# After the Law AC

PLAY WITH THE LAW

AFFIRM TRANSGRESSIONS

NULLIFY

BECOME SELF-EFFACING

WHIRL INTO THE CYCLONE

CYBERNETIC ZER0

Also look into Shamanic Nietzsche???

### First Entanglement: Socrates

#### Lights up! Courtroom doors open on a man, raising hemlock wine to his lips as the death sentence is pronounced. “Socrates is dead!” the headlines would read, “the jury didn’t save him!”

#### But don’t mourn his passing—the trial of Socrates in Plato’s *Apology* focuses future millennia of philosophical discourse, exposing the *injustice* of founding juridical power in mere human power and instead replacing it with the absolute truth of which we’ve all grown so fond. This move sets the stage for philosophy as we know it today.

#### At least, so we thought. But it isn’t so easy to get rid of death. It’s lurking everywhere, seeping up through the motif of the trial and into the United States criminal justice system. The trial of Socrates sharpens entanglement with death that this AC takes as its starting point. Land[[1]](#footnote-1)

The figure of Socrates, as sketched for us by Plato - his advocate - is that of philosophy on trial. It is in crossing this judicial threshold that philosophy come s to delight in the voluptuousities of persecution. Yet the drama of Socrates ' condemnation distracts from the more far-reaching process whereby philosophy succumbs to the order of the courtroom, and with this process Socrates is deeply complicit. He could even be said to have forged a new alliance between knowledge and condemnation, as well as becoming the first philosophical case. How could one imagine an Apology for a Herakleitus, an Empedokles, or a Parmenides? To whom would they be attempting to j ustify themselves ? To the people? The thought is absurd. For what does the opinion of the people matter? It was precisely as an escape from the opinion of the people that philosophy emerged! To philosophize and to ignore popular opinion are scarcely differentiable\_ If the Presocratics speak in terms of cosmic justification - as Anaximander already does - it is as a concession, in order that the people will at least understand the surpassing of human judgment, if not that by which it is surpassed. The harsh 'justice' oHate is the ironisation of human litigation, and not its inflation to the absolute (monotheism). With Socrates, things are different. Philosophy becomes dialectical; which is to say justificatory, political, logical, plebeian. Truth is identified with irrefutability, evidentiality and educated belief, beginning its long subsidence into the forms of human credence, as if its acceptability were in any way a criterion. The Apology focuses a multiple interweaving of death and judgment. There is first of all the sense in which death fulfils judgment in the [death] sentence of death, even if this is an injustice - or misjudgment - such that Athens is condemned in the tribunal of the Platonic text, whose judgment in this case becomes a massively influential precedent. There is a nesting of judgments; that of Socrates, that of Athens and that of Plato, with each level subsuming the antecedent one as an item or case to be judged. Judgment is the subsumption of a case under a principle or law. It is classificatory or categorising, according to a discursive order which is simultaneously juridical and logical . The very word ' category' is derived from the Greek word xanlYopo􀁺 or accuser. Judgment is thus an image of thought, and Plato's entire philosophy can be read as an appeal to a higher court, as an obsessive retrial, as well as a counteraccusation against S ocrates' executioners. The democracy which sentenced Socrates to death is not merely vilified by Plato, it is also categorised within a taxonomy of political forms, brought to an ulterior site of j udgment and included within an expanded system. A second integration of judgment with death is suggested at this point. If Athens misjudges Socrates, it is because it misjudges death and the death sentence, by construing death as a punishment. Death is judged from the perspective of a restricted arena - that of the Athenian court and democratic polity - which is subordinate in principle, logically and juridically, to a tribunal that includes such an arena as a case, item or species. It is in this way that Plato comes to interpret sensible existence as a specification of intelligence; as a restricted forum demarcated within the total field of intelligibility. Death is a boundary which isolates sensible intelligence from the general system of knowing, the species from the genus, the case from the principle of Idea. The juridical advantage of the philosopher - qualifying him to rule in an ideal republic - is that he ' frees his soul from association with the body (so far as is possible) to a greater extent than other men' . 9 Death is no longer being thought as a consequence of judgment, but as its justifying condition. Judgment is disqualified by its specification to sensibility since the sensible instance or case is comprehended by the superior generic order of the ideal, which is unrestricted by the sensible limit of death . In its migration through a succession of bodies, the soul crosses and recrosses between life and death, passing in and out of restricted spaces, although never escaping the irreducible atom of self. One might accept Socrates' depiction of life as the phase during which the soul is ' chained hand and foot in the body, compelled to view reality not directly but only through its prison bars, and wallowing in utter ignorance' ,10 and still want to insist that the soul is a cage which is even more insidious, constricting and wretched than the body. The soul is the fantasy of a separation from rlc<1th th<1t persists in death, a kind of corporeal telepresence by which the body proj ects its servile categories into the unknown. But this is to interrupt Socrates' account. The thought of knowledge as a recollection reaching beyond birth is most fully developed in the Phaedo, where the complicity between his conception of death and that of an adequate tribunal is emphatic. The approximation to wisdom under the specifications of life can only be a preparation for death, an anticipatory harmonization with the escape from sensible existence: If at its release the soul is pure and carries with it no contamination of the body, because it has never willingly associated with it in life, but has shunned it and kept itself separate as his regular practice - in other words, if it has pursued philosophy in the right way and really practised how to face death easily: this is what 'practising death' means, isn't it?l1 According to the judgment of death, by which all human judgments are judged, only the philosopher is just, because only he recognises the specificity of all sensible judgments, and their subsumption within a higher genus of wisdom: ' no soul which has not practised philosophy, and is not absolutely pure when it leaves the body, may attain to the divine nature; that is only for the lovers of wisdom' .12 The strongest expression of this thought is probably to be found in an earlier passage from the Phaedo: the wisdom which we desire and upon which we profess to have set our hearts will be attainable only when we are dead, and not in our lifetime. If no pure knowledge is possible in the company of the body, then either it is totally impossible to acquire knowledge, or it is only possible after death .. . 13 This introduces a third integration between judgment and death, through which Socrates decides against the sacred and in favour of the profane, because death is to be judged. This is to say that death is only to be an issue from the optic of knowing, from that of the philosopher or wise judge rather than the poet or the visionary. Here we arrive at the most mysterious and fateful twist in Socrates' interpretation of the oracle: to be afraid of death is only another form of thinking that one is wise when one is not; it is to think that one knows what on!" does not know. No one knows with regard to death whether [death] it is not really the greatest blessing that can happen to a man; but people dread it as though they were certain that it is the greatest evil; and this ignorance, which thinks that it knows what it does not, must surely be ignorance most culpable. This, I take it gentlemen, is the degree, and this is the nature of my advantage over the rest of mankind; and if I were to claim[:] to be wiser than my neighbour in any respect, it would be in this: that not possessing any real knowledge of what comes after death, I am also conscious that I do not possess it.14 By interpreting contact with the unknown as the deferral of judgment by the subject, translating the positivity of sacred confusion into the negativity of epistemic uncertainty, Socrates initiates the proper history of the West. The Socratic sophism runs: either one already knows death (since it is only the cessation of life) , or death is a higher knowing. Death is either the extinction that makes it nothing except what life knows of it, or the immortality of the soul that preserves knowing in death as entry into knowledge of the I deas. If death is the unknown, it is only insofar as we do not know that there is nothing to know; but, were there an unknown other than as a hidden or forgotten knowledge, it would still only be what we already know as the end of knowing. This is Socrates ' own reading of his claim to be conscious that he does not know: a repression of the unknown. While ultimately retuning the problem of death to knowing (philosophy to sophism) , this passage is not without its sceptical openings. Most importantly, it suggests that the conception of personal mortality is an icon of death that must be ironised from the perspective of unknowing. In this way, the optic of the court is momentarily refused, and death prised away from its punitive sense. Socrates mocks those who act as if 'they would be immortal if you did not put them to death!' .15 The court is no more capable of judging death than judging Socrates, since it is in both cases ignorant as to its own ignorance, and therefore iconic. I t lacks even the space of the question, having satiated itself over-hastily with an array of pseudo-knowledge or unexamined opinions that substitute for difficulties. As Socrates interprets things, the Athenian court, having judged the punishment as incompetently as the defendant, accidentally rewards an innocent man, rather than persecuting a guilty one. Death has been judged badly, but Socrates does not conclude from this that it escapes judgment; it is rather that it requires a more appropriate tribunal: a philosophical forum open to the perfect evidence of the intelligible, uncluttered by the deceit and confusion of the sensible world. It is this conj unction of philosophy with death - philosophy as the fair trial of death which avoids precipitate condemnation - that completes the inversion of the Athenian trial . It is no longer that death confirms the judgment of the city; instead, it carries the philosophical dialectic forwards to its destination: Ordinary people seem not to realise that those who really apply themselves in the right way to philosophy are directly and of their own accord preparing themselves for dying and death. If this is true, and they have actually been looking forward to death all their lives, it would of course be absurd to be troubled when the thing comes for which they have so long been preparing and looking forward.16 If Socrates is in part an ironist and an iconoclast, he is also a zealot and a dogmatist. He disrupts one trial in order to replace it with another, mocks human judgment in order to replace it with divine judgment, subverts sophistry in order to replace it with a higher sophistry, and disengages himself from this world only to bind himself more tightly to another; to 'the unseen world'17 or 'the next world' ,18 to the realm of that which ' is invisible and hidden from our eyes, but intelligible and comprehensible by philosophy' .19 Socratism is the mobilization of unknowing on behalf of knowing; subordinating irony to dialectic, confusion to judgments and the sacred to a subdued profanity. There is a sense in which Socrates already floats a fourth - and far more corrosive - integration of judgment and death, according to which death is the suspension of judgment. Death is a problem that interrupts the judicial process, switching it into a dialectical detour which prolong[ing]s the path before arrival at a verdict. Resisting sensible evidentiality, death contests the conventional procedures of its trial. Typically enough, Socrates moralises this issue into a farce, asking whether death is good or evil. Nevertheless, death suspends justice in a hesitant unknowingness, even if this is only a dialectical vacillation between pre-established alternatives. For Socrates , death is recuperable to judgment, in a movement by which it is transcended by the idea; but this return of interruption to due process is not without its limit.

