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the perfection of duration

chantal jaquet,

translated by eric aldieri

The mind, according to Spinoza, is comprised of an eternal part and a perishable part. While the imagination dies, the intellect remains despite the destruction of the body—and “the part of the mind that remains, however great it is, is more perfect than the rest.”¹ The intellect, in fact, due to its adequate ideas, possesses more reality or perfection insofar as it is active. Tied to the duration of the body, the imagination is less perfect insofar as it expresses the passivity of the mind suffering from its inadequate ideas. The perfection of a mind is, in turn, proportional to the size of its eternal part. All that pertains to actual, present existence is endowed with a lesser perfection than that which depends on eternal existence. Given the above, if sadness is “the passage from a greater to a lesser perfection,”² it is surely the fate of present existence in comparison to the joy of eternal existence. Is it necessary, then, to lament the misfortune

of enduring and to stigmatize the imperfection of actual existence afflicted as it is by a procession of passive affects? Is the fact of enduring a sign of finitude, itself revealing the perishable character of modes, and inciting them to turn away from their condition in favor of the lonely search for eternal salvation? In other words, is to endure to die a bit? Duration undeniably possesses a lesser perfection than eternity, but should we, for all that, take it to have an imperfection by subtly slipping from a comparative assessment to the denunciation of an ontological deficiency inherent to its very nature?

I

In order to measure the degree of reality proper to duration, it is important to first clarify the concepts of perfection and imperfection. In absolute terms, imperfection is a form of lack that one must distinguish from both negation and privation. In Letter XXXI dating from June 1666, Spinoza reminds Hudde of the meaning of the word *imperfection*: “it signifies that something is lacking to a thing which pertains to its nature.”³ Negation, on the contrary, according to Letter XXI addressed to Blyenburgh, does not express a lack in the nature of a being. There is negation when something that does not belong to an object’s nature is denied. There is privation when something that we believe belongs to an object’s nature is denied. By contrast, there is imperfection when something that really belongs to an object’s nature is denied. For example, the fact that extension does not think is a negation, because thought does not pertain to its nature, but this is not an imperfection given that extension is perfect in its kind. Perfection and negation are thus compatible. Tiresias’s blindness, for example, is a privation, because we imagine, by comparison with other humans, that he lacks his sight and that this should belong to him by nature. The famous diviner’s blindness is not, however, an imperfection, insofar as it is contradictory that he be part of the seers given his nature and the decrees of God. In short, negation does not express a lack, privation is an imaginary lack, and imperfection a real lack. More than a lack, imperfection appears as a failure to the imagination which registers a deficiency where it expects wholeness (*plénitude*) and believes to detect the existence of a fault or formal defect.

In reality, imperfection is reduced to a mere privation because there is never actual lack in nature. Everything that is possible is real; consequently, everything that is not realized is not tied to a deficiency, but to an impossibility. This is why Spinoza considers to be fables the common beliefs that nature is sometimes deficient, commits sin, and produces imperfect things. Perfection and imperfection are in

fact only modes of thinking that we invent by comparing individuals of the same species or genus to one another. They constitute measures of the degree of reality of one thing in relation to another. Spinoza very clearly demonstrates the genesis of these concepts in the Preface to Part IV of the *Ethics*.

For we are accustomed to refer all individuals in Nature to one genus, which is called the most general, that is, to the notion of being, which pertains absolutely to all individuals in Nature. So insofar as we refer all individuals in Nature to this genus, compare them to one another, and find that some have more being, or reality, than others, we say that some are more perfect than others. And insofar as we attribute something to them which involves negation, like a limit, an end, lack of power, and so on, we call them imperfect, because they do not affect our Mind as much as those we call perfect, and not because something is lacking in them which is theirs, or because Nature has sinned.⁴

This allows us to understand why Spinoza generally prefers the concept of least perfection to that of imperfection. With this preference, he insists more on the comparative and relative character of this mode of thinking and avoids giving credence to the theory that there is a real lack in things.

On this basis, the details of the problem can be reformulated more precisely. Given that duration expresses a reality, a perfection of existence, and that its greater or lesser length is not the sign of a lack or flaw to be attributed to nature, can it nevertheless be called imperfect due to the presence in it of some negation or limit?

In order to resolve the problem, it is necessary to analyze the very essence of duration such as Spinoza defines it in the *Ethics*. According to Definition V of Part II, duration is a property of existence that expresses its indefinite continuation. It is clear, then, that it does not consist of any imperfection. Not only does Spinoza not identify it with a finite continuation of existence, but neither does he specifically attach it to finite modes. It is true that the definition of duration is laid out at the beginning of the second part of the *Ethics* that concerns the nature and origin of the mind. However, Spinoza does not present it as a property of modes, in contrast with what he did in both the *Metaphysical Thoughts* and in Letter XII to Louis Meyer. In Chapter IV of Part I of the *Metaphysical Thoughts*, he explains that the distinction between duration and eternity stems from the division of being into two categories: being whose essence involves existence and

being whose essence involves only a possible existence. He defines duration as “an attribute under which we conceive the existence of created things insofar as they persevere in their actuality.”⁵ In Letter XII, he explains to Meyer that the difference between eternity and duration stems from the distinction between substance and modes and specifies that “it is only of Modes that we can explain the existence by Duration. But [we can explain the existence of] Substance by Eternity.”⁶

The *Ethics* marks a turning point, because Spinoza stops defining eternity and duration according to types of beings and their substantial or modal nature. We can, from this point of view, observe a symmetry between the definition of eternity in Part I and that of duration in Part II. In the same manner that eternity is, through Definition VIII, no longer explicitly tied to substance, duration is no longer tied to modes. Thus, duration wins a new positivity, because it stops being the sign of finitude. At the same time, there is a legitimate question as to whether or not it can be applied to other kinds of beings rather than solely to finite modes. While the *Metaphysical Thoughts* and Letter XII, by reserving duration for modes, do not introduce this line of questioning, the *Ethics* opens the door for speculation concerning the sphere of extension of this property. In the *Ethics*, Spinoza never specifically affirms that God or infinite modes endure, but he does not exclude this eventuality in as firm a manner as before. Be that as it may, it is in any case clear that neither duration nor the time that measures it are signs of finitude or impotence.

It is nonetheless necessary to note that Spinoza does not claim that duration is infinite continuity, but indefinite existence. Would this indefinite character not be the mark of an imperfection? The indefinite, indeed, should not be confused with the unlimited or the indeterminate. An indefinite existence does not include limits, but neither does it necessarily exclude them. It can be limited as unlimited. Spinoza explains his use of the adjective “indefinite”: “I say indefinite because it cannot be determined at all through the very nature of the existing thing, nor even by the efficient cause, which necessarily posits the existence of the thing, and does not take it away.”⁷ In other words, the indefinite does not exclude limitation, but the latter depends on neither the thing nor its cause. The limitation of duration is not inherent to the nature of the thing, because contrary to substance, the essence of a singular thing does not include existence, and so it cannot determine its duration. Neither is it the product of the efficient cause, whose function is to posit the existence of the thing, and not to eliminate it. The efficient cause in itself includes neither a limitation to nor a negation of the existence of the thing—for

if it did, it would not be able to produce it necessarily. It would be contradictory for it to simultaneously affirm and negate its effect. This is why Proposition VIII of Part III establishes that “the effort by which each thing strives to persevere in its being involves no finite time, but an indefinite time.”⁸

If Spinoza uses the adjective “indefinite” rather than “infinite” in order to characterize the continuity of durational existence, it is because the eventuality of a destructive external cause is never excluded.⁹ The man who exists here and now is only a part of nature and cannot help but suffer, no matter how active he is, from changes brought about by the presence of more powerful, contrary, external causes. Nevertheless, limitation is never internal to the duration of the thing that will always continue to exist by the very power which already makes it exist. Finitude is thus not linked to duration or to the time which measures it. Duration, on the contrary, is full affirmation of existence in its positivity. It expresses perseverance in being and demonstrates the thing’s power. Finitude results from the combination of three factors. It first comes from the existence of a plurality of things of the same nature. This is what Definition II of Part I tells us: “That thing is said to be finite in its own kind that can be limited by another of the same nature.”¹⁰ It is because we are not unique that we are finite. If we were unique, we would never be limited, for a thought cannot determine a body, and vice versa. If we were alone in our kind we would never be destroyed, and we would continue to affirm our existence.

Multiplicity alone does not explain limitation. In order to be able to be determined by an external cause, it is still necessary that it has a sufficient power at its disposal. The second condition is thus the existence of powers superior to those of one’s own. However, the presence of a more powerful thing does not in itself constitute a threat, because external causes can encourage efforts for persevering in one’s being just as well as they can discourage them. It is necessary, in the third place, that this power be contrary to the durational thing. Consequently, even though Spinoza holds onto one of the traditional causes of finitude—namely, the existence of the multiple—he ceases to consider the flow of time as a degradation or loss indicative of an impending end. In fact, he reverses this perspective, because duration is no longer the mark of impotence, but of the power of existence which affirms itself and perseveres in being.

The nature of duration thus does not involve any internal limitation. However, could it not be called imperfect, not because something is missing, but because it does not affect our mind in the same way that so-called perfect things do? Indeed,

knowledge of the duration of our body, as well as that of all singular things, is inadequate. We cannot understand it adequately, we can only imagine it. This is because the duration of our body depends neither on our essence nor on the absolute nature of God, but on the common order of nature, on the infinite series of finite causes of which we are almost entirely ignorant. It belongs to the constitution of things whose adequate knowledge is in God insofar as God has ideas of everything and not only insofar as he has the idea of a human body. Is not the fact that the duration of our body escapes us and can only be evaluated in an inadequate manner a sign of an imperfection?

In reality, this inadequate knowledge is the positive sign of a perfection. In fact, if we could adequately conceive of the duration of our body, it would mean that either we would be endowed with another nature capable of understanding the common order of things, which is in contradiction with who we are, or that the moment of our existence would be included in our essence. In that case, adequate knowledge of the hour of our death would reveal the imperfection of our being since the latter would include the internal limits determining it. Ultimately, neither the indefinite character of duration nor the inadequate knowledge that we have of it allows us to conclude that its nature contains traces of imperfection. Still, the exact nature of the perfection that is proper to it remains to be determined.

II

In order to do this, it is above all necessary to guard against a double illusion. The first would consist in accentuating the positivity of history in Spinoza by arguing that salvation is realized in and by duration—in other words that the eternity of the intellect is acquired and progressively won throughout the whole of existence as adequate ideas prevail over inadequate ideas and as knowledge of the second and third type are developed. In reality, it is in vain that one wishes to restore (*réhabiliter*) duration by insisting on the necessity and positivity of a temporal process during which the eternity of the mind would be fulfilled and hard-won. In fact, eternity is, strictly speaking, not acquired; it is given and always already present. We are eternal, we do not become so through the course of time. Spinoza specifically reminds us of this in the Scholium to Proposition 33 of *Ethics V*: “the mind has had eternally the same perfections which, in our fiction, now come to it.”¹¹ To be sure, we represent to ourselves our eternity as a property that would be added to our existence, that would begin to be developed in the wake of our efforts to adequately understand things. But this manner of seeing is only a fiction destined to make us better perceive the eternity of the mind, a legitimate fiction

provided that we do not confuse an assumption favorable to understanding with a real process. Every being is eternal, for there is in God an idea which expresses its essence *sub specie aeternitatis*. Consequently, it is false to either believe that eternity is acquired in time or to make the perfection of duration reside in this achievement of eternity.

The second illusion is only a more subtle and shifted iteration of the first. It is based on the otherwise right idea according to which the problem of salvation does not so much consist in being eternal as in knowing it. Now, the consciousness of eternity is no more given from the outset than is consciousness of the self, of things, or of God. The discovery of the eternity of the intellect seems to be made over the course of actual, present existence. In this respect, does not salvation depend on the efforts that we deploy throughout the whole of the duration of our existence in order to grasp our eternity? Thus, duration would be the necessary condition of the development not of eternity, but of one's consciousness of it. This is where its fundamental perfection lies.

If it is true that consciousness of self, of things, and of God, is not given, it is also not, for all that, acquired in the course of actual, present existence. In fact, when the mind adequately knows things, it knows them under the aspect of eternity. Now, according to Proposition 29 of *Ethics* V, "whatever the mind understands under a species of eternity, it understands not from the fact that it conceives the body's present actual existence, but from the fact that it conceives the body's essence under a species of eternity."¹² In other words, it is not by understanding the actual, present existence of my body in perceiving its duration that I can adequately understand the eternity of my intellect. When I apprehend my actual, present existence, I can only conceive of things in relation with a certain time and a certain place. I cannot grasp them under the aspect of eternity. Consequently, I cannot know the eternity of my mind by basing myself on its duration. In order to perceive it, it is necessary that I conceive of the essence of my body under the aspect of eternity. It is necessary that I conceive of myself as actual in the second sense that this term takes on in Spinoza—that is to say, as contained in God and following from the necessity of God's nature. Knowledge of eternity is, to be sure, based on actual existence, but not on actual, present existence, that is, not on spatio-temporal existence. Consequently, it is false to believe that awareness of eternity is effectuated with present existence. It is linked neither to a privileged place, nor to a privileged moment, because it is not a perception of spatio-temporal order. The error which consists in linking this awareness to duration comes from the confusion between two types of actuality that Spinoza

takes care to distinguish in the Scholium of Proposition XXIX. That is why one must give up the search for the perfection of duration in this direction.

In order to discover it, one must recall the rule that Spinoza states in the Appendix to Part I of the *Ethics*: “For the perfection of things is to be judged solely from their nature and power.”¹³ Now, the nature of actual, present existence is characterized by the imagination and memory, since the intellect belongs to the eternal part of our mind. Consequently, the perfection of duration depends on the capacity of images to persevere in their being and is measured in light of their power. But how can an indefinite continuation of images and memories express perfection? Isn’t there a paradox here insofar as we know that the imagination falls under knowledge of the first kind and does not generally appear as a power? Of course, the imagination possesses a positivity irreducible to the presence of the true, since the imagination does not disappear when the true appears. An imaginative idea expresses the manner by which the body is affected by external bodies and vanishes only when a stronger image comes to supplant it by excluding the present existence of the things that we imagine.¹⁴ The imagination, furthermore, is not the teacher of falsity, because error is not attributable to it, but comes from the fact that the mind is deprived of the idea excluding the existence of things that it imagines to be present.¹⁵

Can we nevertheless go beyond the claim of the mere positivity of images and attribute to them a power and a perfection that the intellect alone could not possibly have? Spinoza invites us to do so when he remarks that “if the mind, while it imagined nonexistent things as present to it, at the same time knew that those things did not exist, it would, of course, attribute this power of imagining to a virtue of its nature, not to a vice.”¹⁶ As it turns out, he devotes the whole beginning of Part V of the *Ethics* to analyzing its virtue and perfection.

In order to understand the perfection of the imagination, one must recall that the power of the mind resides in its ability to conceive of things in an adequate manner and to overcome passional affects that hinder its activity. Now, the intellect alone, without imagination, is incapable of doing this. True ideas only have efficacy if they are accompanied by affects capable of touching the imagination and replacing one image with another. An affect can only be thwarted or eliminated by a stronger, contrary affect. In fact, images are affections of the body whose ideas represent, to us, external things as present. An imaginative idea thus perseveres in the mind in an indefinite manner until the body is touched by an affection which excludes the presence of the external body that we represent to ourselves. In this way, the

power of an image depends on its capacity to endure. This is why the perfection of the mind stems not only from its capacity to adequately understand things, but also from the duration of its images.

What, then, are the most durable and, consequently, the most perfect images? At the beginning of Part V, Spinoza outlines a typology to measure their degree of perfection according to three major criteria: vivacity, constancy, and frequency. Vivacity depends on the actual presence of the cause and of its necessity. Thus, the image of one thing whose cause is actually present is livelier than if we imagine that this cause has ceased to be. In the same manner, a feeling with regard to a thing that we imagine necessary is stronger than that of a possible or contingent thing. Constancy is linked to the permanence of the presence of the cause. Frequency varies in accordance with the capacity of an image to revive and be easily associated with other images.

We understand, then, that affects born of reason are, if we account for time, more powerful than those that are related to singular things that we consider absent.¹⁷ An affect born from reason is necessarily related to common properties of things that we always consider as present, for there is nothing that can exclude their existence. Thus, the power of our images is proportional to our cognitive power. The most perfect image that we can form is thus that of God such that we represent it to ourselves by way of the *amor erga Deum*. The *amor erga Deum* is, let us recall, the love of God as we imagine God present.¹⁸ This affect, the most powerful and most durable of all, only disappears when the body dies. It is at the same time the liveliest, because it is produced by a free cause¹⁹ only acting out of the necessity of its nature; the most constant, because it depends on an eternal cause; and the most frequent, because it is perpetually reawakened insofar as all of our images can be associated and related to the idea of God.²⁰ Thus, this powerful affect can come to thwart every other sentiment that does not have its same stability and permanence. If we could not imagine God as present, then the intellect would remain impotent in the combat against sad affects and would be unable to enjoy this love while the body endures, since only an image can overcome another image.

This is why one of the remedies for impotence resides in time and in the duration of images. In any case, Spinoza specifically highlights this in the Scholium to Proposition 20 of Part V. Time figures among the five remedies for the affects. The power of the mind over the affects consists “in the time by which the affections related to things we understand surpass those related to things we conceive

confusedly, *or* in a mutilated way.”²¹ It is thus duration, the indefinite continuation of rational affects in opposition to passional affects, that can remedy impotence. In order to be able to thwart a passional affect, it is necessary that the mind be affected by an active joy linked to the presence of a cause more powerful than the one that engendered the passion. It is thus necessary that the mind imagines this cause as present not only actually, but always, and in a necessary manner. It is true that a passionate affect occasioned by a powerful external cause can momentarily have more vivacity, but with time, it diminishes as the exterior cause fades and as new affects come to mix with preceding ones. Let us not be deceived, however, concerning the nature of the remedy. Spinoza does not accept the cliché according to which time alleviates sadness and buries pain in oblivion. Time is, on the contrary, a power of conservation and fortification of the essential, of the necessary, since it has more to do with affirming the permanence of images linked to adequate ideas than with negating mutilated and confused images. It is, moreover, to a project of memory’s reinforcement that Spinoza invites us, so long as we do not have perfect knowledge of our affects. This is what emerges from the Scholium to Proposition 10 of Part V:

The best thing, then, that we can do, so long as we do not have perfect knowledge of our affects, is to conceive a correct principle of living, *or* sure maxims of life, to commit them to memory, and to apply them constantly to the particular cases frequently encountered in life. In this way our imagination will be extensively affected by them, and we shall always have them ready.²²

Spinoza takes the example of insults to illustrate the role of memory in the service of the intellect. In order to avoid, as much as possible, being affected by insults, one must memorize the rational principle according to which hate can be overcome by love, by training oneself to imagine the most frequent patterns of insults and the means of best repelling them by generosity. Thus, when there is an insult, we will most quickly overcome the anger which follows from it, because the image of the harm will be associated with that of a rational principle etched into memory and will be more easily detachable from the external cause that awakens hate. In short, the power of the mind depends on its capacity to make the imagination of the principle and its applications last in order to always have it ready at hand, thereby thwarting belligerent affects.

Ultimately, duration is not so much the mark of human impotence but of human power. It entails neither internal limitation nor the trace of finitude. It is true

that the part of the mind that perishes with the body is less perfect than the other insofar as the most powerful images are not eternal. Thus, the affect of the *amor erga Deum*, which presupposes that we imagine God as present, is the most durable and the most constant of all of our feelings; nevertheless, insofar as it is related to the body, it too is destroyed alongside it. To the extent that it is related to the mind, however, it is none other than the intellectual love of God whose nature is eternal. Still, this example shows that what endures does not possess internal imperfection, because between the *amor erga Deum* and the intellectual love of God, there is no difference in nature. It is a single and same love that is specified in *amor erga Deum* when it is related to the mind alongside the body, and in the intellectual love of God when it is related to the mind without relation to the existence of the body. To endure, in this case, is not to die a little, but to coincide, so to speak, with eternity.

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NOTES

1. All citations are from Baruch Spinoza, *The Collected Works of Spinoza, Volume I*, edited and translated by Edwin Curley (Princeton: Princeton University Press, 1985), henceforth cited as *CWS I*, and Spinoza, *The Collected Works of Spinoza, Volume II*, edited and translated by Edwin Curley (Princeton: Princeton University Press, 2016), henceforth cited as *CWS II*. *Ethics V*, Corollary 40; *CWS I*, 615.
2. *Ethics III*, Definitions of the Affects, III; *CWS I*, 531.
3. *Letters 29 – 41*, “Letter XXXVI” (to Hudde) in *CWS II*, 30. (Translator’s note: The original incorrectly cites Letter XXXI).
4. *Ethics IV*, “Preface” in *CWS I*, 545.
5. *CM I*, 4; *CWS I*, 310.
6. *Ep. XII*; *CWS I*, 202.
7. *Ethics II*, Explanation of Definition 5; *CWS I*, 447.
8. *Ethics III*, 8; *CWS I*, 499.
9. *Ethics V*, 3; *CWS I*, 598.
10. *Ethics I*, Def. 2; *CWS I*, 408.
11. *Ethics V*, Scholium 33; *CWS I*, 611.
12. *Ethics V*, 29; *CWS I*, 609.
13. *Ethics I*, Appendix; *CWS I*, 446.
14. *Ethics IV*, 1; *CWS I*, 547.
15. *Ethics II*, Schol. 17; *CWS I*, 464 – 465.
16. *Ibid.*
17. *Ethics V*, 7; *CWS I*, 600.
18. *Ethics V*, Cor. 32; *CWS I*, 611.
19. *Ethics V*, 5; *CWS I*, 599.
20. *Ethics V*, 14; *CWS I*, 603.
21. *Ethics V*, Schol. 20; *CWS I*, 605.
22. *Ethics V*, Schol. 10; *CWS I*, 601.

introduction to the other metaphysics

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If, after the invention of the cosmos by the Greeks, we were asked to identify the most profound mutation achieved by the human spirit, we would almost certainly find ourselves agreeing with Koyré: the “new theoretical or, rather, metaphysical conception of nature” that emerged in the 17th century.¹ It heralded the destruction of the divinised Cosmos, the geometricisation of space, the mathematicisation of nature and the effacement of the boundary between celestial physics and earthly physics, being and becoming. It paved the way for an experimental way of thinking that could not otherwise have been born. In the blink of an eye, another “image of the world” took shape. Yet three centuries later, various philosophies would seek to recast the foundations of the shattered experience of the originary unity of man and the cosmos.

But what could come of such an enterprise? Those philosophies set forth a conception of nature that was neither a mathematics of nature nor a physical theory of nature. While this scientific revolution did not pass unnoticed by Kant, these philosophies nonetheless overlooked Kantianism. They seemed behind the times. Moreover, they did not last long: with the arrival of Kantianism in France, they found themselves largely consigned to the museum of ideas with no future, at best met by a welcoming nothingness (the silent halo or deafening murmur reserved for an all-too singular genius). The rediscovery of German idealism, and the powerful influence of Husserlian phenomenology and Heideggerian ontology, accomplished their ruin.

It was, nonetheless, an extraordinary moment of philosophical creation, trailblazing perhaps. We saw the decision to think being in terms of what is given, and ultimately in terms of the experience of this “datum”, spring up in different contexts. Yet the word “datum”—the “given”—is undoubtedly misleading, allowing the assumption of a primacy of perception, when in fact what really mattered was the experience of a tension internal to our living whole (drive, effort, prehension, duration, etc.) on different levels. For Bergson, and, to a different extent for Ravaisson and Tarde, it was about “the immediate data of consciousness.” For Nietzsche, it was about the “given” of organic life: “our world of passions and desires is the only thing ‘given’.”² For Whitehead, it was the actual datum of immediate experience: “Our datum is the actual world, *including ourselves*; and this actual world spreads itself for observation in the guise of the topic of our immediate experience. The elucidation of immediate experience is the sole justification of any thought.”³

As if distrustful of the modern metaphysics that never succeeded in subtracting this “datum” from the problem of the content of subjective perception, philosophy had been tempted to give itself over entirely to the experience of the world within us.⁴ Regardless, this about-turn revealed the possibility of a coincidence with a reality larger than that of our thought, perhaps infinitely larger, insofar as it could allow our thought to begin to once again grasp the unity of the cosmos. In submitting to the “datum”, that is to say to the dark force, to the active potency that traverses nature and ourselves, our thought somehow wrested itself from the giddy heights of idealist constructions.

However, as our thought turned toward this active potency, our explanation of the world had already become incredibly enlarged. Philosophy now faced a scientific explanation that multiplied day by day and the need to subject its categories to

this explanation and the metaphysical principles it tacitly contained in an attempt to apprehend one last time the ‘picture of existence in its totality.’⁵ If the task of philosophy is to elucidate being, the understanding of this potency of imposition within us was undeniably philosophical. In a certain sense, these were the last great ontologies to affirm that being was known absolutely. However, they are not philosophies that thought being as it was thought by metaphysics or by *Naturphilosophie*, since what is absolute about the question of being is the fact that it can be known. Yet this in no way presages its structure. The immense creativity of these forms of thought lies precisely in them having turned their backs on a rational and overly intellectualised conception of being, one they perceived as artificial and fictitious.

The *absolute* truth of being lay in the very fact that *being is relation*. Yet not relative to us but in its very structure: pure heterogeneity, neither substance nor one. As such, there is nothing surprising about the fact that these philosophies jointly dismantled the being-substance of metaphysics, in all its dimensions—geometrical, atomistic, mathematical, psychological and logical. None of the substantialist categories corresponded to the experience of what is imposed on us, whether on our organic life (Ravaisson and Nietzsche) or our psychological life (Tarde and Bergson). Finding the substantialist explanation lacking rapport with what animates and moves us, these philosophies focused on a conception of being as relation (being as effort, difference, will-to-power, duration). Of course, this ontology of relation was not the last act in ontology in philosophy, since a whole other continent has formed around Husserl and Heidegger. However, it is certainly the most recent act in an ontology whose own requirement is to be a *cosmology*. This “other metaphysics” starts from the absoluteness of a relation of heterogeneity that forms the vast generative plane of nature, produces living nature and at its cutting edge forms the very effort of thought. It conceives nature as that process that coils inside us and in which ontological consistency wholly defines our inner experience. It has never confined nature to a “correlate” of absolute consciousness (its constitution at the heart of an ordered chain of consciousness), as is the case with Husserl.⁶ No doubt he would have found such an approach too subjective, too abstract, too detached from what consciousness itself must *suffer* from its presence in the world.

Before expounding further on this philosophy, it is necessary to say a few words about its significance. The shattering of the cosmos left only a broken nature, riven by immense cracks—between man and the living world, between human consciousness and the full spectrum of nature; in short, between man and the

infinity of the cosmos. Infinitely dangerous cracks across the plane of psychology, ethics and politics. The singularity of man emerged exacerbated, even if it meant paying with a profound sense of finitude, perhaps even an essential anxiety, an existential nothingness (the ultimate condition of his solitary freedom). In contrast, this philosophy believed itself to have returned to the creative flux of the forces that travel through things, that it could set man in unison with a potency that gleams throughout the world. Ravaisson's grace, Bergson's joy, Nietzsche's Dionysian affirmation, Tarde's harmonic expectation: all constitute a form of ethics founded on the sense of the cosmos itself. It was not a matter of recurring to transcendence, to an absolute situated beyond the experience of things, but of submitting to the test of the real in its rawest sense. In other words, it was about experiencing what runs through our thought but which perhaps lay beyond the realm of analytic thought. Indeed, there was a genuine distrust of reason in Nietzsche, analysis in Ravaisson, logic in Tarde, intelligence in Bergson; a suspicion that, in all these cases, this was not how to get at things. Hence why, at the deepest level, this philosophy tended towards the total dehumanisation of man (reducing man to being) and the total humanisation of nature (the closeness of all natural forms to man). This other metaphysics, neither rationalist nor transcendent nor relativist, resonates as both the most human metaphysics of the cosmos and the most cosmic metaphysics of man since the Copernican revolution.

Perhaps there is also a point of method that has been misunderstood. Why pass through the self to get at nature? Why first pass through *our* instinctive life (Nietzsche), *our* effort (Ravaisson), *our* psychic life (Bergson), *our* me (Tarde) in order to then beam out across the entire universe? Quite simply because we are, as living and thinking beings, the sum of physical, organic and psychic strata and that these strata are bound to communicate by the very fact that we are. The only coherent method is thus to find a common, crosscutting and universal process without which it would be impossible to understand the nesting of these expressions of nature. Of course, in nature there are differences, but are they differences in nature? Can we say for sure that everything is essentially and substantially separate? It is frequently objected that if we do not separate, we anthropomorphise. Tarde, for example, has been reproached—but also Bergson and Nietzsche—for making desire and belief the principle of the universe. However, is this the right question? The extension of desire, force or even belief may be a hypothesis but—and herein lies the crucial difference—it is the only one that holds, precisely because it is wholly anthropomorphic. Uncontested by facts, this hypothesis is thus less contradictory than pure psychology or pure materialism. This is the crux of the argument of Hans Jonas, whose epistemological position

confesses the much maligned delight of anthropomorphism. And this, after four centuries of natural sciences! Yet perhaps, in a certain sense, man really is the measure of all things—not, it goes without saying, through the legislation of his reason but through the paradigm of his psychophysical totality, which represents the maximum known concrete ontological accomplishment, us. Descending from this summit, classes of being are determined reductively, by progressive subtractions until reaching a minimum of pure elementary matter, that is to say a less-and-less, a ‘not yet’ that is further and further away; instead of the most complete form being deduced the other way around, cumulatively, starting from this base. In the first case, the determinism of inanimate matter is a dormant freedom yet to awake.⁷

It is clearly not a matter of enlarging man to the world but of placing man in the world. As Tarde notes, there is just as much complexity in the minuscule as in man. For their part, Nietzsche and Bergson detect the same “intimate essence” of being everywhere, in different degrees, but present nonetheless. This essence is in fact in us, just as it is everywhere; and it is in us *because* it is everywhere. In fact, strictly speaking, the *higher anthropomorphism* of the philosophers of this other metaphysics is the opposite of the other empirical anthropomorphism. To anthropomorphise empirically is to project oneself onto things, to see oneself, identical within the variety of the world. In contrast, the method of higher anthropomorphism posits that man can be found in all things because he is of the same nature as all things, albeit in degrees of difference, which can be explained by returning to the process of differentiation, to the becoming of difference.⁸ What is in man is thus in all things, not because it is in man but because it is in all things. The higher anthropomorphism grasps man at his root: and his root is the cosmos.

Anthropomorphism must be re-evaluated as a method. In *The Phenomenon of Life*, Jonas is brave enough to pose this true question: is it necessary to reject all desire to explain, to obstinately refuse to recur to the notion of force, as too anthropomorphic? How can we diagnose this refusal in terms of philosophical thought? Let us allow Jonas to respond: rejecting explanation means accepting the “agnostic renunciation of the idea of knowledge as an understanding of its objects”; this means accepting “[alienating] man from himself and denying [genuineness] to the self-experience of life.”⁹

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NOTES

1. Alexandre Koyré, *Études newtoniennes* (Paris: Gallimard 1968), p. 29.
2. Friedrich Nietzsche, *Beyond Good and Evil: Prelude to the Philosophy of the Future* (Cambridge: Cambridge University Press 2002), p. 34.
3. Alfred North Whitehead, *Process and Reality: An Essay in Cosmology* (New York: The Free Press 1978), p. 4. There are many aspects on which Whitehead's philosophy of nature and the philosophies of nature presented here are extremely close.
4. Hans Jonas rightfully notes that the "datum" cannot be a content of perception: it is an "actum" internal to the experience that is present in effort, drive, force. The transcendental point of view says nothing about this internal necessity: "Force," writes Jonas, is "not a 'datum' but an 'actum' humanly present in effort. And effort is surely not a percept, even less a form of the synthesis of percepts" (*The Phenomenon of Life: Toward a Philosophical Biology* [Evanston IL, Northwestern University Press, 2001], p. 25). If Maine le Biran provided all the content of this experience of effort, it was Hans Jonas who rediscovered it.
5. See: Friedrich Nietzsche, *La philosophie à l'époque tragique des grecs* (Paris: Gallimard, 1990).
6. Edmund Husserl, *Ideas Pertaining to a Pure Phenomenology and to a Phenomenological Philosophy* (The Hague, London: Nijhoff, 1980).
7. Hans Jonas, *Évolution et liberté* (Paris: Rivages, 2000), p. 32.
8. See Giles Deleuze, "Bergson's conception of difference" in *The New Bergson*, edited by John Mullarkey (Manchester: Manchester University Press, 1999), pp. 42–65. Here, degrees of difference (qualities) are opposed to differences in degree (quantities).
9. Jonas, *Phenomenon of Life*, p. 37.

“principles of association of ideas” to “quasi-cause”: how deleuze adapts hume

douglas ord

INTRODUCTION

This paper maps an adaptation of terms between two planes of conceptual development, as provided by works in the œuvres of David Hume (1711-1776) and Gilles Deleuze (1925-1995). The terms introduced by Hume are ‘the subject,’ ‘the principles of association of ideas,’ and ‘the imagination,’ as these appear especially in *A Treatise of Human Nature, being an Attempt to introduce the experimental Method of Reasoning into Moral Subjects* (1739). The first part of the paper will consider these. Attention will then turn to their treatment by Deleuze, mainly in the first book published under his own name, *Empirisme et subjectivité, Essai sur la nature humaine selon Hume* (1953), but with reference also to three collaborative ventures that preceded and followed. These are: *David Hume, Sa vie, son œuvre, sa*

philosophie, credited also to André Cresson (1952); the short text, “Hume” provided for François Châtelet’s *Histoire de la philosophie: Tome IV Les Lumières* (1972); and *Qu’est-ce que la philosophie?* (1991), credited jointly to Deleuze and Félix Guattari.¹

The pattern of adaptation across these works is after this carried over to a question. How might the concept of ‘quasi-cause,’ developed by Deleuze in *Logique du sens* (1969) along with a different vocabulary of ‘the subject,’ relate back to what Deleuze makes of Hume’s three ‘principles of association of ideas’—“RESEMBLANCE, CONTIGUITY in time or place, and CAUSE and EFFECT”—in his earlier work on Hume? The case to be ventured is that Deleuze’s reading of Hume, beginning in 1952, and his development of concepts of quasi-cause and quasi-causal system in *Logique du sens* seventeen years later, reflect reciprocally on one another, even though Hume rates but a single mention by name in the later book, and in relation to only just one of the ‘principles of association of ideas,’ cause and effect.² But it is instead the other two ‘principles,’ resemblance and contiguity, whose lingering pertinence we seek to explore in and through the original vocabulary of *Logique du sens*.

This approach to Deleuze on Hume develops a conceptual genealogy and is, as will be seen, fundamentally different from how the Deleuze-Hume relation is considered in available books in English: Jeffrey Bell’s *Deleuze’s Hume* (2009) and Jon Roffe’s *Gilles Deleuze’s Empiricism and Subjectivity: A Critical Introduction* (2017). Both of these focus on Deleuze’s structure of argumentation in the 1953 book, and introduce it as “his first published book” (Bell) and “his first book” (Roffe).³ Neither so much as mentions the 1952 work credited to joint authorship of Deleuze and André Cresson. A Leitmotif throughout what follows will be a case that to consider this earlier—and still untranslated—work will make for a yield of unexpected benefits regarding Deleuze not only on Hume, but on philosophy.

I

In January 1739, four months before he turned twenty eight, the Scottish philosopher David Hume published ‘the first Edition of a Book in two Volumes’ called *A Treatise of Human Nature*, subtitled: *Being an Attempt to introduce the experimental Method of Reasoning into Moral Subjects*.⁴ With a simplicity and clarity that Gilles Deleuze, toward the end of his life, would associate with “genius,”⁵ its program of audacious empiricism is established from the opening paragraph, under the heading ‘Of the Origin of our Ideas’:

All the perceptions of the human mind resolve themselves into two distinct kinds, which I shall call IMPRESSIONS and IDEAS. The difference betwixt these consists in the degrees of force and liveliness, with which they strike upon the mind, and make their way into our thought or consciousness. Those perceptions, which enter with the most force and violence, we may name impressions; and under this name I comprehend all our sensations, passions and emotions, as they make their first appearance in the soul. By ideas I mean the faint images of these in thinking and reasoning ...⁶

With this first paragraph, Hume in his very arrangement of words credits perceptions with a kind of activity that comes close to sounding like agency: ‘All the perceptions of the human mind *resolve themselves* into two distinct kinds.’ This ascription of prepersonal activity has its correlate in Hume’s repudiation, later in the *Treatise*—and notwithstanding his casual mention of ‘the soul’ in the passage above—of “any idea of self” as an in some way unified and continuous entity linked to “personal identity.”⁷ We shall consider subsequently how this phrase ‘resolve themselves’ bears relation to Deleuze’s own philosophical style: in particular his manner of deploying the French reflexive verb, whose ambiguity tends to be lost in translation. It is also with similar device of language that Hume ascribes activity suggestive of agency to what he calls the ‘principles’ of ‘connexion or association of ideas.’ These are introduced thus (with capitalizations in the text):

The qualities, from which this association arises, and by which the mind is after this manner convey’d from one idea to another, are three, *viz.* RESEMBLANCE, CONTIGUITY in time or place, and CAUSE and EFFECT.⁸

The element of activity in these ‘principles’ is emphasized especially when Hume, later in the book, considers them in detail:

I have often observ’d, that, beside cause and effect, the two relations of resemblance and contiguity, are to be consider’d as associating principles of thought, and *as capable of conveying* the imagination from one idea to another.⁹

This term ‘the imagination,’ Hume has also already distinguished from ‘memory,’ asserting that:

When we remember any past event, the idea of it flows in upon the mind

in a forcible manner; whereas in the imagination, the perception is faint and languid, and cannot without difficulty be preserv'd by the mind steady and uniform for any considerable time.¹⁰

But this difference also implies that “the imagination is not restrain'd in the same order and form with the original impressions, while the memory is in a manner ty'd down in that respect, without any power of variation.”¹¹ So while “the chief exercise of the memory is not to preserve the simple ideas, but their order and position,” Hume also emphasizes “*the liberty of the imagination to transpose and change its ideas*”¹²:

The fables we meet with in poems and romances put this entirely out of question. Nature there is totally confounded, and nothing mentioned but winged horses, fiery dragons, and monstrous giants.¹³

This is Hume's first mention in the book of the term ‘nature’ as a substantive, independently of the proposed phrase ‘human nature,’ and with a sense of normativity. Both the context and the extremity of phrasing—“Nature there is *totally* confounded, and *nothing* mentioned but...”—indicate the direction the book will take. The role of the principles is to ‘guide’ the imagination, for:

Were ideas entirely loose and unconnected, chance alone wou'd join them; and 'tis impossible the same simple ideas should fall regularly into complex ones (as they commonly do) without some bond of union among them, some associating quality by which one idea naturally introduces another.¹⁴

But of the three principles—‘RESEMBLANCE, CONTIGUITY in time or place, and CAUSE and EFFECT’—it is emphatically the last of these that Hume emphasizes, and on which he dwells: “there is no relation, which produces a stronger connection in the fancy, and makes one idea more readily recall another, than the relation of cause and effect between their objects.”¹⁵

Having isolated out these ‘principles’ and affirmed their activity, Hume was also committed, in his investigation, not only to ‘the experimental Method of Reasoning,’ but to its role in cultivating “demonstrative sciences [whose] rules are certain and infallible.”¹⁶ Regarding these, the *Treatise* states that “our reason must be consider'd as a kind of cause, of which truth is the natural effect.”¹⁷ As might be expected from this comparison of the relation cause-effect to the relation reason-truth, Hume privileges the associative principle of ‘cause and effect’ over

the principles of ‘resemblance’ and ‘contiguity.’ “We find from experience,” he writes, “that belief arises only from causation, and that we can draw no inference from one object to another, except they be connected by this relation.”¹⁸ Hume emphasizes the impenetrability of the terms of causal relation: “we are never sensible on any connexion between causes and effects, and ... ’tis only by our experience of their constant conjunction, we can arrive at any knowledge of this relation.”¹⁹ But if this is itself an affirmation of the importance of ‘habit’ in ‘belief,’ he is of no doubt regarding the relevance and applicability of this relation to experimental method in European science, such as was ascendant during the period when he was writing:

’Tis certain, that not only in philosophy, but even in common life, we may attain the knowledge of a particular cause merely by one experiment, provided it be made with judgment, and after a careful removal of all foreign and superfluous circumstances.²⁰

It is precisely via ‘careful removal of all foreign and superfluous circumstances’ that experiments are rendered repeatable and verifiable, toward establishment of cause-effect relations—or in Hume’s terms ‘constant conjunction’—among phenomena, that can then be predictably ordered. By contrast, Hume after introducing the ‘principles’ of ‘resemblance’ and ‘contiguity’ in the association of ideas, disparages their significance, declaring their “effect much inferior to causation.”²¹ He acknowledges that they “still have some effect, and augment the conviction of any opinion, and the vivacity of any conception”: thus they are “relations not to be neglected,” including in how they can involve the passions.²² But of ‘contiguity’ he writes:

it has been remark’d among the Mahometans as well as Christians, that those pilgrims, who have seen Mecca or the Holy Land are ever after more faithful and zealous believers, than those who have not had that advantage. A man, whose memory presents him with a lively image of the Red-Sea, and the Desert, and Jerusalem, and Galilee, can never doubt of any miraculous events, which are related either by Moses or the Evangelists. The lively idea of the places passes by an easy transition to the facts, which are suppos’d to have been related to them by contiguity, and encreases the belief by encreasing the vivacity of the conception. The remembrance of these fields and rivers has the same influence on the vulgar as a new argument; and from the same causes.²³

Given Hume's extreme skepticism regarding religion, this assessment cannot be taken as his recommendation for the associative 'principle of contiguity,' resort to which he links with 'the vulgar.' Likewise, he allows that poets may find benefit in what he calls 'feign'd contiguity':

A poet, no doubt, will be the better able to form a strong description of the Elysian fields, that he prompts his imagination by the view of a beautiful meadow or garden; as at another time he may by his fancy place himself in the midst of these fabulous regions, that by the feign'd contiguity he may enliven his imagination.²⁴

But while acknowledging that "even where the related object is but feign'd, the relation will serve to enliven the idea, and encrease its influence," Hume affirms "a *general rule* against the reposing any assurance in those momentary glimpses of light, which arise in the imagination from a feign'd resemblance and contiguity."²⁵ For "as the relation of cause and effect is requisite to persuade us of any real existence, so is this persuasion requisite to give force to these other relations."²⁶ Hume even links the tendency to invest in 'resemblance' and/or 'contiguity,' as principles of association of ideas, with 'weakness':

There is a very remarkable inclination in human nature, to bestow on external objects the same emotions, which it observes in itself [resemblance]; and to find every where those ideas, which are most present to it [contiguity]. This inclination, it is true, is suppressed by a little reflection, and only takes place in children, poets, and the antient philosophers. ... We must pardon children, because of their age; poets, because they profess to follow implicitly the suggestions of their fancy: But what excuse shall we find to justify our philosophers in so signal a weakness?²⁷

II

More than two centuries after David Hume published the first two volumes of *A Treatise of Human Nature* as his first book, just before his twenty-eighth birthday, Gilles Deleuze published his first two books, both to do with Hume, and one shortly before, one shortly after, his own twenty-eighth birthday.²⁸ The first of these, issued in 1952, does not appear on the lists of works that introduce Deleuze's later books in both French and English, and that include those written

collaboratively with Félix Guattari and Claire Parnet. Yet as another work of joint credited authorship, it not only bears mention here, but also provides, arguably, Deleuze's first public paragraph in book form, which is to do with Hume. Called *David Hume, Sa vie Son œuvre Sa philosophie*, this short book was part of a previously formulaic introductory "Philosophes" series produced by Presses Universitaires de France for senior high school students. The series author, over twenty six previous volumes, was André Cresson, who maintained across these a didactic and informative style such as could begin with Marcus Aurelius, Pascal, and Plato in 1939, and continue, apart from the last two years of World War II, throughout the next decade, on thinkers as diverse as Spinoza, Aristotle, Leibniz, Bacon... the list goes on.

Cresson, however, died in March, 1950 at age eighty-one, two years before the series book on Hume was published. The extent of his contribution could not be known without, perhaps, an initial manuscript. But Deleuze, who was then completing a thesis on Hume for his Diplôme d'études supérieures,²⁹ appears to have been recruited by the series editor Émile Bréhier, by then himself elderly, whom Deleuze would later credit, in *Logique du sens* of 1969, with having conceptualized, in his own 1905 dissertation, a "Stoic" distinction between "corporeal bodies / incorporeal events."³⁰ The fact that two years passed between Cresson's death in March 1950 and the book's publication in 1952 hints in itself that Deleuze had a more than apprenticeship role in the book's final form; so too does the fact that Bréhier himself, as the series long-time editor, would die, age seventy-five, in February 1952, before the book appeared. There is clearly some mystery as to the process. But it does seem apt to recognize in *David Hume* Deleuze's first book-length venture, evidently licensed by Bréhier, into a form: what he would himself four decades later, nominally in authorship with Félix Guattari, call "l'art du portrait": the art of the portrait.³¹ But this is a kind of 'portrait' whose style is both illuminated by, and helps illuminate, Deleuze's sustained interest, nearly three decades later, in the œuvre of Francis Bacon, that includes portraiture radically skewed from any presumption of verisimilitude. *David Hume* became Deleuze's first book-length field of experiment in skewed philosophical portraiture: in this case also within a formula, yet introduced as distinctive in voice from the previous twenty-six books in the series on its first page.

Then shortly after his twenty-eighth birthday on 18 January, 1953, Deleuze published a version of his thesis on Hume, also with Presses Universitaires de France, under the title *Empirisme et subjectivité, Essai sur la nature humaine selon Hume*. The very difference in full title from that of the 1952 book—*David*

Hume, Sa vie, Son oeuvre, Sa philosophie—gives a hint of the scale of transition, with the second showing more than a hint of throwing off shackles, including of biographical personalization. Jon Roffe, in focusing exclusively on *Empirisme et subjectivité* for Deleuze’s treatment of Hume in his 2017 *Gilles Deleuze’s Empiricism and Subjectivity: A Critical Introduction*, has pointed out that there is “a pleasing symmetry” to the fact that “David Hume was the same age when the first two books of his precocious masterpiece *A Treatise of Human Nature* (1739) initially appeared.”³² But more than just a ‘pleasing symmetry,’ there are the beginnings of an interweaving: whether coincidental or otherwise is unclear. For, if Hume published the *Treatise* as two books in January 1739, shortly before turning twenty-eight (on 7 May), Deleuze would publish two books largely to do with Hume’s *Treatise* shortly before and shortly after he himself turned twenty-eight on 18 January 1953. The ‘symmetry’ becomes more complex, and even becomes a little dizzying with the tidbit that 18 January in 1739 began the very week at whose end Hume’s *Treatise* was first advertised as follows in the 25 January edition of *The London Evening-Post*:

This Day is publish’d, Price 10s.
Beautifully printed in two Volumes, Octavo,
A Treatise of Human Nature; Being an Attempt to Introduce the
Experimental Method of Reasoning into moral Subjects. Vol.I. Treating of
the Understanding.
Vol. II. Of the Passions.³³

Was Deleuze himself aware of these retrospective, and somewhat mutated ‘symmetries’? This likely is impossible to say. But the pattern also extends to his choice of full title for the first book published under his own name, which can be juxtaposed generatively also with the full title of the book (or books) that Hume himself published on the earlier side of twenty-eight. The two titles juxtaposed, in Hume’s English (as advertised), and Deleuze’s French, look like this:

Hume: *A Treatise of Human Nature, Being an Attempt to Introduce the Experimental Method of Reasoning into moral Subjects*

Deleuze: *Empirisme et subjectivité, Essai sur la nature humaine selon Hume*

To consider this juxtaposition carefully will suggest not only the style of Deleuze’s entry into Hume, but will provide its own entry into a richly pregnant terminological aspect of that adaptation. Standing out especially, in the way

of repetition with slight difference, is the five-word phrase, in Hume's title, "A Treatise of Human Nature," and in Deleuze's title, the five word phrase "Essai sur la nature humaine" (followed by "selon Hume").

Unfortunately, the standard translation of *Empirisme et subjectivité* by Constantin Boundas, for all its usefulness, masks this hinge of near identity between the first part of the earlier title, and the second part of the later, giving to an English-language reader *Empiricism and Subjectivity: An Essay on Hume's Theory of Human Nature*. The title page of the 1953 PUF French edition yields no indication whatsoever of the word "Theory" in Deleuze's title. Rather this title in literal translation would read, with capitalization as per English convention and with the option of an indefinite article, *Empiricism and Subjectivity: [An] Essay on Human Nature According to Hume*. This more literal translation suggests, in turn, the extent of mutated resemblance, including in the subtitle, with Hume's title in English of his own first book (which with all due paradox was in two books). Thus the same juxtaposition of titles, with Deleuze's translated from the French as given, would read:

Hume: *A Treatise of Human Nature, Being an Attempt to Introduce the Experimental Method of Reasoning into moral Subjects.*

Deleuze: *Empiricism and Subjectivity: [An] Essay on Human Nature According to Hume.*

Deleuze's full two-part title, then, literally translated, embeds a close variant of Hume's primary title, at the beginning of its secondary title (both here in bold). This extent of resemblance (and symmetry) between the first part of Hume's title, and the second of Deleuze's also prompts the question: is there similar mutated relation between the second part of Hume's title and the first part of Deleuze's, given in translation:

Hume: *A Treatise of Human Nature, An Attempt to Introduce the Experimental Method of Reasoning into moral Subjects*

Deleuze: *Empiricism and Subjectivity: [An] Essay on Human Nature According to Hume.*

Between Hume's second part, and Deleuze's first part (both in bold), there is a common root word, "subject-" as also the only common word between the

two parts. And yet structurally, they are similar, with each displaying two noun phrases (with Hume) or nouns (with Deleuze) of category. For if “An Attempt to Introduce” is bracketed in Hume’s contribution, the noun phrases of category are “the Experimental Method of Reasoning” and “moral Subjects.” In Deleuze’s contribution, the nouns are “Empiricism” and “Subjectivity.” It seems fair to say that “the Experimental Method of Reasoning” can be uncontroversially linked with “Empiricism”: in particular the kind developed by Hume. This leaves the term “moral Subjects” in Hume’s second title, and “Subjectivity (subjectivité)” in Deleuze’s first. What happens across this gap? What is in the latter that is not in the former, and in the former that is not in the latter? How does the former become the latter?

III

An event that happened between the appearance of the term “moral Subjects” in the second title of Hume’s *Treatise* in 1739, and that of “subjectivité” in the first title of Deleuze’s *Empirisme et subjectivité* in 1953 was the writing and publication of *David Hume, Sa vie, Son œuvre, Sa philosophie* in 1952, with—or out of—Cresson, who is jointly credited on the cover. But the very fact that one can write and is obliged to write, ambiguously, ‘with—or out of—Cresson’ about this first Hume book itself provides a hint that across the three Hume projects (for Deleuze was writing his Diplôme d’études supérieures on Hume also) the young Deleuze had occasion, out of his encounter with whatever notes Cresson had provided or left, to begin to develop and practise his own method of in effect seeping into, interpenetrating, and repurposing the work of an earlier thinker: in this case not only on Hume, but on Cresson’s entire series format, along with whatever notes he left on Hume. These circumstances deserve closer focus than they have hitherto received, in that they made for an experimental prototype of the method then furthered and refined by Deleuze not only in *Empirisme et subjectivité* regarding Hume’s own œuvre, but subsequently in works on Nietzsche, Kant, Bergson, Spinoza, and Leibniz.

