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Bare Life, Bearing Witness: Auschwitz and the Pornography of Horror

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I The Saved and the Drowned

> I must repeat – we, the survivors, are not the true witnesses. This is an uncomfortable notion, of which I have become conscious little by little […] We survivors are not only an exiguous but also an anomalous minority: we are those who by their prevarications or abilities or good luck did not touch bottom. Those who did so, those who saw the Gorgon, have not returned to tell about it or have returned mute, but they are the 'Muslims', the submerged, the complete witnesses, the ones whose deposition would have a general significance. They are the rule, we are the exception […] We who were favored by fate tried, with more or less wisdom, to recount not only our fate, but also that of others, the submerged; but this was a discourse on 'behalf of third parties', the story of things seen from close by, not experienced personally. When the destruction was terminated, the work accomplished was not told by anyone, just as no one ever returned to recount his own death. Even if they had paper and pen, the submerged would not have testified because their death had begun before that of their body. Weeks and months before being snuffed out, they had already lost the ability to observe, to remember, compare and express themselves. We speak in their stead, by proxy.[1]

These terrible words of Primo Levi, from *The Drowned and the Saved*, express a piercing sense of survivor's guilt: a shame at having survived, and with that shame the sense that one's experience is thereby inauthentic, less true than the reality suffered by the many, as if only the extreme in suffering represented by the fate of the *Muselmänner*, the Muslims or mummy-men, the living dead, could provide the condition of truth for the words spoken in their stead. They alone are 'the complete witnesses, the ones whose deposition would have general significance'; which is to say that there is no general significance, no true claiming, apart from their witnessing of their fate. But, of course, also in truth, they, the living dead, being dead, witnessed nothing.

There is now an almost tropic fascination with the *Muselmann* as the exemplary instance of the meaning of the Shoah. We might reconstruct the underlying logic of this tropism this way: since the *Muselmann* represents both the furthest reach of the

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practice of the camps in their systematic and administrative stripping away of the qualities of the human from their victims, and thus, simultaneously, the destruction of the human to *its* furthest reach, the *Muselmann* becoming the limit case of the human, then, somehow, what would be revealed if we could fully, truly and authentically witness this horrific remnant is the ethical claim of the dead, and only the ethical claim of these dead in its interlocking of the meaning of the camps and the limit case of the human can deliver to us what the Shoah signifies for our comprehension of human life generally. Only the speech of the living dead is true speech, only the speech of those who have been systematically deprived of the power of speech is true speech, and only in relation to this truth might any other truths have worth from henceforth.

Giorgio Agamben's *Remnants of Auschwitz: The Witness and the Archive*[2] is the most philosophically elaborate working out of this thought to date. Indeed, his book may fairly be said to be a philosophical commentary on the passage from Levi. On my first encounter with *Remnants* I was tempted to the belief that it provided a significant fleshing out and/or thoughtful extension of the argumentation of the final section of Adorno's *Negative Dialectics*, 'Meditations on Metaphysics'.[3] And while I still find Agamben's analysis teasingly proximate to what needs to be said about Auschwitz, my continued reading has transformed my original sympathetic agreement first into repugnance, and then into frustrated anger and disappointment. There is, I will argue, a certain logic to my responses. Witnessing in Agamben becomes, finally, an aesthetic act; witnessing aestheticises the remnant, producing a pornographic scene, the pornography of horror. As if this were not troubling enough, the production of that pornographic scene appropriates and betrays one of the deepest strains in Agamben's thought; in so doing it suppresses the very ethical space it means to elaborate.

II The Sweetness of Life

The deep strain of thought, which in fact provides the frame for *Remnants*, is Agamben's historico-philosophical analysis of the relation between politics and life in *Homo Sacer: Sovereign Power and Bare Life*.[4] Although the argument of this work is subtle and complex, the line of thought that we need to extricate from it is not unfamiliar. It begins with the Greek separation of *zoe*, which expressed the simple fact of living common to all living beings (animals, men, gods), and *bios*, which indicated the form or way of living proper to an individual or a group. While the stakes of Western ethics and politics have been about the good life, some notion of *bios* above and beyond the mere fact of living, this latter was recognized by Aristotle as having its own goodness: 'This [life according to the good] is the greatest end both in common for all men and for each man separately. But men also come together and maintain the political community in view of simple living, because there is probably some kind of good in the mere fact of living itself. If there is no great difficulty as to the way of life, clearly most men will tolerate much suffering and hold on to life [*zoe*] as if it were a kind of happiness [*euemeria*, beautiful day] and a natural sweetness' (*Politics*, 1278b, 23–31). From the beginnings of political thought a separation was drawn between the culturally elaborated normative authority of the good life for man and the mere fact of life, whose goodness appears not as an authoritative claim, but rather, like the weather or the charms of the palette, as a contingent occurrence beyond the governance of reason or the laws of society.

