represent the condition of "another concept of the political", namely one that is not

associated, among other things, to unequivocal normative standards and fixed horizons of

expectations.[54]

Returning to the trauma of political foundation, Derrida clarifies that it refers to

both the specters of the past and those of the future. In his view, the specter is as much a

revenant coming back from the past as it is an *arrivant* coming from the future. It is a

figure that comprises all those who are beyond the 'living present', the dead and the

unborn, which we have responsibility to acknowledge. Doing so is a matter of justice, of

the 'messianic' as justice.

> It is necessary to speak *of the* ghost, indeed *to the* ghost and *with it*, from the
> moment that no ethics, no politics, whether revolutionary or not, seems possible
> and thinkable and *just* that does not recognize in its principle the respect for those
> others who are no longer or for those others who are not yet *there*, presently
> living, whether they are already dead or not yet born. No justice –let us say no law
> and once again we are not speaking here of laws– seems possible or thinkable
> without the principle of some *responsibility*, beyond all living present, within that
> which disjoin the living present, before the ghosts of those who are not yet born or
> who are already dead, be they victims of wars, political or other kind of violence,
> nationalist, racist, colonialist, sexist, or other kind of exterminations, victims of
> the oppression of capitalist imperialism or any other forms of totalitarism.[55]

The 'messianic' as justice is a discourse about ghosts and their interminable mourning,

interminable also because their number cannot be conclusively determined. It is a

discourse characterized by what Derrida calls a "politico-logic of trauma", namely a

politico-philosophical receptivity to the politics of founding and its predicament. This

receptivity refers to the trauma and ghosts produced by the structural violence, exclusions

and exterminations of difference that characterize founding moments as shown in

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[54] Derrida, *Specters of Marx*, 94/126.
[55] Ibid, xviii/16.

democracies like Canada, Australia and Turkey – in which the exclusions and exterminations of, respectively, indigenous people and national minorities, has been instrumental to the construction of political community. Without such receptivity, without the memory of an originary loss, it seems extremely difficult to critically account for what has enabled the law in the first place and thus also for the temporal rupture founding moments mark. As Derrida claims, the violence of the "originary performativity", whose "force of rupture produces the institution or the constitution, the law itself", "interrupts time, disarticulates it, dislodges it, displaces it out of its natural lodging: 'out of joint'".[56] In short, without a "politico-logic of trauma" and politics of memory it appears extremely difficult to account for the empirical conditions (i.e. historical violence) that allow for any ethics and politics to *be* at all. This account is instrumental to avoid the naïve confidence of redeeming past injustice by delivering or approximating a promise of universal emancipation.

But what seems also unlikely without a politics of memory is the possibility of keeping the messianic promise receptive to difference and of *thinking* justice. On the one hand, forgetting the exclusions of difference involved in political foundings impedes the recognition of ghosts and thus of temporal disjuncture, it obscures the potential of unrealized possibilities and it locks the future to the close destiny of a present telos that predetermine the conditions for inclusion from the present. For Derrida, this is what various messianisms and secular teleologies do by instituting all sorts of checkpoints at their borders "in order to screen the *arrivant*", but also by exercising a hermeneutic

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[56] Ibid, 37/60.

authority on the interpretation of the past. [57] On the other hand, a lack of receptivity to

specters jeopardizes the possibility of *thinking* justice, which is not simply a question of

and for the living, of life as presence, but something due to the non-living, to the dead as

memory and the unborn as promise. *Thinking* justice, therefore, cannot seem any longer

possible within transcendent or transcendental perspectives; that is, within perspectives

seeking to identify the most fundamental principle representing either its ultimate

content, as in the tradition of political philosophy since Plato, or the ground for

articulating procedures leading to justice, as in the Neo-Kantian political thought. These

perspectives still aim at identifying pure ideas, whose immediate grasping would require

the halting of temporal flow and the by default exclusion of spectral excess. [58] Nor does it

seem possible to think justice by way of gathering or bringing-together (*Versammlung*) as

Derrida sees Heidegger doing in his reflection on justice as *Dikē*, precisely because

gathering implies a a form of totalization that interrupts temporal flow and homogeneizes

difference. [59] Rather *thinking* justice is possible if past and future, presence and absence

are thought together through disjuncture. Here the notion of this disjuncture is crucial not

only because it fosters a sensibility to past and future exclusion and the reactivation of

ghosts. It is also so because it allows for addressing that inner gap and incalculability of

identity mentioned in chapter two, and thus for recongizing that a model of justice with

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[57] Ibid, 82/110; see also Derrida, *Archive Fever,* 2/13 ff. Conceiving of the archive as the figurative site where interpretative keys of the myths of founding are kept, Derrida suggests here that there is always an exclusive hermeneutic authority at the head of the archive, which guards the 'proper' interpretation of the past in order to define political identity and the criteria for membership.

[58] This is the decisive point that a recurrent objection to Derrida's view of justice misses. According to the objection, the claim emerging in the first quote of this section that the 'messianic' as justice remains "undeconstructible" would suggest that justice stands for a transcendent ground that is removed from the passing of time and is posited in view making deconstruction possible. For Derrida, justice is undeconstructibe not because it is transcendent but because it can never be exhausted by some substantial or regulative telos that could fix its meaning by halting both the flow of time and the ghostliness contaminating the alleged purity of ideas.

[59] Ibd, 27–29/54–57.

homogeneizing traits would be negative even for the hegemonic power imposing it. So

conceived, then, this view of justice would prevent the halting time and avoid, as much as

possible, the negative implications of teleological approaches to the 'theologico-political

complex' such as limited sensibility towards difference and blindness towards structural

exclusions. It would, in other words, offer the possibility of addressing difference *as*

difference, as an identity that is self-differentiated because not fully identical with itself

and thus, to a certain extent, incalculable.[60]

The philosophical significance of reactivating ghosts must be emphasized since it

marks a feature that distinguishes the 'messianic' from political teleologies. This

reactivation plays a central role in Derrida's notion of the 'messianic' as it pertains to

'redemptive' practices of thinking that mobilize, in view of justice and freedom, the

spectral elements involved in political foundations. This point can be appreciated by

focusing on the connection Derrida establishes between inheritance, responsiveness to

ghosts and emancipatory thinking. Recalling Marx's ideas that "men make their own

history" under circumstances transmitted from the past and that "the tradition of all the

dead generations [*aller toten Geschlechter*] weighs [*lastet*] like a nightmare on the brain

of the living", Derrida reminds us that inheritance always involves a response to ghosts in

the form of "conjuring (*beschwören*)" them.[61] The urge for conjuring does not stem from

moral principles but from thinking itself.

> Thinking never has done with the conjuring impulse. It would instead be born of
> that impulse. To swear or to conjure, is that not the chance of thinking and its

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[60] This where Derrida's debts to Levinas' understanding of justice appears. While Derrida mentions this debts in several places, he offers a clear and concise statement in the Villanova Roundtable. Here he affirms the following: "Levinas says somewhere that the definition of justice –which is very minimal but which I love, which I think is really rigorous –is that justice is the relation to the other. That is all. Once you relate to the other as the other then something incalculable comes to the scene". See Jacques Derrida, 'The Villanova Roundtable. A Conversation with Jacques Derrida', 17.

[61] Derrida, *Specters of Marx,* 134/176.

destiny, no less than its limit? The gift of its finitude? Does it ever have any other choice except among several conjurations? […] Problematization itself is careful to disavow and thus to conjure away […] Critical problematization continues to do battle against ghosts. It fears them as it does itself. [62]

Although thinking is never done with the conjuring impulse, the conjuration of ghosts can take a negative form as in the case of political teleologies. Caught by anxiety and motivated by a fear of ghosts, these modes of thinking seek to safeguard the unity and stability of political identity and can lead, in extreme cases, to political disaster. For Derrida, this is what happened with the totalitarianisms of the twentieth century, fascism and communism, which were "equally terrorized by the ghost of the other, and its own ghost as the ghost of the other" and thus can be read *also* as repressive reactions "of panic-ridden fear before the ghost in general."[63] Less extreme but nevertheless problematic are also the closures typical of the liberal tradition, which Derrida sees as displaying strong amnesic and inhospitable features towards ghosts and difference. Following Marx's reflection on "bourgeois" thinking, Derrida highlights how, for Marx, that thinking is contented to forget specters so that history can continue towards a universal emancipatory telos. By valuing only life as presence, liberal ("bourgeois") thinking values "life as forgetting itself" and thus forgets ghosts and what they signify.[64] As such, it also forgets historical violence and the constitutive limits its own particular foundations put to the universality of the discourse it champions.

In contrast to repressive or forgetful conjurations, Derrida points to a possible alternative. Although he recognizes that conjuration is never free from the anxiety to repress or forget ghosts, he insists that the latter can take the form of "a positive

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[62] Ibid, 207/261.
[63] Ibid, 130/170.
[64] Ibid, 136/180.

conjuration" if it considers anxiety as a chance for calling forth the dead. As he notes, "

the conjuration is anxiety from the moment it calls upon death to invent the quick and to

enliven the new, to summon the presence of what is not yet there (*noch nicht*

Dagewesenes). This anxiety is properly revolutionary".[65] By calling upon death to

enliven the present, a "positive conjuration" of ghosts can release the emancipatory

potential of "what is not yet", thereby pointing to new possibilities by 'redeeming'

unrealized ones. It is in this sense that calling forth the dead marks a revolutionary

moment, the moment of rupture that the 'messianic' view of time exemplifies. Yet, it also

signals how much weight the 'messianic' accords to historical injustice and to practices

of thinking seeking to throw new light on the present by reactivating its ghosts.

Emphasizing the 'redemptive' practices of thinking fostered by the 'messianic'

does not imply condemning unconditionally the forgetting of past violence and of its

ghosts. Nor does it suggest blaming the somehow oblivious moving forward of a new

political community. As Derrida reckons, *some* forgetting of what has been inherited is

necessary to that movement. The point is rather to highlight the significance of

remembering not "what one inherits but the pre-inheritance on the basis of which one

inherits"; that is, as already indicated in chapter two, remembering the empirical

conditions of founding moments which, as mentioned, involve exterminations and

exclusion of human, philosophical, and political alternatives that leave behind ghostly

traces.[66] The remembering of such conditions and of their specters is distinctive of the

messianic promise which, for that reason, *can* acknowledge its own political nature and

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[65] Ibid, 135/177.
[66] Ibid, 137/181.

provisionality, and thus *can* limit, as much as possible, closure and totalization while unlocking the power of unrealized possibilities.

If it might at this point be clear what view of time characterizes the 'messianic', the same thing might not apply to the type of normativity such a view fosters. To address this issue, it is first of all essential to establish whether the 'messianic' has any normativity at all. So far, we have argued that the 'messianic' names a type of thinking characterized by an irreducible historical openness to the future and to the 'event' conceived as a radical interruption of temporal flow and narrative unity that give coherence to human experience. Although this openness manifests itself as a form of waiting it does not imply passivity, the paralysis of agency or that the justice sought by the 'messianic' is infinitely deferred. Throughout the whole of *Specters of Marx,* Derrida's attempt to think the disjuncture of time and the event to come is characterized by a strong sense of urgency and action associated to both Marx's political injunction and the notion of *différance,* an urgency that points to a normative dimension.

> In the uncoercible différance the here and now unfurls. Without lateness, without delay, but without presence, it is the precipitation of an absolute singularity, singular because deferring, precisely [*justement*], and always other, binding itself necessarily to the form of the instant, in *imminence and urgency*: even if it moves towards what remains to come, there is the *pledge* [gage] (promise, engagement, injunction and response to the injunction, and so forth). The pledge is given here and now, even before, perhaps, a decision confirms it. It thus responds without delay to the demand of justice. The latter by definition is impatient, uncompromising, and unconditional.[67]

For Derrida, Marx's political injunction, his pledge for emancipation, is urgent and imminent. It cannot wait a deferral, as justice demands taking a decision in the present, in

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[67] Ibid, 37/60.

the 'here and now', a decision that does not nevertheless imply that justice has occurred, and that is why deferral and difference, or in a word, *différance*, affects its happening.

I want to suggest that Derrida's 'messianic' can be conceived of as a 'normativity without telos'. The 'messianic' is normative insofar as it imperatively and urgently affirms *that* one is to act and decide in the present, and thus in opposition to awaiting a future to be actualized or approximated. Yet, thought 'without telos', the 'messianic' is a non-teleological type of political thinking that resists providing prescriptions on the basis of idealized final goals and thus is non-normative in the traditional sense. That is, it is not informed by the force of the metaphysics of presence and its epistemological mastery but is a thinking that, because it is receptive to temporal disjuncture and difference, leaves open the interpretations and applications of the content informing decisions according to contexts.

The novelty and significance of the 'messianic', then, consists in offering an alternative approach to the 'theologico-political complex'. This approach remains normative without nevertheless being informed by a teleological understanding of time and its exclusionary predeterminations. Indeed, for Derrida, normative judgments informing action or evaluating current institutions and practices are to be assessed on their ability to foster responsibility conceived as the ability to respond as appropriately as possible to the specificity of subjects and situations and not simply to rational criteria publicly justifiable.[68] Central to the gesture of deconstruction, Derrida notes, is that it "depends each time on the situation, the context, above all political, of the subject, on his

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[68] For Derrida's articulation and discussion of responsibility in these terms, see especially his *The Gift of Death*.

or her rootedness in a place and a history".[69] Therefore normative judgments cannot be

regulated in advance in pre-eminently ideal terms or before being exposed to experience

and the process of negotiations it demands. Negotiation here does not stand for an ideal

goal but names a predicament in which reason proceeds, without a priori guidance or

cognitive guarantees, every time anew. Undoubtedly, the openness inherent in messianic

thinking implies a certain degree of risk in political life as Derrida recognizes when he

notes that "to be out of joint" can not only "do harm and do evil" but "it is no doubt the

very possibility of evil".[70] Yet, that very risk constitutes at the same time a chance to

keep justice as an ongoing concrete possibility that is not exhausted by the mechanical

enactment or approximation of an idealized telos.

Reading Derrida's perspective as normative but not in a 'traditional' sense differs

from other recent interpretations of his work, including those of Simon Critchley, John

Caputo, Drucilla Cornell, Richard Beardsworth and Matthias Fritsch, who all argue for

the presence of a normative dimension in his thought.[71] Despite their differences, these

authors consider Derrida's view as informed by some normative ideal–conceived

respectively as the ethical priority of the other, peace, utopia of non-violence, or simply

the goal of 'lesser violence'– and thus leave his perspective within too traditional an

understanding of normativity. While sharing with these views the emphasis on some kind

of normativity in Derrida's thought, my view differs significantly on the nature of that

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[69] Jacques Derrida, "Jacques Derrida, penseur de l' événement", interview in *L'Humanité*, January 28 2004, www.humanite.fr, quoted in Pheng Cheah and Suzanne Guerlac, *Derrida and The Time of The Political*, 5.
[70] Ibid, 34. See also Samir Haddad, 'A Genealogy of Violence, from Light to the Autoimmune', in *Diacritics* 38 (2009), 121–142.
[71] See Beardsworth, *Derrida and The Political*; Caputo, *The Prayers and Tears of Jacques Derrida. Religion without Religion*; Critchley, *The Ethics of Deconstruction: Derrida and Levinas*; Cornell, *The Philosophy of the Limit*; and Matthias Fritsch, 'Derrida's Democracy to Come'. For a critical discussion of these views, see Hägglund, *Radical Atheism,* especially chapters 3 and 5. Some of these positions are also discussed in chapter 4 of Haddad's *Derrida and The Inheritance of Democracy*.

normativity. According to my reading, Derrida's 'messianic' can be viewed as a 'normativity without telos'or, a non-normative normativity that dismisses the force that the metaphysics of presence exercises by positing ideals on the basis of foundational ideas, especially if this positing bypasses a priori the process of negotiation demanded by the historical and temporal specificity of contexts. The opposition to the metaphysics of presence stems from the emphasis Derrida puts on dwelling with specters and on the messianic affirmation of openness. While specters disallow the possibility of thinking relying on pure ideas for guidance, the affirmation of openness impedes preordaining normative guidelines about how to act since it does not by itself constitute a normative commitment to be always open.[72]

Ruling out the presence of a robust normativity in Derrida does not suggest that there is no normative commitment in his thought, that action and decision remain normatively unsupported, or even less that his normative sources are arbitrary. As it emerges especially from his later writings, Derrida does in fact manifest a commitment to democracy over other regimes and, in particular, to a certain understanding of democracy that emphasizes values such as openness to criticism, perfectibility and free speech, all of which carry a normative weight.[73] Far from being arbitrary, such a commitment is instead inherited from the tradition he is heir of and bespeaks for the historical character of his reflections. Ruling out substantive normativity but not normative support only implies that such support does not by itself translate into an ethico-political program but remains

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[72] Mathias Fritsch, *The Promise of Memory. History and Politics in Marx, Benjamin and Derrida* (Albany: State University of New York Press, 2005), 190.
[73] Derrida, *The Politics of Friendship*; *Rogues;* 'Autoimmunity: Real and Symbolic Suicide'. For an analysis and discussion of Derrida's preferences towards a particular understanding of democracy, see Fritsch, 'Derrida's Democracy to Come'.

open to articulation and re-articulation according to the specificity of situations.[74] My

suggestion is that Derrida commits to the imperative to act 'here and now', and thus to

engage with situations, contexts and people in the present. His commitment is normative

as it is imperatively affirmed, and yet, it is non-normative as traditionally conceived since

it rules out the viability of pre-established guidelines about how to judge and act in the

present.

3.4 Is the Messianic a Teleology?

The objection can be raised that reading Derrida's project as being animated by a certain

type of normativity does not save it from the charge of relapsing into some kind of

teleology. In the remainder of this section, I shall address this challenge. We can concede

that Derrida does not try to dispense with all forms of teleology since the imperative to

act in the present can be seen as a sort of teleology. Derrida himself has considered that

his notion of 'democracy to come', which I will discuss in chapter five, might *appear* to

be a Kantian regulative idea. However, I would resist associating Derrida's perspective,

and the 'messianic', too quickly with a traditional type of teleology. My view is

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[74]The only one place I am aware of in which Derrida *seems* instead to pre-determine the normative support
to decision and action and to deny the possibility that there will be future, occurs in an interview on terror
where he declares that the actions and discourse of fundamentalisms "*open onto no future and, in my view,
have no future….* That is why, in this unleashing of violence without name, if I had to take one of the two
sides and choose in a binary situation, well, I would." See his 'Autoimmunity: Real and Symbolic
Suicides' in Giovanna Borradori *Philosophy in a Time of Terror. Dialogues with Jürgen Habermas and
Jacques Derrida* (Chicago: The University of Chicago Press, 2003), 113. The question, of course, is how to
read this affirmation and whether it constitutes evidence of Derrida's pre-determined normative
commitments and a contraditiction to his view of time. I would resist reading here a pre-determined
commitment for the reasons explained so far and also because Derrida's point seems to refer to a specific
situation, "*this* unleashing of violence (my emphasis)" related to Al Queda. I would also resist identifying
here a contradiction with his view of time. As Derrida clarifies in an interview published in *Paper Machine*,
his statements refers to the future of "foundamentalisms as such" and thus to the possibility of
fundamentalism to last as fundamentalism without being subject to the disruption brought by the logic of
autoimmunity I mention below. See Derrida, *Paper Machine*, trans. by Rachel Bowlby (Stanford: Stanford
University Press, 2005), 116 –117.

motivated by the reflections Derrida offers on Kant in *Rogues*, where he presents his

attempt to move past teleological reason, and teleology more generally. Here Derrida

takes up Kant's idea of defending the "honour of reason" by extending its limits beyond

experience towards the unconditional.[75] Derrida suggests that what is at stake in thinking

might be "saving the honour of reason" against the crisis reason has undergone, and yet

provoked, especially as a result of the dominating calculative mode of scientific

rationality.[76]

For Derrida, "saving the honour of reason" means attending to both reason's

exigencies: unconditional incalculability and conditional calculability. Above all, it

means saving reason from the dominance of calculative rationality and thus, in some

sense, from itself. To this end, he suggests a critical return to Kant who shows that reason

is not confined to calculability but is *also* called to attend the demands of the

unconditional. Derrida considers this last point emerging most clearly in the *Groundwork*

of the Metaphysics of Morals where Kant shows the concept of 'dignity' as belonging to

the order of the incalculable.[77] However, Derrida notes, Kant also articulates a view of

theoretical reason that, in spite of its subordination to practical reason and its

unconditional character, tends to constitutively resist the demands of the unconditional.

Derrida recalls that, in the *Critique of Pure Reason*, Kant defines reason as architectonic,

namely as a type of reason that is made foundational through a systematizing approach

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[75] Derrida, *Rogues*, 118/167. Note, here, that Derrida's discussion of the honour of reason and unconditionality refers to both Kant and Husserl. Derrida connects in fact his analysis of Kant to Husserl's *The Crisis of European Sciences and Transcendenatl Phenomenology*, where Husserl called for a rehabilitation (*Ehrenrettung*) of reason in his attempt to "endure a heroism of reason" and save somehow its honour (130/182).

[76] Ibid. Derrida develops his argument here with reference to Husserl's denunciation of objectivism as en evil of reason produced by reason itself through an amnesia of finitude, and more precisely, of the irreducible subjectivism that marks any speculative act. Ibid, 125/176 ff.

[77] Ibid*, 133/186.

that privileges unity, homogeneity and calculability over divisibility, heterogeneity and uncalculability.[78]

Derrida's problem with Kant's view is two-fold: first, it bypasses the difficulty of translating the plural and heterogeneous manifestations of reason, which have their own "distinct historicity" and resist, "in the name of their very rationality, any architectonic organization".[79] Kant's attempt to systematize reason manifests an "architectonic desire", which is a desire to master reason's plural rationalities by "bending their untranslatable heterogeneity" and by inscribing them in a teleological schema grounded on the unifying function of regulative ideas.[80] Second, Kant's view of reason relies on regulative ideas, each of which functions as a telos that defines, in a calculative fashion, the "ideal horizon" and direction of thinking so that unforeseeable events exceeding such horizon are excluded. [81]

At issue, here, is the powerful modern view of teleological reason and teleology we have been discussing implicitly all along: this is a type of reason that, by setting in advance the terms of what is to be found, "finds what it seeks" because it *knows already,* as it were*,* what arrives, and thus "limits and neutralizes the event" as something that does not fit with such terms.[82] As we have seen, a reason so conceived inhibits, a priori, eventfulness as well as the future to the extent that everything that does not fall in a pre-programmed structure of expectation is excluded as irrelevant or 'unfitting'.

> Whenever a *telos* or teleology comes to orient, order and make possible a historicity, it annuls that historicity by the same token and neutralizes the unforeseeable and incalculable irruption, the singular and exceptional alterity of

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[78] Ibid, 120/170.
[79] Ibid.
[80] Ibid, 121/171.
[81] Ibid, 128/180, 143/197.
[82] Ibid, 128/180.

what [*ce qui*] comes, or indeed of *who* [*qui*] comes, that without which, or the one without whom, nothing happens or arrives. It is not only a question of the *telos* that is being posed here that of the horizon and of any horizontal *seeing-come* in general. And it is also a question of the Enlightenment of Reason.[83]

Questioning teleology and teleological reason is required by a reason that responds to the unconditional arrival in an incalculable fashion, one in which events are no longer *seen* as coming because they are not seeable, or knowable, as such.[84]And this is for Derrida a matter required by the "Enlightenment of Reason", by a reason that seeks to throw light there where its own authority seeks to prevent it. For Derrida, this is a type of reason that goes against itself and 'suspends' its defenses in order to 'save' its own honour' and protect itself. Without entering extensively into a topic we will develop in chapter five, we can nevertheless indicate very briefly the autoimmune character of reason articulated here. Derrida develops the notion of autoimmunity especially in connection to how immunity is used in biology, that is, as designating the production of antibody as a defense or protection against antigens.[85] In relation to immunity, autoimmunity designates a process affecting life or any living organism, one in which self-protection requires destroying or suspending one's own self-defences. As such, autoimmnity is a process in which both elements of life and death intertwine.[86] Connected to reason, autoimmunity illuminates the movement that reason undertakes against itself precisely to save its own honour, to protect itself by suspending its defences. This saving is not the securing of reason's immunity but its opening or salutation to the other. Playing with the

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[83] Ibid.

[84] In *Archive Fever*, Derrida affirms that "the condition on which the future remains to come is not only that it not be known, but that it not be *knowable as such*". See Derrida, *Archive Fever*, 72.

[85] Before turning to biology, Derrida traces, in a long footnote, the notion of immunity as exemption as it was understood in political (i.e diplomatic immunity) and religious contexts (i.e. exemption to pay taxes for religious institution or inviolability of temples as places of asylum). See Derrida, 'Faith and Knowledge', 80/67.

[86] Ibid, 80/67, 82/70.

double sense of the French *salut* as both salvation and salutation, Derrida emphasizes here that saving the honour of reason demands distancing oneself from the unquestioned value of autonomy as a form of protecting the sovereign unity of the self's so central to the Enlightenment and moving towards that of autoimmunity which exposes the vulnerability and openness of the self to the other. [87] In short, it is by being critical of its autonomy, namely of its own immune authority, and by opening itself to the other that reason can save itself from itself.

Going back to teleology and teleological reason, it might now be clearer why Derrida emphasizes the importance of the unconditional and, in particular, of asking whether, in thinking the event and its becoming,

> it is possible and in truth even necessary to distinguish the experience of the unconditional , the desire and the thought, the exigency of unconditionality, from everything that is ordered into a system according to its transcendental idealism and its teleology. In other words, whether there is a chance to think or grant the thought of the unconditional event to a reason that is other than the one we have just spoken about, namely the classical reason of what presents itself or announces its presentation according to the *eidos*, the *idea*, the ideal, the regulative Idea, or something else that here amounts to the same, the telos.[88]

Thinking the unconditional as the unforeseeable event is, for Derrida, a way to attend to the two exigencies of reason, the calculable and the incalculable, beyond the dominance of calculative rationality, and thus beyond the metaphysics of presence providing political teleology with fixed standards for calculation. The stakes behind thinking the unconditional are highly significant and involve what Derrida calls "another thought of the possible" and "of an im-possible that would not be simply negative", that is, an im-possible that is not impossible as the negative or opposite of possible. Another thinking of

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[87] Derrida, *Rogues*, 123/173.
[88] Ibid, 135/189.

the possible is one that thinks about the incalculable so as to "give an account of it", "so as to reckon *with* it". [89] It is one that attempts to account the incalculable without necessarily counting it, that is, to think about what remains foreign to the order of one's present possibilities, especially if these are taken as remaining within an horizon in which prediction forecloses the possibility of the new to occur. The relevance of thinking the unconditional as im-possible is that it offers a chance for reason itself, a chance for thinking reason otherwise, as (a) reason that "let itself be reasoned with."[90] Rather than implying a departure from the Enlightenment, such a thinking of reason remains within its illuminating spirit.

> For Deconstruction, if something of the sort exists, would remain above all, in my view, an unconditional rationalism that never renounces –and precisely in the name of the Enlightenment to come, in the space to be opened up by a democracy to come–to the possibility of suspending in an argued, deliberated, rational fashion, all conditions, hypotheses, conventions, and presuppositions, and of criticizing unconditionally all *krinein*, of the *krisis*, of the binary or dialectical decision of judgment.[91]

Thinking reason otherwise is a matter of *rationally* questioning rational calculation and its conditions in the name of unconditionality and thus of reason itself; a matter of the autoimmunity of reason. Doing so is a pre-eminently politico-philosophical task in that it requires questioning the conditions of reason beyond the strictly philosophical and including also and especially the political, military, and economic conditions that seek to guarantee the supremacy of calculative rationality as the dominant imaginary of reason. It is, in short, a matter of opening a chance for a "new Enlightenment" within political thought.

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[89] Ibid, 159/217. See also Derrida, 'As If It Were Possible, 'Within Such Limits' in *Paper Machine*, 73–99/284 –318.
[90] Ibid.
[91] Ibid, 142/197.

From Derrida's discussion of teleological reason and thinking, it appears difficult to reduce his perspective to a teleology, namely to a type of thinking that fixes an ideal horizon of expectation on the basis of a pure telos to be realized or approximated. If one could still think of it as teleology nevertheless, as Caputo has suggested, it would be a different one.[92] It would be a teleology that resists halting temporal flow, fixing ideal horizons of expectations on the basis of transcendently or transcendentally derived ideas and thus also fuelling the drive to resolve the theologico-political relation. As such, it would be a teleology that is dynamic in spirit since it would acknowledge the provisionality of the horizon within which it operates and would be prepared to negotiate and re-negotiate norms informing action according to contexts. Indeed, informed by a diachronic understanding of time which renders it more receptive to unforessenable events and to difference, the 'messianic' would be a teleology that is aware of the limits of predetermining the conditions for inclusions and of the importance of attending to the local nature of the demands of justice, including also those emerging from theologico-political disputes. My point is that if the 'messianic' is a form of teleology, then it is a novel form. Unlike traditional political teleology, it represents an attempt to articulate a politico-philosophical way of thinking that enables new possibilities for thinking and acting precisely because it does not foreclose the very *possibility* of possibilities.

3.5 Between Faith and Reason: the 'Faith' of Messianic Thinking

Going back to the objection raised above about the 'messianic' being a form of teleology, it can be pushed a bit further but in a different direction. It might be argued that

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[92] Caputo, for example, calls the 'messianic' a teleology with a deconstructive bent. See his *The Prayers and Tears of Jacques Derrida. Religion without Religion*, 142.

articulating the 'messianic *without* messianism' in order to take distance from historical messianisms and secular teleologies, but retaining its basic terminology (i.e. messianic), leaves open the question of whether the 'messianic' retains religious features. The objection goes to the heart of Derrida's thinking and requires a careful answer. This will allow us to further clarify the nature of messianic thinking and situate where the 'messianic' stands in relation to reason and faith. In clarifying these issues, this section also seeks to emphasize the import offered by a non-teleological or 'messianic' approach to the 'theologico-political complex'.

Before proceeding further, it is important to recall the link between time and the 'theologico-political complex' that has undergirded our discussion so far. Section two has shown how an uncritical inheritance of the traditional understanding of time since Aristotle has fostered exclusionary teleological responses to the theological-political relationship. In order to indicate a possible alternative to these responses, section three has presented the 'messianic' as a type of non-teleological political thinking that addresses the 'theologico-political complex' through a sensibility to temporal disjuncture and difference. In both cases the question of time has been shown to play a central role: different understandings of time undergird the type of normativity at work in political theories addressing the 'theologico-political complex'. By focussing on how the 'messianic', as non-teleological type of political thought, relates to the 'theologico-political complex', I hope to show that the 'messianic' provides us with a more complex and critical understanding of the theologico-political problematics.

One way to start looking at the relationship between the 'messianic' and the 'theologico-political complex' is by elucidating the relationship between the former and

messianism. Derrida clarifies that the 'messianic' is heir of Marxism and that Marx has

an open debt to religion with regard to specters and the promise of emancipation. As he

notes: "If there is a spirit of Marxism which I will never be ready to renounce, it is not

only the critical idea or the questioning stance…It is even more a certain emancipatory

and *messianic* affirmation, a certain experience of the promise that one can try to liberate

from any dogmatics and even from any metaphysico-religious determination and from

messianism".[93] In Derrida's view, while Marx could only *try* to emancipate his view from

messianism, his criticism of religion put him at a distance from institutionalized religion,

and marked the unique 'good' spirit of Marxism Derrida seeks to retain.[94]

If this short genealogy shed some light on the origins of the emancipatory promise

(in Marx and Derrida), and also why a seemingly religious language is retained, it leaves

however unexplained the relation between messianism and the 'messianic'.[95] While

acknowledging the necessity of clarifying the difference between the 'messianic' and

messianisms –or what he calls "two messianic spaces" – Derrida remains deeply

ambivalent about whether to resolve their relation in terms of priority.

> How to relate, but also how to dissociate the two messianic spaces we are talking
> about here under the same name? If the messianic appeal belongs properly to a
> universal structure, to that irreducible movement of the historical opening to the
> future, therefore to experience itself and to its language (expectation, promise,
> commitment to the event of what is coming, imminence, urgency, demand for
> salvation and for justice beyond the law, pledge given to the other inasmuch as he
> or she is not present, presently present or living, and so forth), how is one to *think*

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[93] Derrida, *Specters of Marx*, 111/146–147. In 'Faith and Knowledge' Derrida even hazards the hypothesis that Marx started deconstructing religion when he affirmed "the critique of religion to be the premise of all-ideology critique". See 'Faith and Knowledge', 52–53/24–25.

[94] Derrida, *Specters of Marx*, 113/149.

[95] In a roundtable at the University of Villanova, Derrida clarifies that he uses a religiously derived term ('messianic') to talk about messianicity "in order to let people understand" what he does when he speaks about the latter, and in spite of the awareness that such a terms maintain a strict link to the Messiah of Jewish or Christian culture. See Derrida, 'The Villanova Roundtable. A Conversation with Jacques Derrida', 24.

it *with* the figure of Abrahamic messianism? Does it figure abstract desertification or originary condition? Was not Abrahamic messianism but an exemplary prefiguration, the pre-name [*prénom*] given against the background of the possibility that we are attempting to name here? But then when we keep the name, or at least the adjective (we prefer to say *messianic* rather the *messianism*, so as to designate a structure of experience rather than a religion), there where no figure of the *arrivant*, even as he or she is heralded, should be pre-determined, prefigured, or even pre-named? Of these two deserts, which one, first of all, will have signalled toward the other? Can one conceive an atheological heritage of the messianic?[96]

Derrida's ambivalence emerges from the two tentative interpretations he proposes. According to the first one, the 'messianic' is an abstraction ("abstract desertification") from the historical event of "Abrahamic Messianism" that exposes the latter's conditions of possibility. In the second interpretation, the 'messianic' precedes and enables historical events as a form groundless ontological condition of possibility ("originary condition", "universal structure").[97]

For Derrida, then, the immediate question is whether the messianic is "the condition of the religion of the Book" or whether the historical event of revelation is the only event "on the basis of which we approach and first of all name the messianic in general".[98] The less immediate but deeper question stems from the fact that Derrida's formulation mirror the philosophical puzzle concerning the relationship between revelation and revealability, namely the transcendental and the empirical, the universal and the particular.[99] Does the universal (transcendental) precedes the particular

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[96] Ibid, 210/266.