#### The resolution asks us whether jury nullification ought to be used in the face of perceived injustice, which necessitates an account of injustice as prior to and constitutive of the topical hail.

#### Justice for Socrates is much the same as we know it today: submit to the trial, become as much a part of the system of law as the zealous state-worshipping philosophers, the rule of law will save you even as it dances on your mother’s grave. I reject the assumption that is somehow desirable to be an obedient participant in a criminal justice system which delivers death and justice hand-in-hand, assigning itself jurisdiction over the deaths of its subjects, as if death were something that could be controlled. After all, death suspends our typical processes of judgment with its finality—why else would capital punishment cases have so many layers of appeals?

#### Instead, I affirm that jury nullification ought to be indiscriminately used in United States criminal justice system, especially in death penalty cases. Jury nullification is the pronouncement that death is not something the law can judge. This self-effacement of the legal system constitutes a transgressive abdication of duty that is the only ethical stance.

### Second Entanglement: Gilles de Rais

#### Our second entanglement begins with the figure of Gilles de Rais. Land 2[[2]](#footnote-2) clarifies:

Bataille describes his 1959 study o f Gilles de Rais as a tragedy, and its subj ect as a 'sacred monster', who 'owed his enduring glory to his crimes' . 21 The bare facts are quite rapidly outlined. Gilles de Rais was born [in] towards the end of the year 1404, inheriting the 'fortune, name and arms of Rais'22 due to a complicated dynastic intrigue involving his parents, Guy de Laval and Marie de Craon. Even by the standards of his times and rank, de Rais dissipated vast tranches of his wealth with abnormal extravagance; in Bataille's words, 'he liquidated an immense fortune without reckoning' .23 At the battle of Orleans, he fought alongside Jeanne d 'Arc, 'acquiring renown as "a truly valiant knight in arms" which survived right up to the point of his condemnation to infamy' . 24 I t has been suggested that the two warriors were friends but Bataille expresses reservations about this hypothesis.25 On 30 May 1431, Jeanne d'Arc was burnt by the English. In the years 1432-3, de Rais began to murder children. His preferred victims were males, with an average age of eleven years, there was occasional variation in sex and considerable variation in age .26 At least thirty-five murders are well established, although the number was almost certainly a great deal higher; the figures suggested at his trial ranged up to 200.

#### Consigning de Rais to the jurisdiction of the criminal justice system is the logical response. De Rais is beyond redemption. But there is a curious tension in the act of judging such a murderer. Land 3[[3]](#footnote-3)

The words 'no philosopher has been able to incarnate the essence of nobility' are a concise anti-Socratism. There is no nobility in judgment or accusation, but rather an impoverishing separation from the inarticulacy of death. It cannot be a matter of a retrial therefore, as if a higher judgment were to redeem a victim of injustice; de Rais is almost perfectly indefensible. No case could be more clear-cut. Perhaps one short passage will suffice in lieu of detailing these monstrosities. Early in his study, Bataille remarks: His crimes responded to the immense disorder which inflamed him, and in which he was lost. We even know, by means of the criminal's confession, which the scribes of the court copied down whilst listening to him, that it was not pleasure that was essential. Certainly he sat astride the chest of the victim and in that fashion, playing with himself [se maniant], he would spill his sperm upon the dying one; but what was important to him was less sexual enjoyment than the vision of death at work. He loved to look: opening a body, cutting a throat, detaching limbs, he loved the sight of blood. 36 An *Apology* for de Rais is an absurdity. He cannot be justified, and picking over his case can only be a nauseous reaffirmation of profane justice, or a vertiginous descent into the madness of the sacred. Among the problematic features of this passage, for instance, is the fact that it slices violently across the terms of Bataille's writings, where the prevailing sense of 'work' is exactly that of a resistance to death. He describes work a s the process that binds energy into the form of the resource, or utile object, inhibiting its tendency to dissipation. This difficulty is exacerbated by the central role allocated to vision in Gilles's atrocities. Work constrains the slippage towards death, but it conspires with visibility. Scopic representation and utility are mutually sustained by objectivity, which Bataille understands as transcendence; the crystallization of Things from out of the continuum of immanent flow. There is a virtual inanity to Gilles’s aberration, therefore, which is attested by the fact that it is not the taste or smell of death that he seeks, but its sight, or representation.

#### Gilles de Rais provokes utter disgust, but we must resist the urge to lock de Rais away within the province of law and justice. It is not possible, ultimately, to judge de Rais’ evil—such evil exists only within the moment of his transgression. Land 4[[4]](#footnote-4)

Is not de Rais, at this moment, portrayed as an experimental Socrates, as an autonomous subject who would open a tribunal, collate evidence, judge a death that he transcends? Where is the military furor, the blackout intimacy with death, through which an insupportable separation is collapsed into solar immanence? It is not merely a case that judgment stumbles upon here , but a ruinous metaphor for itself. De Rais on trial is only Socrates becoming Baconian, which is why the 'object' of Bataille's text is the sumptuary current of feudalism - that which was unsocialisable by precommoditocratic civilization - and not the accused person through which this movement found an outlet. Death has no representatives, which is to say that crime has no real subject. There is only the sad wreck [of] whom Nietzsche calls 'the pale criminal ' , de Rais at his trial for instance, terrified of Satan, separated from his crimes by an unnavigable gulf of oblivion. The truth of such criminality, at once utterly simple and yet graspable, is that evil does not survive to be judged.

#### Evil does not survive to be judged—which is to say that evil exceeds the judgmental capacity of our moral and political systems. It is thus strictly impossible to legislate a command to convict the criminal. Socrates taught us that death cannot be judged; de Rais taught us that evil is similarly beyond the law’s reach.