From the moment in which men began to institute truly political forms of society, there arose the necessity to marginalize the claims of animal happiness. In considering the meaning of Plato's ideal city in the light of the experience of Greek tragedy, Henry Harris encapsulates this marginalization in these words: 'The City of Reason must "kill its father" by wiping out whatever constitution has been established by [mere] custom; and incest is inevitable if no citizen knows his or her natural siblings. But this only helps us to understand Hegel's view that the *Republic* expresses Greek *sittlichkeit.* In Hegel's reading parricide and incest are poetic metaphors for what human nature does to itself (logically) when it becomes *political*'.[5] The emergence of the political requires the systematic severing of the authority of nature. Severing the authority of nature, however, could not succeed if the claims of bare life were simply left outside the political, passed over and ignored. Rather, the fate of bare life was to be included in the *polis* through its exclusion.[6] In Hannah Arendt's reconstruction of Greek political life this occurs via the separation of the private sphere dedicated the necessities of life, the minimum of bare life, which she calls labour, from the public, political world of action, a world held as a common space of appearances that emerges through words and deeds.[7] For Agamben this structure of the inclusive exclusion of bare life is constitutive of not just the political, but of the sovereign political as the deepest expression of Western metaphysics. Identifying the inclusive exclusion of bare life with the severing of the claims of the authority of nature should provide the needed depth to Agamben's thesis, allowing it to be separated from his more speculative claims about the notion of the *homo sacer* itself (the sacred man who may be killed [that's his mode of inclusion] but not sacrificed [his mode of exclusion]).

The second broad thesis orienting *Homo Sacer* elaborates and radicalizes a thought of Foucault's: 'For millennia man remained what he was for Aristotle: a living animal with the additional capacity for political existence. Modern man is an animal whose politics call his existence as a living being into question'.[8] Foucault is here insinuating his conception of modernity as biopolitics, the transformation of the interests of the sovereign state from a power of deciding over the life or death of those within its borders to an intrinsic concern with human life as such. This administering and calculating of biological life occurs when the individual as a simple living body becomes what is at stake in a society's political strategies. When the state cares about birth rates and the physical well-being or not of its citizens, when population shifts matter, when in general the nation's health and biological life become a focus for sovereign power, then, at that juncture, however obliquely and indirectly, bare life is brought within the bounds of the interest and governance of the state: 'The entry of *zoe* into the sphere of the polis – the politicization of bare life as such – constitutes the decisive event of modernity and signals a radical transformation of the political-philosophical categories of classical thought'.[9]

Now, as Andrew Norris rightly notes, the 'bare life that politics sloughs off is never precisely defined by Agamben';[10] rather, and this forms the pivot which connects *Homo Sacer* with *Remnants*, the *Muselmann* is put forward as the exemplary case of bare life, the best example of the *homo sacer.* And this is not an accidental identification since Agamben equally believes that the Nazi death camps are the fundamental paradigm of biopolitical power rather than the state: we need to read the state through the lens of the camps rather than vice-versa. For Agamben this thesis is intimately connected with

what is an implausible account of the meaning of sovereignty that he borrows from Carl Schmitt.[11] But we need not follow Agamben's analysis of sovereignty to come to think that there is something exemplary about the camps and hence about the instance of the *Muselmann*. If I was right in my contention above that, beginning with Greek democracy, modern moral-political thought is premised on the denial of the authority of nature, and that the notion of bare life as the rationalized remnant of the sweetness of life has been, always, included through exclusion, then we might equally come to think that this inclusive exclusion comes to its fullest expression in the camps.

Whatever the relation between bare life and sovereignty has been, at least from the perspective of Adorno's critical theory, enlightened reason has from the get-go equated the living with non-living, that it is just this that is involved in making reason, with its drive to lawlikeness, universality and abstraction, sovereign, and hence in being sovereign in *this* sense suppressing the claim of the sweetness of life in favour of the good life. The good life for man becomes, as enlightened reason develops and becomes hegemonic, one that, in its furthest reach, does not *live*, transforming the sweetness of life into bare life – a remnant. Even if it is true that from the perspective of political sovereignty the administration of living is a departure from pre-modern forms of sovereignty, as Foucault and Agamben suppose, this state of affairs is not a departure from but rather a natural continuation of the overall inner developmental trajectory of occidental reason and rationality; biopower is nothing but the political form of the suppression of animal life which enlightened reason has been aiming at all along; biopower is mythical fear radicalized.[12] In this setting, it thus becomes deeply plausible to begin thinking of the living dead, the *Muselmann*, as the exemplary instance of life that does not live, of a living that has been usurped by the demands of instrumental reason or capital or bureaucratic rationality, and hence as the locus for the claim of bare life, against the good life. Some deep thoughtlessness, the thoughtlessness of reason itself, is thus staked in that interconnection of the irrational rationality of the camps and its most extreme product, the drowned.

III Witnessing Bare Life

Remnants, suppressing the issue of survivor's guilt, takes it cue from the idea that Primo Levi's survival is most properly construed as the pure desire to bear witness. Witnessing here is beyond judgement because the situation was one in which 'victim and executioner are equally ignoble; the lesson of the camps is a brotherhood in abjection'[13] – a scary phrase. Agamben is right in suggesting[14] that we should not confuse the ethical with the legal, and that the great temptation of modern moral theory has been to conflate the two, reducing the ethical to the legal in order that we can make judgments; but judgments, in a legal setting, need not be either true or just. While the law needs to terminate in a judgment, that is what its procedures are for, the judgments that result, as recent worries about the death penalty in Illinois nicely demonstrate, can be remote from truth or justice. Similarly with responsibility, which is 'irremediably contaminated by law'[15]: responsibility and guilt express simply two aspects of legal imputability. Levi, Agamben contends, discovered at Auschwitz an area 'that is independent of every establishment of responsibility', not because it is an area of impunity, but, on the contrary, because it is 'a responsibility that is infinitely

greater than any we could ever assume. At the most, we can be faithful to it, that is, assert its unassumability'.[16] Agamben is here broaching the thought that the ethical, if it is to come to be, must distinguish itself from the moralizing of morality, the incessant desire to stand in the space of autonomous moral truth and render judgment. Surely, the sight of the *Muselmann* lodges an ethical claim, and surely that claim does not concern the rendering of a moral judgment as normally understood.