[97] Derrida, 'The Villanova Roundtable. A Conversation with Jacques Derrida', 23–24.

[98] Derrida, *Specters of Marx*, 211–212/267.

[99] Derrida refers to this puzzle in several texts. In *Archive Fever*, he frames it from the point of view of the archive. He asks whether or not a first archive is necessary in order to conceive of originary archivability which, in our specific case, is to ask what the relation of priority is between the unprecedented event of religious revelation and revealability as the condition of possibility of manifestation in general (80/127). Similarly, in *Politics of Friendship,* he explores the same issue by linking the question of the event of revelation to the general reality of the event. In particular, he asks whether investigating the conditions of

(empirical) or, rather, it can never depart from it given that the particular constitutes the

empirical condition of possibility of the universal?

This question requires an answer before we proceed further. Derrida seems very

cautious on these matters as the challenge he faces is, as in the case of 'a language of

promise', how to respect the singularity of an event, and yet to think of its universal

conditions of possibility without yielding to philosophical reductionism. In the interview

'Epoché and Faith', he affirms that the concepts revealability/revelation are not in

opposition but are to be seen in aporetic terms beyond the idea of impasse. Yet he refrains

from taking side.[100] In *Specters of Marx* he says that the two possibilities articulated

above "do not exclude each other".[101] In 'Faith and Knowledge', he considers the

possibility that "the two overlap in an infinite mirroring [*en abyme*]".[102] Intervening in a

roundtable on the same topic, he adds not simply that the relationship between the 'two

messianic spaces' "is really a problem… an enigma" and confesses that he "hesitates"

and "oscillates" between these two possibilities. [103] He also affirms that "another schema

has to be constructed in order to understand the two at the same time, to do justice to

these two possibilities", namely a schema that goes beyond the language of

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possibility of an event, its manifestability, is sufficient to say something pertinent about it or rather whether the focus should be on the priority of manifestation, which allows for an opening up of a whole field of possibilities as well as for the apprehension of the event's general structure (18/36). Finally, in 'Faith and Knowledge', the problem at issue is articulated as a dilemma between a transcendental and genealogical inquiry, namely between conditions of possibility of revelation as the paradigmatic historical event or the "historicity of history", and the history of those conditions or "history of historicity" (48/18).

[100] Derrida, 'Epoché and Faith: An Interview with Jacques Derrida' in Sherwood, *Derrida and Religion*, 43.
[101] Derrida, *Specters of Marx*, 211/266.
[102] Derrida, 'Faith and Knowledge', 48/19.
[103] Derrida, 'The Villanova Roundtable', 23. This oscillation marks an important difference between Derrida and Nancy. Both thinkers employ a deconstructive approach and are interested in the analysis of the conditions of possibility of religion, in religion's philosophical kernel, as it were. Yet, while Derrida is always vigilant in not letting transcendental concerns prevail over genealogical ones, Nancy leans more toward the former as his insistence on the "*absolute transcendental opening*" or condition of possibility of religion as self-transcendence suggests. See Nancy, 'The Deconstruction of Christianity', 145.

transcendental philosophy.[104] The difficulty here is precisely how to give an account for the status of the 'messianic', which requires a better understanding of the status of the 'quasi' in his quasi-transcendentalism. Perhaps, a clue to this riddle is offered by Derrida himself who, just after the long passage quoted above, put limits to any *simple* universalization at work in the 'messianic'. He remarks in fact that "open, waiting for the event *as* justice" the hospitality of the 'messianic' "is absolute only if it keeps watch over its *own* universality (my emphasis)".[105]

But how are we to interpret this claim? What does it mean to say that the 'messianic' is *really* open if it "keeps watch over its own universality"? To elucidate this matter, we can proceed hypothetically by keeping in focus Derrida's attention for questions of foundings – political, linguistic and philosophical – and the temporal disjuncture they mark which help emphasize the historicity of the 'messianic'. Indeed, it is precisely because the 'messianic' is sensible to time and to the rupture brought about

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[104] Ibid. The interpretation of the relationship between messianism and messianicity in the light of the revelation/revealability philosophical problem has been subject to much discussions. See for example, Caputo's *The Prayers and Tears*, chapter 10; De Vries's *Philosophy and the Turn to Religion*, chapter 5; Fritsch's *The Promise of Memory*, chapter 2, and Naas's *Miracle and Machine*, chapter 6. Unlike other commentators, Naas takes up Derrida's claim about the need for "another schema" to think about that relationship. While he agrees with Caputo that Derrida's does not eventually stand for the 'messianic' as a sort of metalanguage for translating historical messianisms (367), he is not entirely satisfied with de Vries's idea that Derrida oscillates between two options on which one cannot decide (363). Following Derrida's suggestion to "displace" the problematics in its current formulation that he advances in a 1997 public discussion (369), Naas argues that Derrida does in fact displace the messianism/messianic problematics by rethinking it through the notion of the name and the promise. This, he argues, emerges paricularly in 'Faith and Knowledge' where Derrida's treatment of two 'historical' names ('messianic' and *khora*) would suggest a "reinscription of the particular, determinate name *in the name* or *as the name of a promise* that marks the idiom and opens it to translation". (363). While the 'messianic' is a proper name belonging to the Judeo-Christian tradition and *khora* to the Greek one, they are both common names referring, respectively, to a general structure of temporal experience and of space that are extend beyond the particular. The significance of Naas's suggestion for our discussion consists in making explicit how Derrida's notion of the 'messianic' (and khora) as an 'historical' name that names a promise can be used for rethinking universalism through the lenses of language and translation. In what follow, I also attempt to illuminate how Derrida's 'messianic' as 'historical' helps us rethinking universalism. I do so by following a more distinctively political route that, while remaining closer to the language of transcendental philosophy, attempts to make productive the potential such a language offers.
[105] Derrida, *Specters of Marx*, 211/267.

by temporal disjuncture that it presents a critical awareness of its historical character. Without deviating too much from our trajectory here we can make two brief digressions concerning the institution of language and of the archive.

As seen in the previous chapter, Derrida rejects the possibility of metalanguage by pointing to an originary linguistic predicament of the human condition, which is characterized by always already being-with-others- in-translation. The critical awareness of that predicament requires acknowledging the colonial aspect of natural language, the contingency of its institution and thus its always historical occupation of the medium we call 'language'. Similarly, Derrida shows that philosophical language and its objects of investigation (especially truth and reference) are always constituted from within a specific historical context, the fixing of which is never philosophically neutral but can be traced back to an event of political foundation. Thus, taken together, the colonial aspect of natural language and the politically conditioned character of philosophy point to the fact that philosophical reflection is always already historically situated and politically conditioned, and it remains so in spite of the general forgetting of this very predicament.

The connection between the historicity of the 'messianic' and the topic of foundations can also be appreciated by considering the institution of the archive. In *Archive Fever*, Derrida conceives of the archive as, among other things, the historical site where political identity and membership are framed in the aftermath of a founding event.[106] The archive constitutes the place that stands before but 'contains' the originary crime, which is excluded from visibility because it has allowed the archive to be there in the first place. As seen, the out-of-joint structure of messianic time is intimately connected to the originary crime and its specters, a connection that places the 'messianic'

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[106] Derrida, *Archive Fever*, 3/14.

within an historically inherited archive and enables, in some sense, its historical

sensibility. As a result, messianic thinking is always tied to historical contexts and

traditions and, even as a mode of transcendental inquiry, can never depart absolutely from

the empirical (historical) domain. This point is also confirmed several times by Derrida in

Specters: first, when he declares that "haunting is historical" thereby indicating that

messianic thinking cannot fully be removed from historical situatedness; second, when he

praises Marx's and Engels' ability to indicate the "intrinsically irreducible historicity" or

"aging" of their own theories; third, when discussing the notion of inheritance as the

reaffirming and going beyond a tradition, he emphasizes that "the being of what we are is

first of all inheritance"; and finally, when he places deconstruction in the French

intellectual scene of the 1950s that, on the one hand, was influenced by the continental

"classics of the end" –including Hegel, Marx, Nietzsche and Heidegger all filtered by

Kojève – and, on the other hand, witnessed the totalitarian terror of Stalinism in Eastern

Europe.[107]

These brief digressions help us further our understanding of the historical

character of the 'messianic', which always points to a specific context without for this

reason remaining confined to it. The 'messianic' is articulated in a language, idiomatic

and philosophical, that draws from sources contingently grounded on historico-political

determinations, which, in the aftermath of a founding event, have authorized and made

available some philosophical categories but not others. Such determinations have also

established the archive within which the 'messianic' operates. Therefore, viewed from the

angle of political foundings and the temporal disjuncture they mark, the transcendental

aspect of the 'messianic' always contingently depends upon its empirical and historico-

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[107] Derrida, *Specters of Marx*, 2/22, 14/35, 68/94, 16/37.

political conditions, which define its character as much as they point to excluded

possibilities –philosophical, human and cultural. Philosophically speaking, this view

reconfigures the relationship between the transcendental and the empirical, the universal

and the particular, which are conceived of as correlated but irreducible. While the formal

character of the 'messianic' elucidates the conditions of possibility of determinate

messianism(s), the latter provides the historical context mediating the articulation of such

conditions. By exposing the always impure character of formalization, the correlation at

issue disallows a universalism that "does not watch over" itself, namely a universalism

that is able to pass as *general* by forgetting and obscuring its own particularity,which is at

the same time made a universal standard for translation. As such, that correlation also

exposes a gap between the determined form the 'messianic' takes as a historical

messianism and the irreducible possibilities of being otherwise, possibilities that are

signalled by concrete exclusions occurred in the past and possible ones occurring in the

future, as our discussion of ghosts has shown. It is in the resources for criticism offered

by the acknowledgement of this gap, which a political sensibility for foundings helps

identifying, that Derrida locates the chance for rethinking universalism through the

'messianic'. And this holds in spite of the deadlock in which the 'messianic' is placed by

transcendentalist schemes, especially in its relation to the revelation *versus* revealability

conundrum. [108]

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[108] This point is to be considered in addition to a key claim about the 'messianic' as an 'historical' name for elemental faith Derrida advances in 'Faith and Knowledge, a claim on the basis of which Naas constructs his interpretation of the revelation/revealability problem mentioned in note 103. In this claim, which I will take up at the end of the chapter, Derrida highlights an irreducible gap between the "*possibility (as a universal structure) and the determinate necessity* of this or that religion". This gap would allow to criticize any determinate religious form or authority "in the name of the most originary possibility". See Derrida, 'Faith and Knowledge', 93/88. What my points suggest here is that it is not simply in the name of a more originary possibility that socio-political forms claiming to be universal can be criticized. Valuable resources to do so can be found by focussing at least on the *concrete* possibilities that have *already* been

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Highlighting the correlation between the transcendental and the empirical in Derrida's 'messianic' is not a novel move. For examples, de Vries, starting from an appreciation of Derrida's use of religious language considers the 'messianic' and messianism as standing in relation of "mutual implication and oscillation" since the openness the former indicates that it "has no existence 'outside', 'before'" or without the latter.[109] Mathias Fritsch argues for a similar position via a discussion of iterability.[110] He contends that, considered from a transcendental point of view, iterability illustrates via repetition the 'quasi-transcendental' aspect of the messianic promise as irreducibly historical. On his account, iterability "is inseparable from what it makes possible" and thus the rupturing of future horizons operated by the 'messianic' is inseparable from the historical horizon in which the messianic promise takes place.[111]

While not disagreeing with these positions, the angle of my analysis gives to my interpretation a distinct political character since it emphasizes the political nature of Derrida's thinking and the historico-political bent this gives to the 'messianic' as a novel form of critical universalism. My point is that his philosophical interest and acknowledgement of political foundings and temporal disjuncture, together with his insistence on the memory of ghosts, illuminate the extent to which a powerful politico-philosophical and historical sensibility informs Derrida's 'messianic' and, more generally, his philosophical intervention. This seems confirmed by Derrida himself on two occasions: first, in *Specters of Marx* when he notes the importance of political

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excluded in the founding moment. Without disagreeing with Naas, I therefore seek to highlight the political potential that Derrida's sensibility for political founding marking his quasi-transcendentalism offers, in spite of its philosophical limits.

[109] See Hent de Vries, *Philosophy and the Turn to Religion* (Baltimore: John Hopkins University Press, 2008), 331, 311.

[110] See Fritsch, *The Promise of Memory,* 66 ff.

[111] Ibid*,* 66.

philosophy for philosophical reflection in general since the former "structures implicitly all philosophy or all thought on the subject of philosophy";[112] and second, in his reflections after 9/11 when he affirms the need to awaken philosophy from a dogmatic slumber through a new reflection "on political philosophy and its *heritage*" (my emphasis).[113]

If the emphasis on the historicity of Derrida's 'messianic' helps us further clarify its nature, it can also help us redress recent interpretations of his thought that overlook this central feature. In *Radical Atheism*, for example, Martin Hägglund argues that a radical atheism informs Derrida's entire corpus, an atheism that questions the desirability of immortality, including God's, as a condition beyond temporal finitude.[114] Hägglund grounds his whole argument on Derrida's view of time to show that its trace-character illuminates human finitude or mortality and displays an unconditional affirmation of life as survival. For Hägglund, whatever one can experience and desire requires the affirmation of a finite time of survival without which there would be no experiencing and desiring in the first place. As a condition of life in general, the finite time of survival affects God himself who can only be made intelligible and desirable as mortal, hence Hägglund's thesis of Derrida's radical atheism.

Although illuminating and logically sound, Hägglund's analysis retains, ironically, an atemporal flavor. By insisting that Derrida's view of time exposes the law of finitude which is "not something that one can accept or refuse, since it precedes every decision and exceeds all mastery," Hägglund seems to find a ground in Derrida's thinking

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[112] Derrida, *Specters of Marx*, 115/151.
[113] Derrida, 'Autoimmunity: Real and Symbolic Suicide', in Giovanna Borradori *Philosophy in Time of Terror, Dialogues with Jürgen Habermas and Jacques Derrida* (Chicago: The University of Chicago Press), 100.
[114] Hägglund, *Radical Atheism*.

that is safe from unsettlement because it stands before and beyond human agency and thus also interpretation.[115] In this way, he locks such thinking into the fixity of a formal, atemporal outlook, a reconstructed universalism of a sort, which is not subject to the interpretative constraints of its historical context. Hägglund's interpretation remains therefore problematic since it overlooks the clear emphasis Derrida puts on the historicity and thus provisionality and fallibility of the 'messianic', and of thinking more generally. While the 'messianic' points to a necessary and yet undecidable future it also always points to historical specificity and it is therefore subject to the historical constraints of the context in which it operates. And this means that the 'messianic', *pace* Hägglund, is never free from historical conditioning to the point of escaping *all* decision and mastery. Although, in some sense it structurally 'precedes' history but never purely so, the 'messianic' is always also preceded and affected by the interpretative decisions of those from whom the past is inherited.

What are the implications of the historicity of the 'messianic' for thinking about its relationship with the 'theologico-political complex'? Because the 'messianic' acknowledges its own historicity and irreducible link to religious sources, it does not conceive of the theologico-political nexus as a relation that can be severed as in modern teleological approaches. On the contrary, it points to the interrelation between the religious (messianisms) and the non-religious (the messianic as philosophy) and suggests that the hyphen linking the theological and the political stands for the insolvability of their relation. And this is where the innovation of Derrida's perspective lies. Unlike the 'ontological' Marx, Derrida does not reduce religion to an illusion rooted in the material conditions of production and then emancipate reason from every religious source. Nor

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[115] Ibid, 166.

does he try to set up a clear-cut distinction between reason and faith as in modern theories of secularism and their contemporary liberal revisitations. Rather he acknowledges, the irreducible nature of religious sources persisting in Marx's thought and more generally in the Enlightenment project of secularization, and affirms the importance of not forgetting them by fully severing the nexus between reason and faith.

This aspect is particularly evident in his engagement with Kant in 'Faith and Knowledge'. Here Derrida seeks to think about religion *at* the limits of reason alone and not within its limit as Kant did, thereby pointing to that frontier where faith and reason intersect and are shown to be interrelated. Engaging Kant's *Religion Within the Limits of Reason Alone*, Derrida recalls the latter's distinction between two types of religion and corresponding faiths. For Kant, the "religion of the cult alone" that teaches prayers but does not require good acting for salvation is associated with "dogmatic faith", that collapses knowledge into revelation. In contrast, "moral religion", which is concerned with moral conduct and requires knowledge of the good for one to become worthy of salvation, depends on "reflective faith".[116] Derrida notes that by not depending on any historical revelation but on human rationality and goodwill, Kant's "reflective faith" is able to distinguish knowledge from revelation and, in so doing, to anticipate the Nietzschean doctrine of the death of God. Salvation is independent from revelation and based solely on the rationality of practical reason which demands acting "as though God did no longer exist or no longer concerned himself with our salvation".[117]

For Derrida, central to Kant's view is crediting the Christian religion with the status of the "only truly 'moral' religion", the only one capable of liberating faith from

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[116] Derrida, 'Faith and Knowledge', 49/20.
[117] Ibid, 50/22.

dogmatism and of making it 'reflective'. This is possible since Christian religion contains within itself the possibility of non-dogmatic religion. Yet, and this is what Derrida finds as a "strong, simple and dizzying" conclusion that follows from Kant's perspective, "pure morality and Christianity are indissociable in essence", which means that the entire architectonic of Kantian morality, including the categorical imperative, is "evangelical" and that no morality is rationally possible outside Christianity. For Derrida, in sum, Kant's attempt to provide a rational justification for religion leads to its opposite: the grounding of reason on Christian religion precisely because "Christian revelation teaches us something essential about the very idea of morality".[118]

Now, while Derrida praises Kant's attempt to go beyond religious dogma and interpreting faith in a new way, namely independently of historical revelation, he considers his logic deeply problematic. Kant's secularization of religion relies on a foundational and oppositional logic presenting fundamentalist traits, as it were. By placing 'reflective faith' above and against 'dogmatic faith', Kant establishes what we might call a 'logic of the more or most fundamental' where 'reflective faith' and, ultimately, reason is considered more basic than the historical, 'dogmatic faith' of revelation. So construed, this logic produces an "infinite spiral of outbidding, a maddening instability" among those standpoints, religious and not, that seek to occupy the most fundamental position. For Derrida, this mad spiral emerges most clearly if one acknowledges that globalization (*mondialisation*) is in fact a "globalatinization (*mondialatinisation*)": a form of an originally "European-colonial" and now Anglo-American global imposition, in the name of peace, of the Kantian logic, of the Christian religion and its Latin roots, through the spread of the modern nation-state, capitalism and

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[118] Ibid.

international law.[119] In this regard, Derrida sees Christian secularization as the target of the fundamentalisms of Judaism and Islam, which, in reacting against what in the Christianizing of the world represents the death of God, repeat the same fundamentalist logic by inverting the order of priority: dogmatic faith is the most fundamental.[120] In other words, through Kant, Derrida identifies *in* the modern, philosophical mode of framing and solving the old theologico-political relation the site where to find resources to understand some forms of current religious violence as well as non-religious fundamentalist traits.

For Derrida, the pressing question here is whether it is possible to think of a way out from this binary opposition between faith and reason. He identifies and rules out two temptations, which, in different ways, repeat the Kantian gesture of separating and the prioritizing reason over faith. The first one is "Hegelian ontotheology" which overcomes religion by determining absolute knowledge as the truth of religion while at the same time informing the theological and religious development of faith.[121] The second one, is a "Heideggerrian" temptation that, while attempting to move beyond ontotheology, remains nevertheless an example of metaphysical thinking (or fundamental ontology as Heidegger calls it) that affirms revealability (*Offenbarkeit*) or the rational thinking of the conditions of possibility as more fundamental than revelation (*Offenbarung*).[122] It is in the exploration of a third way out of the Kantian binary, that the 'messianic' becomes once

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[119] Ibid, 79/66.
[120] Ibid, 51/22.
[121] Ibid, 53/26.
[122] It should be noted, though, that Derrida's also recongizes Heidegger's *Zusage* as indicating a notion of trust or faith preeceding reason and philosophical questioning. See Derrida 'Faith and Knwoledge', 95–98/91–96. For an thorough discussion of Derrida's view of Heidegger in this eassy, see Naas' *Miracle and Machine*, 319–330.

more relevant as way of thinking about revelation and revealability, reason and faith, and the theological and the political without severing or prioritizing the relationship.

This possibility, for Derrida, must be thought *at* the limit of reason, where reason shares with religion an elementary experience of faith or trustworthiness. To speak of the 'messianic', here, Derrida invokes again the figure of the desert to point to an "extreme abstraction" in which the undecidable relation between revelation and revealability, faith and reason, might represent "the chance" of "another 'reflecting faith', of a new 'tolerance'", namely one that is not solely Christian.[123] Thought in terms of "abstract messianicity", as he calls it here, this desert is, figuratively, a place of abstraction, and thus of reason, that is connected to an experience of elemental faith which is not reducible to religious faith.[124]

But what exactly is this elemental faith? In chapter two, I have noted that it refers to the performative dimension of language and is connected to the promise inscribed in every social address. In 'Faith and Knowledge', Derrida clarifies things further. He notes that the semantics of faith (*foi*) – which encircles a domain that includes the notions of credit (*croyance*), trustworthiness or fidelity (*fiabilité ou fidélité*), the fiduciary (*fiduciaire*) and trust (*fiance*)[125] – does not 'belong' exclusively to religion and that elemental faith can be thought of as a quasi-transcendental figure, a sort of minimal "fiduciary link" that is prior to "the opposition between the sacred (or the holy) and the profane" and precedes "all determinate community, all positive religion" precisely

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[123] Ibid, 59/36. For a discussion of this point, see Derrida, 'Autoimmunity: Real and Symbolic Suicide', 125–130.
[124] Ibid, 56/31.
[125] Ibid, 66/47.

because, as their quasi-transcendental condition possibility, it opens them up.[126] This

quasi-transcendental figure refers to "experience of faith, of believing, of a credit that is

irreducible to knowledge and a trust that 'funds' all relation to the other in testimony."[127]

This means that every time there is an address to others or a social relation, a promising

faith is at work, one that reaches beyond religious experience to include the sphere of

knowledge and science, and thus also non-religious institutions.

> 'The lights' and the Enlightenment of tele-technoscientific critique and reason can
> only suppose trustworthiness. They are obliged to put into play an irreducible
> "faith", that of a "social bond" or of a "sworn faith", of a testimony ("I promise to
> tell you the truth beyond all proof and all theoretical demonstration, believe me,
> etc."), that is, of a performative of promising at work even in lying or perjury and
> without which no address to the other would be possible. Without the elementary
> experience of this elementary act of faith, there would neither be 'social bond' nor
> address to the other, nor any performativity in general: neither convention, nor
> institution, nor constitution, nor sovereign state, nor law, nor above all, here, the
> structural performativity of the productive performance that binds from its very
> inception the knowledge of the scientific community to doing science and
> technics…But wherever this tele-technoscientific critique develops, it brings into
> play and confirms the fiduciary credit of an elementary faith which is at least in its
> essence or calling religious (the elementary condition, the milieu of the religious
> if not religion itself). We speak of trust or of trustworthiness in order to
> underscore that this elementary act of faith also underlies the essentially economic
> and capitalistic rationality of the tele-technoscientific.[128]

For Derrida, both scientific and philosophical reason supposes trustworthiness since they

are compelled in their activity to rely on a testimonial faith that promises to tell the truth

and asks to be believed before any proof. The testimonial character of faith here is

crucial, since it emphasizes the key role of the promise in any social relationship: any

address to others requires a background of minimal trust in order to be effective at all;

that is, it requires a promise to tell what one believes to be truth and a call to be believed

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[126] Ibid, 55/29.
[127] Ibid.
[128] Ibid, 80/68.

beyond proof, even if one is lying. This, in turn, suggests that faith is a sort of miracle, since it involves a call to be believed without demonstration. "Believe what I say as one believes in a miracle": this is what is involved, Derrida says, "in the very concept of bearing witness". Unlike traditional miracles, though, the miracle of elemental faith exceeds religion since it is involved in such an "ordinary" act as that of address which is also at work in scientific contexts.[129] It is a sort of 'secular' miracle.[130]

So conceived, then, elemental faith is not confined to religion, to which witnessing and miracles are usually associated, but it affects reason too. In opposition to that tradition of the Enlightenment which maintains the incompatibility between reason and religion, Derrida suggests that reason "bears, supports and supposes" religion since they share, as a common source, "the testimonial pledge (*gage*) of every performative".[131] More specifically, he affirms, as in the aforementioned quote, that elemental faith is "at least in its essence or calling, religious" and is "the elementary condition, the milieu of the religious, if not of religion itself." [132] The claim here is that an elementary experience of faith is necessary to both reason and religion since they both require a trust without which no social bond and knowledge would be possible. In this way, rational thinking

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[129] Ibid, 98–99/97.

[130] There is an additional aspect of the testimonial character of elemental faith that is worth mentioning: even if faith is the source of social bond, it is a form of "interruption" and not of commonality, one that does not indicate a "reciprocal condition but rather the possibility that every knot can come undone, be cut or interrupted". For the link to the other occurring in the act of address is not based on some common knowledge, horizon or origin, but on the "secret of testimonial experience": the witness cannot access the truth in which she believes and about which she asks to be believed (Ibid, 98–99/93–94). What links and is shared is, paradoxically, what cannot be shared, namely the secret. This suggests that as an experience of interruption providing the source of social bond, elemental faith unsettles the confidence of claims firmly grounding reciprocity in religious faith, national or ethnic belonging, and even rational convictions about common understanding [see, for example, Jurgen Habermas, *On The Pragmatics of Communication,* ed. Maeve Cooke (Cambridge, MA: MIT Press, 1998)] or recognition [see, for example, Charles Taylor, "The Politics of Recognition," in *Multiculturalism: Examining the Politics of Recognition*, Amy Gutmann ed. (Princeton: Princeton University Press, 1992)]. For an illuminating discussion of these issues, see Naas, *Miracle and Machine*, 92–100.

[131] Ibid, 66/47.

[132] Ibid, 80–81/68.

preserves an irreducible connection to a dimension typical of, but not exclusive to, religion.

The reader should not be tempted to think that Derrida is simply collapsing reason into some form of religious faith emancipated from positive religion, thereby opening to some form of irrationalism, dogmatism or defeatism of reason. On the contrary, his take on elemental faith points to the critical sources the latter offers to rethink the relationship between universality and particularity beyond transcendental schemes, especially as it emerges in the revelation *versus* revealability prolematics discussed above.

> But the gap between the opening of this *possibility (as a universal structure)* and the *determinate necessity* of this or that religion will always remain irreducible; and sometimes <it operates> within each religion, between on the one hand that which keeps it closest to its "pure" and proper possibility, and on the other, its own historically determined necessities or authorities. Thus, one can always criticize, reject or combat this or that form of sacredness or belief, even of religious authority, in the name of the most originary possibility. The latter can be *universal* (faith or trustworthiness, "good faith" as the condition of testimony, of the social bond and even of the most radical questioning) or already *particular*, for example, belief in a specific originary event of revelation, of promise or of injunction, as in reference to the Tables of the Law, to early Christianity, to some fundamental word or scripture, more archaic and more pure than all clerical or theological discourse. But it seems impossible to deny the *possibility* in whose name –thanks to which – the derived *necessity* (the authority or determinate belief) would be put in question, suspended, rejected, criticized, even deconstructed. One can *not* deny it, which means the most one can do is to deny it. Any discourse that would be opposed to it would, in effect, always succumb to the figure of the logic of the denial < *dénégation* >.[133]

For Derrida, there is an irreducible gap between the possibility and determined necessity of historical religious forms, and one might say, any social form. Exposed by elemental faith, this gap points to the possibility of historical forms to be otherwise, or not having been at all, and thus also to the acknowledgement that universal claims originating from

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[133] Ibid, 93–94/88 –89.

occurred historical forms remain irreducibly particular. Indeed, as the condition of social bond, as its minimal 'basic' trust, elemental faith does not guarantee the necessity of the social form it enables since doing so would mean collapsing the transcendental into the empirical and thus denying, as Derrida affirms in his discussion of Schmitt, the "abyss" between the two.[134] It only provides the possibility for social forms to be determinate, a possibility that therefore is open to "what still remains undetermined and indeterminable".[135] As such, that faith can be considered as the possibility in "whose name" or "thanks to which" any determinate form can be criticized, and thus as informing a type of universalism that neither forgets irreducible particularity nor remains confined to occurred historical forms. And since it is possible to avoid the denial of elemental faith by recognizing its elemental character, the most one can do is to deny it but not eliminate it. For Derrida, this denial, which appears to have characterized much of Enlightenment thought, does neither give more 'rationality' nor less 'religiosity', but it actually signals a complex psychological and political process in which repression appears as the grounding mechanism for traditional forms of universalism. Viewed this way, then, elemental faith is far from giving in, as Derrida puts it in *Rogues*, "the slightest hint of irrationalism, obscurantism, or extravagance". Instead, it represents "another way of *keeping within reason* [*raison garder*] however mad it might appear".[136] In other words, by providing sources for criticism and for rethinking universality, elemental faith remains within reason without this implying that reason is reduced to some form of credulity without church.

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[134] Derrida, *Politics of Freindship*, 86/104.
[135] Ibid, 38/58.
[136] Derrida, *Rogues*, 153/211.

Together with historicity, elemental faith helps therefore highlight the significance of the 'messianic' for the 'theologico-political complex'. Conceived as a historically sensible thinking that does not prioritize reason over and against all faith, 'the 'messianic' allows for a more complex and critical understanding of the theologico-political predicament. By emphasizing that reason draws from sources from which the religious cannot be strictly excluded, the 'messianic' illuminates that reason and religious faith, the theological and the political, are interrelated but distinct and need to be thought together. Taking this interrelationship seriously elucidates that discourses claiming to proceed in the name of the Enlightenment but opposing all forms of faiths in philosophical speculation fall into a dangerous logic that is not free from fundamentalist traits, philosophical and political. Indeed, Derrida's exposure of the limits affecting the 'logic of the more or most fundamental' since Kant extends the catch of 'fundamentalist traits' to secular modes of teleological thinking that deny all forms of 'religiosity'. These modes operate, somehow atemporally, by idealizing a faithless reason as if they were immune to temporal variations, to minimal condition of trustworthiness, or as if they could solve the theologico-political relation by *simply* appealing to philosophical justifications. In this way, his emphasis on the theologico-political intertwinement illuminates that the stakes at issue in re-thinking the 'theologico-political complex' today go beyond the relationship between reason and faith, and regard very much the type of normativity political thought is justified to put forward.

Chapter 4
The Secular as Theologico-Political

4.1 Introduction

Focussing respectively on the language and time of political thinking, the previous chapters have set a critical framework for re-thinking the theologico-political relationship. The remaining chapters of the dissertation explore how Derrida's more recognizable political thought help us rethink that nexus. In this chapter, I focus on Derrida's view of the secular as the field of the socio-political. Specifically, I articulate his view of the secular domain through a focus on how the theologico-political relationship factors into the foundation of political authority. Questioning that tradition of the Enlightenment which emphasizes 'reason alone' as a way to address the relationship between religion and politics, Derrida shows how the secular domain cannot be purified of all forms of faith and is best thought of as theologico-political, especially if viewed from the event of its foundation. Derrida shows that the secular is characterized, from its first inception, by mystical features and by an experience of elemental faith that reason and religion share. This faith exposes the irreducible correlation between religion and reason and allows for thinking about the theologico-political relation as such, as a relation, without the urge to solve it. I argue that by embracing a certain faith without abandoning reason or returning to a pre-modern religious order, Derrida offers political thought significant resources for understanding the 'theologico-political complex' in nuanced and critical ways.

The understanding of Derrida's conception of the secular I propose complements and expands the limited literature on the topic. Commentators such as Cauchi and Naas have also insisted on the centrality of an elemental faith to Derrida's secular.[1] Building in parts on their views, my position remains distinct in two ways. First, the angle of my analysis is political and focuses on political founding, particularly how the institution of the secular as the field of the socio-political is marked by the theologico-political relationship. This gives to my perspective more of a political edge and also puts emphasis on the political stakes and empirical significance of Derrida's understanding of the secular, especially in light of the common modern belief that the foundation of political life is strictly non-religious. Second, I show that it is precisely from the point of view of the event of political foundation that we can appreciate the distinct and novel character of Derrida's secular as well as its political relevance.

Before delving into the analysis and discussion of Derrida's view of the secular, I offer a brief overview of his position on secularization and religion which will help set the context of the discussion. I then proceed to explore his view of the event of political foundation as caught by a constative and performative dimension in order to provide the angle through which to understand his view of the secular. I argue that the correlation Derrida emphasizes between these two dimensions illuminates the ever present possibility of resisting the political configuration that founding events institute. Next, I take up his perspective on the status of the law to elucidate the mystical foundation of authority and the model of interrelation of Derrida's secular. In section two, I focus on his seminal political essay 'Force of Law: "The Mystical Foundation of Authority"' (henceforth 'Force of Law') and present his argument as to why political authority

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[1] Cauchi, 'The Secular To Come. Interrogating the Derridean "Secular"; Naas, 'Derrida's *Laïcité*'.

displays a mystical character that points to the role an elemental faith plays in the foundation of the law. Concurrently, I introduce Derrida's notion of iterability as applied to the law to illuminate the model of interrelation through which to interpret the theologico-political matrix. In section three, I proceed to analyze the hermeneutic predicament of being 'before the law' in order to clarify the sense in which a transcendent and theological dimension characterizes the institution of the political. In the last section, I connect all these issues together to illuminate Derrida's view of the secular as theologico-political and conclude by emphasizing the significance of his perspective for contemporary debates. By focusing on the elemental faith that reason and religion share, Derrida, I argue, opens up a space for viewing the secular domain in a way that underscores, rather than severs, the nexus between the theological and the political.

