

The Frontiers of Theory

# Of Jews and Animals

Andrew Benjamin



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The Frontiers of Theory

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# Of Jews and Animals

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Andrew Benjamin

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For Sam and Lucy, with love

## *Series Editor's Preface*

Since its inception Theory has been concerned with its own limits, ends and after-life. It would be an illusion to imagine that the academy is no longer resistant to Theory but a significant consensus has been established and it can be said that Theory has now entered the mainstream of the humanities. Reaction against Theory is now a minority view and new generations of scholars have grown up with Theory. This leaves so-called Theory in an interesting position which its own procedures of auto-critique need to consider: what is the nature of this mainstream Theory and what is the relation of Theory to philosophy and the other disciplines which inform it? What is the history of its construction and what processes of amnesia and the repression of difference have taken place to establish this thing called Theory? Is Theory still the site of a more-than-critical affirmation of a negotiation with thought, which thinks thought's own limits?

'Theory' is a name that traps by an aberrant nominal effect the transformative critique which seeks to reinscribe the conditions of thought in an inaugural founding gesture that is without ground or precedent: as a 'name', a word and a concept, Theory arrests or misprisons such thinking. To imagine the frontiers of Theory is not to dismiss or to abandon Theory (on the contrary one must always insist on the it-is-necessary of Theory even if one has given up belief in theories of all kinds). Rather, this series is concerned with the presentation of work which challenges complacency and continues the transformative work of critical thinking. It seeks to offer the very best of contemporary theoretical practice in the humanities, work which continues to push ever further the frontiers of what is accepted, including the name of Theory. In particular, it is interested in that work which involves the necessary endeavour of crossing disciplinary frontiers without dissolving the specificity of disciplines. Published by Edinburgh University Press, in the city of Enlightenment, this series promotes a certain closeness to that spirit: the continued

exercise of critical thought as an attitude of inquiry which counters modes of closed or conservative opinion. In this respect the series aims to make thinking think at the frontiers of theory.

Martin McQuillan

# Opening



## Of Jews and Animals

Two terms joined in order to create a title: *Of Jews and Animals*. With that creation, there is the inevitable risk that their conjunction will be misunderstood. It could be read as though the terms announce a possible reduction or a forced similarity in which not only would specificity be denied, but the prejudice in which Jews were equated, to their detriment, with animals would have been reiterated, as if, in other words, that reiteration and thus connection were simply unproblematic. Nonetheless, there is an important relationship between Jews and animals. They appear within the history of philosophy, art and theology in ways in which the differing forms of conjunction mark the manner in which dominant traditions construct themselves. In certain instances, however, it is the separate presence of Jews and animals that serve the same ends. This study is concerned with both these eventualities. The weave of animal and Jew, their separate and connected existence, thus *of Jews and animals*.

To begin: allowing for a specific figure of the Jew provides, for example, the axis around which Pascal can develop his version of Christian philosophy. The interconnection between the Jew and the animal within the philosophical writings of Hegel, again as a specific instance, becomes an exacting staging of the complex way these two figures are already implicated in the philosophical project of positioning the relationship between particular and universal. The result of that positioning is that neither the Jew nor the animal, though for different reasons, can form part of a generalised conception of universality, especially that conception of the universal that would incorporate all modes of being. In broader terms a fundamental part of the argument to be traced in the writings of Heidegger, Hegel, Pascal, Agamben and Blanchot as well as in relation to specific moments within art history concerns the complex relation that the Jew and the animal – separately and together – have to forms of universality. The form taken by that

relation is that to the extent that universality prevails both the Jew and the animal have to be held as excluded. What this means, of course, is that both are retained within the subsequent history that accompanies philosophy, theology, etc., as the excluded; hence the state of being ‘held’. Consequently, a fundamental element guiding this analysis is that the Jew and the animal, on their own as well as together, can be attributed a privileged position, firstly, in the way philosophical systems create and sustain identities as figures and, secondly, in the analysis of the complex interplay between universal and particular.<sup>1</sup>

There are therefore two elements that are at work within the presence, either related or separately, of the Jew and the animal. Allusion has already been made to both. The first concerns what will be called the figure of the Jew and the figure of the animal.<sup>2</sup> The second refers to the question of particularity. In regards to the first, the point of the term ‘figure’ is that it indicates that what is at work is the presentation of the Jew and the animal in ways that enable them to play an already determined role in the construction of specific philosophical and theological positions. Figure can be defined therefore as the constitution of an identity in which the construction has a specific function that is predominantly external to the concerns of the identity itself. Not only will this play a significant role within the imposition of the quality of being other, it will sanction, at the same time, the possible repositioning of the other as the enemy. (The ‘other’ here is the generalised term designating alterity.) This is by no means an extreme or attenuated repositioning. On the contrary, the move from other to enemy is a possibility that is already inherent in the category of the other. A further aspect of the figure that needs to be noted in advance is that figures are not just given, they have to be lived out. The figure therefore can have an effect on the operation of institutions as well as the practices of everyday life. Finally, in the case of the figure of the Jew there will be an important distinction (one admitting of a form of relation) between a construction of Jewish identity within Judaism itself and the figure of the Jew. The latter is always external to Judaism while at the same time presenting back to Judaism an identity that invariably comes from without but which has a continual effect on how identity is to be affirmed.

The second element central to the overall project concerns what can be described as the development of a metaphysics of particularity. As has been indicated the fundamental conjecture underpinning this project is that the complex determinations taken by the relationship between the universal and the particular are continually being worked out in the way the figure of the Jew and the figure of the animal are positioned

within specific philosophical and theological texts as well as in given works of art. Two of these determinations are of special interest in this context. The first involves what will emerge as the threat of particularity and therefore, in light of this threat, of the need for its exclusion in the name of the universal; the second is the retention of the particular within that structure in order that its continual exclusion sustains universality. Precisely because retention refers to the presence of figures, retention does not entail the actual presence of the excluded. Indeed, a significant aspect of the figure's presence is that actions that take place in relation to it need not depend upon the actual existence of those figured. (The figure can function therefore within an effective imaginary existence in which the threat of the particular is effective independently of the actual or real presence of those figured.<sup>3)</sup>

The differing components of the figure as well as those that characterise the continual positioning of the particular in relation to the universal are clearly interconnected with regard to the formation of philosophical and theological texts. This is especially the case when the larger philosophical project is either to establish that which is proper to human being or where that sense of propriety is already assumed in the further elaboration of positions depending upon it. While this setting holds across a range of sources, within this project it also provides the point of entry into works of art. In this context, it will be the human face in which portraiture becomes the face of human being. The retention of that face brings with it the need to exclude others (present as other faces) whose specific presence, often in terms of deformation, reiterates the same structure of exclusion and inclusion. The faces in question, in this instance, are those of Jews.

While both these elements stand in need of greater clarification, as has been indicated above, they intersect. The figure of the Jew is already the enacting of a version of particularity. The figure presents, in sum, the particular that cannot be named by any form of universality as belonging to that universal. Naming in this sense is a form of exclusion. This is not to suggest that the more abstract philosophical problem of universals and particulars needs to be given automatically this extension. The force of the overall argument is the other way around. Namely, that any position that is concerned with the question of identity is always articulated within a certain construal of particularity and universality. In other words, it is not as though questions of identity – the work of figures – cannot be approached philosophically. In allowing for such an option what emerges as a consequence is another way in which the philosophical can engage with the political. (This position will be developed in greater detail in the analyses to follow.)

## Figures

Even though the figure refers to the constitution of an identity it should not be counterposed to the assumption of authenticity. The contrary is the case. While the figure concerns a form of construction, what it – the figure – is opposed to is the possible affirmation of an identity. Affirmation has no necessary relation to the essential. (The figure is that which essentialises.) The affirmation of identity becomes a way in which identities – in their complexity – are either lived out, or there is a related position in which those identities, thus lives, are allowed to be lived out. (The latter position is clearly that which obtains in regard to animals.) The figure stands opposed to this double possibility within affirmation. What this opposition to affirmation amounts to therefore is the refusal of any possible fraying or undoing of the singularity that the figure constructs. The manner in which the figure functions in constructing versions of the singular and thus of particularity provides the way into understanding what can be called the work of figures. There is, however, an inbuilt reciprocity with the work of the figure. To the extent that figures are created, figures that grant identity by imposing it, then what occurs with that act of imposition is the self-attribution of identity. Figures are involved in a double attribution of identity. In other words, not only does the figure impose identity, the act of imposition is integral to securing the identity-of the position from which the initial identity-giving act originated.

The work of figures becomes one of the means by which the position of the other, in all its permutations, including the other as enemy, is created and sustained. That creation will involve a form of constitution that can work in at least two different ways. In the first, the other (in all its possible forms) acquires that status through considerations that have a pragmatic quality. This would include calculations concerning how political power may be obtained and sustained. The second way a form of constitution works is linked to the movement in which the other acquires the position of being other as the result of a process of naturalisation. Within this setting the other is the other because of ‘nature’. The positing of nature, however, has to be understood as a construction that is internal to the process that is itself the creation of figures. A clear instance of this occurs in Plato’s *Republic* in regard to the repositioning of the other as the enemy.<sup>4</sup> Even though the ‘enemy’ may be a limit condition, the distinction between other as friend and other as enemy has direct relevance to the operative dimension within the figure of the Jew.

In an attempt to nuance the distinction between friend and enemy Plato allows for two different realms of struggle. The first concerns

internality, hence a difference that is situated within the domain of the Greeks, while the second is between two entities defined by two distinct and unrelated senses of internality. The distinction gives rise to the following formulation:

I say that the Hellenic race *genos* is friendly to itself  
and akin and foreign and alien to the barbarian. (470C)

In regard to the latter there is an enmity and thus the presence of enemies that are positioned as such by ‘nature’ (*phusis*). In order to distinguish between these two domains Plato defines the relation between the Hellenic and the foreign in terms of ‘war’ (*polemos*) and any division that pertains exclusively to internal relations in terms of a ‘faction’ (*stasiw*). (These involve civil wars or internal rebellions.) While the distinction may bring with it a series of attendant problems, and though this will always be the case when what is at stake is the attempt to establish a clearly defined opposition, nonetheless, it sets out in advance the way the divisions and thus related concepts such as security and war are given by the interplay of commonality on the one hand and the complex relation between friend and enemy on the other.

The difference between friend and enemy is that the latter is positioned in terms of externality. Being the enemy is a position constructed through the conflation of race and nature. Once created as a consequence of that conflation the state of being the enemy is one that cannot be overcome. This is the power of nature. The enemy therefore has to be conquered. Subjugation is the only possibility. The point is that once understood in terms that give ‘nature’ a productive dimension within the work of figures it then follows that enemies do not exist because of nature; rather ‘nature’ is used to create and then define the other as the enemy.

What is central here therefore is the way the enemy figures: the enemy as a construction defined in relation to ‘nature’. Nature emerges – more emphatically nature is posited – in order to create the non-arbitrary quality of the enemy. The formulation in the *Republic* is clear. Greeks and barbarians ‘are enemies by nature’. In other words, they are enemies in virtue of being what they are. The antipathy is not only ‘natural’ ('nature' as a posited ground), it depends upon the individual singularity of those involved. This construction of an essential nature – the construction of a figure – can be reinforced by reference to another dialogue, i.e. the *Menexenus*.<sup>5</sup> Here the argument is that in certain instances those who are only ‘nominally Greek’ – Greek by name or convention (*nomow*) – are nonetheless ‘naturally barbarians’ (245D). What this means is that though the barbarians were named Greek, where the process of naming

follows convention (*onoma* determined by *nomos*) this does not affect the quality of the already attributed specific essential nature and thus the work of the figure. Convention is structured such that it is necessarily distinct from the construction of an essential identity. The latter is a construction in which nature provides the figure with both its identity and its unity. The figure will always have a singular determination. In regard to the distinction between friend and enemy the determining presence of ‘nature’ means that the relation is not determined by convention and thus is not a distinction that is merely strategic or pragmatic.<sup>6</sup>

While the distinction between the enemy and the faction has a complex presence within Greek philosophical thought the distinction is relevant here as it can be taken to mirror a distinction that Pascal will draw in his creation of the figure of the Jew in the *Pensées*. In that text, and reflecting a longer tradition, he allows for two types of Jew.

Les juifs étaient de deux sortes. Les uns n’avaient que les affections païennes, les autres avaient les affections chrétiennes. (289)

(The Jews are of two sorts. Those who only have pagan feelings, the others that have Christian feelings.)<sup>7</sup>

The difference in which the second type can be located has a complex register. The Jew with ‘Christian feelings’ can be tolerated. The difference is not essential. It is not given by nature. These are the Jews that will in the end be an object of ‘love’. ‘Love’ (*agapé*) within the Christian context is that which announces the overcoming of difference.<sup>8</sup> On the other hand, those with ‘pagan feelings’ are not simply intolerable, if there is a difference then it cannot be overcome. It is as though ‘nature’ is operative. This is the Jew that is positioned as the ‘enemy’.<sup>9</sup> While the analysis of Pascal – in Chapter 7 – will argue that both conceptions of the Jew, with their own form of difference, are fundamental to the construction of Christianity as universal (and in its apparently secularised form within constructions of universality that involve a reiteration of the same logic), what is of interest here is that what is enacted is the distinction between friend and enemy. The enemy is always an object of an act of creation that is then naturalised. The result of the process of naturalisation is that what cannot be addressed to the enemy are questions concerning how that status has been acquired. The enemy becomes what is – again the position or designation ‘enemy’ is produced – the result of an ineluctable, thus unavoidable, process. The response to such a set up can only ever be to denature it. If there is a further element to the affirmation of identity then it can be found in its already being the ‘denaturing’ of nature’s posited existence.<sup>10</sup>

## Particularity

Particularity is a form of identity. As such the difficult question concerns how the particular comes to have that identity. Particulars are, of course, already given in relation to a universal. The question of what counts as a universal has its own history within both philosophy and theology. As a consequence there can be no clear unanimity of response. Within the context of this study what remains an open, if implicit, question is the possibility of a conception of the particular that falls beyond the hold of the universal. It should be remembered that were this to be possible it would entail firstly a conception of identity that was not subsumed by the universal such that the particularity of the particular would be effaced in the process, and secondly a conception of particularity that was not the particular as excluded where the practice of exclusion involved the retention of the particular as the excluded. In the case of the latter it is not just that exclusion takes place, the retention of the excluded as the excluded would be fundamental in order that the overall identity of the universal be maintained. This is, of course, the twofold possibility that is, as was indicated above, at work in Pascal. The first type of Jew is the one that can be included. What needs to be noted, however, is that the consequence of inclusion is that whatever it was that marked the Jew as Jew would have been effaced, of necessity, in the process. The other type, the pagan Jew, was the one that was held from the start in the position of the excluded. With that exclusion, of course, the Jew would then have been positioned in order to realise the project of the universal. Once the Jew was located in this way it would then function in terms of the retention of the excluded. This position will be developed in terms of what will be described as ‘the logic of the synagogue’.<sup>11</sup>

And yet the philosophical question of the relationship between universals and particulars is not simply explicable in terms of the figure of the Jew. The argument is that the figure of the Jew can only be accounted for adequately if it is understood as connected to a specific conception of the relation between universal and particular. This means that what is often taken to be a merely abstract formulation without any entailments in relation to the identity or the particularity of forms of life only works as such because those forms of life are themselves already understood as abstractions. (The assumption is that the abstract precedes any form of differentiation.) In other words, once life is to be understood in terms of an undifferentiated setting, or once human life is equated with an abstract conception of human being (again with abstraction allocated a primary rather than a secondary existence) what then follows is that questions of particularity, which will include questions of embodiment, become

irrelevant in relation to the overall power of abstraction. Abstraction and universality, assuming a complementarity between these terms, work in tandem. The point of the studies undertaken here is to investigate the way abstraction, particularity and universality continue to intersect in the way the relationship between human and non-human animals is constructed as well as in the way the distinction between the Jew and a universalising conception of human being is staged.

There is, of course, an implicit project at work here. In outline it involves the attempt to develop a metaphysics of particularity.<sup>12</sup> The figure of the Jew and the figure of the animal are already given formulations in which a certain conception of the particular (and its relation to the universal) is presented. The point of insisting on the interarticulation of the work of figures and the relationship between universal and particular is that it is intended to preclude the possibility of a response to the work of figures that remained either indifferent or hostile to the question of metaphysics. In other words, it is not as though an attempt to ameliorate the condition or position of animals can be based on an ethical position that remained unaware of the role of the animal within the history of philosophy and the positioning of the animal within a relation between universal and particular that resulted in the animal being essentialised (all animals, in the plural, becoming the animal, in the singular) and excluded in the name of human being.<sup>13</sup> Redressing the question of the animal – perhaps reposing the question in order to take in founding differences – is not merely ethical. It has to involve an understanding that exclusion operates within and as metaphysics, hence the need to rethink the metaphysical project at the same time as the ethical one. A similar argument needs to be developed in relation to the figure of the Jew. Rethinking the Jew's presence is to trouble a conception of alterity that insisted on abstraction. Equally, it must involve the recognition that the Jew's exclusion is the result of the operation of a structure of thought (with its own ineliminable relation to the operation of power). Fundamental therefore to any project of rethinking is to understand that what is necessary, given such a setting, is the development of other modes of thought. In this context what is meant by a different, thus other, mode of thought is the development of a metaphysics of particularity.

### Continuity

Each of the chapters that comprise this study involves tracing the way figures – specifically what has been called the work of the figure – and

the interplay of particularity and universality are operative in a range of texts. Starting with Heidegger, and specifically the presentation of the animal in *The Basic Concepts of Metaphysics*, what is of central importance is not just the configuration given to the difference between the human and the animal but the way in which the thinking of that difference constructs, on the one hand, a certain figure of the animal and, on the other, positions the animal in relation to an abstract conception of human being. Within the latter, the presence of abstraction can be understood as the formation of the universal. While this will involve the incorporation of a language and terminology that is not Heidegger's, the justification for such a move is that Dasein for Heidegger is the term in which it is possible to identify that which is proper to human being. In addition, the sense of propriety that Dasein brings with it turns all other aspects of human being into the merely contingent. As such the body and therefore human animality are necessarily distanced. Central here is the way this distancing is understood.

While the passage will be analysed in greater detail in Chapter 2, Heidegger's claim in *The Basic Concepts of Metaphysics* concerning the relation between Dasein and a dog in which 'the dog does not exist but merely lives' will be taken as reiterating a fundamental position in which there is an important separation between the realm of existence and life.<sup>14</sup> This separation establishes the way the distance is to be understood. And yet terms such as 'distance' and 'separation' still envisage a form of connection and thus of relation. What will be argued in regard to Heidegger is that what emerges with the introduction of the dog and the distinction between 'existence' and 'life' is far more profound. What occurs is a radical separation of that which pertains to the human (thus to human being) from the concerns of the animal (more exactly from that which is taken to be animal concerns). The separation is the absence of a relation. It inheres in the distinction that Heidegger will draw between 'behaviour' and 'comportment'. As will emerge this distinction is central to Heidegger's project in *The Basic Concepts of Metaphysics*. Human being exists without relation to the animal. This state of the *without relation* will have a fundamentally important role in the analyses throughout this study. The *without relation* is central both to the construction of figures and to their work.

In regards to Maurice Blanchot – whose work is the object of focus in Chapter 3 – the *without relation* is positioned in terms of his own use of Hegel, mediated through Alexander Kojève's commentary on Hegel's *Philosophy of Spirit*.<sup>15</sup> The basis of Blanchot's argument concerning the emergence of literature is that the inauguration of literature is occasioned by the death of the animal. Here Blanchot takes up and deploys

positions that are identified as originating in both Hegel and Kojève. The *without relation* emerges in connection to a logic of sacrifice. The animal's death is fundamental in order that there be literature. The aim of the analysis is to question the retained presence of the relationship between writing and death in Blanchot's *oeuvre*. What has to be taken up is the extent to which Blanchot's work remains caught up in the founding logic of sacrifice. As will be argued the *without relation* which marks here the way the animal is retained as excluded – hence the figure of the animal – informs Blanchot's overall project and even plays a fundamental role in his construction of 'community'. This opens up and reiterates the question that also arises with Heidegger, namely what would a community or a mode of existence be like that accorded an inbuilt relation to animals and to animality? Such a possibility would involve an already present relation as opposed to one necessitating a logic of sacrifice or a founding *without relation*.

With Derrida's work – as developed in Chapter 4 – there is a radically different project. Central here is the way in which Derrida connects the history of philosophy and thus the reiteration of a dominant conception of metaphysics to the effective presence of anthropocentrism. Derrida's development of a deconstructive approach to the question of the animal – an approach that has exerted a strong influence on this study – is positioned, in the context of the actual chapter, in relation to the presentation of the animal in Hegel's *Philosophy of Right*. Of strategic importance is the investigation of the conception of difference that is at work within the *without relation* as it figures in Hegel's text. The *without relation* is already a conception of difference. Difference as has already been noted is not just other, but incorporates a range of positions that move from the other understood as the other to the same, to a conception in which the other is the enemy. Hence an essential part of the value of Derrida's project is that it is directly concerned with how this 'difference' is thought. Any approach to the philosophical that incorporates Derrida's work will allow, as a consequence, for a detailed investigation of the conception of difference within the *without relation* and in so doing open up the possibility of another thinking of difference. This is an extremely important move. If it is to be assumed that there is a difference between human and non-human animals then the question that has to be addressed does not concern the simple positing of difference as though difference came to exist merely through its being posited. Rather what matters is how that difference is to be thought. Once this becomes the guiding question it is more likely that what is then avoided are those modes of thought in which difference is reiterated continually as the *without relation* (given that the *without relation* is a version of difference, albeit an inadequate one).

Part II of this work consists of a series of chapters in which the figure of the Jew is developed in a sustained way. The differing analyses of the presence of the Jew are positioned in relation to the complex interplay between the figure and the universal/particular relation. In the first instance – in Chapter 5 – the starting point is the way in which disease is thought in Hegel's *Philosophy of Nature*. Disease, as will be argued, is an instance of particularity. It is, of course, aberrant in relation to the good of the whole (the Universal). Hence, overcoming disease is overcoming aberrant particularity. The Jew as present in the *Philosophy of Right* is also presented as an aberrant particular. Jews can form part of the Universal only because they are, in Hegel's words, 'above all men'. Incorporation into the universal takes as its condition of possibility therefore the exclusion of the particular's actual mode of being, i.e. being a Jew. The only sense of particularity that cannot be absorbed is the animal. The animal can only exist as pure particularity. What this leaves open as a question is the extent to which an affirmed conception of Jewish identity is able to start with Hegel's animal. The animal retains its identity. The Jew for Hegel has to lose its self-proclaimed and thus self-affirmed identity. The tolerance and retention of the Jew within civil society is premised upon the Jew's eventual elimination (as a Jew), an elimination sanctioned by the work of the logic in which particularity is effaced through its absorption into the category 'Man'. The latter is, of course, the presence of abstraction, an abstraction which is taken to be primary but which in fact occurs as an after-effect of having eliminated the initial site of particularity, an elimination that occurs through the repositioning of an initially unmasterable Jewish presence in terms of the figure.

Chapter 6 starts with a discussion of two paintings both having ostensibly the same content. The first is by Piero della Francesca and the second by Bartolomé Bermejo (see Figures 6.1 and 6.2 in Chapter 6). Within both paintings the Archangel Michael is killing a dragon. And yet close attention to the paintings reveals a fundamentally different conception of the devil. In the case of the painting by Piero della Francesca the devil is pure animal. There are no traces of human animality. In the case of Bartolomé Bermejo the animal is already partly human. There is therefore a divide in the presentation of the animal. In the first instance human good necessitates a founding sacrifice. In the second case the animal and the human overlap. As such human animality cannot be eliminated with a founding move in which the animal's death would establish the uniquely human. (That death would be another instance of the *without relation*.) There is the need for practices that maintain vigilance against the possibility of animality's interruption. In this

instance the *without relation* becomes a practice rather than a founding event. This divide complicates the way in which the animal is present. Moreover, it complicates both the attempt by Giorgio Agamben to take up the question of the animal in his book *The Open: Man and Animal* and his subsequent attempt to examine and respond to what has been called the figure of the Jew. Not only does Agamben's inability to provide an account of that figure locate a limit to his philosophical project, that lack is compounded by the inability to provide an account of an original sense of particularity. In fact with Agamben, as will be argued in Chapter 6, the opposite is the case. The conception of the 'homo sacer', a concept central to his work, is precisely what hinders any attempt to think such a conception of the particular.<sup>16</sup>

Pascal's *Pensées* both as a text and as individual fragments are demanding for a range of reasons. One of the major ones is the inherent problem of how to order a text that is comprised of fragments. The selection of *pensées* to be discussed is therefore always complex. Nonetheless, a number of fragments have acquired canonical status, if only because of the quality and range of commentary they have solicited. One such fragment is number 103. In sum, the fragment is concerned with the relation between 'justice' and 'force'. In addition it draws on and engages with the tradition that has equated right with might. However, what is invariably left out of any discussion of 103 is fragment 102. Or, if another numbering system is used, what is invariably left out of discussion of the relationship between 'justice' and 'force' as understood by Pascal is the figure of the Jew in the *Pensées*. It is as though the concerns of justice and force bore no relation either to the extensive presence of the figure of the Jew throughout Pascal's text, or to the figure's presence within the logic of the synagogue. Once fragment 103 is juxtaposed with 102 the former necessitates an approach that can no longer exclude the figure of the Jew. Fragment 102 reads as follows:

Il faut que les Juifs ou les Chrétiens soient méchants. (102)

(It is necessary that the Jew or the Christian are wicked.)

The effect of the either/or is that it establishes a clear divide in which the Jew is to figure. In addition, the description of the Jews as 'méchants' utilises a term that plays a central role in 'justice, force'. This means that the apparently neutral concerns of 103 already have the figure of the Jew being worked out within it. The project of chapter 7 will be to pursue the differing ways in which these two fragments relate. If there is an overriding question that is announced within the chapter, albeit *sotto voce*, then it concerns what it means to be just to particularity.

Portraits portray. However, the portrayed face always oscillates between a named presence and a generalised sense of humanity. The latter is a redescription of the history of portraiture as the history of the enacted presence of abstract humanity. Indeed, that history complicates the history of the self. The face as a site of eventual neutrality and therefore the face as that which will be the presence of the elimination of embodied difference holds equally for Nicholas Cusanus as it does for Hegel. Hence it is at work as much in the Renaissance as it is within Modernity.<sup>17</sup> The presence of the face as generalised humanity becomes both more exact and more exacting, however, when the portrait is described as a self-portrait. In any self-portrait it is always legitimate to ask the question of the implicit conception of self that is portrayed within it. There are, of course, self-portraits that are never named as such. It can be argued that a number of Dürer's portraits of Christ are in fact self-portraits.<sup>18</sup> The first painting to be analysed in detail in Chapter 8 is Dürer's *Jesus Among the Doctors*. The setting is provided by a discussion of a painting *The Fountain of Grace* that can be attributed to the School of van Eyck. Both paintings are concerned with the relationship between Christians and Jews. However, both paintings contain a divide within the presentation of Jewish faces – a divide that will necessitate a more exact language and thus a distinction between various forms of face.

To begin there are faces that can be assimilated and are thus no more than faces that are merely different. There are, however, other faces that are present in both paintings. What characterises those faces is that they are deformed or marked such that they cannot be assimilated. They are faces that do not form part of the common. It is as if they have been separated by nature. Here, of course, is an early version of the two types of Jew identified by Pascal. Here, moreover, is a reiteration of the distinction between the other as part of the common and the other as 'enemy'. The questions that arise from this analysis concern the possibility of faces that are not inscribed within an oscillation between universality and particularity. If there is a question that reiterates what it means to be just to particularity, then it concerns the presentation of other faces.

### Animals and Jews

Fundamental to all the analyses that comprise this work is the recognition that the attempt to pose the question of what marks out being human involves differing forms of the *without relation* as the way the relation to the animal is held in place.<sup>19</sup> Moreover, the particularity of the Jew is

effaced continually in the name of a form of universality. It is precisely this predicament that opens up the question of how to account philosophically for a radically different situation, namely one in which the particularity of human being did not depend on forms of privation and thus sacrifice. And conversely where regional conceptions of identity could be affirmed. What would be the effect – the effect on being human and thus the thinking of that being philosophically – if both the maintained animal were allowed and the particular affirmed? If, that is, the *without relation* gave way to a fundamentally different form of relationality? (Were the animal to play another role within philosophy then the effect of its presence would need to be given in relation to this question.<sup>20</sup>) Each of the chapters suggests openings while at the same time marking different senses of closure. What continues to emerge are ways of thinking an initial presence of the animal and the Jew which, given the abeyance of the work of figures – figures being understood here as sites of closure – opens up forms of relationality that are no longer the after-effects of the differing ways in which the *without relation* has an operative presence.

That there cannot be a final word or even a moment of summation as completion reflects that which is central both to the work of figures and to the affirmation that is their (the figures') only possible counter. Indeed, what is clear from both is that figures and affirmation are inextricably bound up with modes of life and thus with senses both of commonality and being in the world. Countering figures therefore is not reducible to analysis and argumentation even though both are essential to such an undertaking. What matters is the continual invention of practices that are inextricably tied up with the affirmation of particularities.

## Notes

1. This is not to preclude the possibility that there are other positions, thus other figures, that could be attributed a similar status.
2. The use of the term ‘figure of the Jew’ is intentional. It is meant to signal the necessary distance – a distance that always has to be negotiated – between the presence of the Jew within philosophical and literary writing and what can be called Jewish life. The latter is the lived experience of being a Jew: a reality that is bound up with different forms of affirmation. While Jewish life is formed in different and conflicting ways, it is not automatically the same as the Jew’s figural presence. I have discussed this distinction in a number of places. See, my *Art, Mimesis and the Avant-Garde* (London: Routledge, 1991), pp. 85–99 and *Present Hope: Philosophy, Architecture, Judaism* (London: Routledge, 1997).
3. A similar point is made by Stephen Greenblatt in relation to the presence of what is called the figure of the Jew in those works of Shakespeare and

- Marlowe – specifically *The Merchant of Venice* and *The Jew of Malta* – that were written at the same time as there was no actual Jewish presence in England. See Stephen Greenblatt, *Will in the World: How Shakespeare became Shakespeare* (New York: W. W. Norton, 2004), pp. 256–88.
4. References to the text and translation of *The Republic* are to Plato, *The Republic*, trans. Paul Shorey (Cambridge, MA: Harvard University Press, 1980).
  5. Reference to the text and translation of the *Menexenus* is to Plato, *Menexenus*, trans. R. G. Bury (Cambridge, MA: Harvard University Press, 1952).
  6. There is an important range of texts which deal with both the question of the way the other as a concept within Greek thought is related as much to questions of simple alterity as it is to the identification of the other as the ‘enemy’. To this end see, among a range of important texts: Edith Hall, *Inventing the Barbarian: Greek Self-Definition through Tragedy* (Oxford: Oxford University Press, 1989), Henri Joly, *Études Platoniciennes: La Question des étrangers* (Paris: Vrin, 1992) and Julius Jüthner *Hellenen und Barbaren* (Leipzig, 1923).
  7. This particular fragment is discussed in greater detail in Chapter 7.
  8. For love as the double effacing of the Jew within the Christian Bible see *Romans XIII: 10*.
  9. It is true that Pascal in fragment 391 argues that far from being ‘exterminated’ (*exterminés*) the Jews should be ‘conserved’ (*conservés*) precisely because they functioned as ‘prophets’. Nonetheless, what remains unexamined is the type of Jew that should be preserved. The ambivalence within the creation of the figure of the Jew will always allow for the identification of the ‘evil’ with the enemy.
  10. This position can be extended. Nature also figures as that which provides historicism with its point of departure. Historicism is chronology where the latter is taken to be historical time’s natural presence. The critique of historicism will necessitate the ‘denaturing’ of time. I have argued for this position in relation to the work of Walter Benjamin in my *Style and Time: Essays of the Politics of Appearance* (Evanston, IL: Northwestern University Press, 2006).
  11. Again this has been a theme that I have deployed throughout my writings on the figure of the Jew. (For a number of the references see the works mentioned in note 2 above.) The logic refers to the allegorical figure of the ‘Old Testament’ (thus the Jew). The synagogue is either a statue or a painting of a woman whose banded eyes do not allow her to see the truth that she carries. The truth involves repositioning the ‘Old Testament’ as containing prophecies that have been realised by the coming of Christ and documented in the ‘New Testament’. The Jew has to remain in this precise occurrence. The work of this logic is central to the operative presence of the figure of the Jew. The logic’s detail is developed in Chapters 5, 7 and 8. While it is not named as such the operation of a similar logic is traced in detail by Joseph Cohen in his analysis of Hegel’s early writings on Christianity. See his *Le Spectre juif de Hegel* (Paris: Éditions Galilée, 2005), in particular pp. 49–83.
  12. In this regard see my ‘Perception, Judgment and Individuation: Towards a Metaphysics of Particularity’, *International Journal of Philosophical*

*Studies*, vol. 15, no. 3 (2007), pp. 481–501, and ‘A Precursor – Limiting the Future, Affirming Particularity’, in Ewa Ziareck (ed.), *A Future for the Humanities: Critique, Heterogeneity, Invention* (New York: Fordham University Press, 2008).

13. In order to engage with the necessary presence of animals in their plurality Derrida invents the term ‘animot’. See Jacques Derrida, *L’animal que donc je suis* (Paris: Éditions Galilée, 2006).
14. Martin Heidegger, *The Fundamental Concepts of Metaphysics*, trans. William McNeil and Nicholas Walker (Bloomington, IN: Indiana University Press, 1995) (*Die Grundbegriffe der Metaphysik. Welt-EndlichkeitEinsamkeit*, Frankfurt: Klostermann, 2004). Henceforth page reference to this work will be to the English and then the German editions, here p. 211/308.
15. The text of Kojève’s that will be the focus of study will be the treatment of Hegel on death in his *L’introduction à la lecture de Hegel* (Paris: Gallimard, 1947).
16. Agamben’s text is *Homo Sacer: Sovereign Power and Bare Life*, trans. Daniel Heller-Roazen (Stanford, CA: Stanford University Press, 1998).
17. To this end see Ernst Cassier’s discussion of Cusanus on the face in the former’s *The Individual and the Cosmos in Renaissance Philosophy*, trans. Mario Domandi (Mineola, NY: Dover, 2000), pp. 31–2.
18. The central text in this regard is Joseph Lee Koerner, *The Moment of Self-Portraiture in German Renaissance Art* (Chicago: University of Chicago Press, 1993). The central aspect of Koerner’s texts concerning the Dürer ‘self-portrait’ will be taken up in Chapter 8.
19. The expression ‘human being’ is used deliberately. The question to which it gives rise is: how is the being proper to the human – human being – to be understood? Underpinning the project therefore is the attempt to address this question. Hence there is a straightforward ontological concern. However, rather than arguing that the response to that question is already internal to human being the animal provides another point of departure. For both Kant and Heidegger, among others, the response to the question of human being is defined in terms of what can be described as the interiority of an anthropocentric conception of human being. In the case of Kant it is the operation of ‘consciousness’. For Heidegger it is the definition of Dasein as the one for whom the question of Being is a question. Heidegger is clear on this point:

Dasein is an entity which does not just occur among other entities. Rather it is ontically distinguished by the fact that, in its very Being, that Being is an issue for it. (Martin Heidegger, *Being and Time*, Oxford: Basil Blackwell, 1978; *Sein und Zeit*, Tübingen: Max Niemyer Verlag, 1979 32/12)

What this means is that human being is defined internally. Allowing both the animal and human animality a central position within attempts to think the specificity of human being will give rise to a definition of human being that takes relationality as primary. Thus human being has exteriority as fundamental to it. As such any development of that position will necessitate

the primacy of a relational ontology in lieu of either the Kantian or the Heideggerian ontological projects.

20. This is the possibility that the animal holds open. The necessity of its presence – a presence that works within the constraint given by the logic of sacrifice – cannot preclude the possibility that the animal may either escape or eschew that reduction. As such the animal's insistent presence could be a prompt for thought. However, responding to that prompt could not take place within the very structure that sought to exclude both the animal as well as a recalcitrant animality: an exclusion in which both are included in order to be sacrificed. Here is a direct affinity with Derrida's work on the animal. See in this regard his *L'animal que donc je suis* (Paris: Éditions Galilée, 2006). Derrida's concern with the animal pre-dates this particular work. A key work in this area is *De l'esprit: Heidegger et la question* (Paris: Éditions Galilée, 1987), in particular pp. 75–89. While the letter of Derrida's own analyses has not always been followed in this project the overall prompt, as has already been indicated, resides in the question of what would happen to the philosophical were it to admit the animal. Admitting and thus allowing the animal would not involve an act of extension but rather a transformation of the philosophical itself. That transformation would be occasioned by allowing into the philosophical an element whose exclusion was often taken to be foundational.



# Part I



# Living and Being: Descartes' 'Animal Spirits' and Heidegger's Dog

Within the history of philosophy the appearance of the animal does not occur by chance. Hence, as has been intimated in the opening chapter, what matters is not the animal's appearance as though appearances simply occur. The contrary is the case. Centrality needs to be given to the concept and categories that regulate that appearance and which are thus already at work in the animal's figured presence. What is of continual concern therefore is the appearance of the animal within a juxtaposition within which that positioning is assumed to be productive. The animal is for the most part juxtaposed with what is taken to be proper to human being. What is produced as a result, or at least this is the intention, is the properly human. The result of the juxtaposition therefore is that the propriety of human being can only arise in its differentiation from the animal. As will emerge this differentiation involves an already given relation between the animal and the body (the latter as the site where there is an already present meld between human and non-human animals). The body is the continual register of human animality.

The attempted act of differentiation between that which pertains to human propriety and the body (incorporating human animality) is not unique to any one philosophical position. At work within it are a series of organising moves that produce both the properly human and the figure of the animal. The reciprocity is clear. While philosophical positions may often differ significantly in relation to each other, there are at times important moments of intersection concerning the way both the animal and the body figure within them. In order, therefore, to prepare the way for Heidegger's staged encounter with a specific animal – the dog in §50 of his *Basic Concepts of Metaphysics* – a connection will be drawn with one of Descartes' attempts to plot the relationship between human being and the animal. While Descartes has a radically different sense of what counts as human being – for Descartes human being is explicable in terms of a 'res cogitans' (a 'thinking thing'), a position

taken up and analysed by Heidegger – what is of interest in Descartes' formulation is the way in which the animal and the human are juxtaposed in terms of a relationship between 'thinking' (for Descartes this is existing) on one side and both 'life' and 'feeling' on the other.<sup>1</sup> The link between Heidegger and Descartes concerns how the distinction between existence and life, which is itself present as a posited distinction, is operative in what are otherwise two importantly distinct philosophical positions.

### Descartes

Throughout his correspondence Descartes mentions that he had been working on a 'Treatise on Animals'. This occurs, for example, twice in 1645 in a letter to Princess Elizabeth and once in a letter to the Marquis of Newcastle (October 1645). While the treatise was not published it is clear that the question of the animal preoccupied Descartes. While there are numerous references to, if not discussions of, animals throughout Descartes, corpus, the contention to be made here is that it is in his letter to More, written on 5 February 1649, that the philosophical distinction underpinning the difference between humans and animals is given one of its most acute philosophical formulations. The introduction of the animal, however, is not to be understood in terms of the addition of an optional and therefore extraneous element within the overall argumentation. The animal is introduced at what might be described as a pivotal moment within the general argumentation of the Letter. That moment concerns what is initially present as the relationship between the infinite and the finite. The point to be noted is that the relation between them cannot be separated effectively from the *without relation* that divides human and non-human animals. The direct consequence of this original interconnection is that the development of the figure of the animal, as a consequence, cannot be disassociated from the question of particularity insofar as a form of particularity is already present within the terms set by the *without relation*. Particularity and finitude – in the version of their presence constructed by the *without relation* – are given an original complementarity. In sum, what this means is that ostensibly metaphysical concerns and those that relate to the animal's figured presence do not comprise two separate positions. Indeed, rather than being separate they are interarticulated from the start. This is the position that will come to be developed by concentrating on a number of fundamental moments within the Letter to More.

The problem of the relationship between the finite and the infinite (a

relationship in which the question of the animal is already present) occurs within the reiteration of Descartes' attempt within the Letter, though it is an attempt that is commensurate with his overall philosophical project to formulate the relationship between the particular physical object and physical substance itself. In regard to the latter the position is presented in the following terms – note that within it the animal appears. After arguing that 'extension' is that which is essential to the body he continues:

. . . as one does not define man as a laughing animal (animal risible), but rational (rationale) one must also not define the body by its impenetrability but by extension. Even more so the faculty of touch and impenetrability have a relation to part and presuppose in our mind the idea of a divided body and a body with terminations. In its place we can strongly conceive a continuous body (*corpus continuum*) of indeterminate or indefinite size, in which only extension is considered.<sup>2</sup>

Opposed then to the definition of 'man' in terms of the rational is human animality. The latter position is identified in the Letter in the formulation, 'man as a laughing animal'. What is at stake here is not mere corporeality but the evocation and then subsequent dismissal of the possibility of human animality as in any sense essential to human being. And yet this is the position that will be called into question by Descartes' introduction of 'animal spirits' (a questioning occurring within the formulation of Descartes' own position<sup>3</sup>). Nonetheless, at this stage in the development of the overall argument, just as there cannot be a move from 'laughing animal' to rational being, there cannot be one from a finite bodily presence to extension. If the relationship between rationality and animality is refracted through the distinction between the divided body, the body that can be touched on one side, and the '*corpus continuum*' on the other, then the former is the site of the animal and human animality. Human animality, even though in the end human animality and the animality of animals will be marked by forms of confluence rather than genuine difference, still stands as radically distinct from what Descartes designates as '*substantia sensibilis*'. The force of this distinction means that finitude is as much particularity as it is animality. Finitude will always pertain both to a specific body occupying an identifiable time and place as well as to that body's animal presence (where that body can be defined in those terms). Animal being is of necessity determinate and as such can be touched. The state of being always determined, and therefore because in existing in parts it is able to be touched, means that once these parts are taken as comprising a whole – a whole comprised of finite parts – then animal being (animality) will only ever exist in its radical differentiation from the infinite.

Animal being is finitude. Once finitude is explicable in terms of a body composed of parts, what this then opens up is the possibility of an affinity with a type of Aristotelianism in that each part could then be defined as having its own telos.<sup>4</sup> To allow for that possibility is of course to allow for science. However, to introduce the soul as that which defines the human in its differentiation from the body sanctions both a functional biological conception of human being while still locating that which is essential to human being as existing independently of bodily concerns. (As will be noted, however, once the human is taken as the locus of both the body and the soul then the problem of separation – or rather the assumption of separation – has to encounter the necessity for a form of connection.) The soul's necessity, in its differentiation from the body, lends itself to a redescription in terms of that which accounts for the continual elimination of the threat of the animal. The soul has a twofold presence. In the first instance it enacts the *without relation*. In the second it is integral to the construction of the figure of the animal. The animal is without a soul. The animal is finitude. Animals die.

As such it is important that it is not just the soul that is counter to the body but equally that the body as the locus of the finite is counterposed to the infinite. However, this is no mere counterposition. In order that the infinite be other, there must be an irreducible relation in regard to finitude. The infinite must as a consequence be ontologically distinct. A failure to grasp that distinction means for Descartes to have succumbed to what he describes in the Letter as 'prejudice' (*praejudicio*). The problem of holding the finite apart from the infinite – an instance, as has been indicated, of the *without relation* – is presented with the Letter in terms of the necessity to overcome 'prejudice'. (Prejudice, which can be taken as analogically related to the body as the locus of deception and error stands opposed to method.) At this point in the argumentation of the Letter the animal is introduced directly. Descartes continues by claiming that

the greatest of all the prejudices that we have taken from our childhood is that beasts think [*bruta animantia cogitare*].<sup>5</sup>

To the extent that another conception of the philosophical defines Descartes, project, a conception putatively freed from 'prejudice', Cartesianism can as a consequence be described, *inter alia*, as the overcoming of prejudice.<sup>6</sup> More emphatically, though the argument is yet to be adumbrated fully, it involves doing without animals. This point can, of course, be expanded such that doing without animals and doing without the body coincide. It will, however, be precisely this coincidence

that will be troubled by Descartes' introduction of 'animal spirits' as having genuine philosophical necessity within his overall system as these 'spirits' account for that which is operational within the body as a totality. The necessity of 'animal spirits' will show that the *without relation* is in fact an after-effect. As such the *without relation* forms part of the effacing or interrupting of a founding form of relationality. The interruption in question is the elimination of that which had already been judged to be the case, hence the positioning of prejudice as pre-judgement. The overcoming of prejudice will always need to be made precise. The prejudice has to be identified and then overcome. To the extent that prejudice is identified what will then be occasioned is a concomitant necessity for a form of forgetting.