The difficulties in thinking through what it is to acknowledge the *Muselmann* are severe. In contending that judgment, responsibility and guilt are idle here, Agamben is in effect putting out of play the most obvious and natural moral modes of attending to the *Muselmann*. Against Levi himself now, Agamben rightly urges that the idea of speaking in his stead, by proxy, 'Makes no sense; the drowned have nothing to say, nor do they have instruction or memories to be transmitted. They have no "story", no "face," and even less do they have "thought"'.[17] Hence emerges the idea of Shoshana Felman and Dori Laub that the Shoah is an event without witnesses 'in the double sense that it is impossible to bear witness from the inside – since no one can bear witness from the inside of death, and there is no voice for the disappearance of voice – and from the outside – since the "outsider" is by definition excluded from the event'.[18] The Felman-Laub construction of an event without witness shifts the demand for witnessing into an aporia: a demand to truly inhabit the devastation that is the *Muselmann*, which as such, as devastation is uninhabitable, but which, because of the demand for habitation, makes each external accounting a falsification.

For Agamben the goal is not to dissolve the aporia of witnessing what cannot be witnessed, but to deepen it and make it more precise, to draw closer to the *Muselmann*, to makes visible the invisible being who has no story or face or thought to offer us. The *Muselmänner* were the living dead, those in whom 'the divine spark [was] dead in them, already too empty to really suffer'[19]; hence they are the limit of the human, the 'complete witness' to the horror, which makes it forever impossible to distinguish 'man and non-man'.[20] Why should we think of the *Muselmänner* as this limit? Because, quite simply, they are the terminus, the quintessential result of the organization of the camps, namely, the stripping away from the human of any significant intentional relation to the world whilst nonetheless remaining alive: they are pure consequences of the 'triumph' of bureaucratic power over life, life becoming nothing other than what it is made by the eclipse of the human subject as possessing a normatively constituted intentional comportment to the world, just again the transition from *bios* to *zoe*, from a form of life to bare life, inclusion by exlcusion. Sofsky says this well: '[Power] erects a third realm, a limbo between life and death. Like the pile of corpses, the *Muselmänner* document the total triumph of power over the human being. Although nominally alive, they are nameless hulks. In the configuration of their infirmity, as in organized mass murder, the regime realizes its quintessential self'.[21] Hence what is figured in the *Muselmann* is that limit as itself a practice, as itself a form of life, indeed the very paradigm of daily life.[22]

This is underlined by the way in which other prisoners attempted to hide their sickness and exhaustion; in so doing they were covering over the *Muselmann* 'who at every moment was emerging in him'; true self-recognition in absolute otherness: the *Muselmann* 'is everywhere avoided because everyone in the camp recognizes himself

in his disfigured face'.[23] It is the *Muselmann* who is thus the paradigm and exemplary figure of the meaning of the extermination camps, and who we must rest our gaze upon, impossibly: 'That at the "bottom" of the human being there is nothing other than an impossibility of seeing – this is the Gorgon, whose vision transforms the human being into a non-human. That precisely this inhuman possibility of seeing is what calls and addresses the human, the apostrophe from which human beings cannot turn away – this and nothing else is testimony'.[24] The thought that what is offered is an apostrophe, an address to us who are not there, is a lovely thought, but perplexing since the question is whether the *Muselmann* is indeed addressing us? What would it be for such a being to address us, and in what sense can we not turn away? What is this insistent demand of the inhuman on the human? And in what sense, exactly, is the perception of him impossible?

It is at this juncture that rather than ethical concern or engagement, I began having a feeling of repugnance and revulsion at what Agamben was presenting: at no point does his account veer off from the space of impossible sight to the wider terrain: from the victim to the executioners, to the nature of the camps, to the ethical dispositions of those set upon reducing the human to the inhuman. Just the inhuman itself fills Agamben's gaze, and hence ours; such is the *pure* desire to bear witness. To claim that what is occurring is an address feels both right, there is something horrific before our eyes, and untoward, what could such a being ask of us that has nothing to do with judgment or responsibility or guilt? If there is to be such a thing as testimony, we still are not closer to what that could amount to; on the contrary, the anxiety must be that by apparently denying all mediations we will be struck as dumb as the victims, becoming what we behold.

What Agamben now wants to say, in partial response to queries like mine, is that ethics is possible only if we can recognize the inhuman in the human that *Muselmann* represents; and we must recognize this waste or garbage of the human because it is in each of us. What is to be so acknowledged or recognized or witnessed is not quite like recognizing someone's dignity since it is precisely the dignity of the human that disappears in the extreme figure of *Muselmann*: 'The *Muselmann* has […] moved into a zone of the human where not only help but also dignity and self-respect have become useless. But if there is a zone of the human in which these concepts make no sense, then they are not genuine ethical concepts, for no ethics can claim to exclude a part of humanity, no matter how unpleasant or difficult that humanity is to see'.[25] If even dignity and self-respect lose their grip here, then ethical recognition cannot be bound to them. In order for this thought to succeed Agamben must say that dignity is in principle separable from the biological being. Dignity, he claims, is a normative model of how we *ought* to comport ourselves at all costs, and hence, as a transcendent 'ought' is external to the life of its bearer. But in an extreme situation 'it is not possible to maintain even the slightest distance between the real person and model, between life and norm […] they are inseparable at every point'.[26]