4.2 The Secular in Context: Secularization and Religion

Although he never thematized it as such, Derrida's perspective on the secular can be found in a series of politico-legal essays published between the 1980s' and the early 2000s'.[2] In these essays, he also offers important reflections on secularization and religion that I wish to briefly explore in order to provide the context within which to situate his view of the secular. Starting with the first one, Derrida accepts certain aspects of traditional secularization theory but he also questions some of its key assumptions. While he recognizes the importance of what he calls "the secularization of the political"

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[2] See Jacques Derrida, Above all No Journalist!; 'Declarations of Independence'; 'Before the Law'; 'Des Tours de Babel' and 'The Eyes of Language: The Abyss and the Volcano'; 'Faith and Knowledge. Two Sources of "Religion" at the Limits of Reason Alone' in 'Force of Law: The Mystical Foundation of Authority'; *Islam and the West*; *Politics of Friendship; Specters of Marx*.

for democratic life, namely of dissociating religion from state powers,[3] he believes, as

seen in chapter two, that secularization is a religious (Christian) concept and that it

involves a problematic translation between secular and sacred idioms and between sacred

idioms themselves. In contrast to traditional theories of secularization, Derrida rejects the

radical separation between the theological and the political without for this reason

abandoning a "*certain* tradition" of the Enlightenment.[4] In 'Faith and Knowledge', for

example, he acknowledges his debts to the critical spirit of the Enlightenment and takes

side with it in support of republican democracy against religious dogmatism, orthodoxy

and fundamentalism.[5] Yet he also questions whether fundamentalism and violence are

circumscribed to religions only, and do not also affect secular understandings and

politics.

> It is not certain that that in addition to or in face of the most spectacular and most
> barbarous crimes of certain 'fundamentalisms' (of the present and of the past),
> *other* over-armed forces are not *also* leading 'wars of religion,' albeit unavowed.
> Wars or military 'interventions', led by the Judeo-Christian West in the name of
> the best causes (of international law, democracy, the sovereignty of the people, of
> nations or of states, even humanitarian imperatives), are they not also, from a
> certain side, wars of religion? The hypothesis would not necessarily be
> defamatory, nor even original, except in the eyes of those who hasten to believe
> that all these just causes are not only secular but *pure* of all religiosity.[6]

Overall, Derrida's view of secularization questions all those discourses that pretend to

isolate the secular domain and neatly dissociate what differentiates the religious sphere

from the ethical, juridical, political and economic ones.[7] Viewing Carl Schmitt as the

most extreme proponent of this view, he connects the urge to separate what is purely

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[3] Derrida, "Separation or Connection?" in *Islam and the West*, 51 ff.; see also 'Taking a Stand for Algeria'
in *Acts of Religion*, 306.
[4] Derrida identifies himself as belonging to "a *certain* tradition of the Enlightenment, one of the many
Enlightenments of the past three centuries". Derrida, 'Faith and Knowledge', 65/ 45–46.
[5] Ibid, 47/17.
[6] Ibid, 63/42.
[7] Ibid, 63/42–43, 100/99.

secular to that radically anti-religious tradition of the Enlightenment that goes from

Voltaire and Feuerbach up to a certain Heidegger, passing through Marx, Nietzsche, and

Freud.[8] In its most radical forms of criticism, this tradition "naively" opposes reason,

science and modernity to faith and religion and does so with a force that appears to have

sought the end of religion, and not simply its privatization.[9] Yet Derrida also seeks to

depart from less anti-religious approaches –such as those of Kant, Hegel and Heidegger

considered in the previous chapter – that in the attempt to distinguish philosophy from

theology, reason from faith, the theological from the political, rely on an oppositional

logic that establishes reason as more fundamental than faith.

For Derrida, the problem with all these approaches is both philosophical and

political. Philosophically, the strict separation between reason and faith effected through

the affirmation of the former as more fundamental than the latter remains deeply

questionable, as discussed in the previous chapter. Politically, it risks fuelling rather than

diffusing fundamentalism. Derrida thinks that both anti-religious and less anti-religious

approaches have been involved in the universalization of secularization and the only

apparent desacralization of Christian concepts. As seen especially in chapter two, these

are characteristics of what he calls *mondialatinisation* or globalatinization. Connected to

the imposition of the language of Christian religion –Latin, which was subsequently

inherited by Anglo-American –this process of universalization is not simply linguistic but

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[8] Ibid, 45/14, 65/46. For Derrida, Schmitt's separatist approach is evident not simply in the latter attempts to provide a "secular thought of the political" by isolating the political form all other domains, but also in his attempt to secure that the friend/enemy distinction, especially in the case of Islam, remains purely political. See Derrida, *Politics of Friendship*, 87-89/ 106 –109.

[9] "Why does it particularly astonish those who believed naively that an alternative opposed Religion, on the one side, and the other side, Reason, Enlightenment, Science, Criticism (Marxist Criticism, Nietzschean Genealogy, Freudian Psychoanalysis and their heritage), as though the one could not but *put an end* to the other? (my emphasis)" Ibid, 45/14.

political.[10] It is an imperialist imposition, "in the name of peace", of a hegemonic

"juridico-theologico-political culture" and its modern oppositional logic through the

spread of the modern nation-state, capitalism and international law.[11] As mentioned in the

previous chapter, this situation has produced a "maddening instability" among those

fundamentalist religious positions, in Islam and Judaism, that respond to, and perhaps

criticize, Christian modernity by pursuing the same binary logic but in inverted terms;

that is, by affirming the priority of faith over reason.[12]

Derrida's resistance to the separatist paradigm of the Enlightenment emerges even

more clearly from his position on religion. Derrida is very cautious in dealing with this

topic and proceeds with genealogical sensibility and theoretical prudence. On the one

hand, he finds the concept of religion "obscure" and manifests his awareness that any

discussion about it occurs more or less implicitly in relation to Christianity.[13] As

mentioned in chapter two, Derrida is aware that the term 'religion' has a Latin origin

(*religio*) and it has functioned as a metalinguistic term for translating and disciplining

non-Christian religious phenomena so that any recovery of its philosophical meaning is

already mediated by Christianity.[14] On the other hand, he considers the suspension of

certainties and the proceeding with a dose of faith, as essential to deal with the topic of

religion.[15] Given these constraints and the difficulties of providing precise definitions,

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[10] "The world today speaks Latin (most often via Anglo-American) when authorizes itself in the *name* of *religion*". Ibid, 64/44.
[11] Ibid, 66/47, 79/66.
[12] Ibid, 51/23.
[13] Derrida, "Separation or Connection?" in *Islam and West*, 57.
[14] Derrida, 'Faith and Knowledge', 64/44.
[15] In the very opening of 'Faith and Knowledge' Derrida uses the term 'perhaps' twice in the space of few lines in order to signal his tentative and careful approach to the question of religion. The motive of the 'perhaps', which he explores in relation to Nietzsche in *Politics of Friendship*, is complemented by a systematic questioning of any pre-comprehension of being *à la* Heidegger (i.e. what the 'is' stand for in any

Derrida put forwards two interconnected claims. He affirms that "religion is the response" and that it is characterized by two sources.[16] With the first claim, Derrida proposes a third meaning of 'religion' in addition to the two offered by an etymological analyses of the *religio*. Whether as *relegere*, meaning to gather or collect, or as *religare*, meaning to link or bind, the Latin etymologies of 'religion' remains, for him, inadequate to account for an experience that is typical of religion but is not confined to it: the response to the other in the form of an elementary faith.[17] Derrida suggests that 'religion' also means to respond (*respondere*), which is at issue every time there is an address to others. Conceived as a response, 'religion' is thus connected to the elemental, promissory faith characterizing every linguistic act.[18] Indeed, the witnessing so central to religious experience involves an act of promise, a commitment before others to tell the truth and a call to be believed. As seen in the previous chapters, this is precisely what characterizes "the testimonial pledge (*gage*) of every performative", namely the elemental faith shared by reason and religion, one that is central to the functioning of both religion and science. For Derrida, the experience of elemental faith is one of the two sources of religion, the second one in the order of his description. The other source, the first one, is what he calls the experience of the unscathed (*indemne*), salvation (*salut*), sacredness (*sacralité*) or

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formulation of the sort 'religion *is….* '), by the insistence on abstraction as a form of epoché as in the tradition of phenomenology, and finally by scruples and hesitation. Ibid, 42/9, 44/11, 68/50.
[16] Ibid, 64/44, 70/52.
[17] Ibid, 74/ 58 –59. More precisely, Derrida mentions not simply the fact that these two etymologies overlap, as a reason for their inadequacy, but especially that they resist disjuncture as key to the opening to difference. If we consider that elemental faith is a figure of disjuncture and of opening to difference, as I shall show below and in the next chapter, my interpretation of the 'essential' inadequacy of these etymologies seems justified.
[18] Ibid, 71/53.

holiness (*santité*).[19] Like the second source, the experience of the unscathed is connected to the idea of promise since religion is hardly thinkable without a promise of salvation.[20]

Of the two sources of religion, which Derrida considers as distinct but irreducible,[21] the experience of faith is particularly relevant to our discussion. It identifies the point of connection between religion and science, and provides the basis for rejecting the strict separation between the theological and the political in the secular domain, as I shall show in this chapter. Before doing so, though, it is worth clarifying a bit more the relationship between the two sources of religion, since this will help illustrate further just how deeply religion and science connect and thus how problematic is the anti-religious rhetoric that speaks in the name of the Enlightenment.

Derrida believes that the experience of witnessing identifies the point of convergence between the two sources of religion.[22] Recall that, as an act of testimony, the elemental faith conditioning any social bond and scientific endeavor is a sort of miracle, since it is a call to be believed beyond proof. Yet, since elemental faith involves both promise and its repetition, as indicated in chapter two through the idea of the double yes, its miraculous character is always already mechanical, and thus marked by a feature that is typical of science. Miracle and machine are therefore apparently incompatible elements that are as characteristic of elemental faith as they are of religion and science.[23]

For Derrida, it is by appreciating the link to something technical or mechanical in elemental faith, and more generally in religion, that we can understand how the two

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[19] Ibid, 70/52.
[20] "Can a discourse on religion be dissociated from a discourse on salvation: which is to say on the holy, the sacred, the safe and sound, the unscathed <*indemne*>, the immune (sacer, sanctus, heilig, holy and their alleged equivalent in so many languages?)", Ibid, 42/9.
[21] Ibid, 70/52.
[22] Ibid, 98/96.
[23] For an illuminating exploration of the relationship between miracle and machine in Derrida, see Naas, *Miracle and Machine*.

sources of religion connect. Derrida observes that there is a tendency in religions to protect their identity –idiom, soil, communal bond, nation and so on– and more generally the immunity of their first source (the unscathed) from anything that is profane. In their attempt of self-protection, religions employ the technological means that processes of globalization have only made more widely accessible, means that enable religions to live on, and even "swell".[24] Today, without the unparalleled use of the cyberspace there would be no propagation of religious messages and cults; this is visible, he notes, in "the multiplicity, the unprecedented speed and scope of the moves of a Pope versed in televisual rhetoric" in the "airborne pilgrimages to Mecca" and in "the international and televisual diplomacy of the Dalai Lama, etc."[25] Yet by employing cybertechnology religions appropriate the means of abstraction, typical of science, which they normally reject, since these means threaten the very identity of religion itself. Indeed, science and telecommunication introduce repetition and delocalization within religions, thereby threatening the safety of religion's identity. Under the risk of jeopardizing what they seek to protect, religions react against the means of their survival in order to return to the purity of their origins.[26] Derrida uses the notion of autoimmunity to account for this paradoxical process which affects the life of religions and links them constitutively to science beyond the elemental faith that already connects them. Religion, he notes "produces, weds, exploits the capital and knowledge of the tele-mediatization" and "reacts, immediately, *simultaneously*, declaring war against that which gives it new

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[24] Ibid, 82/70. That is why Derrida does not consider religions' use of technology a modern phenomenon. Their possibility to survive and spread their message would have always been linked to some virtual means. What has changed with globalization is the intensity and scale of their use. See especially Note 17.

[25] Ibid, 62/40.

[26] Ibid, 88/81. For Derrida, this violence is archaic because it targets the body as pre-machinal entity, especially that of women through various forms of rape and mutilation.

power only at the cost of dislodging it from all its proper places[...] It conducts a terrible war against that which protects it only by threatening it, according to this double and contradictory structure: immunitary and autoimmunitary". [27] Examples of this double process of appropriation and rejection are visible in the recent appropriation and use of telecommunication and military technology on the part of various religious groups across the world in order to defend, and return to, what is most original in religion. Yet they are also visible in the aggressive, mediatic campaigns against sacrificing life through abortion, artificial insemination and genetic manipulation sustained by certain religious affiliations that oppose the intrusion of science in what is considered the most natural: life.[28] If the protective traits of religions' autoimmunitary logic suggest a certain conservatism, Derrida warns us that they also do the opposite. Religions' s reactions are attempts to return "*both* to obscurantist dogmatism *and* to hypercritical vigilance"; that is, they can be both particularistic attempts to return to the purity of nation, idiom and community and universalist protests or new versions of ecumenicalism against the forms of modern alienation brought by technology. [29]

The significance of Derrida's reflections on secularization and religion rests on their explanatory force. Especially through autoimmunity, Derrida offers an account of the formal logic of religions' life and of their empirical manifestations as well as of the ambiguity affecting the processes of secularization. While religions globalize themselves through the use of techno-science, thereby furthering their own secularization, they also react to this process and its scientific thrust by violently rejecting it. Acknowledging this double bind allows us to understand that religions' violent manifestations in the public

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[27] Ibid, 82/71.
[28] Ibid, 86–88/77–80.
[29] Ibid, 92/86.

sphere do not signal a return but, as Derrida suggests, a "*resurgence <déferlement>*", namely the rise of a more vigorous movement marked by its unprecedented use and rejection of technology as well as by its global reach. [30] Thus, contrary to much Enlightenment thought on secularization and religion, Derrida shows not simply that religion and science are not incompatible in modern life, but that they are actually more intrinsically connected than what was, and perhaps still is, generally conceived.

These brief considerations on Derrida's view of secularization and religion help further elucidate his general resistance to the separatist paradigm of many versions of Enlightenment, a resistance that also marks in his view of the secular. Perhaps this feature is best captured by the following claim: "the fundamental concepts that often permit us to isolate or to *pretend* to isolate the *political* – restricting ourselves to this particular circumscription – remain religious or in any case theologico-political." [31] Here Derrida seems to subscribe to Schmitt's thesis about modern political categories as secularized versions of a theological heritage.[32] This convergence appears especially in Derrida's analysis of sovereignty, which he sees as inextricably linked to a political theology that moves from Greek mythology to democratic thought.[33] Yet, although Derrida often uses the notion of theologico-political in Schmittian terms,[34] and Naas has explored this connection,[35] it is not in this sense that I wish to propose we take his view of the secular domain. One reason for this choice is due to Derrida's opposition to Schmitt's idea of

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[30] Ibid, 81/70.
[31] Ibid, 63/42–43.
[32] See Schmitt, *Political Theology*, 36.
[33] Derrida, *Rogues,* 17/38.
[34] Derrida, 'Autoimmunity: Real and Symbolic Suicide' in Giovanna Borradori, *Philosophy in Time of Terror, Dialogues with Jürgen Habermas and Jacques Derrida*. Chicago: The University of Chicago Press; Rogues; *The Beast and the Sovereign Vol. I*. Geoffrey Bennington (trans.) Chicago: The University of Chicago Press.
[35] Naas, 'Derrida's *Laïcité*'.

secularization. As seen in chapter two, Derrida recognizes the theological debt of many modern political concepts but believes that the modern concept of secularization cannot be severed from religious sources, especially if secularization implies a successful translation of theological idiom and categories into secular ones.

I propose that the notion of theologico-political in Derrida's understanding of the secular can be interpreted also in another way, especially if one focuses on political foundings. I suggest that it is from the angle of political foundation that we can best understand his view of the secular domain as theologico-political, [36] where 'theologico-political' resembles what some scholars have identified as peculiar to Spinoza's *Theologico-Political Treatise*: the 'theologico-political' indicates, through the hyphenation, the irreducible relationship between the theological and political domains.[37] Illustrating Derrida's view, then, requires elucidating first how he understands the founding event, to which I shall turn next.

4.3 The Event of Political Institution

The essay 'Declarations of Independence' (henceforth 'Declaration'), is the place in which Derrida analyzes most explicitly the question of political foundation through an analysis of American Declaration of Independence and the Declaration of the Rights of Man. Although focusing on a particular act of political foundation, this essay refers to declaration*s* and contains a preliminary articulation of central features that structurally

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[36] While indebted to Noah Horwitz ['Derrida and the Aporia of the Political, or The Theologico-Political dimension of Deconstruction'], who emphasizes the theologico-political character of deconstruction, my exposition supplements and expands it. It does so first, by discussing Derrida's most significant writings on politico-legal matters; second, by clarifying what the notion of theologico-political means in Derrida's reflections on the secular.

[37] See Goetschel, 'Derrida and Spinoza: Rethinking the Theologico-Political Problem', 9 –25. See also his *Spinoza's Modernity*.

characterize the foundation of a politico-legal order, especially the complex temporality,

structure of contamination and faithful character of the act of political institution. Here

Derrida concentrates on the ambiguous nature of the declarative act which

simultaneously institutes and describes a new entity.[38] This ambiguity points to the

problem of identifying who *actually* signs an instituting act but, most importantly, it

raises a philosophical concern that is not simply logical but chrono-logical. It refers to

how a people can declare themselves to be a people without being already constituted as

such.

At issue, here, is the aporetic nature of a declarative act of independence and the

problem of taking a conclusive decision on whether, *at* the event of foundation, the act

positing the law is constative or performative.[39] For Derrida, this is a matter of

"necessary undecidability" since he views the founding event as characterized by a

structural correlation between the performative and the constative so that the declarative

act is intelligible only if these two are taken as irreducible to one another. As he notes,

"one cannot decide –and that's the interesting thing, the force and the coup of force of

such a declarative act –whether independence is stated or produced by this utterance."

That is, one cannot decide whether the "people have already freed themselves in fact and

are only stating the fact of this emancipation in [*par*] the Declaration" or rather whether

"they free themselves at the instant of and by [*par*] the signature of this Declaration".[40]

One might of course object that Derrida disregards the historical-legal dimension

of any declarative act and especially the political, economic, cultural and legal evolution

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[38] Derrida, 'Declarations', 13.
[39] For a discussion of the aporetic dimension of the law in Derrida, see Richard Beardsworth, *Derrida and the Political*.
[40] Derrida 'Declarations of Independence', 9.

preceding what only appears to be a sudden change. Yet, if one considers the *Federalist*

Papers, things do not look so historically sensitive. Here John Jay regards the Declaration

as referring to "one united people, - a people descended from the same ancestors,

speaking the same language" and "attached to the same principles of government".[41] This

view sanctions the exclusion of ancestry (aboriginal or African), languages (French,

Dutch, German or Spanish) and political principles (Loyalists, Democrats or

Republicans) present in the American territory at the time of the Declaration. In this

regard, the American Declaration can be considered as an event that created a people that

did not exist as such but that was invented through a decision on what to exclude and

select.[42]

Returning to Derrida's analysis, his point about undecidability is not that it

impedes decision or the institution of the law. Rather it is that it illuminates retroactive

legitimation as "the sought-after effect" of political foundings.[43]

> But this people does not exist. They do *not* exist as an entity, it does *not*
> exist, *before* this declaration, not *as such*. If it gives birth to itself, as free
> and independent subject, as possible signer, this can hold only in the act
> of the signature. The signature invents the signer. This signer can only
> authorize him- or herself to sign once he or she has come to the end
> [*parvenu au vout*], if one can say this, of his or her signature, in a sort of
> fabulous retroactivity.[44]

In the instituting act, the signature produces the signer through a deferred effect, a

"fabulous retroactivity", where 'fabulous' refers to the representation of the founding

event after its happening: fiction. Already recognized as essential to political foundings

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[41] See Alexander Hamilton, James Madison and John Jay, *The Federalist: with Letters of Brutus* (Cambridge: Cambridge University Press, 2003) 6.
[42] I owe the occasion for and suggestions about this clarification to comments from John R. Pottenger and Edward Andrew.
[43] Derrida, 'Declarations', 9.
[44] Ibid, 10.

by the tradition of political thought from Plato to Machiavelli and Rousseau, fiction represents for Derrida the fabulous re-telling of the founding event, which escapes full rational grasp and is made possible by a temporal disjuncture. The disjuncture indicates that the future anterior structures the temporal modality of the founding moment: the people have presently the right to sign because they "will already have had" it and so they are able to authorize the declarative act.[45]

The temporal complexity of the founding event raises the question of what its ground is. Derrida identifies two elements: faith and violence. He notes that the performative act of foundation is a "vibrant act of faith" enacted through an appeal to "God", a "last instance" or absolute ground the declarative act needs in order to make its constative effects meaningful and lasting.[46] By authorizing the people to sign, God makes possible the conjoining of the "two discursive modalities", performative and constative, that characterize the founding act of faith.[47] This faith appears as religious but, as we shall see, it is not reducible to religious faith, is enacted through a "coup de force [that] makes right, founds right or the law, gives right".[48] Commenting on this point elsewhere, Derrida notes that the modality of the future anterior performs a "modification of the present to describe the violence in progress", one that "always" founds political communities.[49] This violence often involves exclusion and exterminations of human, philosophical, and political alternatives that leave behind ghostly traces. Although they are concealed by the fabulous story, these traces continue to haunt future generations and the legitimacy of the law, which, for that reason, *cannot* be universal. The exclusion via

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[45] Ibid, 10.
[46] Ibid, 12.
[47] Ibid.
[48] Ibid, 10.
[49] Derrida, 'Force of Law', 269/88.

extermination or forced assimilation of aboriginal people in Canada, people which nevertheless continue to challenge both the universal legitimacy and language of the law under which they live, constitutes a good historical illustration of Derrida's point. Derrida's claim, then, is that the politico-legal order is instituted by an act of faith supported by violence, whose exclusionary features signal a constitutive legitimation deficit.[50]

Although it emphasizes the role of decision, Derrida's approach to the event of political foundation does not have a totalitarian impulse *à la* Schmitt.[51] On the contrary, it exposes and resists totalitarian configurations. Let us see why. As mentioned in the introduction, Schmitt articulates a 'decisionist' theory of sovereignty within an aporetic framework. Contrary to traditional liberal constitutionalism, which emphasizes normative validity as the core of legal order, Schmitt considers that order to rest "on a decision and not on a norm".[52] Schmitt argues that this decision is typical of the sovereign, of "he who decides on the exception", and that exception is "analogous to the miracle in theology".[53] The sovereign, akin to a divine figure, (re)establishes legal order through an act that simultaneously exceeds and belongs to the legal order. As Schmitt puts it, "the exception

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[50] See also Horowitz's 'Derrida and the Aporia of the Political, or The Theologico-Political dimension of Deconstruction'.

[51] See Mark Lilla, "The Politics of Jacques Derrida", *The New York Review of Books 45*, 11 (25 June 1998); 36 –41; Richard Wolin, "Derrida on Marx, Or The Perils of Left Heideggerianism" in *Labyrinths: Explorations in the Critical History of Ideas*, (ed.) Richard Wolin (Amherst: University of Massachusetts Press, 1995), 231–240. Although not specifically addressed by Derrida, the connection between 'decisionism' and totalitarianism is suggested by Giorgio Agamben as well. In his discussion of sovereignty and the law, Agamben emphasizes the latent totalitarianism of any politico-legal order, including democracy, since legal validity ultimately relies on a decision. See Giorgio Agamben, *State of Exception*. For a discussion of the difference between Schmitt and Derrida on this issue see, John P. McCormick, 'Derrida on Law; Or, Poststructuralism Gets Serious' *Political Theory* 29 (2001): 395-423; 'Schmittian Positions on Law and Politics? CLS and Derrida', *Cardozo Law Review* 21 (2000): 1693 – 2119. For a critical response to this view, see Gayatri Chakravorty Spivak, 'Schmitt and Poststructuralism: A Response, *Cardozo Law Review* 21 (2000): 1723 – 1737.

[52] Carl Schmitt, *Political Theology*, 10.

[53] Ibid, 5, 36.

is that which cannot be subsumed; it defies general codification, but it simultaneously reveals a specifically juristic element –the decision in absolute purity". [54]Hence the aporetic structure of the decision that simultaneously precedes and is contained within the legal order. For Schmitt, sovereignty resides in determining "definitely" what constitutes public order and "the normal everyday frame of life" that the general norm demands. [55]As such, it always involves a decision on what constitutes a state of exception, on whether the exception exists and on the measures for overcoming it to re-establish order, measures that include the suspension of the existing law and the 'normality' of temporal continuum. In this way, the sovereign decision is a "pure decision", an "absolute decision created out of nothingness" that distinguishes normality from exception. The purity of this decision finds its source in a more fundamental distinction, that between friend and enemy.[56] Defined as "the specific political distinction" in *The Concept of The Political*, the distinction between friend and enemy is necessary to the political whenever the eventuality of war is "an ever present possibility". [57] Sovereignty lies "necessarily" in this political distinction, which must be clear-cut in view of determining a stable political identity and the "normal situation" required by the applicability of norms.[58]

Derrida's position is in some respects similar to and yet significantly different from that of Schmitt.[59] While diagnostically highlighting the role of decision for political foundings, Derrida does not celebrate its goodness, but exposes and puts limits to totalitarian outcomes. Like Schmitt, Derrida considers the politico-legal order as

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[54] Ibid, 66, 13.
[55] Ibid, 13.
[56] Ibid, 66.
[57] Carl Schmitt, *The Concept of the Political*, trans. by G. Schwab (Chicago: University of Chicago Press, 2007), 26, 28.
[58] Ibid, 38, 46.
[59] For Derrida's most sustained criticism of Schmitt, see his *Politics of Friendship.*

grounded on a performative act that is exceptional with respect to the norm and that ruptures the temporal continuity of normal legality. Yet, since the declarative act presents a contamination between the performative and the constative it cannot deliver a pure distinction, one that seeks to 'definitely' establish the boundaries of political community, thereby closing the political space in a totalitarian fashion. [60] Note here that Derrida contests only Schmitt's belief in effecting clear cut-distinctions and his desire to close the political space, but not the *actual* closure of such a space, which cannot be effected given Schmitt's recognition of a normative void underlying the political. [61]

For Derrida, acknowledging the contamination between the performative and the constative implies recognizing the philosophically dubious status, given their correlation, of attempts seeking to separate them and fix their relationship *at* the act of founding. It also implies recognizing that at the core of founding predicaments there is an opening created by the play between such dimensions. This play constitutively limits the totalitarian tendency of instituting acts seeking to halt the continuous interaction of the performative and the constative in order to establish conclusive determinations.[62] Viewed from the event of foundation, then, the secular domain appears as characterized by a structure of contamination that impedes closure but also, and importantly so, by an act of

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[60] This point emerges forcefully in *Politics of Friendship* where Derrida deconstructs Schmitt's pure distinction of the political. Derrida shows that Schmitt constructs the concept of the enemy defining that of the political on questionable philosophical grounds. By considering the "ever present possibility" of war as a *real* presentation of the enemy, Schmitt fills the gap between conditions of possibility and historical occurrence, thereby denying the "abyss" between the two. For Derrida, this move suggests that Schmitt identifies the presence of the enemy "a priori" by pretending to *know* what an enemy is, who is and whether it is internal or external to the political community. It is on the basis of this knowledge that the decision about who is to be killed is taken, and considered as "preliminary". Through this "strategy of presupposition", Schmitt obliterates the spectral elements involved in making distinctions and subscribes to the problematic metaphysics of presence that Derrida's entire *oeuvre* calls into question. Yet he also paradoxically and implicitly testifies to the logic of spectrality precisely by denying it. See Jacques Derrida, *Politics of Friendship*, trans. George Collins (London: Verso, 1997), 86/104, 125-126/148 –149.

[61] Schmitt, *Political Theology*, 9.

[62] See also Bonnie Honig, 'Declaration of Independence. Arendt and Derrida on the Problem of Founding a Republic', in *The American Political Science Review* 85 (1991), 97–113.

faith that exceeds the legal order and points to dimensions which need to be carefully scrutinized before self-assuredly affirming the autonomy of the political or too quickly proclaiming the non-dispensability of the theological. The remaining parts of this chapter aim at clarifying these issues.

4.4 The Mystical Foundation of Political Authority

The complex character of the founding event raises the question what exactly its status is and how to interpret it. The answer to these questions demands first of all that we clarify the nature of political authority and the law, the analysis of which will help elucidate, in the next two sections, issues of interpretation and, most importantly, the non-purely political character of the secular.

Derrida investigates the nature of political authority and the law in 'Force of Law'.[63] Engaging Michel de Montaigne, Blaise Pascal and Walter Benjamin, he aims here at severing the nexus between law and justice and at showing that violent force is irreducible in the foundation of the law and its conservation. His reflections start from an analysis of the "force of law" or its "enforceability" which raises immediately a problem of interpretation. If the enforceability of the law suggests, as Kant has shown, that force is implied a priori in the concept of the law and that the law is a form of authorised force,

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[63] For discussions on Derrida and the law, see Richard Beardsworth, *Derrida and the Political*; Alan Brudner, 'The Ideality of Difference: Toward Objectivity in Legal Interpretation', *Cardozo Law Review* 11 (1990): 1133-1210; Roberto Buonamano, 'The Economy of Violence: Derrida on Law and Justice', *Ratio Juris* 11 (1998):168-79; Drucilla Cornell, "The Thinker of the Future – Introduction to The Violence of the Masquerade: Law Dressed Up as Justice". *German Law Journal*, 6. 1 (2005):125 –148; Margaret Davies, 'Derrida and Law: Legitimate Fictions', in Tom Cohen (ed.), *Jacques Derrida and the Humanities: A Critical Reader* (Cambridge: Cambridge University Press, 2001), 213-37; Nancy Fraser, 'The Force of Law: Metaphysical or Political?"; Catherine Kellogg, *Law's Trace*; Petra Gehring, 'Force and 'Mystical Foundation' of Law: How Jacques Derrida Addresses Legal Discourse', *German Law Journal* 6 (2005):151-69; Dominick La Capra, 'Violence, Justice, and the Force of Law' in *Cardozo Law Review* 11 (1990): 1065 –1078 ; and John P. McCormick, 'Derrida on Law; Or, Poststructuralism Gets Serious'.

then it becomes difficult to distinguish when the force of the law is just and legitimate from when it is not.[64]

For Derrida, this problem points to 'the mystical foundation of authority', namely the idea that the institution of politico-legal authority retains an irreducible uninterpretability.[65] He sees Benjamin as the most recent proponent of this view since he (Benjamin) considers the foundation of the law as a violent act which is uninterpretable because it occurs in an "ungraspable revolutionary instant" that is heterogeneous to time and history.[66] But it is to Montaigne, and especially to Pascal –once he is stripped of his Christian pessimism –Derrida seeks to pay tribute.[67] Montaigne formulated the idea of a "mystical foundation of authority" when he declared that laws are respected because of the credit granted to them as laws and not in virtue of their justice.[68] Pascal, who appropriated Montaigne's formulation, combined justice as law (*droit*) with force and illuminated an essential feature of the law, namely that its institution and justification imply a performative and an interpretative force.[69] Indeed, for Derrida, the law is a performative force, since it rips apart the relatively homogenous horizon of signification on which it intervenes in the founding act. Yet, it is also an interpretative force since the rupture provoked by that act requires an intervention that reconstitutes a linguistic context within which the interpretation of the instituting act as legitimate can occur only *post factum*.

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[64] Derrida, 'Force of Law', 233/17.
[65] Ibid, 239/29.
[66] Ibid, 274/98.
[67] Ibid, 241/32.
[68] "Laws are now maintained in credit, not because they are just, but because they are law. It is the mystical foundation of their authority; they have no other". Ibid, 239/30.
[69] Ibid, 241/32.

According to Derrida, then, there is a structural delay between the foundation and justification of the law that is connected to the temporal modality of the future anterior affecting founding moments. The intelligibility of the law depends on the future (*avenir*), on the interpretative order that will be produced after the fact (*après coup*) but that "was destined *in advance* to produce" the "proper interpretative models" of self-legitimation.[70] This situation indicates that although the founding act establishes the validity of the politico-legal order, it remains unreadable in itself, and thus, against Schmitt but with Benjamin undecidabile: neither illegal nor legal.[71]

> The operation that amounts to founding, inaugurating, justifying law, to *making law*, would consist of a *coup the force*, of a performative and therefore interpretative violence that in itself is neither just nor unjust and that no justice and no earlier and previously founding law, no preexisting foundation, could, by definition, guarantee or contradict or invalidate. No justificatory discourse could or should ensure the role of metalanguage in relation to the performativity of institutive language or to its dominant interpretation. Discourse here meets its limit –in itself, in its very performative power.[72]

The impossibility of interpreting in advance the *coup de force* disallows the appeal to metalanguage in order to justify it. This means that the violent foundation of the law is not justifiable within the semantic horizon it institutes since the temporal disjointment between origin and justification signals an irreducible gap between the two that no metalanguage can fill.[73] For, if such an operation were possible, it would be necessary to justify the founding act independently –hence at a metalevel – from the interpretative horizon it institutes, which is precisely the historical and semantic horizon to which

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[70] Ibid, 270/90.
[71] In 'Critique of Violence' Benjamin argues for the undecidability affecting the law when he affirms the "ultimate insolubility of all legal problems". See Walter Benjamin, 'Critique of Violence', 247. Schmitt, as we have seen, sees such problems solvable through the sovereign's decision.
[72] Derrida,'Force of Law', 241–242/ 32–33.
[73] See also Drucilla Cornell, 'The Thinker of the Future – Introduction to The Violence of the Masquerade: Law Dressed Up as Justice'. *German Law Journal*, 6. 1 (2005):125 –148.

justification is bound. And doing so would mean falling into the metaphysical trap of believing that the origin of the law appears as such to rational scrutiny so that it can be rationalized. As Derrida notes, "those who say 'our time', while thinking 'our present' in light of the future anterior present do not know very well, by definition, what they are saying. It is precisely in this nonknowledge that the eventness of the event consists, what one naively calls its presence".[74]

For Derrida, those who believe that the origin of the law is presentable as such, as presence in *their* present time, subscribe to a problematic metaphysical thinking characterized by the conviction that origins can be immediately accessed as distinct from the conditions (temporal, political, linguistic, socio-economic etc.) in which they occur and from the process of repetition characterizing experience.[75] In contrast to this view, he thinks that the origin of the law cannot be rationalized because it does not appear as presence to human consciousness. Like any origin, the foundation of the law is affected by iterability, namely the movement of a differential repetition that characterizes experience and that inscribes a "differential contamination" at the heart of any foundation, thereby impeding any origin as such.[76]

But what exactly is iterability and how is it connected to the law? Derrida introduces the notion of iterability in the context of his discussion of meaning and context.[77] As mentioned in chapter three, iterability refers to repetition as the possibility of written signs enduring in time, and thus being legible at all, beyond their original

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[74] Ibid, 269/88.
[75] Derrida, *Limited Inc*, 236.
[76] Derrida, 'Force of Law', 272/94.
[77] Derrida, *Limited Inc* (Evanston, IL: Northwestern University Press, 1988). For a discussion of iterability, see Rodolphe Gasché, 'More than a Difference in Style' in *The Honour of Thinking. Critique, Theory, Philosophy (Stanford: Stanford University Press, 2007);* see also his *The Tain of the Mirror. Derrida and the Philosophy of Reflection* (Harvard, MA: Harvard University Press, 1986).

context and in the absence of their author(s). The possibility of travelling across time and contexts suggests that repetition contains the constitutive possibility of alteration and differentiation resulting from the mediation effected by the contexts in which meaning is produced. By standing for a differential and altering repetition, iterability represents a law that contaminates the purity of phenomena, including the law.[78]

Now, to understand how iterability is connected to the law, it is necessary to take a digression and briefly address Derrida's reading of Benjamin's 'Critique of Violence' occurring in the second part of 'Force of Law', since it is in that context that his reflections on iterability and the law emerge most forcefully. It is not my intention to engage in a detailed discussion of this complex relationship as this is beyond the scope of this chapter. I simply wish to draw attention on the iterability of the law, the exploration of which, I hope, will also shed light on the mystical foundation of authority and the structure of contamination that is crucial to Derrida's understanding of the theologico-political predicament.