Consideration here will be of just one paragraph, but an important one: not only for its eloquence, inventiveness, and provision of clues, but because it quite possibly introduced and introduces Deleuze’s voice in book form. For a comparison of *David Hume* with any of André Cresson’s twenty-six prior books in the *Sa vie, Son œuvre, Sa philosophie* series makes for the strong impression that it is not his voice but an entirely new one that appears strikingly as early as the second paragraph. Cresson’s treatments tend to begin, under the heading ‘La Vie,’ with a lengthy

paragraph giving detail of the title philosopher's life. In *David Hume*, by contrast, the opening paragraph is just a single sentence, stating that Hume was born in Edinburgh in 1711 and died in 1776. This is followed by a second paragraph whose categorical confidence and ambition are nowhere in evidence in books credited to Cresson alone. Given its style and reliance on nuance, and given that it is not available in a translation considered standard, this passage is provided first in the original French:

La vie d'un grand philosophe semble toujours être un peu l'idée qu'il s'est faite de la vie. En apparence, au moins, les philosophes sont plus responsables de leur vie que les poètes et les savants, puisqu'ils ne peuvent invoquer ni le destin, ni les droits d'une impersonnalité scientifique. Dans les événements d'un grand philosophe, dans les traits de son caractère, dans ses ambitions, jusque dans ses timidités, on peut lire toute une conception de l'existence, involontaire, immédiate. Celle-ci représente une philosophie implicite, qui entretient avec l'œuvre un rapport complexe, dans lequel le grand philosophe est toujours autre chose aussi qu'un grand philosophe.³⁴

And in as literal a translation as possible, respecting French pronominal conventions:

The life of a great philosopher seems always to be a little the idea that he has made of life. In appearance, at least, philosophers are more responsible for their life than poets or scientists [or 'scholars': *savants*], insofar as they can invoke neither destiny nor the rights of a scientific impersonality. In the events of a great philosopher, in the traits of his character, in his ambitions, as in his timidities, one can read an entire conception of existence, involuntary, immediate. This represents an implicit philosophy, that maintains with the œuvre a complex relation, in which the great philosopher is also always something other than a great philosopher.

What is to be made of this passage? Clearly it was not written by Cresson. But just as clearly, it is within a book that, implicitly, was disavowed by Deleuze in that *David Hume* has never been admitted to the list of works that introduce his books in French. Yet it is so striking a compression, and so original an assessment of 'the great philosopher,' that it surely deserves to be considered in relation to Deleuze's more recognized work. On one level, it can be read as Deleuze's own summary and categorical articulation of the 'Sa vie, Son œuvre, Sa philosophie'

format, into a multi-faceted concept of ‘a great philosopher’: condensed and original, with the strongly declarative style found in Deleuze’s later works. Deleuze extrapolates from introducing Hume, to introducing this concept, in the process also introducing himself, and his own philosophical voice, but masked, in behind and within Cresson’s, which was then widely present in bringing French lycée students to philosophy. We pause especially over the last two sentences of the four provided by this early—even earliest—Deleuze:

In the events of a great philosopher, in the traits of his character, in his ambitions, as in his timidities, one can read an entire conception of existence, involuntary, immediate. This represents an implicit philosophy, that maintains with the œuvre a complex relation, in which the great philosopher is also always something other than a great philosopher.

Would one usually associate these views, so eloquently put, with Deleuze? Yet the concluding syntax indeed suggests the gnostic celebrant of paradox in *Logique du sens* (1969), even as the very word ‘events’ provides a direct line into this later work, where Deleuze, developing Émile Bréhier’s ‘Stoic’ distinction between corporeal bodies and incorporeal events, inquires into what he calls ‘expressive relations of events among themselves.’ They are not, he writes, “relations of cause to effect, but an ensemble of non-causal correspondences, forming a system of echoes, of reprises, and of resonances, a system of signs, in short an expressive quasi-causality, not at all a necessitating causality.”³⁵ These passages are structurally similar, including in sequences of qualifying nouns. The first sentence of the earlier passage gives these with a preposition: ‘In the events of a great philosopher, in the traits of his character, in his ambitions, as in his timidities...’ In *these*, proto or masked, Deleuze tells us, ‘one can read entirely an involuntary, immediate conception of existence’: ‘an implicit philosophy, that maintains with the œuvre a complex relation, in which the great philosopher is also always something other than a great philosopher.’

Was Deleuze writing not only with reference retrospectively on Hume, as the named subject-matter of the book, but anticipatorily about himself, ‘a great philosopher’ then yet to be? Was he already by this time thinking about being ‘a great philosopher,’ and how to get there?

This is a stunningly crafted paragraph to find at the outset of the first book published with Deleuze’s name on the cover, when he was the age at which Hume published the two volumes of the *Treatise*. The paragraph on ‘quasi-causality,’ sixteen years

later in 1969, is crafted with similar structure and eloquence, and with, again, a sequence of qualifying nouns. These add up to, ‘in short an expressive quasi-causality’: a term conceptualized in this passage in a way structurally analogous to how ‘a great philosopher’ is conceptualized via qualifying nouns in the earlier passage. Roffe writes of “a complex of hidden conceptual tunnels” that run between Deleuze’s less widely read early work—specifically, for him, *Empirisme et subjectivité*—and “thematics ...prominent in his more famous works.”³⁶ Here the hint of such a ‘tunnel’ is pushed back still further, to Deleuze’s earliest published words in book form, with the components of this particular tunnel to be considered further below in relation also to Hume’s ‘principles of association of ideas.’

But here a distinction as well as a ‘tunnel’ deserves to be noted. In the later passage from *Logique du sens*, Deleuze has created the terms of the concept, by putting together three words—‘expressive quasi-causality’—that had not been previously put together. By contrast, the designation ‘great philosopher’ has been heard many times, and in this case the youthful Deleuze gives it new content, and to this extent a new concept. This difference opens into a difference of kind. In correspondence of 1970 to Michel Cressole, published as “Lettre à un critique sévère,” Deleuze describes himself as of the last generation of students to be ‘bludgeoned’ with the history of philosophy. Here it is possible he even had Cresson in mind, given that between Deleuze’s fourteenth and eighteenth years, Cresson published no fewer than fourteen didactic books in the *La vie, Son œuvre, Sa philosophie* series. Deleuze continues, in a well-known passage:

But, above all, my manner of launching myself at this epoch, was, I believe, to conceive of the history of philosophy as a sort of buggery, or, it comes to the same, immaculate conception. I imagined myself arriving in the back of an author, and making him a child, that would be his, but that would nevertheless be monstrous.³⁷

Is the concept of ‘a great philosopher’ with which Deleuze introduces himself, somewhat masked, by ‘buggering’ it out of Cresson’s entire series format, ‘monstrous’? Perhaps in relation to earlier parameters of the format, it could be said to be so. Perhaps it could even be said to be so in relation to usual notions of ‘a great philosopher,’ and in relation to much of Deleuze’s later œuvre itself, which would surely play down ‘traits of character,’ ‘timidities,’ ‘ambitions,’ in favour of impersonal and nomadic ‘singularities’ that do not respect ‘the individual.’ But this is surely a paradox within Deleuze’s œuvre: that amid an emphasis on ‘prepersonal singularities’ such as is developed in both his major works *Différence et répétition*

(1968) and *Logique du sens* (1969), he would not only introduce himself in 1952 via an account of ‘the great philosopher,’ but would cling to it, such that it resurfaces in *Qu’est-ce que la philosophie* in 1991, nominally written with Félix Guattari: “at the limit, does not each great philosopher trace a new plane of immanence, bring new material of being, and provide a new image of thought.”³⁸

But if the concept of ‘a great philosopher’ introduced at the outset of David Hume, *Sa vie, Son œuvre, Sa philosophie* in 1952 can be read as having been ‘buggered’ out of the series format established by Cresson and Bréhier, the same cannot so easily be said of the later concept of ‘expressive quasi-causality’ whose presentation is so similar structurally. Rather it would seem, as concept, to correspond more closely to what Deleuze had to say in a letter of 1984, fifteen years after *Logique du sens*:

What interests me, are concepts. It seems to me that concepts have their own existence, they are animate, they are invisible creatures. But precisely, they need to be created. Philosophy seems to me to be an art of creation, along with painting and music: it creates concepts.³⁹

There is a suggested distinction here between ‘buggered’ and ‘created’ concepts. As an example of the former, we give that of ‘the great philosopher’ presented at the outset of *David Hume* in 1952. As an example of the latter, we give ‘expressive quasi-causality’ as presented in *Logique du sens* in 1969. With this distinction in mind, we can now return to consideration of what happens between the terms ‘moral Subjects,’ as presented in the title of Hume’s first book (the *Treatise*) and ‘Subjectivity (subjectivité)’ as presented in the title of Deleuze’s first book under his own name. For ‘subjectivity’ as it appears in Deleuze’s title would seem to be not a created concept, but a buggered one, out of a Humean text in which the term ‘subjectivity’ does not appear at all.

IV

In far and away the most of its appearances in Hume’s *Treatise*, the word ‘subject’ refers, simply and unambiguously, to matter under consideration, as in the phrase ‘our subject.’ This usage of the word is introduced as early as the second and third sentences in the paragraph-long ‘Advertisement’ that begins the book:

My design in the present work is sufficiently explain’d in the *introduction*. The reader must only observe, that all the subjects I have there plann’d out to my self, are not treated of in these two volumes. The subjects of

the understanding and passions make a compleat chain of reasoning by themselves...⁴⁰

This usage of the word ‘subject’ or ‘subjects’ continues throughout the *Treatise*, including multiple times in the Table of Contents. The term ‘moral subjects’ appears in the Introduction, in a way that again suggests this usage of the noun ‘subjects,’ but with an adjective:

And as the science of man is the only solid foundation for the other sciences, so the only solid foundation we can give to this science itself must be laid on experience and observation. It is no astonishing reflection to consider, that the application of experimental philosophy to moral subjects should come after that to natural at the distance of above a whole century; since we find in fact, that there was about the same interval betwixt the origins of these sciences; and that reckoning from THALES to SOCRATES, the space of time is nearly equal to that betwixt, my Lord Bacon and some late philosophers [Mr. Locke, my Lord Shaftesbury ... etc.] in England, who have begun to put the science of man on a new footing, and have engaged the attention, and excited the curiosity of the public.⁴¹

The impression here is that the word ‘subjects,’ for Hume in this context, takes the adjective ‘moral’ as it would take the adjective ‘natural,’ as subjects to which, Hume asserts, ‘experimental philosophy’ might be applied.

The term ‘moral subjects’ occurs just once again in the entire *Treatise*, in Book III: Of Morals, and again in conjunction with the adjective ‘natural,’ so as to distinguish between ‘natural or moral subjects’:

An active principle can never be founded on an inactive; and if reason be inactive in itself, it must remain so in all its shapes and appearances, whether it exerts itself in natural or moral subjects, whether it considers the powers of external bodies, or the actions of rational beings.⁴²

In this case, the parallel of disjunction between ‘natural or moral subjects’ and ‘the powers of external bodies, or the actions of rational beings’ suggests there might be a relation between the term ‘moral subjects’ and the term ‘rational beings.’ Yet this is still ambiguous and obscure.

Hume does, however, deploy the noun ‘subjects’ in a way directly suggestive of human agency in the Third Book of the *Treatise*, “Of Morals,” Part II, “Of

Justice and Injustice,” beginning in Section VII, “Of the origin of government”: “Magistrates find an immediate interest in the interest of any considerable part of their subjects.”⁴³ This appearance of the word ‘subjects,’ used in this way, provides a reminder, necessarily, of Hume’s embeddedness, in the fourth decade of the eighteenth century, in an imperial and then vigorously expansionist monarchy, where an individual’s status was closely defined as *a subject* in relation to *the monarch*, of whom ‘magistrates’ were agents. David Hume himself lived as ‘a subject’ in this sense, and the word had a place in the functioning of a top-down class hierarchy, that, as integral to imperial Britain, was in process of colonial export over much of the globe. Hume’s introduction of the word in this context, preceded by the possessive pronoun ‘their,’ expresses the system in a sentence: ‘Magistrates find an immediate interest in the interest of any considerable part of their subjects.’ And it is out of this relation, Hume notes, that:

bridges are built; harbours opened; ramparts raised; canals formed; fleets equipped; and armies disciplined every where, by the care of government, which, though composed of men subject to all human infirmities, becomes, by one of the finest and most subtle inventions imaginable, a composition, which is, in some measure, exempted from all these infirmities.⁴⁴

Here the word “government” is linked with a sequence of actions characteristic of expanding empire. And here, too, the root word ‘subject’ appears as a verb in the passive voice: men are ‘subject’ not only to magistrates, but ‘to all human infirmities’; yet ‘by the care of government’ (so described) become a part of something greater: ‘a composition, which is, in some measure, exempted from all these infirmities.’

With this further usage of the word ‘subject’ in the *Treatise*, not only is the word given a political dimension, within the context of Hume’s remarks on the formation of government, but the word ‘subject’ is at once rendered decisively ambiguous in Hume’s title. Is the term ‘moral subjects’ used in some analogous sense to the term ‘loyal subjects’: that is, a particular kind of human being in a particular kind of political context? Or is it used in some analogous sense to ‘moral matters at hand’? But intensifying this element of paradox, the term is also delineated and given limits in its ambiguity. The word ‘subjects’ in the title could mean in the sense of the matter at hand, and it could also mean in the sense of a political status within the terms of government as Hume described them in the monarchical Britain of the mid-eighteenth century, which he would himself serve loyally, including in diplomatic posting. The ambiguity seems unresolvable in the

presence of sustained double usage of the word in the *Treatise*.

Here it is necessary to point out a questionable and even misleading interpolation regarding the word ‘subjectivity’ as it applies to Hume in Roffe’s generally excellent short book *Gilles Deleuze’s Empiricism and Subjectivity: A Critical Introduction*. In considering Hume’s assertions about ‘the self’ early in *The Treatise*, Roffe writes:

Hume’s discussion here is more nuanced than it is sometimes taken to be, but the upshot is as straightforward as it is famous: subjectivity is nothing but a bundle or collection of different perceptions, which succeed each other with an inconceivable rapidity, and are in a perpetual flux and movement...⁴⁵

But Roffe’s own phrasing is not straightforward here, in that Hume does not use the word ‘subjectivity’ to introduce the quoted passage, any more than it appears anywhere else in the *Treatise*. Rather after commenting ironically that “some metaphysicians” may believe in “the self,” Hume continues:

But setting aside some metaphysicians of this kind, I may venture to affirm of the rest of mankind, that they are nothing but a bundle or collection of different perceptions...⁴⁶

In short, Roffe’s introduction of the term ‘subjectivity’ in this way, as though it could be credited to Hume himself is not only confusing, but also obscures both the extent of Deleuze’s act of ‘buggery’ in regard to Hume’s text, and its mechanics.

For it is likewise into the gap of ambiguity between Hume’s two usages of the word ‘subject,’ that Deleuze, two hundred and fourteen years later, inserts himself and commits his act of buggery and ‘immaculate conception,’ producing the offspring concept—‘subjectivité’—made prominent in his own title, which itself was clearly developed in relation to, and with mutated resemblance to, Hume’s title. In doing so, he also—as we shall see—inserts into his own deployment of the term a direct link with Hume’s ‘principles of association of ideas,’ such as Hume himself does not develop. With this linkage, Deleuze himself radically reconfigures the term ‘subject,’ far beyond its usages in terms both of ‘the matter at hand,’ and of political identity in the top-down contexts of monarchy and empire. Also plausible here is that we have found, in the hinge between these two titles that so resemble one another, with difference, a primordial act of Deleuzian ‘buggery’ and ‘immaculate conception’ in relation to a philosopher, making for a concept of ‘subjectivity’

much removed from the usual Enlightenment trajectory of Descartes-Kant-Hegel. In isolating this hinge we can also examine its mechanics: how the machine works, and works in such a way also as to feed toward Deleuze's own radically altered concept of 'Empiricism.'

V

It is Deleuze's mutation of the word 'subject,' and not only between the titles of the two books, that heralds this act. Concerning the word in Deleuze's reading of Hume, we could perhaps do no better than to offer this passage from the fifth chapter, itself called "Empirisme et subjectivité." In doing so, however, we must note a further quirk of ambiguity: namely, translation of Hume's word 'mind,' which is introduced at the very outset of the *Treatise*: 'All the perceptions of the human mind resolve themselves into two distinct kinds...' The word 'mind' was put into French by Deleuze's choice of translation of Hume's *Treatise*, that of 1946 by André Louis Leroy, with the dual-purpose French word 'esprit,' which can mean both 'mind' and 'spirit.' Thus when Deleuze writes, "il faut comparer le sujet avec l'esprit," Boundas appropriately carries the translation back to Hume's English term 'mind,' with "we must compare the subject with the mind."⁴⁷ But clearly, when Deleuze asks "quels sont les principes qui constituent le sujet dans l'esprit?"⁴⁸ he is folding in not only a radical adaptation and problematisation of Hume's use of the word 'subject,' but also more implicitly—in French—a challenge to traditional religious terminology and range of meaning of the word 'esprit.'⁴⁹

This passage is too important to let the standard translation pass unexamined, and is given in French toward both appreciation of nuance, and recognition of some questionable choices:

... quels sont les principes qui constituent le sujet dans l'esprit? Sous quel facteur l'esprit va-t-il se transformer ? Nous avons vu que la réponse de Hume est simple : ce qui transforme l'esprit en un sujet, ce qui constitue un sujet dans l'esprit, ce sont les principes de la nature humaine. Ces principes sont de deux sortes : *les principes d'association* d'une part, d'autre part les principes de la passion, qu'on pourra présenter à certains égards sous la forme générale d'un principe d'utilité. Le sujet est cette instance qui, sous l'effet d'un *principe d'utilité* poursuit un but, une intention, organise des moyens en vue d'une fin, et, sous l'effet de principes d'association, établit des relations entre les idées. Ainsi la collection devient un système. La collection des perceptions devient un système quand celles-ci sont

organisées, quand celles-ci sont reliées.⁵⁰

For all its value, the standard translation invites revisiting at moments in this passage that are key to a close mechanics of how Deleuze ‘buggers’ Hume, to produce a ‘subject’ that differs from usages of the word in Hume, yet still ties this concept back toward dependent constitutive relation to ‘the principles of association,’ plural. Three points bear noting:

1. For “*Sous quel facteur l’esprit va-t-il se transformer?*” the Boundas translation gives “What factors will transform the mind?” But it is clear that the word ‘facteur’ in French is singular. Moreover, the verb phrase “*va-t-il se transformer*” is not the predicate of the noun ‘facteur’ but of ‘l’esprit,’ and is given as reflexive. A more suitable translation would be “Under what factor will the mind be transformed (or transform itself)?” This allows for the ambiguity of the French reflexive infinitive ‘se transformer,’ with the active reflexive voice (‘transform itself’) explicitly licensed, in this context, by the opening sentence, in English, of Hume’s *Treatise*: ‘All the perceptions of the human mind *resolve themselves* into two distinct kinds...’ (emphasis added);
2. Boundas gives for the emphasized phrase “*d’un principe d’utilité*” not “of *a principle of utility*,” but rather “of the principle of utility,” changing the indefinite article ‘a’ to a definite ‘the,’ and omitting italicization. This gives the impression that ‘the principle of utility’ has already been established as singular, distinctive, and definitive by Hume himself, when this would not be established with clarity until 1789, after Hume’s death in 1776, by Jeremy Bentham. Deleuze’s actual construction is more speculative: “*qu’on pourra présenter à certains égards sous la forme générale d’un principe d’utilité*”: “that one will be able to present in certain respects under the form of *a principle of utility*”; and
3. Perhaps most significantly for our purposes here: the standard translation gives for “*Le sujet est cette instance*” the English “The subject is the entity.” But ‘instance’ in French is stronger than this, and more active, being generally translated not—as might be expected—directly as ‘instance,’ and definitely not as ‘entity,’ but as ‘authority.’ To quote the first meaning given in the Collins- Robert Dictionary: “instance *nf* (a) (*autorité*) authority” and gives the example “*le conflit devra être tranché par l’~ supérieure*.”⁵¹ It would seem silly to imagine that Deleuze was unaware of this range of usage of the word, and of this strong usage in particular, when he deployed it.

Accordingly and crucially, then, Deleuze's usage of the word 'instance' in French, as applied to 'le sujet' / 'the subject,' carries the latter word over from being, as in Book III of Hume's *Treatise*, associated with being *subject to* established authority, in the form of 'magistrates' who are themselves part of an established hierarchy with the monarch at the summit, as per the British Empire, to being *its own active* authority. This is a radical departure from Hume's usage of the word 'subject' in the *Treatise*, and the entire passage given above in French might more helpfully be translated as:

...what are the principles that constitute the subject in the mind? Under what factor will the mind be transformed / transform itself? We have seen that the response of Hume is simple: that which transforms the mind into a subject, that which constitutes a subject [Boundas gives 'the subject'] in the mind, are the principles of human nature. These principles are of two sorts: *the principles of association* on the one hand, and on the other hand the principles of passion [Boundas gives 'the passions'], that one will be able to present in certain respects under the general form of a *principle of utility*. The subject is that authority which, under the effect of a principle of utility, pursues a goal, an intention, organizes means in view of an end, and, under the effect of principles of association, establishes relations among ideas. Thus the collection becomes a system. The collection of perceptions becomes a system when these are organized, when these are linked together.⁵²

This paragraph makes for such transformation of the notion of 'subject' as it is found in Hume, that Deleuze's statement "We have seen that the response of Hume is simple..." becomes bizarre. Deleuze asks (in our translation): "... what are the principles that constitute the subject in the mind? Under what factor will the mind be transformed / transform itself?" And he replies: "We have seen that the response of Hume is simple: that which transforms the mind into a subject, that which constitutes a subject in the mind, are the principles of human nature." Yet Hume does not use the term 'subject' in this way in the *Treatise* or problematize it as Deleuze does. And it is clear from Deleuze's footnotes that the *Treatise* was his primary reference, and was especially so for the chapter in which this passage appears. We here put a magnifying glass to an act of Deleuzian buggery, in what he makes of Hume's 'subject.'

VI

Deleuze carries over intact from Hume a confidence in the “principles of association of ideas,” given by him as “contiguïté, ressemblance, et causalité,” in organizing the mind.⁵³ He respects Hume also in insisting on priority of “the principle of passion” as “the other kind of affection”:

Association links ideas in the imagination; passion gives a sense to these relations, thus a tendency [*penchant*] to the imagination ... It is because man [*l'homme*] has passions that he associates these ideas; there is thus a double implication of the passions and the association of ideas.⁵⁴

But Deleuze applies this ‘double implication’ in regard to ‘the subject’ in a way that Hume—with his own range of usage of the word ‘subject’—does not. “Ce que nous devons mettre d’abord en lumière,” Deleuze writes in *Empirisme et subjectivité*, “c’est que le sujet, étant l’effet des principes dans l’esprit, n’est rien d’autre que l’esprit comme activé.” / “What we must first bring into light is that the subject, being the effect of the principles in the mind, is nothing other than the mind as activated.”⁵⁵ ‘The subject,’ then, for Deleuze, is identified with—“is nothing other than” / “est rien d’autre que”—“the mind as activated.” But this is not Hume on ‘the subject’; it is Deleuze on ‘the subject’ through Hume, and entails a manoeuvre—a ‘buggery’—surely as audacious as Deleuze’s later claim (in 1981) that “univocity is the keystone of Spinoza’s entire philosophy,” when—as Daniel W. Smith has pointed out—Spinoza himself never used the term.⁵⁶

To reprise the latter part of the above quotation:

The subject is that authority which, under the effect of a principle of utility, pursues a goal, an intention, organizes means in view of an end, and, under the effect of principles of association, establishes relations among ideas. Thus the collection becomes a system. The collection of perceptions becomes a system when these are organized, when these are linked together.

This term ‘system’ will resurface with particular relevance in *Logique du sens*. But bearing note here is that the principles are, in Deleuze’s reading as for Hume himself, active: “les principes d’association ... choisissent les perceptions qui doivent s’unir dans un complexe” / “The principles of association... choose the perceptions that must be unified / unify themselves [*doivent s’unir*] into a complex.”⁵⁷ Here again is the potential for ambiguity in the French reflexive verb as deployed by Deleuze in a text concerning a philosopher whose opening

line in his first book (the *Treatise*) reads: ‘All the perceptions of the human mind *resolve themselves* into two distinct kinds...’ (emphasis added). This is as strong a declaration by Hume, at the outset of the *Treatise*, as Deleuze’s about ‘the great philosopher’ at the outset of *David Hume* (for surely there can be no doubt, at this point, that these words were penned by Deleuze, and not by André Cresson). Hume himself might as well be describing ‘prepersonal singularities’: such possibly was the potential, for Deleuze, contained in this single sentence. Thus it cannot be emphasized too much that the option of translating such verbs in the active as well as passive voice, when they appear—as they frequently do—in Deleuze’s oeuvre, is given credence by Hume’s own phrasing in English at the outset of the *Treatise*, as a text with which Deleuze himself engaged both extensively and early: “All the perceptions of the human mind *resolve themselves* into two distinct kinds ...”⁵⁸ We shall also, in considering *Logique du sens*, see how important is this ambiguity in the reflexive verb to an ontology that invests in “events as jets of singularities [*les événements comme jets de singularités*].”⁵⁹

But Deleuze also describes action of the principles in this way: “Relations are an *effect* of the principles of association. These principles themselves give a constancy to the mind, they naturalize it.”⁶⁰ And while Deleuze persistently references ‘principles’ (plural), he also—as might be anticipated in his calling “relations ... an effect of the principles of association”—seems to follow Hume in privileging, among the three, that of causality (or as Hume describes it “CAUSE or EFFECT”):

Finally, it is necessary to make a place apart for causality. Hume presents to us belief as dependent on two principles: experience and habit. What are these doing on the list? To understand, it is necessary to remember that the principle of causality has not only for effect a relation, but also an inference according to the relation. Causality is the only relation according to which there is an inference.⁶¹

With this last statement on causality and inference, there are grounds for pause of a different sort. For what merits noting is that with this correlation established between ‘causality’ and ‘inference,’ the term ‘inference’ as much as vanishes from Deleuze’s working vocabulary thereafter: not simply within this book, but within his oeuvre. It appears barely at all in *Différence et répétition* of 1968, as Deleuze’s Doctorat d’État and first effort at independently “doing philosophy”: its appearance being precisely in the context of an early discussion of “*expérimentation scientifique*” as involving “*des milieux relativement clos*.”⁶² Likewise, it is present only with brief reference to the aspect of “manifestation” in

propositions in *Logique du sens* of 1969, as a book whose title would seem to invite it.⁶³ And it appears just once in *Qu'est-ce que la philosophie?* of 1991, with reference to the eighteenth century “creation of the great empiricist concepts (association, relation, habit, probability, convention)”: which is to say, Hume.⁶⁴ Deleuze also makes much the same reference in the short text “Hume,” that appears in the fourth volume of François Châtelet’s *Histoire de la philosophie, Les Lumières*, of 1972.⁶⁵

The term ‘inference’ appears, that is, in the context of recapitulation, not active relevance. This in itself distances Deleuze from the approach to Hume characteristically taken in twentieth century Anglo-American thought, with its emphasis on close dialogue between philosophy and science, such that the name ‘Hume’ is tied precisely to what he makes of causality and inference. Instead Deleuze, having studied Hume closely in his own way, and having made clear his familiarity with both the relation causality-inference as developed by Hume, and its ‘special place,’ then himself developed an approach to philosophy largely without building into it resort to the verb ‘infer’ or to the noun ‘inference,’ as mapped by Hume, and referenced by Deleuze himself, in this strict way.

Yet Deleuze does also manage to bugger Hume yet again, regarding the concept of imagination in *Difference and Repetition*, and this bears noting via direct quotation: in this case from the translation by Paul Patton. It is in the contexts of his considering what he calls “Hume’s famous thesis”: that “*Repetition changes nothing in the object repeated, but does change something in the mind which contemplates it.*” Without giving a source,

Hume explains that the independent identical or similar cases are grounded in the imagination. The imagination is defined here as a contractile power: like a sensitive plate, it retains one case when the other appears. It contracts cases, elements, agitations or homogeneous instants and grounds these in an internal qualitative impression endowed with a certain weight. When A appears, we expect B with a force corresponding to the qualitative impression of all the contracted ABs. This is by no means a memory, nor indeed an operation of the understanding: contraction is not a matter of reflection. Properly speaking, it forms a synthesis of time. ... In any case, this synthesis must be given a name: passive synthesis. Although it is constitutive it is not, for all that, active. It is not carried out by the mind, but occurs *in* the mind which contemplates, prior to all memory and all reflection.⁶⁶

Clearly, when Deleuze writes ‘the imagination is defined here as a contractile power...’ this is his own adaptation—or buggery—of Hume on imagination. The tone of categorical declaration is characteristic, even though none of the assertions is testable. And perhaps this is the point. Deleuze draws less on the Hume responsible for a vocabulary of causality, experiment, and inference, than for a vocabulary of ‘imagination’ and—as will be seen— ‘principles of association of ideas’ that include resemblance and contiguity of time and / or space.

Paradoxically, given the intensity of Deleuze’s early focus on Hume, references to him in Deleuze’s subsequent œuvre largely also vanish. The only one of these sustained beyond a few words consists of the chapter-length “Hume,” prepared by Deleuze for the fourth volume of François Châtelet’s *Histoire de la philosophie, Les Lumières*, published in 1972. But this text contains, given the very title of Deleuze’s 1953 book on Hume, its own anomaly of absence, in that the terms ‘subject’ and ‘subjectivity’ do not appear at all. This was also the period of Deleuze’s intense involvement with Félix Guattari toward *Capitalisme et schizophrénie, L’Anti-Œdipe*, which appeared in the same year as Châtelet’s *Histoire* containing “Hume.” In *L’Anti-Œdipe*, the term ‘subject’ is—with no mention of Hume—folded into the Freudian / Lacanian and machinic vocabulary brought by Guattari to the collaboration. So for how “the subject is produced,” Deleuze and Guattari give, as a “point of departure,” “the opposition between desiring machines” (as a term that owes much to Guattari’s 1969 paper “Machine et structure”), and “the body without organs,” (as a term adapted by Deleuze from Antonin Artaud in *Logique du sens*, published also in 1969, and read by Guattari in preparing his paper).⁶⁷ This reconfiguration was by then informed also by Deleuze’s own published ‘portraits’ of Nietzsche, Kant, Bergson, Proust, and Spinoza as well as by both *Différence et répétition* (1968) and *Logique du sens* (1969). In the former, Deleuze provides his most systematic approach to an ontology of ‘univocity,’ in which “Being says itself (*l’Être se dise*) in a single and same sense, of all its individuating differences and intrinsic modalities.”⁶⁸ In the latter, which must qualify as one of the most unusual texts of philosophy ever written, he develops, in elaboration of this ontology, a ‘theory of sense’ that applies, through paradox, to “a world swarming with anonymous and nomadic singularities, impersonal, pre-individual.”⁶⁹

The direction here will be toward *Logique du sens*, where Deleuze’s readings of Lewis Carroll’s “Alice,” Émile Bréhier’s “Stoics,” and Antonin Artaud, figure prominently toward his development of a model of ‘sense production.’ Conditioning this movement will be, first, consideration of what Deleuze does also with Hume’s term ‘association’ in *Empirisme et subjectivité*, and secondly an

assessment in *Qu'est-ce que la philosophie?* that reverberates retrospectively in terms of mapping Deleuze's change of vocabulary in *Logique du sens* back on his earlier work on Hume.

VII

In considering “the conception that Hume gives of society,” Deleuze asserts in the second chapter of *Empirisme et subjectivité* that “the principal idea is this: the essence of society is not the law, but the institution.”⁷⁰ And in considering ‘the institution’ in relation to “the laws of association that regulate the game of the imagination,”⁷¹ he offers the following comment citing not Hume but Henri Bergson. It is given first in French on account of a peculiarity in a crucial sentence, that makes for a *détournement* (or buggery), highly condensed, by Deleuze of Bergson, in service to a wider *détournement* of Hume:

On a vite fait de critiquer l'associationisme; on oublie trop volontiers que l'ethnographie nous y ramène, et que, comme dit encore Bergson, « on rencontre chez les primitifs beaucoup d'interdictions et de prescriptions qui s'expliquent par de vagues associations d'idées ». Ce n'est pas vrai seulement pour les primitifs. Les associations sont vagues, mais en ce sens qu'elles sont particulière et varient d'après les circonstances. L'imagination se révèle comme une véritable production de modèles extrêmement divers : les institutions sont déterminées par les figures que tracent les tendances, selon les circonstances, quand elles se réfléchissent dans l'imagination, dans une imagination soumise aux principes d'association.⁷²

The following is offered as an alternative to the standard translation, noting that Deleuze's use of the pronoun ‘on’ in this passage would seem to make for a pre-eminent early instance of what he would elevate, in the Preface to *Différence et répétition*, to “la splendeur du « ON »,” out of a *credo* that reads: “Nous croyons à un monde où les individuations sont impersonnelles, et les singularités, pré-individuelles” / “We believe in a world where individuations are impersonal, and singularities, pre-individual.”⁷³ Translation of “On” in this passage as the impersonal “one” seems appropriate, even as Deleuze gives “nous” in the objective case. Boundas begins the passage with “We were quick to criticize...”⁷⁴

One was quick to criticize associationism; one forgets too easily that ethnography carries us back to it, and that, as Bergson likewise says, “one

encounters among primitives many interdictions and prescriptions that are explained by vague associations of ideas.” This is not true only for the primitives. Associations are vague, but in this sense that they are particular and vary according to the circumstances. The imagination is revealed /reveals itself (*se révèle*) as a veritable production of extremely diverse models: institutions are determined by the figures that these tendencies trace, in accordance with the circumstances, when they are reflected in the imagination, in an imagination submitted to the principles of association.”⁷⁵

This passage opens—from Deleuze’s European perspective, conditioned by Bergson—terms of engagement with ‘the primitives,’ that will re-manifest in different ways, as an idea that differentiates, across his later œuvre. Deleuze does not footnote the reference to Bergson, as he footnotes references to Hume throughout the book; nor does Boundas source it in the notes to the translation. But worth noting is that the passage appears in Bergson’s last book *Les deux sources de la morale et la religion* of 1932, and that Deleuze, in quoting it without reference, also does not quote its entirety as a sentence, and so adapts it, in a focused instance of his adaptations (or ‘portraits’) of earlier philosophers. That is to say, he leaves out *the terms of judgment*, shown here in bold, with which Bergson’s text concludes the sentence: “On rencontre chez les primitifs beaucoup d’interdictions et de prescriptions qui s’expliquent par de vagues associations d’idées, par la superstition, par l’automatisme” (“by superstition, by automatism”).⁷⁶ In excluding these last two judgment terms, Deleuze leaves the reference both open and neutral: ‘On rencontre chez les primitifs beaucoup d’interdictions et de prescriptions qui s’expliquent par de vagues associations d’idées.’ He also, rather than providing an ellipsis that would indicate the quoted sentence continues in the original (as it does), closes it with a period, as though to imply that this is where it ends in the original (as it does not).

Bergson wrote and published *Les deux sources de la morale et la religion* in the waning years of another empire: the French. The year following its publication, Adolf Hitler, sustained by a mania of ‘vague associations of ideas,’ would become chancellor of Germany, and Europe would enter the second phase of a trajectory, begun with the First World War, of imperial contraction and collapse. It is within the frame of this collapse—both temporal and spatial, and ongoing when Deleuze published *Empirisme et subjectivité* in 1953—that Deleuze opts for this neutrality and openness of possibility, rather than closing the sentence down with terms of confident condescension—‘superstition,’ ‘automatism’—as Bergson’s text of

1932 does. Deleuze then effects a characteristic if subtle *détournement* of just this sentence to include *not only* ‘les primitifs’: ‘Ce n’est pas vrai seulement pour les primitifs. Les associations sont vagues, mais en ce sens qu’elles sont particulières et varient d’après les circonstances.’ / ‘This is not true only for the primitives. Associations are vague, but in this sense that they are particular and vary with the circumstances.’ Boundas here gives ‘Associations are vague, but only in the sense that they are particular and varying according to the circumstances.’ The exclusionary ‘but only’ does not seem justified by ‘mais en ce sens,’ and introduces—like Bergson’s ‘par la superstition, par l’automatisme’ that Deleuze leaves out—a term of judgment. The Boundas translation thereby closes off a sentence that, with different translation—‘but in this sense’ for ‘mais en ce sens’—displays both tentativeness and a certain curiosity: ‘but in this sense that they are particular and vary with the circumstances.’

That Deleuze retains the term ‘primitives’ beyond the quotation marks that enclose the passage from Bergson, with its provenance of relation to the practices and categories of European imperialism, in whose wake anthropology followed, likewise merits pause. He does so in 1953, six years after Claude Lévi-Strauss’s publication of *Les structures élémentaires de la parenté*, that ushered ‘the primitive’ into the vocabulary and method of structuralism. Deleuze ventures, also tentatively at this point, something else: *a continuity with* ‘the primitives’: ‘Ce n’est pas vrai seulement pour les primitifs.’ He also questions Bergson on ‘associationism’: this is implied in “On a vite fait de critiquer l’associationisme ...,” with ‘on’ linked to Bergson via the phrase “comme dit encore Bergson.” Deleuze has gone to Bergson for a concept of ‘associationism’: this is thirteen years before he would publish his monograph *Le Bergsonisme* in 1966.⁷⁷ But what he would have found in the earlier book where Bergson introduces the term ‘associationism’ is its own association, by Bergson, with strict determinism in relation to processes of the mind:

The determinist ... holds that the determination of conscious states by one another is absolute. This is the origin of associationist determinism ... Psychological determinism, in its latest and most precise shape, implies an associationist conception of mind.⁷⁸

But this is not the outrightly manipulative direction in which Deleuze, in *Empirisme et subjectivité*, opts to go with his own reference to ‘associationism.’ As he considers Hume’s principles of association of ideas without full emphasis on causality, so he considers ‘associationism’ without Bergson’s emphasis on

determinism, as well as without Bergson's anchorage in 'the self.' Bergson himself links 'the primitives' with 'interdictions and prescriptions that are explained by vague associations of ideas, by superstition by automatism.' In doing so, he implies that he is outside all of these. Deleuze hesitates to take this step, and moves away also from the precision cultivated by 'associationist determinism.' He instead makes the tentative but important statement: 'This is not true only for the primitives. Associations are vague, but in this sense that they are particular and vary with the circumstances.' Deleuze's introduction of the term 'associationism' does not, then, lead toward a program of controlled experiment, where otherwise 'natural phenomena' are linked through deliberate contiguity—that is to say, a determinism of association—but rather toward 'the imagination': 'The imagination reveals itself / is revealed [*se révèle*; English is lacking the generative ambiguity of the French reflexive verb] as a veritable production of extremely diverse models.'

The word 'production,' lodged in this way in Deleuze's œuvre in 1953, will itself be adapted in 1972 by Deleuze and Guattari in *L'Anti-Edipe*, including in terms of "desiring production" as "pure multiplicity" and "desire as autoproduction of the unconscious."⁷⁹ But a focus for Deleuze in the study of Hume is not 'the unconscious,' as a term unknown to Hume. Rather it is 'the imagination,' as a term that informs Hume's own introduction of the principles of association of ideas, that are described as "capable of conveying the imagination from one idea to another."⁸⁰ 'Institutions are determined,' Deleuze writes, 'by the figures that these tendencies trace, in accordance with the circumstances, when they are reflected in the imagination, in an imagination submitted to the principles of association.' 'The principles of association' are, for Deleuze as for Hume, active. They are also three: not only cause and effect, but also resemblance and contiguity. Deleuze also makes a qualification: "This does not signify that the imagination in its essence is active, but only that it rings out, that it resonates."⁸¹

The term 'resonates (*résonne*)' does not appear in either Hume's *Treatise of Human Nature*, or his *Essay concerning Human Understanding*: it is among Deleuze's supplements to a reading of Hume. But it is also a term that reappears extensively in *Logique du sens*, and how it does provides a pivot of transition between two vocabularies. Travelling in time within Deleuze's œuvre in this way will be assisted by a brief passage that appears even farther along within this œuvre in *Qu'est-ce que la philosophie?* of 1991. Though credited to Deleuze and Guattari, this passage was almost certainly written by Deleuze, speaking directly as it does to his early work on Hume:

We ask only that our ideas link together according to a minimum of constant rules, and the association of ideas has never had any other sense, than to furnish us with these protective rules, resemblance, contiguity, causality, that permit us to put a little order in ideas, to pass from one to another following an order of space and time, preventing our “fantasy” (delirium, madness) from travelling the universe in an instant, producing winged horses and dragons of fire.⁸²

The reference to ‘winged horses and dragons of fire’ recalls Hume on ‘winged horses, fiery dragons, and monstrous giants’ in the *Treatise*.⁸³ But close variants on this combination, as informing Deleuze’s comment on Hume, have also appeared already in both *Empirisme et subjectivité*⁸⁴ and even the chapter-length “Hume” of 1972,⁸⁵ as Deleuze’s chosen means of describing the ‘whimsical [fantaisiste] and delirious’ activity of the imagination in the absence of principles of association. But with the version in *Qu’est-ce que la philosophie?*, direct translation from French is important, in that inexplicably, the standard 1994 English version by Hugh Tomlinson and Graham Burchell *leaves out* the phrase “to pass from one to another following an order of space and time” / “de passer de l’une à l’autre suivant un ordre de l’espace et du temps.”⁸⁶ Thus an English-language reader of *What is Philosophy?*, as their translation, has simply not had access to this phrase in Deleuze’s 1991 reading backward to his work on Hume. Yet the notion of ‘following an order of space and time’ will prove especially important in considering how Hume’s ‘principles of association of ideas’—and in particular ‘resemblance’ and ‘contiguity,’ are conceptually redistributed in *Logique du sens*.

VIII

David Hume rates barely a mention by name in *Logique du sens*, and just a single citation appears in the index of the 1990 English translation by Mark Lester with Charles Stivale, edited by Constantin Boundas.⁸⁷ The referenced passage has, as we shall consider shortly, to do precisely with causation and inference. Yet what we want to suggest here, including via the above passage from *Qu’est-ce que la philosophie?* is that Hume’s ‘principles of association of ideas,’ and in particular resemblance and contiguity, inform and will be of help toward clarifying the concept of ‘quasi-cause’ as developed by Deleuze in *Logique du sens*. Likewise, the concept of quasi-cause may make for somewhat mutated applicability of these principles of association. In *Logique du sens*, as his most stylistically audacious

book, Deleuze invests in a distinctive vocabulary and series structure, announced most prominently by his titling the avant-propos “de Lewis Carroll aux stoïciens” / “from Lewis Carroll to the Stoics,” and concluding it by calling the book that follows “un essai de roman logique et psychanalytique” / “an attempt at a logical and psychoanalytic novel.”⁸⁸ Between these antipodes, he provides a succinct statement of method and objective: “We present some series of paradoxes that form the theory of sense.”⁸⁹ But this is itself enclosed in paradoxes. Why from Lewis Carroll to ‘the Stoics,’ when Carroll (1832-1898) lived hundreds of years after both Greek and Roman Stoics? What is ‘a logical and psychoanalytic novel?’

We will here necessarily consider just one thread within the lush textscape of *Logique du sens*. The “from-to” aspect becomes less paradoxical with recognition of the extent to which Deleuze in the text that follows relies on Émile Bréhier’s 1905 dissertation *La Théorie des incorporels dans l’ancien stoïcisme* for his account of ‘the Stoics’ and in particular for a distinction between corporeal bodies, that interact causally, and incorporeal events, that, as “surface effects,” do not.⁹⁰ Deleuze has here moved far beyond his bending of Hume to describe ‘the subject’ as ‘that authority [instance] which, under the effect of a principle of utility, pursues a goal, an intention, organizes means in view of an end, and, under the effect of principles of association, establishes relations among ideas.’ Instead, he invites his reader to a “new discourse,” of which he states:

...the subject of this new discourse, but there is no longer a subject, is not man or God, and even less man in the place of God. It is [the] free singularity, anonymous and nomadic, that traverses [parcourt] as much men, plants, and animals independently of matters of their individuation and the forms of their personality... A strange discourse that should have renewed philosophy, and at last treat sense [sens] not as a predicate or property, but as event.⁹¹

It is this marginalization, overthrow, and dissolution of ‘the subject,’ joined with foregrounding of the ‘event’ in relation to ‘sense’ which help make of *Logique du sens* an especially ferocious instrument toward reconfiguration also of experience and perception. Where causal relations apply, for Deleuze of *Logique du sens*, is in regard to bodies, transposed from relations of “objects” as famously illustrated by Hume in both the *Treatise* and the *Essay Concerning Human Understanding* (1748) with the example of billiard balls.⁹² And it is the principle of cause and effect, identified as a principle of the association of ideas, that makes for Deleuze’s single explicit acknowledgement of Hume in *Logique du sens*: “Hume saw this

profoundly: in the association from cause to effect, it is ‘the inference according to the relation’ that precedes the relation itself.”⁹³ But Deleuze gives a twist to this assessment in *Logique du sens*, bringing to it also a relation between bodies and ‘incorporeals’ as events that he attributes to ‘the Stoics,’ but that owes much to Bréhier’s *Théorie des incorporels dans l’ancien stoïcisme*. This Deleuze inhabits and digests as he inhabits and digests Hume, equating ‘incorporeals’ as ‘effects’ with both ‘the ideational (l’idéal)’ and ‘surface events (des événements incorporels à la surface).’ He asserts that:

Incorporeal effects are never themselves causes in relation to one another, but only “quasi-causes,” following laws that express perhaps in each case the relative unity or the mixture of bodies on which they depend as their real causes.⁹⁴

Deleuze conjures rather than draws the term ‘quasi-cause’ out of his reading of ‘the Stoics’ and Bréhier, for, as with ‘subjectivity’ and Hume, it is to be found in neither. But in *Logique du sens*, Deleuze affirms also ‘the Stoics’ cleavage between bodies and ‘incorporeals,’ and an identification of ‘incorporeals’ with ‘surface events,’ that are in ‘quasi-causal’ rather than causal relation with one another. And here is the crucial point. In doing so, he invites a transposition out of both his earlier study of Hume, and his later comprehensive reminder, in *Qu’est-ce que la philosophie?*, that ‘the association of ideas has never had any other sense, than to furnish us with these protective rules, resemblance, contiguity, causality.’ For if ‘the association of ideas has *never* had any other sense, than to furnish us with *these* protective rules’ (emphases added), and relations of bodies are to do with the principle (or protective rule) of causality, then what follows is that in relations of ‘quasi-causality’ among incorporeals as well as in ‘permit[ting] us to put a little order in ideas, to pass from one to another following *an* order of space and time’ (emphasis added) are the remaining two: resemblance and contiguity. And as it is possible to cross-reference forward here in Deleuze, from *Logique du sens* (1969) to *Qu’est-ce que la philosophie?* (1991), it is also possible to cross-reference back, to *Empirisme et subjectivité* (1953), where Deleuze *anticipates* the kind of relationality that in *Logique du sens* he would identify with the term ‘quasi-cause’: “the imagination in its essence ... resonates.”⁹⁵

Deleuze brings this term ‘resonance’ to *Logique du sens* (1969) and there puts it into relation with ‘the Stoic’/ Bréhier vocabulary of ‘incorporeals’ and his own term ‘quasi-cause,’ with again in the background Hume’s ‘principles of association of ideas.’ He gives a two-fold description of ‘the event’ with—again—an ambiguity

in French:

And above all, in one case, we connect the event to its corporeal causes and to their physical unity; in the other case, we connect the event to its incorporeal quasi-cause, causality that it gathers and makes resonate in the production of its own effectuation.⁹⁶

The Lester / Stivale / Boundas translation gives, for Deleuze's blunt apposition, without an article, of the word 'causality [causalité]' after the phrase 'incorporeal quasi-cause [quasi-cause incorporelle],' a phrase instead of a word: 'the kind of causality.' The urge to qualify is understandable: is 'quasi-cause' 'causality' in Hume's sense of the term or not? No, Deleuze tells us: "Events are never causes of one another, but enter into relations of quasi-causality, unreal and ghostly causality that does not cease to return in the two senses."⁹⁷ And what are "the two senses?"

Sense is that which is formed and deployed [se forme et se déploie; the reflexive verb again] at the surface. Even the frontier is not a separation, but rather the element of an articulation, such that sense is presented [se présente] *both* as that which happens to bodies and that which insists in propositions.⁹⁸

Deleuze acknowledges the multiple senses of the word 'sens,' which can also draw in both 'direction' and 'meaning' in English. However: 'only incorporeal events constitute expressed sense.' With these terms established, Deleuze distills the following question and answer:

The question becomes: what are these expressive relations of events among themselves? ... They are not relations of cause and effect, but an ensemble of non-causal correspondences, forming a system of echoes, of reprises, and of resonances, a system of signs, in short, an expressive quasi-causality, and not at all a necessitating causality.⁹⁹

'Non-causal correspondences' are, again, remindful of Hume's other two 'principles of association of ideas': resemblance and contiguity of time or place, that—though marginalized in experimental science—nevertheless, like 'causality,' 'permit us to put a little order in ideas, to pass from one to another following an order of space and time...' But here they are invited into application not to ideas, but to 'expressive relations of events among themselves.'

This is a very different notion of ‘associationism’ from that related by Bergson to calculated experiment and ‘determinism,’ in that ‘events’ outside the laboratory are neither predictable nor controllable in such a way. “*An order of space and time*” is presented by Deleuze as an alternative to ‘fantasy’ (delirium, madness)... “travelling the universe in an instant, producing winged horses and dragons of fire.”¹⁰⁰ This correlation can be carried in multiple directions that can only be suggested here. ‘*An order of space and time*’ does not imply—indeed it discourages—investment in any particular order of space and time as definitive. ‘*An order of space and time*’ also correlates, however, with Deleuze’s own association, in the late essay “*Ce que les enfants disent,*” of ‘the libido’ with the indefinite article:

That which concerns the libido, that which the libido invests, presents itself with (*se présente avec*) an indefinite article, or rather is presented by (*est présenté par*) the indefinite article: *an* animal as qualification of a becoming or specification of a trajectory (*a* horse, *a* chicken...); a body or an organ as power (*pouvoir*) to affect or to be affected (*a* stomach, *some* eyes...) ...¹⁰¹

Bearing emphasis here is that ‘the libido’ as presented in this passage has little to do with ‘the unconscious’ as personal. Rather for Deleuze of 1993:

It is the peculiarity of the libido to haunt history and geography, to organize formations of worlds and of constellations of the universe, to derive the continents, to people them with races, tribes, and nations... The libido has not metamorphoses but world-historical trajectories.¹⁰²

So expansive a notion of ‘the libido’ also carries Deleuze, in this same essay, to revisiting the ‘primitives’ who, in *Empirisme et subjectivité* of forty years earlier, make for his selective quotation of Bergson to exclude linkage of ‘vague associations of ideas’ with—as given by Bergson—‘superstition’: ‘one encounters among primitives many interdictions and prescriptions that are explained by vague associations of ideas. This is not true only of the primitives...’ In “*Ce que les enfants disent,*” return to ‘the primitives’ is via Australian aborigines, as considered by Barbara Glowczewski in her then recent *Du rêve à la loi chez les Aborigènes*.¹⁰³ “Thus the aborigines of Australia,” Deleuze tells us, “combine nomadic itineraries and dream voyages which together compose ‘an intermingling of courses,’ ‘in an immense cut of space and time that it necessary to read like a map’.”¹⁰⁴ Such an ‘intermingling of courses [entremailage de parcours],’ combining ‘nomadic itineraries and dream voyages,’ itself recalls Deleuze’s casting, in *Logique du sens*,

of ‘expressive relations of events among themselves’ in terms of “an ensemble of non-causal correspondences, forming a system of echoes, of reprises, and of resonances, a system of signs, in short, an expressive quasi-causality, and not at all a necessitating causality.”¹⁰⁵ And both hearken back still further to his casting, in *Empirisme et subjectivité*, of ‘institutions’ as “determined by the figures traced” by associative “tendencies... in an imagination submitted to the principles of association,”¹⁰⁶ and that ‘resonates’. We may add, retrieving the phrase left out of the standard translation of *Qu’est-ce que la philosophie?*, “following an order of space and time.”¹⁰⁷ How such a notion of ‘following’ might bear on ‘expressive relations of events among themselves’ seems itself a question worth considering.