At least part of what Agamben is here pressing is the Nietzschean complaint that the Christian disposition of moral discourse, our idea of morality and normativity, derives from the imposition of a *model* of the human whose authority depends upon its separation from, and hence ultimate indifference to the claim of life itself, that the

concept of *bios* is the operation of this separation. And this fact becomes both palpable and intolerable when what is before us are not moral agents but, as they must be designated from the perspective of moral autonomy, moral patients: those who have lost or never possessed the independence of reason and will that constitute the true domain of the moral: animals, children, the aged, the *Muselmann*. If moral patients are conceived as only deficient modes of moral agency, as remnants, remainders when the source of the moral is removed, then the *life* of the moral patient cannot be recognized and acknowledged as lodging a claim. And while this seems to me just, when Agamben finally presses his thought to its natural conclusion he says something that I find all but unintelligible: 'The bare life to which human beings were reduced neither demands nor conforms to anything. It itself is the only norm; it is absolutely immanent. And "the ultimate sentiment of belonging to the species" cannot in any sense be a kind of dignity […] that there is still life in the most extreme degradation. And this new knowledge becomes the touchstone by which to judge and measure all morality and all dignity'.[27] This is grotesque.

IV The Ethical Claim of the Pornographic

I want to say that there is something pornographic in Agamben's philosophic portrait of the *Muselmann*, the pure desire to bear witness. That something in the territory of pornography might be at issue here is indirectly hinted at by Agamben when he plausibly contends that 'in certain places and situations, dignity is out of place. The lover, for example, can be anything except "dignified," just as it is impossible to make love while keeping one's dignity'.[28] When this is coupled with the pure desire to bear witness, to just witness the way a photograph just witnesses, then witnessing begins to sound like an aestheticized looking, and what is looked upon is the body without dignity. Does not that place us in the region of pornography? If Agamben's portrayal is pornographic, this may be because pornography contains within itself both ethical blindness and ethical insight, say an insight about the impossibility of uniting dignity with making love. By this I mean to say that perhaps something in the region of pornography is ethically ambiguous, and we need to be able to distinguish between pornography's work of comprehension and its form of abuse.

Something of the incommensurability between love-making and the dignity of the upright subject is worked through in pornography, which is to say that pornography itself contains cognitive and critical potentials, an invitation and a claim, that its social circulation aestheticizes and mystifies. This should not be news. In its culture industry use pornography operates as an objectification of, dominantly, the female body as a space in which fantasies of sexual gratification through subjugation are played out as stimulants for the male gaze. In order for the predominately female body to function in this way it must be aestheticized, sex and violence idealized: this aestheticization and idealization is what is involved in constituting the female body through the male gaze. That work of aestheticizing, cleansing and purifying of sex and sexuality is continuous with culture's more routine de-naturalization of sex (the joyless *Joy of Sex*). However, pornography in modernity has always been, *also*, a reminder of a set of uncomfortable grammatical facts; these grammatical facts, as I wish to call them, are needed if we are to make sense of why human beings so utterly and uncontrollably

care about sex, invest in it, make its often predictable, routine even boring pleasures and pains something for which all else (marriages, careers, reputations, security, etc.) might be sacrificed.

At least part of what makes sex matter, something we invest in well beyond hormonal and chemical imperatives, beyond the pleasures and enjoyments it confers, is that all human sexual practices worthy of the name are transgressive, broaching or breaking the boundaries of culture (*bios*) and performatively revealing the interchange between culture and nature (*zoe*), between our animal embodiment and its thorough-going cultural articulation; all human sexual practices worthy of the name contain moments of objectification, aggression, dismemberment and animal solitariness, and it is now via those moments alone that our animal bodies can routinely receive an emphatic moment of independence from cultural norms, or, what is the same, is it now only through those moments, through the elliptical practices of dismemberment that we call 'making love' with its caressing and biting, its focus on now this or that body part, it wild abandon and ecstatic jouissance, that embodiment itself can be non-transitively experienced as the source of a claim. But to be in the position of experiencing embodiment, the emotions proper to our suppressed beliefs about it, only through its quasi-literal fracture, fragmentation and ruin, is to claim that what we experience there is a certain absence of experience, namely, of our normatively whole bodies: the little death of orgasm the site of the incessant claim of living. We only experience the claim of our living body on the cusp of its mortal dismemberment. Like tragedy, the sublime and horror, pornography brings us to the limit of culture where our undignified animality, the natural beneath the cultural, is isolated, displayed and remembered.

Placing sex and its pornographic elaboration in this series (as if sex were to pornography as sublimity is to horror) enables a clearer comprehension of the claim of sex. Sexual acts, hence sexual practices, are the routine and everyday ways in which human being have experienced nature as condition and limit, as animating and violating, and in that doubleness a condition for culture in general. Grant for the sake of argument that at a certain moment, perhaps with the Jewish invocation of an invisible god and the consequent ban on images, perhaps with the emergence of the self-authorizing polity depicted in Greek tragedy, that cultural belonging came to authenticate itself through repudiation of the authority of nature and what is natural. Arguably, from this moment, sex becomes the original site of our self-comprehension of ourselves as cultural creatures for whom cultural belonging can always become a threat to our natural or vital or animal bodies that are (normally, normatively) to be realized *through* culture. Call that cultural norm, its promise and bindingness, the pursuit of happiness. Sex as happiness and as the promise of happiness has its functional and normative role through the way in which it binds culture to natural embodiment, self-realization to vitality. Is not sex the place in our everyday lives where the sweetness of life, Aristotle's serenity, euemeria, the beautiful day, receives acknowledgment and confirmation?

But the depth of that vitality is inseparable from our vital bodies being, emphatically, mortal bodies, suffering bodies, bodies whose pains and pleasures are *both* things suffered, undergone. But this is to say that the affirmative moment of sex is integrally

bound to its dissolving moment, memberment bound to dismemberment, memberment and dismemberment in their mutuality the *work* of sex.