In his 'Critique of Violence', Benjamin sets out to articulate a critique of violence capable of illuminating the relationship between violence, law and justice. His aim is to provide a critique of violence that differs from traditional legal philosophies such as natural and positive law theories, which see violence only as a means to an end, natural or historical respectively, and dogmatically presupposes that a justification exists between means and ends.[79] By viewing violence as justifiable means used to institute and preserve the law, these theories can only conceive of violence as either law-making or law-

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[78] For rich accounts and discussions of iterability as differential repetition affecting the law, see Beardsworth, *Derrida and the Political* and Matthias Fritsch, *The Promise of Memory*.

[79] Benjamin, 'Critique of Violence', 237 –238.

preserving but never as it relates to justice. As such they cannot offer a critique of violence as such but only of how it is used as a justifiable means.

In addition to their general dogmatism, Benjamin considers natural and positive law theories deficient for three specific reasons. First, they are rationally impotent and hopeless against the "ultimate insolubility of all legal problems" since they are unable to distinguish when violence is used as means only or as an end in itself.[80] Second, these theories support a law that is "rotten" and "ambiguous" because, to remain so (i.e. to remain an instituting violence), the law needs to preserve itself and its own power and thus needs to make "power-making violence" as its own end.[81] Finally, these theories conceive of the law and its historical development as a dialectic between law-making and law-preserving violence. This development follows a law of "oscillation" which implies that historical change yields nothing else than a succession of instances of law-making violence. In short, this dialectic of oscillation reduces history to the historical decaying of laws.[82]

In contrast to traditional legal theories, Benjamin articulates a critique of violence as a "philosophy of history", a philosophy of the history of violence that is capable of thinking beyond a means-end model and thus of identifying violence as such and not in relation to an end. For him, a proper critique of violence requires the "destruction" of law-making as power-making violence so as to move beyond an idea of the law that uses violence for its own sake.[83] It requires, "a criterion of violence itself as a principle", a criterion making possible "a critical, discriminating, and decisive approach" capable of

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[80] Ibid, 247.
[81] Ibid, 248.
[82] Ibid, 251.
[83] Ibid, 249.

breaking the dialectic of historical change and of grounding evaluations on the justness of end.[84] Such a criterion is provided by divine violence, which is a "different kind of violence" since it is not "law-making" and "bloody", but "law-destroying" and "lethal without spilling blood". [85] As "pure manifestation", divine violence is a "pure immediate violence" situated "outside the law" that is capable of breaking through the cycle of laws by deposing (*Ersetzung*) the law and abolishing state violence (*Staatsgewalt*).[86] Although not "recognizable as such with certainty" by human beings and exceeding the realm of the law, this type of violence nevertheless allows for moving past the insolubility of all legal problems by providing a firm criterion for discriminating between violence as end or as means.[87] Divine violence can do so since it deposes the law, it halts any positing or law-making as power-making violence, but not violence as such, and is able to manifest, unambiguously, divine justice thereby inaugurating a "new historical epoch" without law.[88]

The theme of the "annihilation of the law" is what Derrida finds most disquieting in 'Critique of Violence'. For him, Benjamin's text contains a "terrible ethico-political ambiguity" regarding the possibility of a final solution and a disturbing affinity with the theme of "destruction" employed by both Schmitt and Heidegger.[89] Derrida connects this theme to Benjamin's understanding of 'critique' conceived as "*krinein",* namely the

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[84] Ibid, 236, 251.

[85] Ibid, 249.

[86] Ibid, 252. For a thorough exploration of the notion of 'deposing' in Benjamin's 'Critique of Violence', see Werner Hamacher, 'Afformative, Strike', *Cardozo Law Review* Vol. 13 (1991): 1133 –1157.

[87] Ibid.

[88] Ibid, 252. To exemplify divine violence, Benjamin mentions the biblical story of Korah and the general strike. In the case of Korah, he refers to how God's judgment striking the Levites effected a manifestation of divine violence by annihilating them without spilling blood. In the second case, he argues that the violence of the general strike –which, unlike the political strike, does not replace those in power while maintaining the state, but seeks to abolish the state altogether – can be taken as an example of the possible manifestation of divine violence in human affairs. Ibid, 246, 250.

[89] Derrida, 'Force of Law', 287/122, 261/73.

capacity of choosing, of taking a "decision in the form of judgment" that "has an essential relation, in itself to the sphere of law" and thus to violence. Similarly to the Kantian understanding of critique, the concept of violence as critique allows for evaluative judgements only in the sphere of law, politics and morality, that is, in those domains connected to the claim to authority or the authoritative right to judge.[90] Conceived as decisive judgment involving the right to evaluate, 'critique' implies, a discriminating 'force' that is putatively capable of separating what resists conclusive discriminations.

For Derrida, Benjamin employs this 'force' in a series of "radically problematic distinctions" of which the following are only the most important examples: founding *versus* preserving violence; mythic violence founding the law *versus* divine violence annihilating the law; and justice as the principle of all divine positing of ends *versus* power as the principle of mythical positing of law.[91] These distinctions are at times accompanied by an 'essentialist' language and the theme of 'decay'[92] pointing to seemingly "reactionary" and nostalgic features of Benjamin's text, which therefore remains too ambiguously connected to "Schmittian or Heideggerian schemas".[93]

For Derrida, however, the stability Benjamin seeks to secure for his own distinctions, especially the one between law-making and law-preserving violence, is undermined by iterability.

> The very violence of the foundation or positing of law (*Rechtsetzende Gewalt*) must envelop the violence of the preservation of law (*Rechtserhaltende Gewalt*)

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[90] Ibid, 265/79–80.
[91] Ibid, 264/78 –79.
[92] With reference to the mixture of law-making and law-preserving violence in the police, Benjamin talks about an "unnatural combination" (242) rendering the police an institution in which one "encounters nothing essential at all" (243). Similarly, when differentiating a political from a general strike he says that the two are "essentially different" (245). The theme of decay appears especially in Benjamin's discussion of parliamentary democracy (244) and the history of law as a history of law's decay (251). See Benjamin, 'Critique of Violence'.
[93] Derrida, 'Force of Law', 281/111.

and cannot break with it. It belongs to the structure of fundamental violence in that it calls for a repetition of itself and founds what ought to be preserved, preservable, promised to heritage and to tradition, to partaking [*partage*]. A foundation is a promise. Every positing (*Setzung*) permits and promises, posits ahead [*permet and pro-met*]; it posits by setting and promising [*en mettant et en promettant*]. And even if a promise is not kept in fact, iterability inscribes the promise as a guard in the most irruptive instant of foundation. Thus it inscribes the possibility of repetition at the heart of the originary. Better, or worse, it is inscribed in this law [*loi*] of iterability; it stands under its law or before its law [*sous sa loi ou devant sa loi*]. Consequently [*du coup*], there is no more pure foundation or pure position of law, and so a pure founding violence, than there is a purely preserving violence. Positing is already iterability, a call for self-preserving and repetition. Preservation in turn refounds, so that it can preserve what it claims to found. Thus there is no rigorous opposition between positing and preserving, only what I call (and Benjamin does not name it) a *differential contamination* between the two, with all the paradoxes that this might lead to.[94]

This is a decisive passage. The 'law of iterability' affects the violence founding the law and the more fundamental violence ("the structure of fundamental violence") involved in the disruption of pure origins and foundations. Characterized by a differential repetition, iterability brings differentiation and contamination at the core of the law ("differential contamination"). While 'differential' points to the splitting of origins 'produced' by differential repetition, 'contamination' refers to the intertwinement between positing and conserving that is involved in any act of foundation seeking to preserve what has been founded. In other words, because iterability inscribes a differential repetition in every origin, including that of the law, any violence positing the law or law-making violence is always already a differentiated repetition of itself and thus also a law-preserving violence. And this suggests that talks about a pure foundation or origin of the law make little sense.

This is what Derrida calls the "paradox of iterability" which "threatens the rigor" of Benjamin's distinctions. By inscribing "preservation in the essential structure of

[94] Ibid, 272/94.

foundation", iterability impedes the radical heterogeneity between the law-making and law-preserving violence that Benjamin seeks to maintain.[95] In this way, any attempt to overcome or transcend the "*differential contamination*" between these two types of law by appealing, as Benjamin does, to a decidable but unknowable radical exteriority identified with the divine (divine violence as "outside the law"), is doomed to fail. This failure is due on the one hand, to the phenomenology of decision or position taking. As Gasché has argued, 'critique' as discriminating position remains necessarily implicated in the things over which it decides, things that contaminate its alleged purity.[96] On the other hand, it is due to the relationship between decision and time. Any decisive discriminating needs to be capable, in principle, of halting "*differential contamination*", but also the passing of time on which such contamination, via repetition, relies. That this option is not philosophically sustainable has been already shown in our discussion on time.

Although Derrida criticizes Benjamin's attempt to secure stable distinctions, he reckons that the latter *seems* to acknowledge the contamination at the heart of the law without fully upholding it. For Derrida, Benjamin acknowledges such a contamination in his discussion of the violence of capital punishment and of the police which are examples in which the law is reduced to the manifestation of violence for its own sake. Indeed, Derrida notes, Benjamin claims, in discussing the death penalty, that "there is something rotten in law" which for Derrida implies that something condemns the law, "ruins it in advance";[97] second, Benjamin describes the police as an institution in which law-making and law-preserving violence cannot be clearly distinguished since they both preserve the

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[95] Ibid, 278/104.

[96] Rodolphe Gasché, 'Critique, Hypercriticism, Deconstruction', *The Honor of Thinking. Critique, Theory, Philosophy* (Stanford: Stanford University Press, 2007), 35.

[97] Ibid, 276/101–103.

law by applying existing rules and they make the law by legislating in all those cases in which no clear legal situation exists. The police represent a limit case in which the distinction between law-making and law-preserving violence is "suspended" and collapses into a "spectral mixture" revealing the police's "ignominy" and rendering the law they enforce "ambiguous".[98] As Derrida notes, this mixture points to a deconstructive operation at work in Benjamin's text: "modern police force ruins" or "one could say deconstruct" the distinction between law-making and law-preserving violence, a distinction "that nevertheless structures the discourse that Benjamin calls a new critique of violence".[99] However, and in spite of his implicit recognition of iterability and contamination, Benjamin, for Derrida, "never gives up trying to contain in a pair of concepts and to bring back down to distinction the very thing that incessantly exceeds and overflows them".[100] Although Derrida does not put sufficient emphasis on Benjamin's idea that mythic violence seeks to keep the distinction alive in order to avoid the risk of fascism, his point is that the logic of divine violence does not exclude the possibility of similar effects if it can resolve "differential contamination".

Taken as face value, Derrida's interpretation of Benjamin attributes to the latter a sort of naïve essentialism – the quest for a pure, unmediated, instance external to the historical cycle of violence – and of proto-fascism –the attempt to return to a pure origin as a remedy to decay, which are all features Benjamin tried to oppose in 'Critique of Violence' and other writings.[101] Yet it is not entirely clear that Derrida is *simply*

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[98] Benjamin, 'Critique of Violence', 242 –243.
[99] Derrida, 'Force of Law', 277/103.
[100] Ibid.
[101] Most notably his "Theses on the Philosophy of History". For a discussion of Derrida's 'unfair' reading of Benjamin see John P. McCormick, 'Derrida on Law; Or, Poststructuralism Gets Serious'; and Mathias Fritsch, *The Promise of Memory. History and Politics in Marx, Benjamin and Derrida*.

advancing these charges, though he has been severely criticized for his view.[102] Some

commentators have argued that, perhaps, Derrida's interpretation performs rhetorical

strategies attempting to "defend" without apology the value of Benjamin's text.[103] Others

have emphasized that his view puts further emphasis on a possible consequence arising

from the rather opaque and enigmatic text of Benjamin.[104] It is not my intention to engage

in interpretative questions here, as a rich literature already exists on this topic, which

seems hard to settle.[105] However, I seek to underscore that independently of how one

interprets Derrida's evaluation of the 'Critique of Violence', it is difficult to deny the

following: Derrida puts into sharp relief the serious stakes involved in a discourse which,

sustained by an essentialist language and, at times, an apocalyptic tone, seeks to push the

agenda of historical materialism further by appealing to an ambiguous figure pointing to

the possibility of a radical exteriority and whose manifestation is equivocally connected

to the theme of destruction. To the extent that such a discourse *also* animates Benjamin's

text or is not excluded by it, Derrida's illumination of its possible and dangerous

implications does seem both timely and necessary.

What does this digression on the relationship between Derrida and Benjamin add

to our discussion of iterability and the law? Besides illuminating very briefly Derrida's

position on Benjamin's 'Critique of Violence', this discussion on their relationship helps

us highlight the significance of iterability for Derrida's position on the mystical

foundation of authority. Iterability does not simply exposes the connection between the

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[102] Gillian Rose, *Judaism and Modernity: Philosophical Essays* (Oxford: Oxford University Press, 1993), 81 –86.

[103] John P. McCormick, 'Derrida on Law; Or, Poststructuralism Gets Serious', 407.

[104] See Richard, J. Bernstein, *Violence: Thinking Without Banisters* (Cambridge: Polity Press, 2013).

[105] In addition to Fritsch, Bernstein, Gasché, McCormick and Rose mentioned in the preceding footnotes, see also De Vries, Hent, *Religion and Violence: Philosophical Perspectives from Kant to Derrida* (Johns Hopkins University Press, 2002); James Martel *Divine Violence: Walter Benjamin and the Eschatology of Sovereignty* (Routledge/GlassHouse, 2011).

violence instituting the law and the more complex violence associated with differential repetition. [106] This remains an important point. Iterability indicates contamination as the model of interrelation characterizing the secular domain, a model that will prove central to appreciate Derrida's understanding of what 'theologico-political' just means, as I shall indicate below. It also exposes the limits connected to interpreting and universally justifying the neutrality of the secular domain by recurring to a metalanguage. Iterability suggests that the origin of the politico-legal order, as any origin, cannot be isolated and cognitively grasped as such since it is inscribed in a movement of differential repetition that makes origins elusive. If this holds, approaches seeking to justify the law by attempting to make intelligible its origin do either fill the gap between foundation and justification through fictions that conceal unrecognized metaphysical claims; or, if they consciously do so, they hypocritically appeal to the voice of justifiable reasons where only force can speak. Thus, *pace* universalist rhetoric, Derrida's view on iteralbility shows that no legitimating discourse couched in the neutral language of reason alone *can* represent the interests of human beings as such in the aftermath of political founding.

However, what Derrida does not show is how to think about post-founding predicaments given the aforementioned gap and the need for justification. Does the awareness of the gap between origin and justification contribute in avoiding further violence after the founding moment? If so, in which ways and at which stage? Which type of judgement should be employed to evaluate the fabulous fiction of the founding moment? Although Derrida is lamentably silent on how to think about the immediate

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[106] Ben Corson, 'Transcending Violence in Derrida. A reply to John McCormick' in *Political Theory* 29, 6 (2001): 855–875. For interpretations on the relationship between iterability and violence in Derrida, see also Beardsworth, *Derrida and the Political*; and Samir Haddad, 'A Genealogy of Violence, from Light to the Autoimmune', in *Diacritics* 38 (2009), 121–142.

aftermath of political founding and on how to judge the new politico-legal order, he

leaves us with two cautionary warnings that perform nevertheless a critical function.

First, he warns us that the 'rational' judgments about the myth of founding are placed in a

contestable context that was enabled through exclusions. By emphasizing this point,

Derrida does not advocate refusing to evaluate newly constituted institutions, blurring the

distinction between fictions of totalitarian and democratic regimes or devaluating the

analysis of what constitutes a legitimate regime. Rather he points to the importance of

being critically aware of the background conditions that have favoured and made relevant

certain normative understandings and not others, and thus to the idea that 'rational'

judgments are blind and potentially exclusionary if not complemented by genealogical

investigation. Second, he cautions us that discourses of universal legitimation

proclaiming the neutrality of the secular domain towards a plurality of worldviews

conceal founding exclusions and institutionalize a violence that becomes structural to the

constituted political community and that produces intergenerational negative effects.

Modern democracies such as the already mentioned Canada, Australia and Turkey are

prominent examples in which the exclusion of, respectively, aboriginal people and

national minorities, has had and have those practical effects.

The temporal and differential features of the law discussed so far are particularly

significant to the understanding of Derrida's view of the secular domain. These features

illuminate that the law's authority does not rest *solely* on normative justifications, as in

the tradition of natural law or in liberal constitutionalism, but on an historical and

forceful act informed by some form of faith that authorizes, as it were, the law. To affirm

this is not to discredit the relevance and necessity of normative justifications in founding

predicaments. Rather it is to point out first, that the irreducible gap between the origin and justification of a politico-legal order makes discourses of legitimation always already political because constitutively dependent on fictions that conceal forceful exclusions; second, that because the instituting violence inaugurates, through such exclusions, a *particular* historical horizon of interpretation, Derrida's view of the secular domain cannot retain a neutral halo as Cauchi has suggested;[107] finally, and most significantly for our purposes, that an element of faith plays a significant role in political foundations.

Now, acknowledging this role is crucial to understand the 'mystical foundation of authority'. Because the instituting faith represents also the inaugural condition of any interpretative system that resolves semantic undecidability through force but not undecidability as such, no interpretative system can make sense of its instituting moment from within itself. And this means not simply that any discourse finds its limit in the performative power from which it originates, despite the recognition that any new legal system relies upon already existing and thus interpretable legal structures and traditions.[108] It also means that the very possibility on which a particular configuration and interpretation of political authority rely, constitutes also a possibility for radical criticism and self-criticism of political authority as such, since no founding moment can close the gap between condition of possibility (elemental faith) and determinate necessity of specific forms of juridico-political power, as highlighted in the previous chapter. Therefore, and this is Derrida's debt to Montaigne, Pascal and Benjamin, the foundation of the law's authority can be called mystical because its irreducible uninterpretability depends on "a silence" that "is walled up in the violent structure of the founding act."

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[107] Cauchi, 'The Secular To Come. Interrogating the Derridean "Secular"', 13.
[108] Derrida, 'Force of Law', 242/34.

This silence indicates that the authority of the law rests on the "faith (*foi*)" granted to it, on an act that provides "no ontological or rational foundation" because it takes place in the realm of belief and not in that of reason and knowledge. [109] While apparently levelling all political-legal systems, the claim that all systems of law rely on a mystical element does not seek to offer evaluations, as if Derrida would make no difference between post-revolutionary America in 1776 and Iran in 1979. [110] Rather it seeks to expose that irreducible element of faith which the radical anti-religious impulse of the Enlightenment has obscured to the point of removing it so decisively from the agenda of philosophical reflection that it has been rendered invisible to contemporary discourses, as sort of Spanish Marrano. [111] However, because this faith plays a central role in the moment of political foundation its appreciation seems central to understand the nature of the secular domain.

But the appreciation of such a faith is crucial also for another reason. Besides marking the mystical nature of political authority and the limits of justificatory discourses that faith also points to possibilities for emancipation. This is another aspect missed by the Enlightenment amnesia. For Derrida, because the law rests on "a violence without ground [*sans fondement*]" that nevertheless founds a new political order upon preceding legal structures and traditions, it is "essentially *deconstructible*". This means that the law is susceptible to transformations and that new possibilities for emancipation might be

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[109] Ibid, 240/30.
[110] The charge of dangerous equalization is put forward by Dominick La Capra in his "Violence, Justice, and the Force of Law" and critically discussed by Drucilla Cornell's "The Thinker of the Future."
[111] In 'Faith and Knowledge', Derrida uses the powerful image of the Spanish Marrano to talk about elemental faith as something that has been forced to be only at the price of its occultation: "Ontotheology encrypts faith and destines it to the condition of a sort of Spanish Marrano who would have lost –in truth dispersed, multiplied – everything up and including the memory of his unique secret". Derrida 'Faith and Knowledge', 100/100.

disclosed.[112] This eventuality is connected to the suspension (*epokhē*) of the credit

accorded to the law as if one were to perform an act of theoretical fiction through which

the validity of the law is put on hold and the history of the law, of how it came into being

is investigated. As Derrida acknowledges, the act of suspension exposes us to the risk of

a legal void; however, that risk constitutes also a "political chance" that might disclose

new possibilities for justice by increasing our responsibility towards the past and the

future .[113] On the one hand, responsibility towards the past is the "task of recalling the

history, the origin, and thus the limits" of "law [*loi*] and right [*droit*], of values, norms,

prescriptions that have been imposed and sedimented" in our inherited tradition and

appears therefore as "less readable" or "presupposed".[114] As mentioned in the previous

chapter, this responsibility requires the memory of the history of law, a memory that is

not limited to the content of the received law but reaches also the conditions of its

establishment. As Derrida puts it in *Specters of Marx*, memory does not regard simply

"what one inherits but the pre-inheritance on the basis of which one inherits"; that is, it

concerns remembering the empirical conditions of founding moments, which often

involve exterminations and exclusions of human, philosophical, and political alternatives

that leave behind ghostly traces.[115] For him, the memory of the past fosters the awareness

that any established law is provisional because of its political nature from first inception.

But, above all, memory displays a normative potential since it represents the possibility

of reactivating unrealized possibilities in view of emancipation, as discussed in chapter

three. On the other hand, responsibility towards the future represents the task of

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[112] Derrida, 'Force of Law', 242/34.
[113] Ibid. 242/35
[114] Ibid, 247– 248/44.
[115] Derrida, *Specters of Marx*, 137/181.

suspending the authority of its conceptual and institutional apparatuses, together with the faith or credit accorded to the law in the law, so as to avoid a "dogmatic slumber".[116] If this operation might appear to be the opposite of responsibility, it is for Derrida an "increase in responsibility" since it calls for continued vigilance of the law and its origin *without* abolishing the law, and opens up the space "in which transformations, even juridicopolitical revolutions, take place".[117] The 1992 ruling of The High Court of Australia represents a good example of the emancipatory potential of deconstruction, as Paul Patton has noted.[118] Pressed to look at the memory of the past, the Court recognized for the first time a form of ownership of land based on indigenous law that had been denied since the establishment of Australia as a British colony in 1788. This ruling, Patton suggests, is "a striking example of a partial deconstruction of an established and historically contingent body of law" which, however imperfectly, it has been ameliorated.[119]

Appreciating the mystical and faithful character of the law together with its possibilities of emancipation, one might argue, does not clear crucial questions regarding the requirements of *some* justification that any political-legal order needs in order to be effective at all. If the origin of the law always escapes human reach, how should we understand the nature of political justification? What should we make of the founding faith in the absence of metalanguage?

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[116] Derrida, 'Force of Law', 249/46.
[117] Ibid, 248 –249/ 45–46.
[118] See Paul Patton and Terry Smith (Eds), 'Justice, Colonization, Translation" in *Jacques Derrida: Deconstruction Engaged: the Sydney Seminars*, 82
[119] Patton calls this a 'partial' deconstruction since the High Court formulated the decision through the language of the colonizing power and in the name of the colonizer, thereby perpetuating, in some sense, historical injustice.

4.5 Before the Law

Derrida's essay 'Before the Law' addresses some of these questions, particularly that of the origin of law and the hermeneutic puzzle of being 'before the law'. Here he interprets Kafka's story bearing the same title as a way to reflect on the relations between generality and singularity through the relationship between law (general) and literature (singular), including also the question about the origin of both. The story concerns a doorkeeper standing before the gate of the law and a man from the country seeking admittance to the law. Since the doorkeeper denies access only at the present time, the man from the country waits until the end of his life to eventually hear from the doorkeeper that the door was meant uniquely for him but it was now time to close it.

For Derrida, this story presents a series of paradoxes the most significant of which is, for our discussion, the predicament faced by the man from the country who stands 'before the law'. But what does 'before the law' mean? And, more specifically, what does 'before' mean in 'before the law'? For Derrida, 'before' refers to both a spatial and temporal dimension, "before the law and prior to the law [*devant la loi et avant la loi*]".[120] It indicates a complicated relationship between 'outside' and 'inside' that can be appreciated by distinguishing man *qua* subject to the law and man *qua* creator of the law. Although the man of the country believes himself to be already under the law, inside its jurisdiction, and that the law should be universally accessible, he finds out that the law is "never immediately" accessible to him *qua* subject to the law, and thus he remains in a sense outside it, as "an outlaw".[121] That man can also be considered as being outside the law because, considered as man *qua* creator of the law, he stands in a position that

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[120] Derrida, 'Before the Law', 216/134.
[121] Ibid, 196/114, 204/122.

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temporally precedes its institution (*avant la loi*) and that grants him the power to provide the doorkeeper with the "entitling authority" to guard the law.[122] This paradoxical situation raises a radical question: if the law always eludes human reach, does the 'before' of 'before the law' point to a transcendent origin, one that is outside law and history?

Derrida seems to reject this possibility when he emphasizes that all there is before the law is the man from the country who provides the doorkeeper with a guarding authority. Yet, the question of the law's inaccessibility is more complex. The impossibility of *immediately* accessing the law signals a structure of delay inherent in the law: the access to its origin is indefinitely deferred and kept secret, as it were. The secret is precisely that the law "has no essence", it has no *proper* origin and therefore the foundation of the law "never takes place in a presence". Indeed neither the doorkeeper who "turns his back to the law" in order to "prohibit all presentation" nor the man from the country "who faces the law" have no access to the law since "neither is in the presence of the law".[123]

For Derrida, that the law is not presentable and has no essence indicates that the truth of the law is its non-truth, which is reminiscent of Heidegger's account of the truth of truth as non-truth. As truth without truth, the law can only "*guard itself*", it guards the secret that it has no *proper* origin and that its own door opens "on[to] nothing", it stands over the abyss.[124] This openness on the abyss constitutes the structure and 'force' of the

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[122] Ibid, 201/118.
[123] Ibid, 206/123, 201/119.
[124] Ibid. 206.

law against which human beings can employ deconstructive strategies that can bring

emancipatory results without seeking to get away with the law.[125]

Significantly for our discussion, the structure of the law does not exclude that, as

Derrida notes in 'Force of Law', a transcendent or even theological dimension still

characterizes the legal order.

> The foundation of the law remains suspended in the void or over the abyss, suspended by a pure performative act that would not have to answer to or before anyone…And the "being before the law" that Kafka talks about resembles this situation, both ordinary and terrible, of the man who cannot manage to see or above all to touch, to catch up with the [*loi*]: it is transcendent in the very measure that is he who must found it, as yet to come [*comme à venire*], in violence. One "touches" here without touching on this extraordinary paradox: the inaccessible transcendence of the law [*loi*], before which and prior to which "man" stands fast, only appears infinitely transcendent and thus theological to the extent that, nearest to him, it depends only on him, on the performative act by which he institutes it: the law [*loi*] is transcendent, violent and nonviolent, because it depends only on who is before it (and so prior to it), on who produces, founds it in a absolute performative whose presence always escapes him. The law [*loi*] is transcendent and theological, and so always to come, always promised, because it is immanent, finite and thus already past. Every "subject" is caught up in this aporetic structure in advance.[126]

The man from the country, *qua* subject to the law, cannot access the law because it is he

who authorizes it *qua* creator of the law. Thus the law remains transcendent and

theological because is always ahead ('to come') of him, 'outside' of him and yet always

already 'inside' him, as part of his power to institute it. The act of authorization is an

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[125] This is the source of disagreement between Derrida and Agamben with regard to the interpretation of Kafka's story. While, for Derrida, the story shows the impossibility of surpassing the abyssal character of the law, for Agamben it suggests that the patient waiting of the man of the country led to a closure of the law's gate, the deposition of the law and thus the opening up of a new politics without law that is closer to justice by standing at the gate leading to it [Agamben, *Homo Sacer*, 49–62; *State of Exception*, 64]. Yet this disagreement cuts deeper: while Derrida resists any form of messianism capable of seen which gates leads to justice and thus where justice lies, or that severs the nexus between justice and law, Agamben envisages a new politics without law, an historical epoch that is 'closer' to justice since it stands at the gate "that leads to it". For a thorough discussion of the relationship between Derrida and Agamben, see Adam Thurschwell, 'Specters of Nietzsche: Potential Futures for The Concept of the Political in Agamben and Derrida', *Cardozo Law Review* 24 (2003): 1193-1231.
[126] Derrida, 'Force of Law', 270/ 89–90.

"absolute performative" not in the sense that it can be clearly separated from the constative function it also enacts. Rather it is absolute because it is independent of and heterogeneous to any previous normative order and horizon of knowledge from which it could be possibly derived. It is a pure act in that it constitutes itself *in* and *as* an interruption of the previous order, in the exception, to use a Schmittian vocabulary.

But what is crucial for our discussion is that this "absolute performative" is informed by the elemental faith discussed in the previous chapter, namely an elementary experience of trustworthiness that is prior to but shared by the determinate faith of positive religion and that informs the structure of promissory affirmation or the "messianic". This point emerges clearly in 'Faith and Knowledge' where Derrida, commenting on the 'messianic', refers explicitly to elemental faith and connects it to political foundings, and democracy.

> This abstract messianicity belongs from the very beginning to the experience of faith, of a believing, of a credit that is irreducible to knowledge and of a trust that "founds" all relation to the other in testimony. This justice, which I distinguish from right, alone allows the hope, beyond all "messianisms", of a universalizable culture of singularities, a culture in which the abstract possibility of the impossible translation could nevertheless be announced. This justice inscribes itself in advance in the promise, in the act of faith or in the appeal to faiths that inhabits every act of language and every address to the other…This messianicity stripped of everything, as it should, this faith without dogma, which makes its way through the risk of absolute night, cannot be contained in any traditional opposition, for example that between reason and mysticism. It is announced wherever, reflecting without flinching, a purely rational analysis brings the following paradox: that the foundation of the law –the law of the law, institution of the institution, origin of the constitution –is a "performative" event that cannot belong to the set that it founds, inaugurates or justifies. Such an event is unjustifiable within the logic of what will have opened. It is the decision of the other in the undecidable. Henceforth reason ought to recognize what Montaigne and Pascal call an undeniable "mystical foundation of authority". The mystical thus understood allies belief or credit, the fiduciary or the trustworthy, the secret (which here signifies "mystical") to foundation, to knowledge, we will later say also to science as "doing", as theory, practice and theoretical practice…The chance of this desert in the desert (as of that which resembles to a fault, but

without reducing itself to, that via negativa which makes its way from a Graeco-Judeo-Christian tradition) is that in uprooting the tradition that bears, in atheologizing it, this abstraction, without denying faith, liberates a universal rationality and the political democracy that cannot be dissociated from it. [127]

This very complex passage is significant to our discussion for several reasons. First, it illuminates elemental faith as the thread running through the three themes analysed so far: language, time and politics. That faith is central to Derrida's understanding of the idea of a 'language of promise', of the 'messianic' as justice and, as we see here, of politics. Second, it exposes the link between the three main essays analyzed in this chapter ('Declarations', 'Force of Law' and 'Faith and Knowledge') by linking together, respectively, the paradoxical temporality, mystical feature and faithful character of the act of political founding emerging in them. Finally, it makes explicit that an elemental faith is central to the foundation of politics and democracy, a faith that exceeds knowledge precisely because it is placed in a dimension without guarantees or certainty as that of credit –hence the "risk of the absolute night".

This last point has decisive implications for understanding why Derrida's view of the secular breaks with 'old' secularism, especially if we concentrate on the nature of elemental faith. In the previous chapter we have seen that such a faith consists in a minimal structure of belief that all human interaction presupposes. It is a quasi-transcendental figure that represents the condition of possibility of both reason and religion. Indeed, Derrida believes that since reason and religion have in "the testimonial pledge (*gage*) of every performative" a common source, reason "bears, supports and supposes" religion.[128] He also believes that since elemental faith is "at least in its essence

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[127] Derrida, Faith and Knowledge', 56 –57/ 31–32.
[128] Ibid, 66/46.

or calling, religious (the elementary condition, the milieu of the religious, if not of religion itself)",[129] rational thinking preserves an irreducible connection to a dimension typical of, but not exclusive to, religion.[130] By emphasizing the link between reason and religion through an elemental faith, Derrida allows for a view of their relationship that moves past the radical anti-religious impulse of Enlightenment that wanted them strictly separate, especially in the secular domain.