‘Following’ in this way also invites being carried back to the very paragraph, disavowed in most lists of his published works, by which Gilles Deleuze introduced himself in book form in 1952, with an assessment of ‘the great philosopher.’ For if it is ‘in the events of a great philosopher’ that ‘one can read an entire conception of existence, involuntary, immediate,’ and so ‘an implicit philosophy,’ and if events are related not causally but ‘quasi-causally,’ with the concept of quasi-cause circling back to Hume on resemblance and contiguity of time or place, then precisely such odd resemblances and contiguities as those exhibited by what Roffe calls ‘pleasing’ symmetries in Deleuze’s approach to Hume may themselves invite more careful attention. That Deleuze became ‘a great philosopher,’ in the tradition within which he trained and which he so meticulously adapted, there can be no doubt. But with this carefully crafted paragraph, made public at the age Hume was when he published the *Treatise*, Deleuze both offers and implicitly licenses expansive terms of retrospective consideration, including of himself as ‘great philosopher’ (who ‘is also always something other than a great philosopher’). And might such ‘symmetries’ themselves hint at ‘an implicit philosophy,’ and even ‘an entire conception of existence’ not usually linked with the name “Deleuze”?

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NOTES

1. Most recently published in 2013 (Deleuze, Gilles, *Lettres et autres textes*. Ed. David Lapouade. Paris: Éditions de Minuit, 2013), are two short texts: an outline for a “Cours sur Hume” in 1957-8 (121-68) and notes for a “Cours d’aggregation: les *Dialogues de la religion naturelle* de Hume. These are not among texts considered here.
2. Deleuze, Gilles, *Logique du sens*. Paris : Éditions de Minuit, 1969, 23.
3. Bell, Jeffrey. *Deleuze’s Hume*. Edinburgh : Edinburgh University Press, 2009, 1 ; Roffe, Jon. *Gilles Deleuze’s Empiricism and Subjectivity*. Edinburgh: Edinburgh University Press, 2016, xi.
4. Hume, David, *A Treatise of Human Nature: A Critical Edition*, Volume Two. Ed. D.F. Norton and M.J. Norton. Oxford: Clarendon Press, 2011, 452.
5. Deleuze, Gilles, “Préface pour l’édition américaine de *Empirisme et subjectivité*.” *Deux régimes de fous*. Ed. David Lapoujade. Paris: Les Éditions de Minuit, 2003, 340. Translations from the French are, unless otherwise noted, my own.
6. Hume, David, *A Treatise of Human Nature*. London: Penguin, 1969, 49.
7. *ibid.*, 306.
8. *ibid.*, 58.
9. *ibid.*, 156; emphasis added.
10. *ibid.*, 56.
11. *ibid.*, 56-57
12. *ibid.*, 56-57; emphasis in the text.
13. *ibid.*, 56-57.
14. *ibid.*, 58.
15. *Ibid.*, 58.
16. *ibid.*, 231.
17. *ibid.*, 231.
18. *ibid.*, 157.
19. *ibid.*, 295.
20. *ibid.*, 154.
21. *ibid.*, 157.
22. *ibid.*, 157, 368.
23. *ibid.*, 160.
24. *ibid.*, 158.
25. *ibid.*, 159; emphasis in the text.
26. *Ibid.*, 159.
27. *ibid.*, 273-74.
28. The symmetry and resonance of the relation Hume / Deleuze includes not only publication of a first independently authored book of philosophy at age twenty eight (with Deleuze’s on

Hume), but publication of a second such after a nine-year hiatus from book-length ventures: in Hume's case *An Enquiry concerning Human Understanding* in 1748, and in Deleuze's *Nietzsche et la philosophie* in 1962. Moreover Deleuze's 1962 book on Nietzsche was followed three years later by another, much shorter book, called simply *Nietzsche*, as a new work on the philosopher for the Philosophes series, thereby effectively displacing Cresson's book on *Nietzsche*, done for the same series, in 1942. This effected a reversal in the pattern of the two Hume books of 1952 and 1953.

29. See Dosse, 119.

30. Deleuze, Gilles, *Logique du sens*. Paris : Éditions de Minuit, 1969, 2.

31. Deleuze, Gilles and Félix Guattari, *Qu'est-ce que la philosophie?* Paris : Les Éditions de Minuit, 1991, 55. See also Dosse, François, *Gilles Deleuze & Félix Guattari: Intersecting Lives*. Trans. Deborah Glassman. New York: Columbia University Press, 2010, 108.

32. Roffe, xi.

33. David Hume, *A Treatise of Human Nature*, Volume II. Ed. David Norton and Mary Norton. Oxford: Clarendon Press, 2011, 489.

34. Gilles Deleuze and André Cresson. *David Hume, Sa vie Son œuvre Sa philosophie*. Paris: Presses Universitaires de France, 1952, 1

35. Deleuze, *Logique du sens*, 198-199.

36. Roffe xiv.

37. Deleuze, Gilles, *Pourparlers*. Paris: Éditions de Minuit, 1990, 15.

38. Deleuze and Guattari, 1991 10. Questions of attribution arise in *Qu'est-ce que la philosophie?* in ways that they do not in earlier works by Deleuze and Guattari. François Dosse asserts in his joint biography that *Qu'est-ce que la philosophie?* "was manifestly written by Deleuze alone, but he agreed to a coauthor credit with Guattari, as a tribute to their exceptionally intense friendship, suggesting too that the ideas developed in the book and its language were the fruit of their common endeavour since 1969" (Dosse 2010 456). Certainly it does seem fair to attribute to Deleuze sections that hearken directly to his earlier work

39. Deleuze, *Deux régimes de fous*, 219.

40. Hume, *Treatise*, 35.

41. *ibid.*, 44.

42. *ibid.*, 509.

43. *ibid.*, 590.

44. *ibid.*, 590.

45. Roffe, 8.

46. Hume, *Treatise*, 300. (emphasis added).

47. Deleuze, Gilles, *Empirisme et subjectivité, Essai sur la nature humaine selon Hume*. Paris: Presses Universitaires de France, 1953, 108. Also Deleuze, Gilles, *Empiricism and subjectivity: An Essay on Hume's Theory of Human Nature*. Trans. Constantin V. Boundas. New York : Columbia University Press, 1991, 98.

48. Deleuze, *Empirisme et subjectivité*, 98.
49. *ibid.*, 109.
50. *ibid.*, 109; emphases in the text.
51. Atkins, Beryl et al. *Collins-Robert French-English / English-French Dictionary*. Second Edition. Paris: Dictionnaires de Robert, 1987, 377.
52. Deleuze, *Empirisme et subjectivité*, 109; emphases in the text.
53. *ibid.*, 112.
54. *ibid.*, 127.
55. *ibid.*, 58. Boundas gives “nothing but the mind as activated,” which is questionable from the French “n’est rien d’autre que l’esprit comme activé.”
56. Smith, Daniel W., *Essays on Deleuze*. Edinburgh: Edinburgh University Press, 2012, 170; Deleuze 1988, 63
57. Deleuze, *Empirisme et subjectivité*, 128.
58. Hume, *Treatise*, 49; emphasis added.
59. Deleuze, Gilles, *Logique du sens*. Paris : Les Éditions de Minuit, 1969, 69.
60. Deleuze, *Empirisme et subjectivité*, 112; emphasis in the text. Boundas gives “the effect” for the French “un effet”; Deleuze, *Empiricism and Subjectivity*, 100.
61. Deleuze, *Empirisme et subjectivité*, 131.
62. Deleuze, *Différence et répétition*. Paris : Presses Universitaires de France, 1968, 9.
63. Deleuze, *Logique du sens*, 23.
64. Deleuze and Guattari, *Qu’est-ce que la philosophie?*, 54.
65. See Deleuze, Gilles. “Hume” in *Pure Immanence, Essays on a Life*. Trans. Anne Boyman. New York: 2001.
66. Deleuze, Gilles. *Différence and Repetition*. Trans. Paul Patton. London: Continuum, 2004, 70.
67. Deleuze, Gilles and Félix Guattari, *Capitalisme et schizophrénie: L’Anti-Œdipe*. Paris: Les Éditions de Minuit, 1972, 23; *Anti-Oedipus: Capitalism and Schizophrenia*. Trans. Robert Hurley, Helen Lane, Mark Seem. Minneapolis: University of Minnesota Press, 1977, 17; Guattari, Félix. “Machine and Structure” (1969) in *Molecular Revolution: Psychiatry and Politics*. Trans. Rosemary Sheed. London: Peregrine, 1984, 114; Deleuze, *Logique du sens*, 108; Dosse, *Intersecting Lives*, 223.
68. Deleuze, *Différence et répétition*, 53.
69. Deleuze, *Logique du sens*, 125.
70. Deleuze, *Empirisme et subjectivité*, 34. Roffe considers Deleuze (on Hume) on “institutions” page 47 and following. Bell provides his own reading of same on pages 17 and 97 of *Deleuze’s Hume*.
71. *ibid.*, 38.
72. *ibid.*, 39.
73. Deleuze, Gilles, *Différence et répétition*. Paris: Presses Universitaires de France, 1968, 4.
74. Deleuze, *Empiricism and Subjectivity*, 48.

- 75 Deleuze, *Empirisme et subjectivité*, 38.
- 76 Bergson, *Les deux sources de la morale et la religion*. Paris : Presses Universitaires de France, 1932, 12.
- 77 Deleuze, Gilles. *Le Bergsonisme*. Paris : Presses Universitaires de France, 1966.
- 78 Bergson, *Time and Free Will : An Essay on the Immediate Data of Consciousness*. Trans. F.L. Pogson. London : George Allen and Unwin, 1910, 148, 155.
- 79 Deleuze and Guattari, *L'Anti-Édipe*, 50, 34.
- 80 Hume, *Treatise*, 156.
- 81 Deleuze, *Empirisme et subjectivité*, 39.
- 82 Deleuze and Guattari, *Qu'est-ce que la philosophie?*, 189.
- 83 Hume, *Treatise*, 57.
- 84 Deleuze, *Empirisme et subjectivité*, 4; *Empiricism and Subjectivity*, 23.
- 85 Deleuze, Gilles, "Hume," in *L'Île déserte, textes et entretiens*. Ed. David Lapoujade. Paris : Éditions de Minuit, 2002, 230.
- 86 The original French for this passage reads, on page 189 of the 2005 Éditions de Minuit edition of *Qu'est-ce que la philosophie?*:
 Nous demandons seulement que nos idées s'enchaînent suivant un minimum de règles constantes, et l'association des idées n'a jamais eu d'autre sens, nous fournir ces règles protectrices, ressemblance, contiguïté, causalité, qui nous permettent de mettre un peu d'ordre dans les idées, de passer de l'une à l'autre suivant un ordre de l'espace et du temps, empêchant notre « fantaisie » (le délire, la folie) de parcourir l'univers dans l'instant pour y engendrer des chevaux ailés et des dragons de feu.
- The phrase missing from the Tomlinson / Burchell translation (Deleuze and Guattari 1994 201) is underlined.
- 87 The French Minuit edition of 1969 came without an index. A second reference to Hume in the index of the English translation pertains to an appendix, "The Simulacrum and Ancient Philosophy."
- 88 Deleuze *Logique du sens*, 7. The Lester / Stivale /Boundas translation gives for the phrase "un essai de roman logique et psychanalytique" the English "an attempt to develop a logical and psychological novel" (Deleuze 1991 xiii). As this account provides a hinge of transition between the avant-propos and the opening series of *Logique du sens*, and is Deleuze's summing up of the former toward the latter, the English "psychological" for the French "psychanalytique" bears pointing out as misleading.
- 89 *ibid.*, 7.
- 90 Bréhier, Émile. *La Théorie des incorporels dans l'ancien stoïcisme*. Paris: A. Picard, 1907.
- 91 Deleuze, *Logique du sens*, 130.
- 92 Hume, *Treatise*, 223; and Hume, David, *An Enquiry concerning Human Understanding*. Ed. Tom Beauchamp. Oxford: Oxford University Press, 1999, 111.

93. Deleuze, *Logique du sens*, 1969 23.
94. *ibid.*, 15.
95. Deleuze, *Empirisme et subjectivité*, 39.
96. Deleuze, *Logique du sens*, 169. The French reads : “Et surtout, dans un cas l’on rattache l’événement à ses causes corporelles et à leur unité physique; dans l’autre cas, on rattache l’événement à sa quasi-cause incorporelle, causalité qu’il recueille et fait résonner dans la production de sa propre effectuation.”
97. *ibid.*, 46.
98. *ibid.*, 151; emphasis added.
99. *ibid.*, 170.
100. Deleuze and Guattari, *Qu’est-ce que la philosophie?*, 189.
101. Deleuze, *Critique et clinique*. Paris: Éditions de Minuit, 1993, 86.
102. *ibid.*, 82-83.
103. Glowczewski, Barbara. *Du rêve à la loi chez les Aborigènes : Mythes, rites, et organisation sociale en Australie*. Paris: Presses Universitaires de France, 1991.
104. *ibid.*, 83.
105. Deleuze, *Logique du sens*, 199.
106. Deleuze, *Empirisme et subjectivité*, 39.
107. Deleuze and Guattari, *Qu’est-ce que la philosophie?*, 189.

**transcendence through
language: emmanuel levinas
and the philosophical
approach to ethics**

jordan glass

1. BEYOND TOTALITY AND INFINITY

Following the publication of *Totality and Infinity*, Emmanuel Levinas published many articles in which he developed a new set of terms that receive their ultimate exposition in his 1974 *Otherwise than Being or Beyond Essence*. These terms intended to better describe the meaning of transcendence, ethics, the good, language, and the relation to the other—as Levinas makes clear was his concern throughout his work.¹

One of the very central questions left over from *Totality and Infinity*—or at least a question whose answer given there did not satisfy its author—is how the ethical relation works across language: How can one be in relation to the singular,

transcendent other without the other being reduced to phenomenality or the Same? While insisting that language constitutes the relation with the other and that the face, as pure *expression*, institutes language, Levinas also denied that the other is revealed in the content of language. The other has always already “quit the theme that encompassed him and upsurges inevitably behind the said”;² and, more radically, “language would consist in suppressing the other, in making the other accord with the same” (*TI*, 73). This is not just a problem of language, however, but of thought and experience as a whole. It is not clear how alterity can be revealed in experience without being divested of its alterity.³

After *Totality and Infinity*, Levinas discovers that, in order to speak of a transcendent other that escapes immanence, he requires recourse to that which is beyond being or beings, beyond strictly phenomenological experience. Before the self becomes (self-)consciousness, before the advent of intentionality and comprehension, before the self can act autonomously as an ego or a subject, it has already been affected by alterity. “To not be able to enter into a theme [...], invisibility [or alterity... is due to] the excess of a signification that comes from beyond the signification that the being of beings makes shine.”⁴ It is by way of this *beyond-being* that the transcendent, ethical order affects the immanent ontological order without being reduced to the latter. Levinas explains the relation between a beyond-being and phenomenological existence by way of language. Language has two facets: the *Saying*, the ethical or transcendent dimension of language, and the *Said*, the ontological dimension.

The Said refers to the intelligible, signified content of language (that which is designated by a noun or described by a proposition). It also refers to the way in which the meaning of individual beings is dependent on their verbal resonance in being. Levinas understands such meaning to be beholden to the totality of the ontological order. By contrast, the *Saying*, the ethical dimension of language, is not captured in the representational, objective, or conceptual contents of linguistic expression. “Saying” does not refer to the proposition, nor to semantic or thematic content. Is the *Saying* perhaps a kind of speech act or a performative? This is sometimes claimed.⁵ However, already in his 1961 *Totality and Infinity*, transcendence or the ethical relation implied a radical separation of “language [in its ethical meaning] and activity,” as well as a radical separation between “[ethical] expression and work, in spite of the whole practical side of language” and its important ontological implications (*TI*, 205). That is, the spoken word itself, or the linguistic act, does not of itself always serve the ethical or transcendent moment of language. The spoken word “can express in the sense that implements,

clothing, and gestures express. In its way of articulating, by way of style, speech signifies as an activity and as a product [...]. From my speech-activity I absent myself, as I am missing from all my products" (TI, 182). That is, even if the ethical moment of language never passes without some kind of speech act or linguistic activity, it is not reducible to these.

The accounts given in *Totality and Infinity* and in *Otherwise than Being or Beyond Essence* are different; and it is a matter of some debate how or whether the earlier and later accounts are compatible with one another.⁶ However, Levinas already insists in *Totality and Infinity* that the other cannot be contained in any discourse; so we are faced with a more pressing question: How is *any* description of the ethical relation adequate to the transcendent relation itself? How do philosophical descriptions relate at all to ethical responsibility, engagement, or accomplishment? How do ontology, critique, conceptuality, and so on, have any positive bearing on the transcendent relation and ethical responsibility, for Levinas, given the inability of intelligible language to touch on ethical meaning? Why study, read, write, discuss, and debate?⁷ Why does Levinas do so given the way he characterizes the philosophical tradition as ontology, egoism, vanity, and tragedy? The fact that the Saying cannot exactly be an action or a performative act redoubles the difficulty of how language in any practical sense is supposed to evoke or respond to ethical meaning.

In fact, there are two slightly different problems here that are often conflated. The first problem (to which Levinas' analyses are often reduced) is that the meaning of the Saying—the transcendent relation to the other—cannot be conveyed or communicated in ontological or conceptually-intelligible terms. It cannot be described. The second and more difficult problem is that ethical meaning, or the Saying, cannot be manifest in phenomenological experience at all. That is, not only can we not adequately describe the Saying or the transcendent other, we cannot adequately think about or experience these phenomenologically. In fact, when we see the complicity of the Said and phenomenological experience, we will see that the first problem is closely associated with the second problem. Being unable to express the other in language and being unable to experience alterity are reciprocal problems. Neglecting a careful analysis of Levinas' view of language has sometimes masked the ultimate problem that Levinas proposes. It is not simply that philosophy (which he tends conflate with ontology) is only somewhat ill-suited for describing transcendence. Rather, it is not clear how ethical meaning enters into experience at all. Moreover, his philosophical solutions to this problem raise as many questions as they answer.

This article will serve to outline Levinas' later approach to language and transcendence, especially in the way these culminate in a model of meaning explained in terms of the Saying and the Said. This will show why phenomenological experience tends to preclude otherness as well as the difficulty imposed when trying to approach ethics with philosophical tools. It will also show how problematic Levinas' own position is given that, in showing that philosophy is inherently inappropriate for approaching ethical meaning, he has recourse to philosophy. Various theoretical accounts of the Saying, as well as proposals for how one can practically evoke ethical meaning or assume one's responsibility, will be evaluated.

2. KERYGMATIC LANGUAGE AND PHENOMENA AS DISCOURSE: LA PAROLE-PENSANTE

Levinas takes up his arguments following *Totality and Infinity* in "Meaning and Sense" (1964). He begins the article by remarking the discrepancy between so-called objective givens, *la donnée*, on the one hand, and meaning or signification, on the other. For example, the rectangular, solid object that one encounters is not a 'book' because of anything given immediately in 'pure' sensible intuition. It is a book insofar as it carries one's "thought toward other data, still or already absent—toward the author that writes, the readers that read, the shelves that store," and so on.⁸ In this sense, intuited objects would not be given "in a Euclidean space in which they could be exposed, each on its own account, directly visible, signifying by itself" (*BPW*, 37). Intuition or perception are not, to begin with, a question of pure vision and spatiality. Rather the givens of intuition, perception, or consciousness, "require that the given first be placed in an illuminated horizon" (*BPW*, 36). I.e., phenomenological experience is not reducible to a simple empiricism or rationalism, conceived either in terms of geometric space or geometric reasoning. A given object or signification receives its meaning from a whole, from a horizon, or from what Levinas calls "totality."

Levinas explains this complicity of meaning, being, and totality by way of language. In all experience, he says, the multiplicity and disparate givens of sensible intuition are synchronized in a "Story," into theme and identity (*CPP*, 109). Experience is already the experience of things against a horizon by way of which they receive their identity. Intuition or the identification of the givens of experience, then, "does not consist in perceiving *this* or *that*, but in 'understanding,' in 'claiming' ["*prétendre*"] [...] *this as this* and *that as that*" (*ibid*). One does not see a rectangular

object. One sees a thing that is a book (as something authored, as something one can read, etc.), or a thing that might turn out not to be a book; but one never sees a 'pure' geometric shape stripped of any other significance. This *as* a book; that *as* not a book. "The formula 'something *as* something' is Heideggerian [...]. This understanding *as*... is the origin of consciousness qua consciousness. Every problem of the true and the false presupposes this *understanding* of meaning. Without it there would be no consciousness of something. It is a priori" (CPP, 111). Experience is structured to lend itself to claims and propositions that can be true and false. That is, phenomenological intuition, our basic way of experiencing the world, imposes *comprehension* as the most basic and most important means of relating to the world.

More strongly, however, this way of experiencing things phenomenologically does not just lend itself to propositions. Experience itself has a linguistic character. "This as that,' is not lived; it is said."⁹ "Narrative—and consequently verbal, linguistic—intentionality is essential to thought as much as thought is thematization and identification [...]. [I]dentification of the given in experience is a pure claim."¹⁰ Manifestation and intuition are themselves *discursive*. Sensible intuition already conforms to language: to nouns, terms, and predication. 'Things', if one can put it this way, are already experienced as the subjects and objects of propositions, affirmations, judgements, and questions. Levinas now calls this character of being and experience an *ideality* "set up by virtue of the *kerygmatic* word [*verbe kerygmaticque*]" (CPP, 111), where "the a priori-ness of the a priori is a *kerygma*, which is neither a form of imagination nor a form of perception" (ibid). Levinas' use of the term *kerygma* refers to its Greek root, 'to proclaim,' and indicates the complicity of language in phenomenological intuition. Levinas claims that "[t]he very exposition of being, its manifestation, essence qua essence and entities qua entities, are spoken" (OB, 37); and he therefore refers to the ensemble of *kerygmatic* language and its constitutive characteristics as "the thinking word [*parole pensante*]."¹¹ Word, thought, and being, are from the beginning complicit such that "the phenomenon itself is phenomenology." Experience is already beholden to the *logos*. "[T]he appearing of a phenomenon is already a discourse," already conforming to ideal thought and the *kerygmatic* word; and vice versa (OB, 104).

This *kerygmatic*-ideal identification of objects is not a simple psychological tendency to find patterns. Generalizations "do not have to be justified before any instance" (CPP, 112). Levinas is not talking about induction. Rather, experience itself is given as a kind of generalized ideality: "the exhibition that being involves

[...] proceeds from the *understanding*, the faculty of understanding a priori *this as this* or *as that*" (ibid). The first appearance of a thing already appears implicitly as something to be judged as true or false, as truly this or that. Levinas also refers to this structure as the *déjà-dit*, the already-said, the fact that everything fits into a 'system' or 'structure' of *kerygmatic* language (OB, 36).

This experience in terms of the *fable* or *story*, this fabulous character of the "mysterious schematism of an already said, an antecedent *doxa*," by which everything finds its place in the structure of language, is itself the condition of "every relationship between the universal and the individual" (OB, 35). To say that everything is arranged into identities, into ideal accounts, already into relations between the universal and the individual, is only to say again that the particular is already derivative of the totality, of *kerygmatic* language and the already-said. The book is understood in terms of the totality of meanings into which it fits; and it is understood *as a book*, as a thing of the ideal type, 'book'. "[N]othing real, however rigorously individuated it be, could appear outside of ideality and universality" (CPP, 115). "Thought can therefore reach the individual only through the detour of the universal"—through the *a priori* structure of *kerygmatic* language and intuition. "For philosophy as a discourse, the universal precedes the individual; it is, in every sense of the term, a priori" (CPP, 113).

This claim is important for showing that the difference between ontology and ethics, for Levinas, cannot simply be a spontaneous choice to 'speak ethically' instead of 'ontologically'. Phenomenological experience *is* ontological. Language and sensible intuition themselves tend toward ontology and a universality that effaces singularity.¹² And since manifestation is already a question of judgement or proposition, of the *kerygmatic* nature of language and thought, *the manifestation of beings is already implicated in doxic, kerygmatic language that cannot present any singular meaning*. The other cannot appear in experience without being reduced to the sameness or 'universality' of being, and nor can any other entity.

Levinas does not intend to peek behind phenomenality in order to find a 'truer' reality or a truer entity. From a philosophical perspective, "the authority of intuition rests on this *as*, on this meaning behind which one cannot reasonably seek anything further" (CPP, 110). To seek a 'truer' being would only amount to a more comprehensive ontology which would present the same ethical problems. His own project of a "reduction" from the phenomenological to the ethical, "the going back to the hither side of being, to the hither side of the Said [...]" could nowise mean a rectification of one ontology by another, the passage from some

apparent world to a more real world.”¹³ At the same time, this description of being and experience on behalf of Western thought neither decisively proves nor disproves the validity of transcendent meaning and the personal, ethical order that Levinas had argued for since the late 1940s.

3. BEING AND BEINGS: APOPHANSIS, AMPHIBOLOGY, AND THE VERBALITY OF BEING

How to approach transcendence, then? Any recourse to beings will imply universality. Particularity, both in language and in sensible or phenomenological intuition, passes through the universal and suppresses alterity or singularity. Discourse belongs to an already-said. Could *being* itself, then, present another possibility? Is there an ‘experience’ of or relation to being that constitutes transcendence? To ask about this requires some account of the “verbal” aspect of being: not the nominalization of entities and their identification, but the way in which such the intuition of phenomena is made possible through the essence of being.

Levinas proposes an analysis of the verbal or temporal character of being. The “temporalization of time—the openness by which sensation manifests,” it is true, “is not an event, nor an action, nor the effect of a cause. It is the verb *to be*” (OB, 34). That is, the *being* of entities, their duration or temporality, being itself, is not *a* being. It is not the referent of a noun (as are entities within being). The being of beings is verballity. This verb “understood as a noun designating an event” would make the verballity—or the temporality—of being seem like an ‘event,’ like a kind of thing; but strictly speaking, an “event” that could be designated with a word or a noun rather *presupposes* this verballity of being (ibid). However, beyond the way in which a verb might stand for the name of an event or an action, “[l]anguage issued from the verbalness of a verb [does not] only consist in making being understood, but also in making its essence vibrate” (OB, 35). Language is not only a system of signs then, even if it always goes along with one. The doxic or *kerygmatic* character of language has its origin in the verballity of being which allows substantives to resonate verbally, to resonate in time. “Language would rather be an excrescence of the verb” (ibid). So the verballity of being at first glance appears to make possible a different kind of meaning from the *kerygmatic* language and phenomenality seen until now. How, then, are the nominal and verbal aspects of language and being different, and how are they related?

Levinas shows the intimate relation between the nominal and the verbal, or between beings and being, by example of tautological predication. To say A, to suppose that A has an identity, is equivalent to saying that “A is A.” It already implies the essentially verbal nature of being. To refer to “red,” to say that “red is red,” is to put an identity into a proposition, to show that red is and *does* something. Red *is* red, or red *reds*. To put the substantive in a tautological proposition draws out the inherently verbal aspect of entities or phenomena. ‘Red’ is not an ‘inert’ substance (whatever that would mean), but it ‘resonates’ with the verblity and temporality of being. It flows through language and time. The identity or name—the noun—is of itself tied to the copula, and thus immediately tied to the verb and the verblity of being within which the noun resonates. “[I]n the predicative proposition”—and irreducible to a nominative or substantive—the verb is “the very resonance of being understood as being. Temporalization resounds as *essence* in the apophansis” (OB, 40). *Apophansis* refers to apophantic propositions which support substantives and verbs. The verblity of being resonates in the proposition in which a substantive already naturally finds itself. Contrary to his thesis in “Is Ontology Fundamental?” from 1951, there is no *étant*, no simple entity, being, or identity, without *être*, without being itself. There is no name without the verbal resonance of being. Being and beings are complicit. Identities are already tautologies implying essence or the verblity of being. ‘Red’ as a noun already implies *essence*, the verblity (or temporality) of *being*.

At the same time, this analysis of substantives, propositions and the *essence* of being, Levinas thinks, shows again that the particular in phenomenological intuition is always understood according to the universal. “The very individuality of the individual is a way of being. Socrates socratizes, or Socrates is Socrates, is the *way* Socrates is” (OB, 41). Socrates does not appear as a singular person, but as an entity beholden to being or essence, ready to be comprehended as an identity, ready to fit into the already-said and *kerygmatic* language.

This elision works in the other direction, too: Just as beings are always implicated in being, so is being, in its verblity, itself implicated with beings. Levinas demonstrates this with the use of the proposition—where the substantive (noun or identity) and its ‘verbalization’ are already complicit. He ties this apophansis to the *amphibology* of being. The amphibology refers to the difference between being and beings, but also to their intimate relationship; and there is likewise a certain ambiguity or amphibology between verb and name, verb and noun: “[T]he logos is knotted into the amphibology in which being and entities can be understood and identified, in which a noun can resound as a verb and a verb of an apophansis

can be nominalized” (OB, 42). Just as the identity or substantive, cast in the proposition, allowed the verblity of being to be heard (“Red is red,” “Red reds”), the verb also converts back into an identity or a substantive. “There does not exist a verb that is refractory to nominalization” (OB, 42). One can nominalize an action, event, or temporal movement. Even the verblity of being itself returns to the nominalization of the *kerygma*. “[T]o be, the verb par excellence in which *essence* resounds, is exposed, is nominalized, becomes a word designating and consecrating identities [...]. The verb *to be* [...] practically becomes a structure, is thematized and shows itself like an entity. Phenomenality, *essence*, becomes a phenomenon, is fixed, assembled in a story, is synchronized, presented, lends itself to the noun, receives a title” (ibid). That is, being can be treated like *a* being. The verblity of being, because of the very workings of being itself, is fixed as *a* being, just as phenomena are fixed as identities in *kerygmatic* language. “Fundamental ontology itself, which denounces the confusion between Being and entities, speaks of Being as an identified entity. And the mutation is ambivalent, every nameable identity can turn into a verb” (OB, 42–3).

Levinas spends this time on the details of ontology and language in order to show that if a reference to beings and entities—apart from the *being of* entities—does not suffice for transcendence, then the mutual implication of being and beings in the amphibology, or in the apophantic proposition, will not offer different possibilities with respect to transcendence.¹⁴

The verblity of being—the way in which entities fit into *propositions*, and the way that experience is structured in terms of these claims or propositions—does not immediately seem to support a transcendent relation. Within ontological language and phenomenal experience, nothing can simply appear as and for itself. There is no singularity since everything receives its meaning from ontological structures. Now Levinas can properly ask: Is this verblity of being the only signification of language? Does the verblity of being necessarily render all meaning ideal, universal, or totalistic? Is a confrontation with alterity possible in some other kind of language and experience? This possibility would require a meaning beyond being and beings. The relation with alterity will have to obtain “beyond the Logos, being and non-being; beyond essence, true and non-true” (ibid). The *Saying*, the special verblity or language that is *not* a correlate of essence, will thus be neither a more authentic entity nor a truer approach to being, but will be otherwise than being and beings.

4. SENSIBILITY, PROXIMITY, AND THE SUPERLATIVE PAST OF PASSIVITY

In Levinas' new attempts to address this question of a beyond-being, he brings language and sensibility much closer together than he had in earlier accounts. In order to understand the idiosyncrasies of Levinas' conception of language, it is necessary to take a short detour through his conception of sensibility and the way it relates to language. This is used to begin to explain how language is in fact an original 'exposure' or 'exposition' to the other.

Sensation, we saw, *can* play into sensible *intuition* (or the phenomenal), into the intentional act for which "sensibility is already subordinated to the disclosure of being" (CPP, 116). Sensation can signify as discovery and experience within being, a "possibility that is at the origin of ontology's claim to be absolute" (CPP, 117, n. 8). But Levinas maintains that there is an "immediacy of the sensible," that constitutes an "event of proximity and not of knowledge" (and thus not of sensible *intuition*), an event beyond ontology or phenomenology (CPP, 116). What Levinas is looking for is a meaning of sensation 'before' it is enmeshed in the unveiling of being and entities, 'before' the amphibology of being and beings, 'before' *kerygmatic* language. Levinas calls this non-ontological dimension of sensation *proximity*.

This possibility of a non-ideal sensation, then, will go along with the possibility of language otherwise than as doxic, *kerygmatic*, and apophantic. "One must then admit that there is in speech [*discours*] a relationship with a singularity located outside of the theme of speech and which is not thematized by speech, but is approached. Speech and its logical work would then unfold not in knowledge of the interlocutor, but in his proximity" (CPP, 115). And this language, this approach or proximity otherwise than as perception or sensible intuition, is also called "contact": "Whatever be the message transmitted by speech [*le discours*], speaking [*le parler*] is contact" (ibid). *Approach, proximity, contact*, and even *caress* serve as a constellation of terms indicating a relation to the other (who Levinas now often refers to as the neighbor [*le prochain*]). This relation precedes the *kerygmatic* narration or story of consciousness, precedes phenomena and beings given in the light of being. These terms refer to the subject as a "subjectivity that enters *into contact* with a singularity—excluding identification in the ideal, excluding thematization and representation—with an absolute singularity that is as such *unrepresentable*" (CPP, 116. Emphasis added). Through this notion of proximity, Levinas tries to bring language, sensation, and ethics together into a transcendent relation: "The precise point at which this mutation of the intentional into the ethical occurs, and occurs continually, at which the approach *breaks through* consciousness, is the human skin and face. Contact is tenderness

and responsibility” (ibid). Levinas tries to find a relation with alterity through sensibility or proximity, apart from the way in which it would be recounted or comprehended in phenomenal intuition.

Levinas identifies a kind of ‘absence’ in proximity or in one’s ‘contact’ with the neighbor; and he uses a temporal metaphor to explain how the other has already affected the self ‘before’ any present experience. “[P]roximity [is] an anachronous presence to consciousness: consciousness is always late for the rendez-vous with the neighbor” (CPP, 119). Levinas also describes contact or proximity as occurring in an “immemorable past that has not crossed the present” (OB, 58). This is how he describes an experience that is not had in terms of being and beings, verbs and nouns. It is an experience outside of representation and presence. “Thus the neighbor is not a phenomenon, and his presence does not resolve into representation and appearing. [The neighbor’s presence] is ordered out of the *absence in which the infinite approaches*, out of its *null site* [*Non-Lieu*]; it is ordered in *the trace of its own departure*” (CPP, 121). That is, the always-already-absent other is ‘experienced’ through a certain absence. The other ‘appears’ in experience insofar as he or she is perpetually absent.

The “anachronous presence,” or the “immemorable past” cannot refer to a point further and further back in time—which is always recuperable by retention or memory. A moment further back in time would be assimilated to the same structures of ontological meaning or the Said discussed earlier. (In that case the other would not be “the first-come—he would be an old acquaintance.”)¹⁵ This ‘deep past’ rather refers to a past that, with respect to ontological temporality or verbiage, was *never present*, is not a noun or identity. Levinas refers to a ‘temporality’ that by all phenomenological notions is not a temporality at all and not a moment of being, but which conditions the subsequent flow of time. This anarchic past is less a ‘real’ past than that which *orients* synchronic or ontological time toward the transcendent. Because sensibility—not first of things, but as a pure exposure to alterity—derives from proximity to the singular other beyond being, proximity is not “‘experience of proximity’ [...] not knowledge that the subject has of an object. Nor is it the representation of the spatial environment, nor even the ‘objective’ fact of this spatial environment observable by a third party or deduced by me” (OB, 76). Proximity is the passive exposure to the other. The other is ‘experienced’ before the self can actively seize this experience as one of the self’s own possibilities. It is here that the ethical demand—for which the self is always too late to respond—is foisted upon the self. The “without-beginning of anarchy,” of the deep past of proximity, has its counterpart in the unending

patience required for the “without-end of obligation” (OB, 142).

So Levinas claims that we do have a special sort of ‘experience’ of the other. It is an ‘experience’ that somehow precedes phenomenological experience. It takes place beyond being and beings, but it somehow leaves a trace in our phenomenological experience such that we have at least some inkling of an absence or of alterity.

How does this sensibility or proximity relate to language and ethics? Recall that for Levinas, even in the ontological domain, sensible intuition was already bound up with phenomenology. The same is true in the case of ethics or transcendence, where the original, immediate exposure to the other takes on both the modalities of sensibility and language discussed here. Saying and proximity—the linguistic and the sensible—are different expressions of the same transcendent relation. “On the hither side of the ambiguity of being and entities”—that is, *before* the Said, or *kerygmatic*, or ontological language—“the Saying uncovers the one that speaks, not as an object disclosed by theory, but in [...] being exposed [*s’exposant*] to outrage and injury. But the Saying is a denuding of the denuding, a giving a sign of its very signifyingness [*donnant signe de sa signifiante même*], an expression of exposure [*expression de l’exposition*]” (OB, 49). The origin of language, what Levinas now calls the Saying, or the subject as Saying, is “affection, sensibility, a passivity more passive still than any passivity, an irrecuperable time [...] an exposedness always to be further exposed, an exposure to expressing, and thus to Saying, and thus to Giving” (OB, 50. See also *ibid.*, 69). That is, the Saying and proximity—the linguistic and the sensible—are different expressions of the same transcendent relation, the same immediate exposure to alterity and the ethical demand, which cannot be limited to a term or understood in ontological terms. Ultimately, the difference between language and sensibility becomes blurred. Proximity, sensibility, exposure, nudity, and the Saying are already one’s being-in-communication-with-the-other, what Levinas calls in passing the “Saying-contact [*dire-contact*].”⁶ Apart from any complicity in being, the Saying is language, but also a sensible exposure to the other. Neither language in its purely ethical dimension, nor the sensibility that Levinas refers to here, can derive its meaning from, or be reducible to, a phenomenological experience or ontological meaning. As opposed to the Said of *kerygmatic* language—always complicit in sensible intuition—Levinas describes this sensible-linguistic exposure to the other as the *dire*, the Saying.

5. THE SAYING AS PRE-LINGUISTIC COMMUNICATION: THE SELF AS A SIGN

Levinas has shown the complicity of being and beings, the way being and beings elide into one another, by way of the *logos* or the copula (and apophantic discourse) that allows the verblatity of being and the substantive to blur. He has also shown how phenomenal manifestation is given in the already-said, or given within the *a priori* structures of *kerygmatic* language that only encounter identities under the aegis of essence. This ontological reality implies several consequences.

To begin with, having demonstrated the complicity of *kerygmatic* language and conscious thought (in the *parole pensante*, the thinking word), it is clear that one cannot attain transcendence through an abandonment of language. "It is then not enough to suppress spoken discourse and abandon oneself to duration in order to reach pure singularity. The thought behind speech retains the structure of discourse if it is to remain a consciousness" (CPP, 114). The silent thought accompanying any act is itself of the ontological order, already complicit in language as *logos* or discourse, or as *kerygmatic* language. One is in a body, in the world, exposed, manifest, but thereby already constrained to language and thought in their ontological significations.

Levinas' question is whether *kerygmatic* language or the *Said* thereby exhausts meaning, or whether there is a non-ontological, non-phenomenological meaning of experience, i.e., a transcendent meaning that escapes the tragedy and vanity of this ontological regime.¹⁷ Levinas approaches this problem again in terms of language or communication. Even putting aside the question of ethics and transcendence for a moment: With respect to being and the ontological question, why are subjects interiorized and then made to communicate? Why and how are self and other separated such that language becomes possible and necessary?

A few considerations will help demonstrate Levinas' response to this question. From an ontological perspective, the self's intelligence and linguistic ability appears to play some role in the unveiling or deployment of being itself; but at the same time, ontological meaning seems to suppress the singular self and other needed for language to be possible. The ontological regime of meaning works to efface the separate or singular interlocutors that would have an interior or singular meaning apart from the totality of being. "The thinking subject [...] is interpreted [...] as a detour that being's *essence* borrows in order to be arranged and thus to truly appear" (OB, 134). That is, the ego or self-consciousness—who seems to be required for being itself—appears as an anomaly within being, since the intelligibility of being and beings tends to subsume unique, separate interlocutors. Being serves to "absorb the subject to which the essence is entrusted," which is

to say that being absorbs (or dissolves) the distinct, *separate* terms—the self and the other—that are requisite for communication or verblity (ibid). It is from this self-coincidence of being—its tendency to arrange all meaning into a totality or into ideal structures—that ontology “claims, paradoxically”—or, as Levinas really believes, *falsely*—“to derive communication” (OB, 118–9).

For Levinas, however, it will not be possible to explain everything from “the same side, the side of being” (ibid). Communication—the *Saying as opposed to the Said*, the interpersonal or transcendent dimension of language—must be explained from “the relationship with the other,” on which is founded “communication and transcendence, and not always another way of seeking certainty, or the coincidence with oneself” (OB, 118). Whatever “its function that consists in remaining in correlation with the Said, in thematizing the Said, and in opening being onto itself,” the meaning of this verblity or the Saying is not exhausted in such a role (OB, 46). There must be instead “an extreme passivity of the Saying behind the Saying that becomes a simple *correlative* of the Said—the passivity of exposure” (OB, 189, n. 25). There must be a Saying that signifies ethically, as a relation to the other. A Saying that has a meaning apart from the exposure of beings, themes, and the theoretical and practical dimensions of ontology; and thus communication ultimately requires an account of language that has recourse to transcendence or the *Saying*, and not to the Said of being. Note that, when Levinas refers here to a “Saying behind the Saying,” *Saying* thus signifies ambiguously. Sometimes Levinas uses *Saying* to refer to the verbal-ontological *correlate* of the *Said* (the verblity of being as opposed to beings); while more often he uses the word in its ultimate signification, in its ethical meaning that is radically transcendent with respect to being and beings, a meaning that presupposes separation and transcendence rather than the totality of being or essence. The equivocation of this word *Saying* highlights the difficulty that, here as in all of his past work, one will have to confront: namely, the difficulty of establishing the relationship between ethics and ontology, and how one can escape ontological meaning.

Language is not only the verblity of being understood in purely ontological terms, then. “Saying is communication, to be sure, but as a condition for all communication” understood in the sense of *kerygmatic* or apophantic language (OB, 48). There is a verblity, a Saying, that does not reduce to the Said, does not exhaust itself in the furnishing of identities that play out in the peregrinations of a neutral, omnipresent being. The “detours” through the self and the other are not redundant to meaning. Prior to the Said there is a Saying, the original inspiration or impetus for communication. Nothing in the conceptions of phenomenology or

ontology alone explains the radical divide between interiority and exteriority—and all the more so the divide between Same and other—that makes language possible. As in *Totality and Infinity*, this requires a genuine exposure, which presupposes a fundamental separation or transcendence.

To summarize: Levinas claims that the very fact of language presupposes a radical separation. Ontological meaning, which derives the meaning of entities from being and from a totality, serves to efface self and other and the radical separation between them. Thus Levinas claims that there must be a Saying, a transcendent relation, that ultimately explains language; and as opposed to an ontological meaning, this relation will have an ethical meaning. However, he has still not shown in great detail how this works.

Although language serves the ends of *kerygmatic* exposition and manifestation, this ontological regime is at the same time “forgetful of [... the] exposure to the other” that makes meaning possible (OB, 78). “It is not ontology that raises up the speaking subject [...] it is, on the contrary, the signifyingness of Saying, going beyond essence gathered together in the Said, that can justify the exposedness of being or ontology” (OB, 37–8). Apophansis or proposition is still proposal *to the other*, exposition and exposure to the other. It is for this reason that Levinas claims: “The predicative statement [...] stands on the frontier of a de-thematization of the Said, and can be understood as a modality of approach and contact [...]. [T]he *apophansis* signifies as a modality of the approach to the other. It refers to a Saying on the hither side of the amphibology of being and entities” (OB, 47). This is one way in which Levinas explains how the ‘deep past’ of the Saying leaves a trace in, or affects, the present. Every Said is ‘carried’ by a Saying, which is at work in all language. “[E]ven the philosopher,” says Levinas, “remains a subjectivity obsessed by the neighbor.”¹⁸ The ontologist does not carry out research outside of the original exposure to the other. The other remains the condition for this research. (This also shows in the most straightforward way why no project for Levinas could be strictly descriptive or theoretical. All of our endeavors are accompanied by an ethical demand, whether we choose to recognize this or not.)

Levinas tries again to describe the Saying. In this ethical exposure, one is made *a sign of one’s own responsibility*. “The subject of the Saying does not give signs”—it does not fit into the kind of signification that Levinas already rejected in *Totality and Infinity*, but rather—“it becomes a sign” (OB, 49); where this pure exposure to the other, before words or dialogue, is “pure obedience” or what Levinas refers to as the “*me voici*,” the *here I am*. This is not an autonomous presentation of

self, but a passive exposure (OB, 145). Ethical language is not something one uses like an instrument; it is a kind of modality of ‘existence’—though beyond phenomenological or ontological existence—of the ethical self. In that sense, as Levinas says, “Saying is communication, to be sure, but as a condition for all communication,” which is to say a condition of all the ontological dimensions of language (OB, 48). The Saying is itself the original assignation to responsibility. One is affected by the other and ‘incurs’ responsibility *en deçà de l’être*, on this side of being. For Levinas, this responsibility makes being and the ego possible since it explains the original transcendence—the real separation—that puts the concealment and unveiling of being into motion: The Saying is the original possibility of the *verbality* of being. Thus everything that concerns being and beings is already in some way oriented by the Saying. The Saying constitutes the origin of meaning and signification, the transcendence that Levinas had long sought.

Importantly, then, the notion of Saying or language that would explain the basic fact of communication does not correspond to the scenario in which thought-contents are translated into verbal speech (or writing) and then transmitted to another who is then also able to think them as well. Thought, speech, writing, and other signs (substantives, verbs, etc.), Levinas is clear, belong to the order of being. The responsible self, in its Saying, *is* this exposure to the other. The self does not only communicate through speech and language; the self is him- or herself ‘communicativeness’. Saying is a “*prise dans la fraternité*,” the being-caught in fraternity before any conscious choice or explicit use of what we would normally consider language. The self “signifies in signifying itself [*signifie en se signifiant*]” (OB, 83). The self, the “I involved in saying in the first person, absolutely unconvertible into a noun [...]. [The I is] a sign given of this giving of signs, exposure of oneself to the other” (OB, 56). In this way the self does not first give or use linguistic signs but, as Levinas says, makes itself a sign, or is made a sign. That is, it is assigned or it is significant in being delivered over to the other as responsible. In fact, this model of being-oneself-a-sign-for-the-other, or being already exposed to the other (before the possibility of signs as ‘external’ indicators), is again not so different from the schema drawn up in *Totality and Infinity*: “[I]t is not the mediation of the sign that makes signification,” he said there, “but signification (whose primordial event is the face-to-face) that makes the function of the sign possible” (TI, 206). There is a ‘pre-linguistic,’ pre-ontological, pre-phenomenological exposure to the other that properly deserves the name *language* as the basic relation between self and other.¹⁹ What is more radical than before is the way in which Levinas explicitly associates all the concrete forms of language (*kerygma*, propositions, signs) with sensible intuition such that all concrete modes

of language are complicit in being and phenomenological experience. At the same time they represent possible modes of transcendence, since the very verballity of being itself bears the trace of a Saying that does not reduce to *kerygmatic* language in either its verbal (essential) or nominative dimensions. The Saying cuts across all particular forms of language in the broadest sense, including its physiological or phenomenological aspects. The Saying is a question of the linguistic and the bodily, as is the Said in its own way; and as has become clear, the Saying is neither a theoretical intelligible nor a practical *act* in any way that could be reduced to an ontological moment (as autonomous action, for Levinas, always does). We will also see the problems that this represents when we intend to make use of Levinas' work to inform a philosophical ethics.

6. THE SAID AND PHILOSOPHY

The difficulty, already caught sight of in *Totality and Infinity* and earlier but finally elaborated in *Otherwise than Being or Beyond Essence* is that all language at our disposal—the kind of language we can *actively* dispose of, all language insofar as it adheres to being and is able to form propositions and judgements—is beholden to the Said, denies alterity, and has the pretension of being the origin of its own meaning. Levinas in fact says that this is the natural order of things: “It is not by chance, through foolishness or through usurpation that the order of truth and essence, which the present exposition itself claims to hold to, is at the first rank in Western philosophy” (OB, 156–7). But he nevertheless asks: “Why knowing? Why is there a problem? Why philosophy?” (OB, 157). Why the preponderance of philosophy in Western thought, in Levinas' exposé, and in the order of being itself?

Manifestation requires the Said. It requires being. “The correlation of the saying and the said, that is, the subordination of the saying to the said, to the linguistic system and to ontology, is the price that manifestation demands” (OB, 6). We saw Levinas' sincere claim that there is no peeking behind phenomena and the world to try to find a truer world. The world of being—the objective world, the intelligible world—is the common world that we all share, the world that unites us; and it is the only world. Nothing exists outside of existence. Thus, importantly, “[t]he way of thinking proposed here does not consist in failing to recognize being, nor in treating it disdainfully, with a ridiculous pretension, as the defaulting of an order.”²⁰ Manifestation is necessary, and it is only because of ontology and ontological language that one can intelligibly discuss or think about the Saying and ethical signification. True, in expressing the Saying in the Said, in universal or *kerygmatic*

language, one betrays the ethical nature of it and gives it over to the ontological regime. One effaces the very transcendence, singularity, and separation needed for meaning. But, Levinas maintains, these are never effaced without a trace of the Saying left in the Said. The fact that the Saying or ethical signification is betrayed in manifestation is just part of how being and ontological-phenomenological meaning function. Thus this betrayal is not just a choice that one could avoid. The “betrayal at the price of which everything shows itself,” makes possible the very, “indiscretion with regard to the unsayable,” or its manifestation; where making manifest, even by a betrayal, “is probably the very task of philosophy.”²¹ Through philosophical language, one can apparently “go back” to the Saying, “starting from the trace retained by the Said in which everything shows itself” (OB, 53). That is, philosophy—through the Said that covers over the Saying—can constantly try to bring itself back to that which always escapes philosophy and escapes being; and one can assume that this is what Levinas attempts in his work. “In an alternating movement [...] philosophy justifies and criticizes the laws of Being” (ibid). It is the work of philosophy, through the Said or *kerygmatic* language, to critique reductive ontological meaning insofar as it covers over ethical responsibility, even as philosophy tacitly justifies the structures of being by making use ontological meaning (as does all language in a general way).²²

Levinas has several metaphors to describe how some kind of philosophical work can bring the Said back to the signification of the Saying. He describes the Said—necessary for being and the manifestation of the Saying, but which betrays it in conveying it—as “the element that bears the embarkation [and as] also the element that submerges it and threatens to sink it” (OB, 181). Or to use another metaphor, the *logos* or *kerygmatic* language of the Said has the pretension of rendering all meaning within one, ubiquitous and universal discourse. “The *logos said* has the last word, dominating all meaning [...]. Nothing can interrupt it. Every contestation and interruption of this power of discourse is at once related and inverted [*invertie*] by discourse. It thus recommences as soon as one interrupts it [...]. [And even in] relating the interruption of the discourse [...] I retie the thread.”²³ That is, if one believes that the Saying leaves a trace in the Said, interrupts the *logos* of *kerygmatic* language, it is still the case that this interruption itself can only be expressed or represented in the Said—and thus the interruption is denied. The Said again prevails as the only contender for meaning. On the other hand, the Said *is interrupted*. The expansive, unreserved coherence of the *logos*, is interrupted “by silences, failure or delirium,” (or by a skeptical refusal of the *logos*), and one can always ask: “does not the discourse that suppresses the interruptions of discourse by relating them maintain the discontinuity under the knots with which the

thread is tied again?” (OB, 170). Is there not always a trace of this pre-ontological transcendence? Does the fact of *needing to retie* the thread of the logos show that the Saying has interrupted it? Levinas associates this gesture, the following of the trace from the Said to the Saying, with the *epochè* or phenomenological reduction whereby one steps back from the natural dogmatic attitude to see the ‘hidden horizons’ from which a signification arrives. “The movement back to the Saying is the phenomenological Reduction in which the indescribable is described” (OB, 53). The philosophical language that reduces the Said back to the Saying, the language that, in Levinas’ own discourse is apparently able to bring the Said back to the signification of the Saying through some kind of linguistic operation, is this “reduction that is then an incessant unsaid of the Said, [a reduction] to the Saying always betrayed by the Said” (OB, 181). More ‘practically’, one must assume, this happens by retracting one’s speech, by ‘unsaying’ the inevitable betrayal one commits in attempting to retrace the Saying, or by pulling back one’s ontological activity to reorient oneself to the other and to one’s ethical obligations. It is this that Levinas thinks ultimately explains the philosophical task. This is presumably the real possibility of the veiling and unveiling of being: “Truth of what does not enter into a theme, it is produced out of time or in two times without entering into either of them, as an endless critique [...] which in a spiralling movement makes possible the boldness of philosophy, destroying the conjunction into which its Saying and its Said continually enter” (OB, 44).