The repudiation of the living-and-dying body, a repudiation that is always lurking so long as culture authenticates itself through the depredation of animal nature, as long as the good life for man is built upon the inclusive exclusion of life, is the repudiation of our being natural creatures in general, hence the repudiation of the pursuit of happiness, *which promise culture cannot forfeit without dissolving its own claim to authority*. But, if it is right to argue that acknowledgement of nature/embodiment/sex *requires* acknowledgement of the moment of dismemberment, then there really is in sex something that is difficult, awkward, uncomfortable; and too, inevitably, a persistent reminder of the terrifying nature we thought we had left behind permanently in the attainment of autonomous culture. But because that terrifying moment is just the inverse of the animating one, then sex becomes a scene of urgent desire and equally urgent revulsion, fascination and disgust. Sexual disgust, which is intimately connected to sexual shame, is the affective acknowledgment that work of sex is the practical exposition of our undignified animal bodies. But this work, again, cannot be accomplished without the acknowledgment of the moment of dismemberment. But the moment of dismemberment presents us not with what cannot be seen, what is beyond literal perception, but with what normatively *ought* never to be seen. *That is, the moment of dismemberment transgresses the normative claim of embodiment itself: the claim to wholeness and the sweetness of life.* Entangled in the pornographic depiction of the objectification and degradation of women is that aestheticisation of the sexual in which reverberates, through that very aestheticization, the claim of the sweetness of life which is but the reverse side of the suffering and fragmented body.[29]

V The Pornography of Horror

The pornographic in both its affirmative and negative sense is fully on view in this central passage of Agamben's: 'This is also why Auschwitz marks the end and the ruin of every ethics of dignity and conformity to a norm. The bare life to which human beings were reduced neither demands nor conforms to anything. It is itself the only norm; it is absolutely immanent. And "ultimate sentiment of belonging to the species" cannot in any sense be a kind of dignity'.[30] In order to get at the difficulty in this passage, let me approach the matter indirectly. To say that the depiction of horror can be pornographic is not a novel claim; the problem has been that this criticism has been employed without attempting to distinguish what in the pornographic requires acknowledgement and what denunciation. Help in making the relevant distinctions can be found by comparing Agamben with a case in which the charge that a depiction of horror is pornographic has its natural home, namely, the photographic documentation of atrocity. A telling and equally disturbing approximation to the philosophical work that Agamben is undertaking can be found in the extraordinary and excruciating atrocity photographs of James Nachtwey, now collected in a volume appropriately entitled *Inferno*.[31]

Inferno is a lacerating and relentness photographic survey of the horrors of the present: each image a precise, unblinking record of the worst humans have perpetrated upon

one another beyond all imagining – in Romania, Somalia, Sudan, Rwanda, Bosnia, Kosovo, Zaire, Chechnya, India. The 'beyond all imagining' of these nonetheless exquisite images is their special province: each a piercing record of things broken and ruined, dismembered and dead, of what has all but lost a recognizable human shape or place. As with the pornographic, we are simultaneously fascinated and repulsed, we cannot bear to look and we cannot stop looking. The horror is that we cannot not recognize what perceive as human, although it is what *ought* never to be seen.

Without question, the territory of hell that Nachtwey surveys either directly overlaps with or is directly adjacent to the habitat of the *Muselmann*: the institutionalized orphans of Romania; the desperations of the war-driven famine in Somalia; the politically engineered famine in Sudan; the genocidal frenzy of Rwanda. There are less directly grotesque photographs (indeed, some quite beautiful), and worse ones. In all, something approximating 400 images interspersed with 200–400 words of text 'introducing' each section.

Nachtwey's photographic ethic would appear to obey a version of the same pure desire to bare witness that Agamben appropriates from Levi's survivor's guilt. The ethic is apparently governed by two principles. First, we must not avert our look from the face of extreme human suffering, at least when that extreme of suffering was perhaps preventable, that is, a suffering we have sufficient reason to believe was the product, finally, of conscious choices and actions. The recording, documenting, and accurately portraying the extent and character of these atrocities is itself a moral work, a form of moral precision: 'This was done here'. Second, the photography of atrocity transforms each remnant, living or dead, into a 'mute witness', almost a moral conscience. They become a touchstone of wrongness, of where the ethical begins.

The issues surrounding the photography of atrocity are immensely complex across a number of registers; my critique here violently abbreviated.[32] There is something pornographic in the pejorative sense in Nachtwey's work. The negatively pornographic quality of these photographs derives not from what they depict, but from how that depiction occurs. If the negative aspect of the sexually pornographic derives from its framing of its recruitment of the female body for the delectation of the male gaze, the satisfaction of male desire through domination of the female, the negative aspect of the pornography of horror turns on something analogous – let's say it involves the framing of devastation for the sake of the moral satisfaction of the liberal gaze: the affirmation that for we liberals cruelty is the worst thing we can do, and that hence human solidarity is achieved 'by imagination, the imaginative ability to see strange people as fellow suffers. Solidarity is not discovered by reflection but created. It is created by increasing our sensitivity to the particular details of the pain and humiliation of other, unfamiliar sorts of people'.[33] I do not think these sentences, from Richard Rorty, are exactly wrong, but that rather, just here, in Nachtwey's pictures, neither reflection nor imagination can find purchase for themselves: the relentless detailing and precision of these photographs makes the moral work they mean to do impossible.