But how does all this relate to Derrida's claim in the aforementioned passage from 'Force of Law' that the "law (*loi*) is transcendent and theological"? A clue to this question might be found by reflecting on the role elemental faith plays in political foundings where the absence of grounds impedes the appeal to a stable cognitive horizon. In such situations, the encounter with a mystical limit exposes trust as an act of bearing witness that is involved in the foundation of both politics and knowledge and that gives the law a dimension that "appears", Derrida says, "infinitely transcendent and thus theological". [131] Here "appears" suggests that this dimension need not be taken in traditional terms since elemental faith is not simply placed 'outside' the law, in a transcendent place proper to God or any other ultimate instance. Rather it stands in a more complicated relation to the law, one in which the distinction between 'inside' and 'outside' does not firmly hold, as Derrida's reading of Kafka has shown. How exactly this distinction and the law are related, is not very clear in Derrida and it remains open to interpretation whether this unclarity is due to his shortcomings or the limit-nature of the

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[129] Ibid, 80–81/68.
[130] Derrida, *Rogues*, 153/211.
[131] Derrida, 'Force of Law' 270/90.

subject at issue. [132] What is clear, however, is that 'inside' and 'outside' are not simply opposed to each other, as transcendence and immanence are according to traditional understandings, and that it is in the intertwining and play between them that Derrida's notion of transcendence (and thus of the theological), perhaps *another* notion of transcendence, is at work. The question remains, though, what exactly is the nature of this transcendence. Other than noting, as in the quote about being 'before the law' mentioned above, that transcendence is, in some sense, horizontal since it refers to a dimension that is 'ahead' (as opposed to 'above') of the subject because still "to come", Derrida leaves the meaning of his notion of transcendence in need of further development.[133]

On this reading, it *seems* that Derrida is looking for something more fundamental than reason and religious faith and this would be precisely his notion of elemental faith. Perhaps, this is the reason why some commentators have pointed out that Derrida's 'faith' is somehow contradictory and delusional since it risks repeating the very foundational universalism it seeks to disturb.[134] On the one hand, this faith is a *rational* faith in reason that seeks to provide a sort of unconditioned or neutral space from which to criticize religious and secular perspectives, which are then submitted to the ultimate

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[132] Commenting on this topic in *The Beast and the Sovereign*, Derrida says, in a Kantian fashion, that the "*thought* of exception", the Schmittian exception exemplified here by the 'pure performative', is "necessary" but "impossible qua *philosophical theory*". See his Jacques Derrida, *The Beast and the Sovereign*, 49/80.

[133] Perhaps a provisional and tentative clue on the relationship between outside and inside can be found in a context not strictly related to the law. Commenting on the relationship between scientific discourse and deconstruction, specifically on whether the latter is inside or outside the former, Derrida affirms: "I confess I have no simple, stable answer to this question. And this is also a result of the invaginated structure of this limit, this form of frontier that, if I can put it like this, includes the outside in the inside without integrating it". See Derrida, 'As If It Were Possible 'Within Such Limits…', 98/317.

[134] C. E. Evink 'Jacques Derrida and the Faith in Philosophy', *The Southern Journal of Philosophy* Vol. XLII (2004), 313–331. See Mark Cauchi, 'The Secular To Come. Interrogating the Derridean "Secular". It should be noted that Cauchi directs his charge to Derrida's view of the secular by referring specifically to the latter's view of identity and culture. Yet he also addresses the question of 'faith' as central to this charge.

judgment of reason.[135] On the other hand, it arises from a type of enquiry which is linked, as Derrida acknowledges, to the emancipating spirit of the Enlightenment but that remains more connected to its historical context and philosophical and religious sources (Latin Christianity) than he wants to concede or acknowledge. [136] So conceived, elemental faith cannot provide the space for the unconditioned criticism it seeks to offer because of its historical heritage and of its a priori rational inclination. If it continues to seek for such a space, Derrida's elemental faith suffers from the delusion of pretending to be different from the neutrality of the Christian Enlightenment it criticizes.

This forceful objection strikes at the core of Derrida's thinking. Yet it can be turned into an occasion for clarification. In the previous chapter, I have shown that Derrida's thinking is historical and aware of its own historicity. I have also illustrated that his receptivity to political foundings and their structural exclusions points toward the impossibility of universal claims as traditionally conceived by various forms of Enlightenment universalism. I have argued that by acknowledging the particularity from which his thinking originates, Derrida manifests a vigilant awareness towards unwarranted universalizing impulses that spring from an amnesic attitude about the specificity of contexts from which universal discourses originate and remain irreducibly connected. Although operating within the critical spirit of the Enlightenment, Derrida also highlights the colonial and imperial features of various versions of Enlightenment universalism sustaining global secularization. His view of elemental faith indicates that such secularization cannot be conceived as a project of full emancipation from "all faiths" and that faith in "reason alone" is what the Enlightenment did not have the

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[135] See C. E. Evink 'Jacques Derrida and the Faith in Philosophy', 319 –320.
[136] Ibid, 320; Cauchi, 'The Secular To Come. Interrogating the Derridean "Secular"', 19.

courage to question. Taking this view seriously has several implications. First, it implies questioning the idea that reason regulates in advance the scope of the faith it has in itself (as in a 'rational' faith in reason) since doing so would reinstitute reason as the most fundamental element between religious faith and reason. Second, it implies that if Derrida's thinking is more connected to Christianity than he is willing to recognize, [137] this connection is critical insofar as it addresses the colonial and imperialistic features of modernity, which have ended up contaminating both the Enlightenment and its religious (Christian) sources. Finally, while it might appear that 'faith' is the most fundamental ground, and Derrida's language leads us to think so, it is nevertheless a ground which, as the founding moment exemplifies, stands over the abyss. While in 'Faith and Knowledge', Derrida affirms that elemental faith is a sort of foundation faith that "steals away the grounds of what it founds", in *The Beast and the Sovereign*, he mentions that "the abyss is not the bottom, the originary ground (*Urgrund*), of course, nor the bottomless depth (*Ungrund*) of some hidden base. The abyss, if there is an abyss, is that there is more than one ground [*sol*], more than one solid, and more than one single threshold [*plus d'un seul seuil*]".[138] As a groundless ground parting company with other grounds, the ground over which Derrida's elemental faith stands is, *stricto sensu*, no ground at all.

By insisting on the centrality of elemental faith, then, Derrida does not seek to provide a sort of unconditioned, ahistorical or neutral space from which to criticize religious and secular perspectives. Although it points to the conditions of possibility of reason and religion thereby somehow preceding them, elemental faith is a *quasi-*

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[137] Derrida, 'Epoché and Faith: An Interview with Jacques Derrida', 33.
[138] Derrida, *The Beast and the Sovereign*, 334.

transcendental that occurs in historical languages and therefore remains irreducibly tied to historicity. Discussing the essence of language and the pledge (*gage*) in connection to Heidegger, Derrida affirms, in a long footnote, "that the fact that it [the pledge] precedes language does not mean that it is foreign to it. The *gage* engages in language –and so always in *a* language'.[139] What Derrida seeks to emphasize through elemental faith is instead a point of irreducibility and yet commonality between reason and religion, the theological and the political, one from which to think about them from within their historical relationship. And this is what the hyphen in the notion of theologico-political suggests: irreducible interrelatedness and yet distinction between the theological and the political. Indeed, it is because of elemental faith that the theologico-political problematics can be thought as such before and beyond the urge to solve it.

4.6 The Secular as Theologico-Political

This discussion about elemental faith, the law and transcendence helps us illuminate the nature of the secular in Derrida's view. If the performative act of foundation reveals the law to be, in some sense, transcendent and theological and, if elemental faith retains a dimension typical of but not exclusive to religion, then the secular domain is not purely political but theologico-political, one in which a theological dimension cannot be strictly excluded but which cannot be considered theological in any traditional sense. The irreducibility and non-dispensability of elemental faith indicates that the theologico-political relationship cannot be resolved in the foundation of political authority but marks instead its very nature.

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[139] Derrida, *Of Spirit,* 130/148.

To illustrate this point, let us connect Derrida's reflections on elemental faith, the mystical foundation of authority and the event of political foundation. As mentioned, political authority retains a mystical character because its foundation rests on an uninterpretable act of (elemental) faith. Escaping the catch of rational justification, this act is located both 'inside' and 'outside' the law and plays a central role in the event of political foundation by giving credit to the conventions according to which a new political order is justified. In this way, the reality of the founding act appears as inextricably linked to some form of transcendence. While in the Declaration of Independence transcendence is explicitly anchored to God this need not be the case for making the claim that religious sources are involved in political foundations. The ambiguous location of elemental faith with regard to the law and its being shared by religion as much as by reason suggests the impossibility of strictly excluding such sources from the institution of the political. Rather than providing a secure anchoring, these sources, for Derrida, point to the groundless character of the founding act and thus the provisionality and openness of the secular order it institutes.[140]

Appreciating this impossibility as a way to point to the groundlessness of political foundations helps also clarify the sense in which Derrida attributes a theological dimension to the secular domain and situate his thought, however briefly and non-exhaustively, within contemporary debates in political theology, especially with authors he directly engages with. As mentioned, Derrida agrees with Schmitt on the theological

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[140] This point marks the proximity and difference between Derrida and Lefort. While both thinkers consider the foundation of the political –where 'political' refers specifically to modern democracy for Lefort – to be always provisional, Derrida resists to categorically exclude religious sources from the event of political institution. Lefort, in contrast, assigns to them an 'imaginary' character that requires that higher point of view his phenomenological perspective on democracy would seem to disallow. See Lefort, 'The Permanence of the Theologico-Political ?', 187.

origin of modern political categories, but rejects his view of secularization and the implicit analogy between the political domain and theology that emerges from Schmitt's association of political sovereignty to the miracle. In all its ambiguity, this analogy signals Schmitt's close proximity to traditional theology as a form of metaphysical discourse. As Samuel Weber has shown, Schmitt employs a method ('the sociology of concepts') that attempts to recover the fundamental essence of political concepts out of their historical differentiation and thus he remains implicated in the metaphysical tradition Derrida challenges. [141]

Derrida's position needs to be distinguished from that of Benjamin too. While drawing significantly from and mostly agreeing with Benjamin's analysis of the law, Derrida criticizes Benjamin's understanding of divine violence as a critiquing (*krinein*) criterion that is able to clearly discriminate between different types of violence. In particular, Derrida puts into question the ability of critique to distinguish between law-founding and law-preserving violence, and thus its ability to resolve the "differential contamination" that iterability inscribes in any foundation. For this reason, Derrida sees Benjamin's equivocal treatment of divine violence as pointing to a dimension that retains a significant ambiguity as to whether the link to traditional theological themes, and in spite of Benjamin's commitment to historical materialism, is still *too* theological.

Derrida's political theology is neither a form of theological discourse under the guise of legal theory as in Schmitt nor a form of critique sustained by theological tropes as in Benjamin, even less a type of negative theology.[142] If anything, it is a mode of interrogation and exposition of the constitutive instability and openness affecting political

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[141] Samuel Weber, 'Taking Exception to Decision: Walter Benjamin and Carl Schmitt', 11.
[142] Derrida, 'How to Avoid Speaking: Denials. In: Harold Coward and Toby Foshay (eds.) *Derrida and Negative Theology* (Albany, NY: State University of New York Press, 1992).

orders and horizons of signification. This is apparent from the way in which Derrida appeals to theological tropes. For him, the theological dimension associated with the secular domain does not depend on whether an explicit reference to God or to an exceptionality derived from a theological notion of sovereignty is made, or any attempts to grasp an ultimate instance. Rather it is connected to the paradoxical and exceptional character of the founding act that points to an elemental faith where the appeal to reason to recover pure origins remains trapped in a problematic metaphysical thinking. So, rather than providing a guarantee of stability through God, the sovereign as God, or any other traditional theological figure, Derrida's appeal to a theological dimension shows the impossibility of closure of the secular domain but also its constitutive entanglement with the religious. [143] And this is where Derrida's innovation lies: by rupturing, through elemental faith, that Enlightenment understanding of the secular domain as a self-enclosed political reality, Derrida opens such understanding to an altogether different type of transcendence. His emphasis on elemental faith and its features allows him to expose the structural instability, historicity and openness of political orders and philosophical horizons together with the possibility of their critical interrogation and amelioration. And these are features and possibilities that are not impeded or threatened by religious sources, but made possible, in some sense, by them.

Emphasizing Derrida's opening to religious sources, though, does not imply suggesting that he envisions a religious foundation of politics or that his thought is

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[143] On this reading, it is the reference to some form of the theological and not simply the philosophical (quasi-transcendental), as Chantal Mouffe and Ernesto Laclau have argued, that offers resources for interrogating the political, in terms of its possibilities and limits. See Chantal Mouffe and Ernesto Laclau, *Hegemony and Socialist Strategy*.

distinctively religious or theological.[144] As mentioned above, the faith at the origin of the

secular displays a theological dimension that is nevertheless not theological in traditional

terms since it is "irreducible to any and all religion or implicitly theocratic

institutions."[145] Rather it is to emphasize his distance from the anti-religious impulse of

an influential strand of the Enlightenment, a distance that does not impede him to stand

for a radical secularization of the political conceived as the unsettlement of any exclusive

or privileged claim to political authority grounded on theological doctrines.[146] As it

emerges from one of his last public appearances, Derrida's support for the "separation

between the theocratic from the political", is neither opposed to religion nor to elemental

faith: "Now I believe one can radicalize the secularization of the political while

maintaining this necessity for faith in the general sense that I have just defined and then,

on the foundation of this universal faith, this faith without which there is no universal

bond, one can and one must respect strictly defined religious affiliations".[147]

Having fully articulated my reading of Derrida's secular, it is now time to

consider how it differs from the recent interpretations of his view on the secular

announced at the outset. In 'Derrida's *Laïcité*', Naas suggests that Derrida was strongly

committed to a deconstructed version of secularism or *laïcité*, as it is understood in

France, namely one that was first submitted to a critique of "its theologico-political

origins exposed through a radical desacralization" leading to a view of reason that is not

opposed to religion. This type of *laïcité* can be seen, for Naas, as "a radical secularity that

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[144] For perspectives that associate Derrida's thought to religion and theological discourse, see especially Caputo, *The Prayers and Tears of Jacques Derrida;* de Vries, *Philosophy and the Turn To Religion*; and Kearney, 'Desire of God'.

[145] Derrida, *Rogues*, 153.

[146] Derrida, "Authorship, Sovereignty and the Axiomatics of the Interview: Derrida 'Live'", in James Smith *Jacques Derrida: Live Theory* (London: Continuum, 2005): 104 –117.

[147] Derrida, "Separation or Connection?" in *Islam and West*, 58.

inscribes faith (though not religion) at the very origin of the sociopolitical".[148] Through

an analysis of Derrida's deconstruction of the theological origins of secularism,

sovereignty, globalization and of the political more generally, Naas points to Derrida's

commitment to enlarge the understanding of *laïcité*, which, he says, "will have to be

considered not in complete opposition to religion but in relation to a faith that first opens

up religious experience" and that "is at the origin of both the political and religion".[149]

 As it should be clear from the discussion so far, I agree with Naas's point about

the centrality of elemental faith for Derrida's secular. Yet my view differs on the

emphasis I put on politics and political founding, and especially on the interrelation

between some form of the theological and the political at the very origin of the socio-

political. While Naas acknowledges that elemental faith is central to opening up the field

of religion and politics, his notion of radical secularity seems to exclude the implication

of religious sources at the origin of the socio-political. In contrast, my analysis shows that

such sources cannot be strictly excluded from Derrida's secular, and for this reason we

can read the theologico-political in connection to his view of the secular *also* in non-

Schmittian terms, namely as pointing to a structural interrelation between the political

and some form of the theological that is not theological in any traditional sense.

 My view partly differs from Cauchi too. In his 'The Secular To Come:

Interrogating the Derridean "Secular", Cauchi sets out to articulate Derrida's conception

of the secular especially through an analysis of Derrida's view of the structure of identity

in general, and that of European Christianity in particular. In his analysis, Cauchi

combines Derrida's view of identity and translation which he applies to Derrida's

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[148] Naas, 'Derrida's *Laïcité*', 63.
[149] Ibid, 64.

understanding of the 'religious and 'the secular', and more precisely to secular Europe

and religious Christianity. Emphasizing that, for Derrida, identity presents a structure of

internal difference and that translation is never transparent and complete, Cauchi suggests

that Derrida's secular is best understood as "secular to come", where the 'to come'

indicates an irreducible otherness *in* the secular (as well as in the religious) that prevents

its closure as a self-identical reality.[150] Simply put, the Derridean secular is never purely

so for Cauchi. As he argues, "it is precisely because the secular always involves faith that

is always to come. It is precisely because the secular cannot be wholly purged of

religion…and in fact presupposes something in religion that is not necessarily religious"

that the "secular is never –not in the past, not in the present, not in the future –wholly or

purely secular".[151]

Clearly my position is in line with Cauchi's idea that Derrida's secular cannot be

purely non-religious. Yet, I reach this conclusion through a different route that

emphasizes more political aspects and attends to the great attention Derrida has paid to

theological traces implicated in questions of political authority, force and law and, more

generally, political foundations. It is not simply in virtue of the structure of identity that

the secular is not a self-enclosed political reality, as Cauchi argues. It is so because of its

empirical constitution through sources from which the religious cannot be excluded.

While Cauchi focuses on Derrida's works on identity and translation and privileges an

understanding of the secular as a property defining culture and identity, I focus more on

questions of force, authority, and the law and consider the secular primarily as

designating the empirical field of the socio-political instituted in the act of political

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[150] Cauchi, 'The Secular To Come', 11. Specifically, Cauchi shows how, for Derrida, the impossibility of self-identity of secular Europe equally applies to religious Christianity.
[151] Ibid. 13.

foundation.[152] My suggestion is that by understanding Derrida's secular in this way, that is, from the angle of its foundation, the relevance and political 'force' of his view comes most decisively and fruitfully to light.

The significance of Derrida's perspective rests on its ability to sharpen the question of the secular today. His view enables the thinking of the theological and the political from within their constitutive and contextual relationship and thus at distance from the modern gesture of stepping outside it. His non-foundational insistence on the moment of foundation and on elemental faith radicalizes the question of origins without longing for them, and it illuminates the possibility of *thinking* the theologico-political relation as such, as an irreducible relation. This is possible since such thinking does not succumb but puts instead limits to the urge to solve the theologico-political relation and thus also to the fundamentalist traits that the Enlightenment logic of the most fundamental between faith and reason displays. The critical potential of Derrida's view for contemporary debates lies precisely in that elemental faith neither calls for a return to religion nor does it abandon reason or the Enlightenment altogether. Rather it allows for taking the 'return of religion' as a chance to critically re-think the secular domain beyond the illusion of purification from all forms of faiths and beyond the idea of secularization as the successful translation of the theological into the political. In this way, Derrida illuminates that rethinking the secular today, and especially how the theologico-political nexus relates to the foundation of politics, requires rethinking the nature of political

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[152] In his explication of the 'secular' as a concept, Cauchi does mention that it refers to a field of socio-political relationships but never relates it to questions of force, violence, law and authority that appear central to the investigation of the secular so conceived. See Cauchi, 'The Secular To Come', 3.

authority and normativity beyond the modern confidence that fundamentalism falls only in the camp of religion.[153]

The critic might consider Derrida's view on the secular domain deficient in two respects. First, it is normatively deficient because it refrains from providing guidelines about how to address the adjudication of public disputes, that is, it refuses to confront the central problem of the function of political authority. Second, as Nancy Fraser has argued, it is politically deficient since it primarily focuses on the conditions (the 'force of law's violence, iterability and elemental faith) 'enabling' secular arrangements rather than on the type and value of existing arrangements.[154] To these objections we might respond by emphasizing that to the extent that political thinking is required *primarily* to provide robust normative standards of evaluation and submit existing political arrangements to 'rational' criticism, as in the long tradition of political philosophy since Plato, Derrida's view is indeed limited and contributes little to this tradition. This is due, as the previous chapter has clarified, less to questions of ethico-political responsibility than to those of philosophical approach. However, and in spite of his silence on any substantial normative stance on the practical implications of seeing reason and religion as connected, Derrida points to a deep and less 'visible' level of reflection, the 'quasi-transcendental', to which traditional normative thinking pays little attention but where decisions are taken about which grammar of normativity (for example, substantive,

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[153] This point applies especially to Habermas and Nancy. Although they greatly differ in orientation and method, both these thinkers strongly emphasize that fundamentalism is primarily a problem of religion(s). See Habermas, 'Fundamentalism and Terror. A Dialogues with Jürgen Habermas' in Giovanna Borradori *Philosophy in a Time of Terror*, 31–32 ; Nancy, *Dis-Enclsoure*, 5.

[154] Fraser considers Derrida as advancing a metaphysical, not political view of the 'force of law' in her 'The Force of Law: Metaphysical or Political?" For her, the violence associated with the 'force of law' that Derrida talks about "can in no meaningful way be called 'political', since it is independent of any specific institutional or social arrangements and since it is not subject, even in principle, to change" (1328).

regulative, or 'messianic') is authorized, favoured or excluded in political life.[155]

Although apparently a-political and a-normative, this level is on the contrary hyper-political and hyper-normative since it identifies the site at which the battle about how to determine what counts as politics or as politically and morally relevant is fought with means –military, political and economic –that are normatively charged. The force of law, to respond to Fraser's claim that Derrida conceives of it as metaphysical, is mystical but not apolitical since it regards a power that determines and legalizes the terminology, interpretative schemas and acceptable boundaries within which political life is supposed to take place. The quasi-transcendentalism of Derrida's thought is particularly relevant to the study of the 'theologico-political complex' because it interrogates a terrain that encompasses more than simply the relationship between faith and reason, the theological and the political. What is at issue are also and significantly so the stakes involved in the attempt to forcefully set the conditions for political life according to what is judged to be universal or true about human beings and communal existence. In other words, the stakes of the 'theologico-political complex' regard the nature of the means through which what should count as politics is established in the first place; they regard the powers – political, military and economics – setting the framework in which political life takes place. Lying bare these stakes, as Derrida does, is an act of *political* thinking that contributes to democratize the right of guardianship about the truth of politics and its production. As such, it constitutes a theoretical intervention of crucial empirical significance for contemporary politics as well.

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[155] For this reason Ernesto Laclau considers deconstruction as "widening the transcendental horizon of politics", both theoretically and performatively (50). See his 'Deconstruction, Pragmatism, Hegemony', in *Deconstruction and Pragmatism*, ed. Chantal Mouffe (London/New York: Routledge, 1996), 47–68.

Perhaps, the most pressing question that Derrida's view of the secular, as I have presented here, leaves problematically open regards precisely the relationship between reason and religion. If, on the one hand, the exposure of their connection through an elemental faith allows for moving past the radical anti-religious impulse of some Enlightenment thought, on the other hand, the same exposure does not clarify the extent to which reason and religion interacts. In particular, what implications follow from considering elemental faith "at least in its essence or calling religious"? Even if we concede that these are undecidable issues, their philosophical and political significance remains and needs to be highlighted.

Chapter 5

Democracy Beyond Secularism?

5.1 Introduction

Derrida's view of the secular, as seen in the previous chapter, illuminates the limits of many modern versions of secularism and proposes an understanding of political life that refrains from strictly separating the theological from the political. The present chapter explores Derrida's reflections on democracy as 'democracy to come' (*la démocratie à venir*) and suggests that his perspective offers the resources to think about political community beyond secularism. By drawing from and yet moving past the traditional political theology that has surreptitiously informed many secular understandings of democracy, Derrida, I argue, re-thinks democracy in a way that allows for a more open view of religions and their possible place in political life.

      I begin by presenting Derrida's revisitation of some canonical understandings of democracy. Without providing a definition of 'democracy to come' until the third section, in the first two I illustrate his discussion of sovereignty and freedom as key political concepts traditionally associated with democracy by drawing especially from *Rogues* and *The Beast and The Sovereign*. Section one articulates Derrida's view of democratic sovereignty and indicates its relevance for contemporary debates. Critically engaging a long tradition of political theology, Derrida shows that democratic sovereignty has been understood as an unconditional and indivisible power of self-determination that has a theological origin and animal features. I argue that by emphasizing the non-oppositional

relation between reason and force characterizing sovereignty and by using the notion of autoimmunity to distinguish sovereign's indivisibility from unconditionality, Derrida clears an analytical space for thinking about democratic sovereignty beyond the tradition of political theology. Focusing on his reflections about democracy and freedom, section two presents his articulation of democratic freedom through the notion of autoimmunity. Here I suggest that Derrida's view distances itself from conceptions of freedom marked by theologically inflected convictions about free agency and points to a novel path for thinking of freedom in less exclusionary terms. The last section concentrates on the relationship between 'democracy to come' and the 'theologico-political complex'. By highlighting how it breaks with a strictly secular horizon, I illustrate how Derrida's 'democracy to come' is more hospitable to religions and indicates the continuous engagement with them as central to the respect of pluralism and difference.

5.2 Democracy, Sovereignty and Political Theology

The notion of 'democracy to come' plays a central role in Derrida's political thought. Although he explores it unsystematically in some of his writings in the 1990s, Derrida thematizes this notion in *Rogues*, especially in association with the concepts of sovereignty and freedom.[1] This section focuses on Derrida's view of democratic sovereignty, or, better of democracy as a form of sovereignty, while the next one will concentrate on democratic freedom.

Before exploring the connection between democracy and sovereignty a preliminary articulation of political sovereignty is in order. Derrida critically employs the

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[1] Jacques Derrida, *Who is Afraid of Philosophy: Right to Philosophy I*, trans. Jan Plug (Stanford, CA: Stanford University Press 2002); 'Force of Law'; *Politics of Friendship*; *The Other Heading.*

concept of political sovereignty with reference to a long European tradition of political

theology that culminates with Carl Schmitt and that is connected to the question of the

death penalty. For Derrida, this concept is at work in the context of the nation-state,

international law and human rights regimes. Political sovereignty is the indivisible and

absolute "power to *give*, to *make*, but also to *suspend* the law; it is the exceptional right to

place oneself above right, the right to non-right".[2] Placed above the law, sovereignty

defines itself "by the power of life and death over the subjects" and of deciding "what is

proper to man".[3] For Derrida, this definition of political sovereignty is at work in the

tradition of European law, one caught between the biblical tradition that instituted the

penal code after God's commandment "Thou shalt not kill", and the philosophical

tradition, which has hardly ever contested the legitimacy of the death penalty.[4]

Turning to democracy and sovereignty, Derrida establishes their connection in

Rogues, where he analyses democracy as a form of sovereign authority and power.

> Democracy would be precisely this, a force (*kratos*), a force in the form of
> sovereign authority (sovereign, that is, *kurios* or *kuros*, having the power to
> decide, to be decisive, to prevail, to have reason over or win out over [*avoir
> raison de*] and to give force of law, *kuroō*), and thus the power and *ipseity* of the
> people (*dēmos*).[5]

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[2] Derrida, *The Beast and The Sovereign Vol. I*, 16/37.
[3] Derrida, *For What Tomorrow*, 144/233, 147/239. Derrida specifies that by "proper to man", he refers to what, in the philosophical tradition, has been considered the ability to elevate oneself above life, to be worth "something more and other than his [of man] life". In this regard, he mentions Plato's view of philosophy as a discipline preparing for death (*epimeleia tou thanatou*); Kant's view of the person, whose dignity (*würde*) transcends her condition of a living being; Hegel's struggle for recognition which passes through the putting at risk of one's own life; and Heidegger's being-towards-death of *Dasein* as the only being that can experience his own death.
[4] Ibid, 146–148/235–240. Speaking of the history of Western philosophy Derrida affirms: "Never, *to my knowledge*, has any philosopher *as a philosopher, in his or her strictly and systematically philosophical discourse*, never has any philosophy *as such* contested the legitimacy of the death penalty. From Plato to Hegel, from Rousseau to Kant (who was undoubtedly most rigorous of them all), they expressly, each in his own way, and sometimes without much hand-wringing (Rousseau), took a stand *for* the death penalty".
[5] Derrida, *Rogues*, 13/33.

Democracy is defined as the power (*kratos*) of a people (*demos*) capable of deciding and

enforcing law. This definition points to an idea of self-hood that is presupposed every

time a sovereign authority is at stake, an idea that is best captured by what Derrida calls

ipseity.

> Before any sovereignty of the state, of the nation-state, of the monarch, or, in
> democracy, of the people, ipseity names a principle of legitimate sovereignty, the
> accredited or recognized supremacy of a power or a force, a *kratos* or a *cracy*.
> That is what is implied, posed, presupposed, but also imposed in the very position,
> in the very self- or autopositing, of *ipseity itself*, everywhere there is some oneself,
> the first, ultimate, and supreme source of every "reason of the strongest" as the
> right [*droit*] granted to force or the force granted to law [*loi*].[6]

In this quote we find the two essential features of democracy as a form of sovereignty

that interests us: a type of self-hood (*ipseity*) displaying the supreme source of authority

and a type of reason that, supported by force, founds right or the law. By selecting these

two features Derrida is privileging an understanding of democracy from the point of view

of its foundation or functioning in exceptional cases over the regular functioning of

democracy as the shared government of the people.[7]

Starting with the first feature, what is *ipseity* exactly? Referring, in Latin, to the

idea of 'self' and 'same', or to what in Greek is *autos* (self, same) and in English

selfhood, *ipseity* evokes the figure of the wheel and the rotating movement of the self's

return to itself, which precedes the distinction between *physis* and its others (*nomos*,

techne, thesis) and is implied in the notion of self-determination.[8] In determining itself, in

giving itself its own law, the self has a power to cause the unconditional and immediate

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[6] Ibid, 12/ 31–32.
[7] While Wendy Brown makes this choice a point of weakness, for the purposes of this study it represents a
point of strength since it allows emphasizing how the theologico-political nexus relates to the foundation of
political community. See her 'Sovereign Hesitations' in *Derrida and the Time of The Political*.
[8] Derrida, *Rogues*, 10/29.

return of the self to itself as its end. Understood as *ipseity*, then, sovereignty represents a force of self-constitution and self-legislation supported by a forceful reason that initiates a circular motion of relating or returning to itself as its own end. This motion exposes sovereignty's unconditional, indivisible, and unitary character since it establishes a circular and immediate identification of the cause with the end. Yet this is not the only sense Derrida attaches to the idea of the wheel and we shall explore below how rotation for him means also alternation, alteration and return to the self in non-immediate but autoimmunitary fashion. [9]

For Derrida, the circularity of *ipseity* displays the theological features that political thinkers have more or less explicitly associated with sovereignty, including its democratic form. These features appear most clearly in Alex de Tocqueville's *Democracy in America* where he affirms that "the people reign over the American political world as God rules over the universe. It is the cause and the end of all things; everything rises out of it and it is absorbed back into it".[10] For Derrida, Tocqueville's affirmation goes beyond rhetoric and signals deeper philosophical convictions. Besides invoking God as the figure in which the rotating wheel reaches its perfection (i.e. God is the cause and end of everything), Tocqueville connects democratic sovereignty to a version of political theology inaugurated by the Greeks. His view of democracy as God resembles the figure of the Prime Mover that Aristotle discusses in the *Metaphysics* and links to Greek mythology. In this work, Derrida recalls, Aristotle characterizes the *energia* of the Prime Mover as a pure actuality, a principle of self-sufficiency setting everything in a circular motion that has as a final end the non-mediated return to itself.

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[9] Ibid, 18/39.
[10] Ibid, 14/34.

He defines this first principle as "God" and "as a life (*dia-gōgē*)" that is "at once desired, desirable (*erōmenon, to proton orekton*) and partaking in pleasure", a definition that poses autoaffection as a circular and theologically inflected model of selfhood (*ipseity*).[11] This model, Derrida notes in *The Beast and the Sovereign*, is also at work in the *Politics* where Aristotle offers an "an ontological definition of sovereignty".[12] Since Aristotle considers the principle of self-sufficiency –of which the Prime Mover is the highest example – as the best for the life of the polis, he establishes the circularity implied in self-sufficiency as the model of sovereign self-hood *par excellence*.[13]

Derrida's interest in the *Metaphysics* extends beyond sovereignty's circularity to reach the theological grounding Aristotle gives to his argument. Derrida emphasizes Aristotle's use of a political analogy that *seemingly* anchors the unitary character of the Prime Mover to a mythological model of indivisible sovereignty articulated by Homer in the *Iliad*. Opposing the government of many to champion that of the one, Homer refers to Zeus as he who wins over his father Cronos and asserts his sovereignty as the god of all kings. Derrida reads Homer's claim, to which Aristotle refers and acknowledges as having a certain authority at the end of book twelve, as declaring the sovereignty of indivisibility and unity over multiplicity.[14] By relying on the authority of Homer and on his view of sovereign authority, Aristotle, for Derrida, subscribes to what will become a long tradition of political theology.

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[11] Ibid, 15/35. Derrida affirms that the energy of God is "a taking pleasure in the self, a circular and specular [*sic*] autoaffection that is analogous to or in accordance with the thinking of thought (*noēsis noēseōs*)".

[12] Derrida, *The Beast and The Sovereign Vol. I*, 345–346/458.

[13] Derrida quotes here Aristotle's famous passage: "What is more, the final cause and the end is what is best; now to be self-sufficient (*autarkeia*) is both an end and what is best". Ibid, 345/458.

[14] "No good thing is a multitude of lords; let there be one lord, one king (*ouk agathon polykoirainē. Heis koiranos estō, heis basileus*)". Derrida, *Rogues*, 16/37.

This theogonic mythology of sovereignty belongs, if it does not actually inaugurate, a long cycle of political theology that is at once paternalistic and patriarchal, and thus masculine, in the filiation fathers-son-brother. I would also call it ipsocentric. This political theogony or theology gets revived and taken over (despite the claims to the contrary by such experts as Bodin and Hobbes, whom I cannot treat here) by a so called modern political theology –itself just as phallocentric, phallo-paterno-filio-fraterno-iposcentric –of the sovereignty of the people, that is, of democratic sovereignty. The attribute "ipsocentric" intersects and links with a dash all the others (those of the phallus, of the father, of the husband, son or brother). *Ipsocentric* could even be replaced by ipso*cratic*, were that not a pleonasm, for the idea of force (kratos), of power, and of mastery, that is analytically included in the concept of ipseity.[15]

For Derrida, democracy and sovereignty are linked by a long tradition of political theology that connects ancient conceptualizations of sovereignty as theological, ipsocentric and masculine to contemporary ones.[16] What is distinctive about this view is not that democracy is a form of sovereignty, but that the source of its authority is connected to an idea of a sovereign agent displaying theological features.

