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Sovereign Power, Sovereign Justice: Carl Schmitt and Jacques Derrida on the State of Exception

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Abstract: In his book *Political Theology*, Carl Schmitt compared the freedom of God over and beyond the laws of nature to sovereign power, understood as transcending the laws of the state. Philosopher Jacques Derrida has argued that such a Schmittian political theology undermines the possibility of democracy from within. Yet in this paper I would like to develop Derrida's understanding of justice in order to show that it functions in a similar way to Schmitt's understanding of sovereign power. Because justice is always singular for Derrida, it transcends politics and is identified with a transcendent alterity beyond the iterability of the law. If Schmitt's understanding of power as a State of Exception undermines democracy from within, by placing justice in a dimension beyond politics and the law, Derrida's notion of justice also functions as a State of Exception and undermines the democratic project from without, depriving it of its performative power.

Key words: Carl Schmitt, Jacques Derrida, state of exception, nation-state democracy, political theology, justice

This article will set out to develop philosopher Jacques Derrida's understanding of justice, understood over and against the "mechanical iterability of the law," as functioning in a similar way to political theorist Carl Schmitt's understanding of sovereign power. Though Derrida's understanding of justice directly opposes that of Schmitt, by placing justice above and beyond the law, Derrida's position will be shown to be more similar to a Schmittian political theology than is commonly accepted, one where justice is transcendent of the law and popular sovereignty just as sovereign will is for Schmitt. Because justice is always singular for Derrida, and can be neither predicted nor organized

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by groups, it transcends the political decisions of the majority and is identified with the "spaceless place of the *khôra*," a radically transcendent alterity that functions as what Derrida calls "an infinite place of resistance." Just as the sovereign decision overrides the law of the *polis* and founds democracy in a State of Exception, so for Derrida the coming of the singular other also overrides the law and the polis, placing justice outside of the political in the transcendent *khôra* of an impossible democracy-to-come. If Schmitt's understanding of power as a State of Exception undermines democracy from within, this article will set out to show that by placing justice in a dimension beyond the iterability of politics and the law, Derrida's notion of justice also functions as a State of Exception and undermines the democratic project from without, depriving it of its performative power.

The Aporia of the Nation/State

The ideals of the democratic state were influenced, as is often repeated, by the Enlightenment *philosophes*, who spoke in the name of a sovereign subject, that of the autonomous individual, who could reach the universal through the use of reason, choosing to sacrifice certain freedoms in order to adhere to a body politic that enacted the sum of individual wills in the name of a democratic majority. By moving from individual inclination to universal reason through what Kant called "the categorical imperative," the sovereign will of the people was unified into a body politic or Leviathan that could legislate and govern in the name of all. In this way, the sovereign decision of the divinely appointed king was replaced by a system of universal laws to be followed by all, without exception. In Rousseau's understanding, by freely choosing to sacrifice communitarian differences and abide by the dictates of universal reason, each subject lost nothing, and gained equality and liberty.

But because of many antidemocratic forces both within and without France, each seeking what Pascal called "his place in the sun," the equality and liberty of the revolution was finally universalized not by the force of reason, but at the tip of the sword, Robespierre taking quite literally Rousseau's call to force the unreasonable infidels to be free. As Hobbes and Machiavelli have shown, violence and force were thus intrinsic to the Enlightenment ideal, since the democratic nation-state could not tolerate dissension within when it was threatened from without, requiring a strong state apparatus and education system to ensure that the body politic function as a coherent and united force. In this way, the unifying force of devotion to God was transferred onto *la Patrie* and its ideal of freedom for all. It is this idea of a unique people that gained popularity in Europe as a reaction to the identification of democracy with the French Revolution and its imperial expansion, such that one might claim that the Revolution gave birth to nations before democratic states.[1] And thus the third ideal of fraternity was needed in

order to reach the goals of freedom and equality. Nationalism thus arose as a state of exception necessary to protect the universality of the democratic state, founding democracy in an aporia that remains essential to the constitution of the nation/state and the defence of its boundaries. How can the citizen be bound by fraternity and community and vow to protect the nation, while professing at the same time a radical universal freedom and equality that has no borders? How can the nation/state be founded in fraternal communitarianism while at the same time being grounded philosophically and anthropologically in the radical individualism of the Kantian imperative? How can the citizen retain a universal political status while at the same time belonging to a community founded in a particular culture and history? As Giacomo Marramao puts it in his book *The Passage West*:

> Therefore, in the very conceptual and symbolic structure of universalism there is a latent conflict between the (general) logic of *citizenship* and the (specific) logic of *belonging*. Hence, it is inevitable that it is precisely those democratic movements and tendencies that aim to present themselves as the "party of rights" which have to assume the centrality of this paradox in its entirety. From here stems the paramount question: how can one be the bearer of rights without opposing the logic of belonging? How is one to conjugate *universalism* and difference?[2]

Carl Schmitt famously claimed that in order to reconcile fraternity with equality and liberty, the political structure of democracy requires a state of exception. It is the national character of the state that limits the universalism of the categorical imperative, which, once transformed into universal laws, is applicable only to the brethren of the democratic community. When threatened from without by those to whom the "universal" law does not apply, the law is superseded and a "state of exception" declared, in order to repulse the external threat and stop it from breaching the national identity and boundaries of the Body-Politic. In this way, an authority prior to the law can override the law when necessary, to ensure the very functioning of the law. Democracy thus presupposes the sovereign decision of an autonomous subject, functioning within the boundaries of a closed nation/state. Schmitt understands democracy as developing from a religious hierarchical structure and thus retaining an undemocratic core that requires the maintenance of an external crisis. This core lies in the ability of a democratic leader of state to override the law, in an act of sovereign authority, by enacting the State of Exception. Sovereign power transcends the laws of the State that all must obey (the State of Exception), just as the freedom of God overrides and annuls the laws of nature (the possibility of the miracle). Such sovereign authority seems to justify Carl Schmitt's famous claim in his book *Political Theology* that "all significant concepts of the modern theory of the state are secularized theological concepts," not only because of the transfer of power from a theocracy to a theory of the state, but also because he believed that the state retains a nondemocratic theological

structure.[3] In order to defend democracy, the democratic state must thus betray it. A totalitarian power structure is thus shown to underlie the very possibility of democracy for Schmitt. Democracy thus presents us with two competing political theologies, which often function antonymically together in modern democracies. In times of peace, secular democracies transfer faith and obedience to God to that of the law obtained by means of popular sovereignty. When threatened by crisis, or what Naomi Klein calls "shock," however, democracies are constrained to place free will, that of the sovereign, over and above universal law.