There are two aspects to Nachtwey's liberal aestheticization of horror. First, and most obviously, automatically in photography there is a structural orientation toward the

abstraction, isolation and hence de-contextualization of the photographic object: '[…] every photograph snatches a moment out of time – which is to say out of context, out of history, out of lived experience – thereby creating a shocked, and shocking discontinuity that is itself a form of violence'.[34] The very immediacy of the photograph, which is its claim to authority, is achieved through the detemporalization of experience. And whilst this detemporalization might be utterly anodyne in a wide range of circumstances – there is nothing untoward in the snapshot of my children on holiday (in part because my full knowledge of the circumstances means the photograph is a spur to my sentimental imagination and not an inhibition to its operation) – the violence of discontinuity cannot but matter in the context of the documentation of complex political events about which we have little or no knowledge. In the case of Nachtwey's pictures, what we see over and over again is only and solely the result of some barbarity without the barbarity itself. By so relentlessly and unblinkingly focusing in on these remnants of devastation, our imagination is left nowhere to go but to feed our revulsion and pity. But because the pity is abstract, a pity at the awfulness of 'this', then what is fed is our moral sensibility, our sentimental attachment to our own moral sensitivity.

With a twist, this feature of the photography of atrocity can come to stand in a one-to-one correlation with the pure desire to bear witness. Or rather, the pure desire to bear witness, to let the apostrophe of the *Muselmann*, past or present, occur is most perfectly realized by the documentary photograph. We might say that the violence of photographic immediacy constitutes the aestheticization of representation that is the fulfillment of witnessing. It is for this reason that there is something photographic about Agamben's practice of one by one removing from consideration the historical, the political and above all the moral frames through reference to which some *understanding* of the meaning of the *Muselmann* might be achieved. It is not understanding of that sort that Agamben seeks: his practice of negating all framing considerations in order to bear witness leaves just and only the remnant.

The second difficulty with Nachtwey's practice is a consequence not of his photographic practice as such, but rather of his placing all his atrocity photographs in a single volume in which not only are the photographs segregated from the supporting text, but, in providing only minimal and even perfunctory textual elaboration. On the basis of the text provided, we can construct only the barest outline of the connection between the political events that brought these atrocities into being and the atrocities themselves. But, what is worse, given the barrage of these mostly imposing ($13'' \times 9''$) images, the idea that they might serve the purpose of understanding or political orientation is completely undermined. And while it may have been Nachtwey's intention to construct a truly modern inferno – the volume opens with an inscription from Dante: 'Their sighs, lamentations and loud wailings/ resounded through the starless air/ so that from the beginning it made me weep' – what we finally get is nothing but the sighs, lamentations and wailings without anything even approximate to Dante's careful moral ordering of hell. If one supposed that my contention that Nachtwey's work is subtended by a self-congratulatory moralized liberal gaze in virtue of his detachment of results from the events bringing them into being was extreme, the book-form of his inferno leaves no other interpretive route open. The book is in this

case the truth of his documentary ethic, the truth of witnessing. As Susie Linfield pointedly remarks in her review of *Inferno*, '[…] he makes it far too possible for the information-deprived viewer to fall into an anguished yet impotent hopelessness: in the absence of knowledge, all starving people, all massacred people, all degraded, defeated, abject people begin to look sort of the same; even worse, there seems neither rhyme nor reason for their predicament and therefore, surely, no solutions to it'.[35] Isn't the position that Nachtwey constructs for his viewers precisely an aesthetic one? And is there, finally, any significant gap between Nachtwey's witnessing and Agamben's?

VI Recovering the Ethical

In acknowledging that the sexually pornographic contains a suppressed ethical content, I was of course anticipating that the pornography of horror does so as well. In my judgment, it is the same suppressed ethical content as possessed by the sexually pornographic, viz. that in the image of dismembered life there reverberates a claim for the sweetness of life. And this too has consequences. First, bare life is not itself 'the only norm'.[36] On the contrary, bare life implicates the norm of the whole body, the claim of the good of life itself. When the sweetness of life is detached from the impulse toward the good life, then the result, bare life, can appear as neither sweet nor particularly moral in itself; indeed, the being reduced to bare life takes on the brutality and moral indifference of nature red in tooth and claw. But this reduction of the sweetness of life into devastation is, again, precisely, what occurs when bare life and the good life are detached. Because, for reasons we shall come to, Agamben in fact wants to side-step the claim of the sweetness of life and remain within the immanence of bare life, he thinks of the devastation in aesthetically abstract terms: 'This means that humans bear within themselves the mark of the inhuman, that their spirit contains at its very center the wound of non-spirit, non-human chaos atrociously consigned to its own being capable of everything'.[37] This is exactly the moment of dismemberment separated from the claim of memberment, which, on the face of it, cannot be ethical at all. However, as Agamben restates his thought he silently slips into his account the repressed claim of the whole body: 'It is the *capacity*, this almost infinite potentiality to suffer that is inhuman – not the facts, actions, or omission. And it is precisely this *capacity* that is denied by the SS'.[38] It is the 'potentiality to suffer' that raises, through its denial, the normative claim of the whole body, and it is that claim, surely, that the SS denied, and not the fact that there was an almost limitless potential to fragment the self – that fact they knew perfectly well, their moral sadism thrived on it.

But, secondly then, the claim of life is a wholly *immanent* norm. It is not imposed by reason or derived from reflection; it is not an external model to which we must adjust ourselves or strive after. Rather, it forms the condition and intelligibility of the fact that we might have an ethical life at all. What is shocking about Auschwitz – or Rwanda or Somalia or Sudan or Kosovo – is that this claim can assert itself, become palpable at just the moment when the authority reason and all its claims for normativity collapse or seem most hopeless. We can make no sense of the awfulness of

suffering until we acknowledge that that awfulness is not something we bring to our evaluation of the living world, but is a constraint that being alive imposes on those with the capacity to recognize and heed normative claims. Rorty is thus incorrect: this claim is discovered, not invented, created, or posited; suffering thereby becomes the condition of truth.