Accompanying the overall process is the related need for the elimination of the retained presence – retained through and as memory – of the process itself. In sum, what has to be forgotten – and here the forgetting has a foundational exigency – is the possibility of an identification of the animal with that which thinks and thus the identification of animal activity with thought.<sup>7</sup> That the identification of the animal with thought – the animal present as a 'thinking thing' – might have been possible would have resulted in the identification of philosophy with prejudice and the essentially human as not being able to be differentiated from animal life. Human being and animal life would then have overlapped. As a result the animal has to be excised and forgotten, a doubled forgetting in which the animal both as content though equally as a presence is forced from view. This double forgetting is necessary if 'prejudice' is to be overcome and the other identifications noted above are to ensue. Again, the overcoming of prejudice and thus the emergence of a form of thought that was no longer subject to it, an activity in which 'thought' and philosophy would be taken to coincide, is one of the most significant ways in which the *without relation* structures the argument concerning the relationship between the human and its others. Part of the fragility of Descartes, position hinges, of course, on the possibility that the necessity for forgetting may bring the animal (and animality) with it as a continual reminder. Were this to occur the animal would have returned.

Within the Letter Descartes distinguishes between humans and 'beasts' and allows what he terms 'signification' to mark the essential difference between them.<sup>8</sup> This move needs to be understood as reiterating the position in which the absence and presence of logos becomes the defining moment of separation. After staging the distinction in these terms Descartes then moves on to identify other grounds for holding the two categories apart. What is essential to that project is the precise identification of the place of activity. In this regard he notes that within

the argument as a whole the defining locus of activity is ‘thought’. What matters here is the way this position is formulated. Descartes writes:

It should be noted that I speak here of thought and not of life or feeling [*me loqui de cogitatione, non de vita vel sensu*].<sup>9</sup>

What is enacted within these lines is the distancing of ‘life’ (*vita*) and ‘sentiment’ (*sensu*) from the locus of ‘thought’. This has the effect of staging an emphatic separation of ‘thought’ on the one hand and experience on the other. (Experience has an important relation to both ‘sensu’ and to ‘aisthesis’, both of which in Descartes’ formulations have a relation to finitude and thus need to be held apart from the operation of thought and thought’s relation to the infinite.) Reason and life are as a result distinguished philosophically. The separation gives rise to at least two questions. In the first instance the question concerns the relationship between ‘thought’ and ‘life’. The second concerns the nature of ‘thought’ when it is divested of ‘life’. And yet responses that can be given to these questions are not the central issue here. What is actually significant is that they can be posed as questions.

What both questions suggest is not just that life is the province of the body – after all the answer to the second question is the radical division between mind and body at work in the *Second Meditation* – but that life is equally the domain of the animal. The temptation is to posit a simple equation between the biological and the animal, as though bodies were no more than sites of animality. Such an equation is complicated, however, by the necessity to return to the question of how the relation between the infinite and finitude is to be understood. In the end such a relation opens up into a claim about nature in which nature itself is rational and is thus a claim underpinning the possibility of scientific investigation. Nonetheless, responding to the questions posed above necessitates paying attention in the first instance to the separation of thought and life and in the second to the initial identification of life with the domain of animals, as though it is only the animal that lives. What arises with Descartes, and then endures as the remnant of that specific mode of philosophical activity, is the necessity of having to think the uniquely human in terms of a fundamental division between that which defines the propriety of human being, here thought and life. Moreover, working within the Cartesian framework the only way in which such a thinking can be staged is within the space opened up by the differentiation between life on the one hand and the locus of human being on the other.

Nonetheless, the position in question is not as straightforward as it

seems initially. There is a response to the way that the Cartesian formulation of the *without relation* takes place. To reiterate what has already been noted: within the Letter, and again consistent with the overall philosophical project, is a separation of thought and life and thus the separation of the essentially human from animal life. (Life for Descartes is animal life.) Moreover, it is a separation that needs to be reinforced by the overcoming through forgetting of founding forms of prejudice. The *without relation* contains therefore two distinct though interrelated realms. And yet both are present in human beings insofar as not only do humans have bodies. As important within the framework of Descartes, philosophical project is the necessity that there be a science of the body. In addition, it would be a science that will have the same methodological structure as the one that incorporates the centrality of clear and distinct ideas and therefore it is a structure that will generate the same certainties as those that are proper to thought itself.<sup>10</sup> On the level of thought the distinction between the body and the soul is both announced and then absorbed (absorbed into what will become scientific method). That this division occurs within the human means that the point of separation has to be located in the same domain. At this point the complication emerges since not only must the human be the locus of the separation between the body and the soul, it also needs to be the place in which there are modes of connection. The positioning of the soul must be sustained. The body must be animated. The presence of these two demands will have the effect of beginning to question the extent to which the distinction between 'life' and 'thought' can in fact be retained beyond the hold of an incipient porosity, a porosity in which the latter would have caused the distinction to come undone, a porosity, moreover, that would have the effect of turning the *without relation* into a state of affairs that could only have been introduced as an after-effect. Its introduction would result in refusing, through the simple act of positing, an already present form of relationality.

What is described here as an 'undoing' would be the result of the way the distinction between the soul and the body, or thought and life, came to be established. This is a possibility that would be there once the detail of the presentation of the body, not simply as that which is given in opposition to the soul, is taken as central but where the body remains the point of departure. (The body is not simply an element within the opposition soul/body but is a locus of activity.) The activity of the body is the body's presence as machine. Indeed, it is the machinic nature of the body that will complicate the overall argument and with it the apparent ease with which prejudice is taken to have been overcome. The complication arises due to what Descartes underlines as fundamental both

to the working of the body and the body's relation to the soul, namely 'animal spirits'.

In *The Principles of Philosophy*, Descartes makes the important claim that:

I do not recognize any difference between machines made by artisans and the diverse bodies composed by nature on its own.<sup>11</sup>

The value of this formulation is that the relationship between the machine and the body is not to be understood in terms of a simple analogy. Descartes sees them as the same. Moreover, it is that very sameness that allows as much for a mechanics as it does a science of the body. Were there to be intimations of a Cartesian materialism – and the complications that such a materialism would then introduce – then they are located in this identification of machine and body.

Descartes pursues the question of the body throughout his writings. In the *Treatise on Man*, for example, he is able to suppose that the body 'is nothing other than a statue or a machine made of earth'.<sup>12</sup> Much later in *The Passions of the Soul*, while distinguishing between the body and the soul and in accounting for the death of the body and thus the challenge that death poses for the distinction between the soul and the body, he is able to write of the body that

death never occurs through the absence of the soul, but only because one of the principle parts of the body decays. And let us recognize that the difference between the body of a living man and that of a dead man is just like the difference between, one the one hand a watch or other automaton (that is a self moving machine) when it is wound up and contains in itself the corporeal principle of the movements for which it is deigned, together with everything else required or its operation; and, on the other hand the same watch or machine when it is broken and the principle of its movement ceases to be active.<sup>13</sup>

For Descartes two elements have to be noted. The first is that the body is always given in opposition to the soul. However, secondly, at work within the body – indeed central to the work of the body – are what he describes as 'animal spirits' ('les esprits animaux' – in Latin 'spiritus animales'). Prior to any attempt to take up the details of these 'spirits' it is vital to note that they are named in relation to the animal. While on one level this is to do no more than note the obvious, it remains the case that animality or a concern with the animal opens beyond the simple identification of animality with the 'beast' (and as a result introduces a tension were the animal to be equated purely with the beast). As such, animality becomes at the same time the name of a dynamic system. Moreover, it

is a system that is central to Descartes' conception of the body's role in the possibility of knowledge. 'Animal spirits' are integral both to any account of how knowledge of the external world comes about as well as to the causation of bodily movement.

In the First Part of *The Passions of the Soul* Descartes is concerned to define the particularity of the 'spirits'. He notes that they are 'merely bodies' and that they are 'small' and 'move very quickly'.<sup>14</sup> Their location and the quality of their presence can be understood in terms of the flickering elements within the flame. After making these points Descartes then adds that not only is all movement continually functional, it is also the case that 'they never stop in any place'.<sup>15</sup> The significance of defining these spirits in terms of the continuity of movement is that the only way of locating them is as always operative within a system. As a consequence they cannot be located within a conception of place that would be necessitated by the methodological imperatives associated with 'clear and distinct perception'. In other words, they cannot be represented in both their singularity and exclusivity by a sign. The continuity of movement underscores not just their presence within and as integral to the operation of a dynamic system, in addition they have a form of presence that cannot be defined straightforwardly within the terms given by a Cartesian epistemology. To the extent therefore that they are defined by the continuity of the dynamic, they can be described as having an immaterial presence within a material system. This definition will become significant.

As is evident from the passage cited above from *The Passions of the Soul* which provides an account of the body's death, what could be called the Cartesian 'body machine' is characterised both in its life and that life's cessation by the operation of an internal system of movement. Accounting for that movement necessitates recourse to elements other than the moving elements themselves. Nonetheless, the elements, those that have already been identified as 'animal spirits', do not have, within Descartes' formulation, a status that distinguishes them from the operation of the body itself. Standing in contradistinction to both body and 'animal spirits' is, of course, the soul. And yet the soul depends upon the operative quality of 'animal spirits' for its connection to the world. 'Animal spirits' have a central and indispensable function within Descartes' philosophical system.

What then of this machine? And thus what type of possible materialism is at work in Descartes? (The second question is the one demanded by the identification of the body with the machine. Machines are material by nature.) The question pertains as much to the specific quality of the machine as it does to the possibility of its being represented. Descartes,

development of an optics – a development resulting in 1632 in his work *The Optics* – contains illustrations in which not only are the anatomical details of the eye provided but, the process of vision is represented. In *The Passions of the Soul* the movement between the eye and the brain as well as any understanding of the nature of the images involves a description in which the operation of these ‘spirits’ is of fundamental importance. These animating principles have different strengths and operate in different ways. In the illustrations from *The Optics* it is clear that their differing fields of activity can be assumed to have been marked out by the drawing of lines. These lines which, while not movement itself, trace the introduction of light into the eye and, in addition, the transformation of the external source into an internal image.

The drawn line is the external world being drawn in. Effecting this movement are the ‘animal spirits’. Their activity could always have been noted – a notation understood as a form of representation – by the addition of arrows indicating movement.<sup>16</sup> The presence of the soul cannot be drawn. There cannot be a line from the external world to the internal leading to the soul. Descartes, retention of the pineal gland as the point where the body and the soul connect was illustrated. The gland became a point at which the process of representation encountered its negative moment – namely the presence of that which cannot be represented. The space opened up by the presence of the gland – the space of the soul – is refused presence because the line of representation cannot be drawn into it. Here the presentation of the body as machine is vitally important.

The question of the machine in Descartes and thus the presence of a Cartesian materialism both involve working through the relationship between representation, temporal simultaneity and the effective presence of the ‘animal spirits’. The significance of the latter is that they open up the space in which there is a move away from a simple mechanics occurring as the result of the incorporation of an immateriality that plays a determining role within a mechanical universe. It also indicates the way that materialism can depend upon the retention of a form of immateriality to account for its operation. The problem that a Cartesian materialism and, reciprocally, the initially clear distinction between the soul and the body will always have is not found in the presence of these ‘spirits’ nor, moreover, in the retention of immateriality. Rather, what problems there are, as will be noted, can be found in a description of the line, and thus a drawing of a line, which cannot incorporate both the distinction and the fundamental interconnection between the material and the immaterial. The presence of this limit works to complicate the way the body and the soul (thus thought and life) are able to be distinguished.

In Descartes' *The Optics* the drawing of lines is given a specific site. They are drawn in and through the eye. While an optics is constrained to include the drawn presentation of the eye and its field of operation, the representations of vision figure within the simultaneity demanded firstly by the temporality of representation and secondly by Descartes' conception of the singularity of the object of 'clear and distinct perception' (the singular nature of the Cartesian 'idea'<sup>17</sup>). While this form of perception needs to be distinguished from the object of physical seeing – mere sight – both are connected in that both demand the original simplicity of the object. The process of clear and distinct perception is the movement of individuation in which complexity is effaced in order that the original unity of the object be discovered.<sup>18</sup> The coextensivity between the idea and that of which the idea is the idea is not only the expression of a foundational relationship defined by temporal simultaneity thereby positioning time as that which determined representation, what is assumed within the operation is that the unity of the object – here the idea – is an actual unity, present as simplicity itself.

Here it is essential to return to the formulation of the body given in *The Passions of the Soul*. The analogy of the body with the watch needs to be incorporated into the implicit mode of seeing that this formulation demands.<sup>19</sup> The watch contains the source of its own movement. The winding of the watch introduces an energy which dissipates over time and when gone the watch ceases to work. The watch can be observed running and thus running down. Its activity – and here activity must be understood as that which defines what the watch is – not only involves the interrelationship of the constitutive elements, it is also the case that each part is defined in terms of a relationship of interconnection. Moreover, the watch as a totality of interrelated parts defines each part as a simple element of the whole. In addition, all the elements are at work at once. In principle, therefore, all the elements – the parts – of their relationship, which is the activity of the watch, are given and present at one and the same time. The time in which they are given is the temporality of the instant. Given to the eye they combine as an assemblage the representation of which involves the drawing of lines that would interconnect and in so doing would represent the relation of simple parts. From watch to automaton and then to body the differences between them elide when what is demanded is their representation. And yet responding to that demand, the demand for representation noting both its epistemological as well as its methodological implications, cannot then capture that which is fundamental to the operation of the machine itself, namely 'animal spirits'. All three have a bodily principle of movement. Nonetheless, what occasions movement, the body's animating

process, cannot be represented. The consequence is that Cartesian materialism – a materialism that underlies the actuality of a Cartesian science – opens up a series of possibilities that it has, in the end, to deny. Not because of the introduction of the soul but because of a philosophical inability to think as different that which is present – the operation of parts – and that which, while not present as such, determines the nature of presence, i.e. ‘animal spirits’. In Cartesian mechanics there is no space between the body and the soul for a productive immateriality (‘animal spirits’ as an immaterial force). The sign of that refusal is the interplay of simplicity, time and representation. It is the absence of the immaterial that effaces the material. The machine is no more therefore than an already delineated field of activity. It is a field of description.

Within the system therefore there is an immaterial force that cannot be accounted for in representational terms since to do so would be both to remember animality and in so doing recall a founding form of relationality (a relation understood as negotiation rather than one positioned by the *without relation*). There cannot be a sign or series of signs that could be taken to signify ‘animal spirits’ precisely because they are not defined in terms of location but in terms of movement. What this then means is what the system needed to work without, namely the body, thus animality – what was taken to be the founding *without relation* – returns. Its return, however, is not in terms of bodily presence per se – the literal body – but in terms of an immaterial force that will resist any straightforward incorporation into the opposition between the body and the soul. And this is because, as has already been suggested, the body is not simply the body; rather – and as the identification of body and machine indicated – it is also a dynamic process.

While it can be argued that the presence of ‘animal spirits’ establishes a point of impossibility within the Cartesian system what is more significant is that the presence of this point indicates that the founding distinction between the soul and the body or thought and life was an effect of an initial relation or threat of relation that once noted had to be overcome. The *without relation* and thus the figure of the animal within the Cartesian system is an effect of the denial or refusal of an already present relation. Rather than deny the presence of an ‘original’ distinction between life and thought that positions the animal and the body, tracing the work of ‘animal spirits’ has allowed for the identification of that distinction as a posited after-effect. Allowing it to take on the quality of an ‘original’ state of affairs is integral to tracing the construction of the figure of the animal within Descartes’ writings. Responding to Descartes, does not concern therefore a too easily construed overcoming of Cartesianism. Rather, what needs to occur is the

recognition of the figure as the figure. What endures with Descartes is therefore a relation of *without relation* between thought and life – more exactly between a specific thinking of being human and the domain of the animal – in which the distinction while taken to be founding – and thus held to be original – is in fact an after-effect of the elimination of the always already present form of relationality provided by the effective presence of ‘animal spirits’. It is precisely this formulation that opens the way towards Heidegger.

### Heidegger’s Dog

For Heidegger one of the most significant aspects of Nietzsche’s thought is to be found in the latter’s identification, in the first instance, of the limit of the metaphysical conception of ‘man’, and then, secondly, in Nietzsche’s having established the need to overcome or go beyond that specific determination of human being. While the end result may have involved, from Heidegger’s perspective, a retention on the part of Nietzsche of a metaphysical conception of human being, what endures as significant is Nietzsche’s sense that the possibility of a future and thus of the ‘superman’ depends on the identification of an end point.<sup>20</sup> The limit is present therefore as that which will allow for another beginning. In the context of this engagement with the figure of the animal and as part of the process of identifying that which circumscribes the metaphysical conception of human being, Heidegger introduces the example of the dog. The dog is contrasted with a position which is itself limited. In regard to the identification of the human, the essentially human with ‘reason’, an identification that amounts to a fundamentally ‘metaphysical’ conception of human being, Heidegger adds that in such a context

it might be said that Man (*homo*) is a rational animal: Man is the animal that represents, imagines and performs [*das Mensch vor-stellende Tier*]. The mere animal, a dog for example, can neither position itself, nor conceive of itself before something [*stellet nie etwas vor, er kann nie etwas vor-sich-stellen*] for this end it must, the animal must, perceive itself [*sich vernehmen*]. It cannot say ‘T’, above all it cannot say anything.<sup>21</sup>

While that which is essential to human being would overcome the limits of the metaphysics of the will, it remains the case that the animal (though it is the animal named ‘dog’, ‘dog’ as perhaps the example standing for all animals) is limited even in relation to that positioning, a position that is reinforced by the dog’s inability to say ‘anything’. It cannot position itself, it cannot perceive itself. The animal is no more than its life. Even

though it may have a relation to its own death in terms of a continual flight or attempted evasion of that possibility, the animal is defined by the continuity of its own life. The effect of such a definition is that what the animal cannot take on is a conception of its ownmost being as given by a relation to death. If the animal cannot conceive of itself then it cannot anticipate its death as an always yet to be realised possibility. The animal therefore will be necessarily distanced from the realm in which a relation to Being can be authentic. Hence when Heidegger writes in *Being and Time* that 'Dasein . . . can end without authentically dying', one way of interpreting what Heidegger is suggesting is that what dies, 'perishes', is Dasein's animal life.<sup>22</sup> In order for Dasein to be defined in terms of its 'being towards death' it cannot perish as an animal (though clearly Dasein's animal life will always come to an end). Death and 'perishing', precisely because they are the end of life and thus form a continuity with a philosophical position that incorporates the centrality of life, will always be presented in relation to the animal. Animals die. However, Heidegger refers not just to animals but to dogs. This occurs, as has been noted, in *What Is Called Thinking?* and equally it occurs in *The Fundamental Concepts of Metaphysics*.<sup>23</sup> Rather, therefore, than concentrate on the animal per se, the presence of the dog, even if that presence is defined in terms of an 'example', will open up the figure of the animal within these texts by Heidegger. What remains of central concern is the identification of the animal with life on the one hand as opposed to that which is proper to human being on the other. (Within that distinction Descartes' own identification of the properly human with 'thought' and thus the effacing of a founding sense of relationality both endure as an echo.)

Instead of beginning either with a supposition or a hypothesis a start will be made with a series of questions, questions working with and through each other. The dog is not being adduced as though noting its presence comprises no more than a gratuitous addition. On the contrary, the dog is already there. As a named presence it already figures in the text. It can thus be asked as a consequence of that presence: what would Heidegger have called his dog? How would he have called his dog? If, and the supposition needs to be maintained if only for a moment, Heidegger had had a dog, how would they have been together? After having called it, and after the dog responded, a response determined by action such that in bounding up the dog – at least for any observer – would have been described as being with Heidegger, if only insofar as they were together, what then would they have been called? Was there anything shared beyond the simple observation that they were together – man and dog? As will emerge it is the possibility of the shared that will arise as a central concern.

While these questions may occasion simple conjectures, or speculations as to a possible state of affairs, perhaps a relationship of sorts, precisely because the questions are not intended to be biographical in orientation, they will be taken as coalescing around §50 of the *The Fundamental Concepts of Metaphysics*. The significance of this section lies in the way the distinction between Dasein and animal is advanced. That there is a distinction – perhaps a grounding difference – between the human and the non-human goes without saying. The philosophical question, however, concerns how that distinction is thought. (Given that there cannot be simple difference – or difference in itself – what then matters is what difference means or entails in such a context. How has that difference been thought?) While the dog is central – introduced under the heading of the ‘domestic animal’, though to use the language of *What Is Called Thinking?* it also functions as an example of a ‘mere animal’ – the dog would always need to be positioned in relation to philosophy’s traditional relation to the animal. That relation and thus the construction of the figure, as has already been suggested, is structured such that the being of being human is defined in its relation to, and thus in its differentiation from, the animal (though with the animal a certain conception of the body – the body as embodied being – will also be brought into play). While philosophy, traditionally, is not concerned with animals, what matters in the case of Heidegger, though this is also true, albeit in different ways for all the philosophers treated in the project, is firstly how that non-relation is presented, and secondly what role it plays within a given mode of philosophical argumentation. The limits of Descartes, and as shall be suggested Heidegger (insofar as the position of *The Fundamental Concepts of Metaphysics* is taken as central), is that their respective philosophical projects depend upon identifying animals with life and excluding life from that which defines the propriety of human being,<sup>24</sup> an exclusion which, as has been intimated, is premised on the effacing of a founding relation.

What follows from this exclusion is that to the extent that a concern with the properly human orientates philosophy, the latter then takes place *without relation* to the animal. Reciprocally, it also follows that the possibility of an already present relation to the animal is itself systematically refused, a refusal, however, that will be predicated upon having acknowledged the presence of such a relation. An instance in which animal life is both noted then overcome has already emerged in Descartes. As has already been suggested an original relation to the animal was affirmed in the central role of ‘animal spirits’. And yet this was accompanied by the absence of that specific philosophical mode of thinking that would have been demanded by their presence (i.e. thinking

the continual interrelation between the material and the immaterial as well as an already present and thus insistent relationality). The limits of Descartes – even though those limits will have a necessary philosophical ubiquity – continue to pose the question of what would happen to philosophy were it to introduce and sustain an affirmative relation to animal life. How would such a concern be thought? (The implicit premise here is that the limit of any philosophical position can be identified in terms of its systematic inability to think that affirmative relation.)

The passage from §50 of Heidegger's *The Fundamental Concepts of Metaphysics* with which a start can be made occurs after his having posited a relation to the plant and the animal. Of that relation Heidegger asks what is entailed by 'our' already present 'comportment' towards both the animal and the plant. 'Our' is a central term.<sup>25</sup> It already notes the possibility of the shared and therefore of a sense of commonality. As a term therefore 'our' already identified both the contents as well as the domain in which it will be possible both to pose and to respond to the question of who 'we' are. The locus of this already present state of affairs, i.e. that which delimits this 'comportment', is identified by Heidegger as 'our existence as a whole' (*unserer ganzen Existenz*).<sup>26</sup> Within that setting what gets to be considered is the 'domestic animal' (*die Haustiere*). It is in relation to this animal – the dog – that Heidegger writes:

We keep domestic pets in the house with us, they '*live*' with us ['*leben mit uns*']. But we do not live with them if living means being in an animal kind of way [*Sein in der Weise des Tiers*]. Yet we *are with* them [*sind wir mit*] nonetheless. But this 'being-with' [*Mitsein*] is not an 'existing-with' [*Mitexistieren*] because a dog does not exist but merely lives [*ein Hund nicht existiert, sonder nur lebt*]. Through this 'being-with' animals we enable them to move in our world [*in unserer Welt*]. We say that the dog is lying under the table or is running up the stairs and so on. Yet when we consider the dog itself – does it comport itself towards the table as table, towards the stairs as stairs? All the same, it does go up the stairs with us. It feeds with us – no we do not feed. It eats with us – it does not eat. Nevertheless, it is with us! A going along with . . . , a transposedness and yet not.<sup>27</sup>

Two points in advance. The first is that it should be added straight away that the final formulation of the 'and yet not' (*und doch nicht*) leads to a relation of having and not having and thus, for Heidegger, to the form of 'poverty' that defines the animal's relation to the world. However, in this instance the question of the animal's apparent 'poverty' is not central. The second point that needs to be made is of greater relevance. Earlier, in §47, Heidegger has identified the 'animal's way of being' (*seine Art zu sein*) with 'what we call life' (*wir das 'leben' kennen*). If

there is a distancing of life, or even a location of life as at one remove from ‘our’ concerns, then such a positioning will have real significance. This parallels the position advanced by Heidegger in *Being and Time* in which he argues, after having linked death and life, that the latter

must be understood as a kind of Being [*eine Seinsart*] to which there belongs a Being-in-the-world. Only if this kind of Being is orientated in a privative way [*privativer Orientierung*] to Dasein can its character be fixed ontologically.<sup>28</sup> (Translation modified)

What this means is that what life (which will become animals and plants) is – *is* in the sense that it will for Heidegger have genuine ontological import – only exists in its non-relationality (albeit a relation of non-relation) to Dasein. In other words, it will only have this import in its non-relation to that which defines the being of being human. It is thus that what is of interest in the passage from *The Fundamental Concepts of Metaphysics* is the distinction between ‘being-with’ and ‘existing-with’.

What is at work within that distinction is an attempt to identify a relation. Again, it is not a mere relation, but one which in allowing for a form of difference between human and animal – a difference subordinated to a relation to ‘world’ – allows the essential quality (*Wesen*) of each to emerge. As such, therefore, there is an inessential ‘being-with’ as opposed to a conception that is necessarily bound up with the essential. To that extent therefore this latter form of ‘being-with’ is accidental. ‘Existing-with’ as used in this passage needs the setting of what was identified earlier as ‘our existence as a whole’. What matters is of course the nature of this ‘our’. The question is straightforward. Who are we such that that ‘we’ may be with animals but not exist with them? What, then, of Heidegger’s dog? Another way of putting this question would be to ask – when Heidegger called his dog, who called? In the end it does not matter whether or not Heidegger could have called his dog. As has been suggested this is not a biographical question but one whose concerns are strictly philosophical.

Approaching the ‘we’, allowing this ‘we’, the one ‘with’ but not ‘existing-with’ animals, to arise as a question, should not succumb to the all too rapidly posited conclusion that suggests that an answer is already present. And, moreover, such an answer would then be recognised immediately as the answer to the question of who (or what) this ‘we’ is. Indeed, the analysis of ‘boredom’ that figures within the text is in part an attempt to analyse the distance there may be from that recognition. To go further, it is possible to suggest that Heidegger’s preoccupation with the orientation provided by moods – or modes of attunement

– forms a fundamental part of such an undertaking. There is no pure immediacy and yet ‘we’ are uniquely positioned to take over what it is that is essential. While there may not be an accompanying experience of Dasein’s ‘attunement’ with the world – an attunement as opposed to the animal’s poverty – it remains the case that such a state of affairs is possible. Towards the end of the section of the text devoted to the animal Heidegger notes that during the ‘investigation’

we enjoyed the constant possibility of recalling the Dasein within us [*uns des Daseins in uns zu erinnern*] as brought to light in a fundamental attunement [*in einer Grundstimmung*]. (272)

While it may have been either forgotten (Heidegger writes of a *vergessen* of this *Grundstimmung*) or neglected, that ‘constant possibility’ has an unrelenting reality. It directs philosophical thinking. What needs to be noted is the sense of ‘recall’ that this passage identifies. Even if not realised, what endures as a possibility – and it should be noted that it is ‘constant’ (*ständige*) – is the coming to presence of that which is ‘in us’. While this distinction cannot be automatically assimilated to the details of the philosophical position that is being deployed to substantiate it, it remains the case that what endures is a distinction between Dasein and its having been given a sense of location. The location is identified as ‘in us’ (*in uns*). What has to be questioned therefore is the distinction between Dasein and its location. What is the nature of this ‘us’ in which Dasein is? Conversely, is it possible to begin to define Dasein, define it in addition to the definition it has already acquired within Heidegger’s own attempts to delimit what is essential to Dasein as that which is other than the ‘us’ in which it is? (In this context Dasein needs to be understood as the essential within human being thus as naming the being of being human.) If this is the case, then, is the ‘us’ a mere remainder, a husk without philosophical interest? Perhaps – though this is only a conjecture to which it will be necessary to return – this ‘us’ may have the singular status of a body? Were it to be thus then it would have mere factual existence. Precision is vital here. What is emerging as a possibility is that this ‘in us’, this ‘us’ in which Dasein is, may in the end be the ‘us’ with whom the dog is. Not the Dasein with whom it is not, hence not the ‘is’ of ‘existing-with’ – the dog after all does not exist – rather the ‘we’, the ‘we’ of this ‘us’, is, as it were, with the dog. The ‘us’ may be with the dog; both could live together. However, the dog cannot exist with Dasein. Dasein cannot be with the dog. Again, two questions. What of ‘us’? Who are we?

In addition to these questions there is the process of ‘recall’ (*erinnern*). How is this as a process to be understood? As an act, is it purely philosophical? Or, is it a philosophical description of a state of affairs that

need not be exclusively the province of philosophy? Or, finally, does it locate the limit of philosophy as metaphysics and as such presage the possibility of thinking? While these latter questions are forced in the precise sense that there is a necessity for them to be posed – a necessity residing in what was written, i.e. ‘we enjoyed the constant possibility of recalling the Dasein within us [*uns des Daseins in uns zu erinnern*]’ – the split demanded by the formulation is such that the problem of the subject of recall – who recalls? to whom (to what) is this recall directed? – acquires its own force.

The passage from §50 giving rise to this constant questioning of the subject contains the ground of a possible response. Note that Heidegger has claimed that, with regard to the animal, ‘being-with’ (*Mitsein*) is not an ‘existing-with’ (*Mitexistieren*). Indeed, it is possible to go further and argue that if the former is accidental – in the sense that being with animals is not integral either to the definition of the being of human being (i.e. to Dasein) and thus animals cannot play a defining role in any thinking of ‘our existence as a whole’ [*unserer ganzen Existenz*], then ‘existing-with’ – in the precise sense of *Mitexistieren* – amounts in fact to an existing without. The animal is inessential to human being hence ‘being-with’, in relation to the animal, has to be more strictly defined as existing without. This is the *without relation*. The logic is compelling. Hence the essential comes to be circumscribed by the *without relation*; in this context what this means is that Dasein necessarily exists without animals. If circumscription – understood as a space of definition – delimits the essential then what has to be maintained is this *without relation*. Of course, the *without relation* is not linked to factual existence – to the form of existence that is with animals. It is precisely this latter state of affairs that is at work in the distinctions Heidegger draws in order to locate the dog. Two examples: a distinction is drawn, in the first instance, between table and ‘table as table’ (*Tisch als Tisch*), the latter being that to which the dog cannot comport itself, and secondly, between the dog’s eating – eating as no more than the brute consumption of food – and that form of eating that falls beyond the domain of animal consumption. While the dog consumes food it does not eat with us. It eats alongside us. To eat alongside is of course not to eat ‘with’ – the ‘with’ has both a more exclusive as well as excluding register. While this latter instance – the eating that is not an eating – may appear as no more than a contradiction, it is Heidegger’s formulation. ‘Er ißt mit uns – nein, er ißt nicht.’

Animals are allowed. However, what is allowed – if allowing is understood as a space of relation – is a locus indifferent to Dasein and thus inessential to the being of being human. Animals are held within the

*without relation.* This is the space therefore in which the preposition ‘with’ is not at work, except to identify the inessential. Furthermore, it is a space in which other determining and locational terms, such as ‘alongside’, operate. What is designated therefore is a space in which the dog cannot comport itself to the ‘table as table’. The ‘table as table’ could not be shared. Human and dogs could not have the ‘table as table’ in common if commonality is bound up with comportment. Two questions arise here. The first is whether it is possible to evince a concern for animals. And secondly, there is the broader question of what it would mean to care for animals. What gives both these questions their acuity is that animals would seem to be located, by definition, outside the realm of the common or the shared. Location does not occur by chance. It has its own essential philosophical construction. This positioning needs to be developed.

As a beginning it is important to note that a similar structure of argument occurs in §26 of *Being and Time* in an extended discussion of the ‘with’ and the ‘other’ (two terms that recall automatically the question of what is to be understood by commonality and thus the shared). Towards the end of the section in an important treatment of commonality Heidegger begins by contrasting what might be described as pragmatic or instrumental ‘Being-with-another’ as a set-up that ‘thrives on mistrust’ to one that will be defined in terms of authenticity. Having advanced the original position in which he notes the link between a version of commonality and ‘mistrust’ he then goes on to argue that there is a radically different sense of ‘being-with-another’. The latter has the following description:

When they devote themselves to the same affair [Sache] in common their doing so is determined by the manner in which their Dasein, each in its own way, has become attuned. They thus become authentically bound together [*eigentliche Verbundenheit*] and this makes possible the right kind of relation to the matter of concern [*die rechte Sachlichkeit*], which frees the Other in his freedom for himself.<sup>29</sup>

The notion of commonality implicit within what is identified as that which is ‘authentically bound together’ reinforces the position advanced throughout this section of *Being and Time* concerning what counts as an ‘other’. While that concern is not the central project of section 26 the singularity of Dasein can be taken as the point of departure and thus what emerges as significant is that the encounter is neither a chance occurrence nor is the encountered undetermined. The contrary is the case. The encounter and the encountered are determined in advance. Indeed, the determinations in question provide the conditions allowing

for the possibility firstly of an encounter as such and thus secondly what counts as an ‘other’ (the identification of the other as the other). What is encountered is the other’s ‘Dasein-with in the world’.<sup>30</sup> Hence, the importance of the passage in which Dasein and Dasein’s presence as other (and thus implicitly that which counts as other for Dasein) are brought together. Dasein’s encounter with the other depends upon the world and the worldly nature of Dasein. Absent therefore is the constituting power of the other’s recognition and thus of recognition in general.

The expression ‘Dasein’, however, shows plainly that in the first instance this entity is unrelated to others, and that of course it can still be ‘with’ others afterwards. Yet one must not fail to notice that we use the term ‘Dasein-with’ to designate that Being for which the others are freed within-the-world. This Dasein-with of the others is disclosed within-the-world for a Dasein and so too for those who are Dasein with us, only because Dasein in itself is essentially Being-with.<sup>31</sup>

Dasein understood as essentially ‘Being-with’ and determined in advance as such brings into play the inevitable question of that with which Dasein is. The immediate answer to the question is of course ‘others’. Heidegger will conclude this section of *Being and Time* with the important claim that insofar as ‘Dasein is at all, it has Being with-one-another as its kind of being’.<sup>32</sup> While what defines the necessity of the ‘with’ in relation to Dasein and thus inscribes a form of commonality as given by the essentiality of the ‘with’, it remains the case that what stands outside that insistence and thus not delimited by the immediacy of response is the question of the quality and thus the nature of this ‘other’.

What is able to be present as an other for Dasein is not an incidental question. The essentiality of ‘Being-with’ in making the ‘with’ an ineliminable aspect of Dasein enacts the centrality of the question of the other. Equally, the claim that there can be a conception of commonality – where the latter is understood as the state of being ‘bound together’ (*Verbundetheit*) – underscores the need to identify that with which Dasein can be when that Being-with can then be understood as potentially ‘authentic’, (allowing, reciprocally, the necessity of there being inauthentic forms of commonality or being together<sup>33</sup>). There is, however, a sense in which the other remains unqualified precisely because its qualification is already there insofar as it is, in fact, present as other, i.e. where the entity in question counts as other. The encountering of the other has a specific type of designation, a designation that can be taken as defining the quality of being other. Heidegger writes that the ‘other is encountered in his Dasein-with in the world’.<sup>34</sup> While

the worldly nature of Dasein becomes the place of the encounter, what enables the other to emerge as such – that is, for it to be present as another for Dasein – is that the other is already understood as Dasein (and thus as a Dasein). As a result what is encountered is the capacity for Dasein to be with (hence the link between authenticity and potentiality.) This is the position that is fundamental to any understanding of Dasein and, more importantly, to the way a conception of the other figures within the re-expression of Dasein as defined essentially by the ‘with’. What needs to be noted in addition is that the already present determination of the other – determined precisely as the other and yet where such a conception of alterity has a necessary form of abstraction – has two important consequences. The first is that this is a conception of the other that cannot allow for the possibility of an intrinsic form of difference as constitutive of otherness. (The otherness in question must always be a version of the same.) The second is that such a conception of the other is one in which bodily difference would always be a secondary and thus an irrelevant aspect of Being-with. What both of these two positions amount to is of course a refusal of an original form of difference, a form that involves bodily presence.

Alterity, the other and thus the ‘with’ are all present in terms of a prevailing and dominating sense of abstraction. Moreover, the reiteration of a position in which Being-with and Dasein are present as abstractions is a position that is itself premised on what has already been noted, namely the elimination of original, and thus bodily, forms of difference. Abstraction is an after-effect. Abstraction works to hold back through their effective elimination the presence of relations that refuse synthesis. Abstraction therefore is integral to the rendering inoperative of relations that were themselves originally differential, i.e. relations where the ‘with’ would need to be understood as marking the site of an original form of complexity.

If the questions to be addressed concern who ‘we’ are and thus what sense of commonality is identified by the use of the term ‘us’ then the first aspect of any answer – the aspect that will be defined in terms of the negative – is that neither ‘we’ nor ‘us’ can be accounted for in terms of bodily difference. The ‘we’ given by the sameness of the ‘matter’ at hand and therefore of the project of the ‘we’ understood as a locus of commonality can only ever be present as an abstraction constructed as an after-effect. (This construction must always be effaced in the name of the originality of Dasein and Dasein’s other (or the other as Dasein).) If being other is defined in advance by the reciprocity of Dasein then abstraction can provide a conception of difference though only on the basis that abstraction is present as the after-effect of the elimination of the very

differences that would entail the centrality of the body and therefore the primacy of a conception of the being of being human as always already embodied. This is the moment in which there is a significant opening to the animal, an opening that draws the animal and the body into a form of constellation precisely because neither can be directly implicated in what, for Heidegger, will count as the basis of alterity.

And yet, it should not be thought that Heidegger does not allow for the possibility of bodily being.<sup>35</sup> In an important formulation of this possibility that occurs in the context of a discussion of Nietzsche and the supposition that ‘rapture’ is an ‘aesthetic state’, he writes the following:

Bodily being does not mean that the soul is burdened by a bulk that we call the body. In feeling oneself to be, the body is already contained in advance in that self, in such a way that the body in its bodily state permeates the self. We do not ‘have’ a body in the way that we carry a knife in a sheaf. Neither is the body a natural body that merely accompanies us and which we can establish, expressly or not, as being also at hand. We do not ‘have’ a body; rather we ‘are’ bodily.<sup>36</sup>

While the initial significance of this formulation resides initially in the way it complicates any attempt to identify within Heidegger’s writing the absence of any consideration of the body, what cannot be overlooked is the retained presence of the ‘we’. Hence the question – who is the ‘we’, the ‘we’ which rather than having a body, in fact, ‘are bodily’? As Heidegger’s argumentation unfolds the centrality of the body, or the recognition of Dasein’s bodily presence, is repositioned. While part of the argument involves an attempt to delimit ‘feeling’ (*Gefühl*), and as such to preclude the possibility that it could be accorded a central role within the aesthetic, let alone in determining an account of Dasein, the body becomes assimilated to ‘mood’. It is of course the possible identification of the bodily with feeling that allows this move to occur. ‘Feeling’ for Heidegger occurs beyond the hold of the body. It becomes mood. It is in terms of this identification that he can then go on and write that ‘feeling’ is that

basic mode of our Dasein by force of which and in accordance with which we are always already lifted beyond ourselves into being as a whole, which in this or that way matters to us or does not matter to us. Mood is never merely a way of being determined in our inner being for ourselves. It is above all a way of being attuned and letting ourselves be attuned [*Stimmenlassen in der Stimmung*]. Mood is precisely the basic way in which we are outside of ourselves. But that is the way we are essentially and constantly.<sup>37</sup>

The centrality of mood is evidenced in the twofold process of ‘being attuned’ and ‘letting oneself be attuned’. Mood takes us beyond

ourselves. Within this being taken beyond ‘we are essentially’. Delimited by mood therefore is the ‘we’ who ‘are bodily’. To be bodily is to have that bodily being as that which lets itself be determined by mood. At the extreme it could be taken as determining bodily being. Mood takes over from the body. More significantly, while mood determines bodily being, bodily being (being as the site of bodily difference) neither determines nor has a mediating effect on the quality of mood. Mood remains untouched. The abstract universality of mood is reinforced by ensuring that what lets itself be determined has the quality of an abstraction. In other words, the operative quality of moods acts on, while at the same time producing, that which is doubly abstract. Central to that abstraction is the presence of the body as the site of that which is impervious to the possibility of the presence of a conception of bodily difference that was itself original.

While a further explication of the relationship between mood and the body would allow the conception of abstraction as an after-effect to be developed what is central is already clear, namely that abstraction delimits the question of the other such that while the other has a body, bodily presence, as was suggested, does not admit of original difference and therefore does not have a determining effect on the quality of Dasein. Hence while bodies figure they do not figure bodily. The body is positioned therefore within a form of relation that is determined by what has already been designated as a *without relation*. The *without relation* is to the presence of the body as the site of an original sense of bodily difference. This is, of course, another interpretation of Heidegger’s position in which moods take us beyond ‘ourselves’. The ‘ourselves’ would be the site of precisely those bodily differences that do have an effective relation to mood. In sum, this delimitation of the ‘other’ – the other as the continual and thus reiterated presence of the same – works not just to exclude the presence of bodily difference as having a determining effect on alterity, it would at the same time be inextricably bound up with the positioning of the animal such that it could not figure as other.

An affinity emerges therefore. The animal and the body figure within a relation given and sustained by the *without relation*. In addition, neither the animal nor bodily difference is able to figure as other or to construct a domain of genuine alterity. As such they both construct loci of philosophical indifference. In part this is the consequence of abstraction and in part the result of the necessity inherent in a conception of commonality that is determined by the force of the ‘with’. In both instances a limit is established in which what counts as other is delimited by Dasein, where Dasein is itself delimited by the centrality of a sustained

and abstract conception of the being of being human. Abstraction is the after-effect of the *without relation* and thus integral to the construction of the figure of the animal with Heidegger's philosophical project.

## Concluding

It is thus possible to return to the conjecture concerning Heidegger and the dog. As is clear human and dog could not be 'authentically bound together'. A space is created in which not only could Dasein not call his dog – 'we' could call it but not the 'Dasein in us'. They, human and dog, could not actually be together. The dog running alongside could not be drawn into the 'with'. Dasein could not be with the dog. Indifference and the *without relation* shore up Dasein in its founding separation, ensuring the continuity of what has already been described as 'existing without' the animal. As such, the structural excision of the animal – an excision in which what is essential to the animal, i.e. 'what we call life' – entails that what occurs to and with animal life must itself be indifferent to Dasein, or at least to the Dasein 'in us' and by extension to philosophy. While 'we' may take a stand in relation to life – animal life, perhaps life in general, Dasein cannot since Dasein cannot be authentically bound together with that which would be defined in such a way. Were Heidegger to have called his dog what continues to return as the insistent philosophical issue is the impossibility that such a call – a call as an envisaged binding together, a togetherness of response and negotiation – could have, in fact, taken place. Indifference will have become a form of silence. Perhaps, then, for philosophical reasons, Heidegger the philosopher could not have called his dog. Faced with his dog facing his dog, there would have been nothing, silence.

## Notes

1. All references to Descartes are first to the Adams and Tannery edition, *Oeuvres de Descartes* (Paris: Vrin, 1996) and then, where appropriate, to the English translations found in *Descartes: Philosophical Writings*, ed. John Cottingham (Cambridge: Cambridge University Press, 2007). In both cases the reference will be to volume followed by page number.
2. V.269
3. What this indicates is that while the *without relation* emerges within Descartes' argumentation and even though the position taken is original, the refusal of human animality and thus animal is an after-effect of having set up a position in which there was a continuity of relation between human being and human animality.

4. While this position is argued in a number of places in Aristotle one of the most significant occurs in the *Generation of Animals*. The passage in question is the following:

Clearly those principles whose activity is physical cannot be present without a physical body – there can for example be no walking without feet; and this also rules out the possibility of their entering (the principles) from outside, since it is impossible that they enter by themselves, because they are inseparable from (the physical body) or that they enter transmission in some body, because the semen is a residue of nourishment that is undergoing change. It remains then that reason alone enters in, as an additional factor, from outside and that it alone is divine, because physical activity has nothing whatever to do with the activity of reason. (736b22–30)

The last line needs to be followed carefully. What is being argued is that the ‘principle’ (*arche*) – where *arche* needs to be understood as a determining element determining in regard to identity, namely that which makes of something what it is – is a formulation that expresses the capacity of the body to realise that which is proper to it (noting that any entity (hence all entities) will have an end which is proper to it). Moreover, that end is already internal to the entity. Hence the semen delivers the nutritive elements that allows for fetation. Reason, on the other hand, for Aristotle does not originate internally.

5. V.275–6
6. Descartes returns continually to the question and role of ‘prejudice’ as that which stands opposed to the pursuit of truth. For a sustained discussion of this topic in his writings see the *Principles of Philosophy*, Part 1, sections 71–7 (VIIA.35–38/I.21–22).
7. Hence the impossibility for Descartes that the formulation ‘ambulo ergo sum’ could function in the same way as the celebrated argument that assumes the centrality of the ‘cogito’. The former pertains uniquely to the body and thus to that which is inessential in relation to human being. To this end see Descartes’ discussion in the 5<sup>th</sup> Set of Replies VII.352/II.244.
8. VI.59
9. V.278
10. VI.41
11. III.520
12. XI.119/I.99
13. XI.331/I.329–30
14. XI.335/I.331 and XI.335/I.332
15. XI.335/I.331
16. See in this regard Figure 9 in I.171.
17. For an extended treatment of the ‘idea’ see Descartes’ responses to both the First and Second set of Objections to the Meditations; in particular VII.102/II.74–5 and VII.16–17/II.113–14.
18. See the definition and methodological implication inherent in clear and distinct perception in, for example, the *Principles of Philosophy* (VIII.16–17/I.203).