Developing upon this Schmittian conception, Giorgio Agamben has shown that from the very beginning of the democratic process, the State contravened the democratic process of policy-making and deliberation in order to make sovereign decisions that it claimed were essential for its survival against threats from without. The State of Exception, Agamben claims in his book of this same title, begins after the French Revolution, when the government took exceptional measures to ensure the stability of the new revolutionary government from threats both within and without. The measures were then introduced to the rest of Europe, Germany, Italy, England, and even Switzerland, thereby remaining part of the democratic praxis into the twentieth century.[4]

According to this analysis, nation/state politics is founded on exclusion, or what Schmitt calls the friend/foe distinction. In Schmitt's own words:

> The distinction between friend and enemy denotes the utmost degree of intensity of a union or separation, of an association or dissociation. . . . The political enemy need not be morally evil or aesthetically ugly; he need not appear as an economic competitor. . . . But he is, nevertheless, the other, the stranger; and it is sufficient for his nature that he is, in a specially intense way, existentially something different and alien, so that in the extreme case conflicts with him are possible.[5]

The boundary of the nation-state condemns all outsiders to the status of foes, a threat to the homogeneity of the brotherhood that at the same time constitutes its national boundaries. Because the national boundaries of the nation/state are constituted in terms of the distinction between friend and foe, inside and outside, the enemy can only be without, never within, only a foreign enemy, never a neighbor or brother.[6] According to Schmitt's analysis, the meaning of the political lies in instituting this boundary between friend and foe, without which it loses its identity and turns "ghostlike." In Schmitt's own words:

> all political concepts, images and terms have a polemical meaning. They focus on a specific conflict and are bound to a concrete situation; the result (which manifests itself in war or revolution) is a friend-enemy grouping, and they turn empty and ghostlike when this situation disappears. (CP 30, p. 151)

When a state can no longer declare war on an enemy, Schmitt claims that "it ceases to exist politically" (CP 49, p. 154). It is thus the potential of violence, whether acted out or not, that constitutes a State, and renders operative the State of Exception, thereby justifying the Sovereign authority of its structure.[7] By defining politics in terms of its ability to recognize the Other as enemy, and if needed, to sacrifice life fighting this enemy, the exception founds inclusion in the sphere of the political by marking the excluded other.

> A world in which the possibility of war is utterly eliminated, a completely pacified globe, would be a world without the distinction between friend and enemy, and hence a world without politics. It is conceivable that such a world might contain many very interesting antitheses and contrasts . . . but there would not be a meaningful antithesis, whereby men could be required to sacrifice life, authorized to shed blood, and kill other human beings.[8]

As Agamben explains in his book *Homo Sacer*, such a notion of the sacred/accursed subject as existing outside the sphere of the political, beyond the bounds of the law and the representation of the democratic state instantiates what he calls "bare life": "Bare life remains included in politics in the form of the exception, that is, as something that is included solely through an exclusion."[9] Reduced to bare life, *homo sacer* can be killed without punishment by existing outside of the national territory of the law while remaining nonetheless within the law by marking the law's very own boundary. In the same way, the subject is outside of political theology (unsacrificeable) while remaining nonetheless the object of sovereign pardon. "The production of bare life is the originary activity of sovereignty," Agamben writes.[10]

Derrida's Spectres

It is this Schmittian analysis of the political as founded in potential warfare that inspired Derrida's attempt to reconfigure politics in his book *Politics of Friendship*. Derrida's political hauntology sets out to show that Schmitt's conception of the political is undermined from within, by its own spectre. Because Schmitt's analysis founds the political in the constitution of the public enemy, it is easy enough for Derrida to deconstruct his argument by revealing how the outside threat always lurks within. Derrida will return, in many of his books, to demonstrating how the enemy without is always constructed within, and remains intrinsic to a political structure that cannot differentiate between friend and foe, public and private. In *Politics of Friendship* Derrida uses the example of the secret services of the police, and claims that

> Schmitt takes no account of the fact that the police and spy network—precisely the police qua spy network . . . points to what, precisely in the service

> of the State, ruins in advance and *from within* the possibility of the political, the distinction between public and private.[11]

In *Time of Terror*, Derrida will develop the example of terrorism, showing how America's "war on terrorism" seeks arbitrary and indiscriminate "enemies" without while itself providing "sanctuaries, places of training or formation and information for all the 'terrorists' of the world."[12] In *Rogues* Derrida mentions a recent example in the Algerian decision to close down the democratic election process in order to foreclose the possibility that an Islamist government fighting against democracy be democratically elected into power:

> The suspension of the electoral process in Algeria would be, from almost every perspective, typical of all the assaults on democracy in the name of democracy. The Algerian government and a large part, although not a majority, of the Algerian people (as well as people outside Algeria) thought that the electoral process under way would lead democracy to the end of democracy. They thus preferred to put an end to it themselves. They decided in a sovereign fashion to suspend, at least provisionally, democracy *for its own good*, so as to take care of it, so as to immunize it against a much worse and likely assault.[13]

With these examples, we can see that democracy functions as what Derrida has called a *pharmakon*, a cure that can also be a poison, or what he has more recently called an "auto-immune disease": "this poisoned medicine, this *pharmakon* of an inflexible and cruel autoimmunity."[14] With his concept of autoimmunity, Derrida attempts to show how the boundaries of the nation-state are understood as closed and immune, while actually fundamentally remaining open and porous. Democracy thus represents the aporia of auto-immunity. Using the example of civil war, Derrida deconstructs the external boundary of Schmitt's constitution of democracy (the foe) by showing that the enemy lies within. Civil war thus represents "an evil, an illness, a parasite or a graft—a foreign body, in sum, within the body politic itself, in its own body."[15] It thus represents an example of autoimmunity, when a living being destroys its own ability to protect itself from an external intrusion. Though autoimmunity is often understood as a threat or a danger, what Derrida calls a "turning of a certain death drive against the *autos* itself," he will also speak of autoimmunity as "the salvation, the rescue and the safeguard."[16] Derrida will go on to explain how autoimmunity is essential to democracy, because it is the only political system that allows for criticism, even of democracy itself.[17] Founded in the aporia of the nation/state, of the fraternity that excludes and the universalizing equality that welcomes, Derrida understands democracy as a body affected by an autoimmune disease, unable to differentiate between the friend and the foe, between the brother and the other. Democracy is thus both sovereign rogue and suicidal deconstruction, founded by a boundary

that creates both belonging and exclusion yet autoimmune to its own defensive structures:

> [D]emocracy has always wanted by turns and at the same time two incompatible things: it has wanted, on the one hand, to welcome only men, and on the condition that they be citizens, brothers, and compeers, excluding all the others, in particular bad citizens, rogues, noncitizens, and all sorts of unlike and unrecognizable others, and, on the other hand, at the same time or by turns, it has wanted to open itself up, to offer hospitality, to all those excluded. . . . But even in this restricted space it is typical for the democracy to do one or the other, sometimes one and the other, sometime both at the same time and/or by turns. Rogues or degenerates are sometimes brothers, citizens, compeers.[18]

Deconstruction thus understands the tension between nation and state, law and exception, universal calculation and absolute singularity as impossible to bridge, founding democracy in an auto-immune aporia. But rather than finding in this aporia a cause for despair, Derrida will ally himself with the apophatic tradition in linking this undecidable aporia to faith in the future. Derrida does not found such a faith in the demos understood as a collective capable of replacing foes with friends, but rather in a singularity that is prior to citizenship, and prior to both nations and States. Our faith in what is still to come is thus a faith in the impossible indiscretion between universal laws and singular relations. Derrida writes:

> But *there is the impossible*, whose promise democracy inscribes—a promise that risks and must always risk being perverted into a threat. There is the impossible, and the impossible remains impossible because of the aporia of the demos: the demos is *at once* the incalculable singularity of anyone, before any "subject," the possible undoing of the social bond by a secret to be respected, beyond all citizenship, beyond every "state," indeed every "people," . . . *and* the universality of rational calculation, of the equality of citizens before the law, the social bond of being together, with or without contract, and so on. And this impossible that *there is* remains ineffaceable. It is as irreducible as our exposure to what comes or happens.[19]

As a system in autoimmune tension with itself, the undecidability of democracy ensures that just as the enemy can become friend and the friend enemy, by passing a frontier, so is the brother at home a foreigner, and the stranger from a foreign land a brother.[20] Because of the aporia of the demos, it is not the impossible demos that makes the promise possible, but rather the impossible promise that makes the demos possible. In this sense, the justice of incalculable singularity is the promise of a democracy-to-come that has been freed from legislative universals and national communities. Though such a democracy-to-come can exist only

as the faith in a futurity that lies ever ahead, such a faith can give us courage to continue to struggle against the transformation of friends into foes.

Sovereign Justice

In order to save democracy from itself, Derrida will attempt to extract the possibility of justice from democratic sovereignty and the iterability of its legislative branch (responsible for defining the enemy) and from national community (responsible for defining the friend). As Derrida mentioned in an interview with Richard Kearney, all political systems can be deconstructed but deconstruction is the friend of no political system. As he put it: "I have never succeeded in directly relating deconstruction to existing political codes and programmes."[21] But by claiming in *Politics of Friendship* that there can be "no deconstruction without democracy, no democracy without deconstruction,"[22] Derrida seems to imply that democracy is something other than existing political codes and programmes, an idea, or even a transcendent or Platonic *khôra*, that informs philosophy and politics, but cannot be reduced to them.[23]

In order for Derrida to imagine a *demos* that might embody justice, it would have to include every other other, and thus to transcend nation-state boundaries altogether. By positing what he calls a utopian possibility of one day putting in place a democracy that might overcome exclusion, boundaries and sovereignty such that it would no longer resemble itself, Derrida seems to be advocating for a democracy without democracy. As he puts it in *Voyous*, "Executive sovereignty will always betray world democracy."[24] In *Politics of Friendship*, Derrida writes of an apolitical democracy that would allow for justice to inhabit the present by transcending country, nation, State and citizen:

> Would it still make sense to speak of democracy when it would no longer be a question … 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?[25]

This democracy-to-come beyond the boundaries of nation-states and executive sovereignty "obliges one to challenge instituted law in the name of an indefinitely unsatisfied justice, thereby revealing the injustice of calculating justice whether this be in the name of a particular form of democracy or of the concept of humanity."[26]

Because he identifies the law with the iterability of majority rule, which applies equally to all and allows for no exceptions, Derrida will consider the law incapable of respecting the absolute alterity of the always singular other, and thus, along with sovereignty, incapable of justice. As he mentions in regards to institutional reform in *Echographie: de la télévision* "But I say to myself that we should perhaps invent other means than those of legislation."[27] Derrida thus dis-

sociates democracy from the Nation-State in order to identify it with justice, which comes to mean something transcendental that is not subject to the universalizing rationality of political jurisdiction. Because justice cannot be generalized and universalized, and thus cannot become a policy or law, the calculability of the law is opposed to the incalculability of justice, which calls us to respond to an absolutely singular event. In collusion with the mechanical iterability of sovereign power, political laws cannot respond to the incalculable coming of the other for whom we can never be prepared.[28] So rather than turning to communities with their comprehensive views to seek the potential for justice, Derrida will speak in the name of the absolute heteronomy of the singular address, which cannot be predicted, calculated, or prepared. In *Force of Law*, he puts it as follows:

> An address is always singular, idiomatic, and justice, as law, seems always to suppose the generality of a rule, a norm or a universal imperative. How are we to reconcile the act of justice that must always concern singularity, individuals, irreplaceable groups and lives, the other or myself as other, in a unique situation, with rule, norm, value or the imperative of justice which necessarily have a general form, even if this generality prescribes a singular application in each case?[29]

Because Derrida conceives of the other exclusively in singular terms (Derrida's other always arrives alone), he is wary of the mobs, multitudes and communities that have always founded democracies. As is typical of French society itself, Derrida understands community in terms of what it excludes, the stranger who does not belong, the other who does not share one's language, nationality, culture, religion or race. Communities cling to a sense of commonality over and against alterity and thus directly contradict the French model of *intégration*. Perhaps, as Vincent Leitch has mentioned, Derrida's distrust of community is linked to his being identified in Algeria as a Jew, and in France as an Algerian, and excluded by that identification.[30] Thus in *Marx and Sons*, Derrida writes: "I am, even today, I must confess—that is, moreover, easy to see—rather insensitive to any sense of comradeship."[31] Likewise, in *Politics of Friendship*, he wonders "why the word 'community' . . . why I have never been able to write it, on my own initiative and in my name, as it were."[32] And in *Echographies: de la télévision*, Derrida writes:

> I would hesitate to use the word "community." It's a word I have always resisted. . . . It does not signify a community, if by community we mean a unity of language, a cultural, ethnic or religious horizon. . . . It is the identity schema that I dread in the word community.[33]

Similarly, Leitch cites two examples from *A Taste for the Secret*:

> Do not consider me 'one of you,' 'don't count me in,' I want to keep my freedom, always: this, for me, is the condition not only for being singular and other, but also for entering into relation with the singularity and alterity of others.