#### In claiming it can judge a transgression such as de Rais’, the law enacts the very evil it seeks to destroy. We are all guilty of de Rais’ crimes. Land 5[[5]](#footnote-5)

War is irreducibly alien to a collision of rights, so that it is war that bears down on the one who violates right as such. Transgression is not a misdemeanour, even if this is the necessary form of its social interpretation. It is rather a solar barbarism, resonant with that of the Berzerkers, and of all those who fathom an abysmal inhumanity on the battlefield, becoming derelicted conduits of the impossible. There is no tragedy without an Agamemnon, or some other mad beast of war, whose nemesis preempts the discourse of the juridical institution, and whose death is thus marked by a peculiar intimacy, even though it is never commensurable with propriety. For we would not recognise this war that comes from beyond the city and after the law, this movement without essence or precedent which is perhaps already guiding us, a movement without utility, ideology or motivation, forsaking melodrama for the true violence of the insidious; of infiltration , suhVeTsion, larval metamorphosis and phase-change . After the law, across the line of unknowing, where tribunals count for nothing, Socrates is silent, and accusation is dissolved into the sun. De Rais is merely the botched and humane anticipation of a tragedy which is no longer ours: Tragedy is the impotence qfreason . . . This does not signify that Tragedy has rights against reason. In truth, it is not possible for a right to belong to something contrary to reason. For how could a right be opposed to reason? Human violence, however, which has the power to go against reason, is tragic, and must, if possible, be suppressed: at least it cannot be ignored or despised. It is in speaking of Gilles de Rais that I come to say this, for he differs from all those for whom crime is a personal matter. The crimes of Gilles de Rais are those of the world in which they they are committed, and these ripped throats are exposed by the convulsive movements of such a world.3R

#### This does not mean we should try to wipe our sins away—the only way out is through, and the only way through is an abject surrender of responsibility to judge the prisoner. Transgression demands our complete surrender. Land 6[[6]](#footnote-6)

Law is not exercised upon inert beings, but only upon those whose cooperation can be claimed. Obedience is always at least minimally active. This is why the recipient of a commandment is characterized as an agent, and why lawfulness attests to an implicit sovereignty. Docility in respect of the law is quite different from a surrender, in exactly the way that moralists are different from mystics. Surrender is a deeper evil than any possible action. The very principle of action is an acceptance of justice and responsibility, and any act is—as such—an amelioration of crime, expressing defiance within the syntax of redemption. In stark comparison with action, surrender gnaws away the conditions for salvation. Giving itself up to a wave of erasure, the agent dies into the cosmic reservoir of crime. Beyond the (agentic) pact with Satan lies an irreparable dissolution into forces of darkness, apart from which there is no ecstasy. Surrender is not a submission to an alien agency (devotion to God), but a surrender of agency in general, it is not any kind of consigning of oneself over to another (return to the father), but utter abandonment of self; a dereliction of duty which aggresses against one’s birth. Bataille’s reading of [Gilles de] Rais is a discourse on evil, or a philosophy of the sublime, and not a poem, a sacrificial denudation, or an effectuation of death. It cannot be sufficiently stressed that evil is never on trial. The same bedrock of human docility that in Rais generates the complex of separations between self and activity, self and victim, culpability and death, is also at work in Bataille’s text, producing equivalent transcendent effects. Just as with Rais’ pact with the devil, his association with Bataille is contractual, socialized, respectful of identities and norms. It is in accordance with a reconstructive or discurive exigency that a visual theme and the philosophical schema of sublimity, along with the proper names ‘Gilles de Rais’ and ‘Georges Bataille’, line up in a testament to transgression. Such reportage might be the ape of glory, but it would be difficult to maintain that it was alien to Rais’ case, or that his superstition, vanity, and voyeurism did not work to transform him into a recognizable figure; schematizing him into our world. [Gilles de] Rais cannot be innocently resuscitated on the outside of modernity, as if represention was a pure transcendence, qualified to judge the specificity of accumulative sociality. To the extent that we accommodate ourselves to the good, that which is wretched, reserved, and confessional about [de] Rais belongs also to us.

#### Action mutilates the totality of our existence. Instead I choose to long for the death that is after the law.

**Bataille 45** (Georges Bataille, The Dark Lord amongst other things, philosopher, On Nietzche, 1945, Pantheon Books, pg xxvi-xxvii)

Nonetheless, I don’t want my Inclination to make fun of myself or act comic to lead readers astray. The basic problem tackled in this chaotic book (chaotic because It has to be) is the same one Nietzsche experienced and attempted to resolve in his work—the problem of the whole human being. “The majority of people.” he wrote. “are a fragmentary, exclusive image of what humanity is: you have to add them up to get humanity. in this sense, whole eras and whole peoples have something fragmentary about them; and it may be necessary for humanity’s growth for it to develop only in parts. It is a crucial matter therefore to see that what is at stake is always the idea of producing a synthetic humanity and that the inferior humans who make up a majority of us are only preliminaries, or preparatory attempts whose concerted play allows a whole human being to appear here and there like a military boundary marker showing the extent of humanity’s advance.” (The Will to Power) But what does that fragmentation mean? Or better, what causes it if not a need to act that specializes us and limits us to the horizon of a particular activity? Even if it turns out to be for the general interest (which normally Isn’t true), the activity that subordinates each of our aspects to a specific result suppresses our being as an entirety. Whoever acts, substitutes a particular end for what he or she is, as a total being: in the least specialized cases it is the glory of the state or the triumph of a party. Every action specializes insofar as it is limited as action. A plant usually doesn’t act, and isn’t specialized; it’s specialized when gobbling up flies! I cannot exist entirely except when somehow I go beyond the stage of action. Otherwise I’m a soldier, a professional, a man of learning, not a total human being. The fragmentary state of humanity is basically the same as the choice of an object. When you limit your desires to possessing political power, for instance, you act and know what you have to do. The possibility of failure isn’t important—and right from the start, you insert your existence advantageously into time. Each of your moments becomes useful. With each moment, the possibility is given you to advance to some chosen goal, and your time becomes a march toward that goal—what’s normally called living. Similarly, if salvation is the goal, Every action makes you a fragmentary existence. I hold onto my nature as an entirety only by refusing to act—or at least by denying the superiority of time, which is reserved for action. Life is whole only when it isn’t subordinate to a specific object that exceeds it. In this way, the essence of entirety is freedom. Still, I can’t choose to become an entire human being by simply fighting for freedom, even if the struggle for freedom is an appropriate activity for me—because within me I can’t confuse the state of entirety with my struggle. It’s the positive practice of freedom, not the negative struggle against a particular oppression, that has lifted me above a mutilated existence. Each of us learns with bitterness that to struggle for freedom is first of all to alienate ourselves. I’ve already said it; the practice of freedom lies within evil, not beyond it, while the struggle for freedom is a struggle to conquer a good. To the extent that life is entire within me, I can’t distribute it or let it serve the Interests of a good belonging to someone else, to God or myself. I can’t acquire anything at all: I can only give and give unstintingly, without the gift ever having as its object anyone’s interest. (In this respect, I look at the others good as deceptive, since if I will that good it’s to find my own, unless I identify it as my own. Entirety exists within me as exuberance. Only in empty longing, only in an unlucky desire to be consumed simply by the desire to burn with desire, is entirety wholly what it is. In this respect, entirety is also longing for laughter, longing for pleasure, holiness, or death. Entirety lacks further tasks to fulfill.)