I shall return to that capacity for heeding normative claims momentarily. But first we need to ponder the puzzle as to why Agamben of all thinkers, who has been so resolute in framing the problem of the metaphysical construction of the politics of modernity on the basis of the separation between *zoe* and *bios*, should, finally, ignore the claim of *zoe*? For lack of space, I shall have to be brutally brief. Throughout I have presented the suffering of the *Muselmann* as the moment of dismemberment which is the potentiality of all membered, living beings. But this is not how Agamben considers the issue. For Agamben, finally, it is not dismemberment that is at issue, although he routinely writes as if this were indeed what he was depicting, but a desubjectification that is a consequence of or consubstantial with *the loss of language*: 'It is necessary that this senseless sound [that the *Muselmann* in his dying makes] be, in turn, the voice of something or someone that, for entirely other reasons, can not bear witness. It is thus necessary that the impossibility of bearing witness, the "lacuna" that constitutes human language, collapses, giving way to a different impossibility of bearing witness – that which does not have language'.[39] So rather than saying that the good life depends upon its excluded other, the sweetness of life (with its infinite potential for suffering, for becoming bare life), Agamben says the issue is the subject's ability to have or not have language: 'The subject is thus the possibility that language does not exist, does not take place – or, better, that it takes place only through its possibility of not being there, its contingency'.[40] It is surely right to say that the extremity of human suffering involves a systematic undoing of a subject's linguistically realized intentional relation to the world; our own experiences of extreme pain could have informed us of as much. And thus it must be equally right to say that, even as speaking animals, we belong to a world whose emphatic presence would vitiate our relation to it. From this, it equally follows that the biopolitical world of the camps operates through the disarticulation of subjectification (our speaking being) from desubjectification (the contingency of life). But none of this directly or meaningfully seems to be an *ethical* response to the fate of the *Muselmann.* At most, it is an aestheticization of his fate for the sake of a metaphysics of language ('the taking place of a language as the event of a subjectivity').[41] And while that metaphysics of language may or may not be more ethically capacious than the enlightened rationality it means to displace, nothing in *Remnants* speaks to what that metaphysics concretely requires. Like Nachtwey, what Agamben wants, apparently, is the absoluteness of witnessing: 'In the *Muselmann*, the impossibility of bearing witness is no longer a mere privation. Instead, it has become real; it exists as such. If the survivor bears witness not to the gas chambers or to Auschwitz but to the *Muselmann*, if he speaks only on the basis of the impossibility of speaking, then his testimony cannot be denied. Auschwitz – that to which it is not possible to bear witness – is absolutely and irrefutably proven'.[42] Not the chambers or Auschwitz, not a place or set of practices, not the apotheosis of a complex historical trajectory, just the result of it all. With this we can hear the shutter of Agamben's philosophic camera snap open and closed. Click.

Although there must indeed be an ethic of witnessing, witnessing is not ground of the ethical. It is only after over three-hundred pages of relentlessly critiquing that form of reason, rationality, and conceptuality that would seek to drive a wedge between the sensible and the intelligible, the transitory and the immutable, that Adorno permits himself mention of Auschwitz, only now Auschwitz enters as the exemplary instance of the form of reasoning that, precisely, operates in accordance with that wedge, the gap, finally, between *zoe* and *bios*. Agamben is correct to critique the atemporal model of dignity with respect to the living, suffering being, but the initial weight of that is to allow a response to horror to becoming orientational for ethical reflection. So Adorno opens the second section of 'Meditations and Metaphysics' with his declaration: 'A new categorical imperative has been imposed by Hitler upon unfree mankind: to arrange their thoughts and actions so that Auschwitz will not repeat itself, so that nothing similar will happen'.[43] Two aspects of this are relevant here. First, although he has not been offering concrete policy proposals or action-oriented political recommendations, Adorno has been, throughout *Negative Dialectics*, been building a reflective critique of atemporal reason, and hence he has been providing immanently good reasons for us to transform our usual habits of thought and action. Hence, the demand to arrange our thoughts and actions so that Auschwitz will not repeat itself, in this context, already includes a highly elaborated specification of the form of reasoning that Adorno thinks is capable of responding to the exigencies of an event like Auschwitz. And part of this specification involves both a re-arrangement of the relation between universal and particular whereby the particular can become orientational for rationality generally; and, what goes along with that, a contention that, specifically, the suffering of others are amongst those particulars that have remained unacknowledged by universalistic reason, and which thus deserves to become orientational for ethical reflection.

Second, since the argument for a transformation of reason had been up to the moment where Auschwitz entered into the account fully reflective, reason immanently criticizing itself, the fact of Auschwitz demands a shift in rational register: the rational demand for transformation becomes both bodily and ethical, which is exactly what Adorno goes on to state: 'Dealing discursively with it would be an outrange, for the new imperative gives us a bodily sensation of the moral addendum – bodily, because it is now the practical abhorrence of the unbearable physical agony to which individuals are exposed even with individuality about to vanish as a form of mental reflection. It is in the unvarnished materialistic motive only that morality survives'.[44] Appropriately contextualized within the history of reason, our horror at the suffering of the drowned and the saved *is* itself the moral addendum implied by the new imperative. Hence, the rational force of the imperative is just the acknowledgment of the suffering itself. What the new imperative thus calls for is a new conception of culture which would entail a singular and massive transformation in the structures of authority governing everyday life, and hence a new self-understanding of how culture can be formative for us. Thus the central practical consequence of the Shoah should be a reconfiguration of culture and the structures of authority governing the everyday is just what is required if the sweetness of life and the good life for man are to be united into a living whole.