And again:

> Place, family, language, culture, are not my own, there are no places that 'belong.' . . . My relation to these seemingly communal structures is one of expropriation, of disownership. . . . My point of departure is there where this belonging has broken.[34]

Nowhere do we find a clearer anti-Kantian stance, where the political consequences of understanding freedom in terms of singularity, rather than universality, preclude a politics of the majority.[35] This placing of democracy outside the realm of communities is problematic, to say the least, for by keeping democracy-to-come in a sacrosanct future, Derrida undermines the very logic he reveals to be at work in the democratic state. For if democracy functions according to the autoimmune structure that is both its downfall and its safeguard, it cannot be divorced from the dialectical struggle of history, of communities, and of boundaries.

Derrida's attempt to dissociate the possibility of democracy not only from sovereignty and the law, but also from community formation, leaves us with a democracy-to-come that resembles a religious ideal more than a political philosophy. Locating democracy "between the political and the ultrapolitical," Derrida states that "It is not certain that 'democracy' is a political concept through and through. (I leave open here the place for an endless discussion of and with Schmitt)."[36] Many scholars have taken issue with the apolitical nature of Derrida's democracy-to-come,[37], particularly when he chose to directly address the political in his works on Marx. Just as Derrida exposes the spectre of Schmitt's political theology, he will set out in *Specters of Marx* to show how Marx's revolutionary politics cannot make justice fully present in the political order, for it finds itself haunted from within by a sovereign ghost. Yet in his critique of Marx, Derrida's analysis is itself ghostly and apolitical; instead of politics and institutionalized reform, Derrida proposes only an individualistic and voluntaristic hope or faith in an emancipation or promise that can never come.[38] Derrida writes:

> 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. . . . It is rather 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, from any *messianism*.[39]

Such an emancipatory affirmation is structured in Derrida's texts by negations, leaving a ghostly apophatic democracy-to-come that has more to do with a messianic religious promise than it does with a Marxist one. As Aijaz Ahmad points out in his contribution to *Ghostly Demarcations: A Symposium on Jacques Derrida's Specters of Marx*, Derrida defines his New Internationale in terms of what it is not: "barely public . . . without coordination, without party, without country . . .

without co-citizenship, without common belonging to a class . . . alliance without institution." And Terry Eagleton, in the same volume, adds:

> without status, without title, and without name . . . without party, without country, without national community. . . . And, of course, as one gathers elsewhere in the book, without organization, without ontology, without method, without apparatus.[40]

Because this liberating promise lies outside of our political agency and will, we are passive before its coming. By placing justice in a transcendent dimension beyond our control, Derrida's critique of Marx seems to fall under the influence of a transcendent opium that Marx knew well, one that makes the citizen passively wait for justice to arrive from a messianic dimension outside of human control. This is what McCarthy has called Derrida's retreat to theology or mysticism. Similarly, Ahmad understands Derrida's politics in terms of what he calls a "powerful language of religious surrender and renunciation that is common to the mystical traditions in all three monotheistic religions."[41]

Nowhere is this negative theology more apparent than in the usage Derrida makes of the concept of the *khôra*, a term he borrows from Plato's *Timeaus*. Though Plato's *Timeaus* gives various renderings for *khôra*, such as place, emplacement, site, mother, receptacle, or seal, these renderings are all to be understood as standing outside of geometric space, outside of calculation, projection, and iteration.[42] Derrida thus situates justice in an always deferred future or "yet to come [*a-venir*]" and a continually displaced *khôra* or "desert in the desert." "Without this desert in the desert," Derrida writes, "there would be neither the act of faith, nor the promise, nor the future, nor the waiting without waiting for death and for the other, nor relation to the singularity of the other."[43] Democracy-to-come thus becomes a spaceless place of hope and participative potential, for as Derrida puts it in *Rogues*, "democracy-to-come would be like the *khora* of the political."[44] This is what Derrida calls, and here he is of course influenced by philosopher Emmanuel Lévinas, the "opening to the future or to the coming of the other as to the coming [avènement] of justice."[45] Like the apophatic God of the mystical tradition, the *khôra* can be used to justify neither an onto-political-theology, nor even a democratic policy. It thereby allows Derrida to avoid the twin pitfalls of fascism and communism that ensue from appropriating the future to justify violent means in the present. This is why Derrida, in his later writing, continually returns to the placeless space of the *khôra*, because it is, in his own words, "the place of an infinite resistance."[46] Rather than coming from within the world of immanent inequalities, as Marx would have it, resistance for Derrida can only come from a transcendent and virginal realm beyond. Existing in the realm of the *khôra*, justice becomes an irreducible (a)theological Form, outside of grammaticization and thus impervious to *différance* and the trace. Justice is thus undeconstructible. In Derrida's own words:

> A deconstructive thinking, the one that matters to me here, has always pointed out the irreducibility of affirmation and therefore of the promise, as well as the undeconstructibility of a certain idea of justice (dissociated here from law).[47]

As Pierre Macheray has pointed out, Derrida thus appears to be haunted by his own ghost. Macheray asks: "But we cannot then avoid posing the following question: wouldn't this position of something undeconstructible—which recalls in its own way the Cartesian *cogito*—be itself a ghost, the ghost or the 'spirit' of Derrida?"[48] The *khôra* then, which in Plato's own words in the *Timaeus*, "fleets ever as a phantom of something else" (52c), haunts Derrida's deconstructive philosophy like a transcendent absolute and reveals an aporia or tension at work in his own theory.