### Third Entanglement: Death Talk

#### Reject any claims to knowledge or truth. To attempt to know anything beyond yourself requires the negation of the place in which you currently resides. All knowledge is self effacing, however our Affirmative allows for an endless oscillation and enjoyment of that process

Bataille 45 (Georges, On Nietzsche, 1945, CP)

"'Life." I said. "is bound to be lost in death, as a river loses itself in the sea, the known in the unknown" (Inner Experiena). And death is the end life easily reaches (as water does sea level). So why would I wish to turn my desire to be persuasive into a worry? I dissolve into myself like the sea-and I know the roaring waters of the torrent head straight at me! Whatever a judicious understanding sometimes seems to rude, an inunense folly connected with it (understanding is only an infinitesimal part of that folly), doesn't hesitate to give back. The certainty of incoherence in reading, the inevitable crumbling of the soundest constructions, is the deep truth of books. Since appearance constitutes a limit, what truly exists is a dissolution into common opacity rather than a development of lucid thinking. The apparent unchangingness of books is deceptive: each book is also the sum of the misunderstandings it occasions. So why exhaust myself with efforts toward consciousness? I can only make fun of myself as I write. (Why write even a phrase if laughter doesn't immediately join me?) It goes without saying that, for the task. I bring to bear whatever rigor I have within me. But the crumbling nature of thinking's awareness of itself and especially the certainty of thinking reaching its end only in failing, hinder any repose and prevent the relaxed state that facilitates a rigorous disposition of things. Committed to the casual stance-l think and express myself in the free play of hazard. Obviously, everyone in some way admits the importance of hazard. But this recognition is as minimal and unconscious as possible. Going my way unconstrained. unhampered. I develop my thoughts, make choices with regard to expression-but I don't have the control over myself that I want. And the actual dynamic of my intelligence is equally uncontrollable. So that l owe to other dynamics-to lucky chance and to fleeting moments of relaxation-the minimal order and relative learning that I do have. And the rest of the time . . . Thus, as I see it my thought proceeds in harmony with its object, an object that it attains more and perfectly the greater the state of its own ruin. Though it isn't necessarily conscious of this. At one and the same time my thinking must reach plenary illumination and dissolution . . . In the same individual, thought must construct and destroy itself. And even that isn't quite right. Even the most rigorous thinkers yield to chance. In addition, the demands inherent in the exercise of thought often take me far from where I started. One of the great difficulties encountered by understanding is to put order into thought's interrelations in time. In a given moment, my thought reaches considerable rigor. But how to link it with yesterday's thinking? Yesterday, in a sense, I was another person, responding to other worries. Adapting one to the other remains possible, but . . . This insufficiency bothers me no more than the insufficiency relating to the many woes of the human condition generally. Humanness is related in us to nonsatisfaction. a nonsatisfaction to which we yield without accepting it, though; we distance ourselves from humanness when we regard ourselves as satisfied or when we give up searching for satisfaction. Sarue is right in relation to me to recall the myth Of Sisyphus, though "in relation to me""' here equates to "in relation to humanity," I suppose. What can be expected of us is to go as far as possible and not to stop. What by contrast. humanly speaking. can be criticized are endeavors whose only meaning is some relation to moments of completion. Is it possible for me to go further? I won't wait to coordinate my efforts in that case-I'll go further. I'll take the risk. And the reader. free not to venture after me, will often take advantage of that same freedom! The critics are right to scent danger here! But let me in turn paint out a greater danger, one that comes from methods that, adequate only to an outcome of knowledge, confer on individuals whom they limit a sheerly fragmentary existence-an existence that is mutilated with respect to the whole that remains inaccessible. Having recognized this, I'll defend my position. I've spoken of inner experience: my intention was to make known an object. But by propelling this vague title, T didn't want to confine myself sheerly to inner facts of that experience. It's an arbitrary procedure to reduce knowledge to what we get from our intuitions as subjects. This is something only a newborn can do. And we ourselves (who write) can only know something about this newborn by observing it from outside (the child is only our object). A separation experience, related to a vital continuum (our conception and our birth) and to a return to that continuum (in our first sexual feelings and our first laughter), leaves us without any clear recollections, and only in objective operations do we reach the core of the being we are. A phenomenology of the developed mind assumes a coincidence of subjective and objective aspects and at the same time a fusion of subject and object.\* This means an isolated operation is admissible only because of fatigue (so, the explanation I gave of laughter, because I was unable to develop a whole movement in tandem with a conjugation of the modalities of laughter would be left suspended-since every theory of laughter is integrally a philosophy and. similarly, every integral philosophy is a theory of laughter . . .) . But that is the point though I set forth these principles, at the same time I must renounce following them. Thought is produced in me as uncoordinated flashes, withdrawing endlessly from a term to which its movement pushes it. I can't tell if I'm expressing human helplessness this way, or my own . . . I don't know. though I'm not hopeful of even some outwardly satisfying outcome. Isn't there an advantage in creating philosophy as I do? A flash in the night-a language belonging to a brief moment . . . Perhaps in this respect this latest moment contains a simple truth. In order to will knowledge, by an indirect expedient I tend to become the whole universe. But in this movement I can't be a whole human being since I submit to a particular goal. becoming the whole. Granted. if I could become it, I would thus be a whole human being. But in my effort, don't I distance myself from exactly that? And how can I become the whole without becoming a whole human being? I can't be this whole human being except when I let go. I can't be this through willpower: my will necessarily has to will outcomes! But if misfortune (or chance) wills me to let go, then I know I am an integral whole humanness. subordinate to nothing. In other words. the moment of revolt inherent in willing a knowledge beyond practical ends can't be indefinitely continued. And in order to be the whole universe, humankind has to let go and abandon its principle, accepting as the sole criterion of what it is the tendency to go beyond what it is. This existence that I am is a revolt against existence and is indefinite desire. For this existence God was simply a stage-and now here he is, looming large, grown from unfathomable experience. comically perched on the stake used for impalement.

#### Opening oneself toward the impossible is a prerequisite to any constructive engagement or political tactics. The alternative can only cause more oppression. Land 2[[7]](#footnote-7)

Fascism is not so much a symptom of political desperation, as of libidino-religious numbness, a kind of anti-poetry on the streets. Like all policy-obsessed behaviour patterns it is rooted in the humanist dead-end characterized by hysterical struggle for autonomy: self-determination, national self-management, master-races, autarky…all attempts to seal the blister from within, to hide from the ocean. The thought that there might be a political response to fascism makes me laugh. Shall we set our little fascism against their big one? Organize ourselves, become disciplined, maybe we could make ourselves some smart uniforms and stomp about in the street? Politics is the last great sentimental indulgence of (humanity) mankind, and it has never achieved anything except a deepened idiocy, more work, more repression, more pompous ass-holes demanding obedience. Quite naturally we are bored of it to the point of acute sickness. I have no interest at all in groping at power in the blister. What matters is burning a hole through the wall. Bataille was not immune to the political charade, but even his short period of reality-process politicking during 1935-6—when he was deeply involved with the journal Contre-Attaque and its project of radicalizing the Popular Front—is mapped in the labyrinth. The Contre-Attaque mobilization into militant action against fascism, militarism, and capitalism, the ‘Popular Front in the Street’ [I 402], stumbles in a maze of composition and decomposition. War with Germany is a futility because ‘[t]he process of decomposition which has been slow during the course of the last war will begin in France from the beginning of the next’ [I 330]. In his 1933 essay on The Psychological Structure of Fascism Bataille outlines a reemergent theological impulse in which the heterogeneous or decompositional element is deployed paradoxically as an operator of social integration, tending to the fascist state as a secularized divine order. The quasi-fascist undertow of his own politicized work—which he laments in a text from 1958—has less to do with the exultation of violence, than with its concession to counter discipline: What decides social destiny today is the organic creation of a vast composition of forces, disciplined, fanatical, capable of exercising an implacable authority in the day to come. Such a composition of forces must group together all those who do not accept the course to the abyss—to ruin and to war—of a capitalist society without head and without eyes…[I 380]. Capital is a headless lurch into the abyss, an acephalic catastrophe. What Bataille recoils from at this moment is not the claustrophobic managerial profanity of capital, but its psychotic flow into ruin: We see that the masses of humanity remain at the disposal of blind forces which dedicate them to inexplicable hecatombs… [I 402]. The vocabulary of such writings does not jar against the deep currents of his slide into the sacred, but its evaluative impulse is almost wholly reactive; a tawdry Leninist voluntarism fixated upon control. I think of these 1930s texts as parodic, they are humorous and lively, a definite advance upon the austere preachings so prevalent on the left. They are, in any case, at best a joke. Who is more attentive than Bataille to the vacuity of manifestos, programmes, policy statements, declarations of commitment? The destruction of language is not my act [fait] but does not have a place in me except by destroying me, like the act of the moment which has suppressed me (I speak now but in vain) [IV 167]. ‘The impossible is the basis of being’ [III 41]. To write is poverty and captivity if it is not wreckage upon the impossible, because the impossible is not a margin, a fissure, a border-zone, but an immensity compared to which the possible shrivels to the edge of nothing. ‘I even believe that in a sense my stories clearly attain the impossible’ [III 101], and that is why they matter, why The Blue of Noon is of immeasurably greater importance than the Contre-Attaque posturings, why in contrast to Sade—who sought ‘an impossible freedom’ [IX 242]—Lenin is a ranting dwarf.‘—IMPOSSIBLE! she cried’ [IV 51], ‘read or work? it was impossible’ [IV 59]. The Hatred for Poetry, renamed The Impossible, exempts Baudelaire and Rimbaud from the complacency of words that resign themselves to the cramped box of the possible. Insipid lyricism vaunts itself as another possible type of language, a type that is elevated, beautiful, ethereal. True poetry is outside laws. But poetry, in the end, accepts poetry’ [III 218]. Bataille vomits, but the ‘poetry of Baudelaire—or that of Rimbaud—never inspires that hatred in me’ [III 513], and from the start Bataille’s reading of Nietzsche insists that—unlike the language of fascism—Nietzsche’s texts are labyrinths, with no hint of the directive, no politics [I 450-2], only the voyage into the impossible, the will to chance. Utter confusion. ‘Those moments, he said, where everything is divine, because everything is impossible. (Impossible above all to explain, to speak)’ [IV 146]. Only when human relationships collapse in darkness and pain is there worth. ‘Between her and me there was never anything possible’ [IV 233]. At first, death surrounds us with an endless silence as an island is surrounded by water. But there, precisely, is the unsalable. What importance have words which do not pierce this silence[?] What importance in speaking of [the] ‘moment of the tomb’ [moment de tombe], when each word is nothing for as long as it has not attained the beyond of words[?]