Derrida illustrates this claim by exploring some canonical figures of political thought. Starting with Plato and Aristotle, he claims that the *Statesmen* and *Politics* are works in which a theological model of sovereignty appears through the unitary and indivisible character of God that is often invoked as an evaluative standard for the classification of regimes, including democracy.[17] While Plato invokes God with reference to the model constitution, "a god among men" (*hoion theon ex anthrōpōn*) to

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[15] Ibid, 17/38.

[16] Although I will not pursue, in this study, Derrida's line of inquiry on the masculine character of the political theology at issue here, it is nevertheless worth emphasizing its central significance. For Derrida, the oblivion and neutralization of sexual difference is not simply a mark that has for long accompanied the western tradition of political philosophy. It still survives in the fundamental understandings of such key concepts to the 'theologico-political complex' as democratic community, sovereignty and citizenship. For sovereignty, see especially Derrida's *The Beast and The Sovereign Vol. I*; for his reflection on democratic community and citizenship, see his *Politics of Friendship*. I am not sure whether Derrida is suggesting that democracy today *is* masculine. Yet what his reflections on these issues clearly suggest is that a critical thinking of the 'theologico-political complex' today requires de-naturalizing the masculinity of its central categories.

[17] Ibid, 75/110.

which democracy resembles, Aristotle uses the same formulation to address the regime of a model ruler of such a pre-eminent excellence that he would need no law as he would be himself the law.[18]Although Derrida does not sufficiently stress Aristotle's emphasis on the plurality of the state as opposed to Plato's idea of unity and that neither beast nor God-like individuals should be part of the polis, he highlights that both Plato and Aristotle reiterate the aforementioned tradition of political theology to the extent that they either conceive of and praise (Plato), or conceive of but not unquestionably praise (Aristotle), a theological model of sovereignty as indivisible.[19]

Moving to the modern period, Derrida investigates, in addition to Tocqueville, Bodin and Hobbes whom he mentions in *Rogues* but discusses in *The Beast and The Sovereign.* He refers to passages from these authors' major works suggesting that their theories rely on a divine model which shapes the figure of the sovereign on the basis of God's image. Beginning with Bodin, Derrida quotes a passage from chapter eight of *Six Books of the Republic*: "For if Justice is the end of law, law of the work of the prince, the prince the *image* of God; then by this reasoning, the law of the prince must be *modeled* on the law of God".[20] He argues that, by modeling the sovereign and state law on the image of God and divine law respectively, Bodin presents a view of human sovereignty that is theological and ipsocentric and that does not save the autonomy of the political, but re-affirms its dependency on the theological.

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[18] Derrida refers here to that passage in the *Politics* in which Aristotle affirms that "for man of pre-eminent excellence there is no law –they are themselves the law" (1284a.13-14).
[19] Of course one could argue that the kingship of an excellent man is not the model constitution of Aristotle. However, granting room for interpretation here does not change Derrida's point that Aristotle conceives of the representation of sovereign power as unitary and indivisible, if certain conditions apply.
[20] Derrida, *The Beast and The Sovereign Vol. I,* 48/79.

Hobbes' model of sovereignty is not clearly emancipated from political theology either. In opposition to many commentators who consider Hobbes' view of sovereignty as purely political, Derrida hypothesizes that it might instead retain "a profound and fundamental theological and religious basis". His arguments rely on two points. First, Hobbes' theory is based on a divine model in spite of its conventional outlook as the opening pages of the *Leviathan* suggest: "'Artificial' Animal' that the Leviathan is, imitates the natural art of God". [21] Second, Hobbes does not fully exclude God from the political covenant thereby failing to rule out a theological foundation of politics.[22]

Now, if modern thinkers do not fully emancipate their theories of sovereignty from traditional political theology, later ones do not fare much differently. For Derrida, Schmitt represents the paradigmatic contemporary thinker of sovereignty who still conceptualizes it in theological and ipsocentric terms. What interests Derrida in Schmitt's view is the link between the sovereign's decisionist exceptionality and indivisibility, which "excludes it [sovereignty] in principle from being shared, from time and from language". [23] To constitute itself, the sovereign exceptionally withdraws from the dividing passing of time *in* which he nevertheless operates and from the shareability of the language *in* which he makes his own authority universally meaningful, justified and effective *post facto*. This situation indicates on the one hand, that an "unavowable

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[21] Ibid, 47.

[22] As Derrida notes, Hobbes concedes that a 'mediated' contract with God is possible "by mediation of some body that representeth God's person, which none doth but God's Lieutenant, who hath sovereignty under God" (50/82). This logic of lieutenancy, Derrida remarks "leaves open the possibility of a Christian foundation of politics" and also "clearly marks the fact the *proper place*" of human sovereignty is "that of an authority that is subject, subjected and submitted to, and underlying divine sovereignty. Be it Moses, Christ, the monarch king as Christian king or an assembly of men elected and instituted as sovereign, their place always stands for the place of God [*tient lieu de Dieu*]" (52–54/84–86). This is what is missed by recent interpretations of Hobbes as a theorist of civil religion who provides a political foundation of (Christian) religion. See Ronald Beiner's *Civil Religion. A Dialogue in the History of Political Philosophy* (Cambridge, MA: Cambridge University Press, 2011).

[23] Derrida, *Rogues*, 101/144.

silence" characterizes sovereignty since the latter can only establish itself in its retraction

from language through a decision. Yet this silence cannot last long.[24] For as soon as

someone speaks about, gives meaning to or seeks to justify sovereignty and as soon as the

latter is operative (i.e. it operates *in* time or takes time in order to operate), an element of

sharing (in language) or divisibility (in time) is introduced, which shows that "pure

sovereignty [indivisible] does not exist".[25] On the other hand, the constitution of

sovereignty displays the force required in order to retract from the mediating conditions

in which and through which it operates such as time and language. And this, for Derrida,

suggests, that "abuse of power is constitutive of sovereignty itself" which "can only tend

towards imperial hegemony". Because it operates in time and language "sovereignty can

only *tend*, for a limited time, to reign without sharing".[26] The process through which

sovereignty protects and yet compromises its own unity is what Derrida's notion of

autoimmunity, a form of both self-protection and self-destruction, tries to capture.

Although sovereignty is indivisible, it needs divisions (time and language) in order to

function and these divisions compromise the immunity of its indivisibility. This means

that sovereignty is "always in the process of positing itself, by refuting itself", of positing

its immunity and suspending it, hence its autoimmunity. I will come back to the

autoimmunity of sovereignty in more detail below.[27]

　　According to Derrida, the novelty and importance of Schmitt's understanding of

sovereignty is that it displays theological and ipsocentric features through a notion of

sovereignty *qua* exceptionality. It is not simply because the sovereign operates as an

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[24] Ibid.
[25] Ibid.
[26] Ibid, 102/146.
[27] Ibid. 101/144.

ipsocentric self that indivisibility is gained. Sovereignty *qua* indivisibility is made

possible at all because the sovereign determines himself in the exception by immunizing

himself against time, language and more generally from anything that points to

differentiation, division, and shareability. Thus, for Derrida, the forceful self-exclusion

from time and language, as conditions characterizing any recognizable *human*

predicament, is central to understand the nature of sovereignty in Schmitt. This retraction

places the sovereign, like God, beyond history and meaning. Most importantly, it exposes

the paradox of sovereignty, namely that sovereignty is incompatible with the universality

of the law it establishes.[15] Because it forcefully constitutes itself through withdrawal,

sovereignty jeopardizes the universality implied in the law, that is, its meaningful

applicability to all in history thereby indicating that "there is no sovereignty without

force, without the force of the strongest, whose reason –the reason of the strongest – is to

win out over [*avoir raison de*] everything". [28]

It is in this context that Derrida connects his discussion of sovereign

exceptionality to contemporary examples of democratic sovereignty and to the term

'rogue', giving the title, in the plural, to his book *Rogues.* He notes that the notion of

'rogue' was used, since the 1990s, by several American governments in order to identify,

condemn and often unilaterally attack both terrorist organizations and states that were

violating international law, a law considered democratic and regulating supposedly

democratic institutions such as the United Nations.[29] Derrida recalls that, since 1993, the

American government declared that it would make use of Article 51 of the Charter of the

United Nations whenever it deemed it appropriate to defend the vital interests of its

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[28] Ibid, 101/144.
[29] Ibid, 99/142.

country. Representing the only exception –hence the link to Schmitt – to the jurisdiction of the United Nation Security Council, Article 51 recognizes the individual or collective right of defense against an armed attack until the Council has taken the necessary measures to restore international peace and security. For Derrida, it is by focussing on the exceptionality of sovereignty in the international context that the notion of 'rogue state' needs to be understood. The appeal to 'rogue state' to justify a unilateral, sovereign intervention in an a shared arena such as the international one, signals that rogue in fact describes the United States, namely the state that mostly uses the rhetoric of 'rogues state' to act in violation of the international law it claims to defend, [30] and that is among the most powerful in the UN Security Council.[31] By pointing out the states that name other states rogues are themselves the rogues, Derrida connects the notion of 'rogue' to the "logic" of what is considered legitimate sovereignty, a connection that he sees as lacking in the political thought of sovereignty.[32]This logic, he claims, makes clear that "the states that are able or are in a state to make war on rogue states are themselves, in their most *legitimate sovereignty*, rogue states abusing their power. As soon as there is sovereignty there is abuse of power and a rogue state" (my emphasis).[33] In other words, abuse of power is the logic characterizing the legitimate sovereignty of many democratic states, one that indicates that sovereignty "can reign only by not sharing".[34] Examples illustrating this logic are not difficult to find, especially after September 11. The recourse to sovereign exceptionality to abuse power in order to suspend both domestic and

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[30] Ibid, 96/139.
[31] Derrida, "Separation or Connection? *Islam and the West*, 71.
[32] Derrida, *Rogues*, 102/145.
[33] Ibid, 102/145–146.
[34] Ibid.

international law on the part of the United States, along with some other states, is no secret to anyone.

Although focusing mainly on indivisibility, Derrida's view of democracy as sovereignty does not overlook central features of modern democracy. While Derrida acknowledges that democracy refers also to heterogeneity, multiplicity and division, and he recognizes that modern democratic sovereignty puts limits to the theologically justified privileges of the king, he highlights that the reference to unity, unconditionality and indivisibility, or more simply *ipseity*, continue to mark its nature. Despite the Lockeian-Montesquieuan institutional division of powers that characterizes modern democratic regimes, democracy, for Derrida, is tied back to the people, conceived as an ipsocentric, unified agent as both his discussion of Tocqueville above and the analysis of the American Declaration of Independence presented in chapter four show.

Now, for Derrida, the locus of the problem with modern democracy is that the agent exercising the sovereign function retains the prerogative of withdrawal from the law that is revived in time of exception. Although modern democracy is characterized by a constitutionally divided sovereignty, its constituting power is informed by a conception of selfhood that still presents theological features. The issue here is not simply the indivisible and thus in some sense undemocratic –because annulling the divisions and multiplicity inherent to democracy – form that sovereignty must take in order to make democracy an effective political regime.[35] The issue here also concerns the undemocratic and potentially oppressive features a model of sovereignty based on theological exceptionality fosters when a supposedly shared power acts in defiance of sharing, as the example of rogues states shows. Thus while Derrida's lack of interest for thinkers of the

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[35] Wendy Brown, 'Sovereign Hesitations', 118.

liberal tradition –such as Montesquieu, Madison, Hamilton and Adams, but also Constant and Mill – is surprising and might appear to overlook the fact that a major thrust of modern theories of sovereignty concerns limiting the tyranny of the majority over minorities and individuals, his interest in early modern theorists of sovereignty –such as Bodin, Hobbes– can be taken as furthering the same purpose but from another angle. It is because democratic sovereignty retains the prerogative of being indivisible in virtue of its model of selfhood constituted through a divine-like exceptionality, and in spite of the constitutional division of powers, that minorities and difference might be at risk. The recourse to sovereign exceptionality to suspend the civil liberties of targeted minorities or individuals after September 11 in the United States or at Guantanamo Bay is a good illustration of this point.

The emphasis on force mentioned above introduces the other element characterizing sovereignty, including its democratic version, announced at the outset: the non-oppositional association of animal force and reason. For Derrida, Jean de La Fontaine's fable *The Wolf and the Lamb* best exemplifies this association in its opening line: "the reason of the strongest is always the best". This line refers to the story of the wolf who justifies its tyranny over the lamb with force and introduces the analogy between beast (wolf) and sovereign, one that Derrida sees as being recurrent in political philosophy, especially in the modern period. Following the tradition of political thought since Aristotle, Derrida claims that man is understood not simply as a political animal but as a political man who, in his sovereignty, is both superior to the beast, which he masters, and like a beast in the manifestation of his political sovereignty.[36]

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[36] Derrida, *The Beast and The Sovereign Vol. I*, 26/50.

To support this claim, he refers again to canonical political thinkers including, Machiavelli, Hobbes and Rousseau. Derrida remarks that, in the *Prince*, Machiavelli appeals to the figure of the beast to paradigmatically speak about political sovereignty. Machiavelli shows that, since princes are forced by necessity to fight not only according to law, which is proper to man, but also according to force, which is appropriate to beasts, "it *is necessary* for a prince to know how to use *as appropriate the beast and the man*". [37] Similarly, Derrida observes that Hobbes appeals to the allegory of a monstrous animal in the *Leviathan* and presents state sovereignty as an indivisible force that supposes the right of man over the animal and that is stronger than man in order to protect him. [38] Finally, Derrida notes that Rousseau makes creditable (*accrédite*) the analogy between the political sovereign and the beast used by Caligula, whom he mentions in Book I of the *Social Contract*. By doing so, Rousseau too appropriates the analogy between the beast and the sovereign, despite the fact that this view violates his concern for equality. [39]

Besides illustrating the connection between beast and sovereign, Derrida's brief discussion of Rousseau, Hobbes, and Machiavelli provides the occasion to explain why that association has been so powerful and recurrent in (modern) political thought: the sovereign, like the beast is "outside the law" where 'outside' can mean "at distance from", "above", or refer to a place where the law "does not appear, or is not respected, or gets violated". [40] That discussion also illustrates that the sovereign is like the beast because he uses force to affirm (his) reason. For Derrida, this is "the problem of

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[37] Ibid, 84/124–125.

[38] Ibid, 29/53.

[39] Rousseau's passage quoted by Derrida reads: "As a shepherd is of a nature superior to his flock's, so too are the shepherds of men, who are their chiefs, of a nature superior to their peoples. This is, how, according to Philo, the Emperor Caligula reasoned; concluding rather well from this analogy that kings were Gods, or that people were beasts". See Jean-Jacques Rousseau, *The Social Contract and other later political writings*, ed. Victor Gourevitch (Cambridge: Cambridge University Press, 2007), 43.

[40] Derrida, *The Beast and The Sovereign Vol. I,* 17/38.

sovereignty, namely the problem of a force that "because it is indispensable to the exercise of right, because it is implied in the very concept of right, would give right or found right, and would give reason *in advance* to force (my emphasis)".[41] This problem runs through the tradition of political thought, especially in those discussions that associate justice or right to force.[42]

The question arises, then, what type of reason is the reason given by the sovereign in general, and by the democratic sovereign in particular? Is it reason itself? Is it "the reason of the strongest" which "is always the best" as La Fontaine says? And, does "best" here refer to right or force? Derrida addresses these questions in *The Beast and the Sovereign* by discussing how the Western tradition has conceived of knowledge and reason, and, more precisely, of the authority of *logos*. On his reading, both reason and knowledge have been traditionally represented as sovereign, forceful powers that set indivisible limits. These representations implicate the question of limit, of knowing what a limit is, whether it is divisible or indivisible and what its origin is. They imply, in other words, the "question of the *arkhē*" which means 'both commencement and commandment" and is thus a "figure of the sovereign himself". [43] While briefly mentioning the biblical traditions and only in passing Plato's definition of reason as the "reason given" by a sovereign power,[44] Derrida focuses mostly on Aristotle's discussion

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[41] Ibid, 207/278–279.

[42] Besides Pascal whom we discussed in the previous chapter and Machiavelli and Hobbes considered above, Derrida mentions explicitly Plato's discussion of Thrasymachus in the *Republic*; Rousseau's reflections on the right of the strongest in *The Social Contract*; and especially Kant's doctrine of strict right in the *Metaphysics of Morals*, a doctrine that implies in the concept of right the possibility of reciprocal constraint and "thus the possibility of a reason of the strongest in accordance with universal laws and consistent with the freedom of all". Derrida, *Rogues*, 93/134.

[43] Derrida, *The Beast and The Sovereign Vol. I*, 312/416.

[44] Ibid, 208/279. Although mentioning it only in passing at this point in the text, Derrida crucially refers to Plato's Idea of the Good in the *Republic*. In *Rogues*, he observes that the Idea of the Good is the cause of the human capacity and power (*dynamis*) to know. He recalls a famous passage in which Plato, after using

of *logos* and *zōē* in the *Politics* and on the problematic type of Greek logos his view

inaugurates. He observes that Aristotle's definition of man as a rational animal (*zōon*

logon ekhon) capable of reason (*logos*) and who is "by nature a political living being"

links *logos* to the political precisely by following a method that goes back to the origin

and thus to the *arkhē*.[45] In a single stroke, both man and the political are defined in terms

of *logos:* "man as political animal is indissociable from the definition of man as having

the *logos, logon ekhon*".[46]

For Derrida, the problem with Aristotle's perspective rests on the operation

effected by the conceptualization of *logos* as reason and as a power to establish the limits

of the human, the animal and the political. Following Heidegger, Derrida emphasizes that

Aristotle's view ignores the contestable meaning of *logos* [47] and life (*zōē*) [48] and, in doing

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the words "power (*dynamis*)", "king (*basileus*)" and "sovereign (*kurion*)" to qualify respectively reason, the Sun and the Good, articulates the Idea of the Good as a "surpassing power (*dunamei huperkhontos*)" that is "beyond being" (*epekeina tēs ousias*) and that generates knowledge without being itself subjected to genesis. For Derrida, this characterization inaugurates an understanding of knowledge as sovereign since it ascribes to the Idea of the Good an "ultimate sovereign power" that "gives reason or proves reason right [*donne raison*], that wins over [*a raison de*] everything". See Derrida, *Rogues*, 138/192 ff.

[45] Derrida, *The Beast and The Sovereign Vol. I,* 344/456.

[46] Ibid, 347/460.

[47] Derrida notes that Heidegger, in his *Introduction to Metaphysics,* calls Aristotle's definition of man as *rational animal* (*zōon logon ekhon*) "zoological" because it links *logos* to *zoon* and because he associates the essence of man to logos as reason as well as to the "animal" as a "living being". For Heidegger, Aristotle's definition is problematic for two reasons: first, it grounds his definition on an unexamined basis, namely the unexplored ontological essence of what "being alive" or "life" might mean; and second, it takes logos as reason, understanding and logic thereby ignoring a more originary sense of *logos* as gathering (*Versammlung*). Ibid, 263–264/354, 314 –319/418–425.

[48] Here Derrida expands the scope of his reflection to criticize Agamben's theory of modern politics as 'biopolitics', a theory grounded on a distinction between *zōē* (bare life) and *bios* (qualified life, or group life) seemingly advanced by Aristotle. Calling the attention to Aristotle's relevant passages in the *Politics* and *Metaphysics* and to Heidegger's reflections in *The Introductions of Metaphysics* and *Letter on Humanism*, Derrida emphasizes two points. First, the distinction at issue is never clear and secure in Aristotle as Agamben makes it appear and the association of *zōē* to political life is not pre-eminently modern. Derrida mentions passages (that Agamben acknowledges as exceptions) in which Aristotle uses *zōē* to designate a life that is not bare when he associates *zōē* to God. He also shows that, since for Aristotle man is immediately zoo-political, his (Aristotle's) view contains already, though perhaps not intentionally, the possibility of thinking about 'biopolitics'. Second, the silence of Agamben with regard to Heidegger's critique of the biologism informing the understanding of modern life and of Aristotle's zoologism is perplexing. It is so because Heidegger's critique moved already in the direction of biopolitics and Agamben is well-versed in Heidegger scholarship. Ibid, 319/425 ff.

so, it "overcomes [*a raison de*] another interpretation or several other interpretations or ways of hearing *logos*" thereby showing that reason operates through imposed translations. In other words, the issue at stake in the definition of logos as reason and as a power that sets limits is one of forced translations that become dominant after "a conflict of forces in which reason wins by force" has occurred. [49] And it is in this sense of "forced hegemony" that Derrida has talked about of European logocentrism as designating an operation that, in gathering together the biblical and philosophical traditions, represents *logos* at "the center of everything", in a position "of sovereign hegemony, organizing everything on the basis of its forced translations".[50]

The American Declaration of Independence constitutes a good illustration of Derrida's point about the idea of democratic sovereignty as implying forced translation supported by reason. As mentioned in chapter four, the Declaration was regarded by the founding fathers as referring to *one* united people, descending from the *same* ancestors, speaking the *same* language and committed to the *same* political principles. Yet a closer look at the context in which it occurred reveals that the Declaration sanctioned the exclusions of groups and understandings present in the American territory at that time. Viewed from this angle, the Declaration can be considered as an event in which the creation of *one* people was made possible by forced translations of political values, and understandings according to a univocal model that was then enforced and made hegemonic in the American territory.

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[49] Ibid, 318/424. Derrida does not save Heidegger from this accusation. He notes in fact that Heidegger's claim about reason as gathering to be more originary than reason as *logos* is but another example of forced translation. Before making this point, Derrida already questioned Heidegger's attempt to fix the distinction between man and animal through the idea that death as such can be properly experienced by man alone (308/410).

[50] Ibid, 343/455.

Derrida's point about the sovereign hegemony of reason marks the culmination of the analogy between the beast and the sovereign and illuminates why sovereignty has been conceptualized as a power of self-determination combining force and reason. The sovereign, like the beast, uses force to affirm himself. Yet, unlike the beast, he "gives reason to force in advance" in order to *force* translations that become hegemonic. This operation is not successful when reason and force oppose each other but when "force is on the side of reason and wins out, a bit like 'the reason of the strongest'" of La Fontaine's fable.[51] In this way, the 'reason' of sovereignty does not only designate the 'reason given' but also the right the sovereign has to judge as just, legitimate and prevailing "the reason he gives because he is the strongest".[52]

Drawing together Derrida's reflections on sovereignty, we can now recapitulate his view of democracy as a sovereign power. Connected to a long tradition that conceives of it as theological and ipsocentric but not always self-consciously so, democracy is a power of self-determination that forces translation about the relevant philosophical understandings and ethico-political values of a given place. Situated above the law, this power does not only make and suspend the law, but it also retains the exclusive prerogative to decide on questions of life and death, on what life is and on what is proper to political life. This means that for democracy to be effective and prevail over other regimes, a sovereign power of a unitary agent, the people, is required, namely "a force that is stronger than all other forces in the world".[53] This power refers to "the reason of the strongest" that determines with theological features and animal force the conceptual

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[51] Ibid, 319/425.
[52] Ibid, 208/280.
[53] Derrida, *Rogues*, 100/143.

architecture and political boundaries that establish the frame –military, political,

linguistic, economic and philosophical – in which democratic life takes place. As seen in

our discussion of political foundings, this frame is often constituted on the basis of

violent exclusions of human, philosophical, and political alternatives of which

indigenous, sexual, ethnic, religious minorities or illegal immigrants are relevant

examples. These exclusions are instrumental to establishing political arrangements and

relations of force that determine a unified political identity by securing, legalizing and

legitimating *après coup* the justificatory discourse about criteria for membership. While

the sovereign force constituting democracy is supposed to protect democracy itself and its

universal aspirations, it threatens democracy for within since an indivisible force

constitutes its core, one on which the constitutional division of powers rely and ends up

protecting.

Yet, since democracy points also to divisibility, multiplicity, and heterogeneity,

all of which counter sovereign *ipseity*, it can be considered as interrupting that very

model. For Derrida, one influential source for this view is Rousseau's idea that a genuine

democracy –which has never existed and will never exist because contrary to the natural

order – would be possible only if there were gods. By introducing an element of plurality

and division in the word 'gods', Rousseau challenges the unity and indivisibility of

sovereignty and "announces democracy or at least some democracy beyond government

and democratic sovereignty" even though his own discourse remains anchored to the

political theology of indivisible sovereignty.[54]

But it is in connection to his discussion of democracy as 'democracy to come' that

Derrida's view of sovereignty beyond indivisibility takes a more incisive form. In *Rogues*,

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[54] Ibid, 75/110. See also Samuel Weber, 'Rogue Democracy', 116.

he calls for a thinking of democracy beyond sovereignty's indivisibility through the notion of autoimmunity. As seen above, when associated to sovereignty, autoimmunity illustrates that sovereignty's effectiveness is constitutively linked to the impossibility of its indivisibility. This holds insofar as autoimmunity refers to the suicidal feature of the life of the self, whose immunity and unity are threatened from within. As Derrida notes, autoimmunity "consists not only in destroying one's own protections" and "in compromising oneself [*s'auto-entamer*] but in compromising the self, the *autos* –and thus ipseity".[55] In this framework, Derrida suggests that today's politico-philosophical task is to distinguish "sovereignty (which is in principle indivisible) from 'unconditionality'" without giving in to relativism or to a blind battle against sovereignty as such.[56] This means on the one hand, to preserve sovereignty contextually and with increased response-ability according to the specificity of situations. As he notes, "one cannot combat, *head-on*, *all* sovereignty, sovereignty *in general*" without threatening at the same time "the classical principles of freedom and self-determination" typical of the nation-state which, in some cases, acts as an essential protection against international and hegemonic powers, whether these are of political, linguistic, philosophical, economic or religious nature.[57] On the other hand, it means unconditionally calling into question and limiting the logic of political sovereignty and with it the ideas of indivisibility, exceptionality and unity.

But what does this mean concretely? For Derrida, it means mobilizing theoretical sources that seek to democratize (i.e. to share) the indivisible sovereignty of democratic

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[55] Ibid, 45/71.
[56] Derrida, *Rogues*, xiv/13. For the first articulation of this thought, see Derrida, 'University Without Condition', in *Without Alibi*, trans. Peggy Kamuf (Stanford, CA: Stanford University Press, 2002).
[57] Ibid, 158/216.

nation-states, international institutions and law by challenging a foundational thinking of

sovereignty as a pure idea. Informed by this type of thinking, these institutions have

ended up supporting, however surreptitiously, 'the reason of the strongest' both in

domestic and international affairs. With a gesture similar to his discourse of a New

International in *Specters of Marx*, Derrida's advocates for, as he puts it, "the creation of

an international juridico-political space that, without doing away with every reference to

sovereignty, never stops innovating and inventing new distributions and forms of sharing,

new divisions of sovereignty".[58] Note here the emphasis Derrida puts on invention, which

he conceives of as the task of a non-teleological reason that strives to open up the space

for novelty to occur and be received. [59] Connected to the democratization of the

international political order, invention becomes a matter of destabilizing traditional

discourses about sovereignty and of questioning sovereign institutions (especially the

nation-states and international law) so as to open the way for conceiving of new forms of

power sharing that limit indivisible sovereignty and unilateral impositions.

What Derrida tries to do is move away from thinking about sovereignty as a pure

idea that remains too close to a theological model. He focuses instead on median

concepts such as "drive, transference, transition, translation, passage, division" that are

for him always involved in the "struggle *for* sovereignty" and that expose indivisibility to

sharing, division and difference. [60] This shift is to be understood in the context of his

understanding of language and critique of metaphysical thinking which put limits on

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[58] Ibid, 87/127. He makes this point even clearer when he affirms that the fate of 'democracy to come' depends to a large extent on the future of the UN Security Council, which is run by the most powerful nation-states according to the principle of indivisible sovereignty (98/141).

[59] For a first articulation of the inventive character of deconstruction see Jacques Derrida, 'Psyche: The Invention of the Other' in *Psyche: Inventions of the Other, Volume I* (Stanford: Stanford University Press, 2007), 1–47/11–62.

[60] Derrida, *The Beast and The Sovereign Vol. I*, 290–291/388–389.

foundationalism and point towards experiences of translation and division. Above all, it

has to be understood in the context of his view of autoimmunity, which undermines the

political theology of indivisible sovereignty. While this shift might appear to be purely

theoretical, it is related to the practical manifestation of autoimmunitary processes

affecting the life of political institutions. Derrida has here in mind, for example, situations

in which the universality of human rights is used to put limits to and to challenge the

sovereignty of the nation-state, as in the case of crime against humanity or war crimes.[61]

Unlike liberal humanitarianism, however, his view does not attempt to go beyond nation-

state sovereignty in the name of some principle of humanity as the one invoked in human

rights discourses. While Derrida insists on their crucial importance and stands on their

side,[62] he emphasizes that human rights are informed by a principle of humanity and, as

such, they still presupposes a political theology of sovereign selfhood that might be

dangerously used, if one follows Schmitt's sharp criticism of it, as an ideological

instrument of imperialism.[63]

What should we make, then, of Derrida's proposal about how to rethink

democratic sovereignty? It is clear that Derrida advocates for a view of democratic

sovereignty as an internally divided form of power, one that is shared beyond the simple

division of powers, divided in its self-hood. Yet it remains unclear what exactly such

sovereignty would look like, how it would work in national and international contexts

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[61] Derrida, *Rogues*, 87/ 127–128.

[62] Derrida, 'Autoimmunity: Real and Symbolic Suicide', 132.

[63] Derrida, *Rogues*, 87–88/128. In *The Concept of the Political*, Schmitt opposes the use of concepts such as humanity and humanitarianism to wage war in the interests of man. For him, this use represents a hypocritical attempt to achieve particular interests through a lying rhetoric of universalism. As he claims, "the 'concept of humanity' is an especially useful ideological instrument of imperialist expansion, and in its ethical-humanitarian form it is a specific vehicle of economic imperialism". See Carl Schmitt, *The Concept of the Political*, 54. Emphasizing this point, though, does in no way grant Schmitt a charity of judgment with regard to the imperialism and anti-semitism that his overall theory of politics advances and Derrida criticizes especially in *Politics of Friendship*.

and with which implications. Further, the willingness to retain current sovereignty contextually raises philosophical questions about the extent to which Derrida's view breaks or seeks to break with the political theology he criticizes. Granted that these are problematic issues for his view of sovereignty, we can nevertheless emphasize that his perspective opens a path for thinking differently about sovereignty and thus also about a concept of the political that is essentially theological. Derrida's point is that by paying more attention to time and language we can gain a more complex understanding of the fact that sovereignty is constitutively open to division, shareability and difference. Because of its existence *in* time and language, sovereignty can only *be* "by refuting itself", namely by refuting its own indivisibility, unity and non-differentiation in its very self-hood: it can only be as autoimmune. [64] And this is what modern liberal theories of sovereignty have implicitly obscured by protecting the inner core of sovereignty through a division of powers 'external' to sovereign self-hood, powers that remain themselves sovereign, that is, indivisible.

So conceived, Derrida's view has important consequences for expanding the horizon of theoretical debates but also for the practical effects of calling for (more) power sharing in critical questions concerning domestic and international law and politics as well as economics. Indeed, far from being a meaningless battle against the will of the people as the 'will of God', his view helps illuminate that the 'higher sovereignty' of international corporations operates precisely according to some form of theological exceptionality allowing them to escape the sovereign control of states and to maintain unequal and non-shared international relations of power.

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[64] Derrida, *Rogues*, 101/144.

The significance of Derrida's view of democratic sovereignty for the 'theologico-political complex' lies especially in its critical potential. His perspective points to the limits of thinking about democracy as a form of sovereignty of the people conceived as an ipsocentric agent. His view does not only expose the persistence of theological tropes in the political discourse and practice of democracy, in spite of the purely secular terms in which political life is often portrayed. It also indicates that as much as the indivisibility of sovereignty is untenable so are the indivisible limits between the theological and the political that traditional secular understandings of democracy have sought to establish by paradoxically appealing to theological sources. Indeed, by thinking together reason and force as non-opposed features of sovereignty, and by distinguishing unconditionality from sovereign indivisibility –that is, by thinking about sovereignty through autoimmunity – Derrida exposes the contestability of philosophical distinctions seeking to establish indivisible (i.e. sovereign) limits between man and animal, life and death, what is political and what is not political, limits that remain fragile precisely because grounded on force. In this way, he clears an analytical space for starting to think about sovereignty beyond traditional political theology without nevertheless fully doing away with it.

5.3 Democratic Freedom: From Sovereign Power to Autoimmunity

Freedom constitutes the other relevant feature of Derrida's understanding of democracy that this section aims to explore. At the beginning of *Rogues*, Derrida states that the notion of 'democracy to come' presents an ambiguity that is related to the variations historically associated with the term 'democracy'. Since its conception in Ancient Greece,

democracy does not refer to a word with a stable, univocal meaning, but to one whose meaning freely changes.[65] This observation leads him to claim that there is a "freedom of play, an opening indetermination and undecidability *in the very concept* of democracy".[66]

For Derrida, the possibility of historically moulding the meaning of democracy suggests that democracy does not designate a traditional concept. Instead, it refers to "a concept without a concept", to a conceptual empty space that can be filled with different and historically determined understandings of what democracy means.[67] On his reading, it is Plato who anticipates this view when, in the *Republic*, he describes democracy as a multicoloured regime that is more than a regime since it is like "a supermarket of constitutions" where anyone interested in founding a state can go in order to pick the desired model. By articulating democracy as neither a regime nor a constitution, Plato already announces the freedom and semantic indeterminacy typical of democracy that also informs 'democracy to come'.[68]

But what interests Derrida in the Greek tradition is that it offers the resources to think of democratic freedom differently, particularly through the idea of autoimmunity. To recall it, autoimmunity refers to a process of self-protection through the destruction of

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[65] "If we try to return to the origin, we do not yet know what democracy will have meant nor what democracy is. For democracy does not present itself; it has not yet presented itself, but that will come. In the meantime let's not stop using a word whose heritage is undeniable even if its meaning is still obscured, obfuscated, reserved. We do not yet know what we have inherited; we are the legatees of this Greek word and of what it assigns to us, enjoins us, bequests or leaves us, indeed delegates or leaves over to us". Ibid, 9/28.