Levinas in fact uses this “inevitably successive character of all research,” of philosophical work—the critique and critique of critique—to explain why his terms change over the course of his work even though his concern from the beginning has only been transcendence and the Good. Terms become ossified in the Said and one attempts to critique them to get at the Saying that precedes all signs.²⁴ In some way, this shows the superfluity of the debates surrounding the differences between *Totality and Infinity* and *Otherwise than Being or Beyond Essence*, the conceptual contents of which could never be more than an inadequate betrayal of the Saying. But it makes more difficult an explanation of what positively philosophy is intended to accomplish and how it relates to ethics and transcendence.

In any case, Levinas is sincere, it seems, in his claim that the spirit of philosophical critique—the search for a true (exterior) reality and the renunciation of dogmatism and idolatry—in fact lives by ethical meaning and in a way is part of it.²⁵ Paradoxically, the ethical moment can only be *manifested* in the ontological realm, and yet ontology serves to efface the ethical even as it makes it intelligible.

The paradox of this situation is precisely the difficulty of an *otherwise than being*. Alterity as alterity can never be experienced, and yet it is somehow attested to in experience; and some kind of philosophical engagement, Levinas says, allows us to evoke this ethical meaning.

It should be recalled that this is not simply a question of whether we can adequately describe or represent the Saying. The Saying is not only not a theoretical content, and nor can it be a simple practice among others. It cannot be speech as opposed to writing, nor writing as opposed to speech, nor utterance as opposed to content.²⁶ The *kerygma*, the *parole-pensante*, is co-extensive with phenomenal intuition, experience, and consciousness. Thus any action *qua* action, any event that can be nominalized (insofar as it can be nominalized)—is not of itself the Saying. If the Saying necessarily passes through some kind of speech or linguistic act, it is nonetheless not simply identifiable with either of these as phenomenal events, since these, of themselves, always reduce to the Said.²⁷

But if the *Said* arrives at inevitable failure, if ontological meaning betrays ethical meaning, we can ask why we ought to bother with Levinasian ethical philosophy or any other philosophy of ethics. Many people—choosing to face their responsibility, or not—happily make do without philosophy understood as an academic discipline. Levinas even gives a little glimmer of a suggestion that the Saying, purified of the Said, is not a philosophical gesture, but a *polite* gesture. “Sincerity would then be Saying without a Said, apparently a ‘speaking for the sake of it’, a sign I make to another of this giving of signs, ‘as simple as hello.’” This polite gesture would be only a “recognition of the debt” that one has accrued in the Saying (*OB*, 143). But why bother with the superfluous meanderings of philosophy and questions of metaphysics if politeness suffices, if the Saying is a rigorously non-intellectual thought? At least part of the reason that plain politeness does not suffice in the absence of philosophy is that one cannot really escape philosophy. Philosophy—phenomenology and ontology—serves to clarify, but also engage and, in a certain sense, ‘amplify’, being.²⁸

Levinas’ point is well taken: a polite gesture has little semantic or *kerygmatic* content. It is not really a proposition or affirmation, nor even a question, but a salutation. However, already the words used to express such a gesture are part of a totality of meaning, form part of an economy of being and part of the phenomenological world that has to be navigated critically. Moreover, language and sensible intuition are complicit. Whether and how a gesture is polite is already a question of philosophy from the moment it crosses the threshold of experience

and thought.

But if this is the case, “philosophy” is at best a double-edged sword; or otherwise it has two radically different modes which reflect the alternation between the Saying and the Said. “The history of Western philosophy has not been the refutation of skepticism as much as the refutation of transcendence,” the refutation of the transcendent relation between self and other that makes ethical meaning or the Saying possible.²⁹ But at the same time, philosophy, “at its highest, exceptional, hours stated the beyond of being and the *one*”—the self in its assignation to the other—“distinct from *being*” (OB, 178). The question is how to distinguish these, how to know when or how philosophical work and thought is being directed toward ethics and the evocation of the Saying, and when it is particularly tending away from these.³⁰

7. PROPHECY AND COMMAND

Given that the Saying or the affectation of the self by the other ‘occurs’ in a past that was never present, how does it ever affect one in the present and allow one to respond? Or how does one evoke or produce ethical meaning in the language of the Said and in being? If the call to responsibility is issued in such a past that was never present, how can such a call ever reach the self in the present in the clear form of a phenomenal event? Where is the event whereby the self passively comes into relation with the other, and which then evokes the Saying? And if this never happens, how is ethics or the Saying not just a “transcendental illusion”? Levinas’ answer is that, in a way, the self hears the call of the other in the self’s own *response*. “The unheard-of saying is enigmatically in the an-archic response” (OB, 149). The self has “obeyed before hearing the order” (OB, 113). In this sense, the appeal of the other “becomes present only in my own voice, already obedient in the harsh present of offerings and gifts” (OB, 140). This ‘hearing the other through one’s own voice’ Levinas calls *prophecy*. Prophecy is “the fact that [...] the appeal is heard in the response [...]. [T]he ‘epiphany’ comes in the Saying of him that received it” (OB, 149).

Thus, it is in responding to one’s obligation that one *recognizes that one is obligated*. Phrased another way, Levinas says: The “infinite [...] orders me by my own voice. The command is stated by the mouth of him it commands” (OB, 147). In fact, Levinas had already formulated prophecy in a similar way in *Totality and Infinity*. To have the idea of infinity in the self, Levinas says, is to “recognize the mastery of the other, to receive his command, or, more exactly, to receive from him the

command to command.”³¹ The other commands the self to command because this is how the ethical order must appear in the ontological order, or how the (ethical) order of heteronomy inspires the (ontological) order of autonomy. To put this another way: The Saying, the real ethical response—wherein one concedes the autonomous meaning of the *other*—could only be evoked by the other. But within the ontological order of the Said—wherein the ego is always active in the production of meaning—an ethical response always appears as though it is an action founded on the ego’s autonomous initiative (and *within the ontological order*, an ethical act *is* founded on the self’s initiative). Only the self can command itself, and the Said or sensible intuition only ever reconfirms the autonomy of the ego. But at the same time, the ontological order seems inexplicable without some recourse to transcendence. The Said requires the Saying to explain the original impetus for the verbiage of being; and thus Levinas concedes a certain, transcendent, ethical meaning to linguistic acts. Insofar as one is able to respond ethically, or insofar as one even attempts to do so, one has heard the call. One can always choose to ignore it, and one can, in a way, autonomously ‘choose’ to hear it; but these alternatives both presuppose that there was something to be heard. Thus prophecy or command, Levinas maintains, originates with alterity; but it is heard in the response of he or she who is commanded. The Saying is ‘heard’ in the Said.

Thus by *prophecy*, Levinas does not mean the prediction of the future (*OB*, 150); but the word is indeed chosen for its biblical resonances: “‘Before they call, I will answer’: the formula is to be understood literally,” where this refers to “this obedience prior to all representation, this allegiance before any oath, this responsibility prior to commitment.”³² But prophecy then is just the other-in-the-same, the trace of the Saying in the Said, *responsibility before the ontological order*. It is “the-other-in-the-same, inspiration and prophecy.”³³

Levinas is conscious of how precarious this appeal to prophecy or inspiration is from a phenomenological point of view. The claim is that the infinite or the transcendent cannot appear in the ontological order because to do so would render it immanent; and it is because of this that the prophet is sometimes thought by others to be mad: “The infinite would be believed in the proof that the finite would like to give of its transcendence; [but] entering into conjunction with the subject that would make it appear, it would lose its glory. Transcendence owes it to itself to interrupt its own demonstration. Its voice has to be silent as soon as one listens for its message. It is necessary that its pretension be exposed to derision and refutation, to the point of suspecting in the ‘here I am’ that attests to it a cry or a

slip of a sick subjectivity” (OB, 152). In this fragility of the transcendent—the fact that it calls one to listen but withdraws into silence as soon as one searches for the source of the call—is the ambiguity, the enigma, or the “blinking of meaning” of the transcendent (OB, 152). At the same time, the appeal to prophecy obviates the possibility of rendering existence a neutral economy of being. As opposed to Levinas’ characterization of the ontological order as indifferent to the singular human, the moral order cannot dispense with the self, to such an extent that there is no transcendent order—no call to responsibility—except by way of he or she who takes up this responsibility (BV, 133). There is no Saying without the responsible self.

Prophecy becomes an important term for Levinas but it does not mark a departure from his other attempts in *Otherwise than Being or Beyond Essence* to describe the transcendent relation or ethics. Prophecy, then, seems not to be a guide for *how* to follow the trace left in the Said back to the Saying, but again only a description of the fact that this happens.³⁴ It is still not clear how or whether we experience the Saying in the present and can respond to it.

8. THE SAYING AS THE QUESTION

Étienne Feron offers one of the more finely-worked interpretations of what the Saying refers to in terms of any practical use of language. To begin with, he claims that language must be understood as bivalent and in terms of the Saying-Said structure such that each of these terms cannot legitimately be isolated in order to prioritize one to the exclusion of the other (Feron, *ITQL*, 121). As Feron says: “[T]he Saying must not be interpreted as a pure relation to God outside of being [...] which would no longer have anything to do with language”—a point on which Levinas is generally clear. The Saying should be interpreted rather, “as the orientation that being receives by way of language.”³⁵ Or, again, the Saying and separation make possible the Said and ontological meaning.

One will recall that Levinas actually used the term ‘Saying’ in two ways. There was the Saying as the verbality of being that correlates with the Said; and this left open the ambiguous possibility of a Saying beyond the Said that forms no correlate with the Said. Feron ultimately tries to show is that “it is permitted to understand [...] ethics as the *obverse* or the other face of the phenomenological. All signification would be essentially bi-faced, on the one hand manifestation adequate to the intentional ego, on the other hand proximity of that which is imposed on the passivity of the Self” (Feron, *ITQL*, 276). Levinas himself had claimed that, “the

predicative statement [...] is held at the frontier of a de-thematization of the Said, and can be understood as a modality of approach and contact” (OB, 47, quoted above). A proposition is a Saying that carries a Said, or a Said that resonates in a Saying; and a Said is always put forth in a Saying. Feron’s analysis seems to make sense of the fact that every Said bears a trace of the Saying that it betrays, but that the Saying also calls for the Said and manifestation, just as ethics itself requires being, even if the meaning of ethics is to orient being rather than to appear within it. But given the “basic ambiguity of the Saying, at once essence of being and the signifying of transcendence,” as Feron says (ITQL, 205), how do we navigate the Saying and the Said? “[H]ow can this trace be determined *as* the trace of a Saying irreducible to the Said” (Feron, ITQL, 223)? Or, better, what allows one to hear the Saying in the Said, and when is this prevented?—as it often is. This is the question for the sake of which this analysis has been carried out in the present article.

Feron claims that the key to this problem is in the structure or act of the *question* (ITQL, 205). The *enigma* that Levinas speaks of, wherein the intrigue of ethics flickers, Feron claims, can be understood as a mode of a pure question, “before all questioning, a question that calls me to responsibility [...]. A question that calls for me and not a question wherein I pose the question [*je me demande*].”³⁶ An ethical questioning in which the ethical Saying resonates, as opposed to solipsistic, ontological questioning, can mark the difference between a discourse that bears a trace of the Saying and one that suppresses the Saying. In this sense, a kind of philosophy or philosophical life would be the path of transcendence: “Does the essential of language not reside in philosophy itself, insofar as philosophy is the point at which language is rendered as a question?” (Feron, ITQL, 268). And could phenomenology—“as the site at which philosophy is no longer simply thematization of a Said, but the very vigilance of language, the vigilance of the Said attentive to the Saying”—not itself be this philosophical-ethical work?³⁷ Thus Feron claims that philosophy is the essence of ethics.

But Feron’s analysis has little focus on Levinas’ decades-long critique of phenomenology as the culmination of a Western history of egoism and the suppression of transcendence. If Levinas’ mature description of ethics is just a description of philosophy, why does philosophical discourse and engagement so often fail to be ethical? Why do even Socrates and Heidegger—among the most influential, and in many ways humanistic, figures in Western thought—undergo such severe criticism by Levinas?³⁸ What makes these forms of philosophy or dialogue inadequate? The essential for philosophy that Feron affirms on behalf of Levinas holds to “the living dialogue between philosophers” (ITQL, 310), but

yet this philosophical-ethical justice “must be heard on another plane than that of the simply linear alternation of questions and responses in an intersubjective dialogue” (*ITQL*, 249). So what is this special form of questioning? Levinas specifies the key element in a later interview: “The question,” in the ethical sense of recognizing oneself as being *put into question*, “is already a relation, there where there is no place for a response [...]. Our theoretical questions [by contrast] are already the extenuated form of that which is the question, of that which is searching [*recherche*] [...]. Western philosophy is a philosophy of the response: It is the response that counts” (*GCM*, 85). What marks out the question in its philosophical and pernicious mode, then, is that it is only meaningful as the comparative lack and indigence with respect to the response that is hoped to reinstate the plenitude of ontological significance.³⁹ Elsewhere, Levinas explains: “Truth is not the *adequation* of the thought and the thing, but the *inadequation*—the transcendence, as it were—of the response and the question; transcendence ‘assumed’ by a new question. The assumption of truth is then an exegesis. The place of truth [...] is in the question.”⁴⁰ The truth of meaning is in the practice of sustaining questions about meaning. Following this line of thought, the weight of ethics comes to rest on how philosophy, intellectual rigor, questioning, exegesis, and education as a whole, can engage one as responsible. And it is precisely here that we can inquire into Feron’s suggestion of the *question* as the privileged site of ethics or transcendence.⁴¹ But just as there were two Sayings—one that is the passive response to alterity, and one that is the verbiage of being in its ontological meaning—so are there two kinds of question or questioning that must be distinguished.

When is philosophy and questioning ethically-engaged learning, and when is it ontology and suppression? Apophantic language and grammatical form are of no help. Concerning the question *what?*, for example, Levinas says: “The answer required is from the start in terms of being, whether one understands by it *entity* or *being of entities*, entity or *essence* of being. The question *what?* is thus correlative of what it wishes to discover, and already has recourse to it.”⁴² The question *what?* would inquire into the other in the way of an object or determinate entity. It adheres to the already-said and to ontological structures; and to pose this question is not of itself to effect the relation with the transcendent other. To ask *who?* is similarly to ask about the other as something that can be expressed in terms of *logos* or the Said. It reduces to the question *what?*⁴³

What other *form* of question is there than that which is proposed in apophantic terms, indebted to the *logos* and thus reducible to the Said? The problem is not a

who? or a *what?* or a *why?* It is not a question of grammar or syntax, and perhaps not of semantics. “The question,” in its role in ethics or transcendence, “would be neither a modification, nor a modality, nor a modalization of the *apophansis*” (Levinas, *GCM*, 120). It is a problem here of the difference between “*La mise en question*,” the being-put-into-question-by-the-other, and the “*consciousness* of this being put into question,” which is the ontological-philosophical approach to the question (Levinas, *BPW*, 54. Emphasis added). These are in no way equivalent and rather tend to exclude one another following the same diachronic movement of the Saying and the Said. The moment of Saying or exposure to the other, the moment of incumbent responsibility is “prior to dialogue, to the exchange of questions and answers” in this ontological sense of questioning (Levinas, *OB*, 111). “The infinite” must “animate this aspiration, signify itself as a question, instead of being inscribed [*se figer*] into being,” says Feron (*ITQL*, 207); but how this is possible or what this looks like is not obvious. This is again to ask how a Saying does not reduce immediately and absolutely to the Said, what kind of positive language is ethically meaningful.⁴⁴

9. OTHERWISE THAN PHILOSOPHICAL CONCLUSIONS

In a way, the terms have only been refined well enough to properly approach the pertinent problems of ethics. Except in very formal terms, it has not been shown what one does to respond to ethical responsibility. What is it to ‘unsay’ or ‘re-say’? What kind of philosophical work contributes to ethics in a way that phenomenology or ontology traditionally do not? What are its theoretical and practical modes? Is it in the writing of a book? or a philosophical symposium? And if so, under what circumstances? Are unsaying and re-saying only produced in the interventions of philosophers participating in a common history, as Levinas suggests? (*OB*, 171). And in that case, are Saying and unsaying a question of one’s actions in a community? How then to dissociate ethics from the ontological tradition that ignores ethical responsibility given that actions are beholden to ontological structures and meaning? We have seen that not all philosophizing is equivalent. What is the element, then, that renders philosophy “in its highest hours,” an announcement of “the beyond being” rather than a “refutation of skepticism” and transcendence? What does transcendence or ethics demand? As Levinas had said in *Totality and Infinity*, “Not every discourse is a relation with exteriority” (*TI*, 70), and we can say the same for the Saying. Not every instance of the Said can *equally* bear a trace of the Saying, and part of ethical responsibility is to ask how one better gives voice to the Saying, or better faces one’s responsibility.

One of the big lessons of *Otherwise than Being or Beyond Essence* is that in no way could *ethics* or the unsaying, the reduction of the Said to the Saying, simply correspond to an academic discipline, logical exercise, or rhetorical maneuver in any narrow sense. What Levinas shows in this work is that phenomenology is already complicit in ontology and sensible intuition itself, as well as in every philosophy. Philosophy *is* existence, he had said decades earlier.⁴⁵ All the more so, then, if philosophy is to be oriented by ethics, the reduction of the Saying to the Said cannot be a particular action or discipline—though certainly it could animate one or several. The Saying must be part of a much more global dimension of all of one's actions and relations. In one's activity as a researcher, writer, or educator, is one taking phenomenological experience as a whole and evoking the ethical responsibility that animates experience? Is one orienting theoretical and practical activity as a whole toward ethical responsibility? Is one giving voice to the Saying or shutting it down in a Said? The answer is probably: both at the same time, by way of a diachronic, spiraling movement. But then *in what way* is one giving voice to the Saying and *in what way* is one valorizing the Said? No purely philosophical demonstration for this has been given here.⁴⁶

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NOTES

1. See the preface to Emmanuel Levinas' 1981 re-publication of *De l'existence à l'existant*: Emmanuel Levinas, *De l'existence à l'existant*. Paris: Librairie Philosophique J. Vrin, 1993, 13.
2. Emmanuel Levinas, *Totality and Infinity*. Translated by Alphonso Lingis. Pittsburgh: Duquesne University Press, 1969 (TI), 195.
3. See Emmanuel Levinas, *Discovering Existence with Husserl*. Translated and edited by Richard A. Cohen and Michael B. Smith. Evanston: Northwestern University Press, 1998, 61.
4. Emmanuel Levinas, *Collected Philosophical Papers*. Translated by Alphonso Lingis. Dordrecht: Martinus Nijhoff Publishers, 1987 (CPP), 115–6.
5. See Schroeder, Brian and Benso, Silvia. "To Return in a New Way: Introduction." In *Levinas and the Ancients*. Edited by Brian Schroeder and Silvia Benso, 1-8. Bloomington: Indiana University Press, 2008, 2. See Simon Critchley, "Introduction," in *Cambridge Companion to Levinas*. Edited by Simon Critchley and Robert Bernasconi. Cambridge: Cambridge University Press, 2006, 18; and Simon Critchley, *The Problem with Levinas*, Oxford: Oxford University Press, 2015, 177–78. See Bettina Bergo, "Ontology, Transcendence, and Immanence in Emmanuel Levinas' Philosophy." *Research in Phenomenology* 35 (2005): 141-177, 167; and Bettina Bergo, *Levinas Between Ethics and Politics: For the Little Beauty that Adorns the Earth*. Dordrecht: Springer/Kluwer Academic Publishers, 1999, 191, 197, 210; though in the latter, Bergo understands any 'enactment' of the good in terms of a great distance from action. Cederberg makes the point that action *qua* action does away with the passivity important to Levinas' ethics (Carl Cederberg, *Re-Saying the Human: Levinas Beyond Humanism and Anti-Humanism*. Huddinge: Södertörns högskola, 2010, 184). Jeffrey Kosky makes a similar claim in *Levinas and the Philosophy of Religion*. Bloomington: Indiana University Press, 2001, 53. How these different views are justified will be explained in this paper. In general, glosses of Levinas' views on language are often given too quickly, where a proper account would put into question the broader analyses that these glosses are used to support. See for example Claire Katz, *Levinas and the Crisis of Humanism*. Bloomington: Indiana University Press, 2013, 143: "[Levinas] contrasts the saying to the said, the latter indicating that which is thematized and static. The saying is fluid, exemplary of the approach in the ethical relation." Such a claim is of itself not wrong (though Levinas never describes the Saying and the Said in these terms, and in fact the Said might be described as 'fluid', since it relations also to essence and temporality). However, this gloss covers over how philosophically and phenomenologically precarious Levinas' position is when he tries to describe, in a rigorously philosophical way, what he claims can never really be described in philosophy or experienced unambiguously in phenomenological experience.
6. By some accounts, the descriptions of the transcendent relation given in *Totality and Infinity* and *Otherwise than Being* are "mutually incompatible." William Large, *Emmanuel Levinas and Maurice Blanchot: Ethics and the Ambiguity of Writing*. Manchester: Clinamen Ltd, 2005, 58.

Michael Fagenblat also attempts to make the case for a ‘radical turn’ in *A Covenant of Creatures*, Stanford: Stanford University Press, 2010, xxv. Others deny such a turn. See Jeffrey Dudiak, *The Intrigue of Ethics*, New York: Fordham University Press, 2001, 170; Fabio Ciaramelli, *Transcendance et éthique: Essai sur Lévinas*. Bruxelles: Éditions Ousia, 1989, 49; Adriaan Peperzak, *To the Other: An Introduction to the Philosophy of Emmanuel Levinas*. West Lafayette: Purdue University Press, 1993, 209; and Jeffrey Bloechl’s seemingly self-contradictory view in *Liturgy of the Neighbor: Emmanuel Levinas and the Religion of Responsibility*. Pittsburgh: Duquesne University Press, 2000, 13, 219. Bergo gives a good summation of several accounts, as well as her own, in *Levinas Between Ethics and Politics*, 134–147.

7. Derrida’s proposal is perhaps not absurd: “If one thinks, as Levinas does, that positive Infinity tolerates, or even requires, infinite alterity, then one must renounce all language, and first of all the words *infinite* and *other*.” Jacques Derrida, “Violence and Metaphysics,” 114. See *ibid.*, 116.

8. Emmanuel Levinas, *Basic Philosophical Writings*. Edited and translated by Adriaan T. Peperzak, Simon Critchley, and Robert Bernasconi. Bloomington: Indiana University Press, 1996 (*BPW*), 35.

9. Emmanuel Levinas, *Otherwise than Being or Beyond Essence*. Translated by Alphonso Lingis. Pittsburgh: Duquesne University Press, 2006 (*OB*), 35.

10. Levinas, *CPP*, 110. In this sense, “[t]he intuition that one has opposed to the concept is already the sensible conceptualized.” Levinas, *OB*, 63.

11. *CPP*, 113. Lingis translates this as “thinking utterance.” See Levinas, *OB*, 37.

12. See Adriaan Peperzak’s helpful analysis: Adriaan Peperzak, “From Intentionality to Responsibility.” In *The Question of the Other: Essays in Contemporary Continental Philosophy*. Edited by Arleen Dallery and Charles Scott, 3–22. Albany: State University of New York Press, 1989. For a more recent account of the already-said and ideality of *kerygmatic* language see also László Tengelyi “En découvrant les phénomènes avec des livres,” in *Emmanuel Levinas: La question du livre*. Edited by Miguel Abensour and Anne Kupiec, 105–116. France: IMEC, 2008. Paul Ricœur explains some of the salient points of this section very briefly in *Autrement: lecture d’autrement qu’être ou au-delà de l’essence d’Emmanuel Levinas*, Paris: Presses Universitaires de France, 1997, 16–17.

13. Levinas, *OB*, 45. There are both ontological and ethical reasons to not search for a world “behind the scenes” in order to fulfill a desire for transcendence. See Benso, Silvia. “Levinas: Another Ascetic Priest?” In *Nietzsche and Levinas: “After the Death of a Certain God.”* Edited by Jill Stauffer and Bettina Bergo, 214–231. New York: Columbia University, 2009.

14. Wyschogrod writes: “In thinking the amphibology of Being the oscillation of verb and noun remains *within* [the Said of] language; [thus, for Levinas] what is beyond [the Said of] language is no longer thought of as a negation of something given, but as beyond relation to the copula, and thus irrecoverable through the thinking of difference within Being.” (187) That is, thinking about the ontological difference does not further an approach to transcendence. As will be shown, what Wyschogrod calls a “beyond language,” Levinas in fact calls a Saying beyond being.

Edith Wyschogrod, "Doing before Hearing: On the Primacy of Touch." In *Textes Pour Emmanuel Lévinas*. Edited by François Laruelle, 179-203. Paris: Éditions Jean-Michel Place, 1980.

15. Emmanuel Levinas, *Of God Who Comes to Mind*. Translated by Bettina Bergo. Stanford: Stanford University Press, 1998 (GCM), 166.

16. Levinas, *OB*, 160. Lingis translates this as "the saying as contact." There is some debate concerning the priority of language versus that of sensibility. Feron insists that the linguistic precedes the sensible. Étienne Feron, *De l'idée de transcendance à la question du langage: l'itinéraire philosophique d'Emmanuel Levinas*. Grenoble: Jérôme Millon, 1992 (ITQL), 128. Translations of this work are my own. See *ibid.* 126, 72-3. Bergo describes a "hermeneutics of substitution" that moves by way of sensibility *and* affectivity, and she describes Levinas' conception of embodied flesh as text, where the ethical moment is an event before a division between "signs and concepts versus raw, passive sensibility" (Bettina Bergo, "Levinas' Weak Messianism In Time and Flesh." *Journal for Cultural Research* 13. 3-4 (2009): 225-248: 247 and 238). Cf. Bergo, "Ontology, Transcendence, and Immanence," 170. Elsewhere she says: "Which of the two comes first remains undecidable: the 'Saying' of which the trace is grasped in words that are said, or the sensibility and affectivity that 'phenomenalize' themselves." (Bettina Bergo, "Le messianique philosophique chez Levinas: comme une chair se faisant parole." *MondesFrancophone.com: revue mondiale des francophonies*. Accessed September, 2015. <http://mondesfrancophones.com/espaces/philosophies/le-messianique-philosophique-chez-levinas-comme-une-chair-se-faisant-parole/> accessed September, 2015). The Saying is neither simply language, nor simply sensibility, in any traditional understanding of those terms, and it cannot be fixed within a particular domain among others. It is better to consider sensation and language as *modalities* of the transcendent relation.

17. For one of his most poignant descriptions of what it is to experience life in seeming absence of transcendence, see Emmanuel Levinas, "Tout est-il vanité?" Bettina Bergo, "Tout est-il vanité?" in *Les cahiers de La nuit surveillée, no. 3: Emmanuel Levinas*, edited by Jacques Rolland, 319-321. Lagrasse: Editions Verdier, 1984.

18. Levinas, *OB*, 84. Levinas points out again how surprising it is, on a purely ontological model, that a philosopher should be "exposed to the other [...]. Who then came to wound the subject so that he should expose his thoughts or expose himself in his Saying?" (*ibid.*).

19. In *Totality and Infinity* the 'first word' or origin of language began with the other, in expression. In *Otherwise than Being or Beyond Essence*, the Saying is the self being made a sign for the other; but it is the self's passive exposure to the other. Thus in some way the Saying 'begins' with the self, but not on the self's *initiative*; and thus on rare occasion Levinas refers to "the Saying, that is, the face." Levinas, *BPW*, 73-4.

20. Levinas, *OB*, 16. This is presumably a retraction of his passing claim from decades earlier that being is evil. See Emmanuel Levinas, *Time and the Other and Additional Essays*. Translated by Richard A. Cohen. Pittsburgh: Duquesne University Press, 1987, 50-1.

21. Levinas, *OB*, 7. It is through the *Said* that one can describe the radical passivity of responsibility, “which the present work [*Otherwise than Being or Beyond Essence*] aims to thematize.” Levinas, *OB*, 189, n. 25.
22. Recall, though, that the problem of the Saying and ethical language is not just a problem of how to *describe* this in ontological terms. The question is how the Saying or ethical language is evoked in life, how responsibility is really faced.
23. Levinas, *OB*, 169. Translation modified. Lingis seems to read *investir* for *invertir*.
24. See *De l’existence à l’existant*, Levinas’ 1981 retrospective preface to the 1947 book. This is perhaps the answer to the question: how or why does Levinas write two very different books on the same question? Is *Otherwise than Being or Beyond Essence* the unsaying and re-saying of *Totality and Infinity*? Richard A. Cohen suggests this in, *Ethics, Exegesis and Philosophy: Interpretation after Levinas*, Cambridge: Cambridge University Press, 2001, 147.
25. Levinas later retrieves the term *éveil*, wakefulness, to characterize this function of reason beyond the philosophy of the Same: “Reduction would be an awakening of the spirit beyond certainties or uncertainties, modalities of the knowledge of being [...]. [A] rationality of thought is profiled [in this ethical conception of wakefulness...] contrasting with the norms that command the identity of the Same.” Levinas, *GCM*, 21. Thus he denies again that this is the work of philosophy understood simply as ontology or phenomenology. Levinas, *GCM*, 29.
26. Levinas retains his use of the term “writing” to describe the pretensions to synchrony of the Said: “In writing the saying does indeed become a pure said, a simultaneousness of the saying and of its conditions.” Levinas, *OB*, 170–1. See *OB*, 166. At the very end of the book, by contrast, Levinas says that, “the substitution of the hostage discovers the trace, the unpronounceable writing [*écriture imprononçable*] of what [is] always already past.” Levinas, *OB*, 185.
27. This is an essential point of Levinas’ thought that is often overlooked. Critchley says, “[t]he distinction between the Saying and the Said corresponds to the demarcation in Lacan between the order of enunciation (the subject’s act of speaking) and the *énoncé* (the formulation or translation of this speech act into a statement or proposition).” Critchley, *The Problem with Levinas*, 77–78. See a similar claim in his “Introduction,” in *The Cambridge Companion to Levinas*, 18. The ethical for Levinas would cut across the constative and the performative, hence Levinas’ explicit rejection of the *parole-activité* as the ethical aspect of language, even in much earlier work. Levinas, *TI*, 182. Elsewhere, Critchley treats the Saying, or ‘ethical language,’ as a special domain of terms and syntax. The phrase, “a passivity more passive than all passivity,” he says, quoting Levinas, “is a good example of Levinas’ ethical language.” Critchley, *The Problem with Levinas*, 71. But taken by itself, this is nothing but an apophantic phrase. The Saying is inevitably bound up with the Said; and Levinas writes decades’ worth of books and articles about transcendence—knowing that it cannot really be described—presumably with an aim to evoking real ethical meaning in this world. But are rhetorical maneuvers really the basis of the re-orientation of being and meaning that Levinas had imagined, that would rescue the anonymous

victims from war and anonymous being? Is speaking in hyperbole included in one's obligation to the widow, orphan, stranger?

28. Levinas, *Discovering Existence with Husserl*, 33.

29. Levinas, *OB*, 169. Repeated elsewhere: "the history of Western philosophy has been a destruction of transcendence." Levinas, *GCM*, 56.

30. An anonymous reviewer suggested—as many scholars seem to assume—that we can respond to this problematic simply by pointing out that meaning "fluctuates" between the Saying and the Said. However, a primary goal of this paper is to ask how and when these alternations happen. Without a precise response to this problem, it is not clear how we are to navigate responsibility. Is philosophy really required to evoke the Saying? If so, what kind of philosophy? If no answer can be given to this question—and Levinas does not quite give an answer—then it becomes difficult to know how we can be affected by the Saying. If all of our actions are equally beholden to the Saying and the Said, or if we cannot know how our actions will fare with respect to the Saying and the Said, then how can we respond meaningfully to the other? And if we cannot respond meaningfully to the other, then in what sense do we actually experience alterity?

31. Levinas, *TI*, 178. See *TI*, 213. See also his 1954 "The Ego and the Totality." Levinas, *CPP*, 43. Ciaramelli says that "it is perhaps to be regretted that Levinas dropped the idea of a constitutive correlation between the prophetic word and the response to the call of the other attesting to the presence of the third" in his later writings, that is, the correlation between prophecy and the order of being. Ciaramelli, *Transcendance et éthique*, 152. However, the reason that Levinas does this is to avoid the also regrettable alternative whereby prophecy serves to forge a *correlation* between the Saying and the Said that would blot out the Saying. Cf. Bergo, *Levinas Between Ethics and Politics*, 191.

32. Levinas, *OB*, 150, with reference to Isaiah, 65: 24. Levinas describes the possibility of the pronunciation of the divine word in human language in analogous terms. Emmanuel Levinas, *In the Time of the Nations*. Translated by Michael B. Smith. Bloomington: Indiana University Press, 1994, 111–112. See Emmanuel Levinas, *Beyond the Verse: Talmudic Readings and Lectures*. Translated by Gary D. Mole. Bloomington: Indiana University Press, 1994 (*BV*), 110 on the human being as the "prophetic animal." Levinas' understanding of 'prophecy' is not classical. Cf. Léon Askénazi, "Y a-t-il une philosophie juive?" In his *La parole et l'écrit*, edited by Marcel Goldmann, 29–40. Paris: Albin Michel, 1999, 37.

33. Levinas, *OB*, 150.

34. Dudiak says: "it is true that the technical details of *how* the said would arise from out of pure saying are decidedly sketchy in Levinas' text, even if we are given the reason *why* this movement from the saying to the said is necessary." Dudiak, *The Intrigue of Ethics*, 234.

35. *ITQL*, 157. Many of Feron's phrases play on Levinas' description of the Saying as exposure to the other as the meaning of sensibility, described as the very beating of the heart or as respiration, breath. See Levinas, *OB*, 181. See André Neher's account of the importance of the

- notion of spirit or breath—*ruah* in Hebrew—in Jewish theology, and the many overlaps between this and Levinas’ use of the metaphor of respiration. See André Neher, *Prophètes et prophéties*. Paris: Éditions Payot & Rivages, 2004, 107, 110–1.
36. Feron, *ITQL*, 206. See Levinas, *OB*, 24. Franck, too, cites Levinas on this theme: “the question,” i.e., the search for truth, “is not explained by astonishment only, but by the presence of him or her to whom it [the question] is addressed.” (Didier Franck, *L’un-pour-l’autre: Levinas et la signification*. Paris: Presses Universitaires de France, 2008, 18); citing Levinas, *TI*, 96. Franck’s important recent work containing many critiques of Levinas’ views on language—many of which have better responses than Franck concedes—cannot be entered into here in detail.
37. *Ibid.* Feron repeats this hypothesis again later (*ITQL*, 313). Derrida asks: “Is not intentionality respect itself [for the exteriority, the infinite, the other]?” Derrida, “Violence and Metaphysics,” 121.
38. See Emmanuel Levinas, *Nine Talmudic Readings*. Translated by Annette Aronowicz. Bloomington: Indiana University Press, 1994, 25. This lecture discusses how much more unforgivable is a moral infraction committed by the learned. See also Levinas, *TI*, 43–44, 171, 180, on the seductive and violent quality of maieutics, a repudiation of Socrates for his ontological commitments, despite the fact that he seems to be invested in nothing more than concrete, face-to-face engagement.
39. Levinas, *GCM*, 110. This qualified privileging of the question is mentioned by Levinas several times in the essays included in *Of God Who Comes to Mind*. See *GCM*, 191–120, 165, 171.
40. Emmanuel Levinas, “Les enseignements,” in *Parole et Silence et autres conférences inédites au Collège philosophique: Œuvres 2*, eds. Rudolphe Calin and Catherine Chalier, 173–198. Paris: Grasset/IMEC, 2009 186–187. Levinas elsewhere refers to the “questioning virtue [that] has been perpetuated in the Talmud, the basis of all Jewish education.” (Emmanuel Levinas, *Difficult Freedom: Essays on Judaism*. Translated by Seán Hand. Baltimore: The Johns Hopkins University Press, 1997, 287). Repeated in a much later article in Levinas, *BV*, 150.
41. Diane Perpich holds a similar thesis in *The Ethics of Emmanuel Levinas*. Stanford: Stanford University Press, 2008, 144–5. She claims that skepticism, denying that we have reached the truth, is precisely the enactment of ethics (*ibid.*, 123). Ethics finds its domain in questioning, when we ask why and how we are responsible (*ibid.*, 44–5). Insofar as Perpich proposes that questioning is the philosophical mode that serves ethics, her analysis meets with the same difficulties as does Feron’s. See also Ian McPherson, “Other than the Other: Levinas and the Educational Questioning of Infinity.” In *Levinas and Education: At the Intersection of Faith and Reason*. Edited by Denise Egéa-Kuehne, 85–99. New York: Routledge, 2008.
42. Levinas, *OB*, 23–4. Levinas says that *teaching* is this being put-into-question by the Other. Levinas, *TI*, 171. But again, to pose the question “what?” reduces essences to the totality of being, refuses alterity. Levinas, *TI*, 177.
43. Levinas, *OB*, 27. See *OB*, 8: “the extraction from essence contests the unconditional privilege

of the question *where?*; it signifies a null-site [*non-lieu*].” Heidegger makes different but similar claims. See “Letter on Humanism,” in *Pathmarks*. Translated by Frank A. Capuzzi. Edited by William McNeill, 239-276. Cambridge: Cambridge University Press, 1998, 249. See also Martin Heidegger, *On the Way to Language*. Translated by Peter D. Hertz. New York: HarperOne, 1991, 71, 74.

44. This is why Ciaramelli says that Levinas’ Judaic-inspired philosophy investigates a thought that is guided by the original event that inspires and makes possible questioning. “There is, for him, a beyond of the question that precedes the freedom of the questioning attitude.” (Fabio Ciaramelli, “Le rôle du judaïsme dans l’œuvre de Levinas.” *Revue Philosophique de Louvain* 52 (1983): 580-600, 595). He adds, “In the horizon of religious existence, the first event is precisely the giving of the law and it is unthinking to question it” (*ibid.*, 596).

45. Emmanuel Levinas, *En découvrant l’existence avec Husserl et Heidegger*. Paris: Librairie Philosophique J. Vrin, 2001, 138.

46. A partial solution to this problem in non-strictly philosophical terms is proposed in Jordan Glass, “Education as Ethics: Emmanuel Levinas on Jewish Schooling.” *Continental Philosophy Review*, Vol. 51. 4 (December 2018): 481-505.

**from restricted to general
political economy: derrida
and marx on meaning and
value¹**

samuel a. chambers

GENERAL ECONOMY: DERRIDA ON BATAILLE

Among the large body of Jacques Derrida's well-known early books and articles translated into English, his essay on Georges Bataille stands out. Almost all of those early texts illuminate the contours of deconstruction as both a reading practice and a "philosophy" because they themselves are deconstructions: in them, Derrida reads a canonical author with and against himself in order to show how that author's particular fixing of meaning depends fundamentally on a constitutive outside of non-meaning, one that the author purports to disavow yet always necessarily has recourse to. Typically these texts therefore involve two primary readers/writers: Derrida and his subject author—e.g. Ferdinand de Saussure, Sigmund Freud, Martin Heidegger, Jean-Jacques Rousseau, and so on.

And usually the relation between these two figures looks similar across texts: Derrida reads the author with the grain to indicate the meaning the author wishes to invoke, and then (or better, of course, at the same time) reads him against the grain to bring to light, to put into play (*mettre en jeu*), without necessarily naming or declaring, the non-meaning upon which this primary meaning depends.

But in his 1967 essay, “From Restricted to General Economy: A Hegelianism Without Reserve,” the reader finds three readers/writers: GWF Hegel, Bataille, and Derrida. I describe this essay as distinct, perhaps even unique, because in it Derrida does not perform a deconstruction of Bataille’s texts, nor Hegel’s. Rather, Derrida provides a subtle, but in many ways straight-on (i.e., not deconstructive) reading of Bataille reading Hegel. To drastically oversimplify for purposes of clarifying contrast: Bataille thinks he is merely reading Hegel, while Derrida suggests that Bataille, at his best, is—or could be—deconstructing Hegel. All of which means that in this essay, Derrida reads Bataille as a deconstructionist, but Derrida himself does not deconstruct. The essay does not *do* deconstruction but offers an *example* (even if as a counterfactual) of someone else doing deconstruction.²

The essay matters for my purposes here because of what remains occluded (perhaps by Bataille, but certainly by Derrida) at the very moment of the central pivot point in the argument. While Derrida does not deconstruct Bataille, this essay parallels the argumentative structure of a deconstruction by offering two moments—two movements, two readings. Rather than the second movement being brought to bear by Derrida from outside (which was necessarily inside) the text, in this case Bataille himself identifies the two readings. The key quotation from Bataille appears late in Derrida’s essay, and reads as follows:

The question of this *general economy* is situated on the level of political economy, but the science designated by this name is only a restricted economy, (restricted to commercial values). In question is the essential problem for the science dealing with the use of wealth. The *general economy*, in the first place, makes apparent that excesses of energy are produced, and that by definition, these excesses cannot be utilized.³

As Rodolphe Gasché has brilliantly argued, Derrida’s early work is marked by the proliferation of “infrastructures”: resignified or newly created terms mobilized to produce concepts that are not the concepts of metaphysics (words that are not “words” of a given language).⁴ The list of examples feels endless: *pharmakon*, “play,” “writing,” *différance*. In each of these famous cases Derrida wrenches,

twists, or tears the word from the “original” context in which its author first placed it so as to produce the quasi-concept that is “Derrida’s” own. Here again the Bataille essay stands apart because the obvious “infrastructure” (named in the title) belongs, it would seem, to Bataille himself. “General economy” is Bataille’s own term, not Derrida’s. What Derrida is “putting at stake” (*mettre en jeu*) in this essay is Bataille’s own idea of “general economy.” But Derrida wants to mobilize Bataille’s concept, not so much—as with a standard deconstruction—against Bataille, but rather against Hegel’s speculative philosophy. The essay lacks a Derridean deconstructive reading precisely because Derrida wishes to show that Bataille has already deconstructed Hegel. The first Bataille sometimes simply fails to acknowledge what the second Bataille has already done.

Derrida’s “agenda” seems clear: he repeatedly argues in his early writings that any philosophical project must go *through* Hegel if it wants to get around, past, or beyond Hegel. Put differently, to ignore or dismiss Hegel is always to be *comprehended* by him, because the Hegelian philosophical system recuperates *as its own* the very negation that would dismiss it. Hegel marks a culminating point in “Western metaphysics,” not (as he himself thought) because the end of history had been reached, but because the totalizing nature of Hegel’s dialectic, its capacity to contain that which would oppose it, means that there can be no simple alternative to Hegel.⁵

Deconstruction, in turn, proves fundamentally necessary because it offers the only way to “do philosophy” (to think, to make meaning) in the wake of Hegel.⁶ Deconstruction is the alternative when there is no alternative. Bataille therefore serves as a lynchpin for Derrida since no thinker (prior to Derrida) grasped the significance of Hegel more deeply than Bataille. Bataille responds to the totalizing dimension of the Hegelian dialectic, to the power of the *Aufhebung* to capture/cancel/preserve all negativity, with the only thing that might still be in excess of philosophical comprehension: a (Nietzschean) burst of laughter.⁷ Derrida wishes to harness the power of this laughter; he needs to put it to work while still keeping it at play—*mettre en jeu*.

Derrida aims to channel and amplify a force found in Bataille’s texts, but rather than redirect that force against Bataille directly (as would be the case in a typical deconstruction), Derrida wants to turn the force against Hegel. As Derrida reads him, Bataille simply has more tools at his disposal than he is aware. To be precise: the concept of *general economy* can be used against Hegel. Here is Derrida’s thesis (which, of course, he would deny as a philosophical thesis): “The Hegelian

Aufhebung is produced entirely from within discourse, from within the system... the Hegelian *Aufhebung* thus belongs to restricted economy.”⁸

Let me unpack the stakes of this claim, since they prove quite high: in one blow Derrida purports to reconceptualize Bataille’s entire project so as to turn that project against Hegel. To go back to the start, we should remind ourselves that Bataille understands himself to be a Hegelian, and Derrida decisively affirms the point: “all of Bataille’s concepts are Hegelian.”⁹ “General economy” can therefore be nothing other than a Hegelian concept. In the Bataille quote above, he sees himself as demonstrating the superiority of Hegelian “general economy” to the restricted economy of classical political economy. But Derrida turns all this on its head (or right-side up?) by proclaiming *that the Hegelian system itself* remains trapped in a “restricted economy.” Despite assertions to the contrary, the Hegelian *Aufhebung* cannot think negativity or excess in or to their depths (to the points at which they make the system itself tremble) because it cannot allow negativity to remain *in play*; it always turns negativity into a moment of *work*, that the *Aufhebung* will sublimate. Derrida writes:

A determination is negated and conserved in another determination which reveals the truth of the former. From infinite indetermination one passes to infinite determination, and this transition, produced by the anxiety of the infinite, continuously links meaning up to itself. The *Aufhebung* is included *within* the circle of absolute knowledge, never exceeds its closure, never suspends the totality of discourse, work, meaning, law, etc.¹⁰

When Derrida emphasizes *within* he turns it into a pejorative. Hegel’s is no more than a restricted economy, sealed within the circle of knowledge that it can never transcend. Hegel falls short of a genuine “general economy”; hence general economy specifies a movement beyond Hegelianism. General economy is, as Derrida’s subtitle announces, “a Hegelianism without reserve,” but as such it is no longer “Hegelian” at all. It is no longer *philosophical*; it becomes a “form of writing” that “designate[s] a movement which properly constitutes the excess of every possible philosopheme.”¹¹ Such a Hegelianism is incomprehensible to Hegel, or to philosophy.

The passage from restricted to general economy, named by Derrida in the title to the essay, is nothing other than the general movement through or past—somehow beyond, yet not apart from—Hegel.¹² Bataille offers Derrida and his readers the very *point de passage* that would be required to get out of the *cul de*

sac of metaphysics. The performative argument through which Derrida reads Bataille (not a *deconstructive* reading but still surely a *Derridean* reading) proves crucial to any attempt to make sense of Derrida—or of “deconstruction” or “post-structuralism” as meaning-making practices of reading and writing at the end of metaphysics.

GENERAL *POLITICAL ECONOMY*

All of the above proves crucial and yet it is not quite what is *at stake* in my reading here. It's not what I want to *mettre en jeu*. Let me return to the essential quote from Bataille that Derrida uses to effect the fundamental shift in the relation between Bataille and Hegel—to return to the place where Bataille offers the decisive contrast between a restricted economy and a general economy. In this passage Bataille makes two related, but distinct, claims. First, political economy provides the foil for the idea of general economy. The former remains a *restricted* economy because it is persistently constrained by the terms of exchange-value and use-value (“commercial values”). Political economy, Bataille suggests, insists on accounting for all values, and thus preventing any genuine excess; it does not allow unmeasured wastage or uncompensated expenditure. General economy, in contrast, is excessive by definition. Its “excesses cannot be used”; it produces energies without purpose, energies “lost without the slightest goal, in consequence *without any meaning*.”¹³ General economy thus utterly exceeds the restricted economy of political economy. Nevertheless, second, Bataille still affirms the idea that this general economy remains “situated on the plain of *political economy*.”¹⁴

And thus we are brought to the point where we must read Derrida against Derrida, or show that Derrida is less Bataillean than he thinks. Because Derrida either willfully ignores Bataille's second point or simply remains blind to it. Derrida removes/relocates general economy to the plane of philosophy, referring in the last paragraphs of his essay only (and repeatedly) to the question of meaning, but never to the question of value.¹⁵ However, to borrow one of Derrida's most potent descriptions of Bataille, the retreat to meaning in the closing sections of Derrida's essay comprises a set of “admirable, untenable formulation[s].”¹⁶

Bataille himself says directly and without uncertainty that general economy operates at the level of political economy. This means that the “economy” in general economy must be something more or other than a metaphor for the circulation of philosophical tropes and concepts. The possibility of a “general economy” must include the possibility of a *general political economy*. That is, general economy must

also deal with the questions of the production and circulation of commodities, which thereby necessitates consideration of the production and circulation of *value*. My question here: *what would a general political economy look like?*

This therefore will not have been an essay on Derrida on Bataille, since it must have already become an essay on Marx on value.¹⁷

I start by concurring with Bataille's initial formulation: political economy as we know it offers us no more than a restricted economy. It proves incapable of dealing with excess or destruction, either straightforwardly, because of its substantialist account of value (in the classical paradigm) or more subtly, because of its subjective and quantitative approach to value-as-utility (in the neoclassical paradigm).¹⁸ In either case, Bataille's brief critique still holds: political economy has no space for sacrificial destruction or sovereign excess. Political economy is a calculative science, one which assumes that all goods are commodities from the start (see Smith's and Ricardo's, respectively, obscene remarks on hunter-gatherer societies), one that hypostatizes a domain (called "the economy") of "general equilibrium"—itself another name for a restricted economy, one definitionally without remainder or excess.¹⁹

Nonetheless, not everyone who has engaged with political economy has done so within the *paradigm* of political economy. While Marx has been consistently and incessantly *mistaken* for a classical political economist, he was always at pains to repeatedly remind his readers that the central thrust of his major project (the work of the last three-plus decades of his life) was neither a contribution to political economy, nor an internal critique of specific political economists.²⁰ Marx set out to produce a fundamental critique of the entire paradigm of classical political economy. Indeed, that paradigm for Marx played much the same role as "western metaphysics" or "philosophy" played for Derrida: there was never for him any other place to start, but the point was not merely to *work within* that space but to question it, to put it at stake or into play—*mettre en jeu*.

I am suggesting that Marx's writings can and must serve as the primary site to explore the possibility of a *general political economy*,²¹ since what Marx offered was a whole new form of "political economy," such that (like "philosophy" with Friedrich Nietzsche) any reader of Marx must wonder whether Marx's own writings can still be called political economy. Such a suggestion goes against a series of long histories of reading Marx: as himself a "Marxist" (in the sense of political partisanship or "worldview Marxism") who ethically privileges labor and

the worker (highly selective readings of *Capital*, Vol. 1); as a bad social scientist who “predicted” a revolution that never came (*The Communist Manifesto* and “famous” lines from “The German Ideology”²²); as a rather amateur enlightenment philosopher of (human) nature (“The 1844 Manuscripts”²³); as the developer of a “science of history” called “dialectical materialism” (Engels’ and Lenin’s and others’ postmortem interpretation).²⁴ Now is not the place to explore in any detail the shortcomings of these well-known readings of Marx, but each is in its own way quite limited and constraining, and all of them avoid direct engagement with the intellectual project that Marx devoted himself to from the late 1850s until his death in 1883.