Protests will inevitably fail, being absorbed by the system without any effect – only by offering the system the singularity of radical otherness can we stand as an impediment to the one-track dominant mode of thinking and escape all forms of terror exerted upon otherness  
Baudrillard 06 (Our Society’s Judgment and Punishment Volume 3, Number 2 (July 2006), IJBS, LC)  
What or who can stop globalization? Surely not anti-globalization forces, whose real aim is only to slow deregulation. The anti-globalization forces have considerable political influence but their symbolic impact is non existent. The violence of the protestors is simply one more event that system will absorb while continuing to control the game. Singularities however confound the system. Singularities are neither positive nor negative and they do not represent alternatives. They are outside of the system and they cannot be evaluated by value judgments or through principles of political reality. They correspond to both the best and the worst. Singularities play by another set of rules which they determine themselves allowing them to stand as impediments to the single-track thinking of the dominant mode of thought (although they are only one kind of challenge to the system). Singularities are not inherently violent – they represent unique characteristics of language, art, culture, and the body. Violent singularities such as terrorism do also exist. Violent singularities attempt to avenge the various cultures that disappeared in the face of an emerging global power. What we have before us is not so much a clash of civilizations as an anthropological struggle pitting a monolithic universal culture against all manifestations of otherness, wherever they may be found.

The desire to control nature and reconcile the false dichotomies that exist within it produce the most violence forms of anthropocentrism and capitalist exploitation

Deleuze and Guattari '72 (Gilles Deleuze and Felix Guattari, , *Anti-Oedipus*, 1972, pp. 3-6, LC)

This does not mean that we are attempting to make nature one of the poles of schizophrenia. What the schizophrenic experiences, both as an individual and as a member of the human species, is not at all any one specific aspect of nature, but nature as a process of production. What do we mean here by process? **It is probable that at a certain level nature and industry are two separate and distinct things: from one point of view, industry is the opposite of nature; from another, industry extracts its raw materials from nature; from yet another, it returns its refuse to nature; and so on. Even within society, this characteristic man-nature, industry-nature, society-nature relationship is responsible for the dis- tinction of relatively autonomous spheres that are called production, distribution, consumption.** But in general this entire level of **distinctions, examined from the point of view of its formal developed structures**, **presupposes** (as Marx has demonstrated) not only the existence of capital and the division of labor, but also **the false consciousness that the capitalist being necessarily acquires, both of itself and of the** supposedly **fixed elements within an over-all process.** For the real truth of the matter—the glaring, sober truth that resides in delirium—is that **there is no such thing as relatively independent spheres or circuits: production is immediately consumption and a recording process** (enregistrement\*), without any sort of mediation, and the recording process and consump- tion directly determine production, though they do so within the production process itself. Hence **everything is production: production of productions, of actions and of passions; productions of recording processes, of distributions and of co-ordinates that serve as points of reference; productions of consumptions, of sensual pleasures, of anxie- ties, and of pain.** Everything is production, since the recording processes are immediately consumed, immediately consummated, and these con- sumptions directly reproduced.+ This is the first meaning of process as we use the term: incorporating recording and consumption within production itself, thus making them the productions of one and the same process. Second, **we make no distinction between (human)** ~~man~~ **and nature: the human essence of nature and the natural essence of (the human)** ~~man~~ **become one within nature in the form of production or industry**, just as they do within the life of man as a species. Industry is then no longer considered from the extrinsic point of view of utility, but rather from the point of view of its fundamental identity with nature as production of man and by man.4 Not (human) ~~man~~ as the king of creation, but rather as the being who is in intimate contact with the profound life of all forms or all types of beings, who is responsible for even the stars and animal life, and who ceaselessly plugs an organ-machine into an energy-machine, a tree into his body, a breast into his mouth, the sun into his asshole: the eternal custodian of the machines of the universe. This is the second meaning of process as we use the term: (human) man **and nature are not like two opposite terms confronting each other—not even in the sense of (polar) ~~bipolar~~ opposites within a relationship of causation, ideation, or expression** (cause and effect, subject and object, etc.); **rather, they are one and the same essential reality, the producer-product. Production as process overtakes all idealistic categories and constitutes a cycle whose relationship to desire is that of an immanent principle**. That is why desiring-production is the principal concern of a materialist psychiatry, which conceives of and deals with the schizo as Homo natura. This will be the case, however, only on one condition, which in fact constitutes the third meaning of process as we use the term: it must not be viewed as a goal or an end in itself, nor must it be confused with an infinite perpetuation of itself. Putting an end to the process or prolonging it indefinitely—which, strictly speaking, is tantamount to ending it abruptly and prematurely— is what creates the artificial schizophrenic found in mental institutions: a limp rag forced into autistic behavior, produced as an entirely separate and independent entity. D. H. Lawrence says of love: "We have pushed a process into a goal. **The aim of any process is not the perpetuation of that process, but the completion thereof. . . . The process should work to a completion, not to some horror of intensification and extremity wherein the soul and body ultimately perish**."5 Schizophrenia is like love: there is no specifically schizophrenic phenomenon or entity; schizophrenia is the universe of productive and reproductive desiring-machines, universal primary production as "the essential reality of man and nature."

# 1AR Toolbox

Much has been omitted

## Theory

[omitted]

## K

[omitted]

## Substance

### AT Rule of Law NC

[omitted]

### AT Util

#### AT Extinction DAs

[tag omitted]

**Brassier[[8]](#footnote-8)**

Extinction is real yet not empirical, since it is not of the order of experience. It is transcendental yet not ideal, since it coincides with the external objectification of thought unfolding at a specific historical juncture when the resources of intelligibility, and hence the lexicon of ideality, are being renegotiated. In this regard, it is precisely the extinction of meaning that clears the way for the intelligibility of extinction. Senselessness and purposelessness are not merely privative; they represent a gain in intelligibility. The cancellation of sense, purpose, and possibility marks the point at which the ‘horror’ concomitant with the impossibility of either being or not-being becomes intelligible. Thus, if everything is dead already, this is not only because extinction disables those possibilities which were taken to be constitutive of life and existence, but also because the will to know is driven by the traumatic reality of extinction, and strives to become equal to the trauma of the in-itself whose trace it bears. In becoming equal to it, philosophy achieves a[n] binding of extinction, through which the will to know is finally rendered commensurate with the in-itself. This binding coincides with the objectification of thinking understood as the adequation without correspondence between the objective reality of extinction and the subjective knowledge of the trauma to which it gives rise. It is this adequation that constitutes the truth of extinction. But to acknowledge this truth, the subject of philosophy must also recognize that he or she is already dead, and that philosophy is neither a medium of affirmation nor a source of justification, but rather the organon of extinction.