19. While it is pursued in a different direction for another attempt, firstly to underscore the importance of the machine in Descartes and secondly to complicate the apparent ease with which Descartes is assumed to separate the body from the soul, see Alain Vizier, 'Descartes et les automates', *Modern Language Notes*, vol. 111, no. 4 (1996), pp. 688–708.
20. See in addition the important discussion of this precise point in §31 of M. Heidegger's *Basic Questions of Philosophy*, trans. R. Rojcewicz and A. Schwer (Bloomington, IN: Indiana University Press, 1994). In this regard Heidegger writes that:

The greatness of the end consists not only in the essentiality of the closure of the great possibilities but also in the power to prepare a transition to something wholly other. (109)

21. M. Heidegger, *Was heisst Denken?* Gesamtausgabe Band 8 (Frankfurt: Vittorio Klostermann, 1998), p. 65.
22. M. Heidegger, *Being and Time*, trans. John Macquarie and Edward Robinson (Oxford: Basil Blackwell, 1978) (M. Heidegger, *Sein und Zeit* (Tübingen: Max Niemeyer Verlag, 1979)). Subsequent reference is to the English followed by the German preceded by BT. BT 291/247.
23. M. Heidegger, *The Fundamental Concepts of Metaphysics*, trans. William McNeill and Nicholas Walker (Bloomington, IN: Indiana University Press, 1995) (M. Heidegger, *Die Grundbegriffe der Metaphysik* (Frankfurt: Klostermann Seminar, 2004)). Subsequent reference is to the English followed by the German preceded by FM.
24. This is not to suggest that there are not interpretations of Heidegger's *The Fundamental Concepts of Metaphysics* that seek to locate within it an argument for the philosophical significance of animals. See in this regard William McNeill, 'Life Beyond the Organism: Animal Being in Heidegger's Freiburg Lectures, 1929–30', in H. Peter Steeves (ed.), *Animal Others* (Albany, NY: SUNY Press, 1999), pp. 197–249. See also Matthew Calarco, 'Heidegger's Zootontology', in Matthew Calarco and Peter Atterton (eds), *Animal Philosophy: Essential Readings in Continental Philosophy* (London: Routledge, 2004).
25. The reiteration of the 'ourselves' – a term that already stages as though it were unproblematic the identity of the 'we' and thus an implicit conception of abstract commonality – occurs in the following lines from §50: 'we already comport ourselves . . . In our existence as a whole we comport ourselves toward animals and in a certain way towards plants.'
26. FM 210/306.
27. Translation modified FM 211/308.
28. BT 290/246.
29. BT 159/122.
30. BT 156/120.
31. BT 156/120.
32. BT 163/125.
33. Potentiality for Heidegger is that which allows for the realisation of authenticity and thus the overcoming of the inauthentic. See *Being and Time* §§61–66.

34. BT 156/120.
35. For two important different arguments concerning Heidegger on the body and its relation to animality see Didier Franck, ‘L’Être et le vivant’, in his *Dramatique des phénomènes* (Paris: PUF, 2001), pp. 35–55, and Daniel Vallega-Neu, *The Bodily Dimension in Thinking* (Albany, NY: SUNY Press, 2005), in particular pp. 83–121.
36. M. Heidegger, *Nietzsche*, trans. David Farrell Krell (New York: Harper Collins, 1991) (M. Heidegger, *Nietzsche*, Erster Band, Gesamtausgabe Band 6.1 (Frankfurt: Vittorio Klostermann, 1996)). Subsequent reference is to the English followed by the German preceded by HN. HN 98–9/99.
37. HN 99/100.

# The Insistent Dog: Blanchot and the Community without Animals

## The Dog

The animal does not need to return. It is ever present. Animals, and here the plural is necessary in order that a founding diversity be acknowledged, continue to appear. Here in Goya's painting a dog appears (Figure 3.1).<sup>1</sup> In appearing questions arise. Is the dog's head above the line? Is the dog slipping back? Its head is on the line. Is it submerging again, tasting death as the admixture of the fear and the quicksand that will eventually end the ebb and flow of life? Is it scrambling futilely up a bank that no longer holds? If the logic of these questions were to be followed then the dog's presence would be defined by its eventual death. There is, however, another possibility. While still allowing for the severity of the animal's predicament, its appearance may be precisely the ebb and flow, thus a continuity of life not structured by death but by having-to-exist.<sup>2</sup> Within what specific set-up then does the dog appear? The question has force precisely because it has an exigency that cannot be escaped since neither answer nor direct resolution is at hand. The question endures. Once allowed to exert its hold then the question repositions the line. No longer mere appearance, the line is neither the sign of a simple division nor is it able to sustain a simple either/or. Death cannot be equated with the dark. Equally, the light cannot be reduced to the life that may be escaping (though it should not be forgotten that Goya's work belongs to the so-called *Black Paintings*).

To return to the painting, the dog's head interrupts the line. As a result what is opened is a site. Perhaps, to use a word that will play an important role in the analysis to come, what emerges is an *écart* that refuses to be set within simple and symmetrical oppositions. Before continuing it is essential to note that this interruption occurs as the result of animal presence, a presence that insists within the question of the animal's appearance. If the work of death is to be stilled – and the stilling



Figure 3.1 Goya, *The Dog* (1820–3). Prado, Madrid. Reproduced with permission.

would be a philosophical gesture that did not resist the propriety of the question of human being but which nonetheless obviated the need for an eventual equation of that question with death – then the animal’s interruptive presence may need to be maintained. Maintaining it is, of course, to open the question of how a relation to the animal, a relation thought beyond the hold of the animal’s death, is to be understood. Hence what matters is that the animal appears.

As an interim step therefore, one leading to the appearance of the animal within Blanchot’s formulation of language and community, it is vital to note that the place of the animal within much philosophical and literary writing is positioned by a death that is no mere death. The animal’s death is incorporated from the start within a logic of sacrifice. Within that context securing the propriety of human being demands either the exclusion or the death of the animal. Forcing the animal to appear in this way circumscribes its presence in a way that is premised on what can be described as the animal’s privation. This constructs the figure of the animal. This is, of course, another instance of the *without*

*relation* to the animal. The animal is held within a logic in which the animal enables – an enabling stemming from privation – the being of being human to take over that which is proper to it while at the same time excluding the possibility of any foundational and thus identity-constructing relation to either the animal or animality. Once again this enabling is the result of the operative presence of the *without relation*. Within this structure, as will be argued below, the animal cannot be positioned as the other.

### Blanchot's Animal

While death plays a central role in Blanchot's reflection on community, the death in question defines being human. Blanchot's path of argumentation from Hegel via Kojève continues to link this specific conception of the work of death to the necessity of the animal's death, a link that inscribes both the animal and human being within a pervasive logic of sacrifice. There is therefore a doubling of death – animal death and human death. The doubling, however, introduces a structuring difference, the enactment of the *without relation*. For the human, death, especially insofar as it is understood as 'dying', is linked to authenticity, while for the animal the link is to a form of sacrifice and thus to the provision of that authenticity, a provision which moves from the animal to the human. There is a necessary reciprocity, however. To the extent that the animal's death provides the ground of authenticity the animal is systematically excluded. The animal cannot have therefore an authentic death. It can only die within sacrifice. The interplay between these two different senses of death marks the operative within the logic of sacrifice. However, it may also be the case that, once scrutinised from a different position, one allowing for animal presence, the animal's sacrifice would undo the very structure of community given by the work of a founding 'irreciprocity' or refusal of symmetry that it was taken to found. In other words, it may be that animal presence undoes the concept of community that Blanchot is attempting to found thus opening up the question not just of another thinking of community but one that includes animals as others.

At this stage, however, the question that needs to be answered concerns the animal already inscribed within the logic of sacrifice as opposed to the animal held apart from the either/or demanded by such a logic. Prior to any attempt to move from one positioning of the animal to another, the role of the former – the sacrificial animal – within Blanchot's argumentative strategy needs to be noted. While Blanchot

is addressing that which is proper to being human in the course of his writings it is an address that inscribes literature, or the advent of literary language, as present from the start. The sense of propriety comes, as will be indicated, from the way the interrelated philosophical projects of Hegel and Kojève are at work within Blanchot's text 'La littérature et le droit à la mort'.<sup>3</sup>

In a central passage in 'La littérature et le droit à la mort', Blanchot engages with Hegel. And yet the engagement is far from direct. As a footnote in Blanchot's text makes clear, that engagement is situated in Kojève's 1933–4 lecture course, 'L'idée de la mort dans la philosophie de Hegel'.<sup>4</sup> Consistent with Kojève's project as a whole the two lectures that comprise this section of Kojève's text involve detailed commentary. Of specific interest in this instance is that one of the texts on which commentary is made includes the fragmentary remains of the *First Philosophy of Spirit*. A succinct summation of the project would be to argue that death is central to what Kojève terms 'the self-creation of Man' ('auto-création de l'Homme') which in turn is brought about by what he describes as 'the negation of the given (natural and human)'.<sup>5</sup> In other words, the emergence of human propriety is predicated upon the 'negation' of nature. That negation is death as sacrifice. Nature incorporates animality. Fundamental to the description is that the human becomes what it is – comes into its own with its propriety established – through action and therefore through forms of transformation that include transformations of place. For Hegel, according to Kojève, the conception of the human in Greek antiquity is to be equated with the natural. Thus he argues that this 'pretend Man' of the ancient tradition has a purely natural existence marked by the absence of both 'liberty' and 'history'. Kojève continues:

As with the animal, its empirical existence is absolutely determined by the natural place (*topos*) that it has always occupied at the centre of an immutable universe.<sup>6</sup>

What interests Kojève is the way Hegel identifies the limit of the animal. He cites Hegel from the latter's 1803–4 lecture course: 'with sickness the animal moves beyond [*dépasse/überschreitet*] the limit of its nature; but the illness of the animal is the becoming of Spirit'.<sup>7</sup> The question of illness understood as staging the introduction of limits establishes the connection between the human and the animal. As is clear from the following passage the animal plays a decisive role in the self-construction of the human. However, it should be noted that the presentation of the animal is not couched in the language of neutrality. The contrary is the case. The animal is present in terms of harbouring a sickness.<sup>8</sup>

This sickness, moreover, cannot be separated from the necessity of the animal's death. Animality becomes a sickness unto death.

It is by sickness that the animal tries in some way to transcend its given nature. It is not successful because this transcendence is equivalent for it to its annihilation [*anéantissement*]. But the success of Man presupposes this attempt, that is the sickness, which leads to the death of the animal, is the becoming of Spirit or of Man.<sup>9</sup>

The issue that arises here does not concern the animal's death as though such an occurrence were an arbitrary interruption. What needs to be noted is that the emergence of the 'human' depends upon that death, a dependence that reiterates a sacrificial logic and announces the *without relation*. Death continues to figure. Its connection to the animal is such that death is integral to the operation of a sacrificial logic and thus the operative *without relation*. However, that logic does more than constitute the particularity of human being. At the same time it inscribes the centrality of death into the actual formulation of human being. Death, therefore, while pertaining to the animal, is equally located within and comes to define that which is proper to human being. This inscription gives rise to the distinction between existence and human existence. In relation to the latter Kojève writes that 'human existence of Man is a conscious and voluntary death on the way of becoming' ('[L']existence humaine de l'Homme est une mort consciente et volontaire en voie de devenir').<sup>10</sup> Not only is there a clear act of separation between this death and the death of the animal, they also both figure in the way Blanchot incorporates what will continue to figure as death's doubled presence: animal death and human death, (The latter, human death, will continue to return in terms of an authenticity from which the animal is structurally excluded.)

The passage from Hegel, in Kojève's translation, that is central to the argumentative strategy of 'La littérature et le droit à la mort' and which draws the animal's death through death and into the project of writing and which moreover can be described as opening the generative dimension of the *without relation*, is the following:

The first act by which Adam became master [*maitre/Herrschaft*] of the animals was to impose on them a name, that is that which annihilated [*anéantit/vernichtete*] them in their existence (in terms of existing entities) [*dans leur existence (en tant qu'existant)*].<sup>11</sup>

The necessity of 'annihilation', literally a reduction to nothingness, needs to be understood as a recapitulation of the animal's death. It should be added that the relationship between Adamic naming and

the ‘annihilation’ of animal existence is far from necessary. Walter Benjamin’s invocation of the ‘same’ scenario – the site of an original naming – involves a distinction between things and the language of things. However, such a move does not necessitate a separation that is founded upon an originating violent act that identifies and incorporates the death of that which is other than language. The possibility of a conception of naming no longer held by either annihilation or death and thus one located from the start within a logic of sacrifice provides an opening to which it will be essential to return.

What Blanchot takes from Hegel in this context opens up beyond any equation of concerns with the animal. The animal’s founding death is quickly overlooked. Literature proceeds without the animal. The relation of *without relation* is, as has been indicated, inextricably bound up with a founding sacrifice. Nonetheless, the contention is that the animal, more exactly its death as a form of sacrifice, is retained within this founding *without relation*. Blanchot writes in regard to the passage cited above that: ‘God created beings but man was obligated to annihilate them’ (*Dieu avait créé les êtres mais l’homme dut les anéantir*).<sup>12</sup> Naming retains therefore the named at the price of their death (again their reduction to nothingness). The most sustained link between death and the possibility of meaning is set out in the following passage. It should be noted in advance that the passage needs to be understood as connected to the excerpt from Hegel’s own text that conditions it. For Blanchot death is that which exists

between us as the distance that separates us [*entre nous comme le distance qui nous sépare*] but this distance is also what prevents us from being separate, because it contains the condition for all understanding. Death alone allows me to grasp what I want to attain: it exists in words as the only way that they can have meaning [*sens*]. Without death everything would sink into absurdity and nothingness.<sup>13</sup>

The difficulty of this passage demands that care be taken. The first element that needs to be noted is the way a concern with meaning and thus an opening to literature overlaps with a specific understanding of place and therefore of ethos. (Together they need to be interpreted as the interplay of distance and separation.) What such an interpretation brings to the fore is not just the centrality of the ‘entre’ (‘between’) but the way in which this ‘between’ is itself the site in which these two tendencies – ‘distance’ and ‘separation’ – converge. Death also figures as the ‘between’ which joins and separates. Death therefore is as much the mark of the ‘between’ as it is the condition of ‘sens’ (‘meaning’). In regard to the latter the ‘meaning’ in question is not the reduction

of words to semantics. A different form of directionality is involved. Meaning is the very possibility of words becoming operative. Meaning, in this context, is the happening of language as it becomes literature. Death plays out as the ‘between’ equally as the moment in which writing is able to occur. With naming there is death. When Blanchot writes ‘when I speak death speaks in me’,<sup>14</sup> what is announced is not just the centrality of the incorporation of Hegel’s founding gesture in which the animal’s death, a death within and as sacrifice, the productive *without relation*, establishes at the same time a separation and thus a distancing that marks the self, community and writing. All these elements have therefore a founding interdependency.

While the question of death within ‘La littérature et la droit à la mort’ becomes more complex in that writing and thus literary language will allow for the overcoming of a move that would reduce human being to the self of either anthropocentrism or biology, the conjecture guiding this analysis of death and thus the emergence of literature in Blanchot is that accession to the literary retains its sacrificial origins. This point is central. Its implication is that the necessity of the animal’s death leaves a mark that continues to endure. The *without relation* therefore, as it pertains to the animal, would retain, by definition, a form of presence.

## Community

Within the setting opened by Blanchot’s mediated relation to Hegel the conception of a distance that both joins and separates, a distance that is the ‘between’, cannot be thought outside its founding relation to death. This ‘between’, precisely because it identifies a form of commonality, the common as the co-presence of ethos and place in addition to death, brings community to the fore. More importantly, it positions the question of community such that community eschews a relation given by sameness and allows for the introduction of a sense of alterity. Rather than merely being the other to the same, alterity in this context is defined in terms of founding ‘irreciprocity’. While for Levinas that relation is uniquely ethical and concerns the relationship between humans, for Blanchot it is, in the first instance, inextricably bound up with what he describes as ‘the experience of language’.<sup>15</sup> That experience is, of course, conditioned by death. Literary language is as much defined by ‘anxiety’ (*inquietude*) as it is by negation and death. For Blanchot both are at work at the heart of language. And yet, questions remain: what death is this? who has died? The answer to such questions

cannot be that it is death merely as the sign of human finitude. Equally, it cannot be the death that allows that which is proper to the being of being human to be presented as ‘being-towards-death’. (Heidegger’s project does not figure here. More accurately, it can be argued that it is refused, or this is the attempt, each time Blanchot stages his concern with ‘death’.<sup>16</sup>) The death in question is at the same time more and different.

If death were central then in order to avoid the ‘collapse into absurdity and nothingness’ the other side would be a sense of sovereignty. Note that it would not be life as opposed to death. Death’s opposition, the death that is productive, is ‘nothingness’. The conception of sovereignty that pits itself against this nothingness (and in so doing refuses a space in which life as productive could in fact be thought), would not be the form defined by a mastery, one remaining ignorant of death, but the sense that worked with its necessity. Again, that necessity is neither the conflation of death with mortality nor is it merely phenomenological (death as the experience of an ineliminable presence). On the contrary, it is a death that is as much constitutive and foundational as it is at work in terms of its being the condition of production itself. It is in this regard that Blanchot writing of Sade can argue that:

Sade completely understood that man’s energetic sovereignty, to the extent that man acquires sovereignty by identifying with the spirit of negation, is a paradoxical state. The complete man, completely affirmed, is also completely destroyed. He is the man of all passions and he is completely unfeeling. He began by destroying himself, first insofar as he was man, then as God, and then as Nature, and thus he becomes the Unique.<sup>17</sup>

The description of the ‘Unique’ is the moment in which destruction and creation work together. That work is not simply structured by negation. The situation is far more intricate. At work is a conception of negation which, even though it is thought beyond the confines of Hegel’s own logic, nonetheless retains the set up that has been positioned by the hold of death,<sup>18</sup> a negation that continues and thus a conception of death that is becoming increasingly more complex. What needs to be retained, however, is the relationship that this positioning has both to the project of literature as well as to writing. In *L’écriture du désastre* the interplay of destruction and creation is worked through the project of writing in the following terms:

Write in order that the negative and the neutral, in their always concealed difference – in the most dangerous of proximities – might recall to each other their respective specificity, the one working, the other unworking [*l’un travaillant, l’autre désœuvrant*.]<sup>19</sup>

Writing, bound up with the move to literary language, involves a conception of work that resists the automatic directionality inherent in the logic of negation and equally in the predication of an already determined sense of measure. And yet, measure and production are occurring. At work here – a work signalled by the co-presence of ‘working’ (*travaillant*) and ‘unworking’ (*désœuvrant*) – is a specific economy. The ‘Unique’ as the destruction of nature reinforces the need to understand such a determination as predicated on that economy and therefore as involving a form of production. Prior to addressing this economy, the question that has to be taken up concerns the relationship that the mode of human being identified in Blanchot’s writings on Sade may have to the ‘between’ and with it to the ‘us’.

If the question arising from the interconnection of ‘between’ and the ‘us’ can be asked with stark simplicity, then it is the question of community. Moreover, it is a question that brings into play the possible presence of commonality. The latter, the continual refrain of commonality, defines community as it appears within the philosophical tradition. Appropriately, given the context created by this refrain, Hegel allows the work of negation to present the profound sense of commonality that defines as much the I = I of Absolute self-consciousness in the *Phenomenology of Spirit* as it will the possibility of ‘ethical life’ in the *Philosophy of Right*. While Blanchot has drawn on Hegelian elements in his formulation of the role of death, the separation from Hegel is taken to have occurred at this precise point.<sup>20</sup> Rather than assuming the role of the other and thus inscribing commonality as derived from the interplay of recognition and negation, in *L’entretien infini*, as part of an engagement with Levinas, Blanchot reworks the question of the other – ‘Qui est autrui?’ (‘Who is the other?’) – such that it becomes the question of community. However, the latter is given a very specific orientation. Blanchot’s concern is with a different question and thus with another way of proceeding.

The question of community is reposed in terms of a ‘relation’. It emerges as implicated in another form of questioning, within which the question of community would then involve what in Blanchot’s terms is a

relation of strangeness between man and man [*rapport d’étrangeté entre l’homme et l’homme*] – a relation without common measure – an exorbitant relation that the experience of language leads one to sense.<sup>21</sup>

While the immediate concern is the description of community as ‘a relation without common measure’, two elements need to be noted. The first, which will be pursued directly, is the link between this claim and its continually present adumbration, thus gestured occurrence, as already

taking place in the ‘experience of language’. It is as though that experience of language has already provided a clue, as though writing and speaking, understood as the co-presence of creation and destruction, were implicated *ab initio* in any thinking of community. (The extent to which the posited centrality of ‘man’ (*l’homme*) amounts to no more than a reiteration of the privileging of logos as that which separates the human from the animal, a position reiterated continually throughout the philosophical tradition, remains an open question.) The second element, which at this stage will be simply noted – a noting that will have to accompany the proceeding, at least initially, as a continual point of referral, though which will return within the chapter’s conclusion – is that the relation is given a precise determination. Rather than a relation in general, it is ‘between man and man’ (‘entre l’homme et l’homme’). Even if this were the ‘man’ of universality, the man in question is the one given by the death of the animal. (Hence what is at work is more than mere logocentrism.) That death, or rather the necessity of sacrifice, is in fact the ‘common measure’. (This is the conjecture being pursued.)

Nonetheless, as the passage suggests, the ‘common measure’ is absent. Relations occur without it. There are, however, relations.<sup>22</sup> In *L’écriture du désastre* the ‘without’ – presented here in terms of ‘exceeding’ or ‘moving beyond’ (*dépasser*) – is given a formulation that reintroduces the economic. Indeed what is at work is a process that has the form of a *without relation*. Within these terms community is described as that which

has always left exceeded [*toujours dépassé*] the mutual exchange from which it seems to come. It is the life of the nonreciprocal, of the inexchangeable – of that which ruins exchange. Exchange always [*toujours*] goes by the law of stability.<sup>23</sup>

Here the working out of the *without relation*, while linked to an economy, introduces another aspect definitional of the way that such an economy operates. Note Blanchot writes that, in the first place, ‘community’ ‘always’ (*toujours*) exceeds or passes beyond a conception of mutual exchange, and, secondly, that such a conception of exchange, the one ruined by the advent of the ‘irreciprocal’ ‘always’ (*toujours*) has stability as the law governing it. In other words, the reiteration of the ‘always’ introduces a founding site of conflict, named in advance by Blanchot in terms of both the ‘irreciprocal’ and the ‘unexchangeable’. Community is only possible if the tension that marks its presence – the communal of community – is sustained. While this introduces an active rather than a passive sense of the communal and thus a sense in which what could be described as the nothing-in-common becomes the measure, what still has to be pursued is how the *without relation* is

understood. (And it has to be remembered that any answer to this question has to acknowledge that which marks the process of the *without relation*, i.e. a founding sacrifice.)

### Communities without animals

The first element marking the *without*, the generalised process of *without relation*, was brought into consideration on the basis of its separation – a separation of referral – from a positioning given by the opposition with/without. Beginning with this *without relation* means starting with a point of origination that, as has already been noted, can be described as the ruining of the exchange that holds in place relations that otherwise would have been defined by both symmetry and reciprocity. As has already been indicated, Blanchot's engagement with Levinas does not occur with the simple introduction of alterity, but by holding to alterity as already given within an irreciprocal relation. Moreover, that ruin is a form of place. If there is a link between writing and community it happens because the 'place' in which writing occurs is defined by Blanchot thus:

There would be a separation of time. Like a separation of place [*Il y aurait un écart de temps, comme un écart de lieu*], belonging neither to time nor to place. In this separation we [*nous*] would come to the point of writing.<sup>24</sup>

This separation, gap or breach – the already noted founding 'écart' – is a different permutation of the absence of relation. What is at work is a sustained attempt to think the possibility of both community and the communal given the effective abeyance of any recourse to the essential. The essential would play itself out as much in the language of nations, races and peoples as it would in abstract conceptions of human being. However, community still pertains, not as a negative instance but as a mode in which distance comes to delimit both what it is that is 'between' us as well as 'our' position within it. (After all, Blanchot writes 'we' (*nous*) would come to the point of writing' and thus there is the inescapable question of who 'we' are.) If community continues to be defined in terms of communication and thus as a form of exchange – recognising immediately that the exchange in question is determined from the start by the 'without common measure' where the 'without' signals an original condition – then it will be within staged encounters, and thus in Blanchot's presentation of dialogues occurring in the *récits* in addition to the essays, that further intimations of community's incipient possibility can be discerned.

In an exchange situated within Blanchot's text *L'attente L'oubli*, there is a form of communication. The questions to be brought to this exchange should not be determined by a concern with meaning. Meaning is always an after-effect. The questions should pertain to the staging of relation. As a consequence dialogue can be understood as relation rather than that which is measured in advance. The components of the criss-crossing of words therefore voice and enact the presence of a relation that is marked in advance by the irreciprocal. The presence of dialogue neither indicates an already present community of the Same nor does it intend one. Here the mere presence of dialogue – and by extension the dialogical – is not projective.

'We are truly distanced from each other.' –  
 'Together' – 'But also one from the other'.  
 'And also from ourselves'.  
 'The distancing does not make a part.' –  
 'The distancing distances whilst distancing,'  
 'And thus it approaches us.' – 'But far  
 from us.'

('Nous nous sommes bien éloignés.' –  
 'Ensemble.' – 'mais aussi l'un de l'autre.' – 'Et aussi de nous-mêmes.' –  
 'L'éloignement ne fait pas part.' –  
 'L'éloignement éloigne en éloignant.'  
 'Et ainsi nous rapproche.' – 'Mais loin  
 de nous.')<sup>25</sup>

The term that allows for a way into the domain created by this exchange is *distancing* ('éloignement'). Within the passage they amount to the varying modalities of distance. Rather than 'distance' being understood as a given and thus as an already established relation there is the process and thus the continuity of distancing. To insist on distancing is to insist on activity and thus on that which will never have been given once but which continues. A relation positioned within space therefore will have ceded its place to the complex, perhaps now a weave, created and recreated by the continuity of spacing. Spacing, as the passage makes clear, is inextricably bound up with time and thus with the continuity of its being enacted. Distancing is lived out. When Blanchot writes, 'The distancing distances whilst distancing' (*L'éloignement éloigne en éloignant*), there is a reiteration of forms of distancing. Equally, however, there is a connection to time. There is an implicit temporality which is there continually in the process marked by interruption and thus by the discontinuities which are themselves staged by the 'whilst distancing' (*en*

*éloignant*). This latter formulation needs to be understood as presenting the time of an occurrence, an occurrence and thus finitude which holds distance's continuity in place, hence the presence of the 'whilst distancing' (*en éloignant*). At any centre therefore there is a necessary closing off of the possibility of a completing enclosure. Such a centre is there in this exchange – an exchange to which it will be essential to continue to return – as it is in another conception of community.

If there is a way into and through this set up as it emerges from the exchange in *L'attente L'oubli* then it involves defining the *écart*, the gap and thus distancing as already figuring a dynamic set of relations. These relations are dynamic in the precise sense that what is always at work is the interplay of continuity and discontinuity. And yet there is a problem with such a procedure. The problem or difficulty, even though it should be conceded from the start that finding the right term for this occurrence is far from straightforward, is the inbuilt necessity to link this exchange and with it the work of the 'without', the generalised process that precludes possible relationality, to the interplay of destruction and creation and their inevitable inscription of death. This is neither death *tout court*, nor dying but death as bearing the mark of the animal's sacrifice. If there were to be a reappropriation of the 'without' – the *without relation* that will have always been present twice – then it will have to have occurred despite the logic in which it was initially presented.

To recapitulate that initial presentation: the point of departure, the point at which literary language and thus writing takes place, is encapsulated in the moment, for Blanchot, when it becomes possible to say (though more accurately to write and thus never to say!), 'when I speak death speaks in me' (*quand je parle la mort parle en moi*). At that moment, one in which the 'when' as both a singular utterance and as announcing an action and thus as the moment that should have been absorbed into the 'I' who speaks while yielding that 'I', there cannot be pure particularity. This impossibility does not take place because of the presence of an original plurality but because the death in question of the one that 'speaks in me' (*parle en moi*) is already doubled. The 'I' in whom death speaks is there, and only there, as the result of a death that makes that 'I' possible. There is therefore what can be described as a 'death of possibility' (the death that makes possible), namely the unannounced sacrificial death within death's now doubled presence. Consequently, while that doubled death is not announced as such, it will have been at work in the *without relation*. In the texts just considered the *without relation* was itself presented in terms of the 'without common measure'. The 'between' is the gap and the distance. However, in its original formulations, this is inextricably bound up with death.

Here the central issue arises. Even if the doubling of death is postponed and thus the registration of death's content as well as its reception is put off, what still endures is the question of the subject of death. What death is this? There is, of course, the additional already noted question: who dies? Harboured within this latter question is both the possibility as well as the impossibility that the animal's death could be the death of an other. The animal's death becomes the condition on the basis of which the question of alterity can be reposed as that of community. The animal dies in order that there be alterity. In more general terms the force of the questions concerning the subject of death – who and what dies? – have as their ground their necessary relation to both literature and writing.

Beginning to answer questions pertaining to the subject of death has to start with the recognition that there is what could be described as an emphatic version of death in Blanchot. In *La communauté inavouable*, for example, death as a figure cedes its place to dying and thus to death's actualised presence. While the position becomes more nuanced as the argument of the text unfolds, in this context what founds community is the dying of the other. In Blanchot's terms: 'my presence to the other as the one who is absenting themselves in dying' (*ma présence à autrui en tant que celui-ci qui s'absente en mourant*).<sup>26</sup> There can be no act of substitution: neither a same for same, nor a simple other than the same, nor a spurious equality given by an all-encompassing 'Being towards Death' (to deploy Heidegger's formulation). Dying is equally the force of distance and presence, hence that which is there in the distancing (the latter being the continuity of movement noted in the formulation 'en éloignant' ('while distancing')). That the relationship constructed by death's emphatic presence, the presence in which the dying of the other is always accompanied, defines particularity and intimacy is clear. The demanding question is whether it locates the specificity of community, even a sense of community structured by an operative sense of the *without relation*. Having made the claim concerning this particular set up Blanchot goes on to add:

This is what founds community. [Voilà ce qui fonde la communauté.] There could not be community if it were not for the first and last common event which in each of us ceases the power of being (life and death).<sup>27</sup>

While this reworking of the Levinasian stricture not to let the other die alone cannot be faulted in terms of an ethical imperative, what is actually occurring is that the *écart* and thus the interplay of the 'without' (*sans*) and the 'between' (*entre*) are defined in these terms. In other words, the complex forms of relationality that were identified in the passage from *L'attente L'oubli* take the notion of irreplacability inherent in the relation to the dying as the structure for a reconfiguration of

community. What this leaves open is the possibility that relationality may hold itself apart from the need to deploy the already determined connection between death and a logic of sacrifice – death's doubled presence – as that which founds community.

## Death and dying

The relation to the dying knits together three elements. In the first place it is the literal dying of the other, an actual dying that prompts Blanchot to write: 'This is what founds community.' In the second there is dying as the potentiality that is there for all human beings. The third element is dying's other modality, i.e. dying as that which is introduced as the interplay of destruction and creation, a set up whose continual recall is the death of nature and thus the death of the animal. The weave created by the relation between these elements is one of interdependence and thus co-implication. Part of the reason for this positioning has to do with the role of the writer and thus writing in Blanchot's overall project. Bataille's acute summary of this position is the following:

The situation of the writer is, according to him, of being placed like a truth between the living and the dead. Sometimes the writer opens life to the fascination of death.<sup>28</sup>

However, the actual argument in which the three elements identified above are interconnected cannot be reduced to the proposition that the only community is a community of writers. Once there is a move to a more generalised sense of community then the community in question, *la communauté inavouable*, the community given by the nothing-in-common, begins to take on a sense of identity. This occurs despite an intention to the contrary. The identity in question, however, is implicit. Refusing any possible form of overt essentialism within the refusal of the common there remains not just a type of commonality but one that has a productive form. Beyond the hold of the essential that would be positioned as internal to human being there is the sustained necessity and thus commonality of the animal's death. What is involved need not be a literal death. (The effective presence of the logic of sacrifice does not necessitate actual sacrifice.) Nonetheless, the death in question is far from arbitrary. There are at least two interrelated reasons why the impossibility of the arbitrary is the case. In the first instance, it involves the relationship between death and writing. While commenting on Blanchot for a different project, this relation is succinctly captured by Levinas, when he notes:

To Blanchot, death is not the pathos of the ultimate human possibility, the possibility of impossibility, but the ceaseless repetition of what cannot be grasped, before which the ‘I’ loses its ipseity. The impossibility of possibility. The literary work brings us closer to death, because death is the endless rustle of being that the work causes to murmur.<sup>29</sup>

The question that has to be taken back to the acuity of this observation would concern how the literary work comes about (a question that is not of direct concern to Levinas). Answering such a question necessitates that attention be paid to an understanding of the ‘death’ to which the literary work brings ‘us’ (*nous*) closer. The intimations of community within this ‘us’ underscores the connection between literature as the place – thus the placing of death – and the common. In Levinas’ reformulation of Blanchot the implicit anthropocentrism that marks Blanchot’s formulation of alterity as occurring in a relation ‘between man and man’ is itself reinforced by the use of the term ‘us’ (‘us’ as the ‘we’ that exists in a relation of *without relation* to animals).

The second sense in which death is not arbitrary, a possibility that moves beyond a simple reiteration of the anthropocentrism evident in Levinas’ summation of Blanchot, can be understood initially in terms of death’s non-generalisable presence. The death in question is of course already doubled, a doubling that is reiterated within the operative presence of the *without relation*. In the first instance it is the dying of the other. The other in question is necessarily the human other. The animal’s death is not the death of an other. There is no structural relation to that death. The animal, as was suggested, does not figure as an other since, were that to occur, then not only would there be the possibility of relation and commonality with the animal and thus with differing forms of a recalcitrant animality, the animal would no longer be able to figure within a sacrificial logic. The exclusion of the animal from the domain of alterity is structural and not ethical. (As such the response cannot be ethical.) However, in the second instance as it pertains to Blanchot, death is implicated in Blanchot’s inscription of Hegel’s own concern with naming and language, an inscription which, for Blanchot, accounts for the possibility and thus generation of literature. However, naming and language in Hegel, at least insofar as this figures in the use Kojève makes of Hegel, while opening up literature, a literature in which the force of both death and dying are already present, are positioned, from the start, within a logic of sacrifice.

What emerges with the exclusion of the animal from the domain of alterity and the reiteration of the logic of sacrifice is, as has been intimated, another form of anthropocentrism. This is neither the anthropocentrism defined in terms of the essential, nor the anthropocentrism

that emerges from the allocation of a fundamental quality to the being of being human – a quality that may demand its own form of naming. The anthropocentrism in question is rather the one that is given by the death of the animal, an anthropocentrism therefore that results from the inscription of the animal within a sacrificial logic. Moreover, the form of anthropocentrism constructs an important affinity between Levinas and Blanchot in relation to this exact point.<sup>30</sup>

The stark position that has to be brought into consideration – a consideration that will allow for the reintroduced presence of the dog – involves the affirmation of relationality as evident from the *L'attente L'oubli*. And yet the definition of relationality is bound up with the death of the animal. Therefore the location of relationality occurs within a structure sustained by the sacrificial logic that has always accompanied the animal's presence. If there is a way to sum up the argument then it would be that, despite the attempt by Blanchot to keep a distance from the idea of the common by positioning what has been already been described as a *without relation* (and its various entailments) as central, precisely because the *without relation* involves a form of doubling that was also at work with death (human death and animal death), the end result is that community occurs with the sacrifice of the animal. As has already been suggested, what the *without relation* has as its defining sense of the common is the necessity of the animal's death and thus the reiteration of the logic of sacrifice that continues to position the animal's inclusion as predicated upon the necessary and productive nature of its death. Hence the animal is present as figure. The reiteration of the logic of sacrifice gives a fundamental continuity to the *without relation*. As a consequence what is refused is a place for the animal other than as a figure within the dynamic relations that define human being. That refusal does not just open up the question of the animal's inclusion. More significantly, what continues to return is the problem of how and in what terms is the animal to be understood were that presence to be no longer structured by the logic of sacrifice.

### Another dog, other animals

And the dog? The question, in this context, precisely because it recalls Hegel's point of departure as well as its incorporation by Blanchot, opens up the place of Adamic naming in relation to the animal, or, more exactly, a conception of naming that affirms relation, an affirmation distancing the *without relation* and therefore, rather than necessitating forms of annihilation, would instead demand rethinking the latter as a

type of nihilism.<sup>31</sup> For Kojève and Blanchot the position and role of the animal cannot be separated from a productive destruction, the operative within sacrifice. Within it the animal is constrained to exist *without relation* to human being. As has already been noted, another possibility for naming – an attempt to deploy the Adamic moment of thought outside a logic of sacrifice – can be located in the work of Walter Benjamin. For Benjamin naming is linked to God's acts of creation:

God did not create man from the word, and he did not name him. He did not wish to subject him to language, but in man God set language, which had served Him as a medium of creation, free. God rested when he had left his creative powers to itself in man. This creativity, relieved of its divine actuality, became knowledge.<sup>32</sup>

Moreover, Benjamin does not distinguish between the human and the animal in terms of a simple opposition between the presence and absence of language. The key term is ‘communication’ (*Mitteilung*). The human communicates through the act of naming. Naming and knowledge are inextricably bound up with human activity. Moreover, they begin to define that activity. There is no necessity, however, that the named are vanquished. Language preserves. Benjamin describes the situation that draws on a distinction between literal empirical presence on the one hand and an other form of presence within language in terms of the claim that ‘[T]he linguistic being of all things is their language’ (*Das sprachliche Wesen der Dinge ist ihre Sprache*),<sup>33</sup> Understanding that what is at stake here necessitates working with the recognition, as will be suggested, that the totality of ‘things’ allows for the animal.

The animal appears a number of times in Benjamin’s text. The most significant for these concerns pertains to comments made by Benjamin on a line from a poem by Friedrich Müller.<sup>34</sup> Benjamin interprets the moment within the poem of Adam’s encounter with animals as implying ‘the communicating muteness of things (animals) towards the word language of man’. Two forms of communication are at work. Benjamin goes on to note that later in the poem:

The poet expresses the realization that only the word from which things are created permits man to name them, by communicating itself in the manifold languages of animals [*in den mannigfachen Sprachen der Tieren*], even if mutely, in the image: God gives each beast in turn a sign, whereupon they step before man to be named. In an almost sublime way, the linguistic community of mute creation with God is thus conveyed in the image of a sign.<sup>35</sup>

At work in this extraordinary passage is the proposition that what allows human naming is that some ‘thing’ is communicated to the

human, the human designated as the one who names. God gives the animals a sign. As a result they communicate themselves independently of naming. In a sense they call on naming. Indeed, the totality of all things with God appears and thus the contents of that totality exist as signs prior to naming. Naming, however, because it is a human activity, becomes the undoing of that totality of signs. Equally, however, it announces a separation of the human and God, a separation that for the religious will become the locus of prayer and liturgy while more generally it is the moment in which knowledge and naming – for Benjamin there is an inherent relation between them – takes over. That separation discloses the space of human action. Equally, naming preserves the animal. It does so within a space that will always be contested, one in which relations are tenuous, precisely because it is a space defined by the possibility of action and thus of actions the determinations of which are not given in advance. The space in question therefore is defined by potentiality and allowing.

It is vital to note the structure in which the animal's allowing occurs. The animal is present within nature. The animal and nature are brought together in terms of the 'nameless'. At the end of the text on language Benjamin writes the following in relation to human action:

To nature he gives names according to the communication that he receives from her, for the whole of nature too, is imbued with a nameless, unspoken language [*einer namenlosen stummen Sprache*], the residue of the creative word of God, which is preserved in man as the cognising name and above man as the judgment suspended over him.<sup>36</sup>

There is a fundamental exchange occurring here. Nature communicates itself and the human response is to name. There will be an ineliminable and inevitable incompleteness to this exchange. The elements are preserved in their difference within a relation that is inherently dissymmetrical and endless. The endlessness in question, one in which knowledge and judgment continue to operate, involves the interruption, as finitude, that naming demands, a demand, it should be added, that only occurs if the communication of 'nature' – nature communicates itself as a sign enjoining naming – is itself maintained. The point that needs to be made in this context is that what occasions naming, the Adamic naming of animals, is the continual giving of that which demands to be named. Naming thus understood is incorporated into the process in which knowledge and language operate. The endlessness of the naming has as its correlate the inevitable endlessness of the 'nameless unspoken language'. Arguing for the presence of such a correlate is not to make writing subservient to nature. That would be to strip nature of

its communicability. Rather, the correlate attests to differing modalities of finitude. One mode of communication works in relation to another. Both the endless naming and the nameless, unspoken language operate within domains and relations in which one neither exhausts nor masters the other. Both continue within their difference. The animal will have been maintained.<sup>37</sup> Writing will continue. There is another relation to the other.

If this other formulation can be generalised then it is possible to see the centrality of a relation which is no longer between ‘man and man’ as opening up another way of understanding and thus conceptualising community. (It may be that this word ‘community’ is itself a residue of the pervasive anthropocentrism that predominates within the term’s reiteration. As such there may need to be another formulation of what is entailed by being-in-common.) As opposed to the privileging of death and sacrifice, a privileging in which both the animal and a recalcitrant animality are inevitably implicated, life, though not as a singular term with an essential content, would have centrality. The line therefore that the dog continues to interrupt, a line between light and dark, a line that continues to resist a founding death, has to become the line of relation. The being of being human would as a consequence be articulated within a network of relations – thus demanding an explication in terms of a relational ontology – in which the animal continues to figure as the site of a continual negotiation demanded by the already present set of connections that hold the complex variations of life in play.

## Notes

1. Goya, *The Dog* (1820–3), 134 × 80 cm, oil on plaster remounted on canvas (Madrid: Museo de Prado).
2. For a more elaborate sketch of this term see my ‘Having to Exist’, *Angelaki*, vol. 5, no. 2 (2001), pp. 51–7.
3. References to Blanchot’s text ‘La littérature et le droit à la mort’ are to its publication in Maurice Blanchot’s *De Kafka à Kafka* (Paris: Gallimard, 1981). The English translation as ‘Literature and the Right to Death’ is found in Maurice Blanchot, *The Work of Fire* trans. Charlotte Mandell (Stanford, CA: Stanford University Press, 1995). All references to texts by Blanchot are to the French editions and the published English translations where available. Translations have on occasion been modified. Even though the path taken in this instance has a different point of orientation for two central discussions of Blanchot’s text see: Leslie Hill, *Blanchot: Extreme Contemporary* (London: Routledge, 1997), pp. 112–14, and Christopher Fynsk, *Language and Relation* (Stanford, CA: Stanford University Press, 1996), pp. 227–45.
4. Alexandre Kojève, *L’introduction à la lecture de Hegel* (Paris: Gallimard, 1947). Translations are my own. In addition, Kojève’s capitalisation of

certain terms has been retained. It should be added that the accuracy of Kojève's interpretation of Hegel is not a concern here. What matters is the adoption and adaptation of Kojève by Blanchot.

5. Kojève, p. 532.
6. Kojève, p. 535.
7. Kojève, p. 554. For the actual Hegel text see G. W. F. Hegel, *Jenaer Systementwürfe 1. Das System der spekulativen Philosophie* (Hamburg: Felix Meiner Verlag, 1986), p. 179. The text in question reads as follows: 'Mit der Krankheit überschreitet das Tier die Grenze seiner Natur; aber die Krankheit des Tiers ist das Werden des Geistes.'
8. I have analysed the relationship between disease, animality and alterity in Chapter 5.
9. Kojève, p. 554.
10. Kojève, p. 570.
11. Maurice Blanchot, 'Literature and the Right to Death', p. 323 ('La littérature et le droit à la mort', p. 36). For the actual Hegel text see G. W. F. Hegel, *Jenaer Systementwürfe 1. Das System der spekulativen Philosophie* (Hamburg: Felix Meiner Verlag, 1986), p. 201. I have included both Hegel's terminology as well as Kojève's (thus Blanchot's) translation.
12. Maurice Blanchot, 'Literature and the Right to Death', p. 323 ('La littérature et le droit à la mort', p. 36).
13. Maurice Blanchot, 'Literature and the Right to Death', p. 324 ('La littérature et le droit à la mort', p. 37).
14. Maurice Blanchot, 'Literature and the Right to Death', p. 324 ('La littérature et le droit à la mort', p. 37).
15. Maurice Blanchot, *The Infinite Conversation*, trans. Susan Hanson (Minneapolis, MN: University of Minnesota Press, 1993), p. 73 (*L'entretien infini* (Paris: Gallimard, 1969), p. 103).
16. The relationship between Blanchot and Heidegger cannot be encapsulated in a single statement. Blanchot's engagement with Heidegger is systematic, even if the name Heidegger cannot be located in every text. While it would need to be developed in greater detail one radical point of divergence between them can be found in Heidegger's use of the term 'anticipation' (*Verlaufen*) in *Being and Time*, trans. John Macquarrie and Edward Robinson (Oxford: Basil Blackwell, 1978). With Heidegger's use of this term death emerges therefore in terms of a 'possibility'. However, rather than a possibility to be realised or even closed in on, 'anticipation' has a different quality. For Heidegger

it turns out to be the possibility of understanding one's own most and uttermost potentiality-for-Being – that is to say, the possibility for authentic existence. (307)

The real distinction between this position and Blanchot's does not involve the rejection by the latter of a form of authenticity. Rather for Heidegger authenticity pertains to a mode of existence; the authentic is linked to a potentiality within human being. In the case of Blanchot there is an importantly different sense insofar as death cannot be separated from a form of language – i.e. from literature – and as such is inextricably bound up with

a reworked conception of writing. Literature's relation to death, even at the moment in which death becomes dying, maintains a set up that precludes its incorporation into the generalising phenomenology of 'being-towards-death'.