Instead, I will simply note that we now have a half-century-long alternative tradition for reading Marx precisely as a *critic* of classical political economy, for exploring in depth those writings that comprised such a critique, and for explicating the radical nature of these arguments. The value-form theorists have developed a rich alternative understanding of just what is at stake/in play in Marx’s writings. This reading sees Marx’s writings after 1850 as radical precisely because they attempt a dramatic paradigm shift (an epistemological break, indeed, though not quite the one Louis Althusser envisioned), because they give an entirely different account of a capitalist social order (including its historical emergences and its present laws of motion) than that provided either by classical political economy or by “worldview Marxism.”²⁵

RESTRICTED ECONOMY: CLASSICAL POLITICAL ECONOMY

My conceit here is to suggest that Marx’s explication of the capitalist value-form amounts to an articulation of a general political economy. To spell this out I begin (in this section) with the restricted economy of the classical economists before (in the following section) showing how Marx effectively deconstructs their texts to reveal a “political economy without reserve.” We can start by saying schematically,²⁶ yet still accurately, that classical political economy emerges as an area of inquiry as a response to the first early developments of the logic of capital. That is, historically the origins of capitalism both pre-date and serve as conditions of possibility for the emergence of classical political economy, a discipline that seeks to answer questions thrown up by the historical appearance of a whole new set of “economic” forces that themselves give rise to new forms of *wealth* and new social classes in possession of such wealth. Under feudalism the political and the economic are almost completely isomorphic: lords possess title to land granted by the crown, and that land produces wealth; serfs work the land as servants

to their lords, thereby preserving both the lords' wealth and the serfs' peasant existence. But with the appearance of first merchant capitalism and then agrarian capitalist practices, new forms of wealth appear in the world. Put reductively, classical political economy emerges to answer the question of where that wealth, that new form of value, comes from.²⁷

Given this framing, Philip Mirowski's brilliant but still under-appreciated (because it rejects all of neoclassical economics) early work can provide a tidy summary of the classical paradigm,²⁸ one that indicates decisively how it produces a *restricted* economy. Mirowski shows that despite massive differences across time and place, all of classical political economy—influenced directly or indirectly by Cartesianism—remained committed to a *substance theory of value*.²⁹

We can see this perhaps most strikingly with the work of the physiocrats: while they were arguably the first to conceptualize genuine *surplus* (the germ of surplus value), they constrained the idea by tethering such surplus to the land itself. When Mirowski suggests that “the *Tableau Economique* of François Quesnay is the purest instance of the classical substance theory of value,” he means that within the “circular flow” diagram that Quesnay was the first to draw, we can directly track the movements of substantive value as it flows through a socio-economic order.³⁰ The physiocrats were not arguing that land was literally value itself, because, in describing “agriculture as the sole source of wealth,” their point was that only *agricultural labor* was productive of surplus.³¹ Nonetheless, the emphasis on agriculture production made, as Quesnay himself put it, both “*land* and the *advances of the entrepreneurs...the unique source*” of a net revenue (a surplus).³² Land is not value, but it is value's *source*, and the physiocrats thus centered their economic theory on *blé* (corn or wheat) as the *substance* of value. Productivity as the efficient use of inputs to maximize output can be seen directly in the movement from spring planting of seeds to the autumn harvest of crops. Only in agriculture could value be enhanced, and literally *grown*. (The use of “grow” as a transitive verb, including the special phrase, “grow the economy” arrives centuries later, yet somehow remains threaded back to the physiocrats). They thus rendered value and its augmentation material—and hence *restricted*.

It would be tempting to dismiss the physiocrats' hypostatization of a value substance in seeds of grain as a historical curiosity were it not for the fact that their work set the terms for Adam Smith, the most celebrated “economist” in history. Mirowski argues doggedly that Smith's project not only takes up François Quesnay's terms, but also recapitulates his fundamentals. Mirowski puts the point

this way: “Smith’s theory of value is a weakened version of physiocracy because it retains a substance theory of value, but without the straightforward accounting system and quantitative pretensions of Quesnay.”³³ It goes without saying that Smith does not associate value with farming crops, but Mirowski’s point (backed up by some of Smith’s best readers³⁴), is that Smith merely generalizes the basic idea of a value substance. Rather than locate that substance narrowly in *blé*, Smith broadens it into the category of “stock.” For Smith wealth is nothing other than the “stock” of all physical goods, plus “education, talent and abilities.”³⁵ *Value is stock*, for Smith, and stock (for Smith, as for a figure like Thomas Piketty today) is tangible, material, even in many cases countable.³⁶ The growth in the wealth of nations is directly attributable to an augmentation of stock. And Smith goes on to argue that this “productivity” comes about precisely because of “parsimony,” i.e., efficient use of the current stock in order to create more stock. Value increases naturally through the saving of capital stocks in order to use them in the production of new stock. The modern formula is clearly legible: savings + productivity = growth.

Mirowski does not purport to rewrite that formula but rather to link it to its underlying premises. Smith’s stock theory of value must be a type of substance theory of value, and as such, the argument intrinsically contains a “prohibition on the diminution of value.”³⁷ If value is substance then value grows only physically and is destroyed only physically. Classical political economy thereby manifests a “conservation principle” where value can be produced, circulated, or even augmented.³⁸ However, value can never be directly destroyed, but only indirectly eliminated through physical destruction. And there can certainly be no “excess without utility” as Bataille puts it, since all value will be counted as stock, and thereby serve as the basis for future value. A substance theory of value provides us with the very definition of a *restricted economy*—no sacrifice, no excess, no unrecuperable remainder.³⁹

MARX AND THE CRITIQUE OF RESTRICTED (CLASSICAL) POLITICAL ECONOMY

This brings us to Marx, where it may appear as if I have stacked the deck against myself. After all, if committing to a substance theory of value embeds one within a restricted economy, does this not doom Marx, who is famously known for adhering to a labor theory of value—one that makes labor precisely the *substance* of value? In response, let me begin with a Derridean reminder: the alternative to a substance theory of value cannot merely be other to that theory; rather, it will

have to go *through* the substance theory of value. As with Hegel, so with value: one cannot merely start *elsewhere*. Derrida's deconstruction of presence does not eliminate presence; his deconstruction of identity does not do away with identity; deconstruction *displaces*, but for that very reason still keeps in play (*mettre en jeu*) that which is displaced.

This is the spirit in which we must attempt to reread Marx's very famous lines about labor, the commodity, and value. Yes, Marx says directly that labor is the "*substance* of value," and that this is what renders commodities "equal" to one another.⁴⁰ But what might such claims mean in a context in which Marx declares repeatedly (over and over and over again): that money is the *necessary* form of appearance of value; that to grasp the logic of capital we must first understand what no previous thinker has ever understood, the value-form; that we must analyze value as itself nothing more nor less than a social form.⁴¹ Most importantly, Marx shows that the value-forms cannot be traced back to a substance that precedes them, since, as with Derrida, it will turn out that such a substance is always and already a retroactive projection, one made possible by the prior emergence of the value-form itself. To again parrot Derrida by stating the conclusion first: labor can only be/become the "substance of value" if and when the value-form preponderates.

Chris Arthur expresses just this point in his incisive development of the value-form reading of Marx. Arthur starts by showing that the move Marx makes early in volume 1 of *Capital*—the suggestion that two commodities can only be equal to each other if they are equal to some third thing (labor time)—is not at all (or in fact) Marx's *argument* designed to *demonstrate* how commodities can be equal.⁴² If labor were itself a timeless substantive source of value, then Marx would have been able to dispense with all of the tedious discussions of the various forms of value (isolated, relative, expanded, general, and money forms) that comprise section 3, by far the longest section of chapter 1 of volume 1 of *Capital*—a section that many readers of Marx are quite content to skim or skip.

But that section is long and tedious (and complicated and hard to read) for a reason: it is there, as the title to the section announces, that Marx first starts to develop his analysis of the *value-form*. And Marx is clear with his readers about the stakes: the chapter began with exchange-value, specifically "in order to track down" value "itself," but despite Marx's "announcement" that labor is the source of value, that primary project is not even close to complete. Marx knows well that the claim "labor is the substance of value" is not new: Smith said it (but didn't really mean it); Ricardo said it (and meant it). But Marx wants to perform a critique

of political economy, and he announces the development of that critique with a rhetorical flourish: “Now, however, we have to perform a task never even attempted by bourgeois economics.” That task, the thing classical political economy has never dared to try—and could not try because it remains trapped within the terms of a restricted economy—is the logical analysis of the value-form, an analysis culminating not in labor (or commodities) but in “the dazzling money-form.”⁴³ And when he turns to the money-form Marx himself opens up the possibility of *general economy* in just Bataille’s sense of it. As Derrida puts it, “general economy... will be related not to a basis, but to the nonbasis of expenditure, not to the *telos* of meaning, but to the *indefinite* destruction of value.”⁴⁴ For Marx, the money-form of value allows for and always contains a tendency toward an indefinite destruction of value that is not itself the destruction of physical substances, but which may certainly lead to such destruction.

Marx moves quickly in section 3 of chapter 1 of *Capital*, volume 1. Not tarrying to explain the methodological or broader epistemological implications of this point vis-à-vis the paradigm of classical political economy, Marx immediately transitions to his analysis of the simple value-form. Arthur has helpfully taken the time to spell out those implications, and his commentary highlights the difference between the restricted economy of the classical paradigm, and Marx’s displacement of that paradigm, so as to think a general political economy. Arthur writes:

The ultimate object of Marxist theory is the capitalist form of social material production; but it does not follow that in the presentation it is necessary to [start with] general categories of production. ...[B]ecause of its importance in shaping the character and direction of social material production, the value form (as the germ of capital) should be analysed first. ...the question of form is so crucial that the presentation starts with the form of exchange, bracketing entirely the question of the mode of production...⁴⁵

This has a large number of implications for how we read Marx, but for my present purposes I want to focus narrowly on the question of the “substance” of value. Arthur’s approach performs the Derridean trick of displacing a textual element from one context to another. Arthur helps us to see that Marx’s claims about labor as the “substance” of value are not primary, logical claims about transhistorical “truths” of labor,⁴⁶ but rather radical, historicist claims about the unique and absolutely *perverse* nature of labor within a capitalist social formation.

To come to the crux of the matter: it is only due to the capitalist value-form—that is, due to the unique social form that value takes within a social order marked and shaped by the dominant logic of capital—that labor could *come to appear as* the substance of value. Arthur delineates the first step in this argument when he explains that regardless of what else we might say about the “substance” of value, we must first insist that nothing like this could be thought to “exist prior to generalised commodity production on a capitalist basis.”⁴⁷ In other words, we literally cannot meaningfully speak of labor as value’s substance unless and until we find ourselves in the unique social formation (one that only emerges within and through historical development) of capitalism.⁴⁸ The next step is to show that the value-form—the form that value takes, that it must take, within a capitalist social order—always remains the necessary precondition for anything like the appearance of a “substance” of value.

Marx repeatedly says of the political economists that they have failed to even *ask* the right questions. Classical political economy presumes the givenness of value, because it does not ask the genealogical question of where it came from. Hence working from within the perspective of a restricted economy, it seems logically correct to assume and to seek a *substance* of value. But for Marx value is not a given that we would point to empirically, as the physiocrats did with wheat, as Smith did with stock, and as Ricardo did with labor. Instead, we must explain the value-form itself: how is a society arranged such that labor *appears* to be the “substance” of value? As Rubin powerfully illuminated almost a century ago: “*labor cannot be identified with value. Labor is only the substance of value, and in order to obtain value in the full sense of the word, labor as substance of value must be treated in its inseparable connection with the social ‘value form’ (Wertform).*”⁴⁹ Moreover, once one treats labor in this way—that is, once one connects labor *as* substance of value to the social value-form—we find that labor is not really a “substance” in any sort of traditional philosophical sense. Indeed, Rubin reminds readers that Marx himself did not use the phrase “substance of value” in the German first edition of *Capital*, but only substituted this phrase in order to simplify his original term, *Wertgegenständlichkeit* (“labor objectiveness”).⁵⁰

Labor as substance of value is not a philosophical or logical truth that Marx proclaims, but a contingent historical fact that he hopes to explain. His explanation is far from simple, and he develops it over literally thousands of pages of writings during the last 30 years of his life, but we can safely identify two key elements of that explanation. The first is historical: Marx thinks that whatever we might say about capitalism and its laws of motion, we cannot assume that such “laws”

hold for social orders structured by different modes of production. Labor is quite simply *not* the substance of value within a feudal or tributary mode of production, since these social orders are arranged differently and thereby produce different laws of motion.⁵¹

GENERAL POLITICAL ECONOMY: MARX ON VALUE

The previous section offers a demonstration of a point that certain readers of Marx have been making for quite a long time: Marx was not a student of classical political economy, attempting to improve upon it, but rather a critic of the entire paradigm. Marx learned a great deal from most all of the classical economists, especially Ricardo, but it is impossible to grasp Marx's mature project without understanding his radical break with Ricardo (and hence the entire classical paradigm).

Of course, Marx was not just a critic. Michael Heinrich helpfully describes Marx's overall "mature" project (roughly 1850–1883) as dual: the "critique of political economy" and "capital."⁵² The latter project, labeled with the watchword "capital," can be variously described as: a critical analysis of the structures, forces, relations, and logics of a capitalist social order; an attempt to bring to light the "laws of motion" of such an order; and also the development of guiding methodological insights that help us to understand how one takes such an historical artifact as the object of analysis.

This program of research necessarily proved deeply theoretical, and led Marx, I would argue, to far more significant philosophical arguments than what we find in Marx's early works (usually found in unpublished manuscript form), which are so often the very texts treated by analytic and normative philosophers. One way to describe, through a theoretical or philosophical lens, the output of this mature project is with the name "value-form theory." The very first (German) edition of *Capital, volume 1* contained an appendix with the short title, *Die Weltform* ("The Value-Form"). Taking up this text brings to light some of Marx's more profound philosophical conclusions, and it can help to focus and refine the broad claim I am pursuing here that we might grasp Marx's mature project as the articulation of a "general political economy" in Derrida's/Bataille's sense.

Marx begins that appendix with an apparently simple or banal claim, but one I think has far more philosophical force (in a sense that Derrida and Derrideans would and should appreciate) than most readers have credited it with. Marx states directly that a commodity—which does not exist by nature, but only comes into

being through historical development—by definition, “must possess a *twofold form*.”⁵³ On the basis of this “dual essence” Marx then develops:

1. the distinct *forms* of value: simple, expanded, general, and money
2. the *modes* of expressing value: the value equation (*Wertgleichung*) or value relation (*Wertverhältnis*); and the value expression (*Wertausdruck*)
3. the *poles* of value: relative and equivalent

There is no space here to develop or analyze any of these shapes in depth. Instead, I map out the broad schema because it points toward an important conclusion: there is no essence to value, no *arche* for the value-form. Marx says as much himself: “not an atom of matter enters into the objectivity of commodities as values.”⁵⁴ In a direct and literal sense *there is no substance to value*. Marx does not “have” a substance theory of value, because his entire project is devoted to explaining the fact that value *appears as if it were a substance* within a capitalist social order. The classical economists take this appearance as truth, and explain it by attaching the substance of value to various categories of material objects or practices: wheat, stock, labor. Marx seeks to “derive” the value-form so as to make sense of the appearance itself. The appearance is not false. Marx followed Hegel in the latter’s insistence that *essence must appear. Value must appear*, variously, as exchange-value, as labor-time, and most significantly, as money. Yet at the same time, there is no value that would be other to such appearance. And on its own, such appearance does not allow us to grasp the value-form as a structuring element of the social formation. After all, value must appear in all of these forms, and most of all, it must mutate between them.⁵⁵ Only by first appearing as labor and raw material (in production) can value then appear as exchange-value (in the commodity), then become money (through value realization in exchange)—all so that it can ultimately start the circuit of valorization all over again.⁵⁶

Marx’s analysis of the capitalist value-form thereby displaces the substantialist theory of value that renders classical political economy a restricted economy. Marx does not posit labor as the substance of value; he shows how the social forms of a capitalist society create structures in which labor appears *as* substance. Yet Marx’s project is designed not to assert seriously the truth of labor as substance, but to put such substance into play (*mettre en jeu*)—to dislodge it from the fixed location that it has been given both by capitalist social orders and by classical political economy’s theorization (and reification) of those orders.

Marx's theory of the value-form provides the basis to think a *general political economy*. Since value is not a substance but a social form, it *exceeds* the material/physical/empirical realm. Value knows no comprehensive restrictions. Excess and loss are essential and internal to the value-form: it can be created without concrete basis and can disappear without warning. This general political economy, to quote Derrida, places the possibility of the "absolute production *and destruction* of value" at its center.⁵⁷ And value's destruction, now to quote Bataille, can always be "useless, senseless." In a crisis, both labor and stock can prove plentiful, yet they "cannot be utilized" because they cannot take the value-form, which remains in retreat. Indeed, only a general economy of the value-form can grasp the meaning of a crisis, and can *anticipate* (though never *predict*) it as a rupture of non-meaning. The predictive models of a restricted economy will never properly anticipate a crisis, because a crisis is a crisis of value that is not itself substantial. (Although it must be emphasized that a crisis of value will often, though not always, lead to real material deprivations and demolitions.)

The argument for a general *political* economy requires one careful comparison, and one sharp contrast. We must compare Derrida's (Bataille's? Hegel's?) notion of general economy with Marx's general political economy. The differences prove subtle. We might call general economy a non-philosophical philosophy. As Derrida reads the non-concept through Bataille through Hegel, general economy emerges as yet another "form of writing." As I suggested in my opening section, "writing" for Derrida is *philosophical* through and through, but it *exceeds* any "philosopheme," any metaphysics, any fundamental ontology.⁵⁸ General economy is therefore just what Derrida's subtitle names it: "a Hegelianism without reserve." On the other hand, Marx's general political economy, while deeply, fundamentally philosophical, is not itself a philosophy, but rather an approach—a way of grasping (method) the forces and relations of a capitalist social order, a way of seeing (*theoria*) such a society. Hence we can understand both Derridean general economy and Marxian general political economy as theoretical projects that resist being or becoming philosophies. This means that they only "apply" in particular domains: deconstruction to "Western" metaphysics, dialectical materialism⁵⁹ to capitalist social orders.

Drawing the above comparison demands that we distinguish between a capitalist social order, where production is organized/patterned/structured so as to produce commodities for sale at a profit, on the one hand, with what I am calling (following Bataille and Derrida) a "general political economy," on the other. Above all, we cannot, we must not, equate capitalism with general political economy. Far from

it: as David Harvey has famously shown, capitalism is a system of successive and swirling *limits* based on the repetition of contradictions.⁶⁰ And Marx repeatedly reminds his readers that bourgeois society serves to *limit* and restrict the forms that wealth can take.⁶¹ Capitalism might be described best as a series of nested and repeated restricted economies. My claim is that Marx's theory of the value-form—a theory custom-built, as it were, to try to grasp the structures, relations, and forces of a capitalist social order—operates beyond the terms of the classical economists' *restricted* economy, and can therefore be understood as itself a sort of *general* political economy.

In the famous passage on which Derrida centers his reading, Bataille says quite straightforwardly that general economy “makes apparent that excesses of energy are produced, and that by definition, these excesses cannot be utilized.”⁶² Mainstream economics has always understood itself as a science of *efficiency*, a project designed to assure that all energy produced is (properly) utilized. Marx's understanding of a capitalist social formation reveals efficiency as something of a non-sequitur. First, because the *allocation* of resources (the textbook definition of economics) cannot be “efficient” or “inefficient”; it can only be more or less optimal, more or less just—where these latter criteria cannot be established objectively, or mathematically.⁶³ Of course, economics borrowed the concept of *efficiency* from nineteenth-century physics, and as a measure of *work*—of energy input relative to energy output—efficiency can be utilized more narrowly to measure production. We can measure one work process as objectively more efficient than another.⁶⁴

Yet economics still cannot be the science of efficiency, because *capitalist economics* aims not for the goal of maximizing output (productive efficiency) but rather for the goal of maximizing value realization (in the form of profit). A capitalist social order organizes production with the aim of valorizing value; Marx calls this the “self-valorization of value” in order to convey the crucial idea of production as organized for value's sake, not society's.⁶⁵ Marx's analysis of a capitalist social order shows at every turn that with the preponderance of the value-form, production will always be “excessive,” will always lead to waste, spoilage, destruction. If the goal is always *more* than there will always occasionally be *too much*. The augmentation of value must always be excessive. Because there can never be enough value, there will also always be too much.

This makes *devaluation* a concept both absolutely central to capitalism and simultaneously impossible for neoclassical economics to grasp. A restricted

political economy needs value to be real (material) so that it might be permanent—preservable, recuperable. A general political economy, in contrast, verifies that value is not physiological, and thereby demonstrates the myriad ways in which value can always disappear, and often will. Such destruction does, of course, lead to renewed growth (more surplus) and could be said to re-establish what the neoclassical paradigm calls an “equilibrium.” But this does not detract from, in fact it highlights, the fundamental point that excess, destruction, and sacrifice all prove *necessary* to a capitalist social order, and those losses are always irrecuperable. Despite the terminology of banking “reserves,” capitalism is a system “without reserve” because it must always, at every moment, *risk everything*. Marx illuminates the extent to which capitalism brings about and depends upon “a sacrifice without return and without reserves.”⁶⁶

I close with these suggestive comments on crisis not in order to begin (at the end) a new “theory of crisis,” but rather to use them as a measure of the distance between this account of Marx and those that are so much more familiar. The concrete example of crisis illustrates a number of elements. First, it shows the potential of a general political economy to engage with concrete political, cultural, and economic questions of the day. In the wake of 2008 (and now 2020), we have heard repeated indictments of Economics for its failure to predict, but too little has been done practically to understand crisis as constitutive of capitalism. Second, this type of case helps to mark the distance between traditional accounts of Marx as scientifically predicting capitalism’s necessary destruction, and what Marx actually wrote about the logic of capital. Marx offers no ethical critique of capitalism, and he provides no social scientific explanation of its guaranteed (self) destruction. Rather, *Marx deconstructs classical political economy*, and in so doing gives us the tools we still need to think through and beyond a paradigm that can only naturalize capitalism, rather than helping us to grasp and challenge it.

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NOTES

1. This essay was inspired by a kind invitation from Bishopal Limbu and the Portland State University department of English. Sincere thanks to Bishopal, Joel Bettridge, Liz Ceppi, and all the participants at PSU. I owe significant debts to Rothin Datta and Darko Vinketa for discussion, debate, and deliberation over many of the arguments herein. I am very grateful to helpful and forceful comments from two anonymous reviewers of *Parrhesia*. Final thanks go to my final and best reader, Rebecca Brown.
2. As Derrida puts it, “here, we must interpret Bataille against Bataille, or rather, must interpret one stratum of his work from another stratum.” Jacques Derrida, *Writing and Difference*, translated by Alan Bass (Chicago: University of Chicago Press, 1978), 275. This phrasing indicates that both “strata” are themselves “present” in Bataille’s texts, and Bataille himself is aware of these presences. These elements thereby distinguish Derrida’s approach to Bataille’s text from his approach to standard canonical figures. For example, Derrida also reads Plato against Plato, but the second Plato is itself produced anew by Derrida’s deconstruction of the text, and Derrida indicates that even though that second Plato is *in the text*, the first Plato would much prefer he not be there. Jacques Derrida, *Dissemination*, translated by Barbara Johnson (Chicago: University of Chicago Press, 1981). In his reading of Bataille it seems as if both Batailles remain aware of the other’s presence/absence.
3. Georges Bataille, *The Unfinished System of Nonknowledge*, translated by Michelle Kendall and Stuart Kendall (Minneapolis: University of Minnesota Press, 2004), 284, quoted in Derrida, *Writing and Difference* (1978), 270. I call this the key quotation from Bataille, and it functions as such not only for me in my essay, but also for Derrida in his. Derrida places a much longer excerpt from this passage at the beginning of a new subsection, titled “Writing and General Economy.” He then subtly underscores the importance of the passage by using these words to introduce it, “*Méthode de méditation* annonce ainsi *la Part maudite*.” In other words, this section—a footnote, actually—from Bataille’s 1947 book announces (advertises, even) in advance, the key claims about general economy from his 1949 book. (See Georges Bataille, *Méthode de méditation* [Paris: Éditions Fontaine, 1947] and Georges Bataille, *La part maudite. Essai d’économie générale* [Paris: Minuit, 1949].) Unfortunately, such subtlety is hard to discern in the English translation due to an editorial error. In the French version of the essay as reprinted in *L’écriture et la différence* all of Derrida’s references, whether in text or parenthetical, include only the titles of books or essays (no page numbers or other bibliographic information). Jacques Derrida, *L’écriture et la différence* (Paris: Éditions du Seuil, 1967). This quote therefore has no “cite” other than Derrida’s naming of the source, i.e., *Méthode de méditation*. Unfortunately, the editor of *Writing and Difference*, Alan Bass, mistakenly added a parenthetical cite after the quote, pointing the reader to page 233 of Bataille’s *L’expérience intérieure*. Georges Bataille, *L’expérience intérieure* (Paris: Gallimard, 1943). That text, however, is not the source of the quote and does not

develop the idea of general economy. At least two English translations of Derrida's actual source, *Méthode de méditation*, are available: one in a collection translated by Michelle Kendall and Stuart Kendall (Bataille, *Unfinished System* [2004]) and one online translation by Michael Tweed. Georges Bataille, *Method of Meditation* (2002), translated by Michael Tweed, *Pensum* (blog), <http://pensum.ca/word/translations/georges-bataille/method-of-meditation/> Accessed 10 July, 2019. The in-text Bataille quote above is from Derrida, and is therefore translated by Alan Bass.

4. Rodolphe Gasché, *The Tain of the Mirror: Derrida and the Philosophy of Reflection*, (Cambridge, MA: Harvard University Press, 1988).
5. Derrida, *Writing and Difference* (1978), 251; Jacques Derrida, *Glas*, translated by John P Leavey Jr. and Richard Rand (Lincoln, NE: University of Nebraska Press, 1990).
6. Jacques Derrida, *Positions*, translated by Alan Bass, (Chicago: University of Chicago Press, 1981).
7. Derrida, *Writing and Difference* (1978), 255; Georges Bataille, *On Nietzsche*, translated by Stuart Kendall (Albany: State University of New York, 2015).
8. Derrida, *Writing and Difference* (1978), 275.
9. Derrida, *Writing and Difference* (1978), 253.
10. *Ibid.*, 275.
11. *Ibid.*
12. "Bataille is even less Hegelian than he thinks." Derrida, *Writing and Difference* (1978), 253. Rarely, Derrida makes his point directly and succinctly.
13. Bataille, *Unfinished System* (2004), 284 (my emphasis).
14. *Ibid.*
15. Therefore Derrida also avoids, though does not necessarily displace or elide, the more fundamental question of the *relation* between meaning and value. I aim here to open up the possibility of such an inquiry into this relation, although I surely do not carry it to completion. Such an investigation would have to consider the extent to which value is itself a kind of meaning and meaning itself a kind of value. My gratitude to Darko Vinketa for inspiration and discussion on these points.
16. Derrida, *Writing and Difference* (1978), 261.
17. This segue, this *conjoining* of Derrida to Marx (and Marx to Derrida), will necessarily produce a conspicuous absence—namely, Derrida's own invocation or *conjunction* of Marx in the keynote conferences talks that became the "notorious" book *Specters of Marx*. Here, space *restricts* me to saying that such an absence, while conspicuous (and thus *present*) is not at all an accident or an oversight. I myself find *Specters* a crucial text in Derrida's corpus, among other reasons, particularly for both its radical rethinking of temporality and its development of the non-concept of hauntology. Samuel Chambers, "Spectral History, Untimely Theory," *Theory & Event* 3, no. 4 (1999). Nevertheless, I borrow Alex Thomson's description of the book as "notorious" (Alex Thomson, *Deconstruction and Democracy* [London and New York: Continuum,

2005], 199), because despite its importance and wide impact, *Specters of Marx* simply does not contain much of an actual *reading of Marx* by Derrida. *Specters* is not the site of Derrida's final engagement with Marx but rather the location of a non-engagement. In the scene from Hamlet that Derrida reads repeatedly throughout the book, Horatio and Barnardo conjure the ghost of Hamlet's father *in order to speak to it*; perhaps Derrida's favorite line from the scene, quoted four times in his book and repeated as the standalone last line at the end: "Thou art a Scholler; speake to it." Jacques Derrida, *Specters of Marx: The State of the Debt, the Work of Mourning and the New International* (London and New York: Routledge, 2006), 23, 30, 31, 239. Nonetheless, despite his repeated "injunctions of Marx," Derrida never attempts to speak *to him*. Like all of his works, *Specters* is a book *about* deconstruction itself, but more than this, the primary texts and interlocutors for Derrida in this work are not Marx (nor his ghosts) but Maurice Blanchot, Heidegger, Francis Fukuyama, and others. It is true that Derrida repeatedly recurs to the opening lines of *The Communist Manifesto*, but arguably he gets them very wrong, mistaking the 1848 "red scare" politics for a communism-to-come (see Terrell Carver, *The Postmodern Marx* [Manchester: Manchester University Press, 1998], 7–20). Derrida also mentions repeatedly, perhaps even reads, the so-called "German Ideology," but it must be noted that this "work" is not at all a "book by Marx" (see Terrell Carver and Daniel Blank, *A Political History of the Editions of Marx and Engels's "German Ideology Manuscripts* [New York: Palgrave Macmillan, 2014]; Terrell Carver and Daniel Blank, *Marx and Engels's "German Ideology" Manuscripts: Presentation and Analysis of the "Feuerbach Chapter"* [New York: Palgrave Macmillan, 2014]). Putting that aside, the main point of Derrida's reading of the so-called *German Ideology* seems to be to prove that Marx, like any good metaphysician of substance, was "out to get the specter" to vanquish all ghosts, to replace ghostly appearances with substantive essences. Derrida, *Specters of Marx* (2006), 155. There is one crucial (constitutive?) exception to this general failure to read Marx's texts, and that comes late in Derrida's book when he offers a brief meditation on the first paragraphs of chapter 1, section 4, of volume 1 of *Capital*, which Derrida describes as "a great moment at the beginning of *Capital*, as everyone recalls." (Derrida, *Specters of Marx* [2006], 186). These passages prove significant, and could form the basis, in a different context, for a critical analysis of Derrida's claim that Marx refuses to tarry with ghosts. Derrida, I would therein argue, fails utterly to grasp Marx's fundamental claim that the commodity has a "dual essence" (Ivan Illich Rubin, *Essays on Marx's Theory of Value* [Detroit: Black & Red, 2008], 16); the commodity is *twofold* in its very hauntology. Derrida wishes to make use-value real and exchange-value phantasmagoric in Marx account, thereby proving Marx's desire to vanquish ghosts. Yet Marx's entire analysis aims to deconstruct that very dichotomy. I note in passing here that my basic claim that *Specters* fails to read or confront Marx is not at all unorthodox or controversial. It's spelled out in so many words by the introduction to the 1999 collection of essays on *Specters*, where the editor freely admits that anyone hoping that the book would either "clarify" or "resolve" the relationship between deconstruction and Marx "will almost certainly be disappointed." Michael Sprinker,

“Introduction” in *Ghostly Demarcations: A Symposium on Jacques Derrida’s Specters of Marx*, edited by Michael Sprinker (London and New York: Verso Books, 2008), 1.

18. For the broad argument that classical political economy is unified (across differences) by substance theories of value, see Phillip Mirowski, *More Heat than Light: Economics as Social Physics, Physics as Nature’s Economics* (Cambridge: Cambridge University Press, 1989). Examples of the neoclassical paradigm as centered on marginal utility can range from founding works (e.g., Stanley Jevons, *The Theory of Political Economy* [New York: Penguin Books, 1871]) to contemporary textbooks (e.g., Gregory Mankiw, *Principles of Economics*, 9th edition [Boston: Cengage Learning, 2021]). Today it would be standard to periodize “classical” political economy as running from the seventeenth century to the late nineteenth century, and “neoclassical” economics as founded in the 1870s and still dominant today. However, those clear markers only really emerged after the middle of the twentieth century, which means that Bataille’s broad (and unspecified by him) references to “political economy” should best be considered as applying to both.

19. I go so far as to characterize these accounts as “obscene” because they project onto definitively non-capitalist social orders features that only emerge within capitalism, and they do so within accounts meant to explain those capitalist social orders. The idea of hunter-gatherers specializing in the making of bows and arrows, respectively, and then exchanging them with one another is but the starkest (and darkly comical) example of classical political economy’s thoroughgoing *naturalizing* tendency, its attempt to take features of a capitalist social order and project them back and forth across history as universal, timeless, ahistorical. See Adam Smith, *The Wealth of Nations, Books I–III* (London: Penguin Books, 1999 [1776]) and David Ricardo, *Principles of Political Economy and Taxation* (Kitchener: Batoche Books, 2001 [1821]).

20. See Michael Heinrich, “Reconstruction or Deconstruction? Methodological Controversies about Value and Capital, and New Insights from the Critical Edition” in *Re-reading Marx: New Perspectives after the Critical Edition*, edited by Riccardo Bellofiore and Roberto Fineschi (London: Palgrave Macmillan, 2009), 71–98.

21. It cannot be stressed enough that “general” here is meant in Bataille’s sense of “not restricted” or as allowing for, even encouraging true *excess* (i.e., non-recuperable excess), and not in the sense of “universal” or ahistorical. Marx’s project has often been read as a “general political economy” in this latter sense, which means to take Marx as offering an *alternative economics*, one just as much universal and ahistorical as that of the classical and neoclassical paradigms. The alternative interpretation begins at least as early as Rubin, and insists on the historical specificity of capitalism: “economic formations...differ according to the character of the production relations among people. Theoretical political economy deals with a *definite* social-economic formation, specifically with commodity-capitalist economy.” Rubin, *Essays* (2008), 1. As Patrick Murray has deftly demonstrated, even when Marx seeks to illuminate “generalized” phenomena (e.g., “generalized commodity production”) his account “*presupposes capital*,” which

means it presupposes the historical emergence of a social order organized around capitalist production. Patrick Murray, “Marx’s ‘Truly Social’ Labour Theory of Value: Part I, Abstract Labour in Marxian Value Theory” in *Historical Materialism* 6, no. 1 (2000): 41; see also Patrick Murray, “Marx’s ‘Truly Social’ Labour Theory of Value: Part II, How Is Labour that is Under the Sway of Capital Actually Abstract?” in *Historical Materialism* 7, no.1 (2000): 99–136.

22. To put it simply “The German Ideology” is not really a “thing.” For detailed explanation of how “The German Ideology” came into being as an editorial artifact, and how it has come to be consistently mistaken as a “book by Marx (and Engels),” see the two volumes from Carver and Blank: Terrell Carver and Daniel Blank, *A Political History of the Editions of Marx and Engels’s “German Ideology Manuscripts”* (New York: Palgrave Macmillan, 2014); and Terrell Carver and Daniel Blank, *Marx and Engels’s “German Ideology” Manuscripts: Presentation and Analysis of the “Feuerbach Chapter”* (New York: Palgrave Macmillan, 2014).

23. The so-called “Paris Manuscripts” are indeed a “thing” in the sense that Marx left behind notebooks with writing in them. Carver describes them as they actually were—“notes to self” that would require scholarly explication in terms that the author did not himself use and would have excoriated—and how they came to be—as “artefacts of twentieth-century editorial scissors-and-paste practices.” Terrell Carver, “Making Marx Marx” in *Journal of Classical Sociology* 17, no. 1 (2017): 20, 15.

24. Karl Marx, *Capital: A Critique of Political Economy, Volume 1*, translated by Ben Fowkes (New York: Penguin Books, 1990); Karl Marx, *Later Political Writings*, edited by Terrell Carver (Cambridge: Cambridge University Press, 1996); Karl Marx, *The German Ideology*, edited by Chris Arthur (New York: International Publishers, 2001).

25. Michael Heinrich, *An Introduction to the Three Volumes of Karl Marx’s “Capital,”* translated by Alexander Locascio (New York: Monthly Review Press, 2012), 23–26; Samuel Chambers, review of *Assembly*, by Michael Hardt and Antonio Negri, *Political Theory* 47, no. 5 (2019): 724–25; Louis Althusser, *For Marx*, translated by Ben Brewster (London: Verso, 1969).

26. It goes without saying that my project here is not a history—whether it be of capitalism, political economy, or their interaction and co-constitution. Nonetheless I want to underscore those very histories, to make the point that one cannot grasp Marx’s project without viewing it in light of classical political economy as itself a historico-political project—a definite effort to make sense out of, and impose rational order upon, a rapidly changing world.

27. The classical political economists themselves usually purport to be studying timeless phenomena, but on this point they are either ingenuous or disingenuous. For a more fine-grained presentation of the relation between “wealth” and “value,” see footnote 51 below.

28. The classical political economists were a relatively diverse group of thinkers, writers, and political actors, writing across many centuries (seventeenth–nineteenth) and multiple national contexts (not only England and Scotland, but France and America). To point to a “paradigm” of classical political economy is not to suggest that these authors wrote with one voice—far

from it. Instead, we must insist that the identification of the common presuppositions and shared principles is precisely what enables one to make sense of the vigorous disagreements among the individual thinkers that make up the group. Moreover, there is something of a path of “development” of the project of classical political economy, which is precisely why thinkers like Smith and Ricardo, writing at the end of the eighteenth and the beginning of the nineteenth centuries, respectively, can and often do stand in for the paradigm as a whole. Marx himself sought to follow this development, or better to trace the genealogy of classical political economy, which is why he repeatedly cites a long line of thinkers that are almost never mentioned today: not just Petty and Say, but Boisguillebert and Sismondi, Franklin and Quesnay. Nonetheless, it remains fair to say that Marx saw Ricardo as the height of classical political economy, and Marx thought Ricardo had grasped numerous truths about the logic of capital. As I have described in more detail in another context, Marx is often misread because so many of his critiques of the “vulgar economists” are not the articulation of original “Marxist” insights but merely Marx’s enumeration of Ricardian precepts and principles (see: Samuel Chambers, *Bearing Society in Mind: Theories and Politics of the Social Formation* [London: Rowman and Littlefield International, 2014]). Marx’s most direct critique of the *paradigm* of classical political economy thereby targets Ricardo as well, but for heuristic purposes, Smith offers a better example. This is because Ricardo himself remained ambivalent about many elements of the classical paradigm—a point brought to light by Sraffa’s significant twentieth-century work on Ricardo, see: Piero Sraffa, introduction to *The Works and Correspondence of David Ricardo, Volume 1*, edited by Piero Sraffa and Maurice H Dobb, (Cambridge: Cambridge University Press, 1951), xiii–lxii.

29. Mirowski, *More Heat than Light*, 1989.

30. *Ibid.*: loc 3292.

31. Isaac Illich Rubin, *A History of Economic Thought*, translated by Don Filtzer (London: Ink Links, 1979 [1929]), 114.

32. *Ibid.*

33. Mirowski, *More Heat than Light*, 1989: loc 3474.

34. See Maurice Dobb, *Theories of Value and Distribution Since Adam Smith* (Cambridge: Cambridge University Press, 1973).

35. Mirowski, *More Heat than Light*, 1989: loc 3480.

36. In the opening sections of *The Wealth of Nations*, Smith himself flirts with a different account of value, a labor theory of value. This has led generations of Smith’s readers to take this early formulation as his primary theory, and/or to endlessly debate Smith’s competing conceptions of value. But as both Dobb and Mirowski (in vastly different contexts) patiently demonstrate, when Smith’s book is read in its entirety and taken as a whole, there can be no doubt that he maintains a stock theory of value, not a labor theory of value. Dobb, *Theories of Value and Distribution* (1973): 50; Mirowski, *More Heat than Light* (1989): loc 3493. Reading the work as a whole, it becomes clear that these oft-quoted early passages are the exception. For Piketty’s

project of accounting for capital empirically, see Thomas Piketty, *Capital in the Twenty-First Century*, translated by Arthur Goldhammer (Cambridge: Harvard University Press, 2014), and for an incisive critique of this very approach, see David Harvey, “Afterthoughts on Piketty’s Capital,” *Reading Marx’s Capital with David Harvey* (website), 17th May, 2014, <http://davidharvey.org/2014/05/afterthoughts-piketys-capital/>

37. Mirowski, *More Heat than Light*, 1989: loc 3526.

38. *Ibid.*: loc 3546.

39. This is not to mention the relevance in this context of Derrida’s distinct but related deconstruction of *substance*. Jacques Derrida, *Margins of Philosophy*, translated by Alan Bass (Chicago: University of Chicago Press, 1982).

40. Marx, *Later Political Writings* (1996), 159.

41. Marx, *Later Political Writings* (1996).

42. Christopher Arthur, *The New Dialectic and Marx’s Capital* (Leiden: Brill, 2004), 12.

43. Marx, *Capital*, Vol. 1 (1990), 138.

44. Derrida, *Writing and Difference* (1978), 271.

45. Arthur, *The New Dialectic* (2004), 86.

46. To develop such an argument requires a rereading of section 1 of chapter 7 of *Capital*, Vol. 1, against the grain of worldview Marxism’s ritualistic repetition of these passages as paeans to the glories of labor. For examples of such rereadings, see Samuel Chambers, “How (not) to Read Marx: Marx on labor-power, the labor process, and the valorisation process” (unpublished manuscript, University of New South Wales, 20th February, 2018), and Patrick Murray, “Marx’s Concept of Capital and the Illusion of the Economic” (unpublished manuscript, Political and Moral Thought Seminar, Johns Hopkins University, 21st February, 2019).

47. Arthur, *The New Dialectic* (2004), 45.

48. Later, Arthur elaborates:

I [do not] come to labour until after conceptualising capital as a form-determination. Bringing in labour too early risks giving the appearance of model-building and committing the exposition to a stage of simple commodity production. To begin with we shall analyse the commodity-form itself and only at the end give grounds for picking out as systematically important those commodities which are products of labour. In this way by exploring to the full the dialectic of form, and letting the form itself reach the content it demands, we do something very different from the bulk of the Marxist tradition which is always in a hurry to address the material content. I hold that under definite historically emergent conditions the value form comes to acquire substance, or, conversely, labour comes to express itself in value. But here I shall be concerned solely with the derivation of the forms of value; I shall only indicate in a general way where and why the reconstruction will explore the category of labour.

Arthur, *The New Dialectic* (2004), 85–86.

49. Rubin, *Essays* (2008), 115, (my emphasis).

50. Ibid., 108.

51. This section's conclusion raises the very thorny question of how (vis-à-vis value and the value-form) we might try to grasp the configuration of previous social orders, ones that we can no longer directly observe or experience. Some very good readers of Marx would argue that capitalism is unique because in it, *wealth appears as value*. In other words, under capitalism, value is the social form that wealth takes. Patrick Murray and Jeanne Schuler, "Why Wealth is a Poor Concept" in *False Moves: Basic Problems with Factoring Philosophy* (forthcoming, p. 2). Logically, then, we can surmise that under feudalism or in a tributary society, wealth takes *different* forms. This line of reasoning entails that the entire value-form is unique to capitalism—that the question of value does not apply to pre-capitalist social orders. It also assumes that "wealth" is a generic, or ahistorical concept, a "general term for useful goods and services of whatever sort"; wealth takes many different forms, but under capitalism it takes the form of value (Murray, "Why Wealth is a Poor Concept," forthcoming, p. 3). I depart from this reading because I resist the move to make "wealth" a generic concept that would apply straightforwardly to a collection of objects. Rather, in any effort to *compare* social orders I think we do better to focus on their overall systems of production, distribution, and exchange, and then to link those to patterns or structures of value and valuation. This is not to make "value" a universal concept, but to suggest that different social orders have different *systems* of valuation, even as they produce distinct or unique *concepts* of value. Some readers of Marx would suggest that prior to capitalism wealth was nothing more or less than the collection of physical use-values, and that capitalism distorts or veils this basic truth by way of money as the form of value. That approach seems short-sighted to me, as it too easily reduces to a crude conception of wealth as stuff (and the "wealthy" as those who "have more stuff"). It seems more plausible to me that "wealth" has always been linked to power and to forms of valuation. This line of thinking would lead to a different approach to pre-capitalist social orders, one in which there are different forms of value or valuation in distinct social orders. For example, we might say that under feudalism, land is the source of value, or at least that land *appears* to be the source of value, much as it did for the physiocrats who were calling for a capitalist transformation of feudal food production in eighteenth-century France. This link between land and value would not come about because of putative transhistorical features of land, but because the social and legal and property relations under feudalism created a system in which aristocratic titles to land enabled nobles to enjoy wealth from the land and required peasants to work the land in order to survive. The example of the physiocrats underscores a crucial, broader point: the transformation of one social order into another always involves the carrying over of structures, patterns, and institutions from the "old" order into the "new." Rubin insightfully illuminates this point with his specific arguments about the physiocrats' repetition of Lockean theories of property (see Rubin, *History of Economic Thought* [1979], 109). Put simply, feudal property relations are one pre-condition for the emergence of a capitalist social order. For his proper insistence on this last point, thanks to Rothin Datta.

52. Heinrich, “Reconstruction or Deconstruction?” (2009), 86–87.
53. Karl Marx, “The Value-Form” translated by Mike Roth and Wal Suchting, in *Capital and Class* 2, no. 1 (1978): 2.
54. Marx, *Capital*, Vol. 1 (1990), 137.
55. See Jairus Banaji, “From the Commodity to Capital: Hegel’s Dialectic in Marx’s Capital” in *The Representation of Labour in Capitalism*, edited by Diane Elson (London: CSE Books, 1979), 22.
56. One last reference to Arthur can extend this point. Commodity exchange creates an ‘inverted reality’, in which, instead of abstractions being the pale efflorescence of matter” the abstractions themselves “take possession of” the matter. The growing hegemony of this social form, the value-form, makes it possible for more and more relations to be stamped by it. The forms themselves, “are objectively present in a realm other than thought. That is to say, the forms’ “conditions of existence are material.” Arthur, *The New Dialectic* (2004), 107.
57. Derrida, *Writing and Difference* (1978), 271.
58. *Ibid.*, 275.
59. Earlier I rejected “dialectical materialism” as a name for a “science of history”; here I resignify it as one of many possible names for Marxian general political economy.
60. David Harvey, *The Limits to Capital* (Chicago: University of Chicago Press, 1982) and David Harvey, *Seventeen Contradictions and the End of Capitalism* (Oxford: Oxford University Press, 2014).
61. Karl Marx, *Grundrisse der Kritik der Politischen Ökonomie: Outlines of the Critique of Political Economy*, translated by Martin Nicolaus (London: Penguin, 2002), 425. Sincere thanks to an anonymous reviewer of *Parrhesia* for helpfully pointing me toward this passage in the *Grundrisse*, and for critical comments that helped me to draw out this second, crucial distinction.
62. Georges Bataille, *The Unfinished System of Nonknowledge* (2004), 284, quoted in Derrida, *Writing and Difference* (1978), 270.
63. See Samuel Chambers, *Capitalist Economics* (London and New York: Oxford University Press, 2021).
64. Confusingly, however, the field of economics has chosen to give the name “productivity” to this much clearer and more narrow measure of efficiency, while shifting efficiency to a general level where it cannot truly apply (and thus winds up meaning very little at all).
65. Marx, *Capital*, Vol. 1 (1990), 255.
66. Derrida, *Writing and Difference* (1978), 257.

nail's lucretius: strong misreading and whig history

michael j bennett

Thomas Nail's interpretation of Lucretius, the Roman poet and follower of Epicurus, forms part of an ambitious multi-volume project devoted to the philosophical vindication of motion.¹ His impressively-titled work of transcendental ontology, *Being and Motion* (2019), presents itself as responding to the needs of the contemporary moment: recent developments in various fields—politics, aesthetics, science, and even ontology—have revealed that the time has come to affirm the “primacy of motion.” For Nail motion is not derivative or secondary; it is not the motion *of* something more fundamental, like a substance, body, structure or idea. All such putatively fundamental entities are secondary to and derivative of motion, and Lucretius, he claims, is one of the few historical precedents for this view.² Nail repositions Lucretius in the context of contemporary “new materialism,” as an alternative to the constructivism,

anti-realism, and implicit anthropocentrism of most critical theory in the late-twentieth and early-twenty-first centuries and in order to combat the unfortunate disconnect between the humanities, arts, and sciences, which makes it hard to “see the big picture” of globalization and climate change and stymies the prospects of collective ethical and political practice.³ While the coherence and persuasiveness of Nail’s kinetic onto-ethical project do not necessarily depend on his reading of Lucretius’s philosophical poem *De Rerum Natura* (“On the Nature of Things”), he insists on this connection between the ontological needs of the present and the history of philosophy, which I scrutinize in this paper.

In *Lucretius I: An Ontology of Motion*, Nail treats the titular Roman as a remarkably original thinker who stakes out a view of nature quite different from that of his hero Epicurus and generally out of step with his intellectual context in the first century BCE. Lucretius is not an atomist, and he conceives of matter in motion in a way that already anticipates the quantum fields of contemporary physics, rather than the Early Modern materialism with which other historians have sometimes associated him. Although Nail says here only that it is “possible” to return to and re-evaluate Lucretius, thanks to what we know about the physical world today, nevertheless I will argue that he is committed, at least in *Lucretius I*, to the view that his interpretation of Lucretius is substantially correct. Such is the force of his polemics with those who foist upon Lucretius too much ancient Epicureanism or too much Early Modern atomism. I will also argue that Nail’s interpretation is basically unconvincing. It is not only doubtful in comparison with the way that other historians of philosophy have interpreted Lucretius, on whose conclusions Nail casts suspicion. To gainsay Nail on the basis of classical scholarship alone would be to beg the question against his anti-atomic reading. Nail’s *Lucretius* fails to convince on its own terms, in relation to the methodological approaches to *De Rerum Natura* that he himself endorses: close reading and translation, on the one hand, and a certain conception of the history of ideas, on the other.⁴

On the level of close reading and translation, Nail draws attention to the “original meanings” of Lucretius’s Latin, the etymologies of words, the misleading implications of the English terms used in translations, and long sections of his books on Lucretius are devoted to the explication of what he takes *De Rerum Natura* to be really saying. These glosses and commentaries, however, are rife with errors and consequently misprision. Charitably, I will suggest, Nail is a “strong reader” in the sense that Harold Bloom gave the term: he is engaged in a project of creative misinterpretation for the sake of correction, showing what his precursor should have said if the latter had not been limited by his historical

context. Fittingly borrowing a term from Lucretius, Bloom calls such misreading *clinamen*, as the influenced successor unconsciously “swerves” away from the predecessor’s true position.⁵

On the level of historical methodology, Nail’s justification for the view that there’s a consistency between Lucretius and contemporary physics hinges on arguments developed in *Being and Motion*—according to which, as the present changes, it changes the lines of the past that “lead to it.” This perspective would seem to justify a certain kind of teleological ‘Whig history’ or an approach to the past in terms of the present toward which it develops. But Nail disavows such teleology and tends to downplay his own agency in constructing the history of ideas, as if this is something that the ‘present’ has already accomplished and to which he is merely sensitive. The trouble with his historical methodology is not so much that it approaches the past in terms of the present, but that it does so in an internally inconsistent way. Nail might have found more consistent methodological alternatives in the work of two precursors whose readings of Lucretius he admires, Michel Serres and Gilles Deleuze.