Conclusion: States of Exception

A certain faith, or transcendence without religion, is thus central in both Schmitt's and Derrida's understanding of democracy. Both thinkers use secularized theological concepts to justify a state of exception, that of a nondemocratic theological structure that guarantees democracy from within for Schmitt, and that of a radical, undeconstructible transcendence that guarantees the possibility of justice from without for Derrida. If the friend within depends upon the exclusion of the foe without in Schmitt's system, it is the excluded other who is sovereign in Derrida, and capable of bringing justice. If the excluded other becomes *homo sacer* by being excluded from the protection of the law, and thus accursed in Schmitt, such an exclusion is instead sacralised in Derrida. If, as Agamben states, "the production of bare life is the originary activity of sovereignty,"[49] Schmitt and Derrida show us the two Janus faces of such sovereignty, the accursed and the sacred.

For both philosophers, such an exclusion from the protection and the universality of the law allows for a sovereign decision to hold sway that privileges an individualism that is prior to the law. Just as Schmitt places the sovereign decision above politics, achieved by transcending the comprehensive policies of communities, Derrida similarly understands justice as transcending the "universality of rational calculation" that is inherent to democratic politics. For Schmitt, the justice of the law is rendered performative by a sovereign power that transcends the law and the justice that ensues from it, which must for this very reason be separated from brotherhood, or the communal choices of democratic politics. For Derrida, justice is on the side of faith in an ethics above the law, set over and against sovereign politics, which he identifies with brotherhood and its communal choices. Thus, where Schmitt's conception of politics precludes justice, Derrida's conception of justice precludes politics. In Schmitt, the state of exception is necessary in order to justify the boundaries of the Nation-State and differentiate between citizen and foreigner, friend and foe. Though Derrida claims that there is

no sovereign guarantee, by making justice undeconstructible it nonetheless comes to function as a state of exception in his theory, one that suspends politics and its universal laws in order to respond to the call of the singular other.

Notwithstanding these similarities, there are also notable differences in the role the State of Exception plays in such divergent visions of democracy. For Schmitt, the state of exception is established within the nation-state in order to repulse an external threat from breaching national boundaries. For Derrida on the contrary, the state of exception is established outside the Nation-State precisely in order to breach such national boundaries from without and override the iterability of the law and the group decisions of the polis with the possibility of a sovereign justice that is foreign to the nation-state. Though both philosophers override the law and the will of the people, Schmitt does so to safeguard the closed structure of the nation-state and retain the necessary boundary between friend and foe, while Derrida seeks to show that such a boundary is porous and open, the foe lurking within and the friend without. Derrida emphasizes the dangers of Schmitt's antagonistic interpretation of democracy, which privileges nation-state fraternity at the expense of universal equality. Derrida's analysis of democracy as a pharmakon or an autoimmune disease goes far in revealing the aporia at the heart of such a conception of democracy, for it creates within the very enemy it requires without, and thus necessitates constant warfare to continue existing. Yet in seeking a way to align democracy with a sense of justice that cannot be reduced to the limitations of national friends and foes, nor constrained by the homogeneity of universal values that are the same for all, Derrida ends up conceptualizing justice itself as a state of exception, beyond the pale of immanent politics and even of deconstruction itself. If such an understanding of justice-to-come was intended to give hope in a future where an interpretation of democracy (without nations, states, and majorities) might coincide with an ethics capable of respecting the singularity of the other, we might wonder if such hope in the "impossible" does not in fact testify to a despair born of distrust in communitarian decisions and in their ability to reach a universal good beyond that of fraternity. Though Derrida's critique of Schmitt is intended to inspire us to remain ever vigilant of the totalitarian risk of political sovereignty that seeks to override the possibility of justice, he replaces this risk with that of a sovereign justice that cannot be achieved by means of immanent democratic politics.

Notwithstanding such opposing positions, Schmitt and Derrida share a vision of democracy that is separated from the communities that in each case found and sustain it. Both philosophers distrust the multitude, though both must be aware that democracy was never a singular affair, but always a group effort, even that of a revolutionary mob. This community or multitude acts against the violence of established law, but also against the exclusionary ethics of a single individual responding to the call of a singular other. Likewise, both philosophers

understand actual existing laws as ineffectual, Schmitt because the iterability of the law cannot respond to the singularity of the crisis, and Derrida because such laws cannot respond to the singularity of the other. Both philosophers thus understand democracy as transcending the communitarian identity of the citizen, Schmitt because such a polis does not have the power to act, and Derrida because the polis is biased by national and communitarian interests, and incapable of addressing the singular needs of the other outside of all reciprocity.[50] Where Schmitt defends the sovereign power of a singular leader over and against comprehensive communities, Derrida defends the absolute authority of the singular other, over and against the democratic majority and the violence of its laws.

Like Plato, both of our philosophers have lost faith in the ability of the people to use reason to struggle against despotism in the name of the common good. Neither of our philosophers understands the importance that living together under common laws has in defining what Aristotle called the *zoon politicon* as the good life. Derrida's politics, then, like that of Schmitt, and not against it as is commonly held, belittles the power of human collectivities to work together to protect the public sphere from the many transcendent despots that today are replacing our immanent struggles with disempowering virtualities.

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Notes

1. Giacomo Marramao writes: "After the Napoleonic wars, the post-revolutionary European states adopted the national factor as the identifying element of recognition and belonging to contrast the French pretence of imposing, through universalist-revolutionary legitimation, its own nationalist and expansionist interests." *The Passage West: Philosophy After the Age of the Nation State* (New York: Verso Books, 2012), 161.
2. Ibid.
3. Paul Kahn describes this transference as it functions in American politics as follows: "Following the law is the way in which ordinary people in ordinary times maintain contact with the sacred, once they can no longer speak directly to God. Is this not what the Old Testament prophets said? This is the tradition that was carried forward to the new world by the Puritans, that informed the first political-religious communities here, and that continues to inform our political imagination through faith in popular sovereignty and reverence for law." *Political Theology: Four New Chapters on the Concept of Sovereignty* (New York: Columbia University Press, 2011), 143.
4. The link between the state of exception and totalitarian governance would come into its own in the twentieth century, most particularly in the Weimar Republic. It was of course with the help of Schmitt that the German Weimar Constitution adopted Article 48, which states that fundamental rights of the citizens could be superseded by the sovereign power of the leader of State. Article 48 reads: "If security and public order