17. Maurice Blanchot, *Lautrément and Sade*, trans. Stuart Kendall and Michelle Kendall (Stanford, CA: Stanford University Press, 2004), p. 36 (*L'autrement et Sade* (Paris: Les éditions de minuit, 1963), p. 44).
18. In sum this distinction captures the inherent equivocation that structures Blanchot's relation to Hegel. On the one hand there is the sustained attempt to develop a conception of negation and of negativity that works beyond the hold of the logic of negation found in Hegel while on the other the move to literature and with it the structuring force of death retains – or at least this is the argument presented here – specific Hegelian origins.
19. Maurice Blanchot, *The Writing of the Disaster*, trans. Ann Smock (Lincoln, NE and London: University of Nebraska Press, 1995), p. 37 (*L'écriture du désastre* (Paris: Gallimard, 1980), p. 65).
20. I have taken up in greater detail the complex relationship between Hegel, Blanchot and Bataille in my 'Figuring Self-Identity: Blanchot's Bataille', in J. Steyn (ed.), *Other than Identity: The Subject, Politics and Aesthetics* (Manchester: Manchester University Press, 1997), pp. 9–32.
21. Maurice Blanchot, *The Infinite Conversation*, p. 46 (*L'entretien infini*, p. 10).
22. The question of measure and of that which exists 'without measure' is a central element of Blanchot's thought. In *The Writing of the Disaster* (*L'écriture du désastre*), for example, he writes that 'Passivity is without measure' (p. 17) ('La passivité est sans mesure', p. 34). What a formulation of this type involves is a positioning that is no longer possible in terms of either of strict oppositions or of a logic of negation. At work is the limit that allows. To the extent that this allowing occurs, the limit reaches its own limit. For an exemplary discussion of the limit and its relation to fiction and thus to writing in Blanchot, see Leslie Hill, *Bataille, Klossowski, Blanchot: Writing at the Limit* (Oxford: Oxford University Press, 2001), pp. 220–6.
23. Maurice Blanchot, *The Writing of the Disaster*, p. 87 (*L'écriture du désastre*, p. 138).
24. Maurice Blanchot, *The Writing of the Disaster*, p. 87 (*L'écriture du désastre*, p. 138).
25. Maurice Blanchot, *L'attente L'oubli* (Paris: Gallimard, 1962), p. 137. The actual structure of Blanchot's page had been maintained in the citation.
26. Maurice Blanchot, *La communauté inavouable* (Paris: Les éditions de minuit, 1983), p. 20.
27. Maurice Blanchot, *La communauté inavouable*, p. 22.
28. George Bataille, 'Maurice Blanchot', *Gramma*, nos. 3–4 (1976), p. 219.
29. E. Levinas, 'The Poet's Vision', in *Proper Names*, trans. Michael B. Smith (Stanford, CA: Stanford University Press, 1996), p. 132 (*Sur Maurice Blanchot* (Montpellier: Fata Morgana, 1975), p. 16).
30. Levinas' engagement with the question of the animal and the positioning of the animal in anthropocentric terms occurs in his paper 'The Name of a Dog, or Natural Rights'. This text, in English translation, along with

extracts from an interview with Levinas that touches on the question of the animal, can be found in *Animal Philosophy: Essential Readings in Continental Philosophy*, eds Peter Atterton and Matthew Calarco (London: Continuum, 2004), pp. 45–51.

31. In more general terms what this opens up is the question of whether it is possible to think of production in a way that distances itself from the logic of sacrifice, specifically the death of the animal as the precondition for writing. For a lead in this direction see Jean-Luc Nancy, ‘L’insacrifiable’, in *Une Pensée finie* (Paris: Éditions Galilée, 1990), pp. 65–106. Nancy’s paper has in its own right attracted an important secondary literature. The issues raised within it are of fundamental importance to the project advanced here concerning the animal. See, among others, Patrick ffrench, ‘Donner à Voir: Sacrifice and Poetry in the Work of Georges Bataille’, *Forum for Modern Language Studies*, vol. 42, no. 2 (2006), pp. 126–38, and Marie-Eve Morin, ‘A Mélée without Sacrifice: Nancy’s Ontology of Offering against Derrida’s Politics of Sacrifice’, *Philosophy Today*, vol. 50, SPEP supplement (2006), pp. 139–43.
32. Walter Benjamin, ‘On Language as Such and on the Language of Man’, in Walter Benjamin, *Selected Writings. Volume 1* (SW) (Cambridge, MA: Harvard University Press, 2000), pp. 62–74 (*Gesammelte Schriften* (GS) (Frankfurt: Suhrkamp, 1980), pp. 140–57).
33. SW 1.63; GSII 1.143.
34. The poem of Müller’s to which Benjamin refers is ‘Adams erste Erwachen und erste selige Nächte’.
35. SW 1.70; GSII 1.152. It should be noted that throughout this section of the text Benjamin is connecting ‘Stummheit’ as ‘muteness’ with ‘das stumme Wort’ (‘the unspoken word’). The mute animal still communicates. The shift away from the centrality of language understood as a tool and thus as the mark and thus as a form of utility to its incorporation within ‘communication’ is a fundamental move in the reconfiguration of the relations between human and non-human animals.
36. SW 1.74; GSII 1.157.
37. It is precisely the retention of the animal that allows for the development of the mitzvot within the Torah that accompany that existence. While sacrifice occurs it is not placed within a productive logic in which the propriety of being human necessitates the *without relation* and therefore a sacrificial logic. It would be thus that sacrifice (actual animal sacrifice) could be viewed as no longer essential within the Torah. However, other rules concerning the relation to animals could be given greater priority. The act of interpretation may provide them with genuine actuality (see, for example, *Deuteronomy XXII: 6–7*). In both instances what occurs does so because of the withdrawal of the animal from the logic of sacrifice.

# Indefinite Play and 'The Name of Man': Anthropocentrism's Deconstruction

## Opening

A concern with the presence of the animal in literary and philosophical texts has played a central role within a large number of Derrida's last writings. As will be seen the question of the animal – a question posed for and within deconstruction – can be located within deconstruction itself. In other words, it is not as though the animal is merely another topic to be taken up. There is a strong interrelationship between the history of philosophy and the continual positioning and repositioning of the animal within it. The latter comprises what has already been identified as the figure of the animal within philosophy (the philosophical tradition's creation and incorporation of the animal). As the project of deconstruction has taken as one of its defining ambits of operation the history of metaphysics, as the latter is conventionally understood, to take up that history is already to engage with the history of the animal within philosophy, i.e. with the animal's figured presence within the philosophical. As such, it is possible to begin with the question of deconstruction precisely because that question already involves a relation to the conventions of the history of philosophy. Beginning with deconstruction therefore is to begin with its presence as a question.

The question – what is deconstruction? – precisely because it eschews a concern with the essence and as a result does not work with the presumption that the question itself harbours deconstruction's own sense of propriety, stages, from the start, the concerns that are addressed by deconstruction. The staging and the address pertain both to the form of the question as well as to its specific content. Once both the language of essences and theories of reference have been displaced, a displacing occurring in the name of deconstruction, then answering questions of this nature, the question after deconstruction, is to acknowledge the presence of a question that remains to be answered. Rather than working

with the assumption of an already given answer, or even the criteria in relation to which any answer would have to be developed, there would need to be another beginning. This for Derrida is inextricably bound up with the 'event'. Of the latter he writes that

there is only the event where it is not awaited [*ça n'attend pas*] where one no longer waits, where the coming of that which happens interrupts the awaiting.<sup>1</sup>

Such a set up gives rise to a reformulation of the question: what is naming given a deconstruction of metaphysics? Accepting the exigency of such a question, an exigency that recognises the absence of any pre-given answer, means that the question should be viewed as opening up thought as it resists the already present determinations that the question of identity traditionally brings with it. Allowing for this opening positions a concern with deconstruction in relation to modes of thought as opposed to the continual exegesis of Derrida's writings. While those modes can be provisionally identified with the philosophical, it is equally the case that what can then be developed is deconstruction. The point of departure is in this instance a specific text by Derrida. What has to be taken up, however, are the demands arising from that particular text. If deconstruction is, among other things, the creation of openings for thought – deconstruction's event – the project of deconstruction entails the creation of the complex weave in which modes of repetition intersect with forms of invention. The opening takes up the way Derrida's engagement with 'play' (*jeu*) and 'interpretation', as they appear in his 1966 text 'Structure, Sign and Play in the Discourse of the Human Sciences', form an integral part of a deconstruction of 'humanism'.<sup>2</sup> Such a deconstruction brings into question the assumed centrality of anthropocentrism within the history of philosophy.

There are two assumptions at work within the anthropocentric bias that pervades the history of philosophy. The first is that philosophy's traditional concern with the animal was to specify that which is proper to human being. This occurred as part of the latter's radical differentiation from the animal. The second, which has already emerged in the earlier engagements with Heidegger and Blanchot, is that the properly human is situated *without relation* to the animal. As such not only is the animal refused the position of other to the human (where alterity brings with it an already present sense of relation), its death cannot be authentic. The death of the animal is inscribed within an identity-giving logic in which the identity that is given involves the necessarily human. The animal is sacrificed to this end. From the first instance therefore a deconstruction of humanism is already to take up philosophy's hold on both the animal and animality.

Derrida's text opens with 'play'.<sup>3</sup> More significantly, the opening is with the nature of the relationship between 'play' and representation. That relation is at work within interpretation. This is not a simple beginning as play and interpretation have already staged specific concerns. As such, play as that which is positioned counter to representation has a type of continuity within the philosophical. What the continuity of play brings in to consideration, however, are the stakes of play itself. The term 'play' is marked in advance. Derrida situates it as much in relation to the 'indefinite' as he does to the 'indeterminate'. In the context of this chapter, rather than pursue play's structural setting, what will be taken up is the relationship between play and what is identified by Derrida as 'the name of man' (*le nom de l'homme*). The significance of this identification is that it demonstrates that humanism is articulated within the concepts and the language of metaphysics. Therefore a concern with naming and thus the position of naming within philosophy – a concern already reiterated in the formulation 'the name of man' – is central to any understanding of how the name 'man' is deployed and, as importantly, how its position is secured.

Two passages provide the setting for pursuing this analysis. The first, from Derrida's examination of the place of representation in the work of Artaud, involves the relationship between representations, limits and forms of finality.

Because it has always already begun, representation therefore has no end [*fin*]. But the closure [*la clôture*] of that which does not have an end [*fin*] can be thought. Closure [*La clôture*] is the circular limit within which the repetition of difference repeats itself indefinitely. That is to say its space of play [*son espace de jeu*].<sup>4</sup>

Central to the argument presented in this passage is the relationship between repetition, as a stated concern, and what could be described as the implicit temporality of the 'indefinite'. The second passage occurs at the end of 'Structure, Sign and Play' and pertains in the first instance to the two differing senses of interpretation that traverse the broad concept of 'interpretation' and in the second to issues arising from a direct consideration of 'sign' and 'play'. The first sense of interpretation is defined by the project of uncovering and deciphering truths or revealing origins. The second sense, which for Derrida is positioned initially in relation to Nietzsche, has an importantly different orientation. It begins to displace the hold of 'man' and representation over play.

The other which is no longer turned towards the origin, affirms play and tried to pass beyond man and humanism, the name of man being the name of that

being who, throughout the history of metaphysics or of ontotheology – in other words, throughout his entire history – has dreamed of full presence, the reassuring foundation, the origin and the end of play.<sup>5</sup>

Derrida adds in relation to these two different senses of interpretation that it is not simply a matter of choice, as though the philosophical project can be circumscribed and repositioned by opting for one rather than the other, and as though choice was positioned outside the field in which the decision took place. Such a move would have to assume the absence of an already present sense of co-implication. Hence, when it is a question of delineating how a response to this difference is to be staged, he argues that 'from the start it is necessary to try and think the common ground and the difference of this difference.'<sup>6</sup> While Derrida goes on to note the possibilities that this opens up, what is of interest at this stage is the relation between this definition of the philosophical task and what has been identified as 'the name of man'.

There are two elements that need to be noted. In the first instance the name, thus actions done in the name of humanism or a prevailing anthropocentrism, need neither name 'man' nor the human. Indeed, what the name names may be silent in regard to 'man' since the 'dream of presence', origins and 'the end of play', the 'end' here would be 'play' having been overpowered, can be taken as defining anthropocentrism. 'Man', along with the figure of the animal, may be an unnamed presence within that definition. The second element therefore which as has already been intimated is central to the name's history has been the continual definition of human being as inherently distinct from both the animal and animality in general. The relation to the animal is not a contingent matter. Human propriety is established, in general, by and through its continual differentiation from the animal (the work of the *without relation*).

The substantive question still remains: how is 'the name of man' to be understood? The question addresses naming and as has been indicated writes philosophy's recurrent concern with the link between naming and justification into its already staged encounter with the animal. Moreover, the animal can always be reintroduced into the philosophical such that an account of animals would deploy the same metaphysical system that was used elsewhere and which accounted for their exclusion, an exclusion occurring as the result of the operative presence of the *without relation*. There are therefore two related components at work here. The first is the definition of the human as distinct from the animal. In this instance the absence or presence of either the 'soul', 'world' or 'logos' (in all their permutations) is central.<sup>7</sup> The second, as noted above, is that

the process of accounting for animal kinds and thus divisions within the domain of animals prompts questions inevitably presented within the same metaphysical structure as questions concerning specificity and thus the essential in general. A clear instance of the latter occurs in Plato's *Meno*. In trying to define the specificity of virtue – not the differing modalities of virtue but virtue itself – Socrates switches tack and uses an animal as an example, asking in relation to the ‘bee’ what is its essential being (*ousia*) (72a). The force of this question is that it then defines difference in relation to an unchanging conception of the essential. Within the argumentative structure of the Dialogue it is this move that allows the virtues to be reintroduced. What Socrates is after is the ‘form’ (*eidos*) of virtue (72c). While the answer will be different in the case of the bee, the of the question has an important similarity that comes to the fore when the question of naming returns. To name the ‘bee’ and to name ‘virtue’ are only possible if, in both instances, the essential is named. For Plato, as is clear from arguments elsewhere in the *Meno* and the *Cratylus* among other Dialogues, naming demands the essential.

What this means is that the animal is only included in terms that account either for generation or classification.<sup>8</sup> That inclusion is itself connected to the related exclusion of a possible recalcitrant animality. Were the latter to be introduced it would not simply complicate strategies of exclusion it would also work to undo the metaphysical system that equates animal presence with differing modalities of classification. If animal presence is limited in this way – i.e. it is present only within a metaphysics of classification – it means that human being remains untouched by the animal. The animal and the human, or to be more precise human and non-human animals, remain without any relation to each other as classification includes them in a way that works to hold them apart. This position is, of course, a reiteration of the constituting *without relation* that can be taken as defining the location of the human with regard to animality.

The force of Derrida's argument concerning the ‘name of man’, an argument that defines an already present interconnection between metaphysics and humanism, entails that an engagement with one is *ipso facto* an engagement with the other. As such, the question of modes of thinking that are not determined by the tradition of metaphysics can be approached from either direction. Moreover, what is also established is a relationship in which it becomes possible to return to the question of the specifically human, knowing that the question would no longer have been posed either in terms of essences or in a way that delimits the human, a delimitation that is itself a form of classification, in its radical, thus all encompassing, differentiation from the animal. Indeed,

responding to the question of the specifically human would have been made possible by taking up the position advanced by Derrida in relation to the two different forms of interpretation. The claim is that the project that emerges from these opening considerations demands thinking the nature of the difference between the human and the animal. In sum, therefore, it will be argued that, as a consequence, what matters is not the difference between the animal and the human but how that difference is itself to be thought.<sup>9</sup> Hence, the project here will be to establish a link between the conception of 'closure' (*la clôture*) at work in the passage from Derrida cited above, and the movement that connects affirmation and the attempt to 'pass beyond man and humanism'.<sup>10</sup>

The reason for concentrating on the question of 'closure' is that it appears in Derrida's text on Artaud's theatre in terms of its differentiation from any simple positing of an end. As has been mentioned, what is distanced by that differentiation is a conception of other possibilities within the philosophical as arising from the mere assertion of a counter move. Derrida's formulation is important since what it affirms is the work of 'play' thought within the setting of an indefinite (in other word, the always to be defined) and thus indeterminate (the always to be determined) modality of repetition. While not argued for in the context in which it is advanced the formulation allows for the continuity of 'play' though now positioned predominantly within the affirmation of repetition. What this then entails is the location of a discontinuous form of continuity as given within the primacy of relations. This conception of relationality, it will be argued, is of fundamental importance to a mode of philosophical thinking whose point of orientation is deconstruction.

The history of metaphysics envisages a state of affairs in which the continuity of play will have been brought to an end. What is central here is not the impossibility of this envisaged undertaking, an impossibility established by its deconstruction thereby opening up the link between deconstruction as a strategy within philosophy and what Derrida identifies in later writings as the 'incalculable'.<sup>11</sup> Centrality needs to be given to what this understanding of metaphysics actually attempts to end. In other words, more is at stake than the claim that the tradition of metaphysics aspires to forms of finality. The position here is that what matters is that those forms refuse a conception of relationality and repetition that is positioned by the 'indeterminate' and the 'indefinite'. Accepting this as a point of departure moves the concern away from having to do no more than follow arguments internal to Derrida's texts. Those arguments need to be opened up to a broader set of trajectories. What defines the latter can be described as working with the primordiality of relation; moreover, it is a primordiality that allows the animal to

play a decisive role within the construction and thus the task of the philosophical. Nonetheless, it should still be noted that the already present nature of relationality is a *topos* that is itself intrinsic to the project of deconstruction.

### Animal play

Central to the history of metaphysics has been the attempt to position and define that which is proper to the being of being human.<sup>12</sup> However, the sense of propriety in question continues to be established by setting up a position in which the human is marked by the constitutive absence of a relation to animality (animality including both human animality as well as non-human animals). This absence, as indicated, is the founding *without relation*. The animal brings relationality to the fore. Moreover, the animal opens up the possibility for distancing the hold of what can be described as the traditional metaphysics of relation, a position in which the *without relation* figures as a constitutive element and as such creates an opening in which there can be another thinking of relation. In order to develop what is meant by relationality and allow the question of the animal to remain central, §47 of Hegel's *Philosophy of Right* will be taken as the point of departure.<sup>13</sup> This section of Hegel's text stages the animal and the human in ways that exemplify the complex problems of relationality. It occurs in the discussion of 'Property' within the general treatment of 'Abstract Right'. One of the primary concerns of this part of Hegel's text is the relation that the person has to itself. It is precisely this relation thought in terms of a form of possession that defines the self's relation to itself. What is of significance is that the relation has to be willed. It cannot be passive. It is the lack of will on the one hand and the animal's relation to pure externality on the other that establishes one of the fundamental divides between human and non-human animals in Hegel.

The section of text from the *Philosophy of Right* reads as follows (the Addition (*Zusatz*) has also been included).

As a person, I am myself an *immediate* individual; if we give further precision to this expression, it means in the first instance that I am alive in this bodily organism which is my external existence universal in content and undivided, the real pre-condition of every further determined mode of existence [*bestimmten Dasein ist*]. But, all the same, as person, I possess my life and my body [*als Person habe ich mein Leben und Körper*], like other things, only in so far as my will is in them.

The fact that, considered as existing not as the concept explicit but only as

the concept in its immediacy, I am alive and have a bodily organism, depends on the concept of life and on the concept of mind as soul – on moments which are taken over here from the *Philosophy of Nature* and from Anthropology.

I possess [*Ich habe*] the members of my body, my life, only so long as I will to possess them. An animal cannot maim or destroy itself, but a man can.

Addition: animals are in possession [*haben*] of themselves; their soul is in possession of their body. But they have no right to their life, because they do not will it [*aber sie haben kein Recht auf ihr Leben, weil sie es nicht wollen*].

The ‘person’ possesses life and thus takes ownership and reciprocally responsibility for their body. The person therefore is defined in terms of a type of relationality. The ‘I’ that is alive within the ‘bodily organism’ is implicated in an already present relation. Note, however, that the relation is between internality and externality defined as occurring in the same form. The body is externality. The body, however, is a possession. The possessor of the body is defined as ‘a person’. The ‘bodily organism’, Hegel notes, is the precondition for all other relations. Those other relations are ‘determined modes of existence’. A clear instance of this relation – a relation that presupposes bodily presence – is the dialectical relation between Master and Slave in the *Phenomenology of Spirit*.<sup>14</sup> (While it cannot be pursued in this instance a question posed by this relation is the extent to which the structure of recognition that defines that relation between self and other actually involves the presence of bodies. It may be the case that bodies, once again, are no more than a mere precondition.) In sum, the determination that defines the master/slave relation does not entail a form of having or possession. It may, however, presuppose it.

In the case of the formulation in the *Philosophy of Right* the importance of relation lies in the definition of the ‘person’ in terms of a relation that is internal to the person. Equally, animals are defined in the same way. Animals possess themselves. Their ‘soul’ is in their bodies. Hence there is a relation. And yet, as soon as the affinity is announced it is withdrawn. The absence of a willed relation between the ‘I’ and its life or body in the animal means that it does not have ‘a right’ (*Recht*) to that life. The willed relation provides the connection between person and life. The capacity for the animal to be killed cannot be accounted for in terms of the animal’s inability to possess its body. The animal cannot be equated with mere bodily existence. Rather, the potential for the animal to be killed is due to the absence within the conception of possession proper to the animal of a willed relation between body and soul. There are therefore two sites in which relationality is defined internally. Moreover, the two sites differ radically in regard to the absence

and presence of the will. The will needs to be understood as a locus of activity. Willing is a continual relation between the body and soul in the ‘person’. The absence of the will entails that the continuity of animal life has a necessarily distinct form. What this means is, of course, that the nature of the difference between the ‘person’ and the animal is such that there cannot be a relation between them. It is clear that the question of how this state of *without relation* is to be understood is a question fundamental to any sustained conception of a philosophical positioning that takes relationality as an original condition while indicating at the same time the importance of the animal to such a concern. (With regard to the animal, as was noted, the *without relation* is the relation of non-relation.)

‘Man’ (‘Der Mensch’) comes into its own through the realisation of a ‘potentiality’. There is a ‘taking possession of oneself’ (*Besitznehmen*) (§57). In the process ‘Man’ will ‘become his own property’. As such there is a limit in which natural existence takes on a form of determination. This limit opens up as freedom and thus the basis of Ethical Life and is continually defined in terms of internal and external relations that position both the animal as well human animality as an essential outside. Animals have a conception of ‘law’ (*Gesetz*). They only have it, however, ‘as instinct’ (*als Instinkt*) (§209). What limits instinct and thus that which functions as the limitation of animal law is the impossibility that its contents can be known. The absence of this knowledge means the necessary separation from forms of universality. What has been designated as the *without relation* with regard to its operation within the *Philosophy of Right* needs to be situated within this network of concerns.

The *without relation* sustains a form of difference. In other words, the difference between the animal and the human is defined in terms of the *without relation*. Moreover, it is not just a definition, it allows for the death of the animal. The ‘will’, ‘knowledge’ and an already delimited outside work together to construct the locus of difference. If there is an element that complicates this set up then it is the way Hegel will define the ‘sensual man’. The animal and the ‘sensual man’ (the latter is a position that can be reformulated in terms of human animality) have a similar status. Neither can ‘transcend’ their determined and delimited state in order to see themselves, to use the formulation of the *Philosophy of Nature*, ‘in thought as universal’ (§350). In animals, this is due to the dominance of ‘instincts’ and ‘drives’. In the ‘sensual man’ it is the failure of the ‘will’. The reciprocity in this instance needs to be noted. The failure of the ‘will’ is the triumph of the instincts and the drives, hence the triumph of animality within ‘Man’. Once the will triumphs then animality in ‘Man’ is overcome. Overcoming is establishing the setting

in which 'Man' cannot have any form of relation to the animal and, as significantly, to what can be identified as a recalcitrant animality, i.e. the residual presence of the human as animal. While the failure of the will and thus the emergence of animality within the human introduces a complication in the process of the *without relation* what is established nonetheless is a form of difference. If the form were to be questioned and thus the nature of the difference to be examined then another sense of complication emerges.

In §47, as has been noted, Hegel argues that the 'I' in having, possessing, its body and thus in being in possession of its life is able to cause self-harm. Possessing its body, identifying its body with its life (the latter also being owned), the 'I' is able to dispense with the life through an act of choice. Self-harm, even the destruction of self, presuppose these relations. The animal's inability in this regard is due to the dominance of feeling. Intuition and feeling account for its worldly presence nonetheless the animal cannot be 'aware of itself in thought'.<sup>15</sup> The difficulty here is neither the assumption in relation to what the animal does or does not know, nor is it provided by the necessary generality that the word 'animal' brings into consideration. The difficulty arises for other reasons even though both these points need to be noted.

The difficulty that emerges has to do with the way difference is constituted. Difference, in this context, is the *without relation*. The problem is not that there aren't differences between human and non-human animals. Rather it is the equation of that difference with the exclusivity of the *without relation*. Difference thus constituted has to establish a border that is defined from the start not only by the necessity for a form of security but also by the impossibility of any type of porosity. Such a conception of difference is constituted through a founding act of separation, an act that works with definitions. The animal for Hegel is pure particularity. Human animality can be overcome in the human and thus through the assertion of will it can be negated. The animal itself is already positioned such that any relation to the human – a relation that would have to take place in terms of either the specific logic of recognition or the more general work of negation – is marked by an ineliminable contingency. Animals as 'individual subjects' have a relation to externality. However, it is not a relation to external others – the animal, for Hegel, is from the start deprived of relations of alterity – but to external objects. However, the animal, Hegel argues, in the *Philosophy of Nature* (§351) is also in relation with itself. The animal

because it is a self-subsistent self is equally in relationship with itself, it positions its being for-self as distinct from [its] non-organic nature, in relationship

with it. It interrupts this relationship with the outside world, because it is satisfied, because it is sated – because it has sensation, is a self for itself. In sleep the animal submerges itself in its identity with Universal Nature, in the waking state it forms relationships with individual organisms but also breaks off this relationship; and the life of the animal is the alternating fluctuation between these two determinations.

The relations into which the animal enters are always between particulars. Indeed, there is an inherent necessity that this be the form of relationality. The specific determination of a particular will always have to be given. Moreover, that determination is not given by the animal. The animal's relation is continually marked by utility. For Hegel the animal cannot recognise itself in that relation, if recognition were to mean it would have taken itself over as animal. Nor, moreover, can the animal grant existence through the process of recognition.<sup>16</sup> The impossibility of the animal being present – not mere presence but the presence of production – within a dialectic of recognition further reinforces the position in which the animal cannot figure as an ‘other’.

While the animal has a relation to that which is external to it, the limit of the relation is the interconnection between animality and sensation. The animal is only ever connected to the external in terms of need. Once need no longer pertains then relationality loses its necessity. The animal then sleeps. As such, that which is external to the animal cannot take on the quality of an other. There is, however, an important reciprocity here. Precisely because the animal is able to be killed, it has the quality of an object and therefore not as the other to the human,<sup>17</sup> (thereby reiterating the impossibility of thinking, in this context, the animal as other). The *without relation* works therefore to eliminate both the possibility of animal others as well as there being that which for the animal would be other to it. Taken together they eliminate, through a form of immediacy the space in which it is possible to think the alterity of the animal. The refusal of a connection between animality and alterity is not just a consequence of the *without relation*, it is the form that it takes. The merely ethical response to this position in which the animal is simply granted the status of ‘other’ fails to understand that the animal’s exclusion from the domain of alterity is not itself an ethical position. It results from the way the *without relation* works to establish the propriety of human being.

While they are still to be developed there are two direct conclusions that can be drawn here. The first is that the *without relation* is the mark or form of a difference in which the quality of that difference fails to be thought. In other words, the ground of difference is itself internal to the definitions that establish it. (Difference, in such a context, only arises

in its being posited.) The second is connected insofar as were difference to be thought – a thinking that would define an importantly different philosophical project – then a relation would have to be introduced. While the second of these conclusions appears obvious what it necessitates is the introduction of a relation that is not the simple negation of the *without relation*. The reason why this is the case involves the following considerations. The inability of the animal to function as an other and thus the related failure to position the animal within a genuine relation of same and other cannot be overcome simply by insisting that the animal be able to occupy such a position, as though all that were involved was the move from the absence of a relation to its presence. The absence of a relation means that difference was simply posited rather than thought, reciprocally therefore the introduction of relation would involve the introduction of another conception of difference. However, rather than being introduced such that difference did no more than occupy a place in a simply posited relation, difference would need to be reconsidered in its own right. In other words, recalling Derrida, what would matter is the difference of this difference.

A way into such a project would begin with the recognition that the absence of relation was a self-defined finality. The introduction of a relation, a move in which the *with* would be the key term, would demand taking up the temporality of the now emergent relation. Rather than the continuity of the *without relation* there would be the need to think difference as the continuity of a relation. In the first instance the separation would have occurred such that the *without relation*, as a formal condition, involves a founding and constituting act of separation. In the case of the second, in which relationality can be rethought and, as a consequence, reformulated, the border would have moved and thus would have opened itself up such that continuity rather than being simply passive would have an inherent form of activity. The activity – thus continuity – in question would be defined in terms of negotiation. (Relations as mediate would have taken the place of immediacy.) Once it can be argued that the *with* is not the negation of the *without* that defines the *without relation* then, as has been intimated, what comes to be reposed is the question of the *with*. Moreover, responding to the *with* entails taking up its 'relation' to the indefinite and indeterminate, (two terms which can now be seen as the marks of the continuity of mediation). The key to the *with* lies as much in its refusal of an identity through negation – a formulation in which the '*with*' would be no more than the negation of the '*without*' of the *without relation* – as it is the inherent interconnection between it and repetition. (This interconnection not only repositions the *with* it re-enforces its actative dimension.)

## At the border – indefinite and indeterminate relations

In the opening section of ‘Structure, Sign and Play’, Derrida responds to Levi-Strauss’ argument that the move to the ‘sign’ overcomes the opposition between the sensible and the intelligible with the counter-argument that the sign is itself ‘determined by this opposition’.<sup>18</sup> Derrida’s engagement with ‘structure’ is not in terms of its actuality. Rather, the concentration is on what it has presupposed, limited and delimited. Structure’s insistence on a centre and thus on a fixed point of origin necessitates that, in Derrida terms, ‘the principle of organisation of the structure limits what might be called the *play* of the structure [*le jeu de la structure*].’<sup>19</sup> Integral to the operation of Derrida’s own text is the movement between the recognition of the impossibility of a simple counter-assertion on the one hand and the commitment to the already present possibility of ‘play’ on the other. Even though not argued for explicitly in the text, ‘play’ in this instance needs to be understood as a potentiality that has been constrained in advance. Even though it means attributing to this formulation a terminology that is not automatically Derrida’s, what this repositioning of ‘play’ entails is that the work of deconstruction becomes, in part, the engagement with that potentiality. Engagement is as much noting that which delimits as it is tracing the effect of its release. One way in which that engagement can be understood is in terms of a return. However, the return in question would be neither to an origin nor to an already determined understanding of philosophy’s terminology or modes of procedure. The return can be understood as the ‘event’ announced at the beginning of ‘Structure, Sign and Play’. The ‘event’ is described by Derrida in the following terms.

The event of rupture . . . would perhaps be produced when the structurality of the structure [*la structuralité de la structure*] had to start to be thought, that is to say, repeated, and this is why I said that this disruption was repetition in every sense of the word.<sup>20</sup>

This formulation contains a number of significant elements. Three, all of which are interrelated, need to be noted. In the first instance there is the explication of the process of coming to be thought in terms of repetition. In the second, disruption, hence the ‘event’, is a modality of repetition. Finally, the object of thought is not ‘structure’ as though it were either a given or an end in itself but what has already been identified as ‘the structurality of the structure’. The force of the overall argument can be followed along two interconnected paths. In the first instance what is important is the movement into structure. In other words, the process of structuration becomes the locus of thought and as such the rethinking.

The second is that once the movement is thought and thus prior to structure taking form and thus already involved in the after-effect – again a process – which is the attempted restriction of play, there is an almost axiomatic severance with both determination and definition. The severance in question has the quality of an origin. However, the origin is not a point of origination. Rather, it is an original play of differences within which difference can be both positioned and thought. Furthermore, this original play becomes a way of arguing that the indeterminate and the indefinite always precede determinations and thus modes of finitude. In sum, finitude is an after-effect.

There is an important reciprocity here insofar as this sense of original play is connected to the infinite. However, the complex problem that emerges is how that infinite is to be thought and how, moreover, the relationship between an infinite defined in terms of potentiality and finitude is to be understood? Beginning to respond to the demand of these questions necessitates pursuing the already noted interconnection, and therefore a matrix of concerns, between repetition, relation and the indefinite and the indeterminate. This will be undertaken within the setting provided by animality's recalcitrance since it involves, as has been indicated, an affirmation of the primordiality of relation.

Allowing for the recalcitrance of animality is already to blur a clear distinction between human and non-human animals. The justification for such a move can be located within the philosophical tradition itself insofar as there is a set of terms – 'sentiment', 'feeling', 'sensuality', 'memory', etc. – that unite, if only fleetingly, the human and the animal. Precisely because they unite they identify a setting in which a strict divide would then need to be introduced, a divide that, while it may maintain human animality, indeed allowing for the development of human biology as part of the philosophical (Aristotle, Descartes, etc.), will nonetheless effect a separation such that animality can never be identified with that which is proper to human being.<sup>21</sup> However, the presence of moments of overlap or connection between the human and animality indicates that the latter is a term that involves, at the outset, an automatic imbrication between the human and the non-human. Equally, an imbrication, thus an overlap rather than an identity, also pertains in the case of the voice. While the human voice can be identified with reason (*logos*), it is also the case that there are forms of animal communication that have a connection to types of reasoning.<sup>22</sup> Aristotle argues, for example, that both humans and certain animals (e.g. bees, wasps, ants) have a sense of the polis (which will be different in each instance) since they act together with a common goal.<sup>23</sup> While this is a position that cannot be generalised – animals, for Aristotle, have differing relations

both to the political and to practical wisdom – what it indicates is the presence of complexities that have to be overcome. Again, the originally complex relations could be taken as the setting in which the animal/human relation – though it would become relations – was worked out. Were that to occur then the *with*, itself the site of a founding plurality, would have gained ascendancy. Occupying such a position would mean that rather than the *without relation* determining the philosophical task, original difference would have given the philosophical a radically different configuration.

The *without relation* has to work to efface the marks of animality's presence, even though it is predicated on a founding event of plurality, an event occasioning it yet effaced in the actualisation of a form of singularity. The *without relation* should be understood therefore as an attempt to formalise and thus make substantive an already present informal set of relations. As part of the same process the *without relation*, as that which is imposed on the site of an original plurality, singularises the relation in the sense that the divide is then between the human and the animal such that each element of the divide takes on a single and thus unified presence. In the case of the animal this may involve later distinctions between the tamed and the wild; nonetheless, what endures is the singularity of the animal in its opposition to the human. Reciprocally, what is also introduced is a unified and singular conception of human being. Taken as a whole not only is the conception of the animal/human relation (a relation positioned by the *without relation*) undone by the affirmation of *with*, it is also the case that the conception of human and animal demanded by the *without relation* is undone and thus reworked at the same time. The *with* reintroduces relationality such that it can then be argued that this reintroduction, itself a form of repetition, is the affirmation of an always already present relation. Again, the relation will have always been relations. 'Play' is one of a number of possible names for this plurality.

Continuing this project involves accounting for this plurality. As a beginning it needs to be understood as reiterating the original condition that is refused in the move to the singularisation of both human and animal identity. The way into this particular conception of plurality is provided by its status as always 'already present'. Hence, the question that arises here concerns the quality of what has been designated as the 'already present'. Given what has emerged from the opening consideration of Derrida's text, such a set-up – the insistent presence of the 'already present' – would need to be characterised by the indefinite and the indeterminate. Moreover, the move from the already present to forms of presence – a move in which 'closure' (*clôture*) identifies the place of infinite repetition – has to be understood in relation to a

reworking of the distinction between potentiality and actuality. The demand that arises, while occurring within deconstruction, would nonetheless need to be addressed back to specific formulations it has been given. An address is of necessity a limit. What arises here, and it arises from following that which is at work in Derrida's argumentative strategies, is a threefold task. What has to be taken up is the following: in the first instance, a conception of the infinite defined in terms of potentiality and finitude as actuality; in the second, a delimitation of the future in terms of the affirmation of a set of relations that are already in play; and finally understanding the event of interruption as a modality of repetition. Allowing these three elements to be developed within a setting that has been explicitly created by the animal's presence within philosophy, a presence no longer structured by the *without relation*, not only continues deconstruction, understood as a mode of thought characterised by the necessity of an opening that occasions work, it reinforces the place of the animal within the deconstruction of metaphysics.

While an insistence on the relationship between potentiality and finitude may mark a point of divergence from Derrida (if only because it registers the presence of a different philosophical vocabulary), what is of greater interest is the contrast between abstraction as the overcoming of particularity on the one hand, and, on the other, finitude as the after-effect of the relationship between potentiality and actuality. While abstraction has different fields of operation, insofar as Dasein, as an abstraction as set out earlier, operates differently to the conception of 'man' at work in the relations that structure the conception of community in Blanchot, it is part of a movement that effaces the hold of the particular while at the same time presenting the particular with a conception of its (the particular's) identity. Hence the link between the work of figures and the differing modes of abstraction. What holding to the originality of potentiality and actuality entails is that not only are identities after-effects, particularity is such an effect. Prior to the particular there is the network of relations allowing for the affirmation of identity. The network is always informal. Nonetheless, its constitutive elements can be dated, described and thus they have a history.

## Notes

1. Jacques Derrida, 'Une certaine possibilité impossible de dire l'événement', in Gad Soussana (ed.), *Dire l'événement, est ce possible?* (Paris: L'Hartmann, 2001), p. 84 (my translation).
2. There have already been a number of important contributions to a deconstruction of humanism. One of the most sustained and provocative is David

10. Derrida's other sustained reflection on the question of humanism is 'Les fins de l'homme' in *Marges de la Philosophie* (Paris: Les Éditions de minuit, 1972), pp. 129–64.
11. The question of the incalculable is central to the argument advanced in *Force de loi* (Paris: Éditions Galilée, 1994) in which Derrida identifies deconstruction with justice. Of specific importance in this text is Derrida's argument that 'the incalculable justice *commands* calculation' [*la justice incalculable commande de calculer* (61)]. This is an obligation to move from one to the other. While it cannot be taken up in detail in this context what is of genuine interest here is twofold. In the first instance it concerns the way this division recalls a distinction between the infinite and the finite. In the second, while the obligation – in Derrida's terms 'it is necessary to calculate, negotiate the relation between the calculable and the incalculable' [*il faut calculer, négocier le rapport entre le calculable et l'incalculable* (62)] – can be expressed in terms of finitude, in this context the resultant calculation is only possible because of an already present sense of the infinite, i.e. the incalculable.
12. This is a philosophical concern that finds expression as much in Descartes' identification of human being with *res cogitans* as in Heidegger's insistence on a distinction between individuated bodily existence and Dasein. I have taken up the latter in my 'Who Dwells? Heidegger and the Place of Mortal Subjects', *Pli: The Warwick Journal of Philosophy*, vol. 10 (2001), pp. 80–102.
13. G. W. F. Hegel, *Philosophy of Right*, trans. T. M. Knox (Oxford: Oxford University Press, 1975) (G. W. F. Hegel, *Grundlinien der Philosophie des Rechts* (Werke 7) ((Frankfort: Suhrkamp, 1986)). All subsequent references are in the body of the essay. The numbers refer to sections.
14. G. W. F. Hegel, *Phenomenology of Spirit*, trans. A. V. Miller (Oxford: Oxford University Press, 1977), pp. 111–19.
15. This is the position already noted as occurring in the *Philosophy of Nature*: see §350.
16. It is not difficult to see Derrida's encounter with the cat that marks the opening of *L'animal que donc je suis* (Paris: Éditions Galilée, 2006) 'as a profound meditation on the possible role of the animal within another dialectic of recognition'.
17. For Kant 'domestic animals' are products of 'human labour'. They have the same quality as 'crops', precisely because they have been produced. Thus for Kant, animals

can be used, exploited, or consumed (killed). Despite the connection established through work and production humans and animals remain distinct because the human 'gives consent' to actions that involve work and production. Humans cannot be herded to war as though they were owned. (And this despite the power of monarchs.) The act of giving consent to war and thus to participation in battles that may result in death occurs because each human unlike an animal is assumed to be a co-legislative member of the State.

While it would be facile to argue that animals ought have the same position, this justification of the killing of animals would be impossible if the *without*

*relation* no longer functioned and the actual ground of difference had to be thought within the primordiality of relation. See Kant, *Metaphysical Elements of Justice* §56 (I. Kant, *Metaphysical Elements of Justice. Part 1 of the Metaphysics of Morals*, trans. John Ladd (Indianapolis, IN: Hackett, 1999)).

18. ED/WD 412/283.
19. ED/WD 409/278.
20. ED/WD 410/280.
21. Voltaire uses what is being termed here as animality's recalcitrance to make the following observation.

Is it because I speak to you that you judge that I have feelings, memories and ideas? And yet, I am not talking to you, you see me enter my house in an agitated manner, looking for a paper with worry, opening the desk where I remember locking it away and reading it with joy. You judge that I experience the feelings of affliction and of pleasure, and that I have memory and knowledge.

Give the same judgment then to the dog who has lost its master, who with painful cries has searched all the usual paths, who enters the house, agitated, worried, who descends, who goes from room to room, who finally finds in his room the master that he loves, and which is evidenced by his cries, by his jumps and his caresses. (Voltaire, *Dictionnaire Philosophique* (Paris: Garnier-Flammarion, 1964), p. 64)

22. I have taken up the question of the relationship between human voice and animal sounds in my 'Raving Sybils, Signifying Gods: Noise and Sense in Heraclitus. Fragments 92 and 93', *Culture, Theory and Society*, vol. 46, no. 1 (2005).
23. While this is a topic that warrants detailed treatment in its own right this position is advanced by Aristotle in his *History of Animals* (487b).

## **Part II**



# What If the Other Were an Animal? Hegel on Jews, Animals and Disease

## Opening

Within the history of philosophy the question of the other while not having a purely singular determination appears nonetheless to be a uniquely human concern. Hence engagement with the nature of alterity and thus the quality of the other are philosophical projects that commence with an assumed if often implicit anthropocentrism. Alterity figures therefore within a context that is delimited from the start by an assumption about the being of being human, or at least the approach to human being usually begins with the posited centrality of human-to-human relations. This position is explicit in the writings of Levinas for whom the presence of the other is acknowledged and sustained through a mode of address. He argues that:

Every meeting begins with a benediction [*une bénédiction*] contained in the word hello [*bonjour*]. This hello [*bonjour*] that every cogito, that every reflection on self already presupposes and which could be the first transcendence. This greeting [*salut*] addressed to the other man [*l'autre homme*] is an invocation. I insist therefore on the primacy of the welcoming relation in regard to otherness. [*J'insiste donc sur la primauté de la relation bienveillante à l'égard d'autrui*.]<sup>1</sup>

There is therefore a primacy of relation between humans that is given through the ‘word’. If it were possible to define the absence of the ‘word’ then that absence would describe the animal’s presence. Absence or ‘poverty’ would prevail. It is, of course, precisely this prevailing sense of deprivation that, as has already been argued, leaves open the possibility of thinking a form of animal presence that was situated beyond both a founding *without relation* though equally beyond an attempt to supplant it. (This is the complex state of affairs already indicated once the ‘with’ is not taken as the negation of the *without relation*, but as that which

inaugurates another thinking of relation.) In other words, what this leaves open is the possibility of taking up the question of the other that was no longer advanced in terms of a founding absence, where absence is defined in relation to the spoken word. What such a task would necessitate is beginning with a different question. It is that beginning that is at work continually in the project being undertaken here.

If there is another question then a point of departure needs to be located elsewhere. Given that a central concern that has continued to arise both philosophically and theologically is the impossibility of the animal occupying the position of the other and therefore of the related impossibility that there be a founding relation to animals (as a site of plurality incorporating human animality), it is precisely this state of affairs that opens up the possibility of a different question and thus another beginning. The question is straightforward: what if the other were an animal?