# Unused

#### Survival ungrounds itself

Negarestani[[9]](#footnote-9)

Germinal death is death transmuted to a new becoming or rather a space of becomings through which death surpasses itself through a brutal opening process; death itself is disterminalized by transmuting to a becoming that is anonymous (and imperceptible) even to zero but not external to it. Death actually happens but merely as a collective perversion (an infested practice with its own anonymous and contaminated intensities) through the epidemic bonds and the interphyletic labyrinths of philia. This is why Russian psychoanalyst Victor Mazin considers Chernukha and necrorealism as the anonymous landscapes of "the mutual contamination of life and death" [17]; or as previously discussed, base-necrophilia. Where even death is infested, then, survival economy (and the necessity of surviving for the organic body) as the base-ground of necrocracy loses all its politico-economic conservatism, mutates into a virulent strategy augmenting the collapse of any stratification process on its holy ground, acts as a camouflaged ungrounding process: solidity becomes virulent and messy; institutions become deterritorializing machines (as in the Post-Soviet space). This is where necrophilia (Chernukha) unleashes itself as a brutal schizotrategy working at the heart of paranoia as an ungrounding force. Through germinal death, the survivalist subject or the avatar of solidity does not try to survive but to soften itself progressively, to become an avatar of the ultimate softness; however, it does not choose or follow the liquidation that flux or conventional destratification processes use to mollify solidity; it installs decay (what is supposed to be a characteristic process of the regime of doom and destruction and the Oedipus race as Deleuze warns) as its softening machine, as a way of replac[es]ing surviving with eternal decomposition and rotting processes not on the plane of paranoia but schizotrategy and anti-solidity. Decomposition and decay stop because of the limits that death (or the great void) draws; in germinal death, however, they progress and persist endlessly. Decay appears as a strategic anti-rigidity process working through paranoia, using a brutal and fanatic destratification which is utterly dangerous and somehow disloyal to both schizophrenia and paranoia; what it only cares about is delirial softening.

#### Explanation of transgression

**Land[[10]](#footnote-10)**

The profound criminality that Bataille sometimes names 'transgression' is not merely culpable or antisocial behaviour, insofar as this latter involves private utility or the occupation by a subject of the site of proscribed action. It is rather the elective genealogy of law, operating at a level of community more basic than the social order which is simultaneous with legality. Transgression is only judged as such in the course of a regression to a prehistorical option which was decided by the institution of justice. At this point, the sedimentation of energy upon the crust of the earth becomes normatively reinforced by an affirmation of social persistence. Nietzsche explores exactly this issue in §9 of the second essay of his Genealogy if Morals, in which he describes the primitive response to transgression: 'Punishment' at this level of civilization is simply a copy, a mimus, of the normal approach toward a hated, defenceless, prostrated enemy, who has not only lost every right and protection, but is also deprived of all mercy; vae victis as the right of war and festivity of victory, in all its ruthlessness and cruelty - from which it is clear why war itself (including the warlike cult of sacrifice) has provided all the forms under which punishment has emerged throughout history.37

#### Mise en place

**Land[[11]](#footnote-11)**

In its virtual truth, law has already disappeared from the Earth. What remains of 'law' is a dissolving complex consisting of relics from political sociality, nostalgic mediadriven theatre, and pre-automatised commodification protocols. All appeals to a 'criminality' irreducible to the impersonal consequences of social/psychological pathology have degenerated to the level of television evangelism. Among the educated, 'freedom' has lost all its Christian metaphysical pathos, to become the stochastic market intervention patterns of desolidarised (contractually disaggregated) populations. The legal suppression of the sex and drugs industries, for instance, is increasingly exhibited as an overt farce perpetrated by the economically illiterate, and leading only to perverse effects such as the growth of organised crime, the corruption of social institutions, deleterious medical consequences and a rapidly growing contempt for the legislature, judiciary and police by groups whose consumption processes are incompetently suppressed. The post-civilisational pragmatism of immanence to the market (anonymous resource distribution) reiterates its own juridical expression as an increasingly embarrassing archaism, preserving law only by functionalising legality in terms that subvert its claim to authority. As domination loses all dignity, the state becomes universally derided, exhibited as the mere caretaker for ~~retarded~~ sectors of behavioural management. It is in the context of such runaway immanentisation that the contemporary cult of the ' serial killer' - prefigured by Bataille's portrait of de Rais - is to be understood. The psychopathic murderer is both the final justification for law and the point of transition from evil to pathology, from the criminal soul of political societies to the software disorder of commodity-phase population cybernetics. Bataille's Gothic aesthetic cannot hide the distance traversed in two-and-a-half millennia of erratically developing ' Socratism' or rationalistic desolidarisation. While Plato's Socrates is a judge because he might have been a criminal, Bataille's de Rais is an economic control malfunction.

**Land[[12]](#footnote-12)**

It has often been suggested—not least by Sartre—that Bataille replaces dialectic and revolution with the paralysed revolt of transgression. It is transgression that opens the way to tragic communication, the exultation in the utter immolation of order that consummates and ruins humanity in a sacrifice without limits. Bataille is a philosopher not of indifference, but of evil, of an evil that will always be the name for those processes that flagrantly violate all human utility, all accumulative reason, all stability and all sense. He considers Nietzsche to have amply demonstrated that the criteria of the good: self-identity, permanence, benevolence, and transcendent individuality, are ultimately rooted in the preservative impulses of a peculiarly sordid, inert, and cowardly species of animals. Despite his pseudo-sovereignty, the Occidental God—as the guarantor of the good—has always been the ideal instrument of human reactivity, the numbingly antiexperimental principle of utilitarian calculus. To defy God, in a celebration of evil, is to threaten mankind with adventures that they have been determined to outlaw.

#### Bataillean reading of Law

**Land[[13]](#footnote-13)**

Far from expressing a transcendent ideality, law summarises [arbitrary] conditions of existence, and shares its arbitrariness with the survival of the human race as sovereign autonomy (an expression that Bataille seeks to exhibit as an oxymoron) . The word which Bataille usually employs to mark the preserve of law is 'discontinuity', which is broadly synonymous with 'transcendence' or the space of judgment. Discontinuity - read immanently or genealogically - is the condition for transcendent illusion or ideality, and precisely for this reason it cannot be grasped by a transcendent apparatus; by the interknitted series of conceptions involving negation, logical distinction, simple disjunction, essential difference, etc. Discontinuity is not referred in the direction of a separated or metaphysical realm, but in that of a precarious distance from death: a space of profane accumulation that is juxtaposed messily with the sacred flow into loss. Religion is thus extricated from theology in order to be connected with an energetics or 'solar economy', according to which the infrastructure of discontinuity inheres in the obstructive character of the Earth, in its mere bulk as a momentary arrest of solar energy flow, which lends itself to hypostatisation. When the silting-up of energy upon the surface of the planet is i nterpreted by its complex consequences as rigid utility, a productivist civilization is initiated, whose culture involves a history of ontology and a moral order; persistent being and j udgment. Systemic limits to growth require that the inevitable recommencement of the solar trajectory scorches jagged perforations through such civilisations. The resultant ruptures cannot be securely assimilated to a metasocial homoeostatic mechanism, because they have an immoderate, epidemic tendency. Bataille writes of 'the virulence of death' . 20 Expenditure is irreducibly ruinous because it is not merely useless but also contagious. Nothing is more infectious than the passion for collapse.