are seriously [*erheblich*] disturbed or threatened in the German Reich, the president of the Reich may take the measures necessary to reestablish security and public order, with the help of the armed forces if required. To this end he may wholly or partially suspend the fundamental rights [*Grundrechte*] established in Articles 114, 115, 117, 118, 123, 124, and 153." In his discussion of this article, Agamben points out that a law was meant to specify the conditions and limitations under which this presidential power was to be exercised. Since this law never saw the light of day, the indeterminacy of Article 48 enabled what many scholars called a "presidential dictatorship," such that in 1925 Schmitt could write that "no constitution on earth had so easily legalized a coup d'état as did the Weimar Constitution." He continues: "The state of exception in which Germany found itself during the Hindenburg presidency was justified by Schmitt on a constitutional level by the idea that the president acted as the 'guardian of the constitution'; but the end of the Weimar Republic clearly demonstrates that, on the contrary, a 'protected democracy' is not a democracy at all, and that the paradigm of constitutional dictatorship functions instead as a transitional phase that leads inevitably to the establishment of a totalitarian regime." All citations from Giorgio Agamben, "A Brief History of the state of Exception," excerpt from *State of Exception*, trans. Kevin Attell (Chicago: University of Chicago Press, 2004). Available at http://www.press.uchicago.edu/Misc/Chicago/009254.html.

Andrew Johnson further explains: "Only three numbers removed from Schmitt's infamous variant, Article 51 of the United Nations charter states that a country can defend itself, unilaterally and with force, if they have suffered an armed attack until the Security Council has taken the measures to respond multilaterally. While this Article is notable for being invoked to allow Bush's unilateral engagement against Iraq in 2003, it has been habitually conjured to justify numerous violent interventions, by the United States, in foreign affairs. It was used by the first Bush to sanction his defense of Kuwait, but Clinton and Albright, later during the mid-90's, claimed that they would use of the article of exception whenever they deemed fit." *Viral Politics: Jacques Derrida's Reading of Auto-Immunity and the Political Philosophy of Carl Schmitt* (Saarbrücken, Germany: Lambert Academic Publishing, 2010), 59.

5. Carl Schmitt, *The Concept of the Political* (Chicago: University of Chicago Press, 1996), 26–27.
6. Thus Andrew Johnson writes: "There is never civil war; it is always war with something foreign. Therefore, the enemy is always foreign, always inherently other, and whether this correctly or incorrectly defines politics, it is ethically unacceptable." *Viral Politics*, 33. The terrorist is always foreign. We might look at the politics of Bashar Assad to witness an example of this when he proclaimed that the Syrian population rising against his rule was a group of foreign terrorists (a state of affairs that would later be realized) or the refusal to call right-wing federalist Dylann Roof—who killed nine African Americans in a church in Charleston, South Carolina—a terrorist, because he could not be externalized. In fact, it has become the norm to follow the example of German fascism to render foreign all internal threats to the Body-Politic, and thus to abrogate their citizenship and rights under the law. Thus after the terrorist massacre in Paris in 2015, the French government voted to take away the citizenship of those considered a threat. Thus not only is the individual citizen transformed into an enemy combatant or terrorist outside of the reach of the universal laws of the

rights of the democratic citizen, but even Sovereign States can be divested of their sovereignty and transformed into Rogue states. As Derrida puts it in *Rogues*: "The first and most violent of rogue states are those that have ignored and continue to violate the very international law that they claim to champion, the law in whose name they speak and in whose name they go to war against so-called rogue states each time their interests so dictate. The name of these states? The United States." Jaques Derrida, *Rogues: Two Essays on Reason*, trans. Pascale-Anne Brault and Michael Naas (Stanford, CA: Stanford University Press, 2005), 96.

7. This explains a certain confusion in the contemporary world between the nation and the state, where we are seeing nations advocating identities over and against the state that is supposed to represent them.
8. Carl Schmitt, *Political Theology* (Cambridge, MA: MIT Press, 1985), 35–36.
9. Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life* (Stanford, CA: Stanford University Press, 1985).
10. Ibid., 53.
11. Derrida, *Politics of Friendship*, trans. George Collins (London: Verso Books, 2005), 156.
12. Cited in Jaques Derrida, "Autoimmunity: Real and Symbolic Suicides—a Dialogue with Jacques Derrida," in *Philosophy in a Time of Terror: Dialogues with Jürgen Habermas and Jacques Derrida*, ed. Giovanna Borradori (Chicago: University of Chicago Press, 2003), 100–01. The full citation reads: "A *critical* reading of Schmitt, for example, would thus prove very useful. One the one hand, so as to follow Schmitt as far as possible in distinguishing classical war (a direct and declared confrontation between two enemy states, according to the long tradition of European law) from 'civil war' and 'partisan war' (in its modern forms, even though it appears, Schmitt acknowledges, as early as the beginning of the nineteenth century). But, on the other hand, we would have to recognize, *against* Schmitt, that the violence that has now been unleashed is not the result of 'war' (the expression 'war on terrorism' thus being one of the most confused, and we must analyze this confusion and the interests such an abuse of rhetoric actually serve). Bush speaks of 'war,' but he is in fact incapable of identifying the enemy against whom he declares that he has declared war. It is said over and over that neither the civilian population of Afghanistan nor its armies are the enemies of the United States. Assuming that 'bin Laden' is here the sovereign decision-maker, everyone knows that he is not Afghan, that he has been disavowed by his own country (by every 'country' and state, in fact, almost without exception), that his training owes much to the United States and that, of course, he is not alone. The states that help him do not do so as states. No state as such supports him publicly. As for states that 'harbor' terrorist networks, it is difficult to identify them as such. The United States and Europe, London and Berlin, are also sanctuaries, places of training or formation and information for all the 'terrorists' of the world.""
13. Derrida, *Rogues: Two Essays on Reason*, 33.
14. Ibid., 157.
15. Derrida, *Politics of Friendship*, 114.
16. "To lose itself all by itself, to go down on its own, to *autoimmunize* itself, as I would prefer to say in order to designate this strange illogical logic by which a living being can spontaneously destroy, in an autonomous fashion, the very thing within it that is

supposed to protect it against the other, to immunize it against an aggressive intrusion of the other. Why speak in this way of *autoimmunity*? Why determine in such an ambiguous fashion the threat or the danger, the default or failure, the running aground or the grounding, but also the salvation, the rescue, and the safeguard, health and security—so many diabolically *autoimmune* assurances, virtually capable not only of destroying themselves in a suicidal fashion but of turning a certain death drive against the *autos* itself, against the ipseity that any suicide worthy of its name still presupposes? In order to situate the question of life and of the living being, of life and death, of life-death, at the heart of my remarks" (Derrida, *Rogues: Two Essays on Reason*, 123). And again: "In this regard, autoimmunity is not an absolute ill or evil. It enables an exposure to the other, to *what* and *who* comes—which means that it must remain incalculable. Without autoimmunity, with absolute immunity, nothing would ever happen or arrive; we would no longer wait, await, or expect, no longer expect another, or expect any event" (ibid., 152).