As is clear the animal already figures within the history of philosophy. Its accommodation is for the most part a form of confinement within which the animal is positioned in terms of what has already been described as a constituting *without relation*. As has already emerged in the earlier discussion of Heidegger and Descartes that positioning was linked to a radical separation of ‘thought’ or ‘existence’ on the one hand from ‘life’ on the other. The separation is such that ‘thought’, even in its differing permutations, will always be granted a position in which it is positioned as independent in relation to life. (It is not surprising in this regard that Levinas uses the term ‘cogito’.) Propriety is defined therefore in terms of being without life. Without life is, of course, without animality. This is the *without relation*. Not the animal as such but what has been referred to as the animal’s figured presence. (Hence the continuous presence of the founding *without relation*.) Once it can be argued that this sense of propriety is inextricably bound up with the *without relation*, it becomes possible to question the complex relationship between the *without relation* and its posited counter, namely ‘with’. To continue the engagement with this term that arose in the context of the way the *without relation* figured in Hegel’s *Philosophy of Right* and thus in showing how Derrida’s work enabled a counter to be developed, further aspects of the ‘with’ need to be developed.

In general terms the ‘with’ is, of course, the marker of a generalised strategy of inclusion. The ‘with’ is therefore the move in which absence is taken to have been overcome by presence. In this context presence identifies a form of shared and enforced inclusion. This inclusion takes different forms within the history of philosophy. While not attempting to argue that in each sense the term designates an identical state of affairs, it is nonetheless still possible to note Aristotle’s use of the cognate terms

'partnership' (*koinonian*) (1252a1) and 'the common interest' (*to koiné*) in the *Politics* (1278b23), Descartes, use of the term 'shared' (*partagée*) in the *Discours de la méthode*, in addition to Heidegger's use of 'with' (*mit*) in the context of *Being and Time*.<sup>2</sup> Taken together all these terms gesture to a definition of commonality defined by a form of sharing. The sharing, and thus the common, are designated by the 'with'. Moreover, the common and the shared define both the propriety and the internality of human being. What needs to be resisted initially is the possibility of countering this *without relation* with the simple assertion of the 'with'. While such an assertion announces incorporation as an already present possibility, in this instance it is one that will be held in abeyance. The argument is therefore that what needs to be resisted is the move in which exclusion is taken to have been countered by the simple act of inclusion. This is especially the case when the *without relation* is taken as constituting and sustaining that which is proper to the being of being human. The movement between the *without relation* and the 'with' defines the setting in which it becomes possible to take up claims about identity, including those concerning race. Moreover, it allows them to be taken up in a context in which they are not reduced to the enforcing hold of a residual anthropocentrism. In this regard the animal – a prevailing setting that brings animality with it – marks the way.

The supposition, therefore, is that what the intrusion of the animal brings into play is the complication of the 'with'. This will occur since what is then held to one side is the founding anthropocentrism upon which the 'with' traditionally depends and reciprocally the *without relation* sustains. As such, the occurrence of the animal means that it is no longer a question of the simple negation of the *without relation* such that the animal will be with 'us' once 'we' have introduced them either by an act of humility or the extension of human qualities to them, e.g. the animal becoming the bearer of rights and therefore another subject of right. Such acts of extension not only subsume the differences between human and non-human animals, they would also efface the differences that are ineliminably at work within whatever it is that the universal term 'animal' is taken to name. The argument is always going to be that the animal, allowing the term to name at the same time a recalcitrant animality, forces another thinking, one in which what is occasioned is the recognition that differences cannot be thought – thought, that is, if those differences are also to be maintained – in terms of the movement between the *without relation* and 'with' (a movement in which the latter is either the negation of the *without relation* or a supplement to it). This is especially the case if the terms 'with' and *without relation* are taken to do no more than name a simple opposition. A setting of this type can

be taken further by concentrating on a specific moment – one from a range of possibilities – in which a certain conception of the philosophical can be positioned in relation to the problematic of the ‘with/without relation’. The instance in question will involve Hegel’s discussion of ‘disease’ in his *Philosophy of Nature*.<sup>3</sup>

Disease, as will emerge, is as implicitly bound up with race and racial identity as it is with animality. Disease becomes one of the ways in which both the figure of the animal and the figure of the Jew have an operative presence within Hegel’s texts. As such disease provides, in the first instance, an important opening to the question: what if the other were an animal? In the second instance this question establishes the possibility of deploying elements of any answer in analysing the work of the figure of the Jew as present in Hegel’s writings. Taking up disease therefore – a mode of analysis that will have established limits and thus provide openings – will occasion an opening that will have resisted a founding anthropocentrism, by no longer being strictly delimited by the opposition of the *without relation* and the ‘with’.

### Disease and the animal

Disease for Hegel involves the movement in which one system or organ isolates itself and ‘persists in its activity against the activity of the whole, the fluidity and all-pervading process of which is thus obstructed’ (PN §371). Health, in contrast, is the fluidity of the totality working in unison. Disease, moreover, even though it is linked to the particular, is such that it can take over and dominate the whole. The effect of this form of particularity is its universalisation through the whole. What this means is that disease then becomes the domination of particularity positioned on the level of the organic.<sup>4</sup> It is not surprising therefore that Hegel understands ‘Therapy’ in the following terms:

The medicine provokes the organism to put an end to the particular irritation in which the formal activity of the whole is fixed to restore the fluidity of the particular organ or system within the whole. (PN §373)

This discussion both of disease and therapy brings with it an inevitable philosophical determination. In the course of developing a philosophical understanding of disease, and in order to establish a connection between disease thus understood and geography, but also and as significantly to account for the clear variation in the specificity and location of diseases, Hegel draws on the volume *Reise in Brasilien . . . in den Jahren 1817 bis 1820* by Dr J. B. von Spix and Dr C. F. P. von Martius. The passage in

the extract that Hegel quotes which is of greatest interest identifies the relationship between disease and civilisation (where the latter is understood as a state of development).

The physician who compares some of the diseases in Brazil such as small-pox and syphilis, with those in other parts of the word, is led to observe that just as each individual is subject to particular diseases in each phase of his development, so, too, whole nations, according to their state of culture and civilization are more susceptible to and develop, certain diseases. (PN §371)

What allows the connection between the individual and the state of civilisation to be established is the philosophical position that underpins the connection between particular and universal that is played out in the discussion of disease. While the passage in question was not written by Hegel it should not be thought surprising that it is deployed in order to identify the differing parameters of the complex interrelationship between disease, place and the movement of historical time. The passage indicates that the analogy is between on the one hand the history of the individual, thus the individual's development, and the history of 'culture and civilisation' on the other. What needs to be given greater detail is the location of this generalised sense of development within what could be described as the logic of disease.

Within the operation of that logic disease marks the moment in which particularity dominates a conception of possible universality. Development therefore is the overcoming of susceptibility to diseases in which susceptibility is defined both geographically as well as racially. Overall, however, what this entails is not the impossibility of disease actually occurring but the gradual elimination of the circumstance of its occurrence by the movement of history and the continual link between thought and place. Such a move means that death is then repositioned. Rather than being pathological in the sense that it is linked to the specific result of the generalisation of an aberrant particular, Hegel distinguishes between a given individual disease which has immediate actuality and an 'abstract power' which brings about the cessation of activity within the organism. Hence, disease in this latter sense is there as an abstract possibility that occurs in the 'very nature' of the organism. That positioning accounts for death's 'necessity' (PN §375). Death is essential. Disease is aberrant particularity. Animality can be located within the opening that the difference between death and disease creates.

And yet, it should not be thought that Hegel's concern with the relationship between disease and the animal is simply arbitrary. This point becomes clear in the *Encyclopedia of the Philosophical Sciences in Outline* (1817). Within that text he argues the following:

Even perhaps less than the other spheres of nature, therefore, can the animal world present in itself an independent, rational system of organization, or retain a hold on forms determined by the concept and preserve them against the imperfection and mixture of conditions, from confusion, degeneration, and transitional forms. This weakness of the concept, which exists in the animal though not in its fixed, independent freedom, entirely subjects even the genus to the changes that are shared by the life of the animal. And the environment of external contingency in which the animal must live exercises perpetual violence against the individual. Hence the life of the animal seems in general to be sick, and the animal's feeling seems to be insecure, anxious, and unhappy. [*Das Thierleben zeigt sich daher überhaupt als ein krankes; so wie sein Gefühl, als ein unsicheres, angstvolles, und unglückliches.*] (§293)<sup>5</sup>

The animal therefore, while designating an organic entity that forms part of the natural world, is at the same time positioned in relation to a form of singularity. This can be contrasted to the presentation of the human. In the *Philosophy of Right*, for example, the specifically human is articulated in terms of a power that is necessarily intrinsic to 'Man', a power that enables an act of self-constitution:

Man is pure thought of himself and only in thinking is he this power to give himself universality [*Der Mensch ist das reine Denken seiner selbst und nur dadurch ist der Mensch diese Kraft, sich Allgemeinheit zu geben*] i.e. to extinguish all particularity, all determinacy<sup>6</sup> (227)

The impossibility of self-constitution within the animal – a positioning that locates the animal's singularity and defines it as continually 'sick' – is explicable in a number of different ways. The most significant in this context is an explanation in terms of Hegel's distinction between 'impulse' (*Instinkt*) and 'drive' (*Trieb*) on the one hand, and the 'will' on the other. (As is clear from the earlier discussion of this distinction in the context of his *Philosophy of Right*, it is one that is central to the way the figure of the animal occurs in Hegel's philosophical work.) The will is that which enables 'Man' to stand above impulses and drives. Moreover, it is the will that allows Man to be equated with the wholly 'undetermined' while the animal is always already determined.

The animal has an inherent separateness. However, it is not a separateness that involves the simple separation, and thus relation, of part to whole. (This will be the case whether the relation is posited or not.) The animal is a singularity whose separation is given by its existing for itself (cf. PN §361). In Hegel's terms the animal is 'the self which is for the self' (PN §350). The reason why it is possible to move between the animal and animality is that both the animal as such and human animality can be defined in terms of that which 'is not aware of itself in thought

but only in feeling and intuition' (PN §350). In both instances there is a positioning in which the 'self' can become an object to itself. However, the self is only present as 'self-feeling'. Not only is this a position that cannot be overcome directly, more significantly it can be positioned historically. That location is not the moment within a simple evolutionary or teleological development. Rather, it is one in which the 'undeveloped organism' can only appear as such – i.e. appear as 'undeveloped' – due to the already present actualisation of the 'perfect organism'. Note Hegel's argument in the *Philosophy of Nature*:

In the perfect animal, in the human organism, these process [those pertaining to the Genus] are developed in the fullest and clearest way; this highest organism therefore presents us in general with a universal type, and it is only in and from this type that we can ascertain and explain the meaning of the undeveloped organism. (PN §352)

What this entails is that the potentiality within 'Man' – the power of a self-actualisation – has to be presupposed in the identification of the undeveloped as undeveloped. This position does of course mirror the mode of historical development that is operative as much within the *Phenomenology of Spirit* as in the treatment of the 'Idea of Philosophy' in Part One of the *Encyclopedia of the Philosophical Sciences* (1830).<sup>7</sup> To recall the argumentation of the previous chapter, the animal and the 'sensual man' (the latter is a position that can be reformulated in terms of human animality) have a similar status. Neither can 'transcend' their determined and delimited state in order to see themselves 'in thought as universal' (PN §350). In animals, as has been mentioned, this is due to the dominance of 'instincts' and 'drives'. In the 'sensual man' it is the failure of the 'will'. The reciprocity in this instance needs to be noted. The failure of the 'will' is the triumph of the instincts and the drives hence the triumph of animality. What this gestures to is animality's recalcitrance. This provides the most direct link to the logic of disease. In the *Philosophy of Right* Hegel argues that:

The nature of an organism is such that unless each of its parts is brought into identity with the other, unless each of them is prevented from achieving autonomy, the whole must perish. (282)

The threat posed is not just by the presence of disease but also by a logic in which disease and particularity as well as the singularity of animality play a similar role. In the next section of the *Philosophy of Right* Hegel joins the 'state' and 'body' together. They are not the same. Nonetheless, both are held back from complete realisation as themselves

by differing modalities of the logic of disease. ‘A bad state is one that merely exists [*der bloß existiert*]: a sick body exists too but it has no genuine reality [*keine wahrhafte Realität*]’ (PR §270). The ‘bad state’ and the ‘sick body’ are in different ways imperfect and incomplete. However, both have the potentiality for their own self-overcoming and thus self-realisation.

Disease, as the above passage makes clear, is a ‘limitation’ involving a singularity that can be overcome. Its having been overcome occurs because of a return to the ‘fluidity’ of the whole. ‘Fluidity’ is the consistent ‘interrelatedness’ of the organic whole, a position that will have its corollary, not in the presence of the State or the Subject as a self-completing finality defined in terms of self-perpetuating Sameness, but one in which both are present as differing loci of continual activity. The activity in question, however, is of an organic totality or unity in which particularity is subsumed and ordered by the operation of that totality. The significant point in this context is that the limitation imposed by the logic of disease can be overcome when it is defined either by climate, historical or organic development. The overcoming involves moving beyond regional restrictions. The animal, however, will always be limited. There can be no cure for animality.

The political organisation or mode of human being, which equally is sick, exists as such because it can be recognised as not being in accord with the ‘Concept’. That recognition itself demands the movement within historical time in which the actualisation of the State can be said to have become real. Prior to that actualisation in which the System is present both as the ‘image’ (*Bild*) and the ‘actuality of reason’ there is the complex of particulars. Within that complex the link between disease, racial positioning (a positioning given by the interplay of climate, geography and historical development) and the animal is not given by identifying one element with the other. Rather the link between them is established by the description of the animal in the *Philosophy of Nature* that has already been noted, namely the animal is ‘the self which is for the self’ (§351). As such the animal is trapped within a singularity in which self-understanding – an understanding in which that self is only ever part of the universal – can only endure within particularity. More emphatically, what this means is that were there to be pure particularity – in other words, were there to be a more generalised sense of particularity – then the animal provides that possibility. What the animal occasions therefore is an opening once the human is to be thought beyond the strictures given by the *without relation*.

Introduced by the animal is not just the centrality of a different sense of relation but the need to position the already present connection – a

connection emerging, as will be argued, with the abeyance of any form of strict opposition between the *without relation* and the ‘with’ – in terms of a founding sense of relationality. The suggestion is therefore that what the animal – in the sense in which it is present here – allows is a return to a sense of relationality that is not defined by that which is internal to the human (i.e. not defined in terms of a founding anthropocentrism) but in terms of a response to the question of what the coming into relation with that which has already been positioned as the *without relation*. What is identified by this being a question is the centrality of both process and an undoing of the hold of already existent modes of relationality. A relation to the *without relation* therefore, while it will necessitate both activity and invention, also demands a radical transformation of what exists already.

### Disease and Jews

The weave that allows for the complex of relations between animal, disease and race (or religion) to be established has a specific exigency in regard to the figure of the Jew in the *Philosophy of Right*.<sup>8</sup> The central passage demanding discussion occurs in the Addition to §270. It should be noted in advance that Hegel’s is an avowedly liberal position that not only promulgates tolerance, it describes the enactment of tolerance within governmental actions in relation to Jews ‘as prudent and wise’ (*als das Weise und Würdige*). The detail of Hegel’s argument, however, contains what is central. The Jew is an ‘anomaly’. However, a strong State can tolerate anomalies because the presence of both the ‘strength of custom’ (*die Macht der Sitten*) and ‘the inner rationality’ of the State’s own institutions have the effect of diminishing and closing the ‘differences’ between the ‘anomalies’ and the rights of the State. Hence, while within the structure of Hegel’s overall argument there may be a ‘formal Right’ to exclude Jews from the position of bearers of rights since they are not only a different religion but, more significantly, because they are ‘a foreign people’ (*einem fremden Volke*), such an act, the argument continues, would neglect the fact that they are ‘above all men’ (*zuallererst Menschen*). Hence what prevails is the ‘feeling’ of Manhood. The definition of the feeling and its effect is central. Hegel argues that

what civil rights rouse in their possessor is the feeling of oneself [*Selbstgefühl*] as counting in civil society as a person with rights, and this feeling of self-hood infinite [*unendlichen*] and free from all restrictions is the root from which the desired similarity in disposition and ways of thinking comes into being.

The significance of this positioning is that the feeling for and of ‘self’ is already an overcoming of particularity or ‘restrictions’. The latter is displaced by the emergence of the self of this ‘feeling’. Not only is this ‘self’ already impossible for the Jew, working with the assumption that maintaining the identity of the Jew is to maintain both finitude and restriction, hence particularity positioned by the *without relation*, it is also the case that once articulated within the logic of disease what becomes clear is that the figure of the Jew takes the form of a disease that can be overcome.

The work of the figure constructs Jews such that they are present as aberrant in relation to a form of universality. Furthermore, that in which they are aberrant – the Jew in the ‘Man’, the disease in the organic body – contains within it, as a potentiality that is enacted through an already present power, a capacity to overcome by eliminating this form of particularity. Unlike animality this sense of particularity harbours a potential that will allow for the incorporation of the Jew as ‘Man’ but only to the extent that the Jew qua Jew is effaced in the process. It should also be noted that the Jew as an anomaly is equally a historical claim. The figured presence of the Jew as ‘lost’ and as fated for ‘infinite grief’ is a historical (though also geographical) positioning that is within the logic of Hegel’s own argument as a positioning that can be overcome. This overcoming is presented in terms of the movement of ‘Mind’ (Geist) that occurs in this situation. The entire passage in which the movement of Geist is outlined reads as follows:

Mind is here pressed back upon itself in the extreme of its absolute negativity. This is the absolute turning point. Mind rises out of this situation and grasps the infinite positivity of this its inward character, i.e. it grasps the principle of the unity of the divine nature and the human, the reconciliation of objective truth and freedom as truth and freedom appearing within self-consciousness and subjectivity, a reconciliation with the fulfilment of which the principle of the North, the principle of the Germanic peoples, has been assigned. (PR §358)

Central to the argument as it pertains to the specific sense of self that is envisaged within this setting is an implicit conception of power. Prior to taking up the way power operates in this context it should be noted that what is at work equally is the interplay of history and geography. What this means is that even though an abstract conception of particularity will have been overcome by the realisation of a form of universality, that enactment is the result of a fateful realisation of that which pertains to another conception of the particular, namely the ‘Germanic peoples’. With regard to the operation of power not only is ‘Man’ presented in

terms of a potentiality for ‘self-feeling’ and thus a return to self that arises from within, such a formulation needs to be connected to the one, already noted, that thinking is the ‘power’ to present universality. The presentation in question, thus the power as operative, eliminates particularity. Power and potentiality, Hegel’s versions thereof, overcome the restrictions given by the logic of disease. Even though the reference to ‘power’ and the possibility of its actualisation in terms of the presentation of universality is not a chance occurrence, what has been identified by ‘power’ also unfolds within the passage of historical time. While disease as a recurrent particular will necessitate the continuity of ‘therapy’, differing modalities of disease cannot be separated from specific geographical, racial and historical determinations.

Disease as an abstract possibility cannot be overcome – such is the nature of the organic – however, particular modalities of disease can be. Historical development on the one hand and the enactment of specific strategies in relation to geography on the other will work to undo the insistence of individual diseases. However, once this set-up is presented in terms of the logic of disease, what then occurs is the identification of that which will always work to overcome particularity. Moreover, that overcoming has its own necessity. As has already been noted for Hegel, the viability of the whole – universality in general, be it body or State – depends upon the eventual elimination of particularity. (Or, in its most benign form it depends upon making particularity an irrelevant after-effect of the universal.) What endures, however, is the animal – the animal as the mark of an insistent particularity. Within this context, once the animal is brought to bear upon the logic of the disease and the construction of the figure of the Jew in relation to it, a different configuration of identity emerges. Hence the question: is it the case that the affirmation of an implicit animality is the only way in which it is possible to hold to the affirmed presence of the Jew rather than the equation of the Jew with its presence as figure?

The fundamental point of departure here is the relationship between the animal and the logic of disease. This provides the context in which what would amount to the affirmation of animality can take place. Such an affirmation involves a twofold move. In this instance its mode of operation is importantly different. The first point is that the animal is the particular that cannot be incorporated. The animal, as with animality, does not lend itself to ‘therapy’. The animal therefore provides that which were it to be maintained would have to occur in terms of the animal’s particularity. This opens up the second element. Were the Jew to be retained qua Jew – a retention as affirmation that would be premised on the continual refusal of the move in which the Jew was allowed to be

'first of all a Man', in other words the refusal of the figure of the Jew – then the structure in which this occurs would not involve the conflation of Jew and animal, but that shift in philosophical thinking in which particularity was no longer excised in the name of the universal. Allowing for this eventuality would be the consequence of having introduced the animal, as it is the animal that presents this set-up as a possibility. The introduction would be the staging of an ongoing relation. (Moreover, it would be a relation structured neither by absence nor by privation.)

Beginning to understand the consequences of defining alterity in terms of relationality necessitates, in this context, the complex move in which what becomes central is not the recognition of the Jew qua Jew as though all that is at stake is mere particularity, but the more demanding argument that what is actually at stake is a reworking of the 'with' and thus relation. Affirming particularity has as its most extreme version – and thus the version that sets the measure – the relation to animality. In order to pursue this relation what has to be taken up is the distinction (or opposition) noted at the beginning between the 'with' and the *without relation* and the positioning of being human. In the case of Hegel the 'Man' occurs with the concurrent exclusion or subordination of the Jew; this is the figure at work. Hence, there is a retention of the *without relation*.

Hegel's concern with disease is with pathologising particularity in order that its becoming universal – i.e. in this instance the domination of the organism by disease, or its separateness, here the possible affirmation of Jewish identity – is then precluded. The limit condition, however, is the animal. That which remains singular and thus continually positioned by the *without relation* is animality. Hence the condition for allowing the presence of any form of particularity, where the state of being-particular is maintained, becomes the positioning of animality. However, the animal's sickness, its 'insecurity' and 'anxiety', hold it 'without' a place, and yet once the animal becomes animality then rather than a strict either/or what emerges is a different sense of place. What occurs is another positioning in which border conditions and thus relationality have a different determination. Animality opens the way to the animal and thus to its alterity. That opening positions the other as no longer delimited by the extremes of the other of the same on the one hand and the other as the enemy on the other. Alterity would not mark the absence of relation. The contrary would be the case. Alterity would pertain to pre-existing relations in which neither Jew, nor animal, nor animality, nor the infinite of possibility that particularity holds open would be privileged.

While the human's relation to non-human animals must be mediated

by the impossibility of attributing a unique quality to either side of the relation, it remains the case that the interplay of animal and animality (thereby allowing the animality of human being a place) will set different modalities of relation in play. Within those modalities it becomes possible to open up the position in which the affirmation of Jewish identity becomes possible (noting again that this affirmation would have been rendered impossible by the necessity that the figure's identity as Jew be undone by the eventual identification of Jew with 'Man'). Within the context of affirmation relationality has a radically different quality. One of the elements that comes to define it is memory. What the Jew who becomes a 'Man' will remember is having been a Jew. Memory will be one of the defining marks of relation. Even within the strictures of Hegel's own argumentation, the produced 'Man', namely 'Man' who in no longer being a Jew and therefore defined by the constituting *without relation*, will nonetheless have been marked in advance. There is a trace that remains. Reciprocally, the Jew, no longer defined by the logic of disease, retains the mark of being 'above all a Man' even though that mark no longer defines identity. These positions recall each other. Recalling is in fact a form of tracing. As a result the space that would have been disclosed by the strict opposition between the 'with' and the *without relation* and whose presence is held in play by the logic of disease will have been transformed. Rather than a homogenisation of the space there is the intrusion into the site of a different sense of fluidity, one in which any form of positioning only occurs as an after-effect. A positioning, where positioning is henceforth to be understood as finitude, is the effect of a process. In Hegel's terminology it would be that what was only ever at work was a continual negotiation between the will and sensuality, not the mastery of one by the other – as though the will (consciousness) could master 'instincts' and 'drives' – but the continual interplay of the two. (Instinct and drives would be repositioned as the affective such that integral to human being was the continuity of living with an unending and self-constituting relation to an affective quality that can only ever be a site of negotiation rather than a site of exclusion. Exclusion as the *without relation*.)

Indeed Hegel alludes to this very possibility when he argues that the 'will' regulates. To modify regulation is not to argue for its supposed opposite, i.e. deregulation. Rather the modification assumes the attribution of a power to the regulated. In other words, there needs to be an allowing in which the distribution of activity can be enacted. The distribution of power while always having forms of regulation – hence racism's all too real possible structural presence – has the capacity to subvert any regulation. This does not open up a concern with alterity

as though the positioning of the other is already given. Rather the other is repositioned within relations that are defined as much by continuity – relationality defined by the continuity of becoming – as they are by alterity always having particularity. Relationality positions and yields identities. Consequently their quality is not assumed from the start. These relations are dynamic and therefore the borders, rather than having been given in advance – i.e. given within a structuring process similar to the opposition between the *without relation* and the ‘with’ as a simple opposition or the interarticulation of the logic of disease with the figure of the Jew – are always porous. Their continuity – thus what follows from the affirmation of alterity, the location of alterity within the continuity of particularity – does not depend on the attribution of fixed and already determined qualities that would then generate moral positions. Moreover, if there were a politics of alterity then it would take relations and thus their continuity as its ground. The clear consequence is that a politics of alterity is articulated through the cultural and political practices that maintain particularities within the process of their own continual transformation. Moreover, allowing relation to ground a sense of practice is to link the political (broadly conceived) to the ontological. No longer would the identity of self and other depend upon a structure of recognition since relationality would necessitate the continuity of a process.<sup>9</sup> Identities would be in a state of becoming. Within that setting the relation between human and non-human animals would continue to be posed and equally the varying responses worked out. Becoming – as an ontological condition – and the porosity of borders delimit the spacing in which relations are continually enacted and worked out.<sup>10</sup>

### **Jews, animals, relationality**

In order to set out the force of this analysis the problems raised by the constituting *without relation* need to be revisited. After all, could the following question not be asked: why couldn’t we live without Jews? There are two initial aspects of this question that underscore its centrality. The first is that it addresses historical specificity. The second is that posing the question becomes a way of addressing the *without relation* in a more generalised sense. In this first instance the question recalls a particular historical moment. The expression ‘Judenfrei’ was integral to the formulation of policy both before and after the National Socialists came to power in 1933.<sup>11</sup> Guarding particularity is of fundamental importance. And yet, in the second instance, the term ‘Jew’ could be replaced by other names that would be subject to processes similar to those enacted by the

constituting *without relation*. In other words, the question works in two interrelated ways. In the first it maintains historical specificity and thus is present within contemporary attempts to take up issues pertaining to Jewish identity (to which it should be added that the identity in question needs to be subjected to the same level of analysis and inquiry as any identity claim). In the second, it is implicated, structurally, in other emphatic moments of exclusion. Exclusion here is not ostracism, it is part of the work of the figure. As such, it involves the construction and maintenance of an identity where the identity in question is predicated upon the *without relation*. Within such a movement the identity of the ‘we’ is sustained by the incorporation of the Jew within its figured existence. Hence the way into the question is not through the act in which the Jew (as the sign of particularity as well as a more generalised other) was incorporated into the ‘we’. The contrary is the case. Incorporation would mean the disappearance of the Jew within the realm of the figure. To the extent that the Jew is maintained, maintained as other, as a mode of particularity not delimited by the figure, its effect – the result of an emphatic holding to particularity within the primacy of relation – is that it has a transformative effect on how the ‘we’ is understood.<sup>12</sup> ‘We’ will have a different quality if the Jew is maintained and the hold of the figure undone. Moreover, what constitutes the practices of racism is precisely the refusal of this possibility, namely the refusal of affirmation as a continual opening to the future and the undoing of the figure. (It is vital to note that racism is not simply an attitude or a belief. Racism is enacted. Institutional practices as much as individuals can be racist.) One direct consequence of allowing for particularity, an allowing thought within the structure of the animal’s allowed presence, means already having ceded a certain construction of the ‘we’. The presence of the animal is the presence of an already present other defined by particularity rather than universality. Particularity is given within relation. The change in definition, while a philosophical response, is nonetheless implicated in activity and thus forms of practice.

In his *Aesthetics*, after examining the relationship between material presence and the spiritual, Hegel raises the question of the relativity of facial beauty in sculpture. He posits the possibility, one held by others, that because

the Chinese, Jews and Egyptians regarded other, indeed opposite, formations just as beautiful . . . there is no proof that the Greek profile is the model of genuine beauty.<sup>13</sup>

For Hegel such a view is ‘superficial chatter’ (‘ein oberflächliches Gered’). He goes on to add that the Greek profile ‘belongs to the ideal

of beauty [*dem Ideal des Schönheit*] in its own independent nature'. Slightly earlier in the same section of the text Hegel describes the role of the animal body in sculpture thus:

The animal body serves purely natural purposes and acquires by this dependence on the merely material aspect of nourishment an expression of spiritual absence. [*den Ausdruck der Geistlosigkeit*].<sup>14</sup>

No matter how ‘unsurpassable’ [*uniübertrefflichen*] the sculpture of an animal may be it is limited to the presentation of life, a life, as has been noted, which is positioned by the absence of the spiritual. The sculpture of others – ‘the Chinese, Jews and Egyptians’ – is distanced from the ideal of beauty and thus from the connection that sculpture may have had to the spiritual. The history of sculpture in its development can, in the end, do without animals, and can have surpassed works that are not the expression of the spiritual. Their presence is limited to a moment within history, a moment whose presence is there to be overcome.

That there is an obvious correlate between a conception of the ‘we’ – now as the expression, thus actualisation, of universal subjectivity – and the necessity to do without sculptures defined by the relation to animality on the one hand and on the other by a refusal of the ‘Greek profile’ indicates that what is continually at stake is the possibility of allowing for particularity. What this entails is a sense of allowing that works beyond the interplay of exclusion and subsumption. Allowing, in this instance, brings animals, ‘the Chinese, Jews and Egyptians’, among other, into a constellation in which what will always need to be worked through is the ineliminable and thus founding presence of a complex of relations. This allowing – and it should be noted that to allow is to occasion activity – is that which occurs as part of the attempt to answer the question: what if the other were an animal?

## Notes

1. E. Levinas, ‘La proximité de l’autre’, in *Altérité et transcendance* (Montpellier: Fata Morgana, 1995), p. 109.
2. These points of connection are easily made. However, they necessitate a far more rigorous analysis than the passing comments offered here. Not only has Derrida interrogated the conception of commonality (see in particular his *Politiques de l’amitié* (Paris: Éditions Galilée, 1994)), Jean-Luc Nancy has made the questions of the ‘with’ and the ‘share’ central to a number of his most important politico-philosophical texts. See, for example, *La comparution* (Paris: Christian Bourgois, 1991), and ‘Cum’ in his *La pensée dérobée* (Paris: Éditions Galilée, 2001), pp. 115–27.

3. G. W. F. Hegel, *Philosophy of Nature* (Part Two of the *Encyclopedia of the Philosophical Sciences*, 1830), trans. A. V. Miller (Oxford: Oxford University Press, 1970). (Hereafter PN; in references given in the text numbers preceded by § refer to sections and numbers on their own refer to pages.)
4. Similar argument occurs in the *Logic* (Part One of the *Encyclopedia of the Philosophical Sciences*, 1830), trans. William Wallace (Oxford: Oxford University Press, 1978):

In common life the terms *truth* and *correctness* are often treated as synonymous: we speak of the truth of a content, when we are only thinking of its correctness. Correctness, generally speaking, concerns only the formal coincidence between our conception and its content, whatever the constitution of this content may be. Truth, on the contrary, lies in the coincidence of the object with itself, that is, with its notion. That a person is sick, or that some one has committed a theft, may certainly be correct. But the content is untrue. A sick body is not in harmony with the notion of body, and there is a want of congruity between theft and the notion of human conduct. (§171)

5. *Encyclopedia of the Philosophical Sciences in Outline and Critical Writing*, ed. Ernst Behler, trans. Steven A. Taubeneck from the Heidelberg text of 1817 (London: Continuum, 1990).
6. G. W. F. Hegel *Philosophy of Right*, trans. T. M. Knox (Oxford: Oxford University Press, 1981). (Hereafter PR; in references given in the text numbers preceded by § refer to sections and numbers on their own refer to pages.)
7. I have examined the relationship between particularity and universality in Hegel's Shorter Logic in my *The Plural Event* (London: Routledge, 1993), pp. 83–117.
8. Hegel's relation to Judaism is treated in a range of books. I want, however, to note the presentation of this relation in Yirmiyahu Yovel's *The Dark Riddle: Hegel, Nietzsche and the Jews* (Cambridge: Polity, 1998). While Yovel discusses similar passages to the ones treated here from the *Philosophy of Right* the direction of his interpretation is importantly different. For an overview that situates Hegel's writings on Judaism in the context of Christian religious thought in Germany, see Amy Newman, 'The Death of Judaism in German Protestant Thought from Luther to Hegel', *Journal of the American Academy of Religion*, vol. LXI, no. 3 (1993), pp. 455–84.
9. While it cannot be argued for in detail in this context, what the insistence on both relationality and porous borders makes possible is a response to the position developed by Hegel in the *Phenomenology of Spirit* concerning that which establishes and sustains identity (G. W. F. Hegel, *Phenomenology of Spirit*, trans. A. V. Miller (Oxford: Oxford University Press, 1977)). Rather than the argument that self-consciousness exists 'for another' insofar as 'it exists only in being acknowledged' (111), identity now exists within a relation in which identities emerge as after-effects. Moreover, all identities are subject to the continuity of negotiation. Again this needs to be understood as the continuity of becoming.

10. The argument developed here will be presented in a more sustained manner in Chapter 9.
11. There is a wealth of material on the policy that took the destruction of the Jews as its goal and equally there is a genuine debate on the varying roles played by individuals and groups in its realisation. For an overview of the issues see Hans Mommsen, 'Hitler's Reichstag Speech of 30 January', *History and Memory*, vol. 9, nos. 1/2 (1997), pp. 147–62.
12. I have taken up this point in relation to friendship and thus to the possibility of there being Jewish friends in 'Friends and Others: Notes to Lessing's *Die Juden und Nathan der Weise*' in my *Philosophy's Literature* (Manchester: Clinamen Press, 2001), pp. 167–91.
13. G. W. F. Hegel, *Aesthetics: Lecture on Fine Art*. Vol. II, trans. T. M. Knox (Oxford: Oxford University Press, 1999), p. 730.
14. Ibid. p. 728.

# Agamben on 'Jews' and 'Animals'

## Founding animals

While the animal is retained within both the history of philosophy and the history of art both the nature of that relation and thus the conception of animality take on importantly different forms.<sup>1</sup> Hence relationality and animality have a history that is neither continuous nor organised within a perpetual Sameness. While the animal has symbolic and representational presence, it is also the case that the animal in question will have differing modes of presence. In a painting by Piero della Francesca of the Archangel Michael having just slain the devil, the Saint is presented having decapitated an animal (see Figure 6.1). While the animal is of course the appearance of the Devil, it is nonetheless unmistakeably animal. The Devil oscillates between 'dragon' and 'snake'. Here, however, the devil has nothing other than a snake-like quality. Having slain it, St Michael stands with the animal's head in one hand while in the other he holds his falchion. Neither the animal's face nor its body have either traces or indications of being human. The reference therefore is to an intrinsic animality. The apparent nonchalance of St Michael's stance reinforces the position in which what obtains is not indifference but the enactment of a specific economy in respect to the animal. The dead animal operates in a domain in which its retention is structured by that economy. The human as the after-effect of the 'word' having become 'flesh' reinforces, in this presentation, the incorporated refusal of the animal. As such it is one of a number of forms of animal presence.

The 'same' biblical narrative occurs in Bartolomé Bermejo's painting *St Michael Triumphant Over the Devil* (1468) (see Figure 6.2). Nonetheless, in this instance the mode of presence is significantly different. Animality has a more complex register. While the devil in this work is a conglomeration of animals whose coordinated presence comprises its actual body, the body in question has a clear relation to the human.



Figure 6.1 Piero della Francesca, *Saint Michael* (1454). The National Gallery, London. Reproduced with permission.

The reference therefore is no longer to an intrinsic animality. The proportion of the body, and this will include even the exaggerated mouth, is human. The second face beneath the dominant one has the structure of the human torso. The first of these faces has a mouth which despite its size has the same relation to nose, eyes and ears as would be found on the human face. In one of the source texts, namely, *Revelation* 12: 7–12, the animal is named twice. It is both ‘dragon’ and ‘snake’. The event – St Michael fighting the ‘devil’ – prompted art work. The prompt draws on the relationship between the words ‘dragon’ and ‘snake’. While the terms are synonymous on one level, the snake denotes a form of malign cleverness that is not there with the dragon. The dragon on the other hand may allow human qualities to have visual presence. While Piero della Francesca gives greater emphasis to the reference to the presence of evil in *Genesis* as opposed to the two images demanded by *Revelation*, the move from one iconic source to the other, a move that traverses while incorporating the two paintings, has, in this instance, a radically different registration in relation to the history of the animal.<sup>2</sup>

The works by Piero della Francesca (Figure 6.1) and Bartolomé Bermejo (Figure 6.2) warrant detailed investigation in their own right.



Figure 6.2 Bartolomé Bermejo, *St Michael Triumphant Over the Devil* (1468). The National Gallery, London. Reproduced with permission.

Nonetheless what they establish is a genuine difference between images of animal presence. In regard to the first its particularity needs a setting. In this instance the animal's death saves humanity from the presence of evil. Human good, thus construed, takes as its ground the animal's death. This is of course no mere death. It is part of an economy that establishes human good. Hence what is involved is the figure of the animal. Moreover, once it is possible to argue that humanity comes to be what it is insofar as the human approximates to the image of God, then on the level of the image, what counts as being human incorporating the good proper to human being is given within and thus secured by the operation of this economy. Within such an economy human potentiality necessitates the death of the animal. Such is the logic in which the figure works.

There is, however, the other possibility that has already been noted. Bartolomé Bermejo's presentation of the devil opens in a different direction. Here the animal and human combine in the creation of the devil. Hence the animal has another significant presence within the history of art.<sup>3</sup> A confluence of the human and the animal in the presentation of the devil opens a more complex form of presence within the image.

It is one which distances a straightforward conception of the economy demanding the animal's death. Bartolomé Bermejo's is not an isolated case. Dürer's celebrated engraving of the Knight who, while on his travels, encountered both Death and the Devil presents the latter as the intersection of the human and the animal.<sup>4</sup> As with Bermejo Dürer is able to acknowledge an already present possibility, namely human animality. Indeed, it can be argued that Dürer's devil is even more human than Bermejo's. As a possibility, the animal is there initially in order that it be overcome. And yet its already being there – the original being there of the animal allowing at the same time the inevitable inscription of human animality – opens another possibility. In Dürer's engraving the Knight moves past both Death and the Devil. The sense of direction, a directionality evoking the co-presence of the moral and the epistemological, gives centrality to the interplay of being human and a unidirectional path to be followed. Once followed the devil as the intersection of the human and the animal can then be excluded. That intersection is present both as a 'truth' about human being though equally as a warning. The truth is the insistent possibility that animality may take over. The warning is that counterposed to that which is proper to human being – being human therefore having a founding propriety – is the threat of the animal. As a threat it demands the animal's continual excision. (Once again, this is the presence of the animal as figure.) The warning therefore does not exist as a simple singularity if that means that it need only be given once. While St Michael (Figure 6.1) needed to kill the animal in order to secure that which is proper to human being, Bermejo's painting (Figure 6.2) and Dürer's engraving reinforces the necessity for a form of continuity. Indeed, what both works suggest is the need for vigilance against the threat of the animal. However, once continually present, that threat could always become a form of accommodation. In other words, what these two works stage is the possibility that the human and the animal – thus human and non-human animals – cannot be simply divided, as though the excision and thus difference had been decisively established. Rather than indifference there is an always already present relatedness. What both works demonstrate is that within the human, indeed constitutive of its very specificity, is a recalcitrant animality. To reiterate the point made above, this is precisely what arises from the works by Bermejo and Dürer. The animal, the animal with and within the human is already present. At the beginning therefore there is not just another potentiality; rather there is a significantly different sense of animal presence.

What these art works bring to the fore is a complex of concerns. In the first instance, it is the possibility that the animal is positioned as the

other whose death reinforces and sustains human being. The economy sustaining this death (and its related conception of the animal) is as much bound up with the necessity for that death as it is with maintaining the animal's alterity. While there is one organisational logic at work within Piero della Francesco's painting, Bartolomé Bermejo's painting and Dürer's engraving suggest another. In the case of the latter two the animal cannot be given as simply the other to the human. Within this frame of reference integral to the human is its presence as animal. Animality is part of being human. It is therefore both the nature of that presence and thus its relation to the definitions of human being that are central. Consequently, the argument is that what is implicit within both Bermejo and Dürer is that being human is already to be with animals. Animality thus construed precludes the designation of neutrality. While it reiterates what has already emerged in the earlier analysis of Hegel what these works of art demand is a response to the question of how the presence of an already existing relation to animals is to be understood.

As a beginning there needs to be the recognition not just of an already present engagement with the animal but that the engagement is articulated in terms of the complex of concerns opened by these art works. What this complex includes, as has been noted, are two original and importantly different determinations. They should not be reduced to each other. Moreover, they already configure two of the dominant forms taken by the relationship between human and non-human animals. In the first instance this particular configuration involves an economy in which the animal's differentiation from the human, let alone human animality, is inextricably bound up with the necessity of the animal's death. The death may be literal, e.g. the dead snake in St Michael's hand. Equally, it could be a complete differentiation in which the animal is dead to 'us'. That death may be the animal's silence – silence in the realm of 'logos' – though it could be the animal's having been incorporated. In every instance what is at work is a form of the founding *without relation*.

In the second there is the transcription of the animal's original presence in a way that obviates the possibility of an equation of the animal with the necessity of its death. As such the economy of death that figured in the first instance would have become inoperable. What this means is a division at the origin. Prior, therefore, to any concession, and it is a necessary concession, that there is a plurality of animals, the way the figure of the animal is present is such that the animal is already more than one; it is originally divided between these two possibilities. In addition, it is possible to argue that despite these clear divisions each one recalls the other. As such there will always have been more than one animal, the 'animal' allowing the term an almost pragmatically abstract quality is

the more than one. Allowing for this set-up will provide the way into Giorgio Agamben's engagement with the question of the animal in his recent book *The Open: Man and Animal*.<sup>5</sup>

### Agamben and the animal

Central to Agamben's analysis of the animal and therefore of his way into the question of how to think a relation to the animal is the identification of what he describes as two 'anthropological machines'. What is significant about this description is that instead of simply positing relations between 'man' and 'animal' Agamben is concerned to note the way that relation is produced historically. (The history in question is as much concerned with philosophy and theology as it is with art and literature.) These machines, he argues, stage the relationship between 'man' and 'animal'. Moreover, for Agamben, a different mode of production operates in the 'modern' period than operated at an earlier stage. In regard to the 'modern' version he formulates its presence thus:

It functions by excluding as not (yet) human an already human being from itself, that is by animalising the human, by isolating the non-human in the human. (37)

This argument reappears, for Agamben, in relation to the Jew. Anti-Semitism draws upon the 'anthropological machine' repositioning the Jew in terms of what is described by Agamben as 'the non-man produced within the man'. The earlier version of this machine – the machine producing the relation between 'man' and 'animal' – operates in a 'symmetrical' way. Within it, he argues:

the inside is obtained through the inclusion of an outside, and the non-man is produced by the humanization of the animal. (37)

For Agamben this latter position encompasses both the *homo ferus* and the slave. Within the formulation of Agamben's argument the slave is 'an animal in human form'. Prior to moving to the next stage of the argument, it needs to be noted that this earlier version of the anthropological machine, one that would have produced Dürer's 'Devil', is presented as bound up with what he describes as the 'non-man'. While that result will always be a possibility – i.e. the production of the 'non-man' – what Dürer's engraving suggests is that this produced entity cannot be separated in any absolute sense from the insistent presence of human animality and thus the question of the animal. What emerges as a related

question therefore is how the ineliminable trace of that animality is to be positioned even if a version of Agamben's 'anthropological machine' were to be accepted. In other words, to what extent could the production of the 'non-man' in the human not have been marked in advance by the process that produced it? That mark – what would count as an original inscription – would allow for another sense of opening insofar as it would refuse the structure central to Agamben's argument in which the separation of the 'non-man' within the 'man' is effected.<sup>6</sup> From the beginning, equally at the beginning, there would be a mark. Its presence would undo, as a possibility, the divide, thus separation, within the human. It will be essential to return to this point. The decisive part of Agamben's argument is the move that he makes next.