Notes

[1] Primo Levi, *The Drowned and the Saved*, trans. Raymond Rosenthal (London: Abacus, 1989), pp.63–4.
[2] Giorgio Agamben, *Remnants of Auschwitz: The Witness and the Archive*, trans. Daniel Heller-Roazen (New York: Zone Books, 1999).
[3] Theodor W. Adorno, *Negative Dialectics*, trans. E.B. Ashton (London: Routledge, 1973). For my commentary on the closing sections see *Adorno: Disenchantment and Ethics* (New York: Cambridge University Press, 2001), Chapters 8–9. I note the convergence between Agamben and Adorno in a long footnote on pp.387–9. This essay is intended as a fuller elaboration of the claims of that note together with my now severe reservations about Agamben's argument.
[4] Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*, trans. Daniel Heller-Roazen (Stanford: Stanford University Press, 1998).
[5] H.S. Harris, *Hegel's Ladder II: The Odyssey of Spirit* (Indianapolis: Hackett Publishing, 1997).
[6] Agamben, *Homo Sacer*, p.7.
[7] Labour and action are mediated, so to speak, in Arendt's scheme by work: the fabrication of things in accordance with ideas.
[8] Michel Foucault, *The History of Sexuality*, Volume I, trans. Robert Hurley (New York: Pantheon Books, 1978), p.143.
[9] Agamben, *Homo Sacer*, p.4.
[10] Andrew Norris, 'The Exemplary Exception: Philosophical and Political Decisions in Giorgio Agamben's *Homo Sacer*', in *Radical Philosophy* 119 (May/June 2003), p.11.
[11] Norris, in *The Exemplary Exception*, does an excellent job of showing just how curious and wrongheaded is Agamben's attachment to Schmitt.
[12] Axel Honneth, *The Critique of Power: Reflective Stages in a Critical Theory*, trans. Kenneth Baynes (Cambridge, MA: MIT Press, 1991) forcefully argues for the convergence of Foucault's theory of society, especially as displayed in *Discipline and Punish*, with the core theses of *Dialectic of Enlightenment*. Honneth does not, however, acknowledge the convergence between Adorno and Horkheimer's text and Foucault's development of the notion of biopower in his later writings – a convergence that significiantly deepens the affinity between the two theories.
[13] This is Primo Levi quoting Rousset.
[14] Agamben, *Remnants of Auschwitz*, pp.18–19.
[15] Agamben, *Remnants of Auschwitz*, p.20.
[16] Agamben, *Remnants of Auschwitz*, p.21.
[17] Agamben, *Remnants of Auschwitz*, p.34.
[18] Agamben, *Remnants of Auschwitz*, p.35.
[19] Agamben, *Remnants of Auschwitz*, p.44.
[20] Agamben, *Remnants of Auschwitz*, p.47.
[21] Wolgang Sofsky, *The Order of Terror: The Concentration Camp*, trans. William Templer (Princeton: Princeton University Press, 1997), p.294. Quoted in *Remnants*, p.48.
[22] Agamben, *Remnants of Auschwitz*, p.49.
[23] Agamben, *Remnants of Auschwitz*, p.52.
[24] Agamben, *Remnants of Auschwitz*, p.54.
[25] Agamben, *Remnants of Auschwitz*, pp.63–64.
[26] Agamben, *Remnants of Auschwitz* , p.69.
[27] Agamben, *Remnants of Auschwitz* , p.69.
[28] Agamben, *Remnants of Auschwitz*, p.68.
[29] This run of argument concerning the claim of pornography is lifted from my 'The Horror of Nonidentity: Cindy Sherman's Tragic Modernism', which will appear as Chapter 10 of my *Against Voluptuous Bodies: Adorno's Late Modernism and the Idea of Painting* (Stanford: Stanford University Press, forthcoming).
[30] Agamben, *Remnants of Auschwitz*, p.69.
[31] James Nachtwey, *Inferno*, (London: Phaidon Press, 1999).
[32] For useful beginnings to the needed work of reflection see Susan Sontag, *Regarding the Pain of Others* (New York: Farrar, Strauss & Giroux, 2003), and David Levi Strauss, *Between the Eyes: Essays on Photography and Politics* (New York: Aperture, 2003). For an insightful review of these works see Jeremy Harding, 'Humanitarian Art', *London Review of Books* 25/16 (August 2003), pp.22–3.
[33] Richard Rorty, *Contingency, Irony, and Solidarity*, (New York: Cambridge University Press, 1989).
[34] Susie Linfield, 'Beyond the Sorrow and the Pity', *Dissent* (Winter 2001), p.104.
[35] Linfield, 'Beyond the Sorrow and the Pity', p.103. My understanding and evaluation of Nachtwey's project is indebted to Linfield's probing review.
[36] Agamben, *Remnants of Auschwitz*, p.69.
[37] Agamben, *Remnants of Auschwitz*, p.77.
[38] Agamben, *Remnants of Auschwitz*, p.77.
[39] Agamben, *Remnants of Auschwitz*, p.39.
[40] Agamben, *Remnants of Auschwitz*, p.146.
[41] Agamben, *Remnants of Auschwitz*, p.164.
[42] Agamben, *Remnants of Auschwitz*, p.164.
[43] Adorno, *Negative Dialectics*, p.365.
[44] Adorno, *Negative Dialectics*, p.365.

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