[66] Ibid, 25/47.

[67] Derrida's formulation here is significantly similar to that of Claude Lefort. In "The Permanence of the Theologico-Political", Lefort considers as distinctive of modern democracy that the place of power is an empty one. As seen in the Introduction, this emptiness impedes the final configuration of modern democracy. Like Lefort, Derrida appeals to the figure of an empty place. Unlike him, though, Derrida refers to the concept of democracy itself and not simply to modern democracy.

[68] "The syntagma 'democracy to come" –where 'to come' refers, among other things, to the indeterminacy and non-univocal meaning of democracy – "belongs to at least one of the lines of thought coming out of the Platonic tradition". Derrida, *Rogues*, 25/47.

one's own defenses that affects life.[69] Associated with democracy, it designates a trait of

a political community that cultivates as a principle of self-protection the possibility of

self-sacrifice, a sort of Freudian death-drive that enables protection through self-

destruction.[70] For Derrida, the autoimmunity present in the Greek understanding of

democracy appears if one reflects on the aporia generated by the freedom at play in the

concept of democracy, one that impedes a final configuration of the relationship between

freedom and equality. He recalls that for both Plato and Aristotle democracy is marked

on the one hand, by freedom and equality and, on the other hand, by equality according to

number (for both) and according to worth (for Aristotle only).[71] This view allows for a

paradoxical outcome: in order to preserve its freedom, democracy leaves free and in a

position to exercise power to those who, once in majority, could attack democracy's

freedom and put an end to it, precisely in the name of democracy itself.[72] This paradox

reflects the difficulty of reconciling the freedom of the *demos* as a collective and the

freedom of each members, namely of reconciling freedom and equality. For Derrida, this

is "one of the many perverse and autoimmune effects of the axiomatic developed already

in Plato and Aristotle"; "in the name of one couple, the couple made up of freedom and

equality, one agrees to a law of number or the laws of numbers (equality according to

number) that ends up destroying both couples".[73] Although Derrida does not mention it

explicitly, we can say that this is the aporia later thinkers of democracy also grappled

with. Whether by ensuring democratic equality over individual freedom as in Rousseau,

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[69] The emphasis on life is here central since autoimmunity is a process affecting life and is only by
"thinking life otherwise", Derrida claims, that democracy can be thought differently. Ibid, 33/57.
[70] Derrida, *Rogues*, 157/215.
[71] Ibid, 34/58.
[72] Ibid.
[73] Ibid.

or by protecting liberty against the tyranny of the majority and its leveling equality as in Tocqueville and Mill, modern thinkers of democracy too responded to the problem of balancing freedom and equality in order to limit the dangerous potential of either.

On Derrida's reading, then, there is something suicidal about democracy: in order to preserve itself as such, democracy allows for the possibility of its own destruction, hence its autoimmune character. In ancient time, Aristotle limited this suicidal aspect by restricting democratic freedom through the democratic equality guaranteed by the alternation in ruling.[74] Although modern understandings of democracy have enriched and developed this view of alternation, the risk of self-destruction has not faded away. As Derrida notes, "the great question of modern parliamentary and representative democracy, perhaps of all democracy, in this logic of the turn or round of the other time and thus of the other, of the *alter* in general, is that the *alternative* to democracy can always be *represented* as a democratic *alternation*".[75] Without engaging more recent and complex scholarship on liberal democracy and thus failing to offer a more incisive account of autoimmunity,[76] Derrida seeks to highlight here that the autoimmunity of democracy has played and still plays a central role in political life, one of "autoimmune pervertibility".[77] He supports this point by mentioning several examples throughout history: colonization and decolonization that both promised democracy but ended up leading to civil wars; the

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[74] Ibid, 24/6.

[75] Ibid, 31/54.

[76] Paul Patton has argued that had Derrida engaged with theorists of liberal democracy such as Mill and Rawls he would have confronted a more complex understanding of the relationship between freedom and equality and would have probably been in position to offer a more 'helpful' account of the logic of autoimmunity. Patton emphasizes that for all such thinkers the value of individual freedom puts a limit to equality of numbers since no majority would be allowed to breach that freedom. Assigning to this limit an immunizing function against violations of the freedom of others, Patton also recognizes the logic of autoimmunity lurking behind the limits to the permissible exceptions granted to the respect of the freedom of each. See Patton, 'Derrida, Politics and Democracy to Come' *Philosophy Compass* 2/6 (2007): 766–780, 776.

[77] Derrida, *Rogues*, 34/59,

fascist and Nazi totalitarianism that ascended to power democratically; and finally, recent cases of 'suspension of democracy' in Algeria in order to interrupt democratic elections and avoid the risk of an anti-democratic majoritarian government, and in the United States where security concerns justified the curtailing of democratic freedoms in the battle against terrorism after September 11.[78]

For Derrida, Aristotle's idea that democratic freedom is shaped by turns exposes the autoimmune process of democracy as a movement of sending off [*renvoi*] the moment and place in which democracy will take a conclusive form. This movement occurs in the complex relationship between space and time that, as seen in chapter three, Derrida calls 'spacing' (the becoming-space of time and the becoming time of space). It is a movement that consists in the local differentiation of the shape democracy will take and the temporal deferral of the final determination of its meaning and, as such, is connected to the notion of *différance*.[79] By operating within this spatio-temporal schema, the sending off connected to the autoimmunity of democracy illuminates further why democracy is neither a static concept nor a fixed political form. As Derrida notes, democracy, "is never *properly* what it is, never itself" precisely because it defines itself "by this lack of the *proper* and the self-same" which destines it to be defined, in theory and practice, only "by turns" (my emphasis).[80] Because it operates in space, the *renvoi* of democracy can represent both a "sending off *of* the other through exclusion" and a "sending off *to* the other" through inclusion and respect for difference. The variations on the scope of inclusion and exclusion to citizenship, on the more or less restrictive regulations on freedom of expression or other civil liberties that have historically marked

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[78] Ibid, 34/59, 40/64.
[79] Ibid, 35/60.
[80] Ibid, 37/61.

different democratic regimes are some examples of this type of *renvoi*. They indicate that

it is hard to prove what *proper* democracy is or requires in terms of freedom and

equality.[81] Because it operates in time, the same *renvoi* calls for a "putting off [*renvoyer*]"

until later the moment when a particular regime, whether non-democratic or where

democracy is at risk, will be ready for the advent or return of democracy. The deferral of

elections in Iraq or Afghanistan after Western interventions in the 2000s or the

suspension of elections in the already mentioned Algerian case are recent examples of the

temporal side of democracy's *renvoi*.[82]

By pointing to the suicidal logic of democracy and to instances that oppose it,

Derrida does not celebrate antidemocratic elements. When discussing the case of "a

certain [theocratic] Islam" as the only religious culture that opposes democracy today, he

takes sides with (liberal) democracy. In particular, he advocates for the hermeneutic task

of pluralizing the interpretation of the Koranic heritage and its repressed reference to

democracy as well as for joining forces with those who fight for the secularization of

political Islam. [83] Nor does he suggest that we fundamentally alter the sovereign juridico-

political framework (rule of law, borders control, restriction to the rights of citizenship

and so on) establishing those essential limits that guarantee the existence of any

democratic political community.[84] Instead, his emphasis on the autoimmunity of

democracy represents an attempt to think about the freedom of democracy differently.

Derrida believes that taking seriously the autoimmune logic of democracy opens

up a space for thinking experimentally about democratic freedom beyond the power or

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[81] Ibid, 39/63.
[82] Ibid, 36/61.
[83] Ibid, 31–33/55–57. See also, Jacques Derrida, "Injustice and Decline" in *Islam and the West,* 53–54.
[84] See Alex Thomson, 'What's to Become of "Democracy to Come"?' *Postmodern Culture* 15.3 (2005), 20.

mastery of a sovereign subject. While this constitutes a chance for novelty to occur, it

also poses a threat to the very autonomy of the subject. This aspect emerges particularly

in his reflections on Nancy's *The Experience of Freedom*. In this work, Nancy attempts to

think about freedom beyond autonomous mastery within an implicit but unrecognized

autoimmunitary logic.[85] Although Derrida confesses that he lacks the tenacity of Nancy

to question the entire ontology of freedom of the western philosophical tradition, he

claims that "in political philosophy the dominant discourse about democracy presupposes

this freedom of power, faculty, or the ability to act, the force or strength, in short to do as

one pleases, the energy of an intentional and deciding will".[86] While Derrida also

emphasizes the difficulty of envisaging another experience of freedom that could be

effective for "demo*cratic* politics" and "demo*cratic* political philosophy", he seems

however sympathetic to Nancy's project, and he is surely so with respect to the logic of

autoimmunity Nancy's view sustains.[87] For Derrida, this logic is central to a novel

understanding of freedom since it points beyond the view of a powerful, sovereign self

and the image of the wheel and of the immediate return of the self to itself. As seen,

autoimmunity consists in compromising the self in its very selfhood (*ipseity*) and not

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[85] Derrida, *Rogues*, 52/79 ff. Nancy seeks to identify a pre-subjective and precratic freedom that is unconditional and incommensurable but nevertheless equally shared. Instead of opposing equality to freedom, he thinks about the equality of individuals in the incommensurability of their freedom, that is, about equality *in* freedom. For Derrida, Nancy grapples with the aporia between freedom and equality, which Derrida re-describes as the antinomy between equality as measure or calculation and freedom as what is unconditional and heterogeneous to measure. If people are equal in their incommensurable freedom, equality becomes part of freedom and it loses its calculable character and univocal meaning. In this case, because the meaning of equality is hardly univocal, equality represents both a chance and threat, hence the link to autoimmunity. As a calculable unit of measure, equality represents the chance to access the singularity of each individual in her own incommensurable freedom. Yet the same equality also constitutes a threat since calculation risks, in its very measuring, to obliterate singularity, especially in anything that is not quantifiable.
[86] Ibid. 44/69.
[87] Ibid.

simply in destroying one's own protections.[88] It consists in a return to the self that is not immediate but characterized instead by a decisive alteration that brings, in some sense, death to the self. Viewed this way, the notion of autoimmunity opens up the possibility of thinking about democratic freedom beyond its understanding as "power, mastery and independence" that characterizes its classical representations since Plato and Aristotle.[89] Quoting relevant passages from the *Republic* and from the *Politics*, Derrida emphasizes that Plato and Aristotle generally treat democracy in terms of freedom and of freedom in terms of mastery or power. For example, while Plato portrays democratic man as one who has freedom conceived of as the "licence to do as he likes", Aristotle sees freedom as "the fundamental principle of the democratic form". Both views are informed by the idea that freedom (*eleutheria*) is associated to licence (*exousia*) or "the power to do as one pleases", a sovereign power connected to mastery as the capacity one has to do so.[90]

Although Derrida does not mention any other thinkers of the politico-philosophical tradition he invokes, we might nevertheless think that his claim about the "dominant discourse" about democracy and freedom in political philosophy refers to such thinkers as Rousseau and Kant and the republican idea of freedom as free will or autonomy as well as to Mill and the idea of liberal freedom as freedom to pursue ones' desires, to do as one pleases. Without overlooking the important differences among these thinkers and conceptions of freedom, we can take Derrida's point to mean that classical

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[88] Ibid, 45/71.

[89] Ibid, 43/69. "Plato and Aristotle, just to mention them, would have surely accepted a definition of freedom as power, mastery and independence. That is the definition at work in Plato's *Republic* and Aristotle's *Politics*".

[90] Associating the power to do as one pleases ("I am free to", "I can decide") to the power implied by *ipseity* ("I can", "it is possible for me", I have the force to"), Derrida emphasizes here that, already for Plato and Aristotle, "there is no freedom without *ipseity* and, viceversa without freedom –and, thus, without a certain sovereignty. Ibid, 23/45. See also 43/69.

representations of freedom have all supposed freedom to involve a power of a sovereign

subject, whether pursing the dictates of reason or her own desires.[91]

Clearly Derrida's aforementioned claim needs more elaboration and engagement

with key political thinkers. Granted this, we can nonetheless highlight the potential

offered by his view of autoimmunity. While recognizing that the task of uncoupling

freedom as power or mastery from sovereignty is a difficult one especially for both the

theory and practice of democracy, Derrida sharpens some of the questions one might

address to start thinking about democratic freedom beyond a political theology of

sovereignty.[92] As he affirms in the *Beast and the Sovereign*, attempting to overcome

sovereignty would deny that "liberty and sovereignty are in many respects indissociable

concepts" and "would also threaten the value of liberty" in the name of which and

through which the idea of sovereignty is put into question.[93] To start thinking about

liberty or freedom differently would require acknowledging on the one hand, the

indissociable nexus between sovereignty and liberty; and on the other hand, "putting up

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[91] Although the evidence for this claim is limited, it can nevertheless be taken to contrast with a recent criticism moved by Wendy Brown to Derrida's underestimation of shared government due to his emphasis on sovereign freedom. In a puncturing analysis of Derrida's view of sovereignty, Brown argues that by considering individual freedom as 'essential' to democracy, Derrida construes freedom as a "freedom from one another, including our freedom from ruling together or taking responsibility for the whole" thereby locking the semantic scope of democracy and freedom to their liberal understandings [see her Sovereign Hesitations', 124 –125]. Yet, the claim we have highlighted refers to a wide spectrum of classical representations of freedom and thus one might suppose, with an interpretative stretch, that these include also republican understandings of freedom, at least those of Rousseau and Kant. As such his claim would speak to the concern of Brown, who actually notes that, had Derrida stretched his view to comprise freedom as understood also in the republican tradition, it would have been "less contentious" (ibid.). My point is that Derrida's claim about the dominant politico-philosophical discourse about democracy and freedom in western political philosophy allows for that stretch. His call for more power sharing against indivisible democratic sovereignty would seem to speak to Brown's other worry (the underestimation of shared government) by extending, though, the scope of sharing beyond the boundaries of the nation-state.
[92] Derrida, *Rogues*, 84/123.
[93] Derrida, *The Beast and The Sovereign Vol. I*, 301/401. Note that Derrida uses here 'liberty' instead of 'freedom' but arguably refers to the same thing. In a recent interview, Derrida explains his caution in using the term 'freedom' since such term is loaded with metaphysical presuppositions that ascribe to the subject a sovereign independence over what, among other things, escapes consciousness. See Derrida, *For What Tomorrow*, 48/85.

with" the idea that the question of sovereignty does not require making a decision between "indivisible sovereignty and divisible non-sovereignty, but between several divisions" of it.[94] In this context, the notion of autoimmunity plays a crucial role since, together with language and time, it thematizes the logic that threatens indivisible sovereignty and thus the supposed integrity of self-hood typical of traditional understandings of freedom as the power of an individual or community as well as of modern (liberal) democracy. At the same time, autoimmunity exposes the chance to move past such understandings.

But how exactly does autoimmunity help us think about freedom (or liberty) and differently? For Derrida, autoimmunity points to an experience of freedom that is relational before being masterful since it is open to the event conceived as the unforeseeable encounter with the other or difference that 'divides' the self.

> If an event worthy of this name is to arrive or happen, it must, beyond all mastery, affect a passivity. It must touch an exposed vulnerability, one without absolute immunity, without indemnity; it must touch vulnerability in its finitude and in a nonhorizontal fashion, there where it is not yet or is already no longer possible to face or face up to the unforseeability of the other. In this regard, autoimmunity is not an absolute ill or evil. It enables an exposure to the other, to what and to who comes –which means that it must remain incalculable. Without autoimmunity, with the absolute immunity, nothing would ever happen or arrive; we would no longer wait, await, or expect, no longer expect one another, or expect any event. What must be thought here, then, is this inconceivable and unknowable thing, a freedom that would no longer be the power of a subject, a freedom without autonomy, a heteronomy without servitude, in short, something like a passive decision.[95]

Autoimmunity points to an understanding of freedom that challenges the sovereign power of a subject or community. Informed by a theological model of selfhood that remains immune to divisions, this sovereign power is what autoimmunity divides. Autoimmunity

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[94] Derrida, *The Beast and The Sovereign Vol. I*, 302/402.
[95] Derrida, *Rogues*, 152/210.

points to another experience of freedom, the experience of a "passive decision"

conceived as the possibility of letting oneself be affected or 'divided', as it were, by what

comes unexpectedly. Here the terms 'experience' and 'passivity' are crucial. The first one

emphasizes a way of thinking about freedom that starts from experience, and not from

ideal theory. The second one illuminates that the possibility of encounter of difference *as*

difference–which seems critical to the respect of pluralism – is significantly connected to

taking into account vulnerability as a form of non-violent or disarmed exposition to the

other. [96] This exposition is meant to resist the force of appropriation and forceful

translation involved in a model of sovereign freedom that projects a normative gaze onto

the other independently of the experience and the specificity of the encounter. That is

why Derrida affirms that for such a novel experience of freedom to occur "a certain

unconditional renunciation of *sovereignty* is required" (my emphasis).[97]

This type of freedom is heteronomous not because it is under the jurisdiction of

authorities external to the will (such as those of the senses, of the church or of political

leaders) but because, foreign to actual knowledge or the pretense of accessing the

singularity of the other, it is receptive to difference *before* giving an account of it, before

appropriating it through the sort of forced translation we have discussed above. That is,

starting precisely *from* the experience of social encounter, this novel understanding of

freedom allows for being dialogical *before* being normative so as to take into account and

respect difference as something that exceeds mastery and that keeps freedom free from

predeterminations.[98] There is no wonder why Derrida insists so much on the political

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[96] Derrida, Remarks on Deconstruction and Pragmatism', in Mouffe, *Deconstruction and Pragmatism,* 85.
[97] Derrida, *Rogues*, xiv/13.
[98] Derrida, 'Performative Powerlessness: A response to Simon Critchley' in *Constellations* 7. 4 (2000), 466 –468.

significance of elemental faith as the one that informs his view of the 'messianic'. The

suspension of certainties, calculation and knowledge that characterizes such a faith,

together with the sense of interruption and inaccessibility to the inside of the other it

emphasizes, are central to a non-powerful experience of freedom. Indeed, to the extent

that elemental faith constitutes not simply the condition of possibility of knowledge and

of relationship but also their interruption –as discussed in chapter three, the other is not

simply accessible, recognizable and understandable –it makes room for receptivity and

dialogue.[99]

To put this more pointedly: instead of insisting on a normative schema that

neutralizes the specificity of the other before the social encounter, Derrida's

understanding of freedom operates differently. It focusses on the experience to let oneself

be affected by the other and on the possibility of thinking about freedom in terms of

interruption and invention, and not only in terms of the application of idealized norms. As

such, this type of freedom is connected to the difficult thinking of the incalculable *with*

the calculable, and of a subject whose mastery is 'liberated' by autoimmunity from a

theological phantasy. By immunizing the self against time, language and difference more

generally, this phantasy normalizes the space of freedom with exclusionary effects for

any of her specificities (cultural, religious, political and so on) that falls outside pre-

established normative schemas.

But how should we interpret Derrida's view of freedom and democracy in the

light of the tradition of political philosophy he refers to? If the discussion has so far

helped illustrate Derrida's distinctive view, it remains more difficult to clarify where his

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[99] Clearly, this view of freedom counters the traditional liberal interpretation based on deliberative models
of communication and understandings of Rawlsian and Habermasian type.

position stands with respect to the tradition of political philosophy. While it is clear that Derrida opposes an idea of democratic freedom centered on a theologically inflected model of the self as masterful and as projecting idealized normative prescriptions, it is less clear where he stands in terms of classical understandings of freedom found in republican and liberal thoughts. On the one hand, he shares with liberals, as mentioned in chapter three, the ideas of perfectibility, freedom of expression and criticism but rejects fixing the relationship between freedom and equality or of how they are to be exercised in the public sphere. On the other hand, while not opposing head-on all sovereign freedom, he rejects the republican view of autonomy as mastery to the extent that it generates foreclusionary understandings and practices that are informed by an idea of freedom reduced to the mechanical application of rules.

As with his position on sovereignty, Derrida's view on freedom and democracy has significant implications for the 'theologico-political complex'. By uncoupling democratic freedom from power and mastery, Derrida exposes the exclusionary potential of ways of thinking about freedom from within a paradigm of sovereign self-hood. Although he does not suggest what a democracy without freedom as mastery or powerful self-determination would look like, Derrida opens up the space to expand the political imaginary. He does so by illuminating a path for thinking about democratic freedom that is more critical of its sedimented convictions and potentially more inclusive. Since these are salient features of the democratic spirit, Derrida's perspective can be seen as pushing the agenda of democracy further by considering the implications of tightening, through uncritical inheritance, the nexus between democracy and *sovereign* freedom.

5.4 'Democracy To Come': Political Community Beyond Secularism

So far, we have kept in the background, and without explicitly analyzing it, the notion of 'democracy to come' as the relevant object of Derrida's reflections on democracy. But what does that notion actually mean? And how is it related to the 'theologico-political complex'?

The notion of 'democracy to come' escapes straightforward explanation, partly because of its odd propositional outlook, partly because Derrida does not offer a precise definition, and partly because of the complex matter this notion addresses. Although, Derrida does not consider 'democracy to come' to belong exclusively to the juridico-political sphere, it is in the context of an international political order that 'democracy to come' can be understood as referring to modern democracy. [100] As he notes, post-Kantian modernity and its focus on the possibility of a universal, international and interstate political order "is one of the possible horizons of the expression 'democracy to come'".[101] Derrida's preference for modern democracy also appears from its support of secularization, criticizability, perfectibility and free speech mentioned in the previous section.[102] In due course we will clarify whether this preference translates into a predilection for liberal democracy.

For Derrida, a more precise understanding of 'democracy to come' requires clarifying first of all how not to read it before appreciating its 'positive' potential. By making clear that his 'negative strategy' is not a sort of negative theology, he claims that

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[100] Derrida, *Rogues*, 80–81/118.
[101] Ibid, 81/118.
[102] For an analysis and discussion of Derrida's preference for modern democracy, see Matthias Fritsch, 'Derrida's Democracy to Come'.

'democracy to come' cannot be reduced to an idea or ideal given its aporetic character and the freedom at work in its concept.[103] This view rules out the association of his position with that of several great political thinkers, including Plato's constitutive idea of democracy, Aristotle's democratic ideal of 'ruling in turns,' [104] and Rousseau idea of a perfect but impossible democracy. [105] For more complex reasons, 'democracy to come' cannot be reduced to a regulative idea of the Kantian sort either. These reasons have something to do with the apparent proximity between Derrida and Kant. Derrida considers Kant's regulative idea "a last resort" that retains a "certain dignity" for interpreting 'democracy to come'. Derrida does also not exclude that "will not one day give into it" and acknowledges that 'democracy to come' resembles a regulative idea. [106] Like Kant's regulative idea, 'democracy to come' cannot be experienced as such, though for different reasons –in virtue of its différential character and not because it is beyond the realm of experience.

Despite this proximity, Derrida manifests some reservations with regard to Kant's regulative idea and affirms that "'democracy to come' should above all not mean a regulative Idea in the Kantian sense".[107] First, unlike the regulative idea that is impossible because beyond experience, Derrida's 'democracy to come' is "*im-possible*".[108] As seen in chapter three, *im-possible* does not refer to the negative of possible, to impossible, but to another thought of the possible. More precisely, it refers to what remains foreign to the order of one's present possibilities, especially if these are taken as remaining within the

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[103] Derrida, *Rogues*, 8/27, 82/120.
[104] Ibid, 37–38/71.
[105] Notoriously, Rousseau affirms, in *The Social Contract*, that "taking the term in the strict sense, a true democracy has never existed and never will". Ibid, 73/ 107–108.
[106] Ibid, 83/122.
[107] Ibid, 82/120.
[108] Ibid.

horizon of a sovereign self that is able to predict what is to come thereby foreclosing novelty.[109] Although it exceeds calculability, 'democracy to come' cannot be indefinitely deferred in the name of a regulative idea because the 'to come', as we shall shortly see, points also to a sense of urgency and to the finite time of politics that requires making decision in the present. Further, since im-possibility does not imply beyond experience but simply beyond any *particular* experience, 'democracy to come' is, as Derrida affirms, "what is most undeniably *real*".[110] This is exactly the opposite of Kant's regulative Idea.[111] The second reservation regards the idea of responsibility as related to what goes beyond the calculated application of a rule. While Kant links responsibility to the capacity of responding to the universal demands of morality through the application of a dutiful, self-legislated rule, Derrida views it differently. As mentioned in chapter three, Derrida conceives of responsibility as response-ability, namely as the capacity to respond to the specificity of contexts through negotiation and invention, and not only through the application of a dutiful rule informed by an idealized regulative schema. Finally, Derrida's last reservation concerns his unwillingness to subscribe to the entire Kantian architectonic in order to appropriate the regulative idea model, as our discussion of teleological reason in chapter three has shown.[112]

These reflections bring us to the 'positive' elements of 'democracy to come' which are particularly relevant to the 'theologico-political complex'. One feature of 'democracy to come' is that it enables us to think about democracy beyond the political theology at work in some influential understandings of sovereignty and freedom. Derrida

[109] Ibid, 83/122.
[110] Ibid, 84/123.
[111] Ibid, 85/123.
[112] Ibid. 85/124.

deconstructs the idea of democratic sovereignty as both indivisible *and* unconditional by putting emphasis on the mediating conditions of its existence, which expose its autoimmunitary character. Similarly, he distances himself from a theologically inflected model of democratic freedom as the power of a sovereign subject through the idea of autoimmunity. In the attempt to move past the political theology that has informed many secular understandings of democratic sovereignty and freedom, these two views, I have suggested, push the thinking of democracy beyond secularism. They do so since they strive to move beyond a horizon in which establishing an indivisible and thus sovereign limit between religion and politics is thought to be possible and desirable by paradoxically appealing to sources and understandings that, however secularized, remain irreducibly theological (and Christian).

The break with secularism is further emphasized by the second 'positive' feature of 'democracy to come' which refers to its connection to the 'messianic'. Derrida recalls how already in *The Other Heading*, he made that association by stating that "['democracy to come' is] not something that is certain to happen tomorrow, not the democracy (national or international, state or trans-state) of the *future*, but a democracy that must have the structure of a promise *–and thus the memory of that which carries the future, the to-come, here and now"*.[113] In *Rogues*, he reiterates the same point by claiming that "'democracy to come' is inextricably linked to justice," to the 'messianic' and to another thinking of the event.[114] Without collapsing 'democracy to come', which designates primarily a thinking about democracy as a political regime, into the 'messianic', which refers to a modality of thinking about time and justice, the association between them

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[113] Ibid.
[114] Ibid, 87–88/127.

illuminates three points. First, Derrida's thinking about democracy does not separate the theological from the political thereby indicating that democracy does not operate within a strictly secular horizon. Indeed, while chapter three has shown that the 'messianic' temporality structuring the future of democracy impedes the solution of the theologico-political nexus, chapter four has emphasized that some theological dimension cannot be rigorously excluded from the foundation of democracy as a politico-legal order. On this reading, Derrida's view of 'democracy to come' does not *simply* take secularization as a condition of possibility for democracy.[115] Though Derrida recognizes that the process of secularization allowed for the breaking of hermeneutic authority that is decisive to an open-ended inheritance, to the right to question, and thus to deconstruction itself,[116] he also affirms that secularization remains religious.[117] Above all, his thought illuminates the problems connected to the radical separation of the theological and the political that is envisaged by traditional secularization theories. This elucidation emerges, as this study has shown, from his reflections on language, time, and political authority. It also emerges, perhaps less explicitly, from his critical view of the political theology which continues to inform democratic sovereignty. Taken together, all these reflections expose the theological threads woven into political concepts, discourses and practices, in spite of the rigorously non-religious terms in which political life is often described and understood. In this context, then, secularization cannot be taken *merely* as a condition of possibility for democracy in Derrida since this view contrasts with his acknowledgment of the

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[115] In 'Democracy To Come, Fritsch argues that secularization is the condition of possibility of democracy to come without problematizing the former as Derrida does in several places. See Fritsch, 'Democracy To Come', 575.

[116] Derrida, *Islam and the West*, 53.

[117] Derrida 'Open Discussion', 241.

'return of religion' as well as with the irreducible theologico-political relation that marks his view of the 'messianic' and of the socio-political field in which democracy as a regime operates and is to be understood.

Second, Derrida's thinking about democracy allows for a more open attitude towards difference that appears especially if one concentrates on the meaning of the 'to come'. Playing around with the French *avenir* (future) and *à venir* (to come), Derrida emphasizes two connected elements. On the one hand, the 'to come' indicates an open disposition towards the event conceived as the un-masterable coming of the future that challenges the type of sovereign self-hood informing the agency of individuals and of democratic nation-states. [118] On the other hand, it refers to a sense of urgency taking the form of an active waiting, a sort of passive decision that refrains to impose onto others normative projections before the experience of the encounter. [119] As Derrida notes, "the 'to' of the 'to come' wavers between an "imperative injunction (call or performative) and the patient *perhaps* of messianicity (nonperformative exposure to what comes, to what can always not come or has already come)."[120] This wavering represents the radical possibility of what we have characterized above as an experience of non-masterful freedom. While not targeting religious views and individuals in particular, these features of 'democracy *to come*' inscribes the thinking of political community within a perspective that leaves open the possibility of a more inclusive disposition towards them.

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[118] Derrida, *Rogues*, 87/127. For a first articulation of the 'to come' as an opening to an future that cannot be mastered from the present see 'Of An apocalyptic Tone Recently Adopted in Philosophy' in *Oxford Literary Review* 6, no. 2 (1984): 3–37, 33.
[119] Ibid, 90/131.
[120] Ibid, 91/132. In a recent interview, Derrida has declared that "what comes" (the 'to come' of the messianic promise), in his thought, is what he means by freedom. See Derrida, *For What Tomorrow*, 51/90.

Third, the connection between 'democracy to come' and the 'messianic' links the former to justice and this has consequences for rethinking the relationship between religion and politics. Similarly to Derrida's view of justice, whose non-teleological features impedes the fixation of its true essence, 'democracy to come' is characterized by an open relationship to the future. Indeed, the 'to come' does not announce that democracy *is* to come or that 'democracy to come' is the democracy *of* the future. It only affirms democracy's historicity, which opposes the fixation of its meanings and forms from the present and 'grounds' the possibility of infinite political critique.

> The expression 'democracy to come' does indeed translate or call for a militant and interminable political critique. A weapon aimed at the enemies of democracies, it protests against all naïveté and every political abuse, rhetoric that would present as a present or existing democracy, as a de facto democracy, what remains inadequate to the democratic demand, whether nearby or far away, at home or somewhere else in the world, anywhere that a discourse on human rights and democracy remains little more than an obscene alibi so long as it tolerates the terrible plight of so many millions of human beings suffering from malnutrition, disease, and humiliation, grossly deprived not only of bread and water but of equality or freedom, dispossessed of the rights of all, of everyone, of anyone. [121]

The notion 'democracy to come' allows for a political critique of those views that identify the outlook democracy takes at any given time as incarnating the true democratic spirit and as responding to its demands while tolerating the injustice of massive plagues. That is, it provides us with powerful resources for judging and criticizing the present of democracy in its own historicity without recurring to any specific normativity, which is not to say that this criticism is devoid of any normative power. These resources help challenge anyone seeking to assume the exclusive right –the one commonly associated with the concept of Kantian critique mentioned in the previous chapter – to establish what democracy's appropriate demands are and what forms it should take, locally and

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[121] Ibid, 86–87/126–127.

transnationally. Because this right can be extended to the question whether purely *secular*

understandings and forms of democracy are adequate to the demands of the democratic

spirit, the possibility of criticism provided by 'democracy to come' affect all those

secular perspectives that consider a strict separation between religion and politics as

required by the democratic demands of respect for pluralism and difference. After all, this

is an intrinsic possibility offered by democracy as an historical regime, whose

autoimmunitary character fosters a radical self-criticizability.

> 'Democracy to come' takes into account the absolute and intrinsic historicity of
> the only system that welcome in itself, in its very concept, that expression of
> autoimmunity called the right to self-critique and perfectibility. Democracy is the
> only system, the only constitutional paradigm, in which, in principle, one has or
> assumes the right to criticize everything publicly, including the idea of democracy,
> its concept, its history, and its name. Including the idea of the constitutional
> paradigm and the absolute authority of the law. It is thus the only paradigm that is
> universalizable, whence its chance and its fragility. But in order for this historicity
> –unique among all political systems – to complete, it must be freed not only from
> the Idea in the Kantian sense but from all teleology, all ontho-theo-teleology.[122]

The historicity of democracy emphasized by 'democracy to come' allows for a radical

criticism through an act of theoretical suspension of democracy, as it were. That is, it

allows for the possibility of suspending the certainty of the necessary association between

democracy and the features that are commonly linked to it "in the name of democracy"

itself.[123] This possibility is not without risks since it opens democracy to the possibility of

its own destruction. [124] Indeed the promise informing 'democracy to come' affirms that

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[122] Ibid.

[123] Ibid, 89/129.

[124] Samir Haddad identifies another risk connected to viewing democracy as autoimmune. This appears
particularly in Derrida's inconsistent use of autoimmunity in a strict sense (as a defense against one's own
defense) as opposed to a broader one (as a defense against any part of the self), both of which he uses to
talk about religion. For Haddad, using autoimmunity in the first sense when applied to 'democracy to come'
implies an understanding of democracy as "a political regime structured around the notion of defense" (40).
This understanding is rather questionable first, because in democracy, unlike in religion, "there is nothing"
that "necessitate the unschated as one of its sources" (ibid.); and second, because it differs from the type of

"there be the future" but this does exclude that such a future might not be one in which democracy will be the relevant political category or at least a category defined by indivisible sovereignty, autonomous freedom and secularism as we 'know' it today.[125] Affirming this is not to suggest that Derrida opposes secularism or democracy. Derrida does not reject secularism as a political doctrine implying the separation of religion from state powers and the institutionally guaranteed freedom of religion, but he actually believes that 'democracy to come' presupposes it.[126] What I am suggesting about his view of 'democracy to come' is instead the possibility of conceiving of democracy beyond the political theology informing secularism and thus beyond the 'secular' concept of the political informed by it, a concept that remains for him "essentially theological".[127]

This double bind of chance and threat reflects what we have indicated earlier on as the autoimmunitary character of democracy, that is, a trait designating a sort of death drive that enables the possibility of self-destruction in view of self-protection. While the

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'democracy to come' Derrida advocates for. See Haddad, 'Derrida and Democracy at Risk'. Although Haddad highlights an important risk, it might be argued that since democracy, for Derrida, remains connected to religious sources appearing in both its foundation and sovereignty, it (democracy) too strives, to a certain extent, for the purity of its sources. And while this is not be the type of democracy (modelled on indivisible sovereignty) Derrida would unquestionably support, it is the one he is willing to retain contextually.