In this paper I interrogate Nail’s interpretation of ancient materialist ontology. My main focus is, therefore, his first book on Lucretius rather than its follow-up, *Lucretius II: An Ethics of Motion*—though both Nail and Lucretius see the subjects as intimately connected (LEM 90–91). Nor do I wish to give the impression, on account of this strategic focus, that I take Epicureanism or ancient materialism to be reducible to atomism or to ontology. To single out the existence of indestructible particles as the only or most important dimension of a rich philosophical tradition, or the singular aspect of it that exerted an influence on the later history of philosophy, would be to oversimplify.⁶ *Lucretius I* contains representative examples of Nail’s flawed close readings as well as straightforward statements of what his historical methodology is in danger of committing itself to. The close readings in *Lucretius II* are no less questionable, though the second volume does nuance Nail’s claims about methodology, as I shall explain below, while reaffirming the presentism of Nail’s history of philosophy. The second volume also contains the strongest evidence for Nail being a Bloomian “strong reader” of Lucretius.

ANCIENT AND MODERN ATOMISM

Nail’s reading of Lucretius begins as a reaction to Stephen Greenblatt’s celebration of *De Rerum Natura* as a watershed for Early Modern science. In *Lucretius I*, Nail

accepts the narrative of the “atomic revolution” that resulted from the Florentine “rediscovery” of Lucretius’s poem in 1417 (LOM 6–8).⁷ Its sequel, *Lucretius II: An Ethics of Motion*, however, endorses the view of Pierre Vesperini⁸ that this narrative is a “myth” to be busted (LEM 212). In either case, for Nail the problem with Greenblatt’s interpretation and others like it is that they have been too successful. They have overdetermined our encounter with *De Rerum Natura* today, so that the poem reads like a relic of the “absolutely outdated” scientific paradigm of Early Modern materialism, which the quantum age has shown to be “fundamentally mistaken about the nature of reality” (LOM 2–3). Nail thinks that the success and prestige of “modern atomism” have dulled our sensitivity to authentically Lucretian materialism. Summarizing his intervention, Nail writes the following:

The argument of this book is that another Lucretius is possible beneath the rubble of its [*sic*] modern interpretation. In light of contemporary physics it is possible to return to Lucretius and find in his work fresh philosophical insights that provide a poetic and theoretical coherence to the philosophical and scientific discoveries of *our time*. (LOM 4)

Two things are noteworthy about this statement. First, it implies that the dynamic of Nail’s reading is primarily to move *forward*, from the modern version of atomist materialism to contemporary quantum physics, and not *back* from Early Modern atomism to Lucretius’s ancient context. The version of atomism with which Nail polemicizes—for example, when he writes that “this book defiantly and systematically maintains the controversial thesis that there are no discrete atoms or anything like them in Lucretius” (LOM 13)—is the materialism of Gassendi, Galileo, Hobbes, and so on.⁹ Ancient atomism is, however, something quite different. To take the most dramatic illustration, Gassendi combined the existence of material atoms with the creationism of Plato’s *Timaeus*, which was more palatable than Epicurean cosmology to a Christian worldview,¹⁰ even though the *Timaeus* was the object of Epicurus’s and probably Lucretius’s direct polemic.¹¹

Partly because of the challenge ancient atomism posed to divine providence and creationism, Greenblatt calls it a “dazzling speculation” which needed to wait two thousand years for “empirical proof.”¹² In doing so, he not only collapses the considerable differences between ancient and modern atomism but also commits to the “myth of the man ahead of his time,” neglecting the actual ancient contexts in which what Lucretius wrote acquires its meaning and consistency.¹³ However much Nail distances himself from Greenblatt, by not restoring *De Rerum Natura* to its classical context, Nail doubles down on this myth: Lucretius stated

the first law of thermodynamics over a thousand years before its experimental confirmation (LOM 79), and “contemporary physics is ... not moving farther away from Lucretian materialism, but only just now approaching it” (157). For Nail, Lucretius is “our contemporary” (271), a man even more ahead of his time than Greenblatt dared to dream. Nail’s way of affirming the myth is to say that Lucretius’s work is “absolutely original” (12). It doesn’t just translate Epicurean physics into Latin but *transforms* it by rejecting the existence of atoms and attempting to explain such packets of relative, regional stasis as the products of indeterminate matter in motion (LOM 5, 11; BM 33, 46; LEM xi). Of course, the question of to what extent Lucretius diverges from Epicurus is *the* scholarly issue, the eponymous “Lucretian question.”¹⁴ For many scholars, however, answering it involves placing Lucretius carefully in the ancient literary and philosophical contexts to which he is most likely responding.¹⁵ Since Nail does not aim to do so in *Lucretius I*, his insistence on Lucretius’s originality functions as a screen for this decontextualization, an alibi for the myth of the man ahead of his time.

Secondly, it is worth noting that in the passage quoted Nail claims only a possibility. It’s possible to see something other than modern scientific atomism in Lucretius’s text, something more consistent with contemporary physics and quantum field theory (LOM 13–14). To say that “another Lucretius is possible” does not necessarily imply that the reading of *De Rerum Natura* that follows is supposed to be fair, accurate, or actually correct. Nevertheless, Nail is committed to this view. He indicates as much by his method of close reading and especially his insistence on careful translation from Latin, lest carelessness with technical terms obscure and distort “Lucretius’ original ideas” (12). Nail especially worries that some translations project the translator’s looked-for atomism onto a text where it doesn’t belong:

The English translations ‘atom’, ‘particle’, and others have all been added to the text based on a particular historical interpretation of it. The idea that Lucretius subscribed to a world of discrete particles called atoms is therefore both a projection of Epicurus, who used the Greek word *atomos*, and a retroaction of modern scientific mechanism on to *De Rerum Natura*.
(11)

Other translations are apparently plagued by a double “bias” (BM 33), simultaneously sympathetic to ancient and modern atomism, although Nail offers no discussion of the ancient variety. Nail implies most directly that his interpretation of Lucretius is correct when he claims that “to believe otherwise

[than that Lucretius rejected atomism] is to distort the original meanings of the Latin text” (LOM 11). Whereas other readers either project or retroject atomic preconceptions onto Lucretius, only Nail has uncovered the “original meanings” of the poet’s words, which he tends to associate naively with their etymologies. In combination with his claim that “another Lucretius” is now possible “in light of contemporary physics,” this posture suggests that Nail wants to have his cake and eat it too: to read Lucretius asymmetrically forward into contemporary physics and not back into the ancient Mediterranean world, while at the same time pretending to a linguistic access to the originary, ancient sense of Lucretian materialism.

Nail contrasts his interpretation of Lucretius with the competing “misinterpretation” (LOM 168) of the modern atomists and their champion Greenblatt, a “mistaken” reading (272), which he dramatically says does “violence” to the text of *De Rerum Natura* (130). But Nail’s anti-atomist reading of the poem is demonstrably violent in its pervasive tendency to misconstrue and often ignore the way that Lucretius actually puts words together—that is, his grammar and syntax. In the first instance this interpretation of Lucretius fails to convince, not just on the authority of all the historians, philosophers, and classicists who read Lucretius back into the ancient world, but in terms of its own commitment to rigorous close reading and fine-grained matters of Latin translation.

CLOSE READING AND TRANSLATION 1: LATIN VOCABULARY

The problems with Nail’s close readings and claims about translation are widespread throughout *Lucretius I* and *II*. It would be time-consuming and unnecessary to catalogue them all. Instead I will examine first how Nail uses Lucretius’s Latin vocabulary as evidence for his anti-atomic reading, and what this suggests about Nail’s preferences in translation. Then I will focus on several representative examples of Nail’s flawed close readings. Some readers may find this section and the next excessively meticulous or even nitpicking, but the level of detail is required to show how exactly Nail’s philological and grammatical errors hoist him on his own petard.

Nail’s most *prima facie* compelling argument for the view that Lucretius was not an atomist is that the latter doesn’t use the word *atom*: “although the Latin word *atomus* (smallest particle) was available to Lucretius to use in his poem, he intentionally *did not use it*, nor did he use the Latin word *particula* or particle to describe matter” (LOM 11, cf. 23, 53; BM 33; LEM x, 9). We can only speculate

about Lucretius's intention, but to an extent Nail is correct: Lucretius doesn't use the transliteration "*atomus*."

The question of its availability to him is more complex. Lucretius's contemporary Cicero certainly used that word to refer to Epicurean atoms,¹⁶ but perhaps only after Lucretius's death in the 50s BCE.¹⁷ An extant fragment of the Roman satirist Gaius Lucilius, who lived in the previous century, refers to the "*atomus ... Epicuri*," so it is indeed possible that Lucretius could've used the transliterated word without doing so in an unprecedented way.¹⁸ However, there is no reason to assume that transliterating Epicurean terminology was a widespread practice. Cicero tells us that another Roman Epicurean, Amafinius, rendered Epicurus's word "*atomos*" in Latin as *corpusculum* ("tiny body").¹⁹ Lucretius also uses that translation, although sparingly (DRN 2.153, 529, 4.199, 899, 6.1063).²⁰ And, indeed, many of the words Lucretius uses to refer to what is ontologically fundamental, unchanging and undivided—*corpora* ("bodies"), *semina* ("seeds"), *primordia* ("first-beginnings")—seem to be translations, but not transliterations, of Greek equivalents for *atomos* in the extant writings of Epicurus: *σώματα*, *σπέρματα*, and *ἄρχαι*.²¹ Even so, there is also no reason to assume that Lucretius's practice of dealing with Greek terminology was limited to finding an exactly equivalent technical term in Latin. His choice of words often has a metaphorical, poetic rationale. For example, the Lucretian descriptions of what is ontologically fundamental that do not have obvious Epicurean models—namely, *materia/materies* ("matter") and *genitalia* ("creative" or "fruitful entities")²²—do not signal the smallness or indivisibility of the first bodies but their generative power, metaphorically linked to sex and procreation.²³ Nail himself emphasizes this aspect of Lucretius's terminology (LOM 23–24).

As for the word "*particula*," Nail is wrong; Lucretius does use it as a term for first bodies, though he does so infrequently (as with "*corpusculum*") and mainly in the later books of *De Rerum Natura*, which Nail does not treat in *Lucretius I*. For example, when Lucretius describes how a series of ultrafine films of atoms (*simulacra*) can penetrate the body and affect the mind in sleep, appearing in sequence and simulating the movement of a living being, he adds that we shouldn't marvel at this phenomenon because "so great is the quantity of particles [*copia particularum*] in any single moment of sensation" (DRN 4.775–776). He also describes the *particulae* of the mind and spirit being dispersed throughout the animate body (3.708) and the insensible particles of the wind (4.260).²⁴

Nail's flagship argument, based on Lucretius's use (or non-use) of words, is

therefore far from being decisive evidence that the latter is wildly original with respect to Epicurus and that, specifically, he rejects the existence of smallest particles or indivisible bodies. As the saying goes, absence of evidence (Lucretius doesn't say "atom") is not evidence of absence. Nail's argument has the form of an appeal to ignorance: we don't *know* that Lucretius was an atomist, or we have no evidence that he was (because, supposedly, he doesn't say so); therefore, he was *not* an atomist. A closer look at Latin atomic vocabulary and translation practices shows, however, that we are not perhaps as ignorant of Lucretius's references to atoms as we might seem.

Arguments from ignorance are often thought to flirt with fallacy, especially when they shift the burden of proof—like when I conclude that ghosts exist because I have found no evidence that they do not, even though the burden is on me to do the demonstration. But *argumenta ad ignorantiam* are not necessarily fallacious. They produce quite reasonable results in some legal, scientific, and scholarly contexts. Take, for example, an historian's argument *ex silentio*, which leads from a lack of evidence of, say, a certain practice to the conclusion that such a practice did not occur in a certain culture at a certain time. It is arguably nonfallacious—so long as the historian's conclusion is based only partly on ignorance and also partly on the positive knowledge, resulting from diligent and serious inquiry, that if such a practice occurred she would've found evidence of it.²⁵ Whether or not Nail's appeal is fallacious would seem therefore to turn on the diligence and skill of his research in the history of philosophy and knowledge of the relevant ancient context. To his credit, Nail doesn't seem to combine this style of reasoning with a desire to shift the burden of proof, which he willingly shoulders, devoting long passages to paying close attention to what Lucretius has written and attempting to show that it fits his construal better than the atomic one. Unfortunately, very little (if any) of this evidence is persuasive, as I shall argue.

Nail makes a similar argument about the appearance of the word "property" in translations of *De Rerum Natura*. Lucretius's words "*coniuncta*" and "*eventa*" are conventionally translated as the "properties" and "accidents" of atoms and the void (DRN 1.449–450). Nail doesn't approve of this convention: "The English translation of *coniuncta* [*sic*] as 'properties' ... refers less to the original Latin meaning, its historical usage, and Lucretius' philosophy, than to a projection of the Anglo-empiricist tradition of primary and secondary qualities on to the poem" (LOM 101). Lucretius's original meaning, he continues, is better captured by the etymologically much closer words "conjunctions" and "events." In fact, Nail says, just as Lucretius could've used the word "*atomus*" if that's what he had meant, so

too he could've used the Latin word "*proprietas*" if he had meant "properties" (101). As it happens, like *atomus*, this word in this sense is not well attested in Latin philosophical contexts before Cicero, who only uses it in that way once.²⁶ But rather than delve further into philology, I want to make some observations about what these two appeals jointly suggest about Nail's preferences in Latin translation.

First, in relation to both *atomus* and *proprietas*, Nail resists the idea that Lucretius is "simply" translating Epicurus (LOM 11) or existing Greek philosophical vocabulary into Latin. On the assumption that Lucretius is no Epicurean fundamentalist but an "absolutely original" thinker (LOM 12), he cannot mean by "*corpora*" what Epicurus did by "*ἄτομοι*," but rather a flow of matter that is not divisible into internally static movers (11). Likewise, "*coniuncta*" and "*eventa*" are not intended to capture concepts Epicurus had already developed, but the brand-new notions, which Nail will later revitalize, of "event" (an intersection between two or more corporeal flows: LOM 109; cf. BM 72) and "conjunction" (the connection between two or more flows that intersect with themselves, which Nail calls "folds": LOM 106; cf. BM 99–101, LEM 72).

Second, Nail tends to proceed as if the "original meaning" of a term is best captured with a cognate, a word with the same historical derivation. The truest translation of *coniuncta* is "conjunction," as if there is no danger here of being misled by what linguists call "false friends." Even in languages more closely related than English and Latin, words with the same etymology don't necessarily carry the same meaning: the French word *grand* doesn't mean grand, nor *journée*, journey. Nail dubiously assumes that if Lucretius had meant (what we English-speakers understand by) "property," he would've used its Latin cognate.

However, Nail is also inconsistent with this preference. For example, he seems to have no problem with the translation of Lucretius's word "*inane*" as "void" (LOM 89–90), even though there's no etymological connection between either the English and Latin words, or the Latin word and Greek original, "*τὸ κενόν*." The inconsistency is no doubt due to the fact that the English false friend "*inane*" doesn't seem to apply in this case. Similarly, Nail avoids the cognate translation when it doesn't suit his argument. For example, he consistently translates Lucretius's word *solidus* as "continuous" (sometimes, to be fair, as "continuous and solid") (121ff.), even though the English cognate would be completely appropriate. In fact, "solid" is widely used in translations of *De Rerum Natura*, including Walter Englert's,²⁷ on which Nail relies but modifies on this point (121, 125). He does so

because he wants to maintain that Lucretius's kinetic flows are continuous in the sense of not being divisible into solid bodies (or atoms) that flow, the continuity of flow being one of the "fundamental conditions" of the ontology of motion that Lucretius anticipates (BM 56).

Nail probably doesn't worry about the semantic complications introduced by "false friends," because he associates the pursuit of the "original meanings" of Lucretius's words with finding their etymologies. The goal of Nail's etymologizing appears to be to reveal the kinetic basis of words' abstract meanings: for example, the Sanskrit cognate of the Latin word *inane* ("void") connotes "spilling out," and the Greek word from which *spatium* ("space") is derived can mean "racetrack" (LOM 90). On this procedure, however, you might as well conclude that the original meaning of "*ournée*" is not "day" but "trip" because that is its cognate's sense in a related language.

While some of Nail's etymologies are quite conventional, like his derivation of "*atomos*" from *temnō* ("to cut") with a privative prefix (11), others can be dubiously relevant window-dressing, such as when he tells us that *ianua* ("door") comes from the Proto-Indo-European root "**ei-*, to go" (166), or downright false. For example, Nail associates the dancing (*chorea* in Latin: DRN 2.635) of the Curetes with Plato's famous "*chora*" (LOM 240), but this conflates the two Greek words *χορεία* and *χώρα*, distinguished orthographically by an omicron and an omega, which is invisible in some transliterations.²⁸

CLOSE READING AND TRANSLATION 2: GRAMMAR

Problems with etymology and Latin vocabulary are vastly outnumbered, however, by Nail's errors of grammar and resulting mistranslations. Many are relatively innocent: for example, Nail consistently mistakes the number of nouns (that is, whether they are singular or plural), treating the plurals *corpora* (LOM 12), *lumina* (31), *foramina* (91), *intervallis* (183), *pondera* (191), *foedera* (204), and *rerum* (56) as if they were singular, and the singular forms *semine* (74–75, 233) and *corpore* (121, 177) as if they were plural. Similarly, he confuses different kinds of inflection, writing that "the word *moenera* is a conjugation of the Latin word *munus*" (39), but meaning to say that it's a declension or a declined form (the nominative plural) of the noun *munus*, since "conjugation" is something only verbs do (cf. 53, 263). These are not especially big problems for Nail's interpretation, but it is quite ironic that the author of a book on Lucretius doesn't evince an understanding of how words *decline*.

Much more worrying are cases where the grammatical misunderstandings in Nail's close readings undercut the conclusions he wishes to draw from them. Let's take as our first example the invocation of Venus at the beginning of *De Rerum Natura*, which Nail treats as introducing the concept of a material flow that has nothing to do with atoms (LOM 21). After discussing the mythological background for the image of the birth of Venus at the seashore and the etymological connection between the Greek name Aphrodite and the word for sea-foam (ἀφρός), Nail quotes a few lines of Lucretius (30):

... caeli subter labentia signa
quae mare navigerum, quae terras frugiferentis
concelebras, per te quoniam genus omne animantum
concipitur visitque exortum lumina solis:

it is you [Venus] who beneath the falling stars
of heaven makes the ship-bearing sea and fruitful earth
teem with life, since through you the whole race of living creatures
is conceived, born, and gazes on the light of the sun (DRN 1.2–5, Englert's
translation)

Nail picks up allusions here to the four Empedoclean elements—air, water, earth and fire—as others have done.²⁹ But he places this observation in the context of his interpretation (based on no evidence and a very weak argument) of Venus as an “immanent” god, “identical” to the self-generation or ontogenesis of the world (LOM 22).

The putative immanence of Venus makes Lucretius sound like a quasi-Spinozist pantheist, a position more in line with the Stoic view of Zeus, against which Lucretius may actually have been reacting, than Epicurean theology.³⁰ According to the latter, the gods exist but have no influence on human or worldly affairs, so what is “provocative” about the proem is not that this is an “atheistic” text that begins by referring to a god, as Nail claims (LOM 22), but that it asks Venus to intervene in human affairs by making wars cease (DRN 1.29–30). In fact, Epicurean gods exist, precisely, in a *transcendent* way. Interpreters debate whether the gods are supposed to transcend our world physically, living in bliss in the so-called *intermundia* or spaces between worlds, or to exist transcendentally in a quasi-Kantian sense, as innate regulative ideas or “thought constructs” of tranquil moral exemplars.³¹

Nail's argument for the immanentist view of Venus is that Lucretius's invocation "cannot be praise of a transcendent god beyond nature, since there is nothing beyond the materiality of nature itself." Thus Venus "must be" immanent and identical to this world (LOM 22). But the implicit conflation of "this world" and "nature" rules out the genuinely Epicurean view. Nail collapses the Epicurean distinction between "world" (*mundus* or *terra* in Lucretius and *κόσμος* in Epicurus), of which there are many, and the infinite universe (*omne, πᾶν*: literally, the "all") (D.L. 10.41; DRN 2.1049–1050). When Nail turns to consider Lucretius's presentation of the multiplicity of worlds (starting at DRN 2.1048), he explicitly conflates the two: "If there were only one world, then the *corpora* would only be potentially creative Therefore, there must be infinite actual, but non-intersecting universes" (LOM 262).

The question of how the invocation of Venus could be made consistent with Epicurean theology has, of course, vexed many interpreters. But there are literary issues, in addition to philosophical ones, to consider. For example, Lucretius could be reviving an older style of didactic poetry or imitating the epic genre;³² the proem might be a direct imitation of Empedocles's philosophical poem, which could've begun with an address to Aphrodite;³³ or it might make sense in the context of the contemporary Latin literary scene.³⁴ One might expect, as Nail does, a philosophical work to begin with first principles, but we should not forget that Lucretius is writing poetry, not *more geometrico*. *Lucretius II* marks a big improvement over *Lucretius I* in this respect. The second volume is much more sensitive to the poetic dimensions of *De Rerum Natura*, in particular its convergences with Empedocles and Homer, and Nail treats the "becoming Homer of Epicurus" as the source of Lucretius's originality (LEM x; cf. 18, 78–80, 102–103).

Crucially, in relation to the passage quoted from the proem to Book I of *De Rerum Natura*, Nail supports his view that the "elemental flows" of air, water, earth, and fire are identical to "Venus as ontogenesis" by misconstruing, or perhaps ignoring, the grammar of the Latin text. For example, Venus is said to make the earth and sea teem with life "beneath the gliding signs of heaven [i.e., the constellations]" (*subter labentia signa caeli*), but Nail explains that Lucretius means to say Venus is "constituted by the *labentia signa*" (LOM 30), ignoring the preposition "*subter*" and acting as if "*signa*" were in apposition or grammatical agreement with "*Venus*" in the same line (and "*quae*," "who," in the next one). The word "*subter*" can be used as an adverb, and so, at a stretch, Nail may be assuming that the phrase in question means "lifegiving Venus, [who are] the constellations of heaven gliding

below, who make the sea and earth teem with life ... [etc.]" But if Nail prefers this *lectio difficilior*, he ought to have been more explicit about it—for example, by modifying Englert's translation.

The verb "*concelebras*" in line four could provide support for Nail's immanentist construal—although he does not emphasize this, probably because Englert translates the word "you make to teem with life." It could also be rendered "you pervade,"³⁵ and Rouse and Smith's "you fill [the earth and sea] with yourself" has an even more pantheistic ring. But the sense could be, more straightforwardly, that Venus *visits* or *frequents* the earth and sea. There is also probably the implication that these visits explain why the earth is so "fruitful"—Venus's erotic proximity encourages animals and plants to reproduce—in light of what follows: "through you every kind of living thing is conceived and, once born, gazes at the light of the sun." Nail handles this passage in much the same way as the one about *labentia signa*. Ignoring the reference to living things, he writes that for Lucretius, "She [Venus] is ... the *concupitur* (1.5) that 'takes in' to herself ... she is the *exortum* (1.5) that 'comes out' ... and she is the *visitque* (1.5) that 'comes out to look' back upon the light" (LOM 31). It is not clear what the words in Nail's quotation marks refer to—perhaps to some etymological background that highlights the kinetic connotations of the Latin verbs. It is clear, though, that Nail's sentence treats all the words as if they were in apposition with or referred to "Venus" and completely suppresses their grammar, which, once restored, casts doubt on his reading. For one thing, none of the Latin words predicated of Venus is a noun or adjective (*exortum*, a past participle, comes closest, since it could be read adjectivally), and for another, they all refer, not to Venus, but to *genus animantum* ("kind of living things").

This opening close reading is representative of the degree of misprision in the rest of Nail's books. A similarly fundamental case of grammatical obliviousness threatens to undermine another pillar of its argument. Nail attributes great importance to the conceptual and terminological distinction between Lucretius's words for matter in motion—such as *corpora*, *primordia*, and *semina*—and his word for "things," *res*. Supposedly "even some of the best translations" fail to mark it, which is one reason why the atomist misinterpretation of Lucretius is widespread (LOM 13): translators and readers erroneously attribute to *corpora* the qualities of *res*, such as their discreteness, observability and causal power. When he comes to demonstrate the distinction, however, Nail writes the following:

The difference between *rerum* and *primordia rerum* is thus one of the most

crucial terminological distinctions in the whole text, and we should take care never to conflate them For example, when Lucretius uses the word *rerum* alone without any conditional modifiers such as *semina*, *corpora*, or *primordia rerum*, he is describing *rerum* as they appear as seemingly discrete ‘things’. However, when he directly modifies the word *rerum* as with *semina rerum* (1.58), *corpora rebus* (1.196), or *rerum primordia* (1.55) ... he is describing the active material conditions for the ordering and production of seemingly discrete things. (LOM 54)

While the conceptual distinction is clear enough, its grammatical defense is flimsy. The words *corpora*, *semina* and *primordia* are not, as Nail says, modifying *res*. In fact, the opposite is true: *res* in the genitive plural (*rerum*) is acting as an attributive noun modifying *semina* and *primordia*. The grammatical relationship between *corpora* and *rebus* in the second example Nail cites is more complicated, a fact obscured by Nail’s decontextualizing. The words originate in the phrase “*multis communia corpora rebus / multa*,” meaning “many bodies [*corpora*] common to many things [*rebus*].” The adjective *communia*, which agrees with *corpora* in the accusative plural, frequently completes its meaning with the dative case—here, *rebus*. Nail’s failure to grasp the relationships between the terms he thinks it is so crucial to disambiguate does not inspire confidence that he can do so.

Moreover, Nail seems to concede that Lucretius uses the word “*res*” to refer to both discrete empirical bodies and their material constituents, which is true but not in the passage he is referring to (DRN 1.53–61). Elsewhere Lucretius states that the nature of the universe consists of two “things” (*duabus rebus*), namely *corpora* and *inane* (bodies and void) (1.420). Thus “*res*” can indeed refer to *corpus*, as Nail intuitively. As for the claim that scholars and translators have failed to keep the crucial distinction in mind, Nail provides no source or example, and it’s hard to believe the generalization is true, since the terminological issue seemed crystal clear to Katherine Reiley over a hundred years ago: Lucretius “chose *primordia* as his technical term ... to be the begetting elements of the *res*.”³⁶ Moreover, as Reiley also already pointed out, Lucretius also uses the word “*corpus*” (like “*res*”) in a “lay” or nontechnical sense.³⁷ For example, he describes how cows “set down their bodies [*corpora deponunt*]” in meadows (DRN 1.258). So, in fact, it is “*corpus*” and not “*res*” that usually needs some kind of qualification in order to refer to atoms (or, by hypothesis, material flows): *corpora prima* (1.61), *genitalia corpora* (1.167), and so on.

The least we can say is that upon inspection the terminological distinction is not

as strict as Nail supposes. He actually quotes and close reads one passage in which this is apparent: Lucretius says that bodies (*corpora*) consist partly of *primordia rerum*, that is, atoms (or flows), and partly of what stands together in an assembly (*concilio*) of those first bodies—namely, *res* or discrete visible things (DRN 1.483–484). Nail musters only a one-sentence commentary on these lines, which misreads them as a general statement about “things” rather than “bodies” (LOM 117). He gives understandably short shrift to a passage that looks to undermine, on the one hand, the equivalence of *corpora* and *primordia* and, on the other, the supposedly crucial terminological distinction between *corpus* and *res*.

There are many other examples of Nail’s close readings falling into error as the result of a misapprehension about the relations between Latin words. Two of the most striking appear in his comments on Book 2 of *De Rerum Natura*. Here Lucretius infamously presents the “swerve” (*clinamen*) as an explanation for motions in animals that are not determined by the sequence of past motions (DRN 2.251–262). Nail states that in this context “Lucretius does not use the term *libre* [*sic*] *voluntas* or ‘free will’, as some have translated it” (LOM 197). In fact, Lucretius does use the word *libera* (“free”) as a modifier for *voluntas*. The adjective appears at the beginning of line 256, which Nail even reproduces, apparently without noticing it. The separation of the adjective by almost two lines from the noun it modifies may have given Nail the false impression of its absence. Later, in the context of interpreting the descriptions of the worship of Cybele (DRN 2.600–660), Nail asserts that Lucretius’s mythological name for the process of morphogenesis is “*mater materque*,” words excised from 2.598 which Nail interprets to mean “Mother Earth, the Great Mother, the Mother of Mothers, the Mothering Mother” (LOM 233). While “Great Mother” is correct in context, the last two epithets are the result of grammatical misunderstanding. The Latin says “*magna deum mater materque ferarum*,” meaning “the great mother of the gods and mother of the beasts.” The word “*mater*” is repeated, but Nail seems to have misconstrued the fact that the repeated words are right next to each other to imply a grammatical relationship that isn’t there. Perhaps the phrasing reminded him of Spinoza’s “*natura naturans*” and resonated with his pantheistic interpretation of Venus. In the case of Cybele, however, the two repetitions of “*mater*” are only in apposition and are modified by distinct genitives (“*deum*” and “*ferarum*,” respectively) in two different phrases coordinated by the enclitic “*-que*.” Considering Nail’s tendency in reading the proem to treat every word as if it were in apposition with “Venus,” the failure to grasp the same relationship here is striking.

Nail's close readings do not dramatically improve in *Lucretius II*. For example, commenting on another proem, the eulogy of Epicurus that opens Book 3, Nail offers a rather tendentious reading of the phrase "*commoda vitae*" (DRN 3.2) to support the claim that Lucretius turns at this point to a consideration of the "conditions for ethical life." Nail etymologizes "*commoda*" ("benefits" or "advantages") as a "composite of *com*, 'together', and *moda*, 'way or method'" which renders a "collective way of life or set of actions" (LEM 17). A better translation, however, would be "blessings of life" (Rouse and Smith) or simply "gifts of life"—since *commoda* comes from the verb "*commodo*," not from a reference to "*moda*" (there is no such Latin word, though Nail may be thinking of *modus*). "*Commodo*" means "to give," especially to "give something for someone's convenience." The verb can also mean "to adapt" in the sense of to give what is fit or appropriate. The sense of the phrase is, then, that life gives things that are fit for our existence and/or convenient or pleasurable to us (and this is what Epicurus discovered). In the same context, Lucretius describes his own relation to Epicurus. Nail rightly notes that Lucretius says he doesn't desire so much to compete with Epicurus ("*non ita certandi cupidus*") (DRN 3.5), but he takes the adjective "*cupidus*" not as governing the genitive gerund "*certandi*" ("desirous of competing"), but as taking the infinitive "*imitari*" ("to imitate") in the next line, which is in fact the complementary infinitive of "*aveo*" ("I desire") (LEM 19). Then, in a tortured argument Nail construes Lucretius's "desire to imitate" Epicurus as providing evidence for Lucretius's doing something novel and attempts to deal with the verb "*imitari*" in a way that avoids any reference to the Platonic relationship between model and copy—on the one hand, by noting that "*imitari*" can sometimes mean "to counterfeit," which is fine, and on the other, by introducing some irrelevant discussion of the "rhetorical term *copia*," which in Latin can mean "source material." The word "*copia*," however, does not appear in the passage Nail is commenting on. Presumably he discusses it because it is cognate with the English word "copy."

It would be churlish to multiply examples beyond necessity, but I would like to examine one more case, returning to Nail's discussion of Lucretius's "theory of the event" (*eventum*). This passage is worth treating last, since it is the only one in *Lucretius I* in which Nail refers directly to Lucretius's grammar. He claims that for Lucretius the event has a "very specific temporal structure" (LOM 115). It occurs as a "convergence of futurity and historicity," which you can tell because in Lucretius's description of the Trojan War (DRN 1.470) he uses "the third person future anterior of [the verb] *possum*, '*poterit*'" (LOM 115). In fact, "*poterit*" is just the ordinary future indicative tense. In Lucretius's line it is joined by the

complementary infinitive *dici* (“to be called”). Lucretius is saying that a thing that happens will be able to be called (“*poterit dici*”) an event or accident “of” a certain land or region. Now, there *is* a “future anterior” in the sentence Nail quotes—that is, a verb in the future perfect passive tense—but it is “*erit actum*” in the phrase “whatever will have been done,” and not the verb form that he singles out. So even though Nail has put his finger on something about how Lucretius describes the temporality of historical events, he is not sure where exactly it is grammatically. The one close reading that calls attention to the actual grammar of Lucretius’s Latin gets it wrong.

Nail’s posture of uncovering the “original meanings” of the Latin language and modifying the translations of *De Rerum Natura* on this basis will be unconvincing to anyone who can read Latin for themselves—whether or not they have imported assumptions about “Lucretius the atomist,” as Nail fears (LOM 12). Interestingly, Nail retreats from his earlier bold statements about “original meanings” in *Lucretius II*. The latter volume is more nuanced about its historical method and more cognizant of the transformations to which the text of *De Rerum Natura* is being subjected. Here Nail emphasizes that “texts are not static things with fixed meanings determined by author or reception. ... Every reading of a text is an event or process of collective creation between a variety of processes, including author, reader, text, geography, and history” (LEM 8). Thus, Nail’s own books are “not an attempt to fix an absolute meaning to Lucretius forever and all time” (8), since “no one ... can be ‘the last word’ on the meaning of *De Rerum Natura*” (9). Moreover, just as Lucretius’s translation of Epicurus into Latin “actively makes something new and perhaps monstrous inside Epicurus that goes well beyond authorial intention,” so also Nail’s interpretation of Lucretius makes something “monstrous” that goes “beyond” what Lucretius himself might have intended or recognized: “There is no translation that is not also a transformation. This is true both of Lucretius’ reading of Epicurus and my reading of Lucretius, translating from Latin to English” (LEM 9–10). Shifting the accent from uncovering the authentic Lucretius to creating a monstrous one is a very welcome change, but a tension remains between Nail’s recognition that he is transforming the meaning of Lucretius poem, rather than rediscovering its original form, and other assertions in *Lucretius II*—for example, about how close reading remains a crucial dimension of his methodology: “The purpose of this method is to show systematically and textually, not just argumentatively, that Lucretius had an ethics of motion” (9), which it is hard not to read as a claim about what Lucretius really thought or intended. Likewise, the Preface to *Lucretius II* reiterates the metaphor of “unearthing” or rediscovering the “hidden Lucretius buried beneath

the paving stones of Greek atomism,” whom Nail discovered after turning to the original Latin poem and discovering what had “been left out of translations and interpretations” (LEM ix; cf. LOM 4). These remarks suggest that Nail hasn’t entirely abandoned the posture of accessing the original or authentic sense of Lucretius’s language, despite the many flaws in his books’ close readings of it.

Lucretius II also unambiguously indicates that Nail’s *Lucretius* is a creature less of attentiveness to the text of *De Rerum Natura* (let alone the ancient philosophical and literary contexts in which it was written) and more of a very peculiar species of what Harold Bloom called the “anxiety of influence.” Bloom appropriates the Lucretian *clinamen* in order to theorize how poets construct and locate themselves within literary traditions (although the point is generalizable to other kinds of intellectual tradition) while simultaneously creating the conditions for novelty and innovation: as a “Poetic Father” casts a long shadow on his, so to speak, descendants, the strong among them will react by “swerving” away.³⁸ Far from simply trying to evade the predecessor’s influence, however, the swerve of a “strong poet” involves recasting or reinterpreting it: “This appears as a corrective movement in his own poem, which implies that the precursor poem went accurately up to a certain point, but then should have swerved, precisely in the direction that the new poem moves.”³⁹ For Bloom, this movement is inevitably a *misinterpretation*, which attributes to the predecessor the features that the successor feels able to correct, whether or not they belong there. What is peculiar about Nail’s case of the anxiety of influence is that instead of showing how Lucretius himself went wrong, Nail emphasizes how “correct,” “prescient” and “accurate” the Roman poet was from the point of view of contemporary science (LOM 213–214, 231–232, 260) and displaces the “corrective movement” onto Greenblatt’s presentation of *De Rerum Natura* as the founding document for scientific modernity. Although in *Lucretius I* Nail does describe Lucretius as being limited by the state of ancient science, which explains why he resorts to mythological and naively empirical presentations of his ideas (272), it is the “modern materialists” who stand in much more need of correction: they have “abused” Lucretius’s work for five hundred years, “the poem has been treated with the same violence as nature itself was during the scientific revolution,” and the “modern interpretation of *De Rerum Natura* ... is part of a larger systematic worldview of patriarchy, rationalism, mechanism and quantification” (271).

In *Lucretius II*, Nail analogizes his own reading of Lucretius with the latter’s way of “turning” Epicurus’ philosophy ‘into [Lucretius’s] fatherly/native words’ [*in patrias qui possim vertere voces*] ([DRN] 5.337)” (LEM 10). Nail also picks up on

the *clinamen* that such words imply: “Lucretius is not just copying Epicurus; he is twisting, turning, and swerving him in new directions” (10). Then, with the help of Jane Snyder’s analysis of Lucretian puns, Nail recognizes the connections between *ver-tere* (“turning”), *ver-sus* (“verses”) and *ver-itas* (truth). Such a recognition seems to imply (although Nail himself doesn’t say so) that the Bloomian *clinamen* or turning, effected by both Lucretius’s and Nail’s anxieties of influence, produces the appearance of being able to access the “truth of” their respective poetic and philosophical forefathers—a truth to which Nail more naively appealed in *Lucretius I* in terms of Lucretius’s “original meanings.”

This framework borrowed from literary theory is particularly apt for describing Nail’s reading of Lucretius to the extent that Nail is a *revisionist* about the philosophical canon, an attitude Bloom associates with his conception of influence.⁴⁰ Nail prefaces his study of Lucretius by reconstructing an “underground current of materialism” that has been “systematically decimated throughout Western history” (LOM 4; cf. LEM 211–213). Even more spiritedly, *Being and Motion* sets out both to offer a conceptual framework for describing the ontological primacy of motion and also to use that framework to redescribe all previous ontologies (BM 26), periodizing the history of being into various kinetic “regimes” and showing how the main historical “names of being” could have arisen (138–139). In other words, what makes *Being and Motion* so ambitious is precisely its historical revisionism about ontology. With this in view, I can move on to this paper’s second major line of argument.

NAIL’S HISTORICAL METHOD

In addition to his fine-grained exegetical approach to *De Rerum Natura*, Nail also makes a case for the view that there’s a strong “resonance” between Lucretius’s materialism and twenty-first century science (LOM 13–14). Nothing in the former contradicts the latter the way that atomism certainly does (273). Thus Nail shifts in the last few chapters of *Lucretius I* from primarily trying to provide linguistic or textual evidence for the latter’s authentic views to demonstrating the consistency of the views he has already established with the findings of contemporary physics—often jumping immediately (or almost immediately) from quoting Lucretius to expositing quantum field theory or other relevant science (213, 216–218, 224, 231–232, 248–249, 251–252, 264).

In the conclusion, Nail describes the relationship between these two strategies: his approach is first to show the “internal coherence” of the physical theories

presented in *De Rerum Natura* and “only afterwards to cross-check them with contemporary physics to see if there are any glaring conceptual contradictions” (272). Thus, unlike the interpretations of Lucretius that are biased by classical physics and ancient atomism, Nail’s book, he insists, is “not a projection” (272–273). He repeats the assertion twice. The first time, Nail answers the potential objection that his work is largely a projection of quantum field theory onto Lucretius with questionably relevant considerations that don’t necessarily get him off the hook: for one thing, Nail says, his book is about more than just physics (but also mythology, politics, philosophy, and so on), and for another, he is not saying that Lucretius actually *discovered* quantum mechanics (273). The second time, however, Nail answers the charge of projection with an oblique reference to the method of treating the history of ideas that *Being and Motion* develops in more detail. Similarly, in *Lucretius II*, Nail insists that, although the meaning of a text is the product of a “process of collective creation” involving author, reader, and various other agencies, “this does not mean that rereadings of texts are arbitrary, or up to the free construction of human subjects” (8). Rather, Nail appeals to an implicit distinction between constructivism and realism: each new reading exposes another “real dimension of the text,” and here as well, Nail refers to the historical ontology of *Being and Motion* to substantiate this method (LEM 12, n.8). To deal with this aspect of Nail’s reading of Lucretius, it is therefore necessary to consider how Nail constructs the history of ideas in that book.

Being and Motion, like Heidegger’s *Being and Time*, is divided in two. The first part, Book I, contains a theory of motion, a novel conceptual framework that transcendently deduces the three key concepts of flow, fold, and field of circulation to describe the being of motion or how motion moves (BM 11, cf. 49). It also recasts traditional ontological concepts, such as quality, quantity, relation, modality, identity, and so on, in terms of that framework. The second part, Book II, is devoted to using the perspective developed in Book I to reinterpret the history of ontology—from the Stone Age to the twentieth century—and to show how motion as an historically suppressed “name of being” is capable of redescribing the historically “dominant” names: space, eternity, force, and time. Nail does so by demonstrating that in at least four distinct periods of Western ontology, the descriptions of being (in terms of space, eternity, and so on) followed distinct “patterns” or “regimes” of motion. They are, from oldest to most recent, centripetal, centrifugal, tensional and elastic (BM 24, 132–134). These kinetic patterns were what allowed ontologists to baptize being with a name other than “motion,” and they were not simply illusions: “reality actually moved differently in each period” (139).

In other words, *Being and Motion* has a systematic half and an historical half, just as Nail's first volume on Lucretius can be divided broadly into two parts, one devoted to close reading and one to showing the trans-historical consistency between Lucretius and quantum field theory. Similarly—just as in *Lucretius I* Nail claims that he close read *De Rerum Natura* first, and only then “cross-checked” his findings with contemporary physics—in *Being and Motion* he implies that the typology of kinetic patterns developed at the end of Book I is a *result* of the historical studies in Book II, even though the order of presentation is the opposite. Nail defends this discrepancy with a quotation from Marx's Postface to the second edition of *Capital* (BM 26):

Of course the method of presentation must differ in form from that of inquiry. The latter has to appropriate the material in detail, to analyze its different forms of development and to track down their inner connection. Only after this work has been done can the real movement be appropriately presented. If this is done successfully, if the life of the subject-matter is now reflected back in the ideas, then it may appear as if we have before us an *a priori* construction.⁴¹

In other words, it only appears that Nail is using a theory of motion he has independently developed to recast or reinterpret the history of ontology. In fact, because the opposite is true, and Nail has “appropriated the material in detail” as a preliminary to any theorizing, the appearance of an “*a priori* construction” only testifies to how successfully he has done so.

This dialectical justification of an historical method might seem to support the conclusion that Nail isn't “projecting” some ideas he had in advance onto an ancient Roman poem—it would only appear that way to someone who failed to grasp the retroflex character of Nail's approach—but to me it rings hollow. The idea that Nail has first “appropriated the material in detail” before coming to any conclusions is at odds with the overall thrust of *Being and Motion*, which begins with a diagnosis of the present: “We live in an age of movement” (BM 1) and thus stand “in need of a new ontology appropriate to our time” (6). The Postface to *Capital* makes it clear that by “appropriat[ing] the material in detail” Marx means investigating the facts (of political economy) as accurately as possible, in a “realistic” or “scientific” manner, without any idealist presuppositions. In this, he says, consists the opposition between Marxist and Hegelian dialectical method.⁴² Nail, in contrast, always presupposes the present moment, to which he claims to be responding. Of course, this is not the same as an idealist presupposition—the

approach is not reducible to Hegelianism—but in Nail’s historical dialectic the position of the *a priori* is occupied by “the present.” He is fairly explicit about it in what directly follows the quotation from Marx: “But we do not have an *a priori* construction, only a material and historical one. Only because we stand today at the relative end of this long historical process are we now able to invent concepts appropriate to the process itself” (26). The present (the moment at the end of a long historical process at which we stand) is a “material and historical construction,” or in other words a product of the history of matter in motion, which replaces the “*a priori* construction” that Marx treated as a retroactive appearance resulting from careful historical scholarship. But, if this is right, then Nail concedes too much. In fact, he has conceded the work of “appropriating the material in detail.” Nail now says, unlike Marx, that such detailed inquiry is not the method necessary to produce a presentation that looks an awful lot like a “projection” or “*a priori* construction.” In fact, he makes virtually the opposite point: all that is necessary to understand the material about which one is inquiring is to stand at the end of this historical process. Because we live in our present, in the “age of movement,” we can understand appropriately the history that brought us here. If so, then Nail’s ontology of motion in *Being and Motion* cannot be both the fruit of studious inquiry into the history of ontology and a response to the challenge of our new “kinetic paradigm” (5), as he maintains. On my reading, Nail is more committed to the latter than the former.

Studying the past on the basis of the present is basically the definition of “Whig history,” according to the term’s coiner, Herbert Butterfield. It is the “historian’s ‘pathetic fallacy’”—in other words, their tendency to see what belongs to their own situation reflected in the objects of their study. The illusion is the “result of the practice of abstracting things from their historical context and judging them apart from their context—estimating them and organising the historical story by a system of direct reference to the present,”⁴³ and it tends to generate narratives that portray (implicitly or explicitly) the present as in some sense more enlightened than the past and past events as marching toward how things are now.⁴⁴ If Greenblatt’s book on Lucretius is just as guilty of Whig history as it is of perpetuating the “myth of the man out of his time,”⁴⁵ then reading Nail’s *Lucretius* together with *Being and Motion* shows that Nail is just as willing to double down on the one as on the other.

Nail’s whiggishness in relation to the history of ontology explains some of the tensions inherent in *Being and Motion*. For example, there is an ambiguity in the text about whether the sequence of kinetic patterns is developmental or not. Nail

insists that it isn't: one name of being simply "wane[s] with the emergence of a new descriptive name that comes to explain the previous names. This does not mean that there is some developmental logic" (BM 26). He also emphasizes that, despite the chronological organization of Book II, "None of these concepts [space, eternity, force, and time] is any more advanced or developed than the others; there is no chronology, development or teleology" (143).⁴⁶ But such assertions conflict with other claims: for example, that centripetal motion (which was dominant in Stone Age ontology) is in some sense "basic" to the other patterns: "Without at least some centripetal motion, there can be no field of circulation in general. All the other regimes of circulation include and modulate this basic movement of the accumulation and repetition of flows" (152). They are potentially also inconsistent with Nail's careful accounts of the historical, "kinotopological" transformations of one pattern of motion into the next, which is said to presuppose it (196, 274, 369–370). Clearly Nail must admit that a kinetic pattern *develops*, in some metaphysically noncommittal sense of the word, from a prior pattern, however ateleological he would like to say this process is.

Moreover, some of Nail's formulations authorize the suspicion that the process is not, after all, very ateleological. In particular, Nail treats some historical ontologies as more or less failed approximations of the ontology of motion with the "vigilance for likenesses" that Butterfield considered typical of a Whig historian.⁴⁷ Nail comments on how close Hume (281), Hobbes (314), and Spinoza (316) came to advocating the primacy of motion suited to our contemporary moment, which only Lucretius, Marx, and Bergson truly anticipated (32–35). Closely approaching kinetic primacy is particularly characteristic of the ontology of time and the most recent of the big four dominant kinetic patterns, which Nail calls "elasticity." He uses this word to refer to a field of motion in which it is possible to introduce an indefinite number of subfolds between any two ordered folds in a flow (371, 373). Thanks to this unlimited subfoldability, the elastic field can be expanded and contracted in a way that European phenomenologists since Kant have described in terms of subjective time-consciousness (375–377). According to Nail, the problem with the most recent ontologists of time—namely, Derrida and Deleuze—is the way they assume that the subfoldability of time presupposes a discontinuous interval or stasis, such as an ontological gap, *différance* or difference in itself (416–419, 502 n. 48) rather than recognizing that it is continuous motion all the way down. In light of this failure of recent phenomenology to think kinetic primacy, Nail diagnoses the present again: we stand at a "threshold" between the "absolute rejection" and "absolute presupposition" of motion (420; cf. 369). Derrida, Deleuze, and the legacy of phenomenology would be on the side of the former, but

Lucretius—and in this consists his radical “contemporaneity” (LOM 1, 271)—on the side of the latter, since Lucretius had already supposedly shown that “every fold contains and is contained by at least one other fold in an infinity of larger and smaller infinities” (LOM 130).

Nail might defend himself against the charge that there’s an inconsistency between his anti-developmentalism about ontological regimes and his tendency to evaluate past philosophies in the light of the present state of knowledge by pointing to his conception of the relation between the past and the present. In *Being and Motion* Nail writes:

The past is not an objective set of fixed events. Depending on the conditions of the present [itself described as an “open process”], different aspects or dimensions of the past will appear and disappear. ... As the present changes ... so do the lines of the past that lead to it. This does not mean that history is illusory and false but rather that it is composed of multiple real coexisting and divergent historical series. (14–15)

In fact, I think this is precisely the relationship between past and future that Nail refers to in the *Lucretius* volumes to head off the charge that he’s “projecting” quantum physics onto *De Rerum Natura* or rereading the text in an “arbitrary” way. His study of Lucretius is the “unfolding of a dimension of the past which had always been there but has remained hidden until the present” (LOM 273; cf. LEM 8), and this is possible because “every new epoch changes the conditions in which the past is understood—new lines and new legacies are drawn up constantly” (LOM 13). In particular, because we exist in this present, this “age of movement,” we can now see Lucretius as an “important precursor” to the ontology of motion (BM 32). And thanks to our knowledge of contemporary physics, we can see how Lucretius’s poem has been so long “misunderstood” (LOM 271).

But such a conception of the relationship between past and present does not so much defuse the charge of Whig history, and thus a kind of developmentalism, as concede it. Nail says that the conditions of the present select (so to speak) the series of past events that “lead to it,” but he does not quibble with the implication that they *do* “lead to it.” If so, then why not evaluate Hume, Hobbes, and whomever else, in terms of whether or not they live up to the requirements of the present for an ontology of motion? If each new present has already created a new developmental sequence of past events, then such whiggishness is methodologically justified and no doubt inevitable.

To some extent, Nail's revisionist redescription of the history of ontology is reminiscent of what Nietzsche says about "Will to Power" in the second essay of the *Genealogy of Morals*—not coincidentally one of the sources of inspiration for Bloom's conception of the "strong poet's" revisionary *clinamen*.⁴⁸ Nietzsche writes that "whatever exists ... is again and again reinterpreted to new ends, taken over, transformed and redirected by some power superior to it ... all subduing and becoming master involves a fresh interpretation." And crucially, each "fresh interpretation" retroactively applies a teleology to what has been mastered: "purposes and utilities are only *signs* that a will to power has become master of something less powerful and imposed upon it the character of a function."⁴⁹ I would suggest that this description suits Nail's approach to the history of philosophy more than the Marxian method he openly endorses.

Nail is a powerful reader, both in the sense of Bloom's strong poet and in the sense of Nietzsche's will to power. His revisionist reading of Lucretius is full of corrective misprision and his fresh interpretations of past ontologies impose upon them the function of "leading to" the ontology of motion. It seems, however, that Nail does not want to admit to either. As we've seen, in *Lucretius I* he is adamant that he's unearthing the "original meanings" of *De Rerum Natura*. Even in *Lucretius II*, where Nail recognizes his own interpretation of Lucretius as a revisionary *clinamen*, he still refuses to accept that such a creative misreading is the "free construction" of his readerly subjectivity. Likewise, Nail's will to power in the history of philosophy does not affirm its "becoming master" but refuses to take responsibility for what it subdues and transforms, transferring agency to "the present" instead. Nail's whiggish kinetic redescription of previous ontological regimes in *Being and Motion* is supposed to be a complementary gesture to what the present has already effected: selecting the lines of the past that lead to it. The same goes for his appreciation of Lucretius; it is prompted by the contemporary: "The time has come for a return to Lucretius" (LOM 1). Nail presents himself as gamely responding to the needs of the present, but he is doing something much stronger.