The significant claim is that what allows both these machines to operate is that they construct a 'zone of indifference'. This zone takes on the form of a caesura. The character of this zone, even its presence, is, however, the point to be contested. Agamben describes it as a 'space of exception', going on to argue that

like every space of exception, this zone is, in truth, perfectly empty, and the truly human that should occur there is only the place of a ceaselessly updated decision in which the caesura and their rearticulation are always dislocated and displaced anew. What would thus be obtained, however, is neither an animal life or a human life, but only a life that is separated and excluded from itself – only a bare life. (38)

The latter 'bare life' is of course one of the dominant themes within Agamben's philosophical project.<sup>7</sup>

The strength of Agamben's argument lies in the provocative supposition that what allows for the operation of this 'anthropological machine' is the construction at its interior of a zone of 'indistinction'. In other words, within the machine there is a moment in which the division between animal and human is suspended, though it is a zone whose locus of operation is the machine itself. In *Homo Sacer* this position is presented once again in terms of the caesura. The point of absolute indecision is the Camp.<sup>8</sup> The Camp for Agamben, what becomes in his formulation 'the nomos of the modern', is itself defined as the place of the exception. As such it is the place in which 'the state of exception has become the rule'.<sup>9</sup>

If there is a problematic element within the position being developed by Agamben then it concerns the positing of a zone of indetermination, not just as a precondition for a becoming determinant, but as significantly as that zone having to be absolutely indeterminant.<sup>10</sup> Indeed, what will be suggested in regard to Agamben's argument is that the contrary

is the case. Rather than a caesura in which value is withdrawn there is a porous site in which the relationship between self and other, the human and its posited other, an alterity in which the animal would be inscribed, are present as a continual site of negotiation. Allowing for the presence of that site opens up the animal to include within it human animality. It may be therefore that Dürer's engraving is closer to the truth than had been thought hitherto. What needs to be added in addition is that any form of negotiation, even in relation to the deprivation of identity, occurs as a result of the complex determinations of power. The operation of power leaves its mark. This will be true without exception.

What is at issue therefore is the effect of this mark's retention. It is as though implicit within Agamben's overall argument is a form of utopianism in which harboured within the structure of the '*homo sacer*' is a neutrality that would configure the human beyond the hold of identity. It would be a utopianism premised on the erasure of this founding mark, a mark that is already the inscription of particularity's possibility, though equally it is the mark of a form of memory, the form that already emerged in the earlier discussion of Hegel's *Philosophy of Right* and in which overcoming the particularity of being a Jew was itself predicated on having to forget the presence of an initial designation. (Such a forgetting founders the moment it becomes necessary as it has to assume the necessity of a remembering to forget.) The necessity of this mark, though equally the necessity, as noted above, for its erasure, works to establish limits.

### **Agamben and the 'Jews'**

Tracing the limits of Agamben's position will be developed in relation to the 'Jew' (to which it should be added immediately that while Agamben thinks that he is writing about Jews, what is actually at stake is the figure of the Jew). It is in relation to this figure that a fundamental aspect of the more general argument concerning the 'exception' begins to emerge. As such, it is essential to look in detail at one specific, and lengthy, formulation of this position in *Homo Sacer*. Within it Agamben argues the following:

The wish to lend a sacrificial aura to the extermination of the Jews by means of the term Holocaust was . . . an irresponsible historiographical blindness. The Jew living under Nazism is the privileged negative referent of the new biopolitical sovereignty and is, as such, a flagrant case of the *homo sacer* in the sense of a life that may be killed but not sacrificed. His killing constitutes . . . neither capital punishment nor sacrifice, but simply the actualisation of a mere 'capacity to be killed' inherent in the condition of the Jew as such. The

truth . . . is that Jews were exterminated not as a mad and giant holocaust but exactly as Hitler had announced, as 'lice' which is to say as 'bare life'. The dimension in which the extermination took place is neither religion nor law, but biopolitics.<sup>11</sup>

Fundamental to the formulation of this position is the identification of the Jew with 'bare life', i.e. as 'life separated and excluded from itself'. It is essential to be precise here. 'Bare life' is the state of exception, thus it is neither animal nor human. In the strictest sense all determinations are withdrawn. What emerges is a state to be determined. Hence 'bare life' discloses a space in which what awaits is the actualisation of a potentiality, what is described in the text as the 'mere capacity to be killed'.<sup>12</sup> That capacity – as a potentiality – inheres in life without determination, i.e. in 'bare life'. While this analysis may seem unproblematic, there is an insistent question that has to be asked in relation to this 'capacity'. The question is as follows: who then are killed? The answer cannot be that it is simply the Jew in virtue of the Jew's capacity to be killed. That would be true of all humans – indeed of biological life in general. The answer needs to incorporate particularity. To put the position more emphatically: could there be an answer to the question that did not incorporate the founding mark? If the answer were to be in the affirmative then it would sanction the possibility of a founding sense of particularity, a sense, that is, that would work against the identification of the Jew with the figure and thus, in this context, against the possible identification let alone subordination of the Jew to 'bare life'.

In this instance the reason for pursuing the question of particularity can be located in what was noted above concerning the 'anthropological machine', the machine operated by 'animalising the human', which for Agamben amounts to the same thing as 'isolating the non-human in the human' (37). The animal, in terms of the possibility already at work in Dürer's engraving, namely the presence of the animal within the human, unfolds in this direction. What needs to be examined is not the consistency of Agamben's argumentation but the possibility either of a state that is anterior to the animal/human relation or one structured by an indifference at the interior. In other words, what needs to be questioned is the possibility of this conception of the exception. Inherent within it is a conception of particularity without identity.

In a more recent work Agamben has returned to the structure of the 'state of exception'. In this context it comes to be described as

a space devoid of law, a zone of anomie, in which all legal determinations – and above all the very distinction between the public and the private – are deactivated.<sup>13</sup>

This state of affairs is produced. As with ‘bare life’, as formulated in the same work, it is ‘a product of the biopolitical machine and not something that pre-exists it’.<sup>14</sup> Now, while it may be possible to argue that the after-effect of a system may be to produce ‘bare life’ and thus the deactivation of the characteristics of civil life – e.g. the suspension of legal subjectivity, the refusal of the distinction between the private and the public, ‘the isolation of the non-human in the human’ – what needs to be given is an account of the causality involved in the machine’s operation. What produces ‘bare life’? Bare life does not just happen. Its occurrence has a history. The question of the production of ‘bare life’ is inextricably bound up with the one posed earlier: who are killed? Once the question can be answered beyond simple generality such that it will have become necessary to distinguish between potential victims and actual victims then the identification of the production of ‘bare life’ provides, at the same time, a ground of possible resistance that is other than universalism. Universality cannot account, philosophically or politically, for the difference between potential and actual victims. Highlighting causality may lead not just to a better understanding of the state of affairs described by Agamben; it may equally, as just indicated, begin to call into question the possibility of ‘bare life’ as the site of absolute indistinction.

At the outset there can be no argument against a description of what occurs at Guantánamo Bay, or even in Auschwitz in terms such that the inhabitants occupy spaces defined by the suspension of law (even if this entails a specific conception of law – law as statute – which has come to be suspended). The first point to note is that what matters with this suspension is not that it involves legislation that might be contestable. Rather, the interplay of the political and the body allows for such an occurrence. In other words, intrinsic to this set up is its possibility. Responding both to that possibility and to its actualisation is not to respond in the name of law (where, of course, law is once again equated with statute). Such a conception of law will have been suspended. The reality of Auschwitz, even though it should be conceded from the start that the simple evocation of this name is far from unproblematic, lies in the capacity for decisions linked to the elimination of certain groups.<sup>15</sup> Elimination necessitates a form of suspension. While the enacting that characterises this procedure may involve the equation of Jews with lice, an equation in which the human came to be reduced to the ‘non-human in the human’, there is an actual sense of the specific at work. Movement has particularity – Jew to louse – as the work of a specific form of figural presence. (Movement is, of course, another staging of the general question of the relationship between the mark and singularity.)

At Guantánamo Bay, the suspension of law equally involves movement. The identification of a range of individuals takes place such that the act of identification allows for the suspension and thus the creation of the exception. In both instances there is an allowing. How, on a philosophical level, is this allowing to be understood? The question has an urgency precisely because the defence of law and humanity will have already been countered by the reality of Guantánamo Bay, not because it is against the law to have acted in that way, but that acting in that way involved both the suspension of certain statutes (and thus the suspension of law) and the creation of other statutes such that the law is not seen to have been suspended in a direct way. Hence the necessity to establish a ground of contestation. Establishing that ground is a clear moment in which the philosophical takes up the political as its direct concern.

Accounting for what is allowed returns to the question of causality. Whatever quality 'bare life' may have it is produced. While the exercise of genuine political power – i.e. sovereignty – can be identified with the capacity to effect the movement that is the production of 'bare life', the movement in question is of necessity selective. To the extent that an explanation of the production of 'bare life' cannot be given beyond a general claim concerning the 'anthropological machine', what is removed, at the same time, is the possibility of accounting for particularity. Particularity will have been effaced by the machine's operation. Once such an account has to be given, i.e. an account that is attentive to the question of particularity, then rather than the suspension of the law and the creation of the zone of complete indetermination, what appears more likely is that the movement of production – the causality proper to 'bare life' – marks the presence of a matrix of concerns in which determinations always occur. The reason for holding to this description is that what has to endure is the necessity of being able to argue that what takes place – the reduction to 'bare life' – takes place, for example, in relation to Jews, or in relation to an already determined 'enemy' (so-called 'Islamic militants'). In other words it takes place in relation to the production of the other as the enemy. Those identified, the victims who become 'bare life', are positioned in advance. Bareness therefore is always a determination as an after-effect. It operates by producing those who have already been identified as being subject to that process (i.e. to the process of subjectification). This determination means, and this is a crucial point, that sovereignty necessitates the capacity to discriminate. Discrimination occurs within a complex field of identities, identities that are attributed and constructed on the one hand, and, on the other, identities that may be regional and linked to versions of autonomy

and affirmation. Sovereignty's capacity to position itself within such a complex is the definition of sovereign power though equally it indicates that 'bareness' is never completely bare. Discrimination will have always left its mark.

There is an original determination precisely because there is a need to link individuation and discrimination. The mark of the Jew, the accusation of being a 'terrorist', trace bodies that were thought to have been neutral and thus which may become 'bare'. This mark produces the distinction between the marked and the unmarked,<sup>16</sup> a distinction that is fundamental if a conception of the 'enemy' is to be maintained and, moreover, if such a conception is to have mobility. In this context mobility means that there will be different and thus new 'enemies'. Not only therefore does this mark differentiate, given that it is produced by the law's suspension, it also accounts for why it is only in terms of particularity that the law can be suspended. The 'state of emergency' does not simply occur. It is inextricably bound up with the differing modes of figured presence that it produces. Identity, in the sense of its having been constructed, is only ever the result of a complex process. As such those implicated within a situation in which the law is suspended are always marked by the deprivation of the law that has been suspended. Once, through a process of production, the possibility of being a subject of right no longer pertains then accounting for a process of subjectification in which subject and right are separated will ground resistance. For resistance to be effective what needs to be understood is why that deprivation or separation has occurred. Part of that account demands paying attention to the specific. There cannot be a general account that remains untouched by particularity. What that means here is the particularity of the Jew as opposed to the apparent ubiquity of 'bare life'.

At work here is a conception of identity in which there is a process of particularisation, particulars as constructs hence the work of figures. Only within such a complex can identities be continually produced. The interrelation between identity and production means that subjects – figures – are always the result of the system that produces them. For example, the production of the Jew as the 'the non-man produced within the man' both individuates and differentiates. In other words, the Jew figures within such a production while the other to the Jew (hence the reciprocal production of Jew as this other) is differentiated from this Jew. It is of course this Jew that is killed rather than 'bare life'. It will always be this Jew who has died. Indeed any further positioning, for example the one that is called 'bare life', has to presuppose this initial movement. The additional element that has to be noted is that the production of this Jew, as with any further positioning based on it, is the

effacing of a conception of difference (and related cultural practices) that has to assume its (difference's and thus relation's) ineliminability, a set-up in which the ineliminable other is never absolute but always specific. What is assumed in such a position is an always already present form of relatedness. Therefore, once it is essential to hold to this sense of relatedness – a relation of porosity and negotiation defining self/other and animal/human relations – then Agamben's ontology which refuses precisely this conception of founding differences would, as a consequence, need to cede its place to a differential or relational ontology.<sup>17</sup> The positioning of the Jew as 'the non-man produced within the man' has to be understood therefore as the refusal of exactly this latter conception of the ontological. The limitation of Agamben's work therefore does not lie in the detail. Rather it is located in that which makes it possible.

The production of identity entails that particularity is never an isolated occurrence. The excluded bear the mark not just of exclusion – a mark that could be no mark at all – but also the link between their particularity and exclusion. Assuming an already present relatedness does not involve a return to the form of argumentation dominated by a concern with rights, as though rights functioned as ends in themselves. On the contrary, it assumes that within any relation lines of division are only ever porous and that relation necessitates that presence, modes of being present, are always to be negotiated. To insist on porosity and negotiation – within which affirmation remains a fundamental element – is therefore the counter move. Porosity indicates that what can never be at work is the centrality of the human understood as an original abstraction, or even the definition of animality that takes the already positioned human as the point of departure and within which the human emerges as existing *without relation* to the animal.

### The emptying of the political

If there is a politics implicit in Agamben's project then it can be located in one of the final summations he provides in *The Open*. For Agamben the response necessary to the operation of what has been called the 'anthropological machine' – remembering that it is this machine that produces the animal as well as the Jew –

is to render inoperative the machine that governs our conception of man will therefore mean no longer to seek new – more effective and more authentic – articulations, but rather to show the central emptiness, the hiatus that – within man – separates man and animal, and to risk ourselves in this

emptiness: the suspension of the suspension, Shabbat of both animal and man. (92)

The significance of this passage emerges from its juxtaposition with one of Agamben's earliest formulations of singularity without identity, the singularity that will become 'bare life' on the one hand and Negri's recent discussion of Agamben's work on the other.<sup>18</sup>

The 'emptiness' alluded to above is captured in the possibility of the community of what Agamben identifies as 'singularities'. While Agamben's description is of a state of affairs that the 'State cannot tolerate', it is this site of intolerance that defines the possibility of a community to come. At work here is the utopian impulse in Agamben's thought. The position is formulated in the following terms:

What the State cannot tolerate in any way is that the singularities form a community without affirming an identity, that humans co-belong without any representable condition of belonging (even in the form of a simple presupposition).<sup>19</sup>

The significance of this conception of community is clear. The position of the *homo sacer* will have been redeemed. It can be argued that it is precisely this aspect of Agamben's work that Negri identifies when he argues that Agamben

ethically and conceptually goes beyond the state of exception by going through it: just as primitive christianity and the communisms of the origins had gone through power and exploitation and destroyed them by emptying them . . . Agamben's analysis shows how immanence can be realist and revolutionary.<sup>20</sup>

'Immanence' is another way of describing the utopian impulse. For Negri this is the position that is opened up by Agamben's use of what Negri refers to as an 'undifferentiated ontology'. It is this ontological configuration that characterises the 'state of exception'. Within it, to deploy Negri's formulation, 'each element is reassumed in the empty game of an equal negativity'. The accuracy of this description is not at issue. What it brings into play is a further elaboration of the 'emptiness'. In Agamben's formulation what is at risk is a version of 'ourselves'. And yet, what needs to be questioned is the 'our' of 'ourselves'. Counterposed to a formulation of subjectification in terms of a community without identity, a 'sacred' community, there is the recovery of a positioning in which this 'our', thus 'ourselves', will have always been more than one. This is a site of an original relatedness. The origin in question is an

ontological position and not a locus of ethical obligation. This relatedness is a relation to self as much as to the other and therefore equally to the other in 'ourselves'. In addition, it identifies the network of relations that produce the self as an after-effect. The animal, and animality, have already formed part of this network. Relation, therefore, brings back into play what was identified at an earlier stage as the already present more than one. On one level this is the truth that was always there in Dürer's engraving, namely that what can never be separated is the human and the animal, an impossibility that opens up the already present relation of self/other and animal/human.

They would be fixed relations, and thus constrained to be thought philosophically in terms of the static rather than the dynamic, were it not for porous borders yielding sites of negotiation. These sites and the complex of borders that are brought into play are the loci – places within becoming – that comprise the histories of alterity as well as the complex continuity of the animal's ineliminable presence. Allowing both for relatedness and porosity would mean that all that could ever be at risk within such an allowing is the residual anthropocentrism that posits, in this instance, the suspension of human animality, suspension rather than its continual affirmation.

Human animality has one of its most insistent forms of presence in what Freud referred to as the 'drives'. At the centre there are porous lines marking an impossible unity, an impossibility that refuses melancholia since the only element to have been lost would be a retrospective projection of either a founding unity or a produced neutrality. Both have to be worked through. Rather than the language of emptiness there needs to be the continual recognition of an ongoing incompleteness. Activity and thus forms of practice take this founding sense of the incomplete as the point of departure. The porous is from the start that which cannot be completed. Doing so would stem the movement it maintains. Negotiation as the site of decisions and responsibility have to be maintained as sites of continuous activity and therefore of cultural practices. The extension becomes clear. All lines that divide involve a form of separation that can only ever be made absolute after the event. This is not to posit a type of equality or even sameness; it is rather to allow for continuities and differences. The question of the animal, allowing the continuity of movement between animal and animality, repeats the question of the other to the extent that what has to be maintained are already present senses of relatedness. Particularity only emerges within those relations, within their retention and affirmation, and not with their suspension.

## Notes

1. One of the most important and sustained accounts of the relationship between philosophy and the animal is Elisabeth de Fontenay, *Le Silence de bêtes. La philosophie à l'épreuve de l'animalité* (Paris: Fayard, 1998).
2. The reference is *Genesis* 3: 1–13. It should be noted that in this context the ‘snake’ speaks and is thus unlike any other animal. Moreover, the snake is cast out because of his actions. In other words, if the casting out created the distinction between God and Satan, then it is an occurrence that takes place as a result of both the human and the animal (though in this instance it is the specific animal, the snake) having the very capacity in common that the philosophical tradition takes as dividing the human and the animal, namely language.
3. There are of course other possibilities. What could be contrasted with this depiction of the animal is the dog in Piero di Cosimo’s *A Satyr Mourning the Death of Nymph* (1495–1500). Suspending symbolic registration for a moment what appears in this work is the dog as observer. Other animals occur in the background. Presented either as detached observers or simply occupying the same space, animals have neither a negative nor a positive presence within a logic of sacrifice. The question of their relation endures as posed. The possibilities posed by the remarkable painting will be taken up in Chapter 9.
4. There is an important secondary literature on this engraving. However, for the most part, it concentrates on the horse and the Knight. Even Panofsky only notes in passing the ‘personification’ of Death and the Devil. With regard to the latter see his *The Life and Art of Albrecht Dürer* (Princeton, NJ: Princeton University Press, 1995), pp. 151–4.
5. G. Agamben, *The Open: Man and Animal* trans. Kevin Attell (Stanford, CA: University Press, 2004). All subsequent references are given in the body of the text.
6. Central to the argument developed here is the connection between the mark and an original sense of relatedness. Clearly this formulation draws on the work of Derrida. In this regard the central text is ‘Le portrait de la métaphore’, in *Psyché: Inventions de l’autre* (Paris: Éditions Galilée, 1987), pp. 63–95. The ‘trace’, the ‘mark’ and the ‘trait’ are terms central to Derrida’s mode of philosophical argumentation. The indebtedness here has its own limit. In this argument the mark and a primordial relatedness are part of the terminology of a differential or relational ontology. Hence the project has another direction.
7. The most sustained treatment of bare life is Agamben’s work *Homo Sacer: Sovereign Power and Bare Life*, trans. Daniel Heller-Roazen (Stanford, CA: Stanford University Press, 1998). I have offered a critical engagement with this concept in my ‘Spacing as the Shared: Heraclitus, Pindar, Agamben’, in Andrew Norris (ed.), *Work and Death: Essays on ‘Homo Sacer’* (Durham, NC: Duke University Press, 2005).
8. This position is worked out in a number of places in Agamben’s writings. See in particular *Means without End: Notes on Politics*, trans. Vincenzo Binetti and Cesare Casarino (Minneapolis, MN: University of Minnesota Press, 2000), pp. 36–44.

9. *Homo Sacer*, p. 169.
10. It may be that Agamben has addressed this point in *Homo Sacer* in relation to his discussion of Badiou. With regard to that work there is the suggestion that there is a relation that persists within both the process of exclusion and the creation of the exception (25). However, if this is the case then it is incompatible with the later claim that it is a space 'devoid of law'. More significantly it would assume a primordial relatedness and thus a potential undecidability within the decision which would undermine his arguments concerning 'indetermination'.
11. *Homo Sacer*, p. 108.
12. *Homo Sacer*, p. 114.
13. Giorgio Agamben, *State of Exception*, trans. Kevin Attell (Chicago: University of Chicago Press, 2005), p. 50.
14. *Homo Sacer*, pp. 87–8.
15. See in this regard the exchange between Derrida and Lyotard after the latter gave his paper 'Discussions, ou: phraser "après Auschwitz"' at the Colloque de Cerisy in 1980. The proceedings of the Colloque, containing Lyotard's paper, were published as *Les fins de l'homme: A partir du travail de Jacques Derrida*, eds Philippe Lacoue-Labarthe and Jean-Luc Nancy (Paris: Éditions Galilée, 1981). The exchange occurs on pp. 311–13.
16. The current practice of profiling at airports can be accounted for in these terms. In addition, it opens up the basis of understanding the significance both of disguise and produced identities. With regard to the latter the essential literary work is Arthur Miller, *Focus* (New York: Penguin, 2001).
17. For the conception of a differential ontology that informs this engagement with Agamben see my *The Plural Event* (London: Routledge, 1994).
18. Antonio Negri, 'The Ripe Fruit of Redemption'. Online at: <http://www.generation-online.org/t/negriagamben.htm>.
19. G. Agamben, *The Coming Community*, trans. Michael Hardt (Minneapolis, MN: Minnesota University Press, 1993), p. 85.
20. Negri, 'The Ripe Fruit of Redemption'.

# Force, Justice and the Jew: Pascal's *Pensées* 102 and 103

## Opening

In Pascal's *Pensées* the important fragment 103 that has the title 'Justice, force' has been subject to a number of significant commentaries. In addition it has exerted a considerable influence on how the interconnection between questions of justice and their relation to the operation of power and force are understood. The fragment is, however, preceded by another.<sup>1</sup> (It precedes it, principally, in the Lafuma edition.<sup>2</sup>) This latter fragment is of less certain origin; nonetheless, it forms part of the overall work. The fragment 102 reads:

*Il faut que les Juifs ou les Chrétiens soient méchants.*

(It is necessary that the Jew or the Christian are wicked.)

The juxtaposition is stark. More exactly the fragment presents an exacting either/or. What it sets in play is the position in which, in the first instance, it cannot be the case that both are evil, and then in the second, it cannot be the case that neither is evil; hence the either/or. Moreover, the fragment envisages a universe in which it holds true. While it may be countered that it is possible to suggest another in which this either/or is not operative, such a move would do no more than evince a failure to understand how a statement of this nature works. It creates the universe within which it applies. Within such a universe, given the application of this either/or, the position of both Christian and Jew is constructed. That is how they figure. Within that universe the Jew is named; Jews are 'méchants'. The context, and it is a context created by the *Pensées*, within which to read the fragment that follows, i.e. 'Justice, force' has now emerged. The entirety of this later fragment is as follows:

*Justice, force.*

*Il est juste que ce qui est juste soit suivi; il est nécessaire que ce qui est le plus fort soit suivi.*

*La justice sans la force est impuissante, la force sans la justice est tyrannique.*

*La justice sans force est contredite, parce qu'il y a toujours des méchants. La force sans la justice est accusée. Il faut donc mettre ensemble la justice et la force, et pour cela faire ce qui est juste soit fort ou que ce qui est fort soit juste.*

*La justice est sujette à dispute. La force est très reconnaissable et sans dispute. Aussi on n'a pu donner la force à la justice, parce que la force a contredit la justice et a dit qu'elle était injuste, et a dit que c'était elle qui est juste.*

*Et ainsi ne pouvant faire que ce qui est juste fût fort, on a fait que ce qui est fort fût juste. (103)*

(Justice, force. – It is just that what is just is followed; it is necessary that what is strongest is followed.

Justice without force is powerless; force without justice is tyrannical.

Justice without force is contradictory, because there are always evil ones; force without justice is condemned. It is necessary therefore to combine justice and force, and for this end make what is just strong, or what is strong just.

Justice is subject to dispute; force is easily recognised and is not disputed. Thus we cannot give force to justice, because force has contradicted justice, and has said that it was unjust and has said that it is she herself who is just.

And thus being unable to make what is just strong, we have made what is strong just.)<sup>3</sup>

The text of fragment 103 contains a systematic form of argumentation.<sup>4</sup> At the beginning the fragment opens up a fundamental distinction between justice and necessity. The position of the fragment is that to ‘follow’ and thus to accept justice is itself a just act. As concerns the response to justice there is no necessity in this instance. It is simply a description of what is entailed by the presence of justice. While a lot more needs to be said concerning this presence it should be clear, even at this stage, that justice involves a range of possible responses. Acting in accord with justice is just, i.e. it is an action taken as the result of deliberation. On the other hand, to act in accord with ‘might’ (*le plus fort*) is, for Pascal, a necessity given that survival would depend on it. There is a corresponding absence of choice. As a beginning therefore the distinction between justice and necessity involves the question of deliberation. What follows from this opening is that there is a link between justice and force. Justice, if it is to be more than simply posited (and thus present either as a type of ideal or as the simply pragmatic), must be enacted. In other words, justice must allow for the possibility of its own

actualisation. (The realisation of justice is integral to justice.) Were this not to occur and if justice were to remain an ideal or merely pragmatic such that life – understood as the domain of lived experience – remained outside the realm of justice then justice would be without effect. In Pascal's terms justice would be 'powerless' (*impuissante*). The reciprocal position – and this is only one of a number of references Pascal makes to this topic – is that if there were to be the regularisation of life that took place independently of justice but which nonetheless involved force then that would be 'tyranny'.<sup>5</sup>

The opening of the fragment therefore sets in play a series of abstract formulations. The internal elements counterbalance each other. The development continues with the assertion that there would be a contradictory element involved in justice if justice were positioned as occurring without force because not all acts are just. Therefore there is the need for the enforcement of justice and thus for judgment. Note, however, the line in which the position is advanced: *La justice sans force est contredite, parce qu'il y a toujours des méchants* (Justice without force is contradictory because there are always evil ones). What is significant is the use of the word *méchant*. The term has, of course, already appeared. While noting the possibility that justice necessitates force because there are, *inter alia*, Jews, it is essential that the rest of the fragment, 'Justice, force', be developed in order to create the context within which it will then be possible to return to the identification of the Jew with the state of being *méchant*.<sup>6</sup>

### Justice

As the fragment opens the combination of justice and force complement each other. Justice regulates force and force allows justice to be effective. The next paragraph, however, complicates the overall argument. The argument of the paragraph runs as follows. Justice is subject to dispute. Force is not. Thus one cannot give force to justice because force, taken as an end in itself, 'contradicts' (*contredit*) justice; in addition, force, as a position, has already declared justice to be unjust. Moreover, and the next move recalls the tradition in which might is equated with right (e.g. the position of Thrasymachus in Plato's *Republic*), it has already been stated from the position of pure force that pure force is itself justice.<sup>7</sup> The final predicament is that given the impossibility of making the just strong, all that can occur is making that which has force just.

The opening contrast is between justice as subject to dispute and force which is never disputed because it is easily 'recognised'. There can

be no doubt whether or not force is being used. It seems that what can be doubted is the operation of justice. Justice being ‘subject to dispute’ means that there is a question of whether or not justice is actually present,<sup>8</sup> its presence being that which is disputed. However, there is more involved. (And from here it becomes necessary to read that which is essential yet implicit in Pascal’s argumentation.) Disputation takes time. The immediate recognition of force does not. The evaluation of force in regard to its relation to justice becomes a process of judgment. Again, time is involved. Equally, the disputation concerning the presence of just acts involves a place, an opening, in which justice and judgment as actions, with the enjoining dispute and deliberation, can take place. Hence the presence of pure force as that which occurs ‘without dispute’ (*sans dispute*) needs to be understood in terms of both the temporality of disputation as well as the necessary interrelationship between place and justice. It is at this precise point that the argument becomes more complex.

From the presence of disputation Pascal concludes that force and justice have a founding incompatibility. Force not only contradicts, justice, it has, in certain instances, declared justice unjust and, more significantly, has adopted the name justice. Note, however, Pascal’s formulation: ‘we cannot give force to justice’ (*on n’a pu donner la force à la justice*). What is important about this construction is the subject, the *on* (*we/one*) that is not able to give force to justice because of the contradictory relation. Defined internally, thus in its own terms, there is a type of consistency. And yet, once the capacity that was there in the formulation – ‘we cannot give force to justice’ (*on n’a pu donner la force à la justice*) – a capacity inherent in the word *pouvoir* (ability to do), is examined that consistency comes undone. It is not simply the identification of a restriction, the state of being unable to give. The refusal, which is itself evidence of more than a capacity, could have been refused. Given that all that is involved, if only initially, is an ability or capacity means that at the outset it is equally possible to have given force to justice and thus to have ignored the contradiction. Indeed, that is precisely what the position that claimed justice for force would have done. Hence the following questions: why in this instance, given that it could have been otherwise, is it not possible to give force to justice? If this is not something that ‘one’ (though also ‘we’) can do, then why, in this instance, would it not be done? The mere presence of a contradiction would not have been compelling. Is there another sense of force? If so then this would be the force that forces ‘one’ (now ‘us’) not to give force to justice, or, indeed on the contrary, to give it. If there is another sense of force – if, that is, force has a more complex presence that had be thought hitherto – then

what would have emerged is a doubling of force. Once doubled what was there in addition, though equally as part of force, would be a sense of force that was positioned beyond the simple opposition between that which can or cannot be disputed.

The dispute that involves justice is always delimited by finite concerns. They pertain to the justice of given acts. Acts may be completely specific or they may implicate systems of decision-making. While it is always possible to move to the position in which a response to this predicament would involve posing the question – what is Justice? – such a strategy would in the end be of little value as it would do no more than allow abstract essentialism a determining role. (Such a move would be the recourse to a type of Platonism.) As a consequence an alternative position needs to be created. However, that alternative can only occur if force and justice are already defined in relation to each other. It is precisely this possibility that has to hold if justice is not to be delimited by either its pure essentiality or reduced to no more than its pragmatic instantiation. Moreover, it is precisely this possibility that has already been suggested in the opening lines of the fragment. The line in which justice and force are brought together – ‘Justice without force is powerless’ (*La justice sans la force est impuissante*) – charts that complex relationship. The line reinforces the presence of an already existent relation between ‘justice’, ‘force’ and ‘power’. Despite its presence in the negative ‘power’ can be reworked in terms of a capacity to act. As such, force in this context has to be positioned in relation to the capacity to act justly. The scope of that capacity cannot be restricted in a straightforward manner. It can encompass an institution as much as an individual. What the line suggests therefore is that force is the capacity within justice for just acts. What this attributes to justice is an actative dimension, i.e. a dimension that identifies justice with activity, with the continuity of being just. Justice is therefore – is what it is – in its capacity to be acted out. As a consequence justice is then inextricably bound up with potentiality since a capacity holds independently of its actualisation. This is, of course, merely to reiterate the result of the already established interconnection between ‘justice’, ‘force’ and ‘power’.

While it will always be the case that any instance of justice is subject to dispute it does not follow from the presence of dispute that justice need be thought independently of force. This is the case for two reasons. In the first instance it is because judgment cannot be separated from justice as an activity and in the second it is due to the link that justice has to time and place. What the second of these points entails is that justice is acted out and is thus always situated. Moreover, it can also be argued that this inseparability of force and justice, an inseparability that is

reinforced by the addition of ‘power’, will mean that there is a radically different sense of force involved than the one that is opposed absolutely to justice. (The presence of this opposition is re-enforced in the fragment by Pascal’s use of the term *contredite*.) Indeed, the logic of Pascal’s own argument necessitates a divide in how force is understood.

The tradition of philosophical essentialism cannot provide a response to the problems posed by the relationship between justice and force as that domain is concerned exclusively with a self-referential definition and therefore cannot incorporate what was identified above as the actative dimension within justice. Nor, moreover, can that tradition sustain a constant link between justice and dispute. This link can only be maintained if judgment is given centrality. In addition, the question of the relationship between justice and force cannot be resolved by resorting to an account of law in terms of custom; indeed, elsewhere in the *Pensées* Pascal has made this very point. Rather than advance an argument against the identification of law with custom he offers a diagnosis or a description of what occurs. There is the further point, also made by Pascal, that any problems posed by the plurality of laws cannot be rectified by the creation of another law. With regard to the relationship between custom and law he writes, bringing his unacknowledged relation to Montaigne into play, the following:

*De cette confusion arrive que l’un dit que l’essence de la justice est l’autorité du législateur, l’autre la commodité du souverain, l’autre la coutume présente, et c’est le plus sûr. Rien suivant la seule raison n’est juste de soi tout branle avec le temps. La coutume (est) toute l’équité, par cette seule raison qu’elle est reçue. C’est le fondement mystique de son autorité.* (60)

(The result of this confusion is that one affirms the essence of justice to be the authority of the legislator; another, the interest of the sovereign; another, present custom, and this is the most certain. Nothing, according to reason alone, is just in itself; all changes with time. Custom creates the whole of equity, for the simple reason that it is accepted. It is the mystical foundation of its authority).

What becomes important therefore is the recognition of the work of this ‘mystical foundation’. The ‘mystical’ in this instance concerns the reworking of appearance such that it takes on the quality of the eternal. The ‘essence of justice’ must be located elsewhere than in the possible confusion of essence with appearance. However, as Pascal is quick to point out, the capacity of appearance to operate, thus the capacity to identify legislative power with the appearance of the King, should not pass unnoticed. It may have a type of necessity. Nonetheless, as part of the structure of the Apology it is vital that what is fundamental to law

becomes clear. That this will necessitate a return to a form of Christianity that eschews any mode of demonstration and is thus one whose truths are only known via the ‘heart’ is central.<sup>9</sup> Within this setting the presence of that which is contradictory or inherently unstable such as the relationship between human law and the question of justice – hence the relationship between sovereignty and justice – are only resolvable in the figure of Christ (cf. fragment 257). Moreover, there is a direct link between the heart and knowledge of God, where the latter is understood as *l'être universal* (the universal being) (cf. fragment 423). Nonetheless, what is of significance in the critique of custom is the identification of a ground of law that cannot be demonstrated. As such, it would be as though one ‘mystical foundation’ would have replaced another. However, in the necessity that force open up, there is the intimation of a completely different form of argumentation. To the extent that it holds sway force is reformed. The opening up of force obviates the need for a ‘mystical foundation’ of any type as the link between justice and potentiality will have lifted justice beyond any oscillation between appearance and essence. In other words, the key point is that justice would then no longer be located within a setting that demands recourse to a ‘mystical foundation’ and that such a position is an already present if implicit possibility in Pascal.<sup>10</sup>

The emergence of the division within force occurs once it becomes possible to identify a form of force that was uniquely related to justice and as such was distinct from the conception of force that allowed for the exclusive identification of force with ‘might’. It should be clear from the start that what emerges within the confines of the fragment falls beyond the hold of what may have been initially intended. Pascal’s aim was always to complicate the question of justice such that once trapped in a predicament in which justice can never acquire force, all that can ever be done is to try and ameliorate this condition by attempting to temper the strong and thus to make the strong just. While there may be a pervasive realism in Pascal’s presentation, it is based on a position that need not hold, i.e. what need not hold is the possibility that there is by definition an impossible relation between justice and force.

What has emerged in the examination of the fragment thus far is the possibility of identifying in the interplay between ‘justice’, ‘force’ and ‘power’ a way of understanding another modality for justice, namely justice as involved in the necessity for varying forms of activity. These would include just acts as well as just laws and extend to a conception of justice that has the necessity of force as integral to it. As opposed to the position in which force contradicted justice, there would be the separate and importantly different argument such that justice as justice

would be impossible were it not for the place of force and power within it. (Pascal notes, after all, the possibility of the place of force within justice.) Power, however, involves the making explicit of that which was only there implicitly. This connection repositions justice in terms of a fundamentally different distinction. In moving beyond any recourse to a ‘mystical foundation’, what is left to one side is the opposition between appearance and essence. Replacing them – a replacement signalling the presence of another mode of thought, a mode suggested by fragment 103 even though it remains unstated within it – is the relation between potentiality and actuality and as such stages a transformation of force.

As has been suggested above, the division within force, a division in which ‘force’, ‘justice’ and ‘power’ even as presented by Pascal are interconnected, creates a setting such that justice cannot be disassociated readily from its having the potential for actualisation. While Pascal would have wanted to locate justice and law within the realm of the divine, what has occurred within the interpretation of the fragment offered thus far does so as a result of repositioning ‘force’ and ‘power’ such that they have a necessary presence within the general setting of justice. The inscription of ‘force’ and ‘power’ reconfigures the active within justice in relation to potentiality. What results is the emergence of an important distinction between, on the one hand, justice as a potential and thus ‘force’ and ‘power’ as marking the continual possibility of actualisation and, on the other, what would have been the mere actualisation of force. (The latter always holds open the possibility that it is the actualisation of pure force, i.e. force without justice.)

Both the presence and the significance of this divide within force needs to be set against Derrida’s engagement with the question of law and its relation to justice. Derrida’s engagement forms part of his investigation of what counts as ‘the force law’ (*le force de loi*), an undertaking that will culminate in his interpretation of Walter Benjamin’s paper the ‘Critique of Violence’.<sup>11</sup> Part of the project involves a brief though important discussion of fragment 103. The importance for Derrida can be located within the clear relation between the interpretations of Benjamin and Pascal. While recognising that Pascal’s work cannot be automatically separated from what Derrida describes as ‘its Christian pessimism’, Derrida is nonetheless keen to indicate that there is within the fragment under consideration another possibility.<sup>12</sup> In this regard Derrida suggests that what is at work in the text is a critique of ‘juridical ideology’. However, he adds two further elements that need to be noted. The first is that Pascal’s position inaugurates the centrality of faith and thus what Derrida refers to as an ‘appeal to belief’ (*un appel à la croyance*).<sup>13</sup> More significantly he identifies another element within

Pascal's writings to which he gives the name *le mystique*. This other element involves the following considerations:

The operation which amounts to founding, inaugurating, justifying the law, to making the law, would consist in a coup de force, and thus in a performative and therefore interpretive violence which in itself is neither just nor unjust and that no justice, no pre-existing foundation, by definition would be able to guarantee, contradict or invalidate.<sup>14</sup>

Whether or not Derrida is correct to think of this formulation as being in accord with the sense of a 'mystical foundation' as it occurs in either Montaigne or Pascal is a question that is not directly relevant here. What matters is that Pascal is being read as though there is the actual suggestion in his writings, specifically fragment 103, that there is a founding of law that occurs as the result of a performative – itself *un coup de force* – which is located beyond the hold of any foundation and therefore beyond the positive and negative determinations that justice can take. The final element in Derrida's analysis that needs to be noted is that this law, understood in terms of the founding of a law and its related conception of justice, brings with it an inevitable and founding violence. An important part of the argument hinges on the interpretation of the *il faut* (it is necessary) in the following line from *Justice, force*:<sup>15</sup>

*Il faut donc mettre ensemble la justice et la force, et pour cela faire ce qui est juste soit fort ou que ce qui est fort soit juste.*

(It is necessary consequently to combine justice and force, and for this end make what is just strong, or what is strong just.)

For Derrida a specific argument arises in regard to this *Il faut*, one giving it the quality of the inherently indeterminate. Derrida formulates this position in the following terms:

It is difficult to decide or conclude if the 'it is necessary' (*il faut*) is prescribed by that which is just in the justice (*dans le juste de la justice*) or by that which is necessary in force. This hesitation can equally be taken as secondary. It could be said that it floats to the surface from a deeper 'it is necessary' (*il faut*). Since justice demands, as justice, the recourse to force. The necessity of force is therefore implied in the justness of the justice (*dans le juste de la justice*).<sup>16</sup>

What is significant here is not the presence of necessity but that which sets the conditions for its interpretative presence. The *il faut* within Pascal's formulation is determined by a *donc* (consequently), such that the necessity that the *il faut* puts in place cannot be thought outside a direct relation to consequence. What is present is so as a clear result

of the claim that force without justice is to be ‘condemned’ (*accusée*). Equally, it should be added that it is also consequent on the earlier proposition that ‘justice without force is contradictory’. The contradiction arises, however, because of the presence of those who are *méchant*. The resultant necessity therefore has at least two sources. The first involves related elements, i.e. the necessity that justice be located within force and that force is integral to the effective presence of justice. The second is that force itself has a necessity because of the *méchant*.

In the context of the fragment justice needs force because it has an already determined object. In other words, the way in which justice and force are combined is neither arbitrary nor is it the subject of chance. Their combination is the direct result of the presence of the *méchant*. Therefore contrary to Derrida’s analysis, the ‘il faut’ and thus the sense of necessity that arises in the fragment are determined within the fragment itself by the need to identify and deal with the *méchant*. The consequence that mediates the *il faut*, a consequence that is there, ineliminably, in the *donc* that is announced concurrently with the *il faut* – Pascal wrote *Il faut donc* – delimits a clear and already present necessity. What is of greater interest is the question: what would happen were there to be a relation between justice and force, a relation that Pascal has already identified and yet there not be simultaneously an already identified and thus already determined object?

Prior to taking up that question it is important to note that Derrida is right to argue that force is already *impliquée dans le juste de justice*; however, what is not correct is the additional point that force for Pascal is linked exclusively to a violent law-making performative that falls beyond the hold of either the just or the unjust. In fact it is possible to go further and suggest that on the basis of the interpretation thus far the doubled presence of force precludes such a possibility. In sum, the basis of Derrida’s argument in relation to Pascal is that a version of the ‘mystical foundation’ is connected to a founding gesture for law which is *un coup de force* located beyond the hold of the opposition between the just and the unjust. However, not simply is this itself the violent positing of an original and grounding form of violence, regardless of how such a gesture may come later to be judged, it is exactly this set up that Pascal can be read as attempting to undo. The undoing needs to be situated within the interpretation already offered of the relationship between ‘justice’, ‘force’ and ‘power’. The genuinely complicating factor, one ignored by Derrida, is that part of the prompt for Pascal’s own delimitation of force – a delimitation that has been opened up – is the presence of the *méchant*.<sup>17</sup> What needs to be pursued therefore is whether what is of value in the doubling of force can in the

end differentiate itself from a relation that links justice to the already present status of the *méchant*. In sum Derrida misconstrues this possible doubling of ‘force’ while at the same time he remains unaware of the inherent link between questions of justice and the operative presence of the figure of the Jew.

### *Des méchants*

Within the context firstly of what has been described as the doubling of force and secondly the encounter with Derrida it is now vital to return to the formulation which, while noted, was left out of the detailed examination of the fragment thus far. The line in question was: ‘Justice without force is contradictory, because there are always evil ones’ (*La justice sans force est contredite, parce qu'il y a toujours des méchants*). What was of interest here is that this fragment is preceded by one in which the state of being *méchant* is identified with the Jews (while, of course, not being reducible to Jews).

The figure of the Jew in the *Pensées* is itself a complex question. If there is a way of summing up that presence then it is in terms of what has been called the logic of the synagogue.<sup>18</sup> The fundamental characteristic of that figure is her banded eyes and thus her blindness. She delivers or presents a truth that she, of necessity, cannot see. There is therefore a double necessity. Without her truth is not possible – here one example among many is the ‘Old Testament’ predicating the ‘truths’ that the ‘New Testament’ will then have been seen to instantiate. The second element is that she – and now this means the Jews – cannot participate in that which she announces. Indeed, the exclusion of the Jews is fundamental to the operation of the very Christianity that they are taken to have enabled.<sup>19</sup> The logic of the synagogue necessitates that the Jews have to be included in order to be excluded. They have to be retained as blind.<sup>20</sup> Of the many forms that this logic is given two of the most succinct are the following:

*Mais c'est leur refus même qui est le fondement de notre créance.* (273)

(But, it is their very refusal which is the foundation of our belief.)

*Les Juifs en le tuant pour ne le point recevoir pour Messie, lui ont donné la dernière marque du Messie.* (488)

(The Jews in killing him in order not to welcome him as the Messiah, have given to him the final indication of the Messiah.)

What is of interest here is the relationship between this logic, the either/or announced in 102 and the complex figure of justice as it appears in 103.

The effect of the either/or can be situated, initially, in the context of fragment 103. As was suggested if the line – ‘Justice without force is contradictory, because there are always evil ones’ (*La justice sans force est contredite, parce qu'il y a toujours des méchants*) – can be reworked such that once 102 and 103 are read together then the claim is that justice needs force because there are Jews. (There needs to be the allowance, as has already been indicated, that the state of being *méchant* is not exclusive to Jews. Rather, the point is that all Jews are *méchant*.) As such dealing justly with the *méchant* necessitates that justice has actual presence. The important point here is that what occurs is the move from the position in which there is the claim that justice involves force, and it is force prior to actualisation, to another in which there is the actualisation of that force within a given context. The move therefore is from a conception of justice that always involves potentiality and in which justice is what it is insofar as it has the capacity for force, to a conception of justice in which actualisation has become direct application. Only in terms of the latter is it possible to dispute whether a specific instance of the enacting of justice is in fact just. What is beyond dispute is that there is an always already present relationship between justice and force and that this is central once that relationship involves potentiality rather than immediate application. What is precluded by the presence of potentiality is the complete and completing identification of actuality with pure immediacy. Indeed, it is possible to go further and argue that pure immediacy is violence. The counter-move to the violence of pure immediacy, which is implicit in Pascal and which is being worked out here, is to a conception of actualisation that is the result of the process of deliberation, a move demanding the inscription of time. It will be exclusively in terms of this move that justice will stand counter to violence.