#### Explanation of necessity of transgression (CLAIM)

**Land[[14]](#footnote-14)**

The illimitable criminality driving Bataille’s writing’s provokes no hint of repentence within it, but that does not make him a pagan, which is to say juridically: unfit to plead. Lacking the slightest interest in justification, innocence is not an aspiration he nourishes. He is closer to Satan than to Pan, propelled by a defiant culpability. Bataille is altogether too morbid to be a pagan, and yet, despite what is in part a reactive relation to Christianity, the thought of necessary crime is an interpretation of the tragic, and of hubris. Tragic fate is the necessity that the forbidden happen, and happen as the forbidden. Quoting what he takes to be a latent popular maxim, Bataille writes that ‘the prohibition is there to be violated’ [X 67]. He associates this subterranean collective insight with an ‘indifference to logic’ [X 67] at the root of social regulation, since ‘[t]he violation committed is not of a nature to suppress the possibility and the sense of the emotion opposed to it: it is even the justification and the source’ [X 67]. One of his formulae for this effective paradox is the ‘viola t [ion of] prohibition …according to a rule’ [X 75]. Such a violation is not so much provoked by prohibition, as it is compelled by an inexorable process to which prohibition is a response. This thought is commonly expressed within his writings in terms of the economic inevitability of evil, and also, occasionally, as the eruption of transgression. As an overt theme, ‘transgression’ is nothing like as dominant within Bataille’s writings as is often suggested, and it is only with extraordinary arbitrariness that he can be described as a ‘philosopher of transgression’. If it were not for the sustained discussion to be found in Eroticism it is unlikely that this term would have come to be read as anything more than the marginal elaboration of a more basic problem (that of expenditure, consumption, or sacrifice). Nevertheless, criminal variations analagous to transgression are prolifically distributed throughout his writings, and lend themselves with apparent ease to a measure of formulation. In a broadly Nietzschean fashion, Bataille understands law as the imperative to the preservation of discrete being. Law summarizes conditions of existence, and shares its arbitrariness with the survival of the human race. The servility of a legal existence is that of an unconditional one (of existence for its own sake); involving the submission of consumption to its reproduction, and eventually to its complete normative suppression within an obsessional productivism. The word Bataille usually employs to mark the preserve of law is ‘discontinuity’, which is broadly synonymous with ‘transcendence’; Bataille’s thought of discontinuity is more intricate than his fluent deployment of the word might indicate. It is the condition for transcendent illusion or ideality, and precisely for this reason it cannot be grasped by a transcendent apparatus, by the inter-knitted series of conceptions involving negation, logical distinction, simple disjunction, essential difference, etc.

#### Pessimism Good

**Land[[15]](#footnote-15)**

By precipitating a non-dialogical collision with Hegel, Schopenhauer certainly demonstrated a measure of tactical ineptitude, but not strategic blindness. For it is difficult to imagine that anyone would want to suggest that an impartial space for the discussion of atheistic philosophy was available at the University of Berlin during the early 1820s. The power of Schopenhauer’s diagnosis is that it is able to attend simultaneously to both the metaphysical conflict between philosophy and monotheism and the institutional forestalling of this conflict. This amphibiousness invests his critique of optimism with an enduring energy of dissent. Optimism is the general form of apology; at once the key to the metaphysical commitments of theology and the protection of [metaphysical] these commitments from vigorous interrogation. Monotheism, with its description of the world as the creation of a benevolent God, or at least, of a God that defines the highest conception of the good, jusifies an all pervasive optimistic framework for which being is worthy of protection. For the optimist revolt, critique, and every form of negativity must be conditioned by a projected positivity; one criticizes in order to consolidate a more certain edifice of knowledge, one revolts in order to establish a more stable and comfortable society, one struggles against reality in order to release being into the full positivity which is its due. All of which inevitably slows things down a great deal, because, unless one has a persuasive plan of the future, negativity is de-legitimated by a prior apologetic dogma. The suggestion is always that ‘at least this is better than nothing’, a slogan that some Leibnizian demon has probably scrawled above the gates of Hell (not that I have any argument with Hell). Whilst speculative thought is the logic of social progress, a realization of freedom by means of a gradual absorption of conditions into the collective subject of political action, pessimism is the affect process of unconditional revolt. The most bleak speculative reasoning still retains a commitment to the reality of progressive development, even if this is momentarily frozen into the implicit truth of an agonizing contradiction. If Adorno creates particular difficulties for such a contention it is because he creates equivalent difficulties for speculative thought, partly because he is abnormally sensitive to the irreducible ethnocentrism involved in Hegel’s thinking, an ethnocentrism which is related to, although ultimately more interesting than, the colonial triumphalism of his philosophy of history. Its basic character is a terror of regression to a primitiveness that would forsake the laborious advances of one’s Occidental ancestors, and this is in turn a symptom of the wretched Western nihilism that insists one has an immense amount to lose. That our history has been in any way beneficial is something Schopenhauer vigorously repudiates, and his vehement antihistoricism (which Nietzsche comes to massively overhaul) has at least this merit: it sets itself firmly against one of the basic apologetic motifs of Occidental societies. After all, we cannot use the word history without meaning a singular process that one population has inflicted on several others, as well as upon its own non-servile virtualities, a process that has combined gruesome accident with sustained atrocity. The speculative model of revolution is one of ‘taking over’, the pessimistic model is one of escape; on the one hand the overthrow of oppression-as-exploitation, and on the other the overthrow of oppression-as-confinement. Employing an ultimately untenable distinction it could be said that at the level of social description these models are at least as complimentary as they are exclusive; the extraction of labour power and the inhibition of free movement have been complicit in the domestication of the human animal since the beginning of settled agriculture. But at the level of strategy a certain bifurcation begins to emerge, leading Deleuze and Guattari, for instance, to tease apart a Western and an Eastern model of revolution, the latter being based on a block of partially repressed nomad desire, oriented to the dissolution of sedentary space and the liquidation of the state3. Of course, insofar as one is concerned with anything like a directly applicable concrete programme, Schopenhauer has little to offer; what is known of his politics has a definite reactionary slant, and he does not seem to have grasped either the chronic exterminatory tendencies of settled societies, or their deep arbitrariness. The alternative he proposes is one of departure in the mode of renunciation, which is to say, he lacked a nomadology, or failed to explore the delirial antilogic that leads out of the maze. This is a claim at the same level as that which accuses Hegel of lacking a convincing account of the specifically modern dominion of commodity production, and helps to explain the impulse to the concrete associated with Nietzsche and with Marx. Pessimism is not a value logically separable from an independent metaphysics, because the logical value of identity is itself a comfort of which pessimism destitutes us, whilst a metaphysics of the will subverts the autonomy or separability of value questions. In this sense, pessimism is the first truly transcendental critique, operated against being, and in particular against the highest being, by the impersonal negativity of time or denial. Schopenhauerians and Hegelians can travel a considerable distance together in submitting being unsparingly to its abolition in time, although, in the end, speculative thought exhibits a fear of regression that looks to a pessimistic perpective like an anti-primitivist ideology, serving the interests of pseudo-progressive Western societies. Marx’s famous appeal to the working class in the Communist Manifesto that they have ‘nothing to lose but their chains’ is open to both a speculative and a pessimistic interpretation, and it is perhaps the latter that unleashes its most uncompromising force.

## Tragedy

#### De Rais = tragic

**Land[[16]](#footnote-16)**

The tragedy of de Rais, which Bataille extends to the nobility as a whole, was that of living the transition from sumptuary to rational sociality. He was dedicated by birth to the reckless militarism of the French aristocracy, which Bataille summarises in the formula: 'In the same way that the man without privilege is reduced to a worker, the one who is privileged must wage war' . 28 He is emphatic on this point: 'The feudal world . . . is not able to be separated from the lack of measure [demesure], which is the principle of wars' ,29 and also: 'primitively war seems t o b e a luxury' .30 That honour and prestige are incommensurable with the calculations of utility is an insistent theme in Bataille's work, as pertinent to the interpretation of potlatch among the Tlingit as to the blood-hunger and extravagance of Europe's medieval nobility. The context of Christianity and courtly love should not mislead us here.