[125] Discussing Schmitt's *Concept of the Political* and reflecting on the possibility of another view of the political, Derrida raises the following question: "Would it still make sense to speak of democracy when it would no longer be a question (no longer in question as to what is essential or constitutive) of country, nation, even of State and citizen –in other words, *if at least one keeps to the accepted use of these words*, when it would no longer be a political question?". See Derrida, *Politics of Friendship*, 104/127; the point is reiterated again in his 'Injustice and Decline' in *Islam and the West*, 43–44. While in these contexts Derrida calls explicitly into question the ideas of nation and citizenship based on birth, his point can be extended to sovereignty, freedom and the political theology sustaining secularism if we follow the thrust of my discussion so far.

[126] "I believe that democracy to come …assumes secularism, that is, both the detachment of the political from the theocratic and the theological, thus entailing a certain secularism of the political, while at the same time, encompassing freedom of worship in a completely consistent, coherent way, and absolute religious freedom guaranteed by the State, on the condition, obviously, that the secular space of the political and the religious space are not confused.… I believe that the secular today must be more rigorous with itself, more tolerant toward religious cultures and toward the possibility for religious practices to exist freely, unequivocally, and without confusion." Derrida, 'Injustice and Decline' in *Islam and the West*, 50–51.

[127] Ibid, 54.

possibility of a different future of democracy might look frightening at first sight since it disjoins democracy from well-established features of its make-up, it might also be liberating to the extent that it denaturalizes what seems an inevitable connection. To affirm this, is not to downplay the value of democracy and the type of viable and desirable safeguards it offers, in its current form, against authoritarian regimes. Nor is to reject the significance of the separation between religious and state powers for the future of democracy in general, and of that envisaged by Derrida in particular. Rather it is to push political thinking to critically question its sedimented convictions by following the emancipatory drive of the democratic spirit. It is precisely this critical spirit of democracy, the possibility of questioning the equation between democracy and any of its historical forms, that renders democracy a "universalizable paradigm".

Note here that Derrida's support for the right to self-critique and perfectibility, together with the freedom of expression they presupposes, would seem to suggest that he embraces key features of liberal understandings of democracy from Mill to Neo-Kantian political thinkers such as Rawls and Habermas. While his support for these features clearly indicates Derrida's preference for modern democracy as a regime in which the right of free speech is institutionally guaranteed, his perspective cannot be simply reduced to a version of liberal deliberative democracy. Indeed, besides Derrida's resistance to individual freedom as autonomy, the right to self-critique generated by autoimmunity is not grounded on a normative standard that sets what democracy *requires* but, rather, on the radical indeterminacy of democracy and its perfectibility. That is why Derrida refuses to specify in advance which understanding of equality and freedom democracy demands, as Mill and Rawls do, or what rules of communication are to

regulate public deliberation as in Habermas or, as just suggested, whether democracy means necessarily *secular* democracy.[128]

These 'positive' features of 'democracy to come' (the thought of unconditionality without sovereignty and the connection to the 'messianic') help us clarify further why Derrida has opted for this notion to talk about democracy. Lacking the modal verb 'to be' in order to remain ontologically and semantically free from final determinations, 'democracy to come' refers more to a way of thinking about democracy and the future than to a strictly political concept.[129] This lack does not deprive this notion of political connotations but makes it hyper-political by exposing the political agency behind the meanings that are historically ascribed to democracy. The intrinsic historico-political variations of democracy that 'democracy to come' takes into account lead Derrida to hazard the thought that such a notion "would be like a khora of the political", namely a sort of receptacle or opening space that precedes particular determinations because it makes them possible without at the same time being reducible to a transcendental trope.[130] An important implication of this very difficult and controversial claim is that

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[128] See Mill, *On Liberty* (ed.) John Gray (Oxford: Oxford University Press, 1991) Rawls, *Political Liberalism*; Habermas, *Between Facts and Norms*. See also, Fritsch, 'Derrida's Democracy to Come', 578 –580.

[129] Derrida, *Rogues*, 90/131.

[130] Ibid, xiv/14, 82/120. The notion of *khora*, Derrida notes, is introduced by Plato in the *Timeus*. Plato understands it as a "receptacle", a figurative site which is neither being nor nonbeing but an interval, a 'between' in which the forms were originally held and made possible. Because *khora* is 'other than being' it escapes philosophical categories and conceptualization, and yet is not non-being. By associating democracy to *khora*, Derrida underscores two points: first, that democracy is a reality we cannot exhaust conceptually as it always exceeds semantic fixation; and second, that it is a sort of space that allows for a provisional meaning of living together to be determined in the first place by providing an opening that does not prescribe any particular type of politics. For an excellent discussion of Derrida's understanding of *khora* and the way in which he uses to rethinks the political, see Naas, 'Jewgreek is greekjew" in *Miracle and Machine,* pp. 152–196. Here Naas argues for something similar to what I have proposed in this chapter, namely that 'democracy to come' would take distance from the traditional understanding of secularism (187). Yet, while he reaches this conclusion primarily through a discussion of *khora* as a spatial dimension, I do so through a discussion of 'democracy to come' in relation to its political and temporal dimension, namely sovereignty, freedom and the 'messianic'.

'democracy to come' presents a unique flexibility allowing it, Derrida says, to "endlessly oscillate" between on the one hand, "a constative analysis of a concept" that is indeterminate, and historical, and, on the other hand, a performative call "to believe in it" and have faith in its promise.[131] And this is possible because of the irreducible gap between the very possibility of democracy sustained by the faith in its promise and its historical determinations, a gap that our discussion of elemental faith in relation to the 'messianic' and the foundation of the secular in the previous chapter has already highlighted. In other words, 'democracy to come' provides, figuratively, the theoretical space from which to criticize and reconfigure every time the understanding of democracy in the name of democracy's promise or faith in it and according to the specificity of contexts.[132] As such, its articulation constitutes an intervention that unsettles all those views that claim a privileged right to *know* what democracy is and should be. Thus, instead of establishing another model of democracy, 'democracy to come' represents a political intervention that provides the theoretical sources and space to think through, criticize and politicize claims about the truth of democracy – what the promise of democracy consists in, what its demands are– in theory and practice, and that keeps open the possibility of change and inclusion, including that of religious citizens and views. [133]

Now, connecting 'democracy to come' to the 'messianic' and the thought of unconditionality without sovereignty has important implications for understanding how Derrida rethinks the question of political community in the context of the 'theologico-political complex'. While both connections illuminate, in different ways, a mode of

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[131] Ibid, 91/132. For a discussion that supports and expands this point see Alex Thomson 'What's to Become of "Democracy to Come"?' in *Postmodern Culture* 15.3 (2005).

[132] On this point, see also Paul Patton, 'Derrida, Politics and Democracy to Come', 774.

[133] "Deconstruction, I have insisted, is not *neutral*. It *intervenes*." See Jacques Derrida, *Positions*, 93. This point is reiterated also in *Politics of Friendship*, 105/128.

thinking about communal life that breaks with a purely secular horizon, the second in particular points to a form of hospitality that affects, among others, religious views and citizens. This feature appears especially if one reflects on Derrida's claim that hospitality represents an exemplary figure of the unconditionality without sovereignty characterizing 'democracy to come'.[134] I want to suggest that the openness implied by the hospitality of 'democracy to come' illuminates further the possibility of re-thinking democracy beyond secularism since it points to a thinking about communal life that undermines, and not simple exposes the limits of, the possibility and desirability of the strict separation between the theological and the political.

But, first of all, what does Derrida mean by hospitality? It is not my intention to delve deeply into his complex and multifaceted philosophical view of hospitality, which characterizes, in a sense, his entire thought. Doing so would take us too far afield. Instead, I want to focus specifically on the political aspects.[135] With reference to the political, Derrida understands hospitality as a way of thinking about the possibility of "determining citizenship, democracy and international law, etc. in another way" in the context of "unprecedented historical situations".[136] The crisis of secular understandings (of sovereignty, democracy and freedom) and political arrangements informed by a however secularized political theology of sovereignty is one of the "unprecedented" historical situations that the thought of unconditional hospitality addresses in order to proceed "in another way". Along with constantly increasing immigration flows, recurrent

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[134] Specifically Derrida talks about "unconditional hospitality" to differentiate it from the conditional hospitality mediated by a juridico-political framework in which the scope of openness is regulated by idealized normative schema. Derrida, *Rogues*, 149/204.

[135] It should be noted, though, that Derrida's view of hospitality presents strong ethical connotations and that his view about the relationship between ethics and politics is far from been clear. See also Peng Cheah and Suzanne Guerlac, 'Introduction' in *Derrida and the Time of the Political*, 25.

[136] Jacques Derrida and Anne Dufourmantelle, *Of Hospitality* trans. Rachel Bowlby (Stanford, CA: Stanford University Press, 2000), 149/131.

economic recessions, the prospect of environmental catastrophe, and growing terrorist networks, this crisis signals the extreme difficulties of dominant liberal democratic theories and politics to respond to the challenges posed by the contemporary predicament. In contrast to these theories, Derrida's view of hospitality seeks to think about the present of democracy beyond outlooks that are informed by teleological schemas, indivisible sovereignty and traditional political theology, that is, beyond 'old' secularism. [137]

My point is that the hospitality inherent in 'democracy to come' illuminates why Derrida's view of political community opposes the sovereign solution of the theologico-political nexus that has marked traditional approaches to secularism. It does so because, as a figure of 'unconditionality without indivisibility', hospitality affirms precisely the divisibility of sovereignty through the openness to the other and the future that his thinking about language, time and politics already emphasizes. As seen in the introduction, the separation between the theological and the political has been a central feature of classical understandings of secularism. Guided by the conviction that reason can provide its own foundation and do without faith, and that reason should have primacy with regard to the foundation of political authority and community, many of these understandings have put into effect the solution of the theologico-political relation. They have done so by inverting without subverting the foundational, and one might say fundamentalist, modality of thinking typical of theological discourse: sovereign, self-sufficient foundations are possible, desirable and to be effected through forced translations supported by reason and not faith. In contrast to this inverted foundationalism,

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[137] Note, however, that although Derrida emphasizes in *Rogues* and other writings the importance of both calculability and incalculability, in 'For What Tomorrow' he affirms that "deconstruction is on the side of unconditionality, even when it seems impossible, and not sovereignty, even when it seems possible." Derrida, 'For What Tomorrow', 92/153.

I have argued that Derrida views the theologico-political relation as irreducible and not fully translatable; that he considers religious sources to be not rigorously absent from political foundations; and that he conceives of reason and faith as sharing an elemental faith, the recognition of which, as mentioned in the closing of the previous chapter, can guarantee a greater respect for religious freedom. Exploring, in this chapter, Derrida's position on democracy, I have supplemented the arguments of the preceding chapters by presenting and discussing his critical analysis of the political theology of sovereignty and freedom. This analysis exposes the self-refuting foundationalism of sovereign indivisibility through its mediating conditions (time and language) and the idea of autoimmunity, thereby illuminating the untenability of both indivisible sovereignty and the indivisible (sovereign) limits it seeks to establish.

It is in this context, then, that 'democracy to come' can be considered as reconfiguring the thinking of democracy beyond the separation of the theological and the political typical of traditional secularism. Although Derrida does not develop this point explicitly, his 'democracy to come' helps illuminate that determining indivisible or sovereign limits between religion and politics through forceful translation and normative projections jeopardizes the respect for pluralism thereby betraying democracy's universal thrust. This holds to the extent that sovereign indivisibility depends on a problematic political theology that operates through forceful translations and normative projections that disregard exposure to plural worldviews and dialogue as crucial elements to the respect of difference *as* difference. Viewed in the context of the 'theologico-political complex', Derrida's 'democracy to come' can be taken as indicating the following: the respect for pluralism in democratic societies might depend more on a universalism based

on a continued interaction with religion in terms that are contextually negotiated through translations respectful of particularity than on the insistence on fixed rational standards that are supposedly required by the idea or ideal of democracy itself. To close with a quote from one of Derrida's last interviews in which he responds to Mustapha Chérif on these issues: "Naturally, the religion of the other must be recognized and respected, as well as his mother tongue, of course. But one must translate, that is, at the same time respect the language of the other and, through that respect, get his meaning across, and this presupposes what you have called universal democracy".[138]

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[138] Derrida, "East-West: Unity and Differences" in *Islam and the West*, 45.

Chapter 6

Conclusions

6.1 Overview of the Argument

This dissertation has provided a study of the theologico-political relationship today through an exploration of the understudied political thought of Jacques Derrida. Its central aim has been two-fold: first, to offer a theoretical response to the empirical significance of religions in the public sphere by seeking to further the understanding of how the political and the theological interact in politics; and second, to contribute to current debates in political theology broadly conceived as well as to Derrida scholarship by articulating how his view of the theologico-political relates to political foundations, especially questions of political authority and community.

The exploration and connection of Derrida's reflections on language, time religion and politics has sought to show the promising potential that a deconstructive approach offers to rethink the theologico-political relationship. I have argued that Derrida's philosophy provides political thought with valuable sources to think about the theologico-political relationship in more complex and critical ways, especially beyond the separation and opposition between religion and politics typical of the modern paradigm. The possibility of thinking about the theological *together* with the political has been the novelty that this study has introduced through the exploration of Derrida's thought. This possibility, I have shown, is inscribed in the irreducible relationality that emerges from Derrida's reflections on language and time as well as on secularism and democracy. These reflections, I have argued, radicalize without settling questions of foundations and expose the

significance of a structure of promissory affirmation informed by an elemental faith that is common to both reason and religion.

The context of this study has been the contemporary predicament characterized by the so called 'return of religion' in political discourse and practice. This return exposes the inadequacy of the old 'secularization thesis' as well as the Christian horizon of the discourse that produced it. The global persistence of religions in political life does not signal, in fact, the progressive retreat of religions from public life as predicted by that thesis, but the opposite scenario. Religions have not waned but are active participants of modern globalization processes. This phenomenon challenges sedimented convictions about secularism and modernity and raises pressing questions about how to think about and respond to cultural and religious diversity beyond the traditional universalist narratives so common in the modern paradigm. Attentive to these features of the contemporary predicament, I have proposed to use the term 'theologico-political complex' to account for the complexity of the relationship between religion and politics today. Like the category of the post-secular in its Habermasian version, this matrix points to a renewed consciousness about the permanence and significance of religions in politics and to the exclusionary features of 'old' secularism for religious citizens and views. Unlike such a category, though, it acknowledges the crisis of universalizable models and their Christian heritage, and it points to the need to radically rethink the modality of thinking about reason and faith, and more generally political normativity.

To attend to the theoretical challenge of thinking about the theologico-political differently, this exploration has been carried out through a critical framework analyzing, in the first two chapters, the media through which political thinking operates (not only) in

approaching the relationship between religion and politics. An analysis of language has proved indispensable to a critical understanding of the theologico-political relationship in the political present. Language, I have suggested, is the politically charged vehicle in which theologico-political issues locally arise but also one in which philosophical reflection is bound. Despite the growing delocalization of religious movements and claims and philosophy's orientation towards universality, the irreducible idiomaticity and thus particularity of language remains. Through an exploration of Derrida's view of the political function of language, I have exposed the limits of universalist approaches that conceive of language as a neutral tool and that seek to effect a secularization of religious idiom by appealing to the secular language of philosophy, translating one into the other. I have also indicated the relevance of focusing on linguistic foundations for rethinking the theologico-political problematics and for articulating an alternative view of language. Through an emphasis on the promissory structure of all language and a sensibility for politico-linguistic foundations, this alternative view resists projecting and imposing homogenizing models without nevertheless renouncing to universal aspirations.

An investigation of the time of political thinking has also proved crucial to critically think about the 'theologico-political complex'. Different conceptualizations of time have been shown as underpinning the type of normative responses to the relationship between religion and politics. In examining Derrida's view of time, I have illustrated why the uncritical inheritance of the traditional synchronic view of time and of its metaphysical presuppositions has furthered exclusionary teleological responses to the theological-political relation. In alternative to these responses, I have reconstructed Derrida's view of the 'messianic' as a form of non-teleological political thinking that offers a significant

potential for re-thinking the theologico-political relationship. I have argued that, unlike modern approaches characterized by a binary, fundamentalist logic of the sort that self-assuredly prioritizes reason over faith and rigorously separate the theological from the political, Derrida's view offers a promising platform for thinking about this pair as irreducibly connected.

Having set the theoretical framework for a critical inquiry into the 'theologico-political complex', the remaining chapters of the dissertation have focused on secularism and democracy. Chapter four has articulated Derrida's view of the secular domain as theologico-political through a specific focus on the foundation of political authority and law. Investigating the event of political foundation, I have indicated why the theological and the political interrelate and thus why they cannot be separated as in that tradition of the Enlightenment, which considers the secular as a self-enclosed political entity. This interrelation has been shown to appear most clearly in the institution of the secular as the field of socio-political relationships. For Derrida, this field is marked by an elemental faith that appears at work in both religious and non-religious institutions and that draws from sources from which a religious dimension cannot be strictly excluded. By indicating that the hyphen linking the theological and the political stands for their interrelatedness and also their distinction, this elemental faith has been shown as illuminating that the theologico-political nexus cannot be simply resolved in the justification of political authority but defines instead its very nature.

Chapter five focused on how the theologico-political nexus relates to the foundation and understanding of democracy. I have suggested that, for Derrida, the theologico-political relationship need not be resolved in the organization of communal life. Through an analysis

of his reflections on democracy as 'democracy to come', I have shown both the persistence of theological sources in democratic sovereignty and freedom as well his attempt to open a space to think about them beyond traditional political theology and secularism. Derrida's 'democracy to come', I have argued, opposes the possibility of establishing indivisible limits between religion and politics and allows for a more open view of religions. As such, it suggests that the fate of pluralism might depend less on the exclusion of religions from the public sphere than on a continued engagement with them.

If this dissertation has offered some arguments for thinking about the 'theologico-political complex' in new and promising ways, it has also presented certain limitations that should, perhaps, be made explicit. One limitation regards the deconstructive approach and its pertinence to the contemporary predicament. As mentioned, besides challenging well-established modern convictions and understandings, the 'return of religion' poses practical problems about how to respond to cultural and religious pluralism. Policy solutions require precisely those normative proposals a deconstructive approach resists offering. Clearly, the silence on normative guidelines constitutes a significant limitation of any comprehensive investigation of religion and politics. This limitation would seem amplified by the contemporary predicament which calls for urgent responses. Yet responses require careful analysis and complex understandings that are all the more necessary when *new* responses are necessary. And this is where Derrida's approach becomes significant. A careful appreciation of his philosophical orientation helps recognize that the value of his intervention consists in doing a critical work that might prepare the terrain to clarify the questions one might want to ask in order to normatively proceed in another way. This alternative way is one that does not leave unchallenged some key modern presuppositions

about how to think about religion and politics, and that also intercepts compulsive repetitions in disguised forms. What does the problematics of translation do to the way we think about secularization and secularism as well as the resolution of public disputes? Which limits does it pose, which possibilities does it offer? If the strict separation of faith and reason, the theological and the political envisaged by several versions of secularism and post-secularism requires problematic metaphysical commitments, on what basis are these commitments to be preferred to religious ones? What implications follow from acknowledging the dependence of the political on some form of transcendence, especially for the way in which we understand the foundation of politics and we address and respond to cultural and religious pluralism? If democracy is still haunted by political theology, in what sense can it still be considered a secular concept and a political form? How are we to rethink respect for pluralism and difference once the normative basis of secular understandings has been shaken? These are some of the questions that Derrida's political thought raises before rushing into quick normative solutions. The choice of turning to Derrida's thought in order to undertake this inquiry has been motivated not so much by the urgency to find normative responses, though this remains an overarching concern, but by that of deepening the understanding that precedes them. Given the shock that the global persistence of religions in politics has provoked to the confidence in universalizable and purely secular models, the attempt to gain a more complex understanding of the contemporary predicament seemed timely and necessary. Derrida is a controversial and less studied thinker in the field of political thought who has experimented with a way of thinking that has no centers and no guarantees, and who has questioned the self-assurance in the secular character of modern political arguments. I hope to have shown that his thinking

does further our understanding of the theologico-political problematics today and that, despite his resistance to normative proposals, his perspective does not lack normative force but identifies areas of investigations such as, for example, translation, memory and non-teleological thinking that are normatively significant and often present a distinctive normative potential.

Another limitation of this dissertation regards the choice to focus primarily on Derrida and less on his engagement with other contributors to contemporary debates in political theology. Given the relevance of the theologico-political relationship for contemporary debates, showing how Derrida's thought and writings can help us rethink some of its central issues 'in dialogue with' other important thinkers could have been helpful and fruitful. Without denying the pertinence and value of this point, the decision to focus primarily on Derrida has been dictated by two considerations. The first one regards the limited attention Derrida's political thought on the theologico-political has received in the field of contemporary political theory, especially but not solely with regard to debates on secularism and religion. While relevant to Derrida scholarship, delineating his positions on the 'theologico-political complex' was an attempt to draw attention to the significance and power of his philosophy for that field and debates. This study, I hope, can provide a basis for future and more direct engagements with several important figures of current debates on religion and politics that can benefit the larger field of contemporary political theory. The second consideration regards the absence of a more distinctively *political* analysis of Derrida's view of the theologico-political in its various ramifications, especially as it relates to questions of political foundations. I hope that the politico-philosophical analysis of this connection, together with its ramifications on questions of language and

time, offered in this dissertation has shed light on existing but understudied interconnections in his thought.

A final limitation of this dissertation regards the fact that choosing Derrida's thought as the main source to interrogate the 'theologico-political complex', implies remaining significantly within a Christian understanding of the problem, in spite of the acknowledgment that both secularism and modernity are marked by irreducible Christian sources. Both Derrida and his commentators have identified the privileged link deconstruction maintains with Christianity.[1] In the context of so numerous studies that have exposed the Christian sources,[2] biases and exclusionary effects of the modern[3] and more recent discourse about religion,[4] another 'Christian' investigation of the theologico-political can be seen as missing a chance for a different take of the problematics that could break with a pre-eminently western focus. Staying with Derrida to investigate such a relationship is surely maintaining a link with Christianity or Judeo-Christianity. Yet it is not only that as it should be clear form several points raised in this study that have shown Derrida's critical positioning towards Christianity and challenged the geopolitical site form which the dominant discourse about religion and politics is articulated. Chapter two indicated that Derrida exposes the colonial implications of globalizing, through complex processes of translation, a secular but nevertheless idiomatic language: Anglo-American. This is a language that has inherited the Latin/Christian tradition and is therefore not unrelated to a specific religious background, understandings and values. Derrida's criticism of the global

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[1] Derrida, 'Epoché and Faith: An Interview with Jacques Derrida'; Cauchi 'The Secular To Come'.
[2] Connolly, *Why I am not a Secularist?; Capitalism and Christianity, American Style*; Gauchet, *The Disenchantment of the World: a Political History of Religion*; Taylor, *A Secular Age*; Nancy, *Dis-Enclosure*.
[3] Asad, *Genealogies of Religion*; *Formations of the Secular*; Masuzawa, *The Invention of World Religions.*
[4] José Casanova, 'A Secular Age: Dawn or Twilight' and Saba Mahmood ,'Can Secularism be Other-wise?' in Warner, M. et al. (eds.)*Varieties of Secularism in a Secular Age* (Cambridge, MA: Harvard University Press, 2010).

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secularization of Christian religion and hegemonic spread of apparently desacralized

categories and ideals through the expansion of the modern nation-state, capitalism and

international law has been a central point of his view of the 'messianic' and the secular in

chapter three and four respectively. Finally, chapter five has emphasized Derrida's criticism

of Eurocentrism in philosophical and political questions of democratic sovereignty and

political language as well as his interest in Greek democracy and thus of pre-Christian

understandings of politics.[5] Although these considerations do not lessen the link between

deconstruction and Christianity, they nevertheless point to Derrida's awareness of

deconstruction's own particularity together with the attempt to open up a space to go

beyond it or at least to proceed at some critical distance from it.

6.2 Beyond the Modern Paradigm

What does an exploration of the 'theologico-political complex', through the political

thought of Jacques Derrida, contribute to current debates about religion and politics? My

dissertation questions the classical modern paradigm and it emphasizes that the undisputed

focus on its oppositional, separatist logic has left unaddressed some underlying reasons of

structural exclusions and unexplored the possibilities of approaching reason and religion as

interconnected. Taking the now widespread challenge against the classical paradigm to bear

on the way in which the theologico-political relation is re-thought today, this study has

pointed to the neglected and often unperceived possibilities of thinking that relationship *as* a

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[5] In the context of these remarks, the relevance of Derrida's thought to non-Christian religions is not surprising. See, for example, Ian Almond, *Sufism and Deconstruction: A Comparative Study of Derrida and Ibn Arabi* (London: Routledge 2004); Jil Anidjar, *The Jew, The Arab: A History of the Enemy*; Mustapha Chérif, *Islam and the West*; David Loy, *Deconstruction and Healing: Postmodern Thought in Buddhism and Christianity* (Atlanta: American Academy of Religion, 1996); Robert Magliola, *Derrida on the Mend* (West Lafayette, Ind.: Purdue University Press, 1984).

relationship, and not as a link whose solution was, and in many cases still is, thought

necessary and desirable in order to guarantee the respect of pluralism and difference.

With specific reference to the two strands of scholarship in political theology within

which this dissertation has been placed, the contribution of Derrida's approach to the

'theologico-political complex' is two-fold. First, Derrida shows that the dependence of the

political on some form of transcendence and theological sources, which his view shares

with the thinkers of the first group (Agamben, Benjamin, Lefort and Schmitt), puts limits to

the possibility of closing the political space. The reference to sources external to the

political in order to make it intelligible signals a constitutive openness of the political itself

that impedes predetermining its shape, direction and relationship with the religious as the

views of, respectively, Schmitt, Agamben and Lefort do. By refraining from solving the

theologico-political relationship and keeping its tension alive, Derrida unsettles attempts

that end up privileging, however ambiguously, one side of the relationship and which thus

risk closing the political from within or without.

Second, Derrida's thought shows that the permanence of religions in political life

does not simply expose the inadequacy of the 'secularization thesis' and of traditional

understandings of secularism, as it is suggested by the second strand of scholarship in

political theology (Asad, Connolly, Habermas, Nancy and Taylor). It has also impact on the

way in which the newly acknowledged problematic content of these concepts is approached.

Derrida's critical investigation of some influential conceptions of language and time in

political thought aims to do just that. It calls for a different mode of thinking about

secularism and secularization. This holds particularly for the ways in which the revisitations

of these categories bypass the problem of translation involved in extrapolating the

philosophical kernel of religious positions as in Habermas and Nancy or in negotiating differences in the public sphere as in Connolly. Furthermore some thinkers of this group often overlook the metaphysical presuppositions informing normative proposals that continue to support a strict separation between reason and faith as Habermas does, or advocate for the universal validity of secularism, and thus of its translating language, as Taylor proposes.

The analysis of the 'theologico-political complex' through Derrida's political thought is hardly the last word on such a difficult theme. Yet it opens up innovative research paths that can further inquiry. For example, an examination of the role that political theology still plays in post-secular revisitations of democracy could help clarify the sense in which postsecularism breaks with secularism and whether, or the extent to which, religious sources can be jettisoned from the foundation of democratic life. Investigating further the relationship between time and political thought and categories such as sovereignty, democracy and the law could provide a more complex and critical understanding of the limits and possibilities of post-metaphysical thinking. Finally, a thorough examination of the problematic of translation would contribute significantly to deepen our understanding of the practices of interreligious and intercultural encounters. Perhaps, this is the most promising and urgent research path this dissertation opens up. As seen in chapter two, translation is not simply a linguistic matter but a philosophical and practical problem. It speaks to the unrecognized historico-politically charged operation through which we address, understand and relate to historical, cultural and human difference. The idea of translation has been implicitly at work in several modern political theories and has been particularly relevant to the practice of historiography and cross-

cultural interpretation, in the understanding of the relationship between universality and particularity as well as the idea of secularization. More recently, it has been at the center of theories of postsecularism and democracy and postcolonial studies of religion. But the question of translation is very much also a question of politics. Acts of translation are at work in the everyday institutional administration of pluralism. The multiplication of cultural engagements and exchanges in which translation is required in a progressively globalized, multicultural and multireligious world, poses the question of translation as a pressing and hardly avoidable one. Which conceptualizations of language and translation inform state-managed pluralism? What effect do they have on questions of social cohesion and political legitimacy? What translating strategies and procedures can be employed in conditions of deep pluralism so as to deal with such questions in a more inclusive manner? These are some pressing questions that point to the practical urgency of translation for democratic life.

Despite its philosophical and political significance, very little work has been done in political theory and philosophy about the idea of translation, especially to the idea of translating plural worldviews into a common language in order to provide a unified basis for political life. An investigation into the theoretical components and practical implications of translation would enrich our views of the implicit operations that structure the ethics and politics of intercultural encounters and could equip us with theoretical sources to think about more refined and complex responses to cultural and religious pluralism. A more developed understanding of translation has the potential to help avoiding unjustified exclusions affected through 'simple' translations. It can also foster a more critical awareness of just what is at stake when philosophical investigation seeks to grasp the core of theological insights and translate them into non-religious language or state-managed

secularism responds to cultural and religious diversity by appealing to a supposedly neutral, secular language and categories. While some empirical work has already been done on the problem of translation as applied to religion in the field of postcolonial and South-East Asian studies,[6] politico-philosophical investigation is still behind. Through a philosophical analysis of how the idea of translation has been (implicitly) articulated in key modern and contemporary political theories we could gain a comparative and historically informed understanding of a neglected and yet crucial topic which could contribute to contemporary debates on language, religion and politics in political thought and philosophy by addressing thematic and methodological insights that are also relevant to postcolonial and comparative political theory. The insights on translation developed in this dissertation with regards to the relationship between religious and secular language could represent a starting point for developing further and expanding an inquiry into an often neglected theoretical and practical dimension that is nevertheless vital to the study, appreciation and respect of human diversity.

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[6] See Mandair, *Religion and the Specter of the West*.

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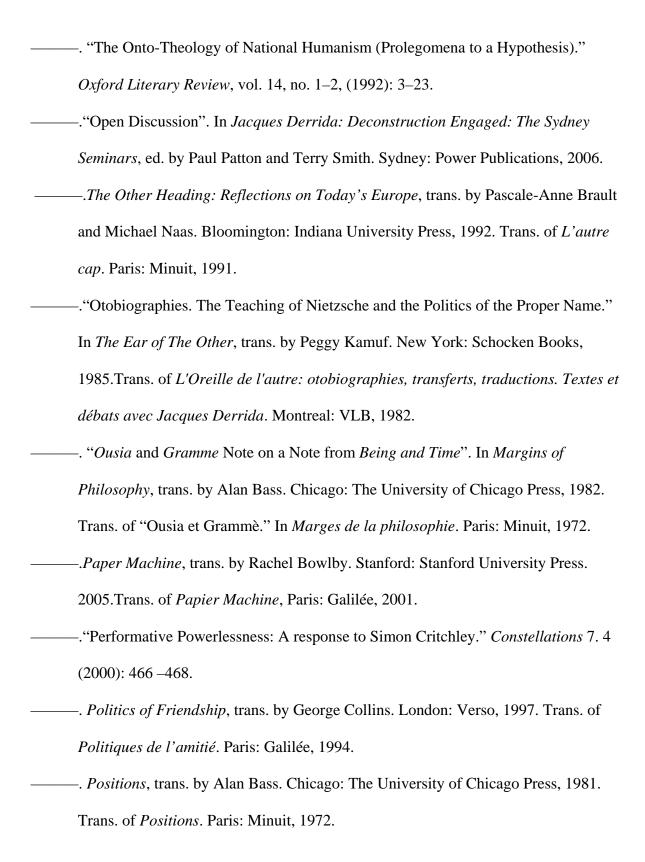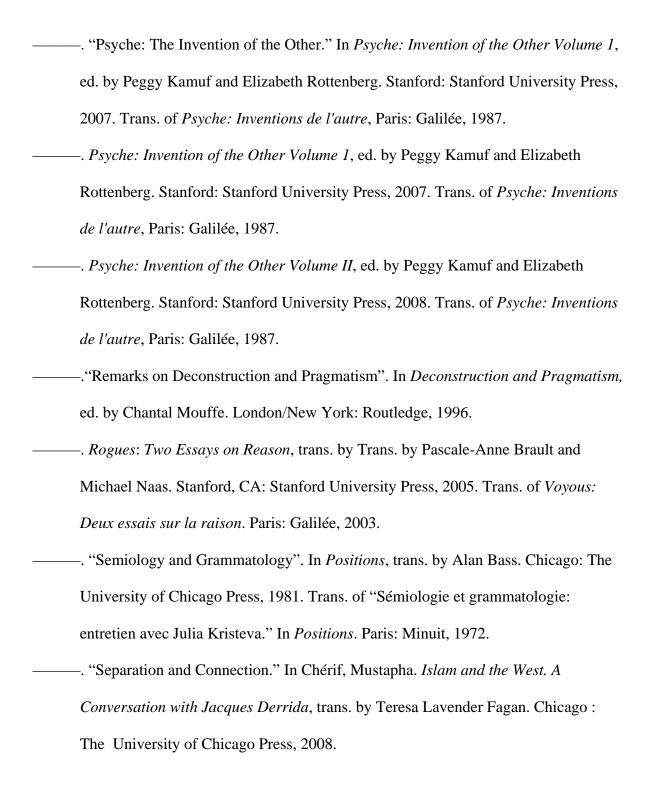
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