The immediacy of judgment (recognising that the formulation has an oxymoronic quality) would close the space that judgment as a timed procedure, as the timed movement of deliberation, always necessitates.<sup>21</sup> Immediacy takes on the temporal quality of pure force. What is emerging therefore is that the doubling of force continually displaces the violence of immediacy. This displacement has neither an ethical nor a moral basis. It arises from the fact of force’s doubled presence. However, it will have implications that involve both the ethical and the moral. The displacing is bound up with the necessary connection between justice and judgment. This is a connection that holds to the fundamental presence of place and time. Time figures within the judgment. Place is that

which will always be necessitated once deliberation occurs. Deliberation demands a setting.

What then of the connection between 102 and 103? The possibility of asking this question is not to impose an order on the fragments. Pascal is unequivocal concerning the status of the ‘pensées’ that comprise the overall text.

*J'écrirai ici mes pensées sans ordre et non pas peut-être dans une confusion sans dessein. C'est le véritable ordre et qui marquera mon objet par le désordre même.* (532)

(I shall here write my thoughts without order, and not perhaps in a confusion without design; that is the true order and which will mark my object by its very disorder.)

The absence of a determined order in which the text develops not only allows for the retrospective imposition of different ordering systems, it allows, more significantly, for an ideational or thematic consistency to be posited between the differing elements. It will be in relation to that accord that 102 and 103 are to be read together.

The point of departure is clear. Fragment 103 identifies the presence of a form of necessity. Justice needs force due to the fact that there are those who are ‘méchant’. Their presence becomes the ‘fact’ of the matter. Moreover, their presence as ‘fact’ arises from the operative dimension of the either/or in 102. As such, Jews, as an instance of the *méchant*, can be judged. What this means is that the relationship between justice and force, in this instance, is always determined in advance. Thus construed justice and force are not inherently connected. The connection arises because of the presence of the *méchant*. That object, and that object alone, provides the relation with its necessity. And yet the doubling of force means that force is also present as a capacity to act justly, moreover a capacity that will always be there independently of its actualisation. If this latter moment is privileged then it identifies a space that is internal to the operation of justice, a space, moreover, that is the result of the inscription of potentiality within justice itself. The presence of this space both positions as well as allows for justice. Justice is that which occurs, and more importantly can only occur, within this opened space; it becomes the place of judgment. The place of judgment is linked therefore to force as a potentiality. Once these elements are combined they stand counter to the position in which the relationship between justice and force is determined in advance. They stand counter therefore to violence. As such this allows for the introduction of the distinction between force and violence. This distinction is of central importance. The determination

noted above occurs due to the relation that justice and force, within this configuration, already have to an identified and named object. Naming the enemy is integral to the structure of violence, though inimical to the identification of justice, force and potentiality. It is inimical as it marks the closure of the space of judgment. Moreover, it replaces the time of deliberation with a decision that has the quality of the immediate.

What cannot be overlooked in this analysis is the relationship justice and force have to the operative presence of the logic of the synagogue. Precisely because this logic is at work rather than merely gestural, the Jew is both excluded and retained. The Jew's function in relation to Christianity is given within that logic. As has already been noted there is an important division with regard to the two different ways in which justice and force can be connected. In the first instance justice and force work in relation to a given object. (This is the setting in which violence occurs and justice is absent.) In this case the object is the Jews and their immediate identification with the state of being *méchants*. That identification is given within the either/or staged by fragment 102. What forestalls the possibility that Jews could be other than *méchant* is the operation of the logic of the synagogue. For the logic to work it is essential that there be Jews. In addition, given that there are Jews, then they are automatically *méchants*. Nonetheless, within the terms set by that necessity, Pascal is able to distinguish between two different types of Jew. (Neither escapes the logic of the synagogue; moreover, both are retained because of it.)

*Les juifs étaient de deux sortes. Les uns n'avaient que les affections païennes, les autres avaient les affections chrétiennes.* (289)

(The Jews are of two sorts. Those who have only pagan feelings, the others that have Christian feelings.)

The second type can be redeemed. Redemption occurs through a process of assimilation or conversion. There would then be admission to what could be understood as the universal. This is the other possibility within the either/or. The process continues to allow for alterity to the extent that the other can, in the end, be assimilated or drawn into the universal. (This position has already been noted in relation to Hegel's figure of the Jew in the *Philosophy of Right*.) On the other hand, the first type of Jew must remain. There is an unavoidable sense of continuity and necessity at work within this first sense of being a Jew. Jews, those who remain 'pagan', are present therefore as more than the other to the Same. They are positioned such that they do not have a relation to the opposition Same and other (if that relation brings with it the continual possibility of

the admission of the other to the Same). What is introduced is a further determination of alterity. It can be characterised as existing *without relation* to the process of universality (and yet necessitated in order that there be universality). This other Jew, the pagan Jew, has to be continually present. They have to remain even after the process of conversion even if their presence is purely figural. The ‘pagan’ has to be exterior to the process of universality. As a consequence Christianity as universality, though equally universality as Christianity, is maintained as a result. The logic of the synagogue therefore demands a process of universalisation to the extent that what is other to the process, held within a relation of *without relation*, is not simply maintained, rather it is held in place as the very possibility of the logic’s effective operation. In other words, the conception of other held by the *without relation* allows for the logic of the synagogue to work in the first place.

What is ensured by this process is the retention of what enables the logic to operate effectively, i.e. the continual presence of Jews. After having taken conversion and assimilation into consideration, it is the Jew positioned within the *without relation* that must be present immediately. The pagan Jew becomes therefore a limit condition. Even if that which is created as the Jew – the figure of the Jew – is a creation of and for immediacy, it remains the case that the Jew must have an immediate identity and more significantly the function of that identity can never be brought into question. This underlies the structural determination that is the effect of the either/or.

Turning to the other side of the doubling of force two elements are central. Firstly determination is absent, and secondly the relation between justice and force does not assume an already identified and named object. Equally, that relation has a fundamentally different quality as it is no longer governed by immediacy and therefore not already implicated in the immediacy of violence. Folded into this position is the necessity that were there to be the doubling and the overcoming of immediacy then this would have reintroduced time, place and space within the relation between justice and force. Stemming the hold of pure immediacy is to displace the possibility of pure force and thus violence’s inevitability. The mediacy that interrupts this possibility has to be understood, as was suggested above, in terms of the operation of time. Judgment necessitates not simply the time of its own occurrence, more significantly judgment opens the place of its own instantiation as a practice. Judgment therefore brings both the space of disputation into play as well as the actuality of any decision. (The decision operates as the determinate form taken by judgment.) This occurs precisely because there is a distinction between justice as defined by immediacy – a sense of justice that will in the end

founder because it cannot be separated effectively from violence – and justice defined by potentiality. In the case of the latter, as has been argued, justice is linked to a sense of process and therefore to activity. The space and place of justice is not simply constructed, it has to be held open continually. This opening does not exist because of a commitment to the future – Rather, the future, the future of and for justice – is the consequence of the effective presence of potentiality and force.

### **Justice and particularity**

If this analysis of fragments 102 and 103 allows for a conclusion that opens up beyond a strict concern with Pascal then it must touch on the question that has been at work throughout this chapter even if it has not been announced explicitly as such. The question is straightforward: what does it mean to be just to particularity? The answer to the question hinges on the nature of the distinction between the immediate and the mediate. Indeed, allusion has already been made to it insofar as such a response is bound up with the position that the immediate naming of the other, an act in which the other can be reconfigured as the enemy, has to presuppose the attribution of a fixed and determined identity. The identity is not itself subject to negotiation. Were it to be then the immediacy in which the other is both named and identified (identification as the attribution of identity) would have come undone. Within this structure, however, there is the possibility of another sense of particularity. What has to occur therefore is the emergence of a different possibility. Rather than being simply posited it stems from the recognition that the way the structure operates is that the identity of the particular is both immediate and determined externally. As such, it is necessarily singular. Singularity, in the sense of a conception of identity that is imposed externally, precludes, structurally and therefore necessarily, the possibility that identity could be the subject of dispute, argumentation and thus conflict. Thus for Pascal to assert that the Jews are *méchant* in virtue of being Jews, whatever may be said elsewhere in the *Pensées*, means that the singularity of identity is given. To argue in response that Jews are not *méchant* but rather that they are virtuous, or to try and counter the logic of the synagogue with the assertion of sight in contradistinction to blindness, is to do no more than counter the attribution of the singularity of identity with its opposite. If there is a counter it must be to the immediacy underpinning these attributions and impositions and not simply to the description of the identity that it intends to secure.

Particularity therefore involves a conception of identity having a

twofold determination. In the first instance, it is defined in terms of internality, a position that is not immune to the external but which, as has been argued, is not determined by it. (Hence the history of any identity will always be refracted through the internal. Refraction, however, is not determination.) Secondly, the identity of the particular, when that identity takes the internal as its locus, has to incorporate a range of potentially or actually conflicting claims to identity. While some of these claims may seem to exclude others, viewed philosophically and thus in terms of a possible structure of identity, there cannot be a resolution precisely because any resolution would have to have an external source. To deploy the example from Pascal, were the question of Jewish identity – a question that endures as a source of creative conflict and tension defining particular conceptions of Jewish thought (thought both philosophical as well as religious) – to be resolved immediately with the claim that all Jews are *méchants*, then the already present conflict concerning identity would no longer figure within any account of that identity. The internal conflict would have become redundant in relation to the imposition of the singular determination whose source was external.

Allowing for particularity therefore necessitates the displacing of the figure and thus the work of immediacy. Internality which yields identities which themselves have a complex relation to the possibility of synthesis becomes the means by which particularity is affirmed within the recognition that particularity, in virtue of what it is when the internal and thus affirmation hold sway, continues within the time of continual mediacy. As a consequence what is incorporated is the temporal and spatial possibility of justice. As a result what it means to be just to particularities is, in the first instance, to hold to the necessity of the timing of judgment through the displacing of immediacy, and in the second to hold both philosophically and as a matter of social policy to the maintenance of particularities as sites of conflict and thus within terms they set and create to hold to the necessity that particularities have their own sense of self-transformation.

## Notes

1. The relationship between justice and power is implicitly present in the way Hannah Arendt opens her discussion of power in *On Violence* (New York: Harvester Books, 1970), p. 51. She draws an important distinction between power and violence, summing up the distinction in the following terms:

Power and violence are opposites: where the one rules absolutely the other is absent. Violence appears where power is in jeopardy, but left to its own course it ends in power's disappearance.

What ‘power’, as formulated in these terms, sets in play is the recognition of the necessity that just governance be effective. However, it does not follow from the presence of effective government that every instance of that presence – an instance that will involve what Pascal calls ‘force’ – is therefore an instance of violence. This, it will be argued, is the mistake made by Derrida in his reference to fragment 103. This occurs when Derrida takes up, albeit briefly, the fragment in his *Force de loi* (Paris: Éditions Galilée, 1994), pp. 26–33. In addition there is a further reference to the fragment in *Voyous* (Paris: Éditions Galilée, 2003), pp. 133–4. Derrida’s earlier treatment of fragment 103 will be taken up at a later stage in this study. Louis Marin has also developed a sustained interpretation of this fragment in *Pascal et Port-Royal* (Paris: Presses Universitaires de France, 1997), pp. 117–27.

2. The edition of Pascal that has been used here is the one established by Louis Lafuma (Blaise Pascal, *Pensées* (Paris: Éditions de Seuil, 1962)). There are other editions each with their own numbering systems. The other significant edition is by Brunschvicg. The question of there being a correct order has been addressed by Pascal himself in fragment 532. I have discussed that fragment further on. (All the *pensées* are cited in French followed by an English translation. The references are given in the body of text.) There is another fragment in which ‘justice’ and ‘force’ are related in fragment 85.

*Si l'on avait pu aurait mis la force entre les mains de la justice, mais comme la force ne se laisse pas manier comme on veut parce que c'est une qualité palpable, au lieu que la justice est une qualité spirituelle dont on dispose comme on veut, On l'a mise entre les mains de la force et ainsi on appelle juste ce qu'il est force d'observer.*

If one had been able to do it, one would have placed force in the hands of justice, but as force does not let itself be managed as one wants, because it is a palpable quality, while justice is a spiritual quality of which one disposes as one pleases. One has placed justice in the hands of might and thus what is called just which men are forced to observe.

While this is a central element to the Pascalian sense of ‘justice’, the argument developed in this chapter is that there is another dimension within Pascal’s argumentation. It concerns what might be described as the potentiality for justice. Potentiality is present as a force. Moreover, force can be rethought as linked to potentiality.

3. For the sake of consistency *juste* and *justice* have been translated as ‘just’ and ‘justice’. It should not be forgotten, however, that *juste* also contains the sense of that which is ‘right’ or ‘correct’.
4. For a discussion of this fragment in the context of what could be described as Pascal’s critical engagement with custom – which is in part a sustained engagement with Montaigne – see Hélène Bouchilloux, ‘Pascal and the Social World’, in Nicholas Hammond (ed.), *The Cambridge Companion to Pascal* (Cambridge: Cambridge University Press, 2003), pp. 201–16.
5. Tyranny is dealt with a number of times in the *Pensées*. See in this regard fragment 58.
6. There are a number of discussions of the fragments that refer to Jews within

the literature on Pascal. Few, if any, try to establish a strong philosophical as opposed to merely thematic connection between those fragments and the overall project of the *Pensées*. For a general discussion see: Jean Miel, *Pascal and Theology* (Baltimore, MD: Johns Hopkins University Press, 1969), pp. 14–54; Francis X. J. Coleman, *Neither Angel Nor Beast: The Life and Work of Blaise Pascal* (London: Routledge & Kegan Paul, 1986), pp. 168–71. For an informative discussion of Pascal's arguments concerning the continuity between the 'Old' and the 'New Testaments' see David Wetsel, *L'Écriture et le Reste: The Pensées of Pascal and the Exegetical Tradition of Port Royal* (Columbus, OH: Ohio State University Press, 1981), pp. 182–9.

7. This occurs in the argument advanced in *Republic* (336b–367e). It goes without saying that Socrates counters Thrasymachus' position with great precision.
8. The presence of dispute gives 'justice' a history. As such justice, rather than having an essential quality, can be redescribed in terms of the continuity of conflict concerning the actuality in a given situation of a specific act or decision being just. As such this should mediate the interpretation of the fragment's first line – 'It is just that that which is just is followed' (*Il est juste que ce qui est juste soit suivi*) – as having a structure similar to the categorical imperative. Marin interprets the opening line in terms of the categorical imperative. See his *Pascal et Port-Royal*, p. 117.
9. This position is integral to Pascal's critique of Descartes. For the clearest formulation of Pascal's position – one that cannot be associated either with scepticism on the one hand or mere faith on the other – see fragment 110.
10. Derrida identifies this use of *le fondement mystique* as a borrowing from Montaigne. He then notes in relation to this formulation as it pertains to both:

The authority of laws rests only on the credit that they are given. That credit is believed in. It is law's foundation. This act of faith is not an ontological or a rational foundation.

To which it should be added immediately that Pascal in fragment 7 sets out the position of faith and which, if read in conjunction with others on the relationship between 'faith' and the 'heart', defines a conception of knowledge (a knowledge that would not be irrational) in relation to both. In other words, 'faith' in Pascal is linked to knowledge that pertains to the 'heart'. This functions as a critique of a certain conception of knowledge (Cartesian) but is not a critique of knowledge *tout court*. Derrida's further reflection of the relationship between knowledge and faith can be found in his *Foi et Savoir* (Paris: Éditions le Seuil, 2000).

11. Jacques Derrida, *Force de loi: Le fondement mystique de l'autorité* (Paris: Éditions Galilée, 1994). (All subsequent translations are my own.)
12. *Force de loi*, p. 32
13. *Force de loi*, p. 32.
14. *Force de loi*, p. 33.
15. 'Il faut' is an impersonal formulation with the direct translation 'It is necessary'. Central therefore to any understanding of this passage of text is firstly

the location of necessity announced by the *Il faut* and secondly that that necessity has an indissoluble link, in this context, to a form of consequentialism. The latter is there in the word *dunc*. This link and its consequentialism – the *dunc* – are overlooked by Derrida.

16. *Force de loi*, p. 28.
17. There are of course other readings of Pascal and thus other points of connection. In *The Plural Event* I argued that central to Pascal is a critique of representation and thus the *Pensées* is a work that cannot be automatically reduced to a simple expression of logocentrism (see pp. 61–83). Similar arguments are advanced by Léveillé-Mourin among others (see Geneviève Léveillé-Mourin, *Le langage Chrétien, Antichrétien de la Transcendance: Pascal Nietzsche* (Paris: Éditions Vrin, 1978). The work of Louis Marin is also orientated around complicating the presence of Pascal – see Louis Marin, *La Critique du discours sur Logique de Port Royal et les Pensées de Pascal* (Paris: Éditions de Minuit, 1975), especially p. 258–69 and his *Pascal et Port-Royal*, pp. 169–239.
18. A clear instance of the logic which occurs outside the realm of both art (including sculpture) and the philosophical is evident in Dante. While Dante is drawing on St Augustine (*De symbolo ad catechumenos*, 4), lines 67–9 of Canto 22 of the *Purgatorio* read as follows:

*Facesti come quei che va di notte,  
che porta il lume dietro e sé non giova,  
ma dopo sé fa le persone dotte*

You did as he who goes by night and carries  
the lamp behind him – he is of no help  
to his own self but teaches those who follow –

(The translation used here is by Robert M. Durling. He also draws attention to the link to Augustine. See *The Divine Comedy of Dante Alighieri. Volume II. Purgatorio* (New York: Oxford University Press, 2004), p. 365.) While the rest of the Canto would need to be interpreted in terms of the relationship between the Jew and metaphors of light it is nonetheless straightforward that what is at work in these lines is what has already been referred to as the logic of the synagogue. In addition, the relationship between Augustine and his role in the construction and maintenance of a specific configuration of the logic of the synagogue comprises a field of investigation in its own right. To this end see: Paula Fredriksen, ‘Excaecati Occulta Justitia dei: Augustine on Jews and Judaism’, *Journal of Early Christian Studies*, vol. 3, no. 3 (1995), pp. 299–324.

19. This position is a version of the standard interpretation of Pascal in which the Old Testament is interpreted as having a double register. This allows it to be both continuous and discontinuous with the New Testament. For a detailed discussion of this position see David Wetsel, *L’Écriture et le Reste: The Pensées of Pascal in the Exegetical Tradition of Port Royal* (Columbus, OH: Ohio State University Press, 1981), pp. 165–211.
20. It should be noted that the affirmation of Jewish identity cannot be reduced to a mere argument for sight. That affirmation could only be there in

having overcome the founding opposition between blindness and sight. As a result identity questions would be engaged such that while there would be an inevitable relation to that opposition it would not structure any response to the question of identity.

21. It is not as though clear references to judgment are not present in the text. One of the most important considerations occurs in fragment 529. However, references to judgment always stand apart from the figure of the Jew. The object of the chapter is, of course, to try and show what occurs once they are thought together.

# Facing Jews

## Opening

The question of human being has forms of registration within the history of art as well within both philosophy and theology. One of the most insistent forms this question takes within art history can be found in the portrait as much as in the self-portrait. Within both the self is presented. There is *self presentation*. With both portraiture and self-portraiture – to be more precise within these interrelated modes of *self presentation* – specific questions arise: who is the subject of the portrait? What does portraiture portray? What conception of self is presented in the self-portrait? The point of departure for any answer to these questions is that in the portrait the self – thus the *self presentation* – is defined by the face. In both painting and sculpture selves have faces. While this may seem obvious, it is still the case that the different modes of *self presentation* capture the complex relations between self and other as well as the divide, within the domain of the other, between what could be described as simple alterity, on the one hand, and the presence of the other as the enemy, on the other. Hence, understanding the presence of the self within art works involves following the way the complex presence of faciality is registered within art works. The faces in question will be as much of the self that is given within an overriding sense of Sameness as they will be of differing modes of alterity. Faciality is marked from the beginning therefore by an original sense of complexity. This means recognising that there will always have been more than one face. This recognition becomes the identification not merely of the face of the other – that may still be to remain with an undifferentiated sense of sameness – but what will come to be identified as the *other's face*. It is this latter sense that begins to approach the condition of the other as that which cannot be assimilated. (It should be clear that it is precisely this conception

of the other that allows for its reformulation in terms of the enemy. Moreover, the *other's face* as it continues to appear here and in Dürer is painting's presentation of what has already been identified as the *without relation*.) Such an identification is possible even though art, in a move that reiterates in its own terms and within its own materials the process of abstraction within the philosophical, has always tried to universalise the self and thus insist on the universality of the face.

An important instance of this insistence on the process of abstraction can be found in Hegel's discussion of both painting and sculpture.<sup>1</sup> Hegel's argument concerning the individual face, an argument that has equal relevance in relation to both painting and sculpture, has significance in this context precisely because it draws the face into the necessity of universality while at the same time linking it to the need to overcome the equation of particularity with the idiosyncratic and therefore to the non-universalisable.<sup>2</sup> This double movement comprising universality and individuality is that which will be undone by the presence of the *other's face*. Part of the argument will be, however, that it is the nature of its undoing that opens up another way of understanding the presentation of the *other's face* and thus how to think its importantly different sense of particularity.

The *other's face*, a face whose actual determinations are yet to be made clear, brings an important complication into play. Even though the *other's face* is that which is inscribed as the other beyond assimilation, what this opens up, as intimated above, is the very real possibility that the identification of a conception of the particular, one that resists incorporation and therefore allowing for a form of affirmation, is itself an already present possibility. What this means is that the emergence of this face – the *other's face* – is as much a conceptual necessity, insofar as it is an already present possibility, as it is one that arises from an engagement with art works themselves.<sup>3</sup> Alterity, in this emphatic sense, as a genuine possibility, is already there, there in the yet to be discerned other side of Hegel's face.

### Hegel's faces

Sculpture and painting have an important affinity. Both for Hegel necessitate that within the single work – a work of portraiture – there is the expression of that which cannot be reduced to simple particulars. Universality as 'spirit' has to be present. Hence Hegel writes in relation to the painting of a portrait that

if the portrait is to be a genuine work of art (*ein echtes Kunstwerk*) it must . . . have stamped on it the unity of the spiritual personality, and the spiritual character must be emphasized and made predominant.<sup>4</sup>

Hegel continues, having made this point, to argue that the ‘face’ is central in the development of this presentation. The painter must have a determined project. The portrait is constrained – the constraint of authenticity – to present the viewer with ‘the spiritual sense and character of his subject’.<sup>5</sup> While that is particular to a given subject, the spiritual is that which opens up the universal. Without the latter, i.e. the spiritual, having actual presence, there is only a face. Writing of Dürer in the same section of the *Lectures on Fine Art* Hegel argues that Dürer’s portraits present the ‘whole of a spiritual life’ (*ganz ein gesittiges Leben*).<sup>6</sup> As such they have the capacity to transcend simple particularity. Sculpture works with a similar constraint. It, too, must be constrained by the necessity to express ‘spirit’ (*Gesit*). In the case of sculpture the specificity of the medium gives that need a particular determination. In this regard Hegel argues that

although the expression of spirit must be diffused over the appearance of the entire body, it is most concentrated in the face.<sup>7</sup>

However, this concentration opens up the problem of individuality. In other words, it gives rise to the question: what stops one face from being no more than the face of a specific individual? Or, to repose the question such that that it highlights what for Hegel will be the necessity for a presence beyond particularity: how could any one face become the universal face? The answer to the latter question is that this possibility occurs by overcoming the point of individual identification, an instance of which, in the case of sculpture, is the ‘seeing eye’. As the ‘soul’ must be dispersed over the ‘entirety of the external form’ the eye must be ‘sightless’. For the eye to see or for the eye to be seen into (the eye as the ‘simple expression of the soul’) then this would entail the eye’s particularity – it could only be ‘that’ eye – and as such universality would have become impossible. Hence, the sculpture remains white.<sup>8</sup> The relief that marks the eyes – e.g. the distinction between iris, the pupil and the overall eye – while present, by resisting both colour and directionality (a resistance enacted on the level of material presence), allows them to become the universal eye or at least the one that can be absorbed into the process of what for Hegel would be the soul’s overall expression and therefore not stand opposed to that expression.<sup>9</sup> Eschewing particularity, while idealist inorientation, is nonetheless a specific material practice.

The attempt to work through the universal – to or from the universal

hence the differing though necessary definitions of sculpture and painting within Hegel's *Lectures on Fine Art* – positions the oscillation between the individual face and the generalised face such that it allows for universal presence (or the universal's presence). The difficulty inherent in this formulation is that at work within the opposition between the universal and the particular are forms of exclusion and differentiation which, while defining moments of universality and individuality, do so without being able to be incorporated into either one of them. Incorporation of those elements can only occur therefore in terms which necessitate their exclusion from any identification with what will have already been assumed to form part of the relationship between universal and particular. That inclusion has already been identified in Pascal in terms of the logic of the synagogue in which inclusion, while necessary, had to have a specific determination, i.e. it had to be included as that which is present as the always to be excluded. What arises therefore within the set-up created by the relation between universal and particular is the possibility of a project of rethinking and thus reworking the interplay between universality, individuality and exclusion. Once that project takes hold what would emerge as a consequence – a result to be faced – is a conception of facility that works beyond the traditional configuration of these interrelated terms. Such a conception would be the other possibility within the *other's face*. The emergence of such a face redefines the original setting such that there are only ever other faces and thus no singular undifferentiated Other. The question that has to be addressed concerns the status of the *other's face*.

If there is another way in, a way providing an opening to the *other's face*, then, it will be argued, one of the central locations in which it can be taken to occur is the work of Albrecht Dürer. With Dürer not only is Hegel's own encounter with his paintings brought into play – an encounter in which universality in the guise of *Geist* is, for Hegel, apparent – what is presented is a site that can be questioned, a questioning which becomes possible precisely because with Dürer the problematic relationship between the portrait and the self-portrait and therefore the relationship between portrayed selves, the face of the other and the *other's face*, acquires an important and original formulation. In the context of this undertaking that beginning, however, can be given – and this is the immediate task – a different setting than the one it usually receives.<sup>10</sup> This necessitates the constitution of this other site.

Prior to turning to Dürer therefore it should be noted that, in more general terms, the question of the self and thus the self in question has a history. Measured philosophically the self identified with *res cogitans* in Descartes' *Meditations* differs importantly from any answer to the

question of the self that accepts the distinction initiated by Freud, and subsequently worked out by the history of psychoanalysis, between consciousness and conscious life on the one hand, and the work of the unconscious on the other. That the answer to the question – who am I? – could have been faultlessly provided by Descartes becomes, within psychoanalysis, the fault that underpins the identification of the self with the ego. (In psychoanalytic terms this amounts to the positing of an identification that is in fact a misidentification.) However, what conception of the self and self-presentation occurs within both the history of sculpture's and painting's preoccupation with the self? What self is it that appears in sculpture or painting? What is faced? (Knowing in advance that answers, no matter how they are understood, will always have to engage the problem of the complex plurality – a plurality marked by the differential rather than mere variety – that delimits not just the *other's face* but also the material specificity of painting and sculpture.) Knowing, moreover, that by allowing for the insistence of the face the material presence of art stages its own complex relation to the philosophical. There is a further preliminary question, namely within what conception of history is that self articulated? Once again it needs to be signalled in advance that it will always be a plural sense of self and thus the history concerns selves/faces in their being presented. The presentation of self – what has already been identified as *self presentation* – needs to be understood as the situating of the self that while always determined will nonetheless occasion its own reworking. The self, therefore, will have always been present as an already overdetermined site.<sup>11</sup>

An instance of this situation, one in which self and face are presented in terms of each other and thus one that complicates any straightforward history of the self and its face(s), is evident in Jan van Eyck, at least insofar as it concerns *The Arnolfini Betrothal* (1432) (Figure 8.1). Within that work there is the inscription of three interrelated senses of self. The connection is not simply discursive since they are interconnected by their presence within a single material frame. In the first instance there is the painting of the betrothed couple (Giovanni Arnolfini and Giovanna Canami). Rather than an actual self-portrait the work should be viewed as the portrait of selves. Within it selves and faces coalesce as part of the painting's work. In the second, there is the inscription of the self who paints. The painter appears in the mirror positioned behind the couple being painted (see Figure 8.2). The work, to that extent, is a form of self-portrait. (The work is, after all, signed, not with a mere signature but the with the words 'Johannes de eyck fuit hic'. The answer to the question – where is van Eyck? – is that he is already portrayed within the work. Van Eyck is present as part of the work's content.) The third sense



Figure 8.1 Jan van Eyck, *The Arnolfini Betrothal* (1432). The National Gallery, London. Reproduced with permission.

in which there is a conception of self in the work is clearly related to the occasion of authorial presence. In other words, it is related to the painter's own self-inscription and thus *self presentation*. The self portrayed in the mirror is not passive. That self is an agent within the painting whose agency it is. The work is thereby identified in advance as produced and therefore as a painting. Moreover, it is possible to interpret the other figure reflected in the mirror as overseeing the work and in so doing either having commissioned or even paid for the work. The work *The Arnolfini Betrothal* (Figure 8.1) is doubly produced. Within it patronage and production have been provided with a framed presence.<sup>12</sup>

In this sense van Eyck is well in advance of the more famous instance of Velásquez's *Las Meninas* (1656) (see Figure 8.3) in which the act of painting – though with an important reversal of position – is equally inscribed within and as part of the work's work.<sup>13</sup> An event that occurs via the intermediary of the mirror (see Figure 8.3). (Mirrors figure as an inseparable part of the attempt to present a concern with self. In



Figure 8.2 Jan van Eyck, segment focus from *The Arnolfini Betrothal* (1432). The National Gallery, London. Reproduced with permission.

addition, the mirror is, for the most part, inextricably bound up with the face.<sup>14)</sup> Finally, within art's history and running parallel to the inscription of the painter as the guarantor of painting and therefore of painting's already doubled presence, there is the recurrence of the image of Pittura within the frame in order to underscore any one work's connection to Painting as a generic possibility. (A clear example here – one that is doubly interesting for a concern defined in relation the portrayed self – is Poussin's 1650 self-portrait.)

In each of these instances the presentation of self, be it a portrait or a self-portrait, will have been implicated in the project of art work. (Art work becomes a complex site to the extent that these implications are configured as significantly different. Moreover, 'art work' as it will be used here is a term that allows for a general description of works of art that insist on material specificity. Work is an activity.) Selves and works are the result of work. They have been produced. What matters therefore is the operative dimension within this twofold sense of production. Within art's work therefore the self cannot be separated from



Figure 8.3 Velásquez, *Las Meninas* (1656). Prado, Madrid. Reproduced with permission.

its presentation as part of the work. In other words, it is not as though a produced conception of self is a mere element within a work which could be excised from a more general argument and questioned. If this were to occur then it would necessitate ignoring the presence of the self as already having been folded into and thereby forming part of a field of activity. A field, a work, here those which are part of either the history of painting or sculpture, are not to be understood individually, simply as works with the self as illustrative. This field is a site at work. Work has a dynamic quality, it is the work of an individual named work, hence work has an inherently active dimension – and therefore the self produced is already implicated within a network. It is in this precise sense that *self presentation*, within and as art work, has a history that cannot be reduced either to mere description or simple chronological contextualisation.

The relationship between production and implication provides a way into the position of the self in three works by Dürer – *Jesus Among the Doctors* (1506) in Madrid Museo Thyssen-Bornemisza (Figure 8.4), the



Figure 8.4 Dürer, *Jesus Among the Doctors* (1506). Madrid, © Museo Thyssen-Bornemisza, Madrid. Reproduced with permission.

*Self-Portrait* (1498) (Figure 8.5) in the Prado and the *Self-Portrait* in the Louvre (1500). As presentations they concern the complex situation that occurs when what is central is no longer an image that illustrates and which functions as a mere site of meaning but one that is produced. Production draws materials, techniques and the arrangement of paint on a canvas into play. These works are to be accounted for therefore as part of the construction of self-identity, present as *self presentation*, and therefore as a complex continually individuated in and as specific works. What matters is the face. The way it matters becomes a way of discerning differences between specific forms of art work.

### Facing and Assimilating

Mattering – as the operation of matter and as such orchestrating any concern with meaning – brings the face into play. As a beginning therefore the distinction between the face of the other and the *other's face* needs to be developed. The former is a face that can be incorporated into a common world, a world in which commonality is far from neutral let alone benign, but within which the common as a construction of both



*Figure 8.5* Dürer, *Self-Portrait* (1498). Prado, Madrid. Reproduced with permission.

universality and abstraction figures. To the extent that commonality is present as an abstraction it will have already been defined by a decision as to what counts as the common. The common therefore is far from benign. The second aspect – i.e. the *other's face* – is that which is excluded from the common while at the same time providing the common with a form of coherence. Two elements of a painting from the School of van Eyck, *The Fountain of Grace and Triumph of the Church Over the Synagogue* (1430) (Figure 8.6) will set the scene.<sup>15</sup> In the bottom third of the work and thus existing in a space overseen by Christ is the Fountain of Grace dividing the Christian Church from the defeated Jews. The defeat is signalled by the presence of the blinded Synagogue among other elements.<sup>16</sup> Before returning to the Synagogue, which itself needs to be understood as a reiteration on the level of painting of the already identified logic of the synagogue, the detail of these elements needs to be noted.<sup>17</sup>

The first concerns the presence, not of Hebrew but its presence within what can be most accurately described as the figure of Hebrew that ties the words into part of the operative presence of the logic of the Synagogue. The letters secure Jewish presence on the condition that the letters are devoid of meaning. The second is the presence of a distorted



Figure 8.6 School of van Eyck, *The Fountain of Grace and Triumph of the Church Over the Synagogue* (1430). Prado, Madrid. Reproduced with permission.

face, a face, it will be conjectured, that is unable to be assimilated and thus one positioned beyond conversion. As a consequence it holds open the move to a conception of alterity in which the other figures as the enemy (Figure 8.7). These elements need to be identified because they reappear – an appearance with structuring effects – in Dürer's *Jesus Among the Doctors* (see Figure 8.4) (or at least this will be the argument). However, that reappearance is of especial interest as the claim is that this portrait – Dürer's Jesus, and therefore Jesus as an instance of *self presentation* – is in fact a self-portrait. The nature of the self in question will have been rendered complex by its dependence on the use of the figured presence of Hebrew on the one hand and facial distortion on the other. Establishing the painting as a self-portrait will be made in reference to both of Dürer's self-portraits.<sup>18</sup> The way towards the interplay between the face of Christ and Dürer's own will emerge with greater precision once the complex play of faces in *The Fountain of Grace and Triumph of the Church Over the Synagogue* has been taken up.<sup>19</sup>



Figure 8.7 School of van Eyck, segment detail from *The Fountain of Grace and Triumph of the Church Over the Synagogue* (1430). Prado, Madrid. Reproduced with permission.

With regard to *The Fountain of Grace*, it is indisputable that the figures to the right of the Fountain are Jews (see Figure 8.7). What needs to be noted is the presence of scrolls, banners and parchment covered in Hebrew's figured presence. The disorder of the texts needs to be contrasted initially with the stability of the book the Virgin is reading and the one in which St John is writing. These appear in the top third of the work. Equally, the Christians in the bottom left are content, even contemplative. The disorder among the Jews is reinforced by the chaotic appearance of text while the presence of texts in the hands of the Virgin and St John would have been clear and their content self-evident. These books do not need to be seen to be understood. A different form of the self-evident occurs with the texts of the Jews. The texts allow for Hebrew's appearance, an appearance that is sustained to the extent that Hebrew (as a living, working language) is not known. Hence

they contain the words, if the text is in fact the Torah, that the blinded Synagogue had before its eyes but to which it remained uncomprehending. And yet, while there are a number of letters that appear to be Hebrew, there are also a number that bear no real relation at all. Beyond mere allusion there is nothing other than a slippage between Jews, chaos, blindness and the presence of the figure of Hebrew. The presence of the latter assumes the identification of Jews and thus the construction of the Jew occurs beyond any form of engagement with the complex pattern that defines that tradition.<sup>20</sup> (This has been argued earlier in Chapter 1 is integral to the definition of the figure.) The presence both of this slippage and the location of the Jew outside any sense of tradition in which Jewish identity was defined by and for Jews (knowing always that there is an important relationship between this sense of tradition and the history of anti-Semitism which is itself always articulated in relation to the figure of the Jew) means that what defines the relationship between the Church and the Synagogue (the terms in the painting's title) is such that the Synagogue both finds that from which it is at the same time, and of necessity, separated. This relation of founding and excluding is the logic of the Synagogue. As has already emerged in the discussion of Pascal this is the means by which externality set the measure for the internal.

One of the figures in the crowd facing the fountain and yet having the text explained, or perhaps in discussion over its content, a dispute in which the question of Christ as the actual Messiah could have been taking place, is not just ugly, it is as though his face has been subject to a type of deformation. While most of the other faces are such that they could have been Christians this face has an almost irredeemable quality. This is not simply a Jewish face. This is the face of the Jew. On the level of the face, this is what the appearance of the figure of the Synagogue – appearing within its own logic – announces in a more generalised manner. The banded eyes and broken staff could be nothing else. They are the presentation of the other. Here, set among other faces is a face that constructs difference. What is present is no longer just the face of the other, now it is the *other's face*. How this occurs needs to be noted. The forehead is distorted in relation to the cheeks and the rest of the face. The area above the eyes bulges. The head is hunched to one side indicating that the head's normal position is far from straightforward. He is not obese as opposed to the person with whom he is in discussion. Nonetheless, he is distinct to the point that as a face his can be separated from the others. The texture of the skin is frayed not smooth. Were a hand to pass from one cheek to another something else would have occurred beneath its touch. The face of the other allows for a

form of touch. With regard to the *other's face* the hand would recoil. Deformation coupled with frayed and broken skin would have made such a response inevitable, though only inevitable in its immediacy. With the *other's face* therefore it is as though it cannot be touched. The skin – as painted – would have refused, in advance, the hand. The face would have always held itself not just at a distance, rather it would be a distance that the hand could not traverse. This is presented in this work by a contrast, which is itself the result of the way paint works. The operation therefore is integral to the construction of a face which in rendering the possibility of touch problematic begins to take on the quality of other as enemy.

Within the painting and to the extent that there are at least two scenes of reading – the ordered reading already alluded to in the case of the Virgin and St John in addition to the group to the left in the middle third of the painting – there are also two orders of faciality, one allowing for assimilation (and thus conversion) of the face that could become Christian, and the other as inherently resistant to such a possibility, a resistance reproduced throughout the work in terms of faciality, reading, order, etc. Order does not concern neutrality. On the contrary, it is the organisation of power. Even if the conclusion to be drawn from this position is restricted, provisionally, to faciality it still means that faciality is divided from the start. The consequence to be drawn is that there cannot be a pure face-to-face, except as the result of two interrelated moves both of which give centrality to forms of presence that resist particularity. The first is a direct instance of this resistance. Within it the face-to-face would be no more than an abstract relation. However, if the abstract face-to-face is to be advanced as a possibility then it would be premised on effacing the grounding difference that this particular face stages. There can be no way around specificity except by succumbing to the idealism inherent in an abstracted sense of the face-to-face, a succumbing in which the presence of particularity would then be overcome by the introduction (after the event of the encounter of the *other's face*) of an idealised conception of Sameness, itself a move effacing, at the same time, the original plural event that constructed the initial setting of the interplay of faces as a complex.<sup>21</sup>

The second sense in which there could be a face-to-face would stem from the relationship between prayer and conversion. It should be noted that for the most part the Christians in the painting are at prayer. In contrast the Jews are overwhelmed by defeat or they are still disputing the text. Prayer is pitted against both defeat and dispute. There is an additional and fundamental element in the presentation of prayer. Prayer, as it occurs here, is an individual concern. Equally, it becomes

the means by which a permanent and enduring sense of God appears,<sup>22</sup> (a God accessible directly through prayer or through prayer mediated by a form of human presence and therefore not via the intermediary of a text, let alone text as law, hence the inevitable involvement of the God of Christianity). The position being maintained by the painting therefore is that instruction in prayer – a coming to be at prayer – thus having the capacity to pray is the face of Christianity. A face that is found and which has its foundation within conversion. Conversion would depend upon seeing through blindness and thus being able to face the force of revelation. The face of the Jew – not just the face open to conversion but the other as irredeemably other, the other having become the enemy – is the face of the one for whom revelation is that which cannot be faced. This is, *avant la lettre*, Pascal's 'Pagan Jew'. Consequently, while assimilation and conversion are possible, it is also necessary that there be the one who visually – and it has to be visually as this is art work – resists that possibility. As has been suggested this resistance has an inherent necessity. What this reiterates therefore, on the level of the visual, is what has already been identified as the logic of the Synagogue. The history of Christianity has demanded nothing less. This demand and its articulation within an organising logic reinforces the ineliminable presence of this necessity.

### Dürer

Dürer's painting *Jesus Among the Doctors* (1506) (see Figure 8.4), a painting that has to be understood initially as a portrait of Jesus in dispute with a group of Rabbis, is also far more.<sup>23</sup> Part of this surplus is contained in the conjecture that it is, at the same time, a self-portrait. The basis of that identification is not there in the ideational content of *self presentation*. It is present initially in the hair. The hair as present in both the self-portraits is gold with a reddish hue. However, more significantly, it is both long and hangs in curled tresses. The face looks out through it, while the hair frames the head. In addition, Dürer's left eye seems to be slightly raised in position in comparison with the right. There is an accord in relation to hair, the positioning of the eyes and the angle of the head within all three paintings. Hence, rather than identity on the level of the image, there is an identity that is defined in terms of other specific elements. What this means is that if Dürer is positioned as Jesus, then the question to be addressed concerns how that positioning is to be understood? In other words, what happens to the self and thus to the conception of self when there is the translation from the purity

that accompanies, at least on the level of intention, the assertion that this image is a self-portrait, to another defined by a recollection of the founding self even if the propriety of the name ‘self-portrait’ no longer accompanies the work? There is a translation of names, thus a migration of defining motifs, hence the question of the status of a central element within *Jesus Among the Doctors* (see Figure 8.4).

It needs to be added that what follows is an interpretation of Dürer’s painting in which what is central is the interconnection of a self-portrait and a fundamental distinction between the Rabbis. As will be argued it is a distinction that reiterates, on the level of painting, Pascal’s two sorts of Jews. It should be noted, however, that other paintings with the same textual source do not necessarily distinguish between the Rabbis. In some works, despite the varying ages of the Rabbis, the faces are one and the same. A clear instance of this approach can be found in a painting by Giovanni Serodine (1626).<sup>24</sup> In his painting the only discernable difference between the Rabbis is age. A more interesting example, however, is Bonifazio dei Pitati’s engagement with the same topic. (His *Gesu fanciullo im mezzo dottori* (1520) is in the Palazzo Petti in Florence.) The interest of this work is that a number of the Rabbi’s have the Law either open on their laps or are holding it. Even when the text is open their eyes are transfixed on the presence of Christ. His presence, in the context of this painting, has quite literally made not simply Judaism but its grounding in the textual presence of Law redundant. The triumph over Judaism is captured by the redundancy of the Old Testament as a source of law on the first instance, and its retention as an original site of prophecy in the second. The overcoming of Judaism in the name of abstract universality has more complex presence in Dürer’s work.

Given the possible confluence between an idealisation of the self (man as God) and the humanisation of the divine Jesus as Dürer and thus as human, the painting invites commentary.<sup>25</sup> While it is clear that the head of Jesus and his face show the influence of Dürer’s encounters with Italian art, despite the Italian influence there is something distracting about the positioning of the bodies. That the bodies are positioned and thus occupy a specific place can be constructed almost as an after-effect. What holds them in place and thus that which works to position them are the hands and faces. In sum, hands, faces and, as will be suggested, the figured presence of Hebrew construct the field that holds this portrait in play. What this amounts to is the claim that the self-portrayed arises out of this network of concerns. Hence it would never be sufficient merely on its own to identify the painting as a self-portrait. Such a move positions the self in a way that it could be lifted from the work and treated on its own. While it is a self-portrait – a form of *self presentation*

in which Jesus and Dürer have become identified – far more is implicated in the construction of that self. *Self presentation* is articulated within a network of relations. To demonstrate this point two aspects of the work demand attention.

In the first instance there is the book held open by the Rabbi in the top left corner of the frame. The page that is visible contains the gesture towards Hebrew that was also evident in the earlier work from the School of van Eyck, namely the figured presence of the Hebrew language. While the page that can be seen looks as though there is the Hebrew letter ‘Kop’, the link between the page and either a book in Hebrew or the sustained use of Hebrew cannot be established beyond a merely gestural connection. The structure of the page reiterates a patterning that assumes a practice of reading that begins at the left and then moves to the right. The opposite is the case in Hebrew. In addition the title of the book or chapter is given by a three letter word that apart from being Semitic, insofar as what it reiterates is the generalised constant root structure of Semitic languages in general – as such the text could be as much in Aramaic, Syriac or even Arabic as it is Hebrew – cannot be identified as a text within that tradition. If evidence is needed to establish this point the comparison of the page structure of Elijah Levita’s Hebrew Grammar published in Basel in 1527 juxtaposes the two differing forms of page structure.<sup>26</sup> Equally the presence of the book within Quentin Metsys’s *The Praetor and His Wife* (1514) reinforces the point by indicating the structure of the Christian bible or religious book. That Dürer must have been aware of this setting is clear from the *Pages of Marginal Drawings from Emperor Maximilian’s Prayer Book* drawn by Dürer himself in 1515.

