

Letters to God: The *Coup d'état* and the State of Exception in Politics

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Abstract

This article explores the importance of Benjamin's key phrase, "dialectics at a standstill", arguably having a certain analogous link to that which is called the state of exception in politics. Of significance to this argument is Benjamin's emphasis of "a real state of emergency" which is elaborated with Žižek's reading of Kundera's inscriptive corpus by way of an aesthetic concretizing from a linguistic genesis, comparable to an onto-political becoming. Kundera's literature can be argued as analogously emerging from a *coup d'état*, figuratively a stroke of the state that can be explained analogously with geo-political limits or borders. If the "state of emergency" is no longer the exception but the rule, what does a "real state of emergency" mean? The article also discusses the way the state of emergency and the state of the "exception" arise and it reconsiders Foucault's notion of *biopower* and its impact on creative grammars.

Keywords: *aesthetics, politics, state of exception*

*Defenceless under the night
Our world in stupor lies;
Yet, dotted everywhere,
Ironic points of light
Flash out wherever the Just
Exchange their messages:
May I, composed like them
Of Eros and of dust,
Beleaguered by the same
Negation and despair,
Show an affirming flame.*
(W. H. Auden, September 1, 1939)

It takes so little, so infinitely little, for a person to cross the border beyond which everything loses meaning: love, convictions, faith, history. Human life – and herein lies its secret – takes place in the immediate proximity of that border, even in direct contact with it; it is not miles away, but a fraction of an inch.

(Milan Kundera, *The Book of Laughter and Forgetting*)

Introduction

The translator of Jacques Rancière's *Dissensus*, Steve Corcoran, uses the phrase "two forms of exceptionality" to describe the whimsical take on politics and aesthetics, crucial to the following question: can a principle of equality be found in aesthetics and politics? This article suggests that such a principle can be found in the atemporal dimension of Walter Benjamin's reading of history. Benjamin's "Theses on the

Philosophy of History”¹, although a critical response to the political turmoil prior to World War II, may be used to analyse the global politics after 9/11. As a political historiographer rather than a historicist, Benjamin came with an alternative grasp of history, history as illuminated and given *puissance* by a political vision that works with theological motifs. I shall attempt to argue that one of its key phrases, “dialectics at a standstill”, which provides a momentary flash of insight into history in the face of a threat or danger, has a certain analogous link to that which is called the state of exception in totalitarian politics. It can be asserted that liberal democracy shares the same features of political exceptionality, albeit on a different scale. This dialectical suspension makes evident that which is beyond temporal linearity: phase, epoch, era et cetera, the aesthetic “originary” that also enables this critical exploration of the potential for sovereignty without sovereignty. Of significance to this polyvalent argument, predicated upon a hypothesis of the art of dissent, is Benjamin’s emphasis of “a real state of emergency”, elaborated with Slavoj Žižek’s reading of Milan Kundera’s inscriptive corpus by way of a creative concretising from a linguistic genesis, comparable to an onto-political becoming. Kundera may have avoided the label of a political writer but his literature can be argued as analogously emerging from a *coup d’état*, figuratively a stroke of the state, explaining what happens at geo-political limits or borders. Raphael Vago’s reading of post-communist politics using Hungary as an instance states that there has been recently an emergence of conservative sentiments that are xenophobic in its underpinnings with its “strong tendency toward historical revisionism and nostalgia for the dark days of fascist movements and their symbols”², a recurrence of Eurocentric predilections. This paper will attempt to show that, despite Vago’s implication that fascist violence is in the past, it has not completely vanished from global politics. If the “state of emergency” is no longer the exception but the rule, what does a “real state of emergency” mean? This inquiry is posed because of the fact that the phrase is conventionally associated with the exception: the sovereign who has the power to suspend the law, arguably comparable to Benjamin’s momentary suspension of the dialectics. This thesis is premised upon a suggestion that political exceptionality and aesthetic exceptionality are, to use Žižek’s vocabulary, two sides of the same coin. And it is with the state of emergency that the stake of the “exception”, a word that has its beginnings in Carl Schmitt’s discussions of the concept of the political and political theology, arises. Yet it is a different exceptionality proposed in this paper, an aesthetic sovereignty that has something to do with Derrida’s weak force, a “vocation” that hopes to reconfigure the available resources for the marginalized. Aided by the Foucauldian discourse on subjectivity and power, I shall rethink biopolitical power with Giorgio Agamben’s discourse on the exception, a reworking of the phrase that suggestively bears a Nietzschean imprint. Foucault may have the answer that we seek in an onto-theological discourse having significant implications on the creative grammars of rhetoric.

¹ Walter Benjamin, “Theses on the Philosophy of History,” in *The Continental Philosophy Reader*, 215-223 (London and New York: Routledge, 1996).

² Raphael Vago, “Hungary – the Case of Post-Communist Society in Crisis,” *Topical Brief*, no. 2 (2009), accessed 12th February 2012, <http://www.tau.ac.il/Anti-Semitism/articles/hungary.pdf>. Vago states that Hungary as a postcommunist society is an extreme case in terms of his argument in the above essay.