To be clear, I do not assume that so-called Whig history is necessarily flawed or intrinsically unpersuasive. It may well be that, just as *argumenta ad ingorantiam* are not always fallacious, presentism in historiography is not always bad practice. Perhaps in some contexts, like popular historical storytelling (potentially including Greenblatt's book), a little bit of whiggishness is not only inevitable but innocuous.⁵⁰ Or maybe Whig history is not as big a problem in certain subfields, like the history of science: in politics, successive ideologies can be diametrically

opposed to one another, but in science, each successive theory builds on the previous ones, and so optimism about “progress” in science is not as Pollyannish as the same view about politics.⁵¹ This sort of argument could support Nail’s approach (though at the price of conceding a conception of progress he might be loath to accept), at least in *Lucretius I*, which refers throughout to the history of science and its present state. In relation to *Being and Motion*, the issue would be progress not just in science but also in philosophy, which is at least arguably more like politics than science (although this point is certainly debatable), and not all historians of philosophy are willing to accept the utility or inevitability of Whig history.⁵²

The problem with Nail’s position is not that it is whiggish but that it seems to be internally inconsistent on these methodological issues: the conception of the relation between past and present in *Being and Motion* contains what looks like a justification for teleological historiography, which Nail applies to *Lucretius I* and *II*, but he disavows the developmentalism this entitles him to. So even if one were to grant to Nail that a certain kind of Whig history is inevitable, perhaps on the basis of broadly Nietzschean considerations—how else can you look at the past than from the point of view of the present? The alternative would be as fictitious as a “view from nowhere”—Nail’s explicit (Marxist) justification of his approach would still be at odds with the approach itself, in that, unlike Marx’s “appropriation” of the historical material in detail, it answers primarily to the present, not the past. As Nietzsche said about the “English genealogists” of morals, the approach risks being “unhistorical.”⁵³

ALTERNATIVE HISTORICAL METHODS

Nail declares that his interpretation of Lucretius is inspired by a “volcanic return to Lucretian naturalism” in the work of Gilles Deleuze and Michel Serres (LOM 8–9). But he diverges from these precedents in terms of both the content of his historical claims and his method. First and foremost, neither Deleuze nor Serres denies that Lucretius is committed to atomism: Serres states plainly that “since for [Lucretius] everything flows, nothing is truly of an invincible solidity, except for atoms”⁵⁴ and Deleuze refers to the “indivisible atom” in Lucretius’s text.⁵⁵ Nail might, of course, consider this atomic residue a *limitation* of their respective materialisms, as he does in *Lucretius II* when he says that Serres “accepted the existence of Lucretian atoms, despite their absence from *De Rerum Natura*” (LEM 213). Considering, however, the failure of Nail’s close readings of Lucretius to persuade, Serres and Deleuze’s unwillingness to endorse a non-atomist

interpretation may well be an asset.

Furthermore, neither Serres nor Deleuze is doing with Lucretius what Nail is—namely, identifying Lucretius’s position with the one they want to advance. It may perhaps seem that way in the case of the passages in Deleuze and Guattari’s *A Thousand Plateaus* which describe Lucretian atomism as a “minor science” and a model of “smooth space,” and from which Nail derives the epigraph to his *Lucretius I*: “The ancient atom is entirely misunderstood if it is overlooked that its essence is to course and flow.”⁵⁶ But in these contexts Deleuze and Guattari are only explicating Serres’s book about Lucretius and describing Epicurean atomism as embodying a model or case of their own distinctions between “nomad” and “State,” “smooth” and “striated.” It would also be an oversimplification to say that Deleuze and Guattari straightforwardly endorse or support the first term in each conceptual pair. In fact, they conclude the section from which Nail quotes by distancing themselves from this implication: “smooth spaces are not in themselves liberatory. ... Never believe that a smooth space will suffice to save us.”⁵⁷

Serres, for his part, is committed less to endorsing Lucretian materialism than to writing the history of science. He confesses to being “anxious” about having discovered that aspects of Lucretius’s poem anticipate the modern science of fluid dynamics. This is an unexpected and frankly improbable “quasi-invariant” in a history where he expected the usual scientific revolutions.⁵⁸ Serres’s surprise seems to be related to the fact that he did not, as Nail puts it, “attempt to reinterpret *De Rerum Natura* with respect to some of the problems of contemporary physics” (LOM 9), if that means he set out to examine the past in terms of the present like Nail does. Serres’s approach is not particularly whiggish—or at least his approach, unlike Nail’s, has no built-in justification for a Whig methodology—and so his results initially embarrass him. Serres’s historical *bona fides* is on display when he pays careful attention (again, unlike Nail) to Lucretius’s ancient scientific and philosophical contexts—for example, the work of Democritus and particularly Archimedes, who, on Serres’s intriguing thesis, gives mathematical expression to ancient atomism.⁵⁹ Reading Lucretius *back* into the ancient world is quite different from Nail’s idea that twenty-first century physics can help us see or give expression to part of the reality of Lucretius.

Deleuze’s use of Lucretius is more susceptible to the charge of whiggishness. He probably originates the claim, which Serres repeats, that ancient atomism anticipates some of the insights of the differential calculus,⁶⁰ but, unlike Serres, Deleuze doesn’t originally defend it by placing ancient atomism in its historical

context—for example, alongside Archimedes. Even so, Deleuze’s interpretations of Hellenistic physics are relatively well supported by the extant ancient texts and even, in some cases, convergent with the conclusions of contemporary scholarship in ancient philosophy.⁶¹ This may come as a surprise, since, when he reflects on his approach to the history of philosophy, Deleuze seems quite comfortable with the possibility that he is modifying, even distorting what he finds there—as he puts it, producing with the philosophers on whom he comments “monstrous” children and modified “doubles.”⁶² Nail may actually be alluding to Deleuze’s method of begetting monsters in philosophical commentaries when he describes Lucretius as reading Epicurus in a way that goes beyond the latter’s intentions (LEM 9), but this allusion serves only to heighten the contrast. Nail waffles on the significance of close reading and translation, treating them simultaneously as means of returning to the “hidden” Lucretian text and its “original meanings” and as means for transforming or “swerving” away from what the text used to mean. Moreover, he appears to shirk responsibility for his historical will to power (imposing on past ontologies the function of “leading to” his own), while Deleuze affirms with a good conscience the way he is transformatively putting the history of philosophy to work.

CONCLUSION

To put the final sentence of the last section in other words, Deleuze is thinking about the *feedback loop* involved in his methodology: as the history of philosophy influences him, he influences (changes or transforms) the history of philosophy. Nail articulates a similar idea—“the past allows us to reinterpret the present with a new lens, while the present allows us to newly reinterpret the past at the same time”—and he even calls the relation between the “Lucretian past” and the “quantum present” a “feedback loop” (LOM 14). Yet I think my analysis has shown that this looked-for exchange between past and present might only work one way for Nail. The loop doesn’t actually feed back. Certainly, the “quantum present” allows Nail to reinterpret Lucretius, but in *Lucretius I*, unlike Deleuze, Nail does not admit that there’s a deformation, modification, or necessary misreading involved in this process. There Nail is committed instead to recovering original meanings, the truth of Lucretius, from beneath other interpreters’ alleged biases and misinterpretations. In *Lucretius II*, Nail sounds much more Deleuzian in this respect and concedes the inevitability of (potentially “monstrous”) transformation of what he is reinterpreting or translating. As Bloom puts it, every strong reading is a misreading. And yet, the method of close reading remains the same in both

volumes of *Lucretius*, equally devoted to unearthing what has been hidden by other translators and equally problematic in its concrete engagement with the Latin text. At the same time, Nail's insistence that his reading of Lucretius is "not a projection" of contemporary science—that is, his claim to be avoiding Whig history—stands at odds with the very conception of the relationship between past and present that he refers to in order to support it. *Being and Motion* not only suggests that for Nail "the present" has replaced the "a priori" in a quasi-dialectical historical method, but it also describes a relationship between the past and the present to which Nail appeals in the *Lucretius* books. That conception of the way the past "leads to" the present would seem to justify a whiggish developmentalism about the history of ontology, which, however, Nail disavows. I have argued that one way to summarize all this is to say that, in general, Nail disavows his own strength as a reader, preferring to maintain that it is not he selecting the lines of the past that lead to the ontological present; that is the present's doing, while Nail is just keeping up.

Nothing I have said poses a challenge to the project of developing an ontology of motion adequate to the ethical, political, aesthetic and scientific realities of the present day. Nor have I called into question the consistency or originality Nail claims for the theory of motion presented in the first book of *Being and Motion* (BM 13). In fact, I have perhaps emphasized its originality—though at the expense of Lucretius's. I have, however, cast doubt on Nail's way of reading Lucretius, and so, perhaps, also on his claim that "it is fitting" for a "new materialism" today to return to *De Rerum Natura*, with which "the entire history of an error began" (LOM 273)—namely, the supposed error of reading it as an atomist text.

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NOTES

1. Volumes already in print include *The Figure of the Migrant* (Stanford: Stanford University Press, 2015), and *Theory of the Border* (New York: Oxford University Press, 2016), both on politics, *Theory of the Image* (New York: Oxford University Press, 2019), on aesthetics, and *Being and Motion* (New York: Oxford University Press, 2019), on ontology. Two volumes on Lucretius have already appeared, *Lucretius I: An Ontology of Motion* (Edinburgh: Edinburgh University Press, 2018) and *Lucretius II: An Ethics of Motion* (Edinburgh: Edinburgh University Press, 2020), and Nail promises a third.
2. Thomas Nail, *Being and Motion* (2019), pp. 32–33. This book will be hereafter referred to parenthetically as BM.
3. Thomas Nail, *Lucretius II: An Ethics of Motion* (2020), p. 214. This book will be hereafter referred to parenthetically as LEM. Cf. Christopher N Gamble, Joshua S Hanan and Thomas Nail, “What is New Materialism?” in *Angelaki* 24, no. 6 (2019): 124.
4. Thomas Nail, *Lucretius I: An Ontology of Motion* (2018), pp. 12–13; this text will hereafter be referred to parenthetically as LOM.
5. Harold Bloom, *The Anxiety of Influence: A Theory of Poetry*, 2nd ed. (New York: Oxford University Press, 1997), p. 14.
6. See, for example: Catherine Wilson, *Epicureanism at the Origins of Modernity* (New York: Oxford University Press, 2007) on the influence of the Epicurean mortality of the soul and social contractualism; Allison Brown, *The Return of Lucretius to Renaissance Florence* (Cambridge, MA: Harvard University Press, 2010) on atheism; Vittorio Morfino, *Plural Temporality: Transindividuality and the Aleatory Between Spinoza and Althusser* (Leiden: Brill, 2014), pp. 72–88 on chance, and Dimitris Vardoulakis, *Spinoza, the Epicurean: Authority and Utility in Materialism* (Edinburgh: Edinburgh University Press, 2020) on political authority.
7. Cf. Stephen Greenblatt, *The Swerve: How the World Became Modern* (New York: W. W. Norton & Co., 2011), pp. 6–7. Greenblatt’s historical account has been criticized by medievalists and historians of science for omitting medieval atomism and reprising the Renaissance scholar’s self-aggrandizing fable that the revival of Greek and Latin classics was all the doing of Italian humanists: Michael H Shank, “Swerving Atoms, Medieval Vacua, Colliding Meanings” in *Exemplaria* 25, no. 4 (2013): 316–317, and Michael Herren, “Review: *The Swerve: How the World Became Modern*” in *Journal of Medieval Latin* 22 (2012): p. 299.
8. Pierre Vesperini, *Lucrece: Archéologie d’un classique européen* (Paris: Fayard, 2017).
9. Nail lists Bruno, Bacon, Gassendi, Galileo, Hobbes, Descartes, Newton, and others as representatives of the paradigm of modern materialism (LOM 7)—a selection of names that seems to be derived from the order of presentation in Greenblatt’s book.
10. Monte Johnson and Catherine Wilson, “Lucretius and the History of Science” in *The Cambridge Companion to Lucretius*, edited by Stuart Gillespie and Philip Hardie (New York:

- Cambridge University Press, 2007), pp. 132, 137.
11. Philip H De Lacy, “Lucretius and Plato” in ΣΥΖΗΤΗΣΙΣ: *Studi sull’ epicureismo greco e romano offerti a Marcello Gigante* (Naples: G. Macchiaroli, 1983), pp. 291–307; David Sedley, *Lucretius and the Transformation of Greek Wisdom* (New York: Cambridge University Press, 1998), pp. 75–82.
 12. Greenblatt, *The Swerve* (2011), p. 73, cf. pp. 187–190.
 13. Shank, “Swerving Atoms” (2013), pp. 315–316.
 14. Diskin Clay, *Lucretius and Epicurus* (Ithaca, NY: Cornell University Press, 1983), pp. 13–35.
 15. For example, Monica Gale, *Myth and Poetry in Lucretius* (New York: Cambridge University Press, 1994), pp. 129–155, and Sedley, *Transformation of Greek Wisdom* (1998), pp. 134–165.
 16. Cicero, *On the Orator: Book 3. On Fate. Stoic Paradoxes. On the Divisions of Oratory*, translated by H Rackham, (Cambridge, MA: Harvard University Press, 1942), pp. 216–220, 242–244; Cicero, *On the Nature of the Gods. Academics*, translated by H Rackham (Cambridge, MA: Harvard University Press, 1933), pp. 66–70; Cicero, *On Ends*, translated by H Rackham (Cambridge, MA: Harvard University Press, 1914), pp. 18–22.
 17. Gale, “Introduction,” in *Oxford Readings in Lucretius*, edited by Monica Gale (New York: Oxford University Press, 2007), p. 1.
 18. Lucilius, *Remains of Old Latin, Volume III*, translated by E H Warmington (Cambridge, MA: Harvard University Press, 1938), p. 542; Sedley, *Transformation of Greek Wisdom* (1998), p. 38.
 19. Cicero, *On the Nature of the Gods* (1933), pp. 414–416.
 20. For the Latin text of *De Rerum Natura* I rely on Lucretius, *On the Nature of Things*, translated by W H D Rouse, revised by M F Smith (Cambridge, MA: Harvard University Press, 1975), which I will cite parenthetically as DRN followed by the book and line number. The translations from Latin are mine unless otherwise indicated.
 21. Katherine C Reiley, *Studies in the Philosophical Terminology of Lucretius and Cicero* (New York: Columbia University Press, 1909), pp. 49–56. For the Greek text of Epicurus’s letters and collected sayings, I use Diogenes Laertius, *Lives of Eminent Philosophers*, edited by R D Hicks (Cambridge, MA: Harvard University Press, 1925).
 Parenthetical references to this text will hereafter appear as D.L., followed by the book and standard marginal numbers.
 22. Reiley, *Philosophical Terminology* (1909), pp. 59–60.
 23. Sedley, *Transformation of Greek Wisdom* (1998), p. 38.
 24. In *Lucretius II* Nail actually quotes Lucretius using the word “*particulae*” (at 3.708) without commenting on it (LEM 106), and he quotes selectively from the second part of the sentence containing the word “particle” at 4.260: “we don’t usually feel every single particle of the wind ... but rather the whole at once” (cf. LEM 174).
 25. Douglas Walton, “The Appeal to Ignorance,” in *Argumentation* 13 (1999): pp. 371–373.
 26. Cicero, *On the Nature of the Gods* (1933), p. 538.
 27. Lucretius, *On the Nature of Things*, translated by Walter Englert (Indianapolis: Focus

Philosophical Library, 2003).

28. Besides false etymologies, Nail's close reading of *De Rerum Natura* is also marred by simple factual errors about the ancient Mediterranean and Near East, ancient Greek and Roman philosophy, and scholarship on the latter, which strain a reader's charity. For example, Nail describes how volcanic rock buried the text of *De Rerum Natura* in Pompeii (LOM 91), but he is presumably referring to the Villa of the Papyri at Herculaneum. Similarly, he identifies Empedocles as coming from the "island of Acragas" (133), which is not an island but a Greek colony in Sicily. Nail also refers to "Rouse-Smith" as a translator of Lucretius (52), which is actually two people, one of whom revised the other's translation, and he seems to believe that Humbaba, the guardian of the cedar forest in *The Epic of Gilgamesh*, is female (237).

29. David Furley, "Variations on a Theme from Empedocles in Lucretius' Proem," in *Bulletin of the Institute of Classical Studies* 17 (1970): 55–64, Clay, *Lucretius and Epicurus* (1983), pp. 22–23, Sedley, *Transformation of Greek Wisdom* (1998), pp. 23–25.

30. Elizabeth Asmis, "Lucretius' Venus and Stoic Zeus," in *Hermes* 110, no. 4 (1982): 458–70. On the Stoics and Spinoza, Jon Miller (*Spinoza and the Stoics*, [New York: Cambridge University Press, 2015]) enumerates the similarities and differences between the two conceptions of divine immanence.

31. Tim O'Keefe, *Epicureanism* (Berkeley: University of California Press, 2010), pp. 155–62.

32. Monica Gale, *Myth and Poetry in Lucretius* (New York: Cambridge University Press, 1994), pp. 50, 99.

33. Sedley, *Transformation of Greek Wisdom* (1998), pp. 15–34.

34. E J Kenney, "Doctus Lucretius" in *Oxford Readings in Lucretius*, edited by Monica Gale (New York: Oxford University Press, 2007), pp. 300–327.

35. Sedley, *Transformation of Greek Wisdom* (1998), p. 17.

36. Reiley, *Philosophical Terminology* (1909), p. 50.

37. *Ibid.*, pp. 53–54.

38. Bloom, *Anxiety of Influence* (1997), pp. 44–45.

39. *Ibid.*, p. 14.

40. *Ibid.*, pp. 28–30.

41. Karl Marx, *Capital, Volume 1*, translated by Ben Fowkes (New York: Vintage Books, 1977), p. 102.

42. *Ibid.*, pp. 100–102.

43. Herbert Butterfield, *The Whig Interpretation of History* (New York: W. W. Norton & Co., 1931), pp. 30–31.

44. Susan James, "Why Should We Read Spinoza?" in *Royal Institute of Philosophy Supplement* 78 (2016): p. 112.

45. Shank, "Swerving Atoms" (2013), p. 315.

46. The absence of developmental implications is perhaps why Nail feels able to associate the

oral cultures and mythologies of various contemporary non-Western, Indigenous and African peoples with the ontological descriptions of the Neolithic era: for example, the “spatialization of temporal being is still ontologically dominant today among several Native American peoples, such as the Lakota, Navajo, and Hopi” (BM 165).

47. Butterfield, *Whig Interpretation* (1931), pp. 11–12.

48. Bloom, *Anxiety of Influence* (1997), p. 8.

49. Nietzsche, *On the Genealogy of Morals and Ecce Homo*, translated by Walter Kaufmann (New York: Vintage Books, 1989), p. 77.

50. Cronon, “Two Cheers for the Whig Interpretation of History” in *Perspectives on History* 50, no. 6 (2012).

51. Ernst Mayr, “When is Historiography Whiggish?” in *Journal of the History of Ideas* 51, no. 2 (1990): 301–309.

52. E.g., James, “Why Should We Read Spinoza?” (2016).

53. Nietzsche, *Genealogy of Morals* (1989), p. 25.

54. Michael Serres, *The Birth of Physics*, translated by Jack Hawkes (Manchester: Clinamen Press, 2000), p. 5.

55. Gilles Deleuze, *The Logic of Sense*, translated by Mark Lester with Charles Stivale (New York: Columbia University Press, 1990), p. 268.

56. Gilles Deleuze and Felix Guattari, *A Thousand Plateaus: Capitalism and Schizophrenia*, translated by Brian Massumi (Minneapolis: University of Minnesota Press, 1988), p. 489; cf. 361.

57. *Ibid.*, p. 500.

58. Serres, *Birth of Physics* (2000), pp. 161–162.

59. *Ibid.*, p. 13.

60. Gilles Deleuze, “*Lucrece et le naturalisme*,” *Études philosophiques*, nouvelle série 16.1 (1961): 19–29; Serres, *Birth of Physics* (2000), pp. 11, 14–17. On Deleuze as the originator of this idea, see Michael J Bennett, *Deleuze and Ancient Greek Physics: The Image of Nature* (London: Bloomsbury, 2017), pp. 216–223.

61. Bennett, *Deleuze and Ancient Greek Physics* (2017), pp. 251–252.

62. Gilles Deleuze, *Negotiations: 1972–1990*, translated by Martin Joughin (New York: Columbia University Press, 1995), p. 6; Gilles Deleuze, *Difference and Repetition*, translated by Paul Patton (New York: Columbia University Press, 1994), p. xxi.

**fulfilling nomos before the
law: on thanos zartaloudis’
the birth of nomos¹**

ari marcelo solon

ricardo martins spindola diniz

INTRODUCTION

Thanos Zartaloudis’ *The Birth of Nomos* (EUP 2019) is an outstanding achievement. Its length, profundity, and assemblage of sources and subjects are overwhelming. Re-reading Greek poetry and the philological practices and traditions which transmitted, among other things, Homer, Hesiod, Pindar, Heraclitus, and the tragedians, with and against the grain, Zartaloudis frees up fundamental texts and interprets them anew. Using the patient framework of the historian and the philologist, Zartaloudis’ rendition of the sources are, to use his own words, “conservative” yet open-minded. This combination of patience and open-mindedness to philological and philosophical speculation provides much food for thought. In the words of Giorgio Agamben, which actually open the first page

of the book, *The Birth of Nomos* “[...] renovates entirely our understanding of a fundamental term in the history of Western culture [...]”, and it launches its readers towards the task to “rethink all of the themes that our ethical and political tradition has gathered around the word ‘Law’”. (Zartaloudis, i)²

In her essay on Walter Benjamin, Hannah Arendt wrote that “in the final analysis all problems are linguistic problems”.³ Just as “the Greek polis will continue to exist at the bottom of our political existence—that is, at the bottom of the sea—for as long as we use the word ‘politics’”.⁴ One may argue that the same is true regarding the words *nomos* and Law. Yet, to the burdensome tradition that carries and covers its supposed foundations, preemptively challenging any take at its disclosure and exposure, to render that tradition inoperative (which is Zartaloudis’ aim) is truly bold and breathtaking. Our reading aims to advance an arrangement of the work, highlighting its force and arguments, in order, ultimately, to consider its significance vis-à-vis the effectuality that sustains and surrounds the word Law. In other words, following the book’s indebtedness to the work and thought of Giorgio Agamben, we advance a reading that indicates how this influence informs the research protocols mobilized in *The Birth of Nomos* and asks about some of the many speculative projections which may be pursued further taking Zartaloudis’ scholarship as a point of departure. To do so, we provide an attentive reading of the book, while positioning it towards both Zartaloudis’ earlier work and Agamben’s oeuvre.

Anticipating our conclusion, we argue that *The Birth of Nomos* contends two main lines of analysis, which underlie its understanding and interpretation of all its sources throughout the whole work. First, Greek poetry has as its anchorage an understanding of the relation—if, as it will be discussed, one could write here of relation—between words and deeds that is completely otherwise. Second, the way *nomos* entails existence is also different vis-à-vis the way Law orders reality in the conventional modern understanding. Whereas the latter way would be marked by propriety and appropriation, the former is characterized by something that could not be described as a necessity or a process, and, most importantly, as appropriation—but rather as, in a certain sense, use. The first section is, then, dedicated to the protocol animating Zartaloudis’ reading of Greek poetry, while the second section is dedicated to the indication, analysis and elaboration on its two key lines of argument.

1. A GENEALOGY OF *NOMOS* AS A PHILOLOGY OF ITS USES AND ITS *ARCHÉ*

At the start of the third and last section of the Preface of *Birth of Nomos*, we read that the method employed could be called “a genealogy”, under the condition that “we agree that words do not have ‘core’ meanings, but rather uses (and that these uses cannot be distinguished from the existence in which they are experienced”. (Zartaloudis, xxi) Some pages later, the text places a minor emphasis on a reading protocol—the ‘semantic’ method—as followed by Martin Ostwald in his *Nomos and the Beginnings of the Athenian Democracy* (Zartaloudis, xxxiv), which Ostwald himself explains is the attempt to identify and classify the great variety of uses of a certain term, enabling one “to discover the basic concept underlying each term in its own right”,⁵ by proceeding “inductively from the particular contexts” in which the terms are found, followed by an attempt “to discover whether a common denominator exists which at once gives a basic meaning of each term and explains how this meaning is applied in the contexts in which each term appears”.⁶ As the arrangement of these texts in the book suggests, one may attempt to read Zartaloudis’ remarks on method, that is, on the inexistence of core meanings and the indistinguishability between uses and their corresponding existential experience, as aimed at Ostwald’s semantic method and, most importantly, at its underlying comprehension of language. Perhaps it is so, but in any case the way language is apprehended and worked with is one of the keys to grasp not only the novelty of *The Birth of Nomos*, but an important first step in understanding the problems that it circumscribes and answers to.

“Philologists”, as one reads in Agamben’s *The Kingdom and the Glory*, “are more used to analyzing the meaning of words than their efficacy”.⁷ In a nutshell, Zartaloudis’ scholarship could be described as a concern with the efficacy of *nomos*, subjecting the question to a thorough reading of an impressive array of original sources, while keeping an eye on how heavily they are burdened by tradition, and carefully following Agamben’s note of philological caution. Perhaps a small interpolation on Agamben’s text is fitting at this point, since it can offer us a cipher to understand the birth of *The Birth of Nomos*: “In order to understand the semantic history of the term *nomos*, we need to remember that, from the linguistic point of view, what we are dealing with is not really a transformation of the sense (*Sinn*) of the word, but rather a gradual analogical extension of its denotation (*Bedeutung*)”.⁸ In fact, Agamben continues, “the semantic nucleus (the *Sinn*) remains within certain limits and up to a certain point unchanged, and ... it is precisely this permanence that allows the extension to new and different denotations”.⁹ How does this extension, an analogical extension, take place? As the passage quoted above indicates, through the efficacy of language—or, by language as efficacy or, more precisely, in its performativity. Following William

Watkin's reliable schematization of Agamben's work on language—which has as its primary characteristic “its communicability defined in terms of its intelligibility or its operativity”¹⁰—in our attempt to expose the significant understanding of language and its taking-place that underlies Zartaloudis' research into nomos we should briefly consider some further parameters, drawn from Agamben's *The Sacrament of Language* and *The Signature of All Things*.

By way of the sacrament, words and deeds, word and action, are related. The relationship between word and deed is a concern that cuts across Hannah Arendt's work. Correspondingly, one can read Agamben's engagement with this relationship as an intimate, even if not announced, response to Arendt's grasp of it¹¹; its unannounced character adding, admittedly, to how underdeveloped this vein of inquiry regarding Agamben's work currently remains. Reading some of Agamben's work through its connection with Arendt's is, indeed, of great help to its exposition. In *The Human Condition*, Arendt famously writes that “power is actualized only where word and deed have not parted company”.¹² To succeed in endowing words and deeds “with some permanence”, arresting “their perishability”, is to “enter and be at home in the world”.¹³ One can easily read here what Agamben calls the anthropogenesis underlying the relation between word and deed, nothing less than that which is at stake in his discussion on the sacrament of language. If Arendt hopes to bring forth promises as the frame to bind words and deeds with an eye to the Greek political experience, Agamben searches to highlight its underlying apparatus, through the paradigm of the oath. In his words:

For the living human being who found himself speaking, what must have been just as—perhaps more—decisive is the problem of the efficacy and truthfulness of his word, that is, of what can guarantee the original connection between names and things, and between the subject who has become a speaker—and, thus capable of asserting and promising—and his actions.¹⁴

The oath appears, in this regard, as the epistemological paradigm which exposes the operation of the relation between words and deeds, which takes place as and with anthropogenesis itself: “The oath express the demand, decisive in every sense for the speaking animal, to put its nature at stake in language and to bind together in an ethical and political connection words, things, and actions”.¹⁵

As binding, and as relation, “the moment of the binding (through an oath) of human

potentiality (*dunamis*) to a particular socio-political and vocal form”, (Zartaloudis, 176) sacrament is itself in the form of what Agamben calls abandonment. That is, abandonment “is the pure form of reference to something in general, which is to say, the simple positing of relation with the nonrelational”.¹⁶ Alongside or, perhaps, always already later—as its “epiphenomenon”¹⁷—to the anthropogenesis that brings and abandons human beings to language, there is the taking place of what one may refer to, using Zartaloudis’s term, as the *anthroponomikos*.

One could interpret Zartaloudis’ ingenious terminology as the philosophical-poetic transformation of two Agambenian insights regarding law—closely related to the question of the “efficacy of words”. First, for Agamben, “the particular structure of law has its foundation” in the presuppositional structure of human language, which he takes as the fact that language in linguistic and philosophical thought has been considered to operate negatively, positioning something beyond itself (which, at its limits, is and remains ever-ineffable) but this presupposed and silenced negativity can be shown to appear through language itself, expressing “the bond of inclusive exclusion to which a thing is subject because of the fact of being in language, of being named”, thus “to speak [*dire*] is, in this sense, always to ‘speak the law,’ *ius dicere*”.¹⁸ As Zartaloudis wrote in an earlier work: “The presupposition of the founding of law and politics (as much as religion itself) is not then to be assigned to a pre-judicial or a pre-religious realm but instead to the presupposition, within human language, of the relation between words and things, or language and praxis”.¹⁹

The second insight refers to the performativity of language, which is exposed through an analysis of the oath. The oath establishes itself as the measurement of the relationship that it itself constitutes between word and action through “a process of desemanticization and suspension of concrete praxis”:

It can generally be said that not only language and law but all social institutions have been formed through a process of desemanticization and suspension of concrete praxis in its immediate reference to the real. Just as grammar, in producing a speech without denotation, has isolated something like a language from discourse, and law, in suspending the concrete custom and usage of individuals, has been able to isolate something like a norm, so the patient work of civilization proceeds in every domain by separating human praxis from its concrete exercise and thereby creating that excess of signification over denotation.²⁰

This passage appears in a key chapter of *State of Exception*, titled “*Force-of-law*”. Correspondingly, in *The Sacrament of Language*, one reads: “The ‘force of law’ that supports human societies, the idea of linguistic enunciations that stably obligate living beings, that can be observed and transgressed, derive from this attempt to nail down the originary performative force of the anthropogenic experience”.²¹ To nail it down is to desemanticize as a way of bringing out a “consubstantiality” or a “threshold” between word and action.²² Linguistically speaking, one may suggest that whenever words and deeds are bound, “the semantic aspect of language is deactivated and appears for a moment as an empty rotation; and, yet, it is precisely this empty turning that supplies it with its peculiar, almost magical, efficacy: that of producing glory”.²³ An in-depth analysis of the signature of glory in Agamben’s oeuvre is beyond the scope of this article. However, a brief reference can help us return to Arendt’s assessment of power’s relation to the threshold between word and action. Glory, according to Agamben, “is precisely what takes the place of that unthinkable emptiness that amounts to the inoperativity of power. And yet, precisely this unsayable vacuity is what nourishes and feeds power (or, rather, what the machine of power transforms into nourishment”.²⁴ In other words,

[t]he essential negativity of power and of human being is equaled by another negativity; that of the ritual enunciation of an oath that says nothing. This double negativity, or enigma, can be rendered properly intelligible, Agamben suggests, only if placed on the threshold between the juridical and the religious, and understood as delimiting and founding something more essential: the very presupposed nature of the ‘animal that speaks’.²⁵

And yet, Zartaloudis, as we saw above, writes that “uses cannot be distinguished from the existence in which they are experienced”; in fact, this would be the real meaning of *anthroponomikos*, “since *nómos* lies within the very uses of the mortals”, its form being “inseparable from ‘living’ or ‘using’.” (Zartaloudis, xvi) Nevertheless, if a law to the epiphenomenon of relating words and deeds could be said to exist, it would be “an ordering that, nonetheless, and among others, orders *semantically* too”. (Zartaloudis, 119, emphasis in the original) An ordering that, first of all, orders semantically its deactivation through the establishment and stabilization of an empty semantic nucleus.²⁶ One may well call this law “the Law of law”.

Ten years earlier, Zartaloudis described this as belonging to “the old European schema”, that is the schema through which the law of a long modernity is

dogmatically and negatively related to “something unsayable, or ineffable from ‘time immemorial,’ or yet another absolute vertigo”.²⁷ In this relation, law “always it seems attempts to be ahead of itself”.²⁸ Moreover, in this early piece Zartaloudis pointed out that one should start to think the before of law as “only the before”,²⁹ against its presupposed exteriority from which it derives its force,³⁰; such a before being not-otherwise than what is called ‘the social’,³¹ “the very taking place” of law, its transmissibility as “the potentiality of our second nature”.³² Perhaps this is why one needs, according to Agamben, to free “the experience of abandonment” from “every idea of law and destiny”—from a “Law of law”—which opens one “to the idea that the relation of abandonment is not a relation, and that *the being together of the being and Being does not have the form of relation*”, or at least not a negative relation.³³ This wouldn’t mean a parting of ways, but a “remaining without relation”. The engenderment of this remnant could be called “usage—or rather, *ethos*”.³⁴ *Ethos*, meaning a way of life and being—as Zartaloudis translates it throughout *The Birth of Nomos*. (Cf. Zartaloudis, 64, 70, 119, 342)

To the schema, or the signature, of the Law of law, one may read Zartaloudis as opposing the uses of law as brought to language—an ethology of the *cosmopoiesis* of law, to use some of his other terms. However, before demonstrating the unfolding of this project—what we call a fulfillment of the signature of the Law of law—it is worthwhile to consider the qualification of the Law of law as a signature and to question why the uses of law would be, if not its counterpart, “a third space, like a threshold wherein the poles of the juridical and the non-juridical cannot be fused, and where law is [not] otherwise than it is”.³⁵ To this end, let us turn to Agamben’s *The Signature of All Things*.

The sign, Agamben writes, “signifies because it carries a signature that necessarily predetermines its interpretation and distributes its use and efficacy according to rules, practices and precepts”.³⁶ Signatures have their locus “in the gap and disconnection between semiology and hermeneutics”.³⁷ In a way, then, signatures close or stabilize this gap, establishing the efficacy of words through its emptiness, “presenting as necessary what is in fact a deep historical contingency”.³⁸ If the sphere of law is the sphere of “an efficacious word”, Agamben continues, “then law is the sphere of signatures par excellence, where the efficacy of the word is in excess of its meaning (or realizes it)”.³⁹ In signatures, there occurs a placement between common and proper, or between potentiality and act, that is set through their distinction and exceptional relationship.

On the contrary, or as its indifference, use implies a passage between these poles

that “comes about every time as a shuttling in both directions along a line of sparkling alternation on which common nature and singularity, potentiality and act change roles and interpenetrate”.⁴⁰ So far, the relation of use to signature has been an underdeveloped line of inquiry within the secondary literature dedicated to Agamben’s thought. One may arguably use as a cipher to this problem Agamben’s comments on what changes in the world after the arrival of the Messiah: “What is new, instead, is the tiny displacement that the story introduces in the messianic world. And yet it is precisely this tiny displacement, this ‘everything will be as it is now, just a little different,’ that is difficult to explain”.⁴¹ As will become clearer below, *The Birth of Nomos* can be read as advancing, between the lines, something akin to a statement regarding the signature of Law and the usage of law, or what amounts to this very ‘and’.

Be that as it may, the Law of law can obviously be interpreted as a signature—or even the signature par excellence—because it determines the way norm relates to fact, law to life—the signifier to the signified.⁴² To grasp its operation, by way of its double paradigm, which “marks the field of law with an essential ambiguity”, crossed by a “normative tendency in the strict sense, which aims at crystallizing itself in a rigid system of norms whose connection to life is, however, problematic if not impossible” and “an anomic tendency that leads to the state of exception or the idea of the sovereign as living law”, is the task of a philosophical archaeology. Philosophical archaeology, as Agamben calls it, reaches back “beyond the split between signature and sign and between the semiotic and the semantic in order to lead signatures to their historical fulfillment”.⁴³

To fulfill a signature is to turn the necessity of its effectuality—which conditions the intelligibility of a tradition and, correspondingly, a set of practices—inoperative, which as Watkin proposes, means to show its contradictions and contingency.⁴⁴ This is said and done through the deconstruction of “the paradigms, techniques, and practices through which tradition regulates the forms of transmission, conditions access to sources, and in the final analyses determines the very status of the knowing subject”.⁴⁵ To this *pars destruens* corresponds the *pars construens* of philosophical inquiry,⁴⁶ opening the possibility of engaging “anew the sources and tradition”.⁴⁷

Yet, Zartaloudis calls his work—if indeed there would be a name suitable to it—a “genealogy”. Thus, it follows closely the protocols advanced by Agamben, accurately reading the documents of the manuscript tradition, from Homer to the tragedians, keeping a close eye on most of the significant entries in the

philological practice that rendered them for the present. Nevertheless, there remains the feeling that Zartaloudis does so not to deactivate the signature of the Law of laws. Zartaloudis considers it to be already fulfilled. Thus, his work could be read as an effort that comes the day after its deactivation. A couple of lines after establishing this note of caution regarding the transmissibility of one's sources, Agamben affirms a protocol—a recurrent one in his work—that is directly discussed by Zartaloudis in the opening pages of *The Birth of Nomos*. An analysis of this protocol may help bring about the distinction—if there is any—between an archaeology and a genealogy, but, most importantly, it will help establish the reasons that sustain Zartaloudis' choices about his sources—hermeneutically speaking, it will reveal the ground of the privilege of his privileged texts—and, correspondingly, the force that can be projected into his work.

Whenever one aims at “the moment of arising” or “emergence” (*Entstehung*) of a certain “dis/juncture” which signs the possibility of intelligibility of a certain practice, one must take an important precaution, according to Agamben. “Just as a chemical compound has specific properties that cannot be reduced to the sum of its elements”, Agamben writes, “what stands prior to the historical division is not necessarily the sum of the characteristics defining its fragments”.⁴⁸ Therefore, one should try to “imagine an x that we must take every care in defining, practicing a kind of archaeological *epoche* that suspends, at least provisionally, the attribution of predicates that we commonly ascribe” through signatures to a determinate set of statements.⁴⁹ In other words, to work archaeologically, one needs to suspend signatures—and yet, as stated above, the messianic end of archaeology is to deactivate or fulfill signatures. Thus, archaeology stands at the threshold of its own limit, “in the double sense of end and principle”.⁵⁰ (Agamben, 1998: 15) In Zartaloudis' insightful elaboration on this precaution, we read as follows:

In the Western (juridical) modality of cognition, it seems that ‘always-already’ the terms used to describe what predates the so-called juridical forms and actions are those of the juridical (or, rather fictional or magical) *dis/juncture* between word and action and, more widely, the perennial juridico-philosophical enigma of the *dis/juncture* between ‘language’ and ‘reality’. (Zartaloudis, xviii)

Zartaloudis contends in the subsequent pages of the section titled *Pré-droit* that the sources, read anew in his work, predate the signature of Law. To disregard a semantic core that would reveal itself from the documents of the manuscript tradition and, retroactively, determinate their disposition and revelation, and

to do so with the tradition that formed itself around the word and practice of *nómos/nomós* is to effectuate something of a double suspension. Or, perhaps more precisely, a suspension and sidestep. As an answer to the hermeneutical task of introducing strangeness in sameness, Zartaloudis suspends philologically what he calls the juridical framework that conventionally rendered the Greek ancient texts immediately readable in modernity. By reading them anew, we argue, Zartaloudis offers an elaboration (as genealogy) on the “tiny displacement” that comes with the messianic deactivation of the signature of Law. Nomos is then exposed “not through the worldview of a theodicy or an *oikonomia*, but of a cosmodycy and of use, of things just as they are”.⁵¹ “This”, Zartaloudis suggested, in fact, nine years ago, “is the idea of justice”. The “very taking place of beings just as they are: their poietic being in pure potentiality (*poiesis* does not refer to the genre of poetry, but to the generic nature of potentiality)”.⁵²

A “return to the Greeks”, then? Perhaps that is so. Admittedly, if *The Birth of Nomos* receives the critical fortune that it deserves, one could hardly fail to foresee the formulation of criticisms quite similar to those raised against Arendt’s *The Human Condition*. One can think here of Arendt’s silence on Greek slavery, for example,⁵³ a silence that, along similar lines, has its place in *The Birth of Nomos*. This is discussed in our concluding section. For now, it should suffice to point out two things.

First, this movement is not without parallels in Agamben. One may think here of the curious excursus inserted between paragraphs 8.3 and 8.4 of *The Kingdom and the Glory*, where Agamben considers the Homeric “figure of glory”, that is “entirely the work of man, mere glorification”. The passage ends with a citation that seems to work along the lines of Walter Benjamin’s art of quotations.⁵⁴ If pushed to the limit, as was arguably done by Ovid, many centuries later, this “‘glorifying’ strain of poetry” suggests that “not just heroes, but ‘the gods too (if I may be allowed to say so) exist through poetry; even the majesty of one so great has need of the voice of someone to celebrate it.’”⁵⁵ One could and must question oneself about the quotation marks that detach ‘glorifying’ in this passage. Quotation marks, Jacques Derrida once wrote, “call for another word, another appellation, unless it alters the same word, the same appellation, unless it re-calls the other under the same”.⁵⁶ Its apparatus “lends itself to theatricalization, and also to the hallucination of the stage and its machinery: two pairs of pegs hold in suspension a sort of drape, a veil or a curtain. Not closed, just slightly open”.⁵⁷ Does this mark stand for an act of profanation? Perhaps. As Zartaloudis explains, employing explicit dramaturgical metaphors, an act of profanation “aims to return something that has been

separated from the human sphere back to it, not by destroying the rite of law in question, but by eliminating the mythologeme that seeks to stage the relation between the power of a sacred act and the captured thing's use in an obligatory normative manner".⁵⁸

Second, and furthermore, there seems to be a strong resonance between the Homeric figure of glory and what Agamben writes about the *Idea of justice*. Justice would be born for a human being as "a heralding gesture or a vocation". "In this sense", Agamben continues, "the most ancient of human traditions is not Logos, but Dike (or, rather, they are indistinguishable at the start)". Human beings, "believing that they are handing on a language", actually "give each other voice; and in speaking, they deliver themselves over without remission to justice".⁵⁹ As one finds in a footnote of *The Birth of Nomos*, this essay, if not these words, are what "inspired, in more than one way", his genealogy. (Zartaloudis, 355, note 55) A genealogy on "the 'originary' state of the law", thus exposed as "one of participation in a generic potentiality, that cannot be owned or possessed, but only used".⁶⁰ As this passage and the one quoted earlier, both from Zartaloudis' earlier book *Giorgio Agamben: Power, Law and the Uses of Criticism*, indicate that that which cannot be owned, and poietic being, are two important keys to access the "tiny difference" between the signature of Law and the use(s) of *nomos*. Therefore, the following section is dedicated to a reading of certain chapters of *The Birth of Nomos* that correspond to these two privileged sites of inquiry.

2. THE SIGNATURE OF LAW AND ITS FULFILMENT: NOMOS AS WAY OF LIFE

The schema of a re-reading of *The Birth of Nomos* advanced here, which argues for a detachment of the chapters dedicated to propriety and poetry (or, more precisely, to what remains before the signatures of propriety and poetry, that could be *Kleros* and *Mousike*), does not derive its ground from Zartaloudis' past work alone. The inquiry around the correspondent uses to those words seems to follow a different protocol than the one at work among the other chapters in the book.

Generally, Zartaloudis' text proceeds through the confrontation of the philological tradition—which, in a sense, offers directedness to the interpretation, even if it is a direction that the interpretation itself aims to fulfill, turning it ineffectual—and the texts themselves. It presents a key-passage from the sources, it reviews the philological work dedicated to it, discerning between rubble and

genuine insight—a distinction that is rigorously handled by way of ordinary historiographical and philological (hermeneutical, perhaps) criteria, such as the indication of anachronisms, misinterpretation of context or partial reading of the sources (Cf. Zartaloudis, 49, 55, 63, note 69, 194, 208 236, 277)—while it aims to liberate the texts of Homer, Hesiod, Pindar, Heraclitus and the tragedians in their strangeness. From passage to passage, the sources incline the text to some speculative temptations. There are moments in which one can sense the historian's hand forcing a resignation on the speculative mind, as these leaps to contemplation. In a way, the text goes from falling short of the transmission of language to the exposure of language itself, one could risk oneself writing. As such, those moments are short and careful in character, indicated by tropes such as “speculative manner”, (Zartaloudis, 371) “speculatively”, (Zartaloudis, 354) “merely speculative”, (Zartaloudis, 383) and “speculative philosophical sense”, (Zartaloudis, 71) among others.

The chapters “The Nomos of the Land” and “*Nomos Mousikos*” seem to break away from these protocols. One could argue that the final sections of “*Nomos Moiregenes*” do so as well. Whereas it may be argued that all chapters make use of discussions and studies on the corresponding practices to the words therein analyzed, in most of them this recourse is interwoven with the interpretation of the text itself, which obviously has the upper hand. In these chapters, instead, the sources seem to assume a marginal character, giving space to an extensive elaboration on the appliance (*Bewandtnis*) which the sources not so much presuppose as expose with fearsome density, in its arrangement and destination.⁶¹

2.1. NOMOS EXPOSED I: MOUSIKE

Why speak of “fearsome density” here? Zartaloudis' book restrains him to scrutinizing the uses of *nómos* and *nomós*, one and the other words with their distinct stresses, transmission patterns, and etymologies, all carefully considered in the book, reading “in[to] the normalcy-setting and *ethos*-transmitting Greek poetry”. (Zartaloudis, xxi) Poetry, one reads in a later elaboration, “is not a mere accompaniment to the key events of a political community but formed by, as much as forming, a social act”. (Zartaloudis, 345) The relationship between poetry and poiesis—of Greek poetry as *logopoiesis*, or, more precisely, as the cosmopoietic aural existence, as an interaction of the “*logopoietic dunamis*”, or as the power of “*sacred transmission*” (Zartaloudis, 359, emphasis added)—is an underlying theme of *The Birth of Nomos*. However, it remains presupposed and underdeveloped until the last chapter, “*Nomos Mousikos*”. In a sense, then, the final chapter should be

read first since it elaborates on the ground that justifies the exemplarity of the sources chosen and the protocol employed in their interpretation. Moreover, it should be read having in mind Agamben's probing and ongoing thinking about poetry, which is indicated and referred to in a series of footnotes. (Cf. Zartaloudis, 249, note 83, 251-252, note 86, 355, note 56) Notwithstanding the fact that one could hardly do justice to Agamben's philosophical engagement with poetry in a few pages, the following proceeds through some brief remarks on the subject, which shall contribute to a circumscription and rearrangement of Zartaloudis' text.

Tellingly enough, poetry is structurally defined in Agamben's oeuvre by way of an "epistemological paradigm" that is quite similar to the one mobilized to define the signature of Law. Poetry, obviously, is a signature as well: it is "the *oikonomia* between the semantic and the semiotic in our tradition, whose moment of arising is Plato's *Republic* and the 'expulsion of the poets' myth promulgated there".⁶² Just as Law implies the suspension through the stabilization of the semantic, as a condition and the conditioning of the efficacy of words—hence, relating words and action—, poetry, with its "bitter tendency to isolate words",⁶³ living in "the tension and secession (and also, therefore, in the virtual interference) between sound and meaning, between a semiotic series and a semantic one",⁶⁴ is "precisely that linguistic operation that renders language inoperative", deactivating "its communicative and informative functions", resting within itself, contemplating "its potency of saying" and "in this way" opening "itself to a new possible use".⁶⁵ Whereas Law turns language exceptional—the abandonment of language as the call to conscience which founds guilt, perhaps—poetry renders it exemplary. Correspondingly, one should remember that "exception and example are correlative concepts that are ultimately indistinguishable and that come into play every time the very sense of the belonging and commonality of individuals is to be defined".⁶⁶

By way of a series of "semiotic techniques",⁶⁷ such as rhyme and *enjambement*, poetry foregrounds—or is the foreground itself—the chiasm between sound and meaning.⁶⁸ This disconnection—a "sublime hesitation"—between meaning and sound is called the "poetical heritage that thought should bring through".⁶⁹ Nevertheless, this disconnection—and the "institutions of poetry" which form themselves around it—has a beginning in time when the "'natural' nexus" between music and language, sound and meaning is ruptured, which was called in

Ancient Greek *para ten oiden*, meaning “against or alongside song”. In this space alongside *mousike*, prose has its place. Parody, therefore, can be understood as “the disjuncture between song and word and between language and world”, which “celebrates in effect the absence of a place for human language”.⁷⁰ Yet, rhyme, for example, would be born from *homeoteleuton* or parallelism, a secondary rhetorical figure in prose.⁷¹ Paradoxically, “only poetry, it would seem, can produce perfect prose”.⁷² The idea of prose—prose exposed as language—is the fulfillment of the signature of poetry. From the standpoint of its fulfillment, one may write, as Zartaloudis has done in a past piece, that “poetry stands beside prose not as an otherness, but as a beating heart without body”. This “originary rhythm between power and weakness, prose and poetry” would stand “perhaps as a reminder of the music (the ode) that the ancients could still hear before the emergence of prose as par-ode (what stands beside the song)”.⁷³

This ancient hearing returns and is meticulously elaborated in the final chapter of *The Birth of Nomos*. “*Mousike’s* essential link to language and to poetry was audible to the archaic ear”. Poetry—and remember that this is of “paramount importance” - “originates within the experience of *mousike*”. (Zartaloudis, 344) *Mousike* can be named “the experience of the Muse”, which, Agamben writes, is the experience of “the origin and the taking-place of word, in a way that music [*mousike*] expresses and governs in a determinate society and in a determinate time the relationship that men have with the event of word”.⁷⁴ *Mousike* “marks the chasm between man and his language, between voice and *logos*”,⁷⁵ and, in doing so, discloses “the place of language”. Yet, this opening can be interpreted as a rather different affair than the one that goes through under the sign of what Agamben names Voice—with a capital V. In voice, the place of language “is always already captured in negativity”.⁷⁶ Voice articulates originally the passage from animal voice to human language as “the voice of death”.⁷⁷

Since *Language and Death: The Place of Negativity*, Agamben has speculated about a way of “relating” to “the ungraspability of the originary place of the poetic word” (another reference that Agamben accords to the ‘name’ Muse), “the unspeakability of the event of language”, which, in fact, does not ‘relate’ as a relation, which, following Agamben, is always already in the form of abandonment, the abandonment of anthropogenesis.⁷⁸ The text then asks about an experience of language “that is not marked by negativity and death”,⁷⁹ which, as such, would be what is “most habitual” for man, “his *ethos*, his dwelling”, an *ethos* that is neither

“something unspeakable or *sacer* that must remain unsaid in all praxis and human speech”, nor a “nothingness, whose nullity serves as the basis for the arbitrariness and violence of social action”, but “social praxis itself, human speech itself, which have become transparent to themselves”.⁸⁰ The resonance of those words to Zartaloudis’ project as a whole is evident.

Does *mousike* entail such an experience between song and word, and language and world, which would be beyond relation, beyond the form of relation, disclosing “the relation of abandonment” of man to language, not as a parting of ways—but also and no more as negativity—but as a remainder “without relation”?⁸¹ Both Agamben and Zartaloudis seem to think so. As the first affirms and the second quotes, “the primary opening of man in the world is not logical, but musical”.⁸² (Zartaloudis, 355) As such (and the Greeks, as Agamben contend, knew this perfectly well), “human beings in all times are more or less consciously politically educated and disposed through music”.⁸³ Perhaps, therefore, *Nomos mousikos* is nothing more than a pleonasm. And yet, through this redundancy, Zartaloudis complies with what Agamben terms as the philosophical task per excellence,⁸⁴ that is, to reassign the senseless flux of sentence and sound—in this particular case, the idle talk of normativity as such—to its musical place.