The second aspect to which attention should be given concerns the deformity of the Rabbi to the immediate right of Jesus (see Figure 8.8).<sup>27</sup> To the extent that the painting can be identified as a self-portrait, this means that Jesus is present – as opposed to there being simple presence of Jesus – in a continual movement between Jesus as the Son of God, Jesus as the human face of God and Jesus as the human. Jesus becomes the human as such, the ideal human as that which positions others. Consequently, the Rabbi to Jesus’ right is not presented merely in opposition to Jesus the Son of God; rather the juxtaposition is far more exacting. The juxtaposition is between a deformed presence and an idealised form of human being, idealised in the precise sense of presenting the essentially human. The juxtaposition does not involve the intrusion of the grotesque.<sup>28</sup> A different strategy is at work. Deformation brings the face into play. There are, however, ineliminable accompanying questions. While the face is human, a simple recourse to humanity on its



Figure 8.8 Dürer, face detail from *Jesus Among the Doctors* (1506). Madrid, © Museo Thyssen-Bornemisza, Madrid. Reproduced with permission.

own will not answer the following questions. Whose face is this? What conception of self is being presented? Humanity as an abstract generality is already refused to that face. This occurs because that generality and thus the continual oscillation between Jesus and the idealisation of human being – a co-presence reinforced by the identification of *self presentation* and the self-portrait – is held in the face of Jesus and is thus reflected to the faces of the other Rabbis, faces, it should be added, that in their similarity to the face of humanity already signal an openness to assimilation.

Addressing the deformed face – the *other's face* – demands that the hands be brought into consideration. The left hand of the Rabbi in question is on the arm of Jesus and yet the operation of the hands, their operative quality and not just the way they are positioned as though topology were enough, cannot be reduced to the mere matter of touching, as though touching were a singular act. Indeed, once the operative is emphasised then instead of a simple site which can be allocated to isolated and isolatable moments of the painting, there is a produced image the after-effect of which is meaning. What matters therefore is the way the hands work. That work is their painted presence. When this



Figure 8.9 Dürer, hands detail from *Jesus Among the Doctors* (1506). Madrid, © Museo Thyssen-Bornemisza, Madrid. Reproduced with permission.

occurs in this context what emerges is that within the frame touching does not take place. It is as though hands occupy the same space and yet the fingers are painted such that the pressure that would emerge when one hand touched another or when fingers moved across each other – perhaps when they became a caress – is not registered. Indeed, what the hands display is the absence of touch. And yet, of course, there is touch (see Figure 8.9). The deformed Rabbi touches Jesus' sleeve. That touch, however, while occurring, is not taking place. As is clear from Jesus' face, he remains untouched. Moreover, he cannot face the Rabbi. While his face does not hold any other, he faces them. Those faces can be traced out in Jesus' face and his in theirs. As faces they are open. They are able to be touched. In the end Jesus – as human, a humanity recalled by the intrusion of Dürer, an intrusion that also identifies the work as painting – could face them. It is essential that the slide between self-portraiture and the human as divine work together.

The predicament of the deformed Rabbi is given within the frame. Moreover, the frame containing the complex presence of Jesus as

selfportrait cannot be understood adequately if the effect of the presence of the deformed rabbi is overlooked. Neither *self presentation* nor self-portraiture stands alone. The reciprocity that marks touch cannot have been evident here. There is therefore a reiteration of the position in which removal – in the sense of the presence of that which cannot be assimilated – occurs through the exigency of precisely that presence. In other words, the deformed Rabbi is not simply there. He is produced as the Jew – more accurately he figures as the ‘pagan Jew’ – and is thus implicated in the impossibility of touch. That which cannot be touched is equally the one who is unable to touch and therefore the one that can be withdrawn from considerations concerning touch, held beyond conversion yet within the necessity of the Jew’s function as the outside. This is a withdrawal occurring because of the continual slippage between subject, face and Jew. It is a withdrawal. However, withdrawal brings into play that which is there once the other becomes the enemy; the latter is a conception of the other that takes ‘nature’ as its ground and is attended continually by the possibility of violence. (The latter occurs once there is the definite repositioning of the other as the enemy.) While it is always possible to ask in response to this predicament – what would it be to touch the *other’s face*? – it is essential to recognise that at work within that question is the possibility that what is involved will entail having dispensed with violence. In this context this would mean not just noting though refusing the realisation of violence as a possibility, it would also involve the suspension of immediacy in the name of the mediate. As such the position of the enemy would have ceded its place to alterity. The result would be the denaturing of ‘nature’ in which it would have become possible to touch without conversion.<sup>29</sup> The latter is, of course, another formulation of what it would mean to be just to particularity. The end result is that the presence of touch would have another face.

The history of art contains intimations of this other touch. One painting which would open up precisely the possibility is Ghirlandaio’s *Portrait of an Old Man and a Young Boy* (1490). While it can be argued that Ghirlandaio’s is explicable in terms of virtue, on a more prosaic level it should be noted that physical deformation precludes neither love nor touch. Hence once this painting is juxtaposed with Dürer’s – in which the ostensibly sacred would have encountered the ostensibly secular – then the move from touch to love opens the question of the possibility of love and therefore touch that is positioned, once again, beyond the hold of there being a founding need for conversion. Hence it would have become possible to touch openly.

What Dürer’s *Jesus Among the Doctors* produces therefore is not

just the impossibility of an idealisation of the face but the opposite, since that idealisation is set within a set relations. As a consequence the face – though it is inevitably faces – as the site of a set of different and divergent relations cannot be reduced to a form of pure faciality. There is always that which cannot be converted and thus which cannot be touched. The hand even in reaching out encounters a hand this is itself not outstretched. Thus there is the one who, while touching, cannot be touched and therefore the one who, when they are touched, this occurs within a hold that cannot be felt. If this is the case then the assimilationist gesture that assumed that everyone could be converted will have already been undone by Dürer's painting. A gesture dismissed by the work's retention of the Jew as produced within a logic that will always retain and exclude. And yet it is precisely this predicament that can itself be undone (recalling the moment in which Hegel's animal provides the opening to particularity, a moment in which it would be as though the animal had encountered and faced the Jew), a turning back, an undoing and thus an opening in the same way as the mediate becomes an opening in response to the already noted instrumentalisation of immediacy. The retention of a face that brings into play the question of its being touched allows for an undoing in which not only would touching the *other's face* – the coming into relation of that which was *without relation* – endure as a continual possibility, it would be a possibility that was not defined by the opposition of, on the one hand, the anthropocentrism of conversion and, on the other, the closure of the immediacy.

*Jesus Among the Doctors* contains therefore a founding tear. What is torn is the possibility of an original synthesis of the self. Dürer was constrained to include a face that cannot be assimilated. The logic of the synagogue demands nothing less, in the same way as Pascal was obligated to discriminate among Jews in order to identify the 'pagan Jew'. However, both of these positions have consequences beyond what was envisaged. In both instances the questions posed concern the nature of the relations – relations that can, of course, only exist in the continuity of being worked out – that there can be to that which always stands outside assimilation, or touch (if particularity can be generalised then this is one of the forms it can take). In Dürer's painting that tear operates with a series of determined strategies and yet what the painting makes clear is that if there were to be an ethics of the face it would be given in relation to a face that could not have been initially touched and therefore to a face that fell outside any possibility that it could bear the attribution of an essential quality. The painting is open therefore to an undoing. This is why it cannot be restricted to a mere self-portrait. If the work holds open a further possibility, and as such could have a

projective nature within strategies of portraiture, then it would be to a conception of portraiture in which there was an affirmation of sites marked by the original tear (an affirmation, that is, rather than the recovery of a tear). As such, it would yield a site where the tear was an opening to questions, both ethical and political, that the work staged. Dürer's painting cannot affirm one of the consequences that arise from the founding tear that is integral to its constitution, thereby opening up, as has been suggested, the question of what would be involved were a work of art to affirm the already present status of what has been identified as the *other's face*. How is an affirmation of a founding tear to be painted? This needs to be understood as a question posed on the level of painting that is equivalent to the one that arose in the context of the analysis of Pascal, i.e. how to be just to particularity. Pursuing that question opens a separate terrain of investigation. Were it to be followed then the preceding can be understood as setting out some of the essential criteria for judgment.

## Notes

1. G. W. F. Hegel, *Aesthetics: Lectures on Fine Art*, trans. T. M. Knox (Oxford: Oxford University Press, 1998), Vols I and II (G. W. F. Hegel, *Vorlesungen über die Ästhetik II and III*, Werke 14 and 15 (Frankfurt: Suhrkamp, 1986)). Future references will be to volume and page number of the English translation followed by the volume and page number of the German.
2. I have examined this aspect of Hegel's work in considerable detail in my *The Plural Event* (London: Routledge, 1993) – see in particular pp. 83–111.
3. While it cannot be undertaken here there is nonetheless a need to distinguish between the reiteration of otherness as a generalised structure and one that works within a founding sense of the differential that refuses, *ab initio*, the work of synthesis that allows for the positing of otherness in and of itself. The work of Levinas is of course central here. For an important attempt to interpret Levinas beyond the hold of a simple opposition between self and other, see William Large, *Emmanuel Levinas and Maurice Blanchot: Ethics and the Ambiguity of Writing* (Manchester: Clinamen Press, 2006).
4. Hegel, *Aesthetics*, Vol. II, p. 866 (Vol. 15, p. 103).
5. Hegel, *Aesthetics*, Vol. II, p. 866 (Vol. 15, p. 103).
6. Hegel, *Aesthetics*, Vol. II, p. 867 (Vol. 15, p. 104).
7. Hegel, *Aesthetics*, Vol. II, p. 727 (Vol. 14, p.58).
8. Hegel, *Aesthetics*, Vol. II, p. 732 (Vol. 14, p. 63).
9. For a counter interpretation see Stephan Houlgate, 'Hegel on the Beauty of Sculpture', in Houlgate (ed.), *Hegel and the Arts* (Evanston, IL: Northwestern University Press, 2007), pp. 56–90. Houlgate underscores the centrality of freedom rather than the relation between the individual

- work and the spiritual. Nonetheless, Houlgate's writings on Hegel's aesthetics are assiduous in their attempt to position Hegel's overall project within the philosophy of art in relation to contemporary art practices. See in addition his 'Hegel and the Art of Painting', in William Maker (ed.), *Hegel and Aesthetics* (Albany, NY: SUNY Press, 2000), pp. 61–83.
10. The two central works on Dürer – two works to which this project is indebted are – are Joseph Lee Koerner, *The Moment of Self-Portraiture in German Renaissance Art* (Chicago: University of Chicago Press, 1993) and Erwin Panofsky, *The Life and Art of Albrecht Dürer* (Princeton, NJ: Princeton University Press, 1971). With regard to the former, while the overall argument of Koerner's concerning the development of the self-portrait is accepted and in part deployed, the position presented in this chapter is that the argument becomes far more complex and indeed takes on a different quality once the position of the Jew – positioned by painting's introduction of the logic of the synagogue – is introduced. For a further development of Koerner's work on self-portraiture see his 'Self-Portraiture Direct and Oblique', in Anthony Bond and Joan Woodall (eds), *Self-Portrait: Renaissance to Contemporary* (London: National Portrait Gallery, 2005), pp. 67–82.
  11. The complex relationship between interpretation and history is brilliantly analysed by Keith Moxey in the context of Dürer and Grünewald. What becomes important is the recognition that contextualisation can be an object of study in itself and that such analyses allow for future decontextualisation of those works. As such art can be continually redeployed. What needs to be pursued in addition is that the image is capable of this movement, hence it needs to figure in any account of the ontology of art work. For Moxey's important article see his 'Impossible Distance: Past and Present in the Study of Dürer and Grünewald', *The Art Bulletin*, vol. 86, no. 1 (2004), pp. 750–63.
  12. For a sustained study of this painting in which the complex role of the self is outlined see Edwin Hall, *The Arnolfini Betrothal* (Berkeley, CA: University of California Press, 1997).
  13. The crucial study of this painting is the one undertaken by Michel Foucault in his *Les Mots et les choses* (Paris: Gallimard, 1966). The analysis is not being brought into question here. Nonetheless, what the reference to van Eyck allows to emerge as a question is whether *Las Meninas* functions as the sign of a radical interruption within historical time in the way that Foucault argues. For the detail of Foucault's argument see pp. 7–36.
  14. The question of the mirror warrants more detailed study than can be provided here. What needs to be noted is that the mirror's presence, whether it be pure reflection and thus as a form of self-portrait – as is the case with Parmigianino's *Self-Portrait in a Convex Mirror* (1523–4) or Rubens' presentation of self in a mirror *Venus Before the Mirror* (1613–4), thus introducing questions of vanity's interplay with beauty – positions the self, be it within a portrait or self-portrait, with art work. In other words, the mirror, in doubling the presence of the self, entails that the self is always present as a representation. The self is made present to itself via an act. As such the mirror underscores the presence of the work of art as art's work. Nonetheless, while presentation, representation and art play out in relation

- to each other, once the produced image is emphasised such that meaning is always an after-effect of the work of materials, then the structure of representation is no longer the most apposite in order to interpret works of art.
15. Otto Pächt argues that this work is a copy of van Eyck. While Pächt offers an interpretation of the painting, he concentrates on the role of the Eucharist within the work. While not precluding the centrality of those aspects of the work the argument here is that the presentation of fundamental elements of the structure of Christianity within the work depends upon the position of the Jew and the figure of the Synagogue within it. See Otto Pächt on Van Eyck in *Die Begründer der altniederländischen Malerei* (Munich: Prestel, 2002), pp. 132–4.
  16. While the Synagogue is retained as living and thus enduring, there are significant paintings in which the Synagogue is killed by the Cross, an important instance of which is Garofalo's *Crucifix with Ecclesia and Synagoga* (1523). This work was undertaken at least twice by Garofalo. In both instances the work retains the Synagogue as murdered and therefore perpetuates her presence as always in the process of being killed. What prevails, despite the change, is a form of retention. Of particular interest in this instance is that the ass on which she is riding has been wounded. Cuts are present on its arms and flanks. The killing of *La Synagoga* is contemporaneous therefore with the wounding of an animal. For an informative and invaluable study of the version that was originally undertaken as a fresco for an Augustinian refectory and which now hangs in the Pinacoteca Nazionale in Ferrara, see Dana E. Katz, *The Jew in the Art of the Italian Renaissance* (Philadelphia: University of Pennsylvania Press, 2008), pp. 69–99. For a discussion of the painting which is now in St Petersburg, see Tatiana Kustodieva, 'La scuola ferrarese di pittura nelle collezioni dell'Ermitage', in *Garofalo: Pittore della Ferrara Estense* (Milan: Skira, 2008), pp. 33–4.
  17. Heinz Schreckenberg has provided a detailed set of images on the differing ways in which the Jew is presented within European art history. What needs to be noted, however, is a distinction between images of Jews within the history of Christianity's concern with the Jew and therefore with the images that such a concern necessitates and ones that may be more properly located within the history of Judaism's own engagement with the question of its identity and thus the way that engagement gives rise to own images. Schreckenberg's work is particularly valuable for the former. See his *Die Juden in Der Kunst Europas* (Göttingen: Vadenhoeck & Ruprecht, 1996).
  18. The following argument builds on Koerner's though seeks to nuance the position by insisting on the structuring presence of the Rabbis in the painting *Jesus Among the Rabbis*. In his own words Koerner's position can be summed up thus:

Dürer's analogon is not primarily between himself and Christ, but between two kinds of pictorial representation. On the one hand there is the image of Christ's face, a visual formula that has a long and complex history and that raises essential questions about the status of pictorial representation in the West; on the other hand there is the autonomous self-portrait, a subject of painting that Dürer can be said to have invented

for the North and that became in the course of the next half-millennium, one of the most representative modes of expression in European art. In fashioning his own monumental likeness after the cultic image of the holy face, Dürer makes particular claims for the art of painting. By transferring the attributes of imagistic authority and quasi-magical power once associated with the true and sacred image of God to the novel subject of self-portraiture, Dürer legitimates his radically new notion of art, one based on the irreducible relation between the self and the work of art. (79)

19. For a detailed discussion of this work as well as the Arnolfini portrait see Bernhard Ridderbos, 'Objects and Questions' in Bernhard Ridderbos, Anne Van Buren and Henk Van Veen, *Early Netherlandish Paintings: Rediscovery, Reception and Research* (Los Angeles: J. Paul Getty Museum, 2005), pp. 4–173, in particular pp. 58–68.
20. In more general terms – and this generality is at times essential – the argument as it pertains to these paintings is relatively straightforward. Firstly, the claim is that the presentation of the Jew within the history of art, literature and philosophy (to limit the scope) is posed beyond the concerns that the Jewish tradition may have had for its own self-conception. Secondly, what is overlooked, and overlooked of necessity, is the fact the question of the Jew – or even the criteria determining Jewish identity – is itself, within that tradition, contestable. As such, one way of understanding Judaism's history is as the history of this conflict. One of the most important conclusions to be drawn is that the question of Jewish identity cannot be equated with the history of the attribution, from outside Judaism, of an identity to Jews. For an important contribution to the more general question of Judaism's complex engagements with its own identity as it pertains to the late nineteenth and early twentieth centuries see Michael Berkowitz, *The Jewish Self-Image* (London: Reaktion Books, 2000).
21. It is a plural event precisely because the faces that can be assimilated and the other's face cannot be given a synthetic unity. There is a founding difference therefore that is both original and which resists synthesis. The fact that it occurs within a painting entails that an account of its presence is the after-effect of the way painting works in the construction of these faces.
22. Hence there needs to be a relationship between prayer and memory. Prayer becomes a form of remembering. To this end see the study by Mary Carruthers, *The Craft of Thought: Meditation, Rhetoric, and the Making of Images, 400–1200* (Cambridge: Cambridge University Press, 2003).
23. The reference for the painting is, of course, the Christian Bible: *Luke* 2: 41–50. As recounted within that text Jesus has come to the Temple in Jerusalem to inform the Rabbis that the Messiah has arrived. What is important is that this event inaugurates within Christianity – an inauguration positioning the Rabbis as already distanced from the event inaugurated – a structure of recognition. This structure is also evident in other Gospels. A significant instance in John concerns the Sumerian woman coming to recognise that the man (*anthropos*) to whom she is talking is in fact Christ (*Christos*), a development in which there is a type of dialectic of recognition that moves through the stages 'man', 'prophet' and then 'Christ'.

24. Giovanni Serodine's painting is in the Louvre.
25. While it cannot be pursued here Hegel's own discussion of Dürer in the context of paintings that position the story of Jesus in relation to 'the torment and ugliness of the world' (Vol. II, p. 883; Vol. 15, p. 126) warrants close attention.
26. Elijah Levita lived between 1468 and 1549. The text referred to here is a page from a general work on grammar *Pirke Eliyahu*. The work itself consisted of four sections and the text is an example of Hebrew/Latin publication in the early sixteenth century, the first edition of which was 1520. Even though there would not have been direct contact between Dürer and Levita, Levita is of particular interest because of his connection to the tradition of German Humanism with proponents of which Dürer did have contact. This is due in part to the relationship between Kabbalah and both Christian as well as Humanist thought. The central figure in the German context was Agrippa of Nettesheim. (For a modern edition of his major work see *De Occulas Philosophia*, ed. Willy Schrödter (St Goar: Reichl Verlag, 2003).) Panofsky outlines Dürer's relation to Pico and Agrippa (see *The Life and Art of Albrecht Dürer*, pp. 168–71). There has been a great deal of recent work documenting what texts in Hebrew are known and by whom. While concentrating on England, G. Lloyd Jones provides a good overview of current work. See his *The Discovery of Hebrew in Tudor England: A Third Language* (Manchester: Manchester University Press, 1983), especially pp. 11–86.
27. Panofsky also draws attention to the contrast between beauty and ugliness in the work (see the *The Life and Art of Albrecht Dürer*, pp. 113–16). Panofsky attributes this to the influence of Leonardo's *Trattato della Pittura*, and thus for him the way into the work is provided by the question of whether the 'the face of the wicked old scholar' (p. 115) was based on a 'prototype created by Leonardo'. What is being tested in the analysis to be developed here is the extent to which the deformed Rabbi is merely a 'caricature' (p. 114). While Panofsky's historicisation of the faces cannot be ignored, what is left out is its incorporation of the differing faces within the particular question of the way the relationship between Christianity and its construction of the Jew figures within painting. In addition, what is also left out is the way that reaction would then inform a more general recognition that what is at play is the relationship between self and other. While it does not concern art within the Northern Renaissance, exemplary work that takes up the figure of the Jew has been done for the medieval period. See to this end Michael Camille, *The Gothic Idol: Ideology and Image-Making in Medieval Art* (Cambridge: Cambridge University Press, 1991), in particular pp. 165–96.
28. Indeed the grotesque needs to be understood as playing a particular role within the history of art. See to this end Philippe Morel, *Les grotesques* (Paris: Flammarion, 2001). Morel locates the term as only having application within a defined historical period. In addition, it is also important to consult Hans Belting's interpretation of Bosch's triptych, *The Garden of Earthly Delights* (see his *Hieronymus Bosch: Garden of Earthly Delights*, trans. Ishbel Fleet (Munich: Prestel, 2005)) precisely because it holds open a way into the grotesque or monstrous that is independent from the figure of the other's face.

In other words, the position advanced here is that this conception of the face cannot be easily subsumed under pre-existing categories. This is the case, as Morel and Belting both indicate, albeit in their own differing ways, because the grotesque or the monstrous are inextricably bound with the presence of Christianity within painting. The *other's face*, while having a connection to that presence, is itself only ever present as the excluded other, remembering, of course, that it is an exclusion which founds.

29. I have taken up that question in a literary context in relation to Lessing's plays *Die Juden* (1749) and *Nathan der Weise* (1779) in my *Philosophy's Literature* (Manchester: Clinamen Press, 2001), pp. 167–91. Furthermore, there are at least two further dimensions that pertain to touch. The first opening, in which it would become possible to discuss a touching, this time tinged with erotic, could begin with Caravaggio's *La diseuse de bonne aventure* (1595–98). The second concerns the dictate that determines a great many works of art, namely Christ's 'Noli me tangere'. For an informed and philosophically rich discussion of the utterance and its role within the history of art see Jean-Luc Nancy, *Noli me tangere: Essai sur la levée du corps* (Paris: Éditions Bayard, 2003). In sum, therefore, any attempt to take up touch within painting would have to work through the complex notions of subjectivity that dominate once simplistic conceptions of universality are distanced.



# Another opening



# Animals, Jews

## Two dogs

Two dogs whose presence will have already done away with any attempt to identify the relation between the human and the animal as having a singular quality and an already established meaning. The first dog – in Turner's *Dawn after the Wreck* – appears loyal (see Figure 9.1). The dog awaits its drowned owner. The dog is faithful. The dog's presentation is a reiteration of the dog as the iconographical presence of loyalty and devotion. However, it is equally the case that once the relation is stripped of the gloss within which loyalty is always painted as unthought and thus ill considered, it may be that what is being staged is a more complex form of relation. Indeed, if this watercolour is viewed after the hold of the *without relation* has been suspended then it is possible to begin to approach the work in terms of a modality of friendship. Or, at the very least, to take it as marking the presence of a relation that cannot be reduced to mere animal obedience. To the extent that this other possibility can be maintained it provides Turner's work with its founding tear, a tear which signals the moment beyond any possible reduction of the dog to the figured presence of the animal. In addition, it is precisely this other possibility that has already been identified by Voltaire.

Is it because I speak to you that you judge that I have feelings, memories and ideas? And yet, I am not talking to you, you see me enter my house in an agitated manner, looking for a paper with worry, opening the desk where I remember locking it away and reading it with joy. You judge that I experience the feelings of affliction and of pleasure, and that I have memory and knowledge.

Give then the same judgment to the dog who has lost its master, who with painful cries had searched all the usual paths, who enters the house, agitated, worried, who descends, who goes from room to room, who finally finds in his room the master that he loves, and which is evidenced by his cries, by his jumps and his caresses.<sup>1</sup>



Figure 9.1 Turner, *Dawn After the Wreck* (c.1841). The Samuel Courtauld Trust, Courtauld Gallery, London. Reproduced with permission.

Voltaire's observation already troubles any fixed understanding of animal presence, especially those instances that signal the reiteration of the way the work of figures is itself reinforced by the tradition of iconography.

The second dog appears in Piero di Cosimo's *Satyr Mourning the Death of Nymph* (1495–1500)<sup>2</sup> (see Figure 9.2). It is one of a number of dogs that are present in the painting. The dog in question is positioned to the right of the satyr who is mourning the nymph lying dead before him. The satyr, who is already part animal, evinces both care and sadness. Solicitation and remorse mark his demeanour. The dog is neither loyal nor aggressive. It is neither threatening nor attentive. This dog, along with the others roaming the lakeshore in the painting's background, cannot be incorporated immediately. While present they satisfy neither the demands of iconography nor the traditional expectations of the animal. The dogs are indifferent. However, it is that very indifference that can be understood as the mark of a form of relationality that in lieu of relations that have been determined in advance can only take place within the continuity of their being lived out. Relationality exists therefore in its remove from any form of singularity. Moreover, the move in which this takes place is from the positing of an absolutely determined relation which having occurred then structures all subsequent relations – this would be the link between the *without relation* and immediacy – to



Figure 9.2 Piero di Cosimo, *A Satyr Mourning the Death of Nymph* (1495–1500). The National Gallery, London. Reproduced with permission.

the interarticulation of relations and life. The latter is not the negation of a posited singular relation. To the extent that relations and life become this other possibility, i.e. acting within the abeyance of the *without relation* – then what is signalled is a departure from the positing of singularity. This gives rise to the demand that such a set-up be accounted for philosophically.

These two dogs complement each other, the first since the tear opens up the potentiality of a refusal of that which is given – the distancing of iconography understood in this context as the refusal of the figure – the second insofar as what it stages are relations that can be neither assumed nor denied. The second dog announces what may be described as the form of co-presence that any attempt to take up the question of animals demands once it is no longer possible to define the plurality of animals within the terms provided by the figure of the animal. The complementarity between the two emerges because this co-presence is there in the continuity of a coming into relation, a process that had been occasioned by the tear. What this means is that as a result of the elements comprising this complementary relation it is no longer be appropriate to assume that the position of the animal or the relation between human and non-human animals can be thought in terms of either a logic of sacrifice or a founding *without relation*. The dogs do not represent two different end points. What their presence indicates is a sense of relation that allows itself to be transformed – clearly the case with the Turner watercolour – while at the same time allowing for the possibility of relations that are to be defined in terms of potentiality. The first dog stages an already existent relation, and hence what is suggested is a form of finitude. The other dog, the one in Piero di Cosimo's painting, brings a more complex set-up into consideration. In this latter case there is the absence of visible relations, an absence captured within the painting by the countenance of

the dog closest to the satyr and the nymph. The indifference of that dog when taken in conjunction with the preoccupied dogs in the background of the work, point towards relations that are to be understood purely in terms of potentiality.

The dogs continue to complement each other. What they demand is a return to the preceding analyses, not in terms of a summation but of a further attempt to take up the emergence of specific modes of thought. Central to the position developed in each of the preceding chapters and staged by these dogs was the argument that what stood opposed to ‘abstraction’, ‘the work of figures’, ‘immediacy’, ‘sacrifice’ and the ‘*without relation*’, were modes of thought within which terms such as ‘affirmation’, ‘relationality’, ‘porosity’, ‘negotiation’ and ‘potentiality’ were central.

### Terms

The question of the name has already been addressed. Once freed from the hold of the differing forms of essentialism that philosophical terms, if not words themselves, were taken to harbour, perhaps in a curious mixture of the philosophical and the etymological, and thus thought to contain a secret that will come to be revealed, the language of philosophy will then have to confront the problem of invention. And yet, invention can never take place *ex nihilo*. The terminology – terms, words concepts, etc. – already have given determinations. Moreover, those determinations bring with them modes of inclusion and exclusion which in this context can be understood as the work of figures, that are themselves central to the effective use of terms and thus central to traditional modes of thought. In part what has been indicated in the preceding analyses, equally what has had to have been assumed as providing the way into each of those analyses, could be summarised in the following way:

1. The constitution of the philosophical, the act of constitution itself, has for the most part necessitated a radical severance between the human and the animal. Indeed, the human as that which is brought into philosophical consideration by the animal’s elimination – the consequence of the operative dimension at work in the *without relation* – would be a central element within that act of constitution. Such a mechanism is also at work in certain conceptions of the literary.
2. This severance is not simply a topic within the philosophical. Rather,

the position is that the concepts and categories proper to the philosophical are themselves marked in advance by their always already present implication in that founding act of separation between humans and animals. The *without relation* – as with the logic of the synagogue – retains an implicit presence within what is assumed to be the neutrality of philosophical language. Neutrality is only there as a feint.

3. The consequence of this redescription of the relationship between philosophy and the animal – one in which the question of the constitution of the philosophical is central – is that the animal's re-introduction within the domain of philosophy would pose a challenge to philosophy precisely because the concepts and categories that come to be deployed, or even redeployed, in the attempt to think the presence of the animal may be those which had already been used to found the philosophical as that which exists *without relation* to the animal. Again, this position can be reiterated in terms that would give a role of comparable significance to the logic of the synagogue.

Specific works by Pascal, Hegel, Heidegger and Blanchot in addition to certain art works indicate the way these processes take place. Hence, once the act of constitution can be understood in these terms, it is not just that the animal can be allocated a privileged position, it is also the case that what then matters is the way the question of the animal's presence – and thus that in which the animal's presence is announced – allows for a re-evaluation of the language of philosophy. This latter possibility will have a reciprocal effect insofar as it allows for a transformation in how the relation to the animal is itself to be formulated. In order to understand and develop these different senses of transformation, it needs to be recognised that what was at work within them is a repositioning of 'particularity'. This repositioning folds the question of the Jew into these concerns. Not only has it been of central importance to trace the way the work of the figure of the Jew established a singular identity that is always external to the concerns of Jewish life, even if its locus of registration functions as a constraint on Jewish life and identity, it is equally important to identify philosophical positions which fail to engage with the Jew's figured presence precisely because of the inability of such positions to think what might be described as an inaugurating sense of particularity. (Here this was undertaken in relation to the work of Agamben.)<sup>3</sup>

Particularity has a twofold presence. In the first instance the particular – Jew or animal – receives its identity from the work of figures. However, that identity, as has been indicated, is always imposed externally.

Moreover, it assumes the absence of an already existing complex of relations as it has to posit a single relation. The singularity of relation unifies both elements. This position has already been noted in general terms in regard to the presence of the other as enemy, a position in which enmity is given by ‘nature’ and thus cannot be contested. After all, what would it mean to contest the hold of nature! This position arose in the analysis of Pascal in which the Jew was already identified with the state of being ‘wicked’ (*méchant*). The result of this identification is that not only was the Jew named and identified in advance (thus given an identity with which actual Jews would then have to live). In addition, the central reason, for Pascal, that ‘justice’ involved the dimension of ‘force’ was due to the Jew’s presence. This led to a state of affairs in which the presence of the Jew as ‘wicked’ was conterminous with the immediacy of ‘justice’. While this position was always complicated by the interconnection between the figure of the Jew and the logic of the synagogue, the latter always retaining the Jew as excluded, it remained the case that as this immediacy is inextricably bound up with the inevitability of violence, the ‘justice’ in question needed to be understood as external to a conception of justice in which judgment prevailed. The prevailing of judgment, involving as it does the place of judgment as well as the temporality of deliberation, is the introduction of an already mediated relation (a position predicated on what was described as the doubling of ‘force’ in fragment 102 of the *Pensées*). Within that mediated relation the category of the ‘enemy’ is from the start empty. While it cannot be pursued here what this gives rise to is the need to rethink what is meant by ‘enmity’ within such a set-up.

The other aspect that is central to the development of a conception of particularity, where the particular was located beyond the hold of figures, arose in the context of the figure of the Jew as it appeared in Hegel’s *Philosophy of Right*. In that setting the determination of being a Jew was not just irrelevant, it stood in the way of the most appropriate expression of human being. As such it had to be effaced in the name of universality. (And yet, of course in the Hegelian context that universality becomes the ‘Germanic peoples’.) Precisely because being a Jew was deemed an ‘anomaly’ that allowed for its rectification, the cure of a certain sickness, it followed that what could never be affirmed is the identity of being a Jew. The figure of the Jew always precludes such a possibility. It has to be precluded since, as will be argued below, a repositioning of identity necessitates a change in position, one where identity would be the result of internal affirmations having more than one determination and as such not able to be controlled by the work of the figure, or rather cannot be controlled other than in those terms by which the

figure is involved in the violent imposition of identity.<sup>4</sup> It is imposed in this way on Jews, thus underscoring the vacuity of the claim that such a position involves ‘bare life’, as though within such a life the particularity of being a Jew – that which prompted the figure’s work in the first place – was not itself already marked out. In being there originally, that mark would always have been retained.<sup>5</sup>

The animal, or rather the figure of the animal, works in tandem with the figure of the Jew. The animal’s excision is a structural necessity within that conception of the philosophical that takes the human’s abstract presence as fundamental. (In this instance it does not matter if that abstraction is re-expressed as Dasein or simply as universal human nature, the effect is the same.) However, what emerges with the animal is firstly the identification of a singular presence, e.g. the animal is absent from the domain of logos – a form of singularity in which it became possible to write ‘the animal’ – and equally that this conception of the singular was interarticulated with the *without relation*. Central to the position that has already been advanced is that the response to the *without relation* is to argue for the presence of always already existing relations with animals (both relations and animals in the plural). Those relations are as much actual as they are potential. What this means, of course, is that taking this position further will necessitate taking up the detail of relationality rather than adducing arguments that sought either to concentrate on the animal as though it were an end in itself or to posit modes of equivalence between human and non-human animals. If it can be argued that what characterises human being is the primacy of relations then once the restrictions of the *without relation* have been suspended then there is no reason to restrict relationality to those which only obtain between humans.

### Potentiality, relationality, affirmation

The weave of three terms – ‘potentiality’, ‘relationality’, ‘affirmation’ – announces the next step. There are a number of ways in which there is an important interconnection between relationality and potentiality.<sup>6</sup> The first involves relations that need be neither noticed nor assumed. Relationality in this sense assumes an ecological relation between human activity and animal habitat (where the latter includes the places of animal life as well as animal life itself). These places may be shared between human and non-human animals, e.g. cities, parks, gardens. Equally, they may be geographically distanced. What matters is that place, in the sense in which the term is being used here, is comprised of differing sites

of interconnection and thus involve relations of dependence. Within the places defined by non-human inhabitation there will be a complex relations of interdependence between and within species. While the network of relations within and between human and non-human animals may not be direct, it is still the case that such relations have, nonetheless, an insistent reality. Moreover, this form of relation may have a precarious structure. Within that structure of relations, an action could have an effect that is not direct and whose registration is not automatic. This would occur because such actions either interrupt a pre-existing relation to the detriment of the ecology involved (where ecology is understood as a network of non-intentional but nonetheless interdependent relations) or they would establish connections where hitherto there had not been any. What marks the possibility of relationality, in this sense, is that they exist within what may be described as indirect potentialities for relation.

Furthermore, working with the presupposition that human being is defined in terms of a network of relations will mean – given the suspension of the *without relation* – that the relations between humans can be approached in a manner that is similar to the way relations obtain between human and non-human animals. That similarity involves not just the primacy of relation but the recognition that the interplay between human being, human animality and non-human animals involves divisions that are both porous and infinitely negotiable. The presence of negotiation is from the start the acknowledged presence of potentiality.

Different though nonetheless connected senses of potentiality arose in the analyses of Pascal and Derrida. The distinction between them lay in the way they were recovered from the texts in question. In working through Derrida's deconstruction of the place of anthropocentrism within philosophy it became clear that the way in which the term 'play' (*jeu*) was being used could be interpreted as a potentiality that had been constrained. In regard to Pascal it was fundamentally important, in the context of an analysis of fragment 102, to distinguish between two different senses of 'force'. In the first instance force had to be understood in terms of immediacy in which violence had a necessary component. Furthermore, if justice is defined in terms of immediacy then not only would the object be given, the quality of the object would have been imposed in advance. Identity, as outlined above, would have been provided by the work of figures. The other sense of force within the fragment opens in an importantly different direction. Here force is still linked to both justice and judgment (where the latter involves both place, deliberation and negotiation), though what these terms, including force, now mean and entail has been transformed in the process.

Fundamental to this other sense of force is Pascal's insistence that if

there is to be justice then it must have an operative dimension. Justice must be able to be enacted. That enactment is judgment. Rather than an already determined object, the move from the immediate to the mediate meant that justice is that to which recourse is made and will continue to be made. Therefore the other possibility for force is that it becomes the potentiality that must be there as integral to justice, if justice is to have a capacity to be enacted. Without force, as Pascal argues, justice is ‘powerless’. Once justice is ‘powerless’ then the work of figures – understood as the domain of pure force or immediacy – is triumphant. (The triumph will have occurred even if it brings with it the enforced necessity for institutionalised force – with the attendant risk of violence – in the form of the police.) That absence of power therefore means that justice cannot be thought as differentiated from its having an inherent potentiality for its own actualisation. Potentiality, in this sense, always allows justice to be held back from the immediacy of its application and in so doing continue to maintain the opening between justice and judgment. This opening is one which, as has been argued, brings both place and time into any consideration of justice.

The relationship between potentiality and actuality, a relationship that is integral to the move from justice to judgment, is also present in Derrida’s conception of ‘play’ (*jeu*). To be more exact, the identification of that distinction, a project undertaken in Chapter 5, is the result of one way of interpreting what is meant by ‘play’ (*jeu*). Derrida’s argument concerning ‘play’ can be explicated in terms of a potentiality that finds its perhaps inevitable restriction by the necessity of structure. However, ‘play’ – and henceforth the term no longer has a strict correspondence with the detail of Derrida’s argument – as form of potentiality need not be understood in terms of the possible restrictions that the attempted actualisation of potentiality encounters. What is at stake within this position will emerge with greatest clarity if that actualisation is repositioned as finitude. In the same way as a given judgment is finitude in relation to the inherent potentiality within justice – potentiality as inextricably bound up with force – play takes up the position of the infinite as potentiality. That infinite is neither constrained nor undone by actuality. Actuality can be understood as the necessity for measure in relation to potentiality as the measureless.

The place of affirmation within this reworking of terms is defined in relation to a conception of identity that in working beyond the hold of figures retains, as evidence of their hold having been relinquished, the repositioning of identity in terms of conflict.<sup>7</sup> Names, and thus identities, are as a consequence repositioned. This occurs, firstly, in terms of the continuities of the lives to which those identities pertain, and secondly,

in regard to the specific identity in question. Conflict, in the sense that it is being used here, always has to incorporate those positions which, even though they are advanced from within the identity in question, still attempt, nonetheless, to provide it with a singular and thus univocal conception of identity. In sum, this involves a form of essentialism. There is, however, a fundamental distinction between a form of essentialism that is one possible response to the question of identity and the singularity of identity that is imposed by the work of figures. In the case of the latter the imposition of identity, as has been argued, precludes the possibility of conflict while at the same time it seeks to and often succeeds in determining the mode of life in question. The determination occurs in terms of the imposition of the singular. The imposition is always external. The above noted conception of essentialism, on the other hand, is a possible move – one amongst many – made within an internal conflict concerning identity.

Affirmation therefore will always have an inbuilt fragility. The latter arises because affirmation, in being what it is, is a complex in which not only is there affirmation of particularity, there is, at the same time, an implicit refusal to universalise. And yet, with that fragility there is a form of force (perhaps another sense of force). Affirmation becomes the assertion of particularity while at the same time enjoining a defence of particularity. Affirmation therefore is as much part of a philosophical argument concerning the relationship between universals and particulars as it is a potential political or social strategy. The two have an important affinity. Affirmation as part of a strategy has to work with already given determinations. Particularities within collectives, particularities within the arbitrary constructs that are nations, continue to work within universals. However, the insistence of affirmation means that it will have become possible to insist on the position in which the universals in question neither direct nor subsume particulars.

Affirmation as it pertains to animals necessitates the recognition that what is involved are relations. Hence affirmation does not involve the application of positions that pertain to the human as though they were identical with the domain of non-human animals. A different approach is involved. The point of departure is that in regard to animals the affirmation of relationality – a complex of relations – needs to be understood in terms of particularity. Hence the question to be addressed – the question that pertains to an affirmation of the diversity of animal existence is what is involved, in such a content, in being just to particularity. In other words, once the division between human and non-human animals can no longer be understood in term of an either/or and thus of what could be described as the exclusivity of existence (which would have to

obtain were the *without relation* to be effective) then what is of primary significance is relationality. The relations, however, are far from unitary in nature. Not only are they at work within an ecology of relations, there is also the continuity of negotiated relations between humans and animals. The latter brings with it a diversity that mirrors the original plurality within the domain of the animal. If there is a way of addressing this complex of relations, an address that takes the affirmation of animal presence as central, then it has to be explicated, as has been suggested, in terms of particularity and specifically how that question opens up the domain of justice and judgment.

The affirmation of relations becomes the way of positioning a philosophical approach to animals. The difference between the human and the non-human and thus the difference between relations that are simply between the human and those with greater extension has to be accounted for in terms of differing forms or modes of relationality (accepting that relations also involve distinctions set in play by the presence of both potentiality and actuality). The difference cannot be accounted in terms of world or language; to do so would necessitate the reintroduction of the *without relation*.

Once relationality is central it is no longer a question of a form of reintroduction in which Jews and animals will be allocated a place. Their exclusion, be it conceptual, theological or visual, is not just a form of inclusion: what it signals is the presence of that which is already present. The problem of the already present is not merely the presence of the other. More is involved – it is the presence of that which cannot be assimilated to a generalised and abstract sense of alterity. In Dürer's *Jesus Among the Doctors* (see Figure 8.4) it was the *other's face*. That face is already there. The dog in Piero di Cosimo's *Satyr Mourning the Death of Nymph* (see Figure 9.2) acknowledges relationality while it is yet to form part of an actualised relation. It does both. Jews and animals, in being there, make demands. These demands, however, have their greatest exigency once they can be located at the point where the work of figures has been suspended. This is the point of return, the point of Jews and animals

## Notes

1. Voltaire, *Dictionnaire Philosophique* (Paris: Garnier-Flammarion, 1964), p. 64.
2. For a discussion of the work in terms of its art historical background see Dennis Geronimus, *Piero di Cosimo: Visions Beautiful and Strange* (New Haven, CT: Yale University Press, 2006), pp. 83–7.

3. See Chapter 6.
4. It can always be argued that such attempts fail. The cost of the failure is the violence that is, from the start, implicated within the attempt. What this points to is a form of exhaustion within the continual attempt to universalise. This occurs because the differing projects are always versions in which the universal equates to a form of particularity. That equation is of course systematically excluded (though it is clear in the case of Hegel in which the universal becomes the ‘Germanic peoples’). Each attempt has to evoke the violence, implicit or explicit, that has always accompanied this move. While recognising that the conception of modernity that is at work within it brings with it attendant problems, Lyotard’s outline of how the move is to be understood, especially in the context of both European history and European thought, has an incisive edge to it.

My argument is that the modern project (of the realisation of universality) has not been abandoned, forgotten but destroyed, ‘liquidated’. There are several modes of destruction, several names which are the symbol of it. ‘Auschwitz’ can be taken as the paradigmatic name for the tragic ‘incompleteness’ [*inachèvement*] of modernity. (Jean-François Lyotard, *Le Postmoderne expliqué aux enfants* (Paris: Éditions Galilée, 1986), p. 38)

Both the analyses from which the project is comprised, taken in conjunction with Lyotard’s diagnostic observation, could provide the basis for questioning the all too quick evocation of the universal wherever it may arise.

5. This is a position that is overlooked continually once the evocation of ‘human being’ as an unqualified abstraction is advanced. A similar problem arises with Paolo Virno’s argument that:

Every naturalist thinker must acknowledge one given fact: the human animal is capable of *not* recognizing another human animal as being one of its own kind. The extreme cases, from cannibalism to Auschwitz, powerfully attest to this permanent possibility. (Paolo Virno, *Multitude: Between Innovation and Negation*, trans. Isabella Bertoletti, James Cascaito and Andrea Casson (Los Angeles: Semiotext(e), 2008), p. 181)

The problem with this claim is that once cases are documented then the argument does not have to do with the ‘human animal’ qua abstract generality. There is an initial act of discrimination between humans. This act of discrimination identifies Jews in this way, though it is an act of identification that occurs for the National Socialist. It only pertains to Jews insofar as they have to live out the consequence of that act. The reciprocity is such that the act of discrimination, i.e. between Jews and other Germans, reinforces the identity of what are then produced as authentic ‘Germans’; a similar process takes place with regard to the Tutsis and Hutu in Rwanda, and there are many other examples. The point is that what is at work here is never as bland or benign as a relation between ‘human animals’. Not only is such a claim unaware of the complex politics of identity once the work of figures is allowed, it also dulls the possibility of a response to such a predicament.

6. Throughout the analyses that comprise this one register of potentiality concerned the way the term was either used by a particular philosopher or was necessitated by the work. This occurred specifically with regard to Hegel and Agamben. That sense of potentiality is the least important. What matters is that the sense of relation and thus relationality being worked out necessitated recourse to an importantly different sense of potentiality.
7. I have tried to develop this conception of naming in my *The Plural Event* (London: Routledge, 1993), pp. 61–83.



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