17. "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" (ibid., 87).
18. Ibid., 63.
19. Derrida, "Autoimmunity: Real and Symbolic Suicides—a Dialogue with Jacques Derrida," 120.
20. Marramao develops this idea in his book *The Passage West* when he writes for instance: "For this reason, it knows that it would go to ruin were it to forget, even for a single instant, the only presupposition that keeps it alive: the *totum* is the totem." Giacomo Marramao, *The Passage West: Philosophy After the Age of the Nation*, 173–74.
21. Alex Thomson, *Deconstruction and Democracy* (London: Continuum, 2005), 1.
22. Derrida, *Politics of Friendship*, 105.
23. Fred Dallmayr writes to this effect: "In order to preserve the pure un-conditionality of the irruption, Derrida needs to detach—in quasi-Manichean fashion—the 'to-come' from any human contamination, any human action or practice (beyond verbal invocation). But is this sufficiently attentive? Precisely given the august status of the 'to-come'—its near messianic quality—would one not expect human beings to prepare busily for this event and thus show themselves worthy to receive it—just like any good host would before the arrival of an important guest? … By stipulating the radical antinomy between unconditionality and conditional human conduct, Derrida's work tends to stress—one-sidedly—radical human incapacity over human 'capability' to act. A post-humanist praxis—including democratic praxis—requires a correction of this imbalance. Viewed from this angle, democratic praxis and 'democracy to come' complement each other, rather than being separated by an abyss. Just as steady practice in music precedes the great virtuoso, steady democratic praxis makes room and prepares the ground for the democratic event beyond mastery and control." "Jacques Derrida's Legacy: Democracy to Come," in *Theory After Derrida: Essays in Critical Praxis*, ed. Kailash Baral and R. Radakrishnan (New Delhi: Routledge, 2009), 42–43.
24. Derrida, *Voyous*, 146–47, cited in *Derrida: Negotiating the Legacy*, ed. Madeleine Fagan and Ludovic Glorieux (Edinburgh: Edinburgh University Press, 2007), 55. Derrida reiterates this claim in *Rogues* claiming that, "As soon as there is sovereignty, there

is abuse of power and a rogue state"; and again, "all states are rogue states, when voyoucracy constitutes the very *cracy* of state sovereignty, when there are only rogue states, then there are no more rogue states" (102–03). And again: "There are thus only rogue states. Potentially or actually. The state is voyou, a rogue, roguish. There are always (no) more rogue state than one thinks" (ibid., 102). "There are thus no longer anything but rogue states, and there are no longer rogue states" (ibid., 106).

25. Derrida, *Politics of Friendship*, 104. He similarly writes: "I cannot hide away from the apparently utopian character of what I am suggesting, that of an international institution of law or an international institution of justice, etc. that has its own force at its disposal. Although I do not take law to be the last word in ethics, in politics, in anything, although this unity of force and law (demanded by the very concept of law) is not only utopian, but aporetic . . . one is reconstituting a new figure, not necessarily in the form of the state, of universal sovereignty, of absolute law, that has as its disposal the autonomy of force it needs, and I persist in thinking that it is faith in the possibility of this impossible thing . . . that must command all our decisions." Cited in *Derrida: Negotiating the Legacy*, 56.
26. Interview with Richard Beardsworth, "Nietzsche and the Machine," *Journal of Nietzsche Studies* 7 (1994): 7. Similarly, he writes in "Autoimmunity: Real and Symbolic Suicides—a Dialogue with Jacques Derrida," that democracy-to-come "would go beyond the limits of cosmopolitanism, that is, of a world citizenship. . . . It would involve, in short, an alliance that goes beyond the 'political' as it has been commonly defined. . . . This does not however, lead to a-politicization, quite the contrary" (130).
27. Jacques Derrida and Bernard Stiegler, *Echographies: de la télévision* (Paris: Editions Galilée, 1996), 85.
28. Rancière writes: "Among the most striking features in Derrida's approach to politics is the violence—and I dare say, the simplism—of his opposition between the idea of the rule and the idea of justice. Very often, and mostly in the same terms, we meet in his political writings with the statement that, whenever there is a simple rule, there can be no justice. . . . There is an extraordinary overtone of contempt in the evocation of the 'good' rule that requires only application, subsumption, and calculation. Whenever it comes to the rule and its enactment, the same image shows up in Derrida's argumentation: the image of the machine. If there is a rule, a knowledge which gives its ground to our decision, it is no decision, we don't decide." Jacques Rancière, "Should Democracy Come? Ethics and Politics in Derrida," in *Derrida and the Time of the Political*, ed. Pheng Cheah and Suzanne Guerlac (Durham: Duke University Press, 2009), 282–83.
29. Derrida, "The Force of Law," trans. Mary Quaintance, *Cardozo Law Review* (1989): 11.
30. As Leitch puts it, "in no case could Derridean politics have been communitarian." Vincent B. Leitch, "Late Derrida: The Politics of Sovereignty," *Critical Inquiry* 33(2) (Winter 2007): 240.
31. Derrida, "Marx and Sons," in *Ghostly Demarcations: A Symposium on Jacques Derrida's Specters of Marx*, ed. Michael Sprinker (London: Verso, 1999), 265n28, 241.
32. Derrida, *Politics of Friendship*, 241.
33. Derrida/Stiegler, *Echographies: de la télévision*, 78.
34. Cited in Jacques Derrida and Maurizio Ferraris, *A Taste for the Secret*, ed. and trans. Giacomo Donis and David Webb (Cambridge: Cambridge University Press, 2001), 241.

35. As Leitch remarks, and I agree with him: "The intensity of broken belonging and the strength accorded the sovereign self cast a long rightward-leaning libertarian shadow over Derrida's left-wing democratic politics." "Late Derrida: The Politics of Sovereignty," 242.
36. The entire citation reads as follows: "Such limitations thus involve the entire history of a right or a law (whether national or international) that is always unequal to justice, democracy seeking its place only at the unstable and unlocatable border between law and justice, that is, between the political and the ultrapolitical. That is why, once again, it is not certain that 'democracy' is a political concept through and through. (I leave open here the place for an endless discussion of and with Schmitt.)" Derrida, *Rogues: Two Essays on Reason*, 39.
37. Derrida's reading of democracy outside of all *Realpolitik* has inspired the ire of many scholars, who accuse him of an apology of apolitical apathy. Simon Critchley, in his *Ethics of Deconstruction*, writes for instance:

"is there not an implicit refusal of the ontic, the factical, and the empirical—that is to say, of the space of *doxa*, where politics takes place in a field of antagonism, decision, dissension and struggle? In this sense might one not ultimately speak of a refusal of politics in Derrida's work?" Critchley, *The Ethics of Deconstruction: Derrida and Levinas* (Edinburgh: University of Edinburgh Press, 2014), 200. Terry Eagleton similarly writes the following: "If Derrida thinks, as he appears to do, that there can be any effective socialism without organization, apparatuses and reasonably well-formulated doctrines and programmes, then he is merely the victim of some academicist fantasy which he has somehow mistaken for an enlightened anti-Stalinism. . . . Deconstruction . . . is a kind of intellectual equivalent of a vaguely leftish commitment to the underdog, and like all such commitments is nonplussed when those it speaks up for come to power. Poststructuralism dislikes success, a stance which allows it some superbly illuminating insights into the pretensions of monolithic literary texts or ideological self-identities and leaves it a mite wrong-footed in the face of the African National Congress." Terry Eagleton, "Marxism Without Marxism," in *Ghostly Demarcations: A Symposium on Jacques Derrida's Specters of Marx* (London: Verso, 1999), 86–87.

38. Aijaz Ahmad writes: "Deconstruction has always been a textual hermeneutic; in its political declarations it has always involved, to my understanding, not just extravagance but also too much methodological individualism, too voluntaristic a notion of social relations and of the politics that inevitably ensues from those relations." Cited in "Reconciling Derrida: 'Specters of Marx' and Deconstructive Politics," in *Ghostly Demarcations*, 107–08.
39. Jacques Derrida, *Specters of Marx: The State of the Debt, the Work of Mourning, and the New International*, trans. Peggy Kamuf, (New York: Routledge Classics, 2006), 54.
40. Aijaz Ahmad, "Reconciling Derrida," 104. Terry Eagleton continues: "It is the ultimate poststructuralist fantasy: an opposition without anything as distastefully systemic or drably 'orthodox' as an opposition, a dissent beyond all formulable discourse, a promise which would betray itself in the act of fulfilment, a perpetual excited openness to the Messiah who had better not let us down by doing anything as determinate as coming. Spectres of Marxism indeed." "Marxism Without Marxism," 87.
41. Aijaz Ahmad, "Reconciling Derrida," 105. And again, on the same page: "The remarkable feature of Derrida's 'new International'—another name for 'anonymity,' it

seems—is not only that it absolutizes the monadic individuals who constitute no 'community' but that it announces itself, quite aside from its Heideggerian echoes, in virtually religious cadences."

42. Derrida clarifies what he means by this term in reference to the *Timaeus* in his book *Khôra*, where he writes: "Hermeneutical types can inform, can give form to khora only to the extent that, inaccessible, impassible, 'amorphous' (amorphon, 51a) and always virgin, but a virginity that is radically rebellious to anthropomorphism, it seems to receive these types and to give them a place [*leur donner lieu* (this phrase also means to give rise to, and to take place)]. . . . Most importantly, Khora is not a support or a subject that would give a place [*donnerait lieu*, again give rise to or take place] by receiving or conceiving, or even allowing itself to be conceived." *Khôra* (Paris: Galilée, 1993), 28–29. And commenting upon the place of khora in his own work in his book Given Time, he writes: "I say that without the indifferent, non-giving structure of the space of the khora, of what makes place for taking place, without this totally indifferent space which does not give place to what takes place, there would not be this extraordinary movement or desire for giving, for receiving." "On the Gift," in *God, the Gift and Postmodernism*, ed. John D. Caputo and Michael J. Scanlon (Bloomington: Indiana University Press, 1999), 67; italics in the original.
43. Derrida, "Foi et savoir: les deux sources de la 'religion' aux limites de la simple raison," in *La Religion* (Paris: Editions du Seuil, 2006), 29. In his article "Apostles of the Impossible" philosopher of religion John Caputo affirms the positivity of Derrida's khora, interpreting it as faith in the unknown. He writes: "This desert khora is I think a saving element in Derrida's thought, not a disheartening one, precisely because it blocks the way to fixing or determining in some unrevisable way what is given. Khora forces us to make our way by faith, construing shadowy figures which turn out to be otherwise, beginning where we are in the midst of a web of institutions, structures, languages, and traditions. By virtue of khora we are forced to do the best we can, making our way by a kind of radical hermeneutics. . . . The fragility of our structures, the desert emptiness of our signifiers, are such stuff (hyperstasis) as faith is made of, our faith in what is to come, and this very desertification is the condition of keeping faith and hope and desire alive." "Apostles of the Impossible," in *God, the Gift and Postmodernism*, 217.
44. Derrida, *Rogues: Two Essays on Reason*, 38.
45. Derrida, "Foi et savoir," 29.
46. Ibid., 31.
47. Derrida, "The Force of Law," 89–90.
48. Pierre Macherey, "Marx Dematerialized, or the Spirit of Derrida," in *Ghostly Demarcations*, 24.
49. Agamben, *Homo Sacer*, 53.
50. Thus Jacques Rancière writes of Derrida: "'Democracy to come' means a democracy without a demos, with no possibility that a subject perform the kratos of the demos. Such a democracy has to do with another status of the heteron. It has to do with what is outside, distant, asymmetric, nonsubstitutable. . . . The international extension of the field of democratic action means its extension up to a point where there can be no reciprocity. It is only where reciprocity is impossible that we can find true otherness, an otherness that obliges us absolutely." "Should Democracy Come?," 282.