The reassignment begins with a word of caution: one should not perceive “the wide practices of *mousike* as ‘artistic’, since *mousike* forms (orders) activities and events as varied as a civic celebratory ethos or military formation in war”. “Indeed”, Zartaloudis continues, *mousike* included “the singing of epics”, “the carrying out of rituals”, “victory celebrations”, “the practice of symposia”, “processions”, and “poetry”. Hence, *mousike* (which encompasses all the sources interpreted in the book) was both “a dynamically *cosmopoietic* sphere of knowledge” and a “*cosmopoietic* power”. (Zartaloudis, 343-344) In its dynamics and power, *mousike* intersects “with rituals in a variety of life practices”, suggesting a close relation between it and “ritual, language, ordering and magic” (Zartaloudis, 347), “a direct expression” and “‘formation’ of the divine nature of creativity as such”. (Zartaloudis, 349) In sum, *mousike* has an intimate relation to “the ordering of the cosmos, the polis and the ethos”. (Zartaloudis, 354)

This intimacy brings the text to characterize *mousike* as “an initiatory act in living, a force of regeneration and inspiration”. *Mousike* is the “open” itself, the *chaosmos* as Zartaloudis calls it, that is, the taking place of the original event of the word, marking human beings’ experience of language as “inherently poietic”, vis-à-vis other animals, “which have only song”. As a divine gift to a certain lack of the

human *phone*, *mousike* implies a *logopoietic dynamis* that the poets and gods share alike, the poetic glory of a *cosmopoietic* aural existence. (Zartaloudis, 359) Therefore, the Muse, which has *mousike* as its “plateau”, names “the event of attempting to remember the advent of the word, its musical cosmopoiesis”. (Zartaloudis, 355) In its remembrance, *mousike* entails “the enunciatory act of truth-binding”, composing, through *mimesis* and ritual, “the unity of word with song-speech”, as “the regenerative divine rhythm of living”. (Zartaloudis, 360) And, as a recreative/regenerative act, as the genesis of *kosmos* itself, *mousike* allots, distributes, and shares. On its final pages, the chapter deals with the musical uses of *nómos*. While “the earlier relation between ordering, *nomos* and *mousike* cannot be known in any reliable sense” (Zartaloudis, 393), the sources, and their later interpreters (such as Plato and Aristotle, but the tragedians as well) who took part in their multi-threaded plateau of uses, Zartaloudis contends, transmit the fact that “music was at the heart of the original experience of political *poiesis*”. (Zartaloudis, 394) “Nomos was, after all, to be sung and heard”. (Zartaloudis, 396) This is the final sentence of the book, which concludes the final thread of discussion within the work. And yet, by way of etymological analysis and close philological reading, the text actually advances, quite early on, a relation between *mousike* and distribution. On the final pages of the “*Nomos Moiregenes*” chapter, Zartaloudis establishes that Moira would be “the threshold, in contemporary terms, between necessity and normativity, between the must and the ought, between nature and right”. (Zartaloudis, 64) On another elaboration regarding the word, Moira would also be the binding of life to its own ordering and actualization as cosmos, (Zartaloudis, 48) as the fastening and binding of “the indeterminacy of existence”, (Zartaloudis, 67) through the distribution of its parts, bounded to their boundaries. Both directions point the text to a confrontation with *meropes anthropoi*. Presuming, “for our purposes”, a “later speculative derivation”, the text offers this enigmatic and formulaic phrase as a reference “to those who distribute (*rather than articulate*) a voice” (Zartaloudis, 68, emphasis added), meaning that humans, “in contrast to other animals”, “divide/distribute/transmit (*memerismenen*) a voice”. To the crucial extent that this “scission/distribution” would be “at the same time what unites humanity in its common experience of speech as a power (potency)”. Therefore, “what mortals receive is the ordering, the distribution, of voice (a non-articulate voice that is characteristic of human beings, *anthropoi*, which they then have to articulate or actualize”, and *nomos* could be understood as “the dispensation of provinces or forms of life, that is, as the order of things”. (Zartaloudis, 70)

There seems to be a distinction, although an ambiguous one, between distribution and actualization or articulation, which stands as the kernel of *nomos* as distribution. Be that as it may, the text argues that as the experiences of potencies, the *moirai*, “early on perhaps” were “not exhausted in their fated articulation (the act)”. (Zartaloudis, 70) Having in mind distribution, which is, in effect, a dispensation of indeterminacy, or, in the words of an earlier text, “the expropriation of an expropriation”,⁸⁵ what would come to the fore as the exhaustion of potency? To be sure, the interpretation of *meropes anthropoi* closes the Moira chapter, which is followed by the chapter titled *The Nomos of the Land*. As ascertained above, this chapter, in our reading, also escapes the overall protocol of the book. Thus, it could be suggested that the exhaustion of potency is property. In what follows, we aim to elaborate on this suggestion.

2.2. NOMOS EXPOSED II: *KLEROS*

The *nemo* family of words, Zartaloudis ascertains, is encountered “in various uses closely attached to a sense of ‘possession-use’ or ‘holding’ (as well as indissociably attached to ‘enjoying’, ‘dwelling’, ‘inhabiting’, ‘using’, and, to an extent perhaps, implicating a wider sense of ethos or ‘way of being’)”. (Zartaloudis, 72) Reviewing the literature on the economic structures of the Mycenaean world—although it should be clear that Zartaloudis does not dedicate the chapter to the Mycenaean world itself, nor claims the Homeric epics necessarily ‘describe’ this period—the text suggests a plethora of dispersed land-‘holdings’ and uses, involving “acts of using-possessing, distrusting (and managing) land”. (Zartaloudis, 80) By way of the complementary practices of *ki-ti-me-na* and *damos*, land was “distributed-shared as such, rather than as subject to a process”. (2019: 82, emphasis added) Whence, it is suggested that “a further sense of ‘possession’/‘use’ ‘holding’ rather than ‘ownership’ may be more helpful to the understanding of such landholding”, emphasizing “the practice of use(s) of land (...) rather than some sense of holding in a formal juridical sense”. (Zartaloudis, 82)

What underlies this formal juridical sense, which seemingly implies the subjection of land to ownership through a process? “Right”, Hegel wrote in the §40 of the *Grundlinien der Philosophie des Rechts*, “is in the first place the immediate existence which freedom gives itself in an immediate way, i.e. (a) possession, which is property-ownership”.⁸⁶ (HEGEL, 2008: 56) Joachim Ritter suggested cogently that the logical beginning of law as property should be interpreted as an indication of the role played by Roman Law in the development of modern legal rationality. In the upheaval of “political revolution and the emergence of civil society”, the

“concepts of Roman Law” would have been “melted down and filled with the substance that belongs to the contemporary world”.⁸⁷

One may be entitled to ask what “melted down” actually means here. Notwithstanding the new filling, it is indicated through Ritter’s statement that something remains regarding property—which, as abstract freedom, for the first time brings to determination “the freedom of man as the freedom belonging to European world history”.⁸⁸ Its abstraction comes from the exteriority—an exteriority that one may perhaps call a negative and *topical* profundity⁸⁹—which it founds as a sphere of right, characterizing property as a “‘taking possession,’ in which I bring a natural entity under my external ‘power’”,⁹⁰ “the acting grip of man, with which the natural is torn from its independence and brought under the disposition of man”.⁹¹ The exclusion of nature which entails its inclusion as property is at the beginning of the determination of freedom as right. Everything depends on what “beginning” can mean. If beginning is what is primordial or “untimely”, Kelsen contends about Hegel’s understanding of property,⁹² for example, the *initium* of legal consciousness is also its *principium*, marked as it would be by propriety as its form and formation.^{93 94} Conversely, Zartaloudis’ reading of Ancient Greek poetry indicates, among the Greeks and, more importantly perhaps, through them, a way of being that does not understand property as the *principium* of law, and thus propels the exposure and deactivation of Law as signature.

That being said, one can grasp the reason why the text comes to grips, punctually but intensively, with Carl Schmitt’s interpretation of *nomos*. As is well-known, for Schmitt *nomos* is an *Urwort* which comprehends land-appropriation as a “fundamental process of apportioning space”, as “the measure by which the land in a particular order is divided and situated”, and also “the form of political, social and religious order determined by this process.” As *ordo ordinans* “essential to every historical epoch—a matter of the structure-determining convergence of order and orientation”—it makes manifest, or it is the manifestation itself of “world-historical events”.⁹⁵ *Nomos* as the Law of law determines history in its eventfulness through the process of appropriation, distribution and production.⁹⁶ In other words, *nomos*, for Schmitt, is historicity itself, just as it is the measure between authentic and inauthentic history.⁹⁷ Therefore, it may be sustained that Schmitt’s understanding and elaboration of *nomos* work as a perfect counterpoint to Zartaloudis’ approach. On the one hand there is the rendition of *nomos* as the kernel to the mythologeme of Law, in order to mark it as the struggle which always already happens —exceptional and, as such, a real possibility (*reale Möglichkeit*)—measuring necessarily and exhaustively what happens, enframing it

as the agenealogical abandonment of an appropriation.⁹⁸ On the other hand, there would be an understanding of *nomos* as the inexhaustible potentiality of the ways of being. For that reason, we would like to expand and elaborate on the moments of *The Birth of Nomos* where Schmitt appears and is confronted.

The section of the book which is dedicated to Schmitt's contention on *nomos* in *Der Nomos der Erde* is titled "The Word that Wasn't There". It opens by quoting the first verses of the *Odyssey*, the invocation of the Muse, with its epic themes, and the following passage: "Many were the men whose cities he saw and whose *noon* he learned. (*kai noon egno*)". As Zartaloudis recounts, the "noon" was subjected to philological controversy—beginning when Zenodotus, the superintendent of the library of Alexandria, replaced *noon* with *nomon*. This replacement gave ground to two equally controversial and misleading, in Zartaloudis' opinion, suggestions. On the one hand, from Josephus to Jean Bodin, there is the view that "the notion of 'law' itself is entirely lacking in Homer." (Zartaloudis, 115) On the other hand, "that Homer did in fact originally refer to *nómos*". From his reading of the text with its grain—"it is certainly worth noting that we do not meet *nomos* in its paroxytone form (*nómos*) in any other of Homer's verses" (Zartaloudis, 117)—Zartaloudis argues that while Zenodotus' replacement would be a case of "an early anachronism" (Zartaloudis, 117), the verses of Homer offer "ample elements of what one could describe as an early ethological pluriverse based on 'customs and traditions' (i.e. *themis* and *dike*)" (Zartaloudis, 117) which, he maintains, is "far more interesting". (Zartaloudis, 117)

Contrary to this self-styled "conservative, while open-minded, speculation" (Zartaloudis, 117) is Schmitt's understanding of the verse and its meaning. In fact, we are told that *KAI NOMON EGNO* is inscribed on Schmitt's grave at the Catholic Cemetery in Plettenberg-Eiringhausen—the same phrase that was embroidered in Schmitt's cloth napkins. (Zartaloudis, 118) Although Zartaloudis derives from this remarkable fact, for his purposes, only that "Schmitt's philology was obsessively marked", there is, of course, much more food for thought here. Bracketed as it was in his tombstone and cloth napkins, one may see here an index (indeed, a death knell) to the force underlying Schmitt's work. In a way, *The Birth of Nomos* seems to suggest that a similar bracketing occurs regarding "the extant rich and polyvalent literary evidence" that goes against Schmitt's semantic ordering of *nomos*, with a strong correspondence vis-à-vis his understanding of *nomos* as an original act (Zartaloudis, 119-120), "a historical or fundamental act of commencement" (*ein geschichtliche oder grund-Vorgang*).⁹⁹

One may argue that this bracketing is a removal as well. As Van der Walt puts it, at “the heart of the ‘concrete order’ thinking” endorsed by Schmitt, there would be the removal of “the trump card of transcendent knowledge (...) in matters of justice and just causes”.¹⁰⁰ But there is more to this political and polemical reduction.¹⁰¹ One of the greatest merits of Van der Walt’s reading of Schmitt—and, moreover, the reason that it seems so helpful to interpolate it within the discussion of Zartaloudis’ book—is how he interprets the fate of Melos in the Peloponnesian War through Schmitt’s political reduction: “Using Schmitt’s terminology, Melos becomes the non-place, or the destruction of place—the *Entortung* where the Athenian *nomos* gives way to the blind vicissitudes of natural forces, that is, of *physis*”.¹⁰² According to Van der Walt, one would have in Thucydides’ narration of the discourse of the Athenian envoys to the Milesians the historical record of this *Entortung*. One could start with a quote that is not discussed by Van der Walt himself, and yet is directly related to his point—and, as will become clear below, to the present argument as well. To the Melians’ statement that the “present meeting is indeed about the question of survival”, which would call for the exploration of “many different lines of argument and thought”, the Athenians answer in a way that is in complete resonance with the Calliclean opinion on justice, as stated in the *Gorgias*:

Our concern must rather be with the practical possibilities, based on what we each actually know. You understand as well as we do that in the human sphere judgments about justice are relevant only between those with an equal power to enforce it, and that the possibilities are defined by what the strong do and the weak accept.¹⁰³

An answer, too, that is directly related to the Athenians’ assessment of the Law of laws:

There is nothing either in our principles or our practice at odds with human assumptions about the gods or with human purposes in their own sphere. In the case of the gods we believe, and in the case of humankind it has always been obvious, that as a necessity of nature [*physeos anagkaias*] wherever anyone has the upper hand they rule. *We were not the ones to lay down this law, nor the first to take advantage of its existence. We found it already established, expect to leave it to last forever, and now make use of it, knowing full well that you and anyone else who enjoyed the same power as we do would act in just the same way.*¹⁰⁴

Throughout *Der Nomos der Erde* Schmitt criticizes the sophisticatedly constructed distinction between *nomos* and *phusis*,¹⁰⁵ which would be just “apparently in the service of progress and refinement, but actually in the service of an ideological play of artificial divisions that served to promote civil war”.¹⁰⁶ And yet, as Van der Walt ascertains, “Schmitt saves and secures the distinction between *nomos* and *phusis*, or law and physical force, upon which he insists throughout *Der Nomos der Erde*, by integrating characteristic aspects of *phusis* into *nomos*”.¹⁰⁷ In other words, Schmitt’s point would be the following one: “Given that humans rely on force or power to create order (...), this is the highest order that they are capable of”.¹⁰⁸ Indeed, it is no surprise that from Schmitt’s perspective the relation between *nomos* and *phusis* should be one of abandonment and exception. *Nomos* is abandoned to *phusis* just as it excludes *phusis* in the first place. Furthermore, this relation presupposes the bracketing and removal of “transcendent knowledge” (*noos*) as indicated above. Perhaps only without transcendent knowledge may words and deeds be presupposed (lawfully) to relate exceptionally (unlawfully). When contemplation enters into the picture, their relation is different.

Hence, one may argue that this is the kernel of Schmitt’s criticism of Hölderlin’s translation of and commentary on Pindar’s fragment—to which the book dedicates three entire sections, titled respectively “Hölderlin’s un-Heraclean *Nomos*”, “Cosmonomy”, and “Neither a *Nomodicy*, nor a *Nomomachia*”—and of the discussion between Socrates and the anonymous Athenian citizen in *Minos* which, in fact, opens *The Birth of Nomos*. The discussion on Hölderlin’s translation of Pindar’s fragment 169a comes after a review of Agamben’s take on it. Emphasizing the philological question surrounding the reconstruction of Pindar’s fragment vis-à-vis the version presented in Plato’s *Gorgias* (in the original one would have in line 3 *dikaion* to *biaiotaton*, whereas in Callicles famous rendering of it, one finds *biaion* to *dikaiotaton*) and how this debate informs Agamben’s interpretation, Zartaloudis points out that Hölderlin used as his source for the translation an edition which did not contain its longest version and was constructed along the lines of the Calliclean rendition of it. (Zartaloudis, 241) This contextualization is important because of the way the text introduces and justifies its detour through Hölderlin’s translation and commentary. One reads as follows: “It is of further interest, for my purposes, that Plato’s ultimate aim at this point in the *Gorgias* is to emphasize the preference for knowledge (*Sophia*). It is, then, worth following Hölderlin’s commentary to his translation of the fragment to see why that may be the case for the German poet also”. (Zartaloudis, 246)

First, Hölderlin's translation: "Das Gesetz, / Von allen der König, Sterblichen und / Unsterblichen; das führt eben / Darum gewaltig / Das gerechteste Recht mit allerhöchster Hand". Zartaloudis himself translates it into English as: "The law, / Sovereign/King of all, / both mortals and immortals; it is for that reason / that it compellingly/ violently guides, / The most just justice/Right with a supreme hand". (Zartaloudis, 241) In his commentary, Hölderlin states that both mortals and immortals, for different reasons, live in division, having the necessity of distinguishing different worlds with the consequence that "the immediate [*das Unmittelbare*] is, strictly speaking, impossible for mortals and immortals". (Hölderlin in Zartaloudis, 247) To this conclusion, Hölderlin adds: "However [*aber*], strict mediacy [*die strenge Mittelbarkeit*], is the law [*das Gesetz*]. That is why, compellingly, it guides the justest justice with a sovereign hand". Stabilizing the "vital relations [*lebendige Verhältnis*] in which, in time, a people has encountered itself and continues to encounter itself", law as strict mediacy renders "King" not as "the highest power", but as "the sign for the supreme ground for cognition [*Erkenntnißgrund*]". Not "an ideal *nómos*, or an overpowering force (*Macht*)", as Zartaloudis ascertains, "but instead the pathway (reminiscent, perhaps, of Parmenides' *palintropos*) whereby 'absoluteness' (to paraphrase Heraclitus) likes or prefers to hide: it is *mediation without ends*". (Zartaloudis, 249) Accordingly, in this *cosmonomy*, "the immediate remains necessary for the encounter, if forever withdrawn from sight, and even its withdrawal can only be cognized mediately". (Zartaloudis, 249)

Schmitt famously criticizes Hölderlin for translating "the word *nomos* as 'law'",¹⁰⁹ which prompted the latter into "the false path of this unfortunate word, although he knew that, in the strictest sense, law [*Gesetz*] is mediation", whereas *nomos*, "in its original sense" would be "precisely the full immediacy of a legal power not mediated by laws" as a "constitutive historical event—an act of legitimacy, whereby the legality of a mere law first is made meaningful".¹¹⁰ Both Agamben and Zartaloudis argue that Schmitt "completely misinterprets"¹¹¹ Hölderlin, confusing "the poet's *Gesetz* with his own object of critique of positivist law". (Zartaloudis, 253) Yet, if Van der Walt's reading is correct and Schmitt's aim is to discard transcendent knowledge altogether, it may be argued, *pace* Agamben and Zartaloudis, that Schmitt grasped Hölderlin perfectly well. Two key moments in Schmitt's article "*Nomos-Nahme-Name*" seem to sustain this alternative reading. To make his point regarding the primordially of appropriation in the epochal process of *nomos*, Schmitt contends that "no man can give, divide, and distribute without taking. Only a god, who created the world from nothing, can give and distribute without taking".¹¹² Some pages later, after stating that "a land-appropriation is constituted only if the appropriator is able to give the land a

name”,¹¹³ Schmitt describes the “visibility, publicity, and ceremony” that takes place with authentic land-appropriation (authentic historicity) as an overcoming of “the satanic attempt to keep power invisible, anonymous, and secret”; the cessation of the abstraction of ruling in the name of law and the becoming-concrete of the situation, through the question, “What then is the name of the law?”¹¹⁴ To avoid or postpone such an answer, or, rather, to sing the impossibility of such an answer is to render law pure: “Law is certainly power and appropriation, but as pure law it is only *pure appropriation*, as long as its authors remain anonymous, and the true sovereigns remain hidden in *darkness*”.¹¹⁵ “Law”, Schmitt states, “is still not a name. Humanity and reason are not names”. That being so, he finally asks: “Has the power to name and give names disappeared?”¹¹⁶

“The hymn”, Agamben writes in *The Kingdom and The Glory*, “is the radical deactivation of signifying language, the word rendered completely inoperative and, nevertheless, retained as such in the form of liturgy”.¹¹⁷ In its austere connection of words, “whose greatest exemplar” is none other than Pindar himself, the hymn is characterized by its “incurable absence” of content, in its turning to “the void of language as the supreme form of glorification”. In the same context, Agamben indicates how “a decisive shift” happens in Hölderlin’s poems concerned with gods and demigods, in his hymns. Whereas the hymn as a form “celebrates the name”, Hölderlin writes “elegies in the form of hymns”, which are “the lament for the impossibility of proffering the divine names”, and which shatter, therefore, “the divine names and, at the same time”, take “leave of the gods”.¹¹⁸ To Schmitt’s question, Hölderlin’s answer, both in poem and in translation, would be yes, whence the displacement—and transformation, as Ian Cooper correctly observes¹¹⁹—of the “juridico-political problem into the sphere of the theory of knowledge”.¹²⁰

To Schmitt’s elegiac question, which signs the status of law as “being in force without significance (*Geltung ohne Bedeutung*)”,¹²¹ Hölderlin’s response seems to be the singing of significance without force (*Bedeutung ohne Geltung*).¹²² As Zartaloudis writes, “not a *nómos-basileus*, but a *kosmos basileus*”. (Zartaloudis, 254) Thus, pure appropriation would rather be giving and distributing, without appropriation, a trace that “is not proper to any being whatsoever, and even less to some kind of substance overhanging the world”, but the “common impropriety, the non-belonging and the non-dependency, the absolute wandering of the creation of the world”,¹²³ as the acknowledgment of “the significance of each particular life (*die Bedeutung der besonderen Lebensweise*)” defined by the rupture of separation (*Urtheilung*), by attending to it as an expression of freedom (*der nothwendigen*

Beschränktheit dieser Lebensweise ihre Freiheit zu geben)”.¹²⁴

From the current standpoint, one can turn back to the beginning, to Zartaloudis assessment of *Minos*. The *Minos* starts abruptly, with Socrates asking without any proper introduction or preparation—as if the question of law imposed itself without history or context—of an Athenian citizen: “Tell me, what is law?”¹²⁵ The immediate answer of his anonymous companion is to call for an elaboration: “To what kind of law does your question refer?” To this, Socrates responds that the particular point of his question is exactly this: “What is law as a whole?” The Athenian citizen answers: “Well, what else should law be, Socrates, but things loyally accepted [*nomizomena*]?” Socrates’ reaction is to introduce a difference between “speech” and “the things that are spoken”, between “sight” and “the things seen”, and between “hearing” and “the things heard”. There should be, therefore, a distinction between *nomos* and *nomizomena*. Moreover, it is by way of *nomos* that *nomizomena* are accepted [*nomizetai*]. That being so, “what is this law whereby they are so accepted?”¹²⁶ To this, the Athenian citizen responds: “Our resolutions and decrees, I imagine; for how else can one describe law? So that apparently the whole thing, law, as you put it in your question, is a city’s resolution”.¹²⁷ The *nomos* to *nomizomena* would be, then, *psephismata*, *dogma poleos*. Yet, confronted by the existence of bad laws and bad opinions in a city, the citizen is led by Socrates to the definition of *nomos* as what “tends to be the discovery of reality [*ontos einai exheuresis*]”.

The *dunamis* of *nomos* as “the ‘revelation’ of the true (*alethes*)” is “preferable” (Zartaloudis, xv) or, indeed, introduces a distance between *nomos* and its actualization in use (*chresis*), as *nomizomena*. In Zartaloudis’ own elaboration:

It is possible, therefore to speculate from the outset that the experiential ‘form’ of a *nómos* is a *dunamis* (power) as distinct from what is ‘held’ (actualized) as a *nómos* (the *nomizomena*) in each instance. ‘Transcendent’ to the actuality of this or that *nómos*, however, is only the *dunamis* (or potentiality) of *nómos*, which does not lie outside of its actuality, but rather is immanent in its use(s). (Zartaloudis, xvi)

To discuss *nomos* “as a whole” is to introduce vis-à-vis its uses, within its uses themselves, the “transcendent knowledge” which Schmitt wants to get away from, none other than *nomos* itself: “What is revealed in and by a *nómos* is the appearance of ‘what is’, and this ‘searching out’ or ‘discovery’ (*ex-heuresis*) takes place each time according to the *dunamis* of *nómos* to indicate the intelligibility

or potentiality (the *idea*) of ‘what is.’” (Zartaloudis, xvi) As hinted by Zartaloudis himself, just like Hölderlin, Plato displaces the problem regarding the totality of law from a juridico-political milieu to a contemplative one. In doing so, he lays down the path to a discussion of laws—if it may be accepted, for the sake of argument, the interpretation advanced by Leo Strauss—which sustains that the *Minos* should be considered as an introduction to the late dialogue *Nomoi*.¹²⁸ On top of that, this displacement entails a practical transformation that is shown by both dialogues.

In the *Minos*, to consider *nomos* as the discovery of reality allows Socrates to interrupt or suspend what is most *proper* to the Athenian citizen—the *prelude* to the Athenian laws itself, which offered soundness to his answer regarding the *nomos* to *nomizomena* as *psephismata*, *dogma poleos*, but also to his refusal to appraise Minos as a great, if not the greatest, lawgiver. Minos, the Athenian citizens tells Socrates, “was a savage sort of person, harsh and unjust”.¹²⁹ To this Socrates answers: “Your tale, my excellent friend, is a fiction of Attic tragedy”, because the Athenians avenged themselves in poetry for their defeat in combat to Minos, who compelled them “to send a regular tribute of seven youths and seven maidens to be devoured by the Minotaur in the Cretan labyrinth”.¹³⁰ And yet, the Athenians would do many times worse than legend with the destruction of Melos in the Peloponnesian War.

Nevertheless, one could argue that in both instances, the law underlying the acceptance of their appropriation is the one stated by Callicles in the *Gorgias*, but also, as narrated by Thucydides, the one declared to the Milesians by the Athenian emissaries: war and its natural necessity. The *Nomoi*, for its part, starts with the explicit dismissal of war as the correct ontological principle of lawgiving: the creation of commonality, or, as Zartaloudis puts it, *cosmopoiesis*.¹³¹ Hence, if this explored constellation of propriety, necessity, nature, war, and law has any standing, *The Birth of Nomos* can be read as suggesting the grounding in Greek experience of another, strange and different way of thinking the social, “our second nature”, posited before the emergence of the signature of Law. Furthermore, it may be argued that through the exposure of the idea of *nomos*, displacing it away from the effectuality of Law, the argument reinforces, just as it presupposes, its inoperation.

CONCLUDING REMARKS

Following the threads introduced above, one is led to consider Zartaloudis’ take

on *polemos*, which may work as a conclusion to this engagement with *The Birth of Nomos* as well. The book's considerations of *polemos* appear in a chapter entirely dedicated to Heraclitus' notion of *nomos*. As Zartaloudis reads Heraclitus anew, *polemos*, "his most fundamental thought", would be the juncture where the roads of the *nómoi* of the universe and the polis alike meet, each time, and it would be "the harmony of 'strife' that needs to be heard, rather than a dystopic or utopian resolution of it in the disparity of differences". *Polemos*, then, is

"what binds and unbinds the mortals to the polis and what binds the polis to the divine or co-versing *nómos*. At this binding juncture and disjuncture, the human *nómos* pursues indefinitely the divine (*nómos*), through strife and discord, that is, life and death". In other words, the essence of *nómos* and *nómos*, its *dunamis* and *nomizomena* have as their nature *polemos*, which is "irreparably imperfect". (Zartaloudis, 210)

If, as Zartaloudis argues, *polemos* "is the polis, the *nómos* and *dike* (the essence of *nómos*)" (Zartaloudis, 210, emphasis in the original), one is entitled to wonder about the omission of any discussion of Heraclitus' Fragment 53. It reads as follows: Πόλεμος πάντων μὲν πατήρ ἐστι, πάντων δὲ βασιλεύς, καὶ τοὺς μὲν θεοὺς ἔδειξε τοὺς δὲ ἀνθρώπους, τοὺς μὲν δούλους ἐποίησε τοὺς δὲ ἐλευθέρους (Polemos is the father of all and the sovereign of all, some it has marked out to be gods and some to be human beings, some it has made slaves and some free). When questioned about its absence by the authors, Zartaloudis referred us¹³² to an earlier piece of his—quoted and related above¹³³—which discusses the fragment in question. However, in this piece one misses a discussion on the second part of the fragment, pertaining to the making of the *eleutherous* and *doulous*. Nevertheless, one reads Zartaloudis arguing that *polemos* should be considered as "neither a *gigantomachia* between Gods, nor a conflict on the human terrain", nor as "a strife structured on oppositional relations" or even "a synthetic 'movement' of differences". *Polemos* would rather be "at the level of becoming (ontologically), neither a prioritized referent-ground, nor an exclusive power of the 'polis'", and, therefore, "a universal nomadic '*nemein*', an a-symphony (multiplicity); that is, a non-dialectics of construction, deconstruction, reconstruction [something that] 'happens' in the rhythm of becoming".¹³⁴

Only when *polemos* is considered a necessity of nature (*physeos anagkaias*) can law be engendered dialectically as Law. Perhaps this is the reason that Alexandre Kojève indicated that legality is the dead body of authority—of the authority between master and slave, it may be added—or, "more exactly, its 'mummy'—a

body that preserves itself, although without soul or life”.¹³⁵ After the reification of the relation between master and slave¹³⁶ (the after-establishment of this relation would be reification itself, because, then again as one reads in Kojève, “whereas Authority excludes force, Law implies and presupposes it”¹³⁷) comes propriety. Let us elaborate this thread a little further. As Kojève renders this image of the movement of self-consciousness, it is *anthropogenetics* itself:

The master dominates what is animal in him (and that manifests itself as the instinct of self-preservation), subordinating it to what he has of specifically human (this human element manifests itself, indeed, with the desire for recognition, with “vanity”, as something that lacks any biological, “living” value). The servant, instead, subordinates the human to nature, to the animal.¹³⁸

Nevertheless, as it is well known, the master needs the slave—in fact, the slave is the “truth” of self-sufficient consciousness. Only by interposing the slave between oneself (the master), and things, as the slave processes things, may the master fulfill his desire. This desire, Hegel writes, “has reserved to itself the pure negating of the object, and, as a result, it has reserved to itself that unmixed feeling for its own self. However, for that reason, this satisfaction is itself only a vanishing, for it lacks the objective aspect, or stable existence.”¹³⁹ Conversely, the work of the slave “*cultivates and forms*. The negative relation to the object becomes the form of the object; it becomes something that *endures*”.¹⁴⁰ It becomes—if one allows the allegorical rendition of Hegel’s allegorical reading machine—propriety.¹⁴¹ And with it, the emergence of the signature of Law takes place. Yet, one reads in Agamben’s *The Use of Bodies*:

One can ask, however, whether mediating one’s own relation with nature through the relation with another human being is not from the very beginning what is properly human and whether slavery does not contain a memory of this original anthropogenetic operation. *The perversion begins only when the reciprocal relation of use is appropriated and reified in juridical terms through the constitution of slavery as a social institution.*¹⁴²

If the *anthropological machine* (Agamben) is always-already operating, reifying humanity through the inclusive-exclusion of animality, how can there be a memory of an “original anthropogenetic operation” that is anterior to the anthropological machine itself, to appropriation and reification? One may sustain that *The Birth of Nomos* answers positively to this possibility, contraposing to a reading and

framing of *polemos* as the always-already appropriation of impropriety, a reading that thinks it as an expropriation of expropriation and *nomos* as the *dunamis* to the ways of living. At the heart of *nomos*—at its birth—one would find not necessity, but contingency, not a force without significance, but, perhaps, significance without force.

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NOTES

1. We are very thankful to Thanos Zartaloudis for his comments on an earlier draft.
2. Giorgio Agamben in Thanos Zartaloudis. *The Birth of Nomos*. Edinburgh: Edinburgh University Press, 2019, p. i. This and all parenthetical references are taken from Thanos Zartaloudis. *The Birth of Nomos*. Edinburgh: Edinburgh University Press, 2019.
3. Hannah Arendt. Walter Benjamin. Trans. by Harry Zohn. In: *Men in Dark Times*. New York: Harcourt Brace Jovanovich, 1970, 204.
4. Arendt, *Walter Benjamin*, 204.
5. Martin Ostwald. *Nomos and the Beginnings of the Athenian Democracy*. Oxford: The Clarendon Press, 1969, 7.
6. Ostwald, *Nomos*, 10.
7. Giorgio Agamben. *The Kingdom and the Glory: For a Theological Genealogy of Economy and Government*. Trans. by Lorenzo Chiesa and Matteo Mandarini. Stanford: Stanford University Press, 2011a, 225.
8. Agamben, *Kingdom*, 20.
9. Agamben, *Kingdom*, 20-21.
10. See William Watkin. *Agamben and Indifference: A Critical Overview*. Lanham: Rowman & Littlefield International, 2013, 245.
11. As Bonnie Honig has argued, “Agamben himself is indebted to Arendt’s work, though the debt is not always acknowledged”, (Bonnie Honig, “Is Man a “Sabbatical Animal”? Agamben, Rosenzweig, Heschel, Arendt”, *Political Theology*, p. 1-23, 2018, 17. Unfortunately, scholarship on this relationship usually focuses on those moments where Agamben directly quotes and engages with Arendt’s work, whereas there are whole parts of his work which resemble not only the pathmarks and threads opened by Arendt, but also her wording of them, without directly mentioning or discussing Arendt herself; and this seems to us to be the case regarding the connection between word and deed, language and action.
12. Hannah Arendt. *The Human Condition*. Chicago: The University of Chicago Press, 1998, 200.
13. Hannah Arendt. *Between Past and Future*. New York: Harcourt & Co., 1961, 43.
14. Giorgio Agamben. *The Sacrament of Language: An Archaeology of the Oath*. Trans. by Adam Kotsko. Stanford: Stanford University Press, 2011b, 68.
15. Giorgio Agamben. *Sacrament*, 69.
16. Giorgio Agamben. *Homo sacer: Sovereign Power and Bare Life*. Trans. by Daniel Heller-Roazen. Stanford: Stanford University Press, 1998, 29.
17. See Giorgio Agamben. *Sacrament*, 70.
18. Giorgio Agamben. *Homo sacer*, 29.
19. Thanos Zartaloudis. *Giorgio Agamben: Power, Law and the Uses of Criticism*. New York: Routledge, 2011, 197.
20. Giorgio Agamben. *State of Exception*. Trans. by Kevin Attell. Chicago: The University of

Chicago Press, 2005a, 37.

21. Giorgio Agamben. *Sacrament*, 70.

22. Agamben, *Kingdom*, 182-183, 188.

23. Agamben, *Kingdom*, 232.

24. Agamben, *Kingdom*, 242.

25. Zartaloudis, *Giorgio Agamben*, 197.

26. As Agamben writes, the inner nature of the law would be its regulative and repetitive character: “The law has a regulative character and is a ‘rule’ not because it commands and proscribes, but because it must first of all create the sphere of its own reference in real life and *make that reference regular*. Since the rule both stabilizes and presupposes the conditions of this reference, the originary structure of the rule is always of this kind: “If (a real case in point, e.g.: *si membrum rupsit*), then (juridical consequence, e. g.: *talio esto*),” in which a fact is included in the juridical order through its exclusion, and transgression seems to precede and determine the lawful case”. Agamben, *Homo Sacer*, 26, emphasis in original.

27. Thanos Zartaloudis. “*Ars Inventio*, Poetic Laws: Law and Literature—the and.” *Cardozo Law Review*, v. 29, i. 5, p. 2431-2459, 2008, 2453.

28. Zartaloudis, “*Ars Inventio*”, 2437.

29. Zartaloudis, “*Ars Inventio*”, 2444.

30. Agamben, *Homo Sacer*, 18, 26.

31. Zartaloudis, “*Ars Inventio*”, 2443.

32. Zartaloudis, “*Ars Inventio*”, 2459.

33. Agamben, *Homo Sacer*, 60.

34. Giorgio Agamben. *Coming Community*. Trans. by Michael Hardt. Minneapolis: University of Minnesota Press, 1993, 19.

35. Zartaloudis, *Giorgio Agamben*, 288.

36. Giorgio Agamben. *The Signature of All Things: On Method*. New York: Zone Books, 2009, 64.

37. Agamben, *Signature*, 59.

38. Watkin, *Agamben*, 36.

39. Agamben, *Signature*, 75-76.

40. Agamben, *Community*, 19.

41. Agamben, *Community*, 52-53.

42. Watkin, *Agamben*, 45.

43. Agamben, *Signature*, 80.

44. See Watkin, *Agamben*, 45, 171, 222.

45. Agamben, *Signature*, 89.

46. Giorgio Agamben. *The Use of Bodies*. Trans. by Adam Kotsko. Stanford: Stanford University Press, 2016b, xiii.

47. Agamben, *Signature*, 89.

48. Agamben, *Signature*, 90.
49. Agamben, *Signature*, 90.
50. Agamben, *Homo Sacer*, 15.
51. Zartaloudis, *Giorgio Agamben*, 285.
52. Zartaloudis, *Giorgio Agamben*, 289.
53. The literature on Arendt's failure or her "Hellenistic bias" is huge. For a more nuanced and careful reading, see Roy Tsao "Arendt against Athens". See Roy Tsao. Arendt Against Athens: Rereading *The Human Condition*. *Political Theory*, v. 30, i. 1, p. 97-123, 2002. Tsao's piece opens insightfully with a passage taken from W. H. Auden's review of *The Human Condition* which could be interpolated into Zartaloudis' book for some interesting rearrangements of its text: "Miss Arendt is more reticent than, perhaps, she should be, about what actually went on in this public realm of the Greeks". To paraphrase Auden, one may advance the reading that Zartaloudis is more reticent regarding Greek slavery—which appears recurrently in his interpreted sources—than one would like him to be. This reticence is, to some extent, at least, unsustainable—as it will be indicated below, for instance, when discussing Heraclitus' notion of *nomos*, Zartaloudis advances the interpretation that the nature of *nomos* is *polemos*, a choice of words which calls for an engagement with Heraclitus' Fragment 53, which famously brings to language that *polemos*, understood as the king of all, makes (*epoiein*) freemen and slaves. Nevertheless, one could be generous towards his silence—to interesting interpretative results; a thread that is explored in our concluding remarks.
54. See Walter Benjamin. Karl Kraus. In: *Reflections: Essays, Aphorism, Autobiographical Writings*. Ed. and trans. by Peter Demetz. New York: Schocken, 1986.
55. Agamben, *Kingdom*, 203.
56. Jacques Derrida. *Of Spirit: Heidegger and the Question*. Trans. by Geoffrey Bennington and Rachel Bowlby. Chicago: The University of Chicago Press, 1991, 30.
57. Derrida, *Of Spirit*, 31.
58. Zartaloudis, *Giorgio Agamben*, 307.
59. Giorgio Agamben. *Idea of Prose*. Trans. by Michael Sullivan and Sam Whitsitt. New York: SUNY Press, 1995, 79-80.
60. Zartaloudis, *Giorgio Agamben*, 301-302.
61. Theodore Kisiel's elaborations on the challenge regarding the translation of *Bewandtnis* reveal its direct relationship to Zartaloudis' engagement with Greek poetry. In Kisiel's words: "Bewandtnis is at once an order concept and a style concept; it depicts the overall style or tenor of a set of actions in a practical setting (workshop, homestead) that necessarily shapes the practice. It is the very first of a line of concepts that the later Heidegger will gather under the pre-Socratic Greek rubric of *ethos*, which is first the spirit that haunts a dwelling, its *genius loci*, then the transmitted custom, practice, usage, tradition (*Brauch*) that structures our current dwelling; in short, the habit of a habitat, *how* it is inhabited". Theodore Kisiel. "Was heißt das - die Bewandtnis?"

Retranslating the Categories of Heidegger's Hermeneutics of the Technical". In: BABICH, Babette. (ed.) *Hermeneutic Philosophy of Science, Van Gogh's Eyes, and God: Essays in honor of Patrick Heelan*. Berlin: Springer, 2002, 135, emphasis in the original. With this in mind, it may be argued that when the book turns to *mousike*—but also to *kleros* and *moira*—it does so in order to explore the appliance of the transmission medium itself (Greek poetry)—albeit in the other parts of the book, the investigation concerns itself with how this medium exposes contexts and uses indicated by the pair *nómos/nomós*. Therefore, it is in those moments that the distinction between *nómos* and *nomizomena*, the *dunamis* of *nomos* and its uses, and, thus, the *nómos* to *nomizomena* that renders it *nomizetai*, is most expressive.

62. Watkin, *Agamben*, 238-239, 240.

63. Agamben, *Kingdom*, 283.

64. Giorgio Agamben. *Categorias italianas: Estudos de poética e literatura*. Trans. by Carlos Eduardo Schmidt Capela and Vinícius Nicastro Honesko. Florianópolis: Editora UFSC, 2014, 179, our translation.

65. Agamben, *Kingdom*, 251-252, translation modified.

66. Agamben, *Homo Sacer*, 22.

67. Watkin, *Agamben*, 238.

68. Agamben, *Categorias*, 180, 184-185.

69. Agamben, *Categorias*, 33, our translation.

70. Agamben, *Categorias*, 170, our translation.

71. Giorgio Agamben. *The Time that Remains: A Commentary on the Letter to the Romans*. Trans. by Patricia Dailey. Stanford: Stanford University Press, 2005b, 84.

72. William Watkin. *The Literary Agamben: Adventures in Logopoiesis*. New York: Continuum, 2010, 57.

73. Zartaloudis, "Ars Inventio", 2435.

74. Giorgio Agamben. *Che cos'è la filosofia*. Macerata: Quodlibet, 2016a, 135, our translation.

75. Agamben, *Che cos'è*, 138, our translation.

76. Giorgio Agamben. *Language and Death: The Place of Negativity*. Trans. by Karen E. Pinkus and Michael Hardt. Minneapolis: University of Minnesota Press, 2006, 35.

77. Agamben, *Language*, 46, 47.

78. Agamben, *Language*, 78, 85.

79. Agamben, *Language*, 95.

80. Agamben, *Language*, 95-96, 107.

81. Agamben, *Homo Sacer*, 60.

82. Agamben, *Che cos'è*, 138.

83. Agamben, *Che cos'è*, 140, our translation.

84. Agamben, *Che cos'è*, 146.

85. Thanos Zartaloudis. "Without Negative Origins and Absolute Ends: A Jurisprudence of the

- Singular.” *Law and Critique*, v. 13, p. 197-230, 2002, 226.
86. G. W. F. Hegel. *Outlines of the Philosophy of Right*. Trans. by T. M. Knox. Oxford: Oxford University Press, 2008, 56.
87. Joachim Ritter. *Hegel and the French Revolution: Essays on the Philosophy of Right*. Trans. by Richard Dien Winfield. Cambridge: The MIT Press, 1984, 127.
88. Joachim Ritter. *Hegel and the French Revolution: Essays on the Philosophy of Right*. Trans. by Richard Dien Winfield. Cambridge: The MIT Press, 1984, 130.
89. See Johan van der Walt. Law, Utopia, Event: A Constellation of Two Trajectories. In: SARAT, Austin et al. (eds.) *Law and the Utopian Imagination*. Stanford: Stanford Law Books, 2014.
90. Ritter, *Hegel*, 132.
91. Ritter, *Hegel*, 132.
92. Hans Kelsen. *A democracia*. Trans. by Ivone Castilho Benedetti et al. São Paulo: Martins Fontes, 2000, 291-292.
93. Johan van der Walt argues for a direct relation between utopian thought and the denouncement of private propriety. When this “great European debate” underpinned by the positions taken regarding the institution of private property “finally lost its fascination,” the “utopian intuition” shifted its focus “to a more radical resistance—namely, the resistance to the very notions of propriety and the proper that ultimately informed and conditioned (...) the institutions of private property”. (2014: 71) The reading explored above—which advances the idea that at the untimely moment of the emergence of Law as a signature propriety works both as its *initium* (as the institution of private property) and its *principium* (as the topical disposition of language)—is clearly indebted to his interpretation. One may add that the historical presentations of what he calls “articulations of the utopian intuition” can be understood as different takes on the homonymy between Law’s *initium* and *principium*.
94. See Ritter, *Hegel*, 133.
95. Carl Schmitt. *The Nomos of the Earth*. Trans. by G. L. Ulmen. New York: Telos Press Publishing, 2006, 67, 70, 78-79.
96. Carl Schmitt. “Appropriation/Distribution/Production: An Attempt to Determine from Nomos the Basic Questions of Every Social and Economic Order.” In: *The Nomos of the Earth*. Trans. by G. L. Ulmen. New York: Telos Press Publishing, 2006, 326-327.
97. Carl Schmitt. “Nomos—Nahme—Name.” In: *The Nomos of the Earth*. Trans. by G. L. Ulmen. New York: Telos Press Publishing, 2006, 347-349.
98. Effective-possibility, real possibility (*reale Möglichkeit*), is the way of the Schmittian exception—and this is the time of *nomos*, or the *nomos* as *chronos*—as Derrida insightfully proposed in *The Politics of Friendship*: “The exception is the rule—that, perhaps, is what this thought of real possibility thinks. The exception is the rule of what takes place, the law of the event, the real possibility of its real possibility. The exception grounds the decision on the subject of the case or the eventuality. The fact that the case or situation (*dieser Fall*) arises only exceptionally (*nur*

ausnahmsweise) does not suspend, sublimate or annul (*hebt ... nicht auf*) its ‘determining character’. On the contrary, this exceptionality grounds (*begründet*) the eventuality of the event. An event is an event, and a decisive one, only if it is exceptional. An event as such is always exceptional.” Jacques Derrida. *The Politics of Friendship*. Trans. by George Collins. New York: Verso, 2006, 127-128. Its “innermost spring” is the following logic: “the passage from possibility to eventuality (which is here specified as minimal eventuality) and from eventuality to effectivity-actuality (which in the sentence is named real possibility, ‘*reale Möglichkeit*’). This passage takes place, it rushes into place, precisely where the abyss of a distinction happens to be filled up. The passage consists in fact in a denial of the abyss. (...) Whether the war takes place, whether war is decided upon or declared, is a mere empirical alternative in the face of an essential necessity: war is taking place; it has already begun before it begins, as soon as it is characterized as eventual (that is, announced as a non-excluded event in a sort of contingent future). And it is eventual as soon as it is possible. Schmitt does not wish to dissociate the quasi-transcendental modality of the possible and the historico-factual modality of the eventual. He names now the eventuality (*wenigstens eventuell*), now the possibility (*Möglichkeit*), without thematizing the criterion of distinction”, Derrida, *Politics*, 86. It is the “undecidable eventuality qua real possibility” that “informs decisions and forms truth. This undecidable decision bestows the force of unveiling. This deciding signification which unveils the kernel of things accrues to the decision”, Derrida, *Politics*, 128.

99. Johan van der Walt. *The Concept of Liberal Democratic Law Distilled*. New York: Routledge, 2019, 33. The pages indicated for Van der Walt’s forthcoming work, *The Concept of Liberal Democratic Law Distilled*, are taken from the manuscript, which its author had the generosity of sharing with us.

100. Walt, *Concept*, 36.

101. The characterization of Schmitt’s protocol as a political reduction, along the lines of the phenomenological reduction, is advanced by Michael Marder in *Groundless Existence: The Political Ontology of Carl Schmitt*, which inspired the interpretation advanced here. See Michael Marder. *Groundless Existence: The Political Ontology of Carl Schmitt*. New York: Continuum, 2010

102. Walt, *Concept*, 41.

103. Thucydides. *The War of the Peloponnesians and the Athenians*. Ed. and trans. by Jeremy Mynott. Cambridge: Cambridge University Press, 2013, 380.

104. Thucydides, *War*, 382, emphasis added.

105. It should be noted that *The Birth of Nomos* purposively does not deal with this distinction, nor with the sources that testify to and advance the contraposition between *nomos* and *physis*. (Cf. Zartaloudis, xxxiv ff) That notwithstanding, the debate itself and its context are not crucial to the present argument. What is of great interest is the understanding that can be read through Thucydides’ narration of war or struggle as the *arché* or *nomos* to *nomizomena*. One can read Plato’s strategy of dismissing the whole antithesis debate in the tenth book of the *Nomoi* along these lines, reframing the matter as a question regarding the principle of movement (*dunamis*) to that

of *cosmopoiesis*, which, as such, is directly related to Zartaloudis' investigation. Cf. Plato. *The Laws of Plato*. Trans. by Thomas L. Pangle. Chicago: The University of Chicago Press, 1980, 286-288; 890a-891e.

106. Schmitt, *Nomos-Nahme-Name*, 342.

107. Walt, *Concept*, 43.

108. Walt, *Concept*, 44.

109. Schmitt, *Nomos*, 73.

110. Schmitt, *Nomos*, 73.

111. Agamben, *Homo Sacer*, 32.

112. Schmitt, *Nomos-Nahme-Name*, 345.

113. Schmitt, *Nomos-Nahme-Name*, 348.

114. Schmitt, *Nomos-Nahme-Name*, 349.

115. Schmitt, *Nomos-Nahme-Name*, 349, emphasis added.

116. Schmitt, *Nomos-Nahme-Name*, 349.

117. Agamben, *Kingdom*, 237.

118. Agamben, *Kingdom*, 238.

119. Ian Cooper. "Law, Tragedy, Spirit: Hölderlin Contra Agamben." *Journal of Literary Theory*, v. 6, i. 1, p. 195-211, 2012, 204.

120. Agamben, *Homo Sacer*, 33.

121. Agamben, *Homo Sacer*, 51.

122. There is a recurrent thought in Agamben's work regarding our "extreme epochal situation": "we live in a time that is not—or at least pretends not to be—determined by any historical *a priori*, which is to say, a post-historical time (or rather, a time determined by the absence or impossibility of such an *a priori*)". Agamben, *Use*, 114. It may be suggested, from the contraposition between Schmitt and Hölderlin explored above, that the "*a priori*" which makes all ontologies "hodologies", "which is to say, the way that being always historically opens toward itself", is none other than the power to give names. Agamben, *Use*, 114.

123. NANCY, Jean-Luc. *Cosmos Basileus*. *Lignes*, v. 3, i. 35, p. 94-99, 1998, 97, our translation.

124. Cooper, *Law*, 201, the sentences in parentheses are Hölderlin's.

125. Plato. *Minos*. In: *Plato*. v. VIII. Ed. and trans. by W. R. M. Lamb. London: Loeb, 1927, 338, 313b.

126. Plato, *Minos*, 391, 314b.

127. Plato, *Minos*, 393, 314b-c.

128. See Leo Strauss. *On the Minos*. In: *Liberalism Ancient and Modern*. Chicago: The University of Chicago Press, 1995. 65.

129. Plato, *Minos*, 411, 318d-e.

130. Lamb in Plato, *Minos*, 418-419, note 2.

131. See Plato, *The Laws*, 4ff, 625c ff.

132. On email with the authors. The authors would like to thank Thanos Zartaloudis for answering our questions pertaining to this article.
133. See Zartaloudis, *Without*.
134. Zartaloudis, *Without*, 216, our addition.
135. Alexandre Kojève. *La Nozione di Autorità*. Trans. by Marco Filoni. Milan: Adelphi Edizioni, 2011, 24, our translation.
136. It should be clear that this movement is itself a contestable interpretation made by Kojève. Contestable as it is, it does have some foundation. Kojève argues that the relation between master and slave is through and through a theory of authority. However, he contends that it does not comprehend all the possible ideal types of authority (Kojève, *Autorità*, 30 ff.). And yet, what he advances as the underlying structure of authority as relation can be aptly described as a formalization of the Hegelian dialectic between master and slave, because authority would always involve risk and recognition. Kojève, *Autorità*, 25.
137. Kojève, *Autorità*, 20, our translation.
138. Kojève, *Autorità*, 30, our translation.
139. G. W. F. Hegel. *The Phenomenology of Spirit*. Trans. by Terry Pinkard. Cambridge: Cambridge University Press, 2018, 115.
140. Hegel, *Phenomenology*, 115, translation modified; emphasis on the original.
141. It is of substantial importance to the present argument that in the few paragraphs directly dedicated to a discussion on slavery pertaining to its appearance in the sources, i.e. Greek poetry, Zartaloudis opens his commentary by noting how “some of the proximate characteristics of ‘property’ were approximated, not with regard to land, but with regard to ‘slaves’.” (2019: 95)
142. Agamben, *Use*, 14, emphasis added.