Jean Luc Nancy's deconstructive reading of Christianity³, although reviewed as inadequate, is crucial to the multiple theses of this paper due to his ruminations of Hölderlin's "Open", an exegetical emphasis on "sense" that arguably has a theological return despite his gesture to its eventual nihilism. Nancy's religious reading of Hölderlin's "Open" is laterally comparable to Agamben's state of exception despite the former's attempt to separate it from politics. This, in turn, may have something to do with Lacan's "matheme", a formulaic expression of a barred subject, a state of political subjectivization that is exceptional only in its attempt to include the excepted. The ontological significance of religion, one that gives historical sense to our existence and predicated on faith, may be losing its hold in the secularised West but, as Benjamin suggests, any critique wins when the potential inherent to theological resources is employed. As to the nihilistic, Benjamin's "Theologico-Political Fragment" reads nihilism as the method undertaken by world politics to bring about the Messianic Kingdom, a method *qualitatively and allegorically* extrapolated here by bringing to the fore Nancy's inquiries on the relation between Christianity and nihilism, explained as taking "sense" to its point of excess: "what is an opening up that would not be ruined by its own opening? What is an infinite sense that could 'make sense'? Could it be an empty truth that could nonetheless support the weight of truth? How to trace once again a *delimited* opening up, a *figure*, then, that is nonetheless not a figurative solicitation of sense (that is not God)?"⁴ Perhaps this non-figurative retrieval has something to do with the remainder, that which is uncontainable and yet gives to a certain containment. Nancy's description recalls Derrida's cryptic response to Heidegger and Kant on faith and knowledge in *Acts of Religion*: the doubling trails of the first, known as the *messianic*, and that of the second, *chora*. This thesis intertwines the second to the first: *chora* as an exuberant receptacle (an elastic vessel that permits rhetorical stretches), Nancy's empty truth, and elaborated later as comparable to Žižek's "placeholder", that "fastens" the messianic, the weight of truth. One cannot but make sense of the infinite by using a figure that nonetheless springs from the figureless, the choral receptacle, and a fecund limitlessness in order to think the "limit", a keyword that remarks a divisive legacy, yet a word remembered as the apocalyptic nexus, a numen, from which all thinking launches. As Nancy points out,

[I]t would be a matter of thinking the limit (thought here in the sense of the Greek *horizō*: "to limit, to border"), *the singular trace that "fastens" an existence, but that fastens it according to the complicated curve of an opening up that does not turn back upon itself* ("self" being this very non-return), or according to the inscription of a sense that no religion, no belief, no knowledge – and, of course, no servility or asceticism – can saturate or assure, that no Church can claim to unite or bless. For this there remains neither cult nor prayer, only the strict and severe exercise, sober and yet joyous, of what has come to be called thinking.⁵

Nancy's poetic answer has a secret link to Benjamin's flash of insight from a dialectical standstill, which can be analysed from the latter's "real state of emergency", suggested here as the "real" of God, the theological "lack" that gives us the Word.

³ Jean Luc Nancy, "The Deconstruction of Christianity," in *Religion and Media*, 112-130 (Stanford, California: Stanford University Press, 2001).

⁴ Jean Luc Nancy, 130.

⁵ Jean Luc Nancy, 130, emphasis mine.

Agamben's consequent "The State of Emergency" is based upon his conception of *energeia* and interpreted as potentiality rather than usual denotation of power and activity. Yet both power and activity are necessary in actualizing this potential. Perhaps this is what is meant by the "real" in Benjamin's phrase.

Nancy's words are evocative precisely because, underpinned by abstract conceptualization, serve as a counterpoint to Benjamin's "real state of emergency". The former's discourse is an inception that opens without circling back to itself, a curve that may have resonances with Žižek's psychoanalytic suggestion that the "cause as subject" is a contoured figure. In fact, the thesis on Benjamin's "dialectics at a standstill" is made evident by the politico-theological contestations of the various thinkers mentioned in this article. It can be further elaborated by Žižek's reading of the Lacanian articulation of the other, a message that reaches its destination as an altered location/locution, yet another word on *thinking the unthinkable*. It also shows that the literary has the displacing possibility that encourages changes of world views. Asserted as a spectral impact on identity politics locally or universally, the materialization of an international identity that includes national sovereignty (arguably imperfect) is promised by the very paradigmatic fluidity of "allegory", empty signifiers filled with significance in literary writings. As to the propriety of cultural identity, I shall rework Kundera's literary text in an antiphrastic fashion whereby the multiple oscillations between self and other demonstrate the infiniteness of altered readings.

Kundera believes that a novelist has the privilege of examining politics from an external situation given by aesthetics, a beyond border type of exceptionality, in accordance to poetic license. By assuming the role of a Continental, cultural dissident rather than a strictly political one, "whose mission is to alert his contemporaries to the presence of broader or deeper menaces than just communism or any narrowly defined "political" phenomena"⁶, he removes himself from his communist commitment, so as to have a wider perspective of global politics. And what are these broader and deeper menaces if not that of the misuses of authoritarian power. Power, in itself, is neutral and its effects depend on how those in authority work with it. Although I do not agree with Gianni Vattimo's thesis in "The Structure of Artistic Revolutions"⁷, his argument that postmodern art informs us of the possible crisis of value when emphasis is always placed on the new in a fast-paced, forward-looking society has certain implications with regard to the postcommunist era, when an ethos of progress actually thwarts its own movement. Cultural development is significant to societal improvement but this crisis of value can be seen in the manner the modern state operates itself in the marketplace and an increase of ideological state apparatuses within society itself. Perhaps that which is beyond the conventional reading of good and evil will allow another perspective of the apotropaic capability of creative powers, what Vattimo calls the subjective functions of the genitive which he opposes to the objective, instruments of science and technology, whereby one uses the potentiality of language to speak for the dispossessed.

⁶ Yvon Grenier, "Milan Kundera on Politics and the Novel," *History of Intellectual Culture* 6, no. 1 (2006), accessed February 10, 2012, <http://www.ucalgary.ca/hic/issues/vol6/3>. Contrary to Žižek's claim that Kundera's oeuvre is overlooked by his contemporaries, Grenier, a political scientist works with the former's literature to propound the benefits of reading society in and through literary contributions.

⁷ Gianni Vattimo, "The Structure of Artistic Revolutions," in *Postmodernism: A Reader*, 110-119 (New York: Columbia University Press, c1993).

According to Grenier⁸, Kundera's novels provide an insight into Eastern European postcommunist ethos, by revealing the law of contradiction implicit in aesthetics and politics. Although art instructs, more importantly, it indicates to us the structural antagonism that can often be read as latent content of the literary text. The law of contradiction mentioned by Grenier is more complex than the mere difference between aesthetics and politics. It is a law of contradiction that Benjamin's "a mystical conception of history" allegorically represents:

If one arrow points to the goal toward which the profane dynamic acts, and another marks the direction of Messianic intensity, then certainly the quest of free humanity for happiness runs counter to the Messianic direction; but just as a force can, through acting, increase another that is acting in the opposite direction, so the order of the profane assists, though being profane, the coming of the Messianic Kingdom. The profane, therefore, although not itself a category of this Kingdom, is a decisive category of its quietest approach. For in happiness all that is earthly seeks its downfall, and only in good fortune is its downfall destined to find it.⁹

Profanity and divinity have been perceived conventionally as two opposing orders. Benjamin's allegory states that one pushes the other in its movement toward its goal; the Dionysian dynamism, in its aesthetic process and production, also sees a corresponding increase in the messianic impulse. Thus, the divine order fulfils itself only with reticent steps aided by the profane dynamic, the stuff of life. If Kundera's literature is politically inflected, it is political only because of its apparently non-political literary content. He writes tales of unfulfilled desires, creating the micro-level of human activity arguably mirroring the macro-level of political performance.

The fact that communist totalitarian rule serves only as a backdrop to the human drama makes Kundera's novels what Lacan calls the "articulation of the other". Kundera's *oeuvre* articulates an other, the *objet petit a*, in Lacan psychoanalytic triptych, and not the Other, the Symbolic (the established norms that govern society at large). It indirectly illustrates the desire of post-socialist countries to be the desire of the Other, translated as the desire to be included in European capitalist societies on equal footing and with the same affluence. And it is at this late stage of capitalist development that an urgent consideration is required, one that addresses the issues within that which is called the postcommunist era, issues that pertain to self-identity and perception. In a political survey done on postcommunist societies, it is significant that the writers ask the following questions on the lives of the ordinary inhabiting the geo-political outskirts, material needs that arguably correspond to spiritual ones:

By contrast, little is yet known about ordinary people's perceptions of their life chances in post-Communist societies... Which groups believe their opportunities are better than their peers, and which worse? Do the well-educated believe that the emerging market economy offers them new opportunities for a better life while the poorly educated mourn the loss of guaranteed work? Do those in public sector jobs, which once offered a secure and comfortable life, now see these jobs as dead-ends? How do residents of small towns and rural areas perceive their chances compared to residents of the once privileged capital

⁸ Yvon Grenier, "Milan Kundera on Politics and the Novel.," *History of Intellectual Culture* 6, no. 1 (2006), accessed February 10, 2012, <http://www.ucalgary.ca/hic/issues/vol6/3>.

⁹ Walter Benjamin, "Theologico-Political Fragment," *One-Way Street* (London: Verso, 1979), 155.

cities? How has the Russian heartland fared, compared to the residents of the new nations formed out of the once peripheral regions of the Soviet empire?¹⁰

Pertinent to the question of how post-socialist societies fit into global market economy is also how this attempt affects the socio-political existence of those living within this ethos. When postcommunist countries see themselves lacking in terms of being part of a sophisticated and internationalized Europe, it could have resulted from a perception that they have lagged in terms of the demands of the Other (the Symbolic defined as the institutionalized liberal capitalism that controls world economics and politics). Hence the Hegelian dialectic of master and servant, explained here as something inadvertent and inerasable, informs us that the lack in the Symbolic, the so-called nothingness that allows exemplary elasticity, can be used as a platform for the expressions of the other, providing an avenue that challenges the neo-colonial dialectics of the liberal capitalist Symbolic. Derrida's *Specter of Marx* warns us about the dangers of thinking that liberal capitalism has overcome communism, not because we would have to deal with its idealistic recasting, but because an absolute erasure of one side of the dialectic necessarily means the annihilation of the other, thus the recalling of Benjamin's dialectical suspension. Moreover, Derrida's Marxist spectrality also attests to a technological spectral within Europe whereby the *arrivants* and the *revenants* are not merely representative of the possibility of centring Europe. In its stead, it is a re-centring of that which is external to the Eurocentric, an issue that Derrida's use of *l'autre cap*, the spirit as bone, recaptures in his discussion of the European matrix of dominance with the repeated apparitions of "live" broadcasts. These technological transmissions can be used by the challengers in their opposition against totalitarian authority just as Kundera's literary contributions work with *tekhne* in his critique of modernity, which, in a way, demonstrates the thin divide between the real and fictitious.

Žižek's "Kundera, or, How to Enjoy Bureaucracy"¹¹ explores the political facet of enjoyment by referring to "one of the enigmas of cultural life in post-Socialist Eastern Europe", Kundera's obscurity despite the democratic triumph. This he attributes to the inherent political ambiguity that one can read from the latter's literature even though excuses are given such as his possible involvement with the Communist regime, his indulgence in private pleasures and his reluctance to take a political stand. Yet Žižek thinks that his anti-communist sentiments are not just found in the superficial contrast between the pretentious rituals of totalitarian politics (pointless and meaningless activities according to Žižek's reading of Terry Gilliam's *Brazil*) and the private satisfactions of everyday lives. The latter delves deeper by examining totalitarian ideology and how its influence can be felt even in the private sphere and that the compulsive "depoliticization of the private sphere" does not mean the mere forbidding of political discussion; it masks a more sinister intrusion of the private domain. Kundera's novels do not represent a private world of innocent pleasures: "there is something damp, claustrophobic, inauthentic, even desperate, in the characters' striving for sexual and other pleasures"¹². This relates to his assertion that Kundera's novels are

¹⁰ Mikk Titma, Jonathan Kelley, Nancy Brandon Tuma, Sergei Sivuha, and M.D.R. Evans, "Subjective Well-Being in Post-Communist Society: Data from Nine Nations," *Worldwide Attitudes* 12-28 (1997): 1-15.

¹¹ Slavoj Žižek, *The Metastases of Enjoyment: Six Essays on Women and Causality* (London and New York: Verso, 2005).

¹² Slavoj Žižek, 64.

precisely ambiguous about the absolute distinction between totalitarian evil and the good life: “The problem is that there is no way to draw a clear-cut line of separation between the two sides: they are the heads and tails of the same coin, which is why, with the advent of democracy, they *both* get lost.”¹³ What does Kundera’s disclosure of this loss through the protagonists’ inauthentic existence when authoritarian rule becomes a thing of the past imply when it comes to the socio-political situation of individuals living in postcommunist societies? Do Kundera’s novels reveal his ambivalent attitude toward the political and thus their political ambiguity? Can this political ambivalence be attributed to the fact that Kundera senses the contradictions one can infer from the word “democracy”, notwithstanding its semantic multiplicity? Žižek wonders whether “the roots of this resistance lie deeper” and whether Kundera’s message “that is unbearable to ‘normalized’ democratic consciousness”¹⁴ holds true with regard to his oeuvre. Perhaps a nuanced reading that addresses this loss of both the communist evil and the good life necessitates a rethinking of Žižek’s “cause as subject”. Democracy has yet to achieve the goals documented in its universal declarations evident in the sufferings of the oppressed in many parts of the world. In fact, Rancière’s *The Hatred of Democracy* provides a historical account of how the ancients distrust this notion. It means theocratic rule assumed by the people. However, this does not mean that democracy cannot be rethought and reinvented. Committed political participation may not necessarily conclude in a Big March, not if the political activity is planned and the participants are not overcome by zealotry. Mahatma Gandhi’s famous words remind us that one should not be afraid to resort to violence if one’s political activity, predicated upon some ideal, is obstructed, a violence that Benjamin calls illegitimate, an agley force that Lacan uses in his inversion of Theodor Adorno’s discourse on political subjectivity since “agley” is a derivative of a Middle English word “*glien*” that means “to look at sideways”, significant here since Žižek’s political discussion recalls Lacan’s curved matheme that formalizes the process of subjectivization: the way the master signifier moves the subject is a structure likened to fiction. This perhaps has something to do with the empire writing back, a transgressive move that arguably starts with a mental decolonisation and this event of writing occurs at the radical limit, analogously connected to the anomic site Agamben’s state of exception.

Ernesto Laclau’s “The Limits of Modernity” questions modernity’s thinking *the end* of metanarratives so as to endow it with a teleological conclusion. Yet his inquiry gains resonance when set against the actuality of an unending process of societal development. He asks:

What does it mean for something to ‘end’? It may be conceived, in a teleological sense, as the attainment of a highest form; in a dialectical sense, as a transformation into its contrary; in the movement of the eternal return, as a moment in a periodic becoming of forms; or as annihilation that manifests its radical contingency. This is to say that a discourse is required that can conceive and construct the separation – even temporal separation – of two entities. Merely to proclaim the end of something is an empty gesture.¹⁵

¹³ Slavoj Žižek, 64, author’s emphasis.

¹⁴ Slavoj Žižek, 63.

¹⁵ Ernesto Laclau, “Politics and the Limits of Modernity,” *Postmodernism: A Reader* (New York: Columbia University Press, c1993), 330.

And he explains in the following citation why this end may not be that desirable after all:

First, insofar as something ends, something radically different must commence. In such a case, it is impossible to avoid the category of the 'new' and the idea of an innovative vanguard, which is precisely what the discourse of postmodernity purports to have left behind. On the other hand, to postulate the outmodedness of metanarratives (without taking into consideration what happens to the other narrative species) is to achieve rather modest intellectual gains in comparison with the objectives sought. The logic of identity, of full presence, is simply displaced, fully intact, from a field of totality to the field of multiplicity of atomized narratives.¹⁶

What if the field of polyvalent narratives, when read in relation to Žižek's interpretation of Kundera's oeuvre, in a dialectical manner results in the constitution of a field of totality since the grand and the minute, instead of being just two sides of the same coin, are the bow and arrow of marksmanship? Postmodernity has not erased the violence inherent to colonial mastery; it is merely relocated to ideological state apparatuses of global, capitalist society. Authoritarian control, in modernity, takes on new slogans and names, thus one questions Benjamin's "Theologico-Political Fragment", the spirit with which I concur, that speaks of the ultimate arrival of the Messianic Kingdom whose *sacred execution* can be realized without bloodshed. According to Hegelian dialectics, form emptied of content is the lowest form of being in his metaphysical defence of presence. But both Lacan and Derrida do not speak of absence simply as non-existent: not only does an absent referent exist in and through language (the enunciating of a word evokes the presence of an entity otherwise absent); it is also present as trace, thus the Lacanian stain of an uncanny subject or the Derridean contamination, a concept already suggestive of what the latter calls a new Third Estate. A total wipe out of both communist evil and good life can only indicate the use of extreme violence as an end rather than using violence as means to an end.

Violence as Means or Ends?

Benjamin's "Critique of Violence" proposes two different aspects of the law: the law-founding violence and the law-preserving violence, his distinction of legitimate violence and illegitimate violence, a conception based on the juridical order's monopoly of force. While the enforceability of law ensures its proper function in social organization, the juridical order finds intolerable a force external to it because it is deemed a counterforce. But tolerable will this force be if it is the sovereign who decides on the exception. The fact that Benjamin states that "the critique of violence is the philosophy of its history – "philosophy" of this history, because only the idea of its development makes possible a critical, discriminating, and decisive approach to its temporal data"¹⁷ demonstrates that the essay is a non-linear historio-graphic reading of violence within the social order. It is with this dialectical rupture that an alternative historical understanding emerges. Thus, this momentary dialectical pause that gives to a new vision of social reality suggests the atemporality of such an undertaking, something that

¹⁶ Ernesto Laclau, 330.

¹⁷ Walter Benjamin, *One-Way Street* (London: Verso, 1979), 153.

Vattimo may have to reconsider in his take on artistic revolutions. This extemporal *modus operandi* may yet be the move to secure the law-making force inherent to the law-preserving function of liberal capitalist legislature.

When Benjamin speaks of the atrophy of the law-making force due to the domination of the law-preserving intent of the legal order, he gives priority to “originary” violence as it permits something new. Yet Derrida’s “The Mystical Foundation of Law” brings to the fore the contradictory ground of “Critique of Violence”. The paradox within Benjamin’s “Critique” is found at the radical limit where the law-conserving function and law-founding one become indistinguishable. At this boundary that separates the two functions one type of violence turns into the other which, in a way, reiterates how the exception is brought forth by a state of emergency. It becomes obvious when the former speaks of pure violence and impure violence in relation to the transgressive force of the law’s founding function and the deterring force in its conserving function. Benjamin’s thesis may not stand unless a strict separation is made between what is real and what is fictitious, explaining the title of Derrida’s response.

And “The Mystical Foundation of Law” describes the paradox of law as justice due to the polysemic quality of the word “violence” implicit to law: “... that *Gewalt* also signifies, for Germans, legitimate power, authority, public force. *Gesetzgebende Gewalt* is legislative power, *geistliche Gewalt* the spiritual power of the church, *Staatsgewalt* the authority or power of the state. *Gewalt*, then, is both violence and legitimate power, justified authority. How to distinguish between the force of law (*loi*) of a legitimate power and the allegedly originary violence that must have established this authority and that could not itself have authorized itself by any anterior legitimacy, so that, in this initial moment, it is neither legal nor illegal – as others would quickly say, neither just nor unjust?”.¹⁸ Therefore law as *loi*, the force of law, is a self-authorized force somewhat similar to what Schmitt describes in *Political Theology* where he makes the famous declaration: “Sovereign is he who decides on the state of exception”. According to Schmitt,

The sovereign creates and guarantees the situation as a whole in its totality. He has monopoly over the final decision. ...The decision reveals the essence of State authority most clearly. Here the decision must be distinguished from the juridical regulation, and (to formulate it paradoxically) authority proves itself not to need law to create law.¹⁹

On the contrary, the decision to bring about the exceptional state in politics is one made in lawlessness, the sovereign as one who is part of the community and yet making a decision by standing apart from it. What is Benjamin’s “a real state of emergency” if it is not a political actualizing in terms of actions or words. Can Kundera’s exceptional status as a Continental, cultural critic be read as an instance of this “real state of emergency” leading to aesthetic emergences?

18 Jacques Derrida, *Acts of Religion* (London and New York: Routledge, 2002), 234.

19 Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty* (Chicago and London: The University of Chicago, 1985), 19-20.

Writing (on) the Exception

Turning to Schmitt's definition of the political will make us understand better this deliberation on *an emergence based on a state of exception*. Although conceived as antithetical to economics, morality and law, Schmitt thinks of the political in a more complex fashion. By isolating the writing of politics from the sociological, he uncovers the ideological mask of a sociological interpretation of politics. Schmitt extrapolates the place that politics has in the state constitution from the eighteenth century onward. He describes the state as having sole power in governance; not accommodating opposing forces that could arise from within makes the organizing function of law stand above society as an unshakeable force. However, to confute the two is to ignore the social role that politics plays. Before Agamben, Schmitt already provided an insight into what Aristotle calls politically qualified existence (a quality predicated on reason), especially evident in the following citation from *The Concept of the Political*:

The equation state – politics becomes erroneous and deceptive at exactly the moment when state and society penetrate each other. What had been up to that point affairs of state become thereby social matters, and vice versa, what had been purely social matters become affairs of state – as must necessarily occur in a democratically organized unit.²⁰

Schmitt evidently knows that the life in the *polis* was biopolitical and his concept of the political does not exclude democratic constitution. In fact, his oeuvre targets constitutions professedly democratic because they are perceived mistakenly as promoting the simple living of the common. This is what happens in liberal democratic societies where capitalism makes “economy” the master signifier. Agamben understands this biopolitical power as one that can be manipulated by the state or a revolutionary force. Agamben states: “This means, ultimately, that the force of law fluctuates as an indeterminate element that can be claimed by the authority of the State or by a revolutionary organization.”²¹

The rule of exception makes all previous forms of legality suspended, due to the state of emergency in the nation. To Schmitt, this new state of affairs cannot be sociologically sublated since it is entirely political in nature:

It would be a distortion of the schematic disjunction between sociology and jurisprudence if one were to say that the exception has no juristic significance and is therefore “sociology.” *The exception is that which cannot be subsumed; it defies general codification, but it simultaneously reveals a specifically juristic element – the decision in absolute purity.*²²

The absolute purity of the new state of affairs has to do with the fact that the sovereign has power over all state matters. The sovereign exception can be said to

²⁰ Carl Schmitt, *The Concept of the Political* (Chicago and London: The University of Chicago Press, 1996), 22.

²¹ Giorgio Agamben, “The State of Emergency,” accessed January 30, 2011, <http://www.generationonline.org/p/fpagambenschmitt.htm>.

²² Carl Schmitt, *The Concept of the Political* (Chicago and London: The University of Chicago Press, 1996), 13, emphasis mine.

emulate God's divine power, manifested in earthly ways, to which Schmitt's political theology bears witness. His explanation of the exception in *Political Theology* makes us understand how authority is attained to and, more importantly, how it functions and maintains its hold on the ruled. In fact, Schmitt recommends that everyday politics ought to be read in relation to the concept of exception, whereby the general is confirmed only by the exception:

The exception can be more important to it than the rule, not because of a romantic irony for the paradox, but because the seriousness of an insight goes deeper than the clear generalizations inferred from what ordinarily repeats itself. The exception is more interesting than the rule. The rule proves nothing, the exception proves everything. It confirms not only the rule but also its existence, which derives only from the exception. *In the exception the power to real life breaks through the crust of a mechanism that has become torpid by repetition.*²³

The quotation shows that Schmitt is also aware of what Benjamin propounds as a "real state of emergency": it is not only that the exceptional power says something about the general; it also confirms the onto-theological existence of every being, an onto-theological essence that has become secularized and therefore politicized. The above emphasis representing Benjamin's thesis on the Messianic makes sense when allegorically interpreted with Rancière's discussion of the paradox of man being both a ruler and ruled in *Dissensus*. One can infer how the state of exception is related to man's creativity as a divine individual.

Benjamin's "Critique" can be said to parallel Schmitt's discussion of the everyday. While both Benjamin and Schmitt suspect that democratic power is monarchic power recreated, Schmitt's above remarks on political reality and Benjamin's divine violence are indications that a subversive reading can be made, especially when we examine the following citation from "Critique":

It appears that Sorel touches not merely on a cultural-historical, but also on a metaphysical truth in surmising that in the beginning all right was the prerogative of the kings or the nobles – in short, of the mighty; and that, *mutatis mutandis*, it will remain as long as it exists. *For from the point of view of violence, which alone can guarantee law, there is no equality, but at the most equally great violence.*²⁴

Benjamin proposes an equalitarian perspective of the law-founding force, a violence that each and every one of us can appropriate because of its originary mystical or fictional quality, thus a remarking of the Nietzschean art as the will to power: man as an overman in celebration of his creative energies. This is also in accordance to the poststructuralist reading of how the absent makes its presence felt; the "real" actualizes by first being an invisible partner to the virtual. And this corresponds to Agamben's privileging of *thought* and the assertion here that the critical stances of all the writers mentioned, including Derrida's, are predicated upon a lack, the Real of Lacan's

²³ Carl Schmitt, *The Concept of the Political* (Chicago and London: The University of Chicago Press, 1996), 15, emphasis mine.

²⁴ Walter, Benjamin, "Critique of Violence," in *One Way Street* (London: Verso, 1979), 150, emphasis mine.

Symbolic, a hole in the Symbolic whole, which is arguably the catalyst for the appearance of the Imaginary and, in the case of postcommunist societies, a national imaginary within an international arena.

Clashes of the Critical Titans

The argument of my article is, in a way, supported by Agamben's elaboration of the "anomic site" in his political oeuvre. Agamben explains what this state of emergency evinces from:

The state of emergency is an anomic space in which what is at stake is a force of law without law. Such a force of law is indeed a mystical element, or rather a fiction by means of which law attempts to make anomy a part of itself. But how should we understand such a mystical element, one by which the law survives its own effacement and acts as a pure force in the state of emergency.²⁵

Agamben states that the above calls for exceptional measures that become a technique of government, using the Nazi occupation of Germany and parts of Europe for twelve years as an example. His reading of the state of emergency is important, because it underlines the paradoxical structure of the exception itself, which is predicated on what he calls "a legal vacancy", a structure which also defines the being of the sovereign who decides on the exception, comparable to Žižek's placeholder which *The Universal Exception* explains in detail. This paradoxical configuration of the *iustitium* ensures the security of the state, as it occupies the inside-outside distinction of the legal order where the force of law is separated from the law itself. Therefore the sovereign exception can be argued as this pure force of being positioned at a zone of anomy intentionally created, so that the force of the law can perform its function in a crisis, despite its deactivation of legal norms. This also means that the law, although inactive, due to its suspension, works, because of its relation to this anomic space. According to Agamben, Benjamin's eighth thesis is the decisive document in the Benjamin-Schmitt dossier because it gestures to the "point of culmination of the undecidability" of this state of emergency and the fact that it can only function temporarily, it cannot accomplish the task that Schmitt assigns it not unless with actual violence.

How then does a state of emergency become the rule of which Benjamin speaks? We will return to Benjamin's proposal of distinguishing between an effective and fictitious state of emergency. According to Agamben, the distinction is essential because it is the fictitious state of emergency that permits the prolonged process of carrying out what he calls exceptional measures. More significant to the postcommunist epoch is that which constitutes the fourth feature in modernity, the camp. According to Agamben, it disrupts the conventional three-part political structure, a permanent space of exception. It is where biopolitical life overtakes biological life: "the new, hidden regulator of the inscription of life in the order – or, rather, the sign of the system's

²⁵ Giorgio Agamben, "The State of Emergency," accessed January 30, 2011, <http://www.generationonline.org/p/fpagambenschmitt.htm>.

inability to function without being transformed into a lethal machine.”²⁶ It can be argued that in the postcommunist epoch the structure of the camp emerges from its concealed centre and “we must learn to recognize in all its metamorphoses into the *zones d’attentes* of our airports and certain outskirts of our cities.”²⁷ The above requires qualification when transposed to the context of artistic manifestation, a qualification one can infer from what Derrida calls himself, “the Rogue that I am”. Derrida ironically works with the phrase “rogue states” in order to turn it against the biggest rogue state in an age of terror; he also refers to each individual state as a rogue state, which leads to quantitative conclusion that there are “no (more) rogue states”, stating in an oblique manner what a *voyou* or rogue is, an aesthetic miscreant.

In order to read alternatively this anomic site, arguably also the inscriptive space in both the analogical and analogous senses, this paper bears witness to its possibility to provide “Ironic points of light/ Flash out wherever the Just/ Exchange their messages”. These creative expressions “dotted everywhere” are Trojan horses which, in turn, inform us about the ground zero writing. Agamben had accused deconstruction of reducing subjectivity. So as to clarify what this writing zero-point can do for thinking of politics, which Agamben hopes to achieve as a philosophical anthropologist, the above critique ironically avows Derrida’s suggestion on the possibility of the political and the possibly impossibility of the messianic (note that Derrida does not use the word in its capitalized form). Agamben argues that deconstruction does not allow autonomous, subjective action, a misreading that not only ignores the fact that Derrida advises on a decisive move at some point; his suggestion of taking a pause is also to prevent another political frenzy. Both Derrida’s purportedly opposing ethical stance of being responsible to the trace as alterity and Agamben’s ethics of self-affirmation are interpreted as making their appearances from this zero-point of writing, a process or becoming that slowly gains fullness, a certain self-affirmation arising with thought and writing. In view of the fact that there is a double bind because of the radical limit, it is this altered trace that prompts Derrida’s critique of Benjamin’s divine violence whose sacred execution annihilates without bloodshed.

Derrida’s stance has been accused of not being easily accessible; this has to do with a certain teaching technique that leaves the decision to the other. As to the exposure of liberal democracy as “the reason of the strongest”, Derrida responds by indicating the weak force that necessarily accompanies an inscriptive approach to the subject on force and legality, perhaps being’s quiescent move, signalling the anomic site that is the exceptional situation out of which the sovereign materializes. In “The State of Emergency”, Agamben elaborates on the political function of this exceptional measure but, if we read his take on the messianic in *The Time that Remains*, this anomic site also results in an act of expression, corresponding to Benjamin’s oblique discussion of the sovereign exception in “Critique”. Derrida’s initial silence on the messianic may have something to do with the fact that the *dynamis* associated with any creativity is an “onto-theological” derivative, an issue that Agamben insists on in his “The State of Emergency”, where he attempts to understand the debate between Schmitt and Benjamin:

²⁶ Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life* (Stanford, California: Stanford University Press, 1995), 175.

²⁷ Giorgio Agamben, *Homo Sacer*, 175.

The dispute occurs in that anomic site which for Schmitt must maintain its connection to law at all costs, whereas for Benjamin it has to be twisted free and liberated from this relation. What is at issue here is the relation between violence and law, i.e., the status of violence as cipher for political action. The logomachia over anomy seems to be equally decisive for Western politics as a “battle of the giants around being” that has defined Western metaphysics. [...] It is as if law and logos would need an anomic or “a-logic” zone of suspension in order to found their relation to life.²⁸

While Agamben sides with Benjamin in this argument, I shall shift the focus to the motivating factor in the Benjamin-Schmitt dispute on the anomic space. Whereas Schmitt insists that the exception has to be tied to the law in an attempt to retrieve the revolutionary possibility of the political, Benjamin emancipates it from the legal realm because of his endeavour to speak of it in an oeuvre that has as its ground *a hypothesis* working by way of theology. The so-called logomachia over anomy, as Agamben reminds us, has paramount importance to the titanic clashes of Western metaphysicians that surround being and its manifestation, *macaronic voices fighting through and with artistic devices*. Art as will to power is revolutionary violence and not the sovereign violence that signs and seals with an end that Laclau refutes.

And it is the revolutionary force of language which gives to any battle of words, the radical and interminable critique that Derrida mentions in *The Politics of Friendship*. While Agamben seeks to save political subjectivity from a deconstructive discourse that supposedly erases the subject and its object through language in *The Time that Remains*, I shall reiterate what Derrida states about the subject and politics in *The Politics of Friendship*. It is the language that we use in our critical thinking and the questioning that follows, where one finds the emancipatory or messianic affirmation, one that is not only empowering but also in accordance with Derrida’s endeavour in “multiplying the protocols and conditions” when he speaks on the “subject of democracy”²⁹, arguably a writing that also begins with a thought, ghostly protocols made manifest through the inscriptive act. As to its coming in a world the reality of which, as Plato has it, is defined by imperfections, one can only ascertain that its ideal emergence is always a be-coming.

If Agamben, according to Fiorovanti in “Language, Exception, Messianism”³⁰, thinks that the notion of subjectivity and power is lost through language, it is also in and through language that we recoup Derrida’s “sovereign without sovereignty”: a subject that decides to submit to the weak force. The above also means that we have to either define the egalitarian principle as number equality or as value and proportion. Perhaps the Nietzschean emphasis on the individual’s worth in terms of its divine manifestations of art is the answer. This aesthetic exception, via that of a state of emergency, suggests that the one who arrives is unanticipated in terms of conventional dialectical manoeuvre, a task that has everything to do with Agamben’s anomic site. Noteworthy in *Rogues* is Derrida’s candid comment on his (ab)use of the phrase “democracy to come”. And his multiplication in language is incalculable for its focus on irreducible

²⁸ Giorgio Agamben, “The State of Emergency”.

²⁹ Jacques Derrida, *Rogues: Two Essays on Reason* (Stanford, California: Stanford University Press, 2005), 7.

³⁰ David Fiorovanti, “Language, Exception, Messianism: The Thematics of Agamben on Derrida,” accessed December 16, 2011, <http://bibleandcriticaltheory.org/index.php/bct/article/viewFile/289/272>.

singularity, somewhat similar to Agamben's concept of a community of whatever singularities.

Conclusion

What is crucial to contemporary politics is the radical violence that occurs with the use of the word "democracy", an issue that W. H. Auden states clearly in the third stanza of "September 1, 1939": "All that a speech can say/About Democracy,/And what dictators do,/ ...The enlightenment driven away". But it is not a driven away enlightenment that poses the problem here, since it has been acknowledged by the Frankfurt scholars that it is *logos* and therefore the logic of Western Enlightenment brought to its extremity in a desperate attempt to create ethnic cleansing; this resulted in the irrational killings of the two World Wars and in the Balkans after. In the context of the age of terror, the symbolic force of the 9/11 twin tower collapse demonstrates a different manner of exerting illegitimate violence. The terrorist attack against the architectural motifs of the economic and political centre of the United States, symbols that "proclaim/ The strength of Collective Man", can be argued as a reaction to "Imperialism's face/ And the international wrong". As a retaliatory measure, the federal government of the United States called forth a state of emergency distinct from that of the Third Reich. As Foucault states, in order to think the link between subjectivity and power, one has to analyse "power relations through the antagonism of strategies"³¹. Foucault's notion of obliqueness in relation to power relations may rest on the fact that the meaning of politics resounds with an examination of recorded contesting relations. In other words, his silence may also indicate that politics is the very ground of being, a thesis confirmed by Rancière in *Dissensus*. And it is this certain shadowing of biopolitical techniques that grants their inherent biopower as strategy, an art of war as an art of writing.

Benjamin's concluding statement on revolutionary violence as unalloyed violence ("All mythical law-making violence, which we may call executive, is pernicious. Pernicious, too, is the law-preserving, administrative violence that serves it. Divine violence, which is the sign and seal but never the means of sacred execution, may be called sovereign violence"³²) sparked off the Derrida-Agamben debate, shedding some light on what sovereign exception means. In other words, this pure force of being lacking any substance constitutes the sovereign exception. The exclusive inclusion of the sovereign exception is made obvious by the onto-theological aspect of divine violence. Empowering the sovereign exception with an expiating force called "sacred execution" suggests that it is divine only in its aesthetic sublime, art as the approbation of exceptionality. Benjamin's "unalloyed violence", an extension of the revolutionary force of the law's creating function can be read in an affirmative way, an interpretative manner made evident by Agamben's argument; it permits the individual an avenue for creative and critical thinking. Corroborated with Kundera's writings that indirectly challenge totalitarian violence, the act of writing itself is comparable to founding violence, since it involves *tekhne*, language performing its task as a textual scar. It can be compared to the double apparatus of which Agamben speaks when describing the

³¹ Michel Foucault, *Power* (New York: New Press, 2000), 329.

³² Walter Benjamin, *One-Way Street* (London: Verso, 1979), 154.

political system of the West, in which the fact that this dialectic becomes an apparatus of death means that it is negotiable:

The Western political system thus seems to be a double apparatus, founded in a dialectic between two heterogeneous and, as it were, antithetical elements; *nomos* and anomy, legal right and pure violence, the law and forms of life whose articulation is to be guaranteed by the state of emergency. As long as these elements remain separated, their dialectic works, but when they tend toward a reciprocal indetermination and to a fusion into a unique power with two sides, when the state of emergency becomes the rule, the political system transforms into an apparatus of death.³³

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Scrisori către Dumnezeu: lovitura de stat [*coup d'état*] și starea de excepție în politică

Articolul explorează importanța expresiei-cheie a lui Benjamin, „dialectica în impas”, în mod discutabil având o legătură analogică cu ceea ce se numește stare de excepție în politică. Semnificativă pentru acest argument este insistența lui Benjamin asupra stării de urgență, care este elaborată pe baza teoriei lui Žižek la corpusul sub formă de inscripție printr-o operație de concretizare a genezei lingvistice, comparabile cu devenirea onto-politică. Se poate afirma că literatura lui Kundera provine dintr-o lovitură de stat (*coup d'état*), care poate fi explicată în mod analog cu limitele sau frontierele geo-politice. Dacă starea de urgență nu mai este excepția la regulă, ce înseamnă în mod real „adevărata stare de urgență”? Articolul discută de asemenea modalitatea în care se creează starea de urgență și starea de excepție și reconsideră conceptul de *bio-putere* al lui Foucault și impactul său asupra gramaticilor creative.