#### Tragedy / War

**Land[[17]](#footnote-17)**

For Socrates, war is understood as civic duty: a preservative function of the city. When the city wages war, it is to be judged as a moral act, following the dictates of reason to a greater or less extent. This is the dialectical image of war, fostered by the Church, and exercising a fascination over Hegel (not to mention postwar American administrators) . There is a principle of commensurability that binds military and judicial violence, permitting both to follow from a logically orchestrated procedure of political judgment. Bataille's suggestion is quite different, since his figure of war is a zone of disappearance, a passage to the unknown, through which the city communicates with its ultimate impossibility. It is not that war is treated as a metaphor by Bataille (any more than by Nietzsche) but rather that all historical and intelligible evidence is a metaphor for war as an energetic function of death (descent to the unknown = degree zero) . War exceeds judgment, since every judicial apparatus is a petrified war, just as every 'case' of war is a domestication politicised, utilitatarianised, Clausewitzeanised. At the end of war there is only senseless death, where judgment counts for nothing. The feudal aristocracy held open a wound in the social body, through which excess production was haemmorhaged into utter loss. In part, this wastage was accomplished by the hypertrophic luxuriance of their leisured and parasitic existence, which echoed that of the Church, but more important was the ceaseless ebb and flow of military confrontation, into which life and treasure could be poured without limit. De Rais embraced this dark heart of the feudal world with peculiar ardour. Bataille writes of his entire - his mad - incarnation of the spirit of feudalism which, in all of its movement, proceeded from the games that the Berzerkers played: he was tethered to war by an affinity that succeeded in marking out a taste for cruel voluptuosities. He had no place in the world, if not the one that war gave him.32 He continues: ' Such wars required intoxication, they required the vertigo and the giddiness of those that birth had consecrated to them. War precipitated its elect into assaults, or suffocated them in dark obsessions' .33

## AT Topicality

#### Lmao

**Land[[18]](#footnote-18)**

The name ‘Bataille’ could easily mislead us. It might seem, for instance, as if transgression had a defence, a voice. As if evil could be a praxis or a cause. It is in such ways that senseless loss might be neutralized within rationality. There are certainly good reasons for seeking to reconstruct some such ‘Bataille’. It is an unfortunate fact that such projects inevitably fail, not because of some ‘death of the author’, but because of the death that is precisely not that of the author, or of anybody else. ‘Bataille’s’ irrelevance is due to a death denuded of all sophistical ornamentation, a death that is the vortex of evil, and as such sufficiently incommensurate with his discourse to be exiled to ‘the impossible’, only puncturing his text as a dark shaft of inavowable impersonality. Literature is itself a crime.

### Self-Effacement Key

**Brassier[[19]](#footnote-19)**

According to Nietzsche, nihilism reaches its apogee in the pivotal moment when truth, hitherto the supreme value, turns against itself – for it is ‘truthfulness’ itself that calls the value of ‘truth’ into question, thereby subvert[s]ing all known and knowable values, specifically the valuing of reality over appearance and knowledge over life.6 But truth, the venerable guarantor of value, is also the patron of belief, since for Nietzsche every form of belief is a ‘holding-something-true’.7 Consequently, the self-undermining of truth calls the very possibility of belief into question: ‘The most extreme form of nihilism would be the view that every belief, every holding-something-true is necessarily false because there is no true world’ (1968: §15). Yet as Nietzsche recognized, the collapse of belief in the true world also entails the dissolution of belief in the apparent world, since the latter was defined in contradistinction to the former.8 Disbelief in any reality beyond appearance cannot be converted into belief in the reality of appearance. Since the collapse of the reality–appearance distinction undermines the intrinsic connection between belief and truth, it is not something that can be straightforwardly endorsed or ‘believed in’. Thus nihilism appears to undermine itself because it is incompatible with any belief – it seems that it cannot be believed in, for if nothing is true, then neither is the claim that ‘nothing is true’. As a self-proclaimed ‘perfect nihilist’,9 Nietzsche refuses to retreat from this aporia and insists that it must be traversed, for nihilism can only be overcome from within. How then are we to think the apparently unthinkable thought that nothing is true, which, for Nietzsche, looms at the nadir of nihilism, yet also harbours the key to its overcoming?

1. Nick, cryptonaut, cybernetic zer0, “After the Law.” *Fanged Noumena: Collected Writings 1987-2007* Ed. Robin MacKay and Ray Brassier. Falmouth: Urbanomic (2012). // WWXR [↑](#footnote-ref-1)
2. Nick, cryptonaut, cybernetic zer0, “After the Law.” *Fanged Noumena: Collected Writings 1987-2007* Ed. Robin MacKay and Ray Brassier. Falmouth: Urbanomic (2012). // WWXR [↑](#footnote-ref-2)
3. Nick, cryptonaut, cybernetic zer0, “After the Law.” *Fanged Noumena: Collected Writings 1987-2007* Ed. Robin MacKay and Ray Brassier. Falmouth: Urbanomic (2012). // WWXR [↑](#footnote-ref-3)
4. Nick, cryptonaut, cybernetic zer0, “After the Law.” *Fanged Noumena: Collected Writings 1987-2007* Ed. Robin MacKay and Ray Brassier. Falmouth: Urbanomic (2012). // WWXR [↑](#footnote-ref-4)
5. Nick, cryptonaut, cybernetic zer0, “After the Law.” *Fanged Noumena: Collected Writings 1987-2007* Ed. Robin MacKay and Ray Brassier. Falmouth: Urbanomic (2012). // WWXR [↑](#footnote-ref-5)
6. Nick, Bataille’s personal erotica author. *The Thirst for Annihilation: Georges Bataille and Virulent Nihilism.* London: Routledge (1992). // WWXR [↑](#footnote-ref-6)
7. Nick, cryptonaut, cybernetic zer0, “After the Law.” *Fanged Noumena: Collected Writings 1987-2007* Ed. Robin MacKay and Ray Brassier. Falmouth: Urbanomic (2012). // WWXR [↑](#footnote-ref-7)
8. Ray, bae, *Nihil Unbound: Enlightenment and Extinction*. New York: Palgrave McMillan (2007). Print. // WWXR [↑](#footnote-ref-8)
9. Reza, complicit with anonymous materials, “Death as a Perversion.” *CTheory*. 12 May 2014. Web. http://www.ctheory.net/printer.aspx?id=396 7/9 // WWXR [↑](#footnote-ref-9)
10. Nick, cryptonaut, cybernetic zer0, “After the Law.” *Fanged Noumena: Collected Writings 1987-2007* Ed. Robin MacKay and Ray Brassier. Falmouth: Urbanomic (2012). // WWXR [↑](#footnote-ref-10)
11. Nick, cryptonaut, cybernetic zer0, “After the Law.” *Fanged Noumena: Collected Writings 1987-2007* Ed. Robin MacKay and Ray Brassier. Falmouth: Urbanomic (2012). // WWXR [↑](#footnote-ref-11)
12. Nick, Bataille’s personal erotica author. *The Thirst for Annihilation: Georges Bataille and Virulent Nihilism.* London: Routledge (1992). // WWXR [↑](#footnote-ref-12)
13. Nick, cryptonaut, cybernetic zer0, “After the Law.” *Fanged Noumena: Collected Writings 1987-2007* Ed. Robin MacKay and Ray Brassier. Falmouth: Urbanomic (2012). // WWXR [↑](#footnote-ref-13)
14. Nick, Bataille’s personal erotica author. *The Thirst for Annihilation: Georges Bataille and Virulent Nihilism.* London: Routledge (1992). // WWXR [↑](#footnote-ref-14)
15. Nick, Bataille’s personal erotica author. *The Thirst for Annihilation: Georges Bataille and Virulent Nihilism.* London: Routledge (1992). // WWXR [↑](#footnote-ref-15)
16. Nick, cryptonaut, cybernetic zer0, “After the Law.” *Fanged Noumena: Collected Writings 1987-2007* Ed. Robin MacKay and Ray Brassier. Falmouth: Urbanomic (2012). // WWXR [↑](#footnote-ref-16)
17. Nick, cryptonaut, cybernetic zer0, “After the Law.” *Fanged Noumena: Collected Writings 1987-2007* Ed. Robin MacKay and Ray Brassier. Falmouth: Urbanomic (2012). // WWXR [↑](#footnote-ref-17)
18. Nick, Bataille’s personal erotica author. *The Thirst for Annihilation: Georges Bataille and Virulent Nihilism.* London: Routledge (1992). // WWXR [↑](#footnote-ref-18)
19. Ray, bae, *Nihil Unbound: Enlightenment and Extinction*. New York: Palgrave McMillan (2007). Print. // WWXR [↑](#footnote